

**EXAMINING 50 YEARS OF THE
INDIAN SELF-DETERMINATION AND
EDUCATION ASSISTANCE ACT IN
INDIAN COUNTRY**

OVERSIGHT FIELD HEARING

BEFORE THE

SUBCOMMITTEE ON INDIAN AND INSULAR AFFAIRS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

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HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Indian and Insular Affairs Subcommittee staff, Ken Degenfelder (Ken.Degenfelder@mail.house.gov), and Kirstin Liddell (Kirstin.Liddell@mail.house.gov) x6-9725
Date: April 01, 2025
Subject: Oversight Hearing on “*Examining 50 years of the Indian Self-Determination and Education Assistance Act in Indian Country*”

The Committee on Natural Resources will host an oversight field hearing titled “*Examining 50 Years of the Indian Self-Determination and Education Assistance Act in Indian Country*” on **Friday, April 4, 2025, at 9 a.m. (CDT) at the First Americans Museum in Oklahoma City, Oklahoma.**

Member offices are requested to notify Haig Kadian (Haig.Kadian@mail.house.gov) by 4:30 p.m. on Tuesday, April 1, 2025, if their member intends to participate in the hearing.

I. KEY MESSAGES

- Since the 1970s, the U.S. has implemented a policy of self-determination for Indian tribes and enacted legislation to support self-determination contracts and self-governance compacts with the federal government, allowing tribes to run certain federal programs that serve their members.
- In 1975, the Indian Self-Determination and Education Assistance Act (ISDEAA) was enacted, and over the past 50 years, many tribes have exercised greater self-determination under this Act.
- The current federal policy of self-determination for tribes has enabled many tribes to take on programs, functions, services, and activities (PFSAs) previously provided by the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) and, ultimately, provide services to tribal members in a better and uniquely local manner.
- Tribes that enter into self-determination contracts and/or compacts, collectively referred to as 638 contracts or compacts, can tailor the PFSAs they want to take on, allowing the tribe to build up capacity to take on larger and more complicated PFSAs, or slowly increase the scale of PFSAs provided to tribal members as well as the surrounding community.
- The most successful 638 contracts/compacts require tribes to provide additional tribal financial resources to be used in conjunction with federal resources. Some tribes may highlight this funding gap as a barrier to taking on 638 compacts/contracts, even when the tribal community would be better served by local control over PFSAs.
- While self-determination contracts and self-governance compacts have benefited tribes, there is still room for improvement, particularly with respect to closing out contracts and compacts, implementing additional audit initiatives, and exploring other creative solutions to ensure the 638 program continues to grow.

II. WITNESSES

- **The Hon. Bill Anoatubby**, Governor, Chickasaw Nation, Ada, OK
- **The Hon. Chuck Hoskin**, Principal Chief, Cherokee Nation, Tahlequah, OK
- **The Hon. Gary Batton**, Chief, Choctaw Nation, Durant, OK
- **The Hon. Wena Supernaw**, Chair, Quapaw Nation, Quapaw, OK
- **The Hon. David Hill**, Principal Chief, Muscogee Creek Nation, Okmulgee, OK
- **Mr. Mark Rogers**, Chief Executive Officer, Osage Nation Health System, Pawhuska, OK
- **The Hon. Martin Harvier**, President, Salt River Pima-Maricopa Indian Community, Scottsdale, AZ [*Minority witness*]
- **Mr. Jay Spaan**, Executive Director, Self-Governance Communication & Education Tribal Consortium, Tulsa, OK [*Minority witness*]

III. BACKGROUND

Tribal Self-Determination Contracting and Self-Governance Compacting

Under President Nixon, the United States transitioned to a federal policy of self-determination with Indian tribes. In his July 8, 1970, message to Congress, President Nixon began this policy by stating, “We must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support.”¹ Congress then passed the Indian Self-Determination and Education Assistance Act (ISDEAA) in 1975, establishing a statutory framework by which tribes could assume responsibility for PFSAs, which the federal government otherwise typically runs for the benefit of tribal members.²

As a result of ISDEAA and its amendments, tribes may take control of PFSAs in one of two ways—either through a self-determination contract (known as a 638 contract) or through a self-governance compact (known as a 638 compact).³ The self-determination authorities provided by ISDEAA are commonly referred to as “638 contracts” or “638 compacts” in reference to ISDEAA’s public law number, P.L. 93–638. Self-determination contracts and self-governance compacts are not one-size-fits-all and can differ depending on each tribe’s specific needs and approach.⁴ While both 638 contracts and 638 compacts authorize tribes to exercise greater control over the services provided to their tribal members, each has specific nuances.

Under Title I of ISDEAA, a tribe can enter into a 638 contract related to a BIA service.⁵ Each contract can last up to three years, unless the Secretary of the Interior (the Secretary) and the tribe agree to a longer term. However, the contracts can be renegotiated annually to account for cost increases and any changes in circumstances.⁶

Any federally recognized tribe may submit a 638 contract proposal for review to the Secretary.⁷ The proposal must contain all required information, such as information about the tribe, the point of contact for the contract, a statement of the PFSAs the tribe wishes to assume, as well as the needs, funds, and information relating to whether the tribe intends to retain any federal employee assistance or federal resources.⁸ Once submitted, the Secretary has two days to acknowledge receipt and 15 days to notify the tribe of any missing materials and whether the proposal contains any aspect that prohibits the Secretary from approving it, such as the service provided being unsatisfactory or the PFSA being unable to be contracted.⁹ In general, the Secretary has 90 days to approve or decline a proposal. If it is neither approved nor denied in that time frame, then the proposal is deemed approved. Once approved, the Secretary must award the contract and provide the available funds.¹⁰ Considering the few ways in which a contract proposal can be denied, in general, if a tribe wishes to contract out a PFSA, it can likely do so.¹¹

Following the success of the 638 contracting program, the Indian Self-Determination and Education Assistance Act Amendments of 1988 were enacted, which authorized a Governance Demonstration Project.¹² While this initial demonstration project was held within the BIA, Congress extended the authority to the IHS in 1992.¹³ In 1994, the Tribal Self-Governance Act (TSGA) amended ISDEAA by adding a Title IV, to authorize a permanent Tribal Self-Governance program for the BIA to enter into self-governance compacts with tribes.¹⁴

Title V of ISDEAA was added by the Tribal Self-Governance Amendments Act of 2000, which permanently authorized the Indian Health Service to enter into self-governance compacts with tribes.¹⁵ Self-governance compacts are more expansive than self-determination contracts, offering greater flexibility and enabling tribes to assume control over a wider range of services and offerings. As a result, there is

a higher threshold for approval, but tribes can negotiate more broadly with the BIA or IHS to cover the costs associated with the compact.¹⁶

Because a self-governance compact is usually broader in scope, negotiations between the tribe and the Secretary are more complex. Formal negotiations are overseen by the Department of the Interior's Office of Self-Governance within the Office of the Assistant Secretary for Indian Affairs.¹⁷ To negotiate a compact, a tribe must have completed the planning phase for self-governance and demonstrate financial stability and management capabilities through an organization-wide audit under the Single Audit Act of 1984, covering the previous three years.¹⁸ A tribe must also initiate and request negotiations for a self-governance compact and an Annual Funding Agreement (AFA) with the Secretary.¹⁹ Only then may a tribe be entered into the applicant pool, of which only 50 additional tribes are authorized to enter into a compact per year, and begin negotiations.²⁰ Self-governance compacts do not have a set mandatory model like self-determination contracts, and all parties involved must negotiate the terms of the self-governance compacts and any associated annual funding agreements (AFAs).²¹

Since their enactment, Congress has continued to refine the 638 contracting and compacting process. In 2020, the Practical Reforms and Other Goals to Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act (PROGRESS Act) was enacted.²² The law was intended to streamline and standardize the self-governance process within the Department of the Interior (DOI), while providing tribes with more flexibility to tailor, consolidate, and administer self-determination contracts and compacts.²³

The PROGRESS Act also authorized a Self-Governance Negotiated Rulemaking Committee (Committee), composed of tribal stakeholders, to negotiate and assist with the promulgation of the law's implementing regulations.²⁴ The Act included deadlines for issuing the proposed rule on July 21, 2022, and the final rule on April 21, 2023, after which the negotiated rulemaking committee would sunset and disband.²⁵

However, the Committee did not meet until August 29, 2022,²⁶ almost two years after the passage of the PROGRESS Act. The delay was attributed to the COVID-19 pandemic and the transition between presidential administrations.²⁷ An extension for the Committee and the negotiated rulemaking process was included in the *Continuing Appropriations Act, 2024 and Other Extensions Act*.²⁸ The legislation also extended the submission deadlines for the Department of the Interior's proposed regulations from July 21, 2022, to December 21, 2023, and the deadline for final proposed regulations was also extended from April 21, 2023, to December 21, 2024.²⁹

The final PROGRESS Act implementing regulations were promulgated on January 10, 2025.³⁰ These regulations laid out the requirement for federal agencies to define yearly what is considered an "inherently federal function" for the purposes of implementing the Act, and a requirement that DOI must accept a 638 contract or compact if all guidelines are met. It also clarified that contract support costs must be paid out.³¹ While proponents of the law intended the PROGRESS Act and its implementation rulemaking to provide tribes with greater clarity on what constitutes an inherently federal function, Congress should continue to oversee tribal self-governance programs to determine if the law and regulations have provided the intended clarity, or if further legislative action is needed.

638 Contracting/Compacting for Healthcare

Indian tribes can also enter into 638 contracts/compacts for various healthcare programs provided by IHS, including, but not limited to, dental, laboratory services, audiology, obstetrics and gynecology, and inpatient services. As of July 1, 2024, the IHS had entered into 114 compacts and 142 AFAs with tribes and tribal organizations across all 12 IHS Service Areas.³²

The Cherokee Nation has been at the forefront of the 638 contracting/compacting benefits. When Congress first requested that the IHS pursue self-governance opportunities for tribes, the Cherokee Nation was the first tribe to receive a cooperative agreement, totaling \$500,000, to research the agency's programs and budget, and develop a self-governance model.³³ As a result, in 1994, the Cherokee Nation became one of the first tribes to negotiate and enter into a 638 compact with the IHS.³⁴

The ability to provide healthcare services to its citizens has enabled the Cherokee Nation to expand its health services, making it one of the largest tribally operated healthcare systems in the U.S. Cherokee Nation Health Services (CNHS) employs nearly 160 full-time providers, along with over 2,200 health services employees.³⁵ CNHS has invested in the needs of the tribe and the surrounding area through the development of new facilities and ongoing expansion efforts. Currently, CNHS consists of W.W. Hastings Hospital and nine health centers. W.W. Hastings Hospital

is a 60-bed inpatient facility initially built in the mid-1980s to serve approximately 60,000 patients per year. The tribe took over the hospital in October 2008, and in recent years, the facility has served over 500,000 patients annually.³⁶

In December 2020, Principal Chief Chuck Hoskin Jr. signed legislation that invested a total of \$440 million in improvement projects, including \$400 million allocated toward the construction of a new hospital in Tahlequah, which will replace W.W. Hastings Hospital upon its completion.³⁷ With the construction of the hospital in Tahlequah, CNHS will be able to offer an increased number of beds for critical care patients, inpatient dialysis, and additional room for the increase in births seen in the labor and delivery department.³⁸

Tribally operated health facilities can adapt to the needs of their patients and utilize revenue to invest in the community. The Cherokee Nation has reinvested the revenue received from third-party billing throughout the services offered by CNHS. The Tahlequah outpatient center was opened in October 2019 and has offered services such as optometry, audiology, physical rehabilitation, behavioral health, radiology, pharmacy, primary care, dental, and more.³⁹

The Chickasaw Nation has also paved the way for tribally run health services, being one of the first tribes to enter into a compact with the IHS to take control of their healthcare system. As a result, the Chickasaw Nation has tailored its health services to the needs of its citizens, offering services in specialties such as dentistry, nutrition, mental health, substance abuse prevention, and pharmacy.⁴⁰ The Chickasaw Nation Medical Center (CNMC) offers a variety of services and clinics, including the Ada Family Practice Clinic, the Diabetes Care Center, the Ada Behavioral Health Clinic, the CNMC Outpatient Pharmacy, and the CNMC WIC Clinic.⁴¹ The flexibility of self-governance has afforded the Chickasaw Nation the opportunity to adapt to changing times and utilize virtual technologies.⁴²

Tribally run healthcare facilities can offer quality care that is both specialized and tailored to the unique cultural experiences of tribal members. Having a cultural connection in their healthcare generally improves the experience of American Indians and Alaska Natives within the healthcare system, keeping them engaged and willing to return for follow-up care.⁴³

638 Contracting/Compacting to Encourage Economic Development

Economic development is the process of influencing an economy's growth to enhance a community's economic well-being.⁴⁴ There are two main objectives: 1) creation of jobs and wealth, and 2) improvement of quality of life by focusing on improving the business and, sometimes, social aspects of communities.⁴⁵

Because 638 contracts/compacts involve government-provided PFSAs, tribes seek these contracts/compacts to encourage economic development and maintain tribal sovereignty over economic enterprises. These include PFSAs that ensure tribal control over tribal resources, such as land, mineral resources, and other natural resources, as well as PFSAs that foster supportive business environments, which can encourage businesses to establish themselves on reservation or tribal trust land. The revenue generated from tribally run PFSAs supports not just the tribe's economy,⁴⁶ but also the economy of surrounding communities as well.⁴⁷

Since the federal government owns tribal trust land for the benefit of an Indian tribe, it is subject to federal oversight regarding the leasing, sale, or encumbrance of the land. If a tribe seeks to conduct activities on trust land, the Secretary must approve the activity. The BIA's Office of Trust Services is traditionally responsible for managing trust and restricted fee lands. That office is divided into two sub-offices, the Division of Real Estate Services and the Division of Land Titles and Records. These two sub-offices oversee the daily real estate services that field offices throughout the country provide to tribes.⁴⁸

The BIA has inconsistently met deadlines for processing mortgages, documenting leases and rights-of-way, and title status reports, which can hinder economic activity by creating uncertainty and roadblocks.⁴⁹ Access to accurate land valuation and realty functions is crucial for developing residential and commercial buildings, as well as for facilitating rights-of-way. Understanding what land is available is also essential for individuals or businesses to participate in economic activities such as agriculture, grazing, timber, or energy development. If a tribe assumes management of realty services and/or land titles and records, the tribe can expeditiously process these documents which can enhance its economic opportunities and benefit their community.

For example, the Cherokee Nation has compacted nearly all realty functions related to trust or restricted lands through the Cherokee Office of Real Estate Services.⁵⁰ This office "is responsible for administering the laws, regulations, and policies affecting the protection and management of trust and restricted lands of individual Indian landowners . . .",⁵¹ reinforcing the tribe's sovereignty over its

members' real estate. The Cherokee Office of Real Estate Services oversees approximately 46,000 acres of Restricted land, more than 62,000 acres of Trust land, and over 5,100 acres of Fee land.⁵² The Cherokee Nation has developed its own Standard Operating Procedures (SOP's) for each realty function, streamlining processes and significantly reducing timeframes.⁵³ By removing bureaucratic barriers between the BIA and the tribe, these efforts enable the Cherokee Nation to independently lease land for businesses, establish rights-of-way, and facilitate resource and residential development, directly increasing economic benefits for the tribe.⁵⁴

Additionally, the Cherokee Nation has compacted the BIA's Land Title and Records Office (LTRO), which allows all land transactions to be securely stored within the reservation.⁵⁵ Without compacting, these records would be held by the BIA, limiting the tribes' direct access. By managing its own LTRO, the Cherokee Nation ensures immediate access to necessary documents, reducing delays and eliminating transaction costs.⁵⁶

The Quapaw Nation is another tribe that has compacted its land and asset management from the BIA.⁵⁷ By doing so, the tribe directly manages all aspects of business leasing, homeowner leasing, right-of-way agreements, land management, and asset management⁵⁸ through the Quapaw Nation Realty Trust Department.⁵⁹ As a result, the Quapaw Nation is able to operate faster than the BIA, enabling them to move at the speed of business rather than wait several years for the BIA to provide the needed information. By having sovereignty over leasing and permitting services⁶⁰ on its lands, the tribe fosters economic growth and opportunity for its citizens.⁶¹

In the 118th Congress, the Indian and Insular Affairs Subcommittee held hearings on issues related to tribal energy development, particularly the benefits of oil and gas development for long-term growth and intergenerational benefits.⁶² The House Committee on Natural Resources has also received testimony on the benefits of tribal control over tribal forests and federal forests adjacent to tribal land. Several tribes detailed how tribal connections to land enable tribes to conserve and economically benefit from their forest lands.⁶³

Land use restrictions can also translate into a lack of physical infrastructure on or near reservations, usually due to underinvestment and the area's rural or extrarural character. Tribes and Native communities often lack sufficient or adequate facilities and related infrastructure to support prospective businesses.⁶⁴ Tribal roads, particularly in rural areas, can be underdeveloped, and tribal communities have limited access to public or private transportation options.⁶⁵ Despite recent federal investments, essential utilities, such as water, sewer, electricity, and broadband internet, remain underdeveloped.⁶⁶ Congress can strengthen tribes' capacity to take on these responsibilities by considering expanding Good Neighbor or 638 contracting authorities to other departments or agencies outside of DOI.

Challenges with 638 Contracts and 638 Compacts and Opportunities for Improvement

Although self-determination contracts and self-governance compacts have increased tribal autonomy and improved the provision of services to tribal members, there are still areas for improvement that should be addressed at the statutory and/or regulatory level.

One process concern is that these contracts and compacts lack a statutorily mandated timeframe for closure. All parties involved must verify that the requirements and goals have been met before closing out a 638 agreement.⁶⁷ A 2023 DOI Office of the Inspector General (OIG) report found that the BIA has not actively managed the closeout process for 638 contracts and 638 compacts.⁶⁸ The closeout process is necessary to enable tribes and tribal organizations to utilize unspent funds from the 638 agreements for agreed-upon tribal programs and services, while ensuring that the BIA fulfills its trust responsibilities.⁶⁹

The OIG report found that, of the 638 open contracts and 638 compacts administered by the BIA, there were over \$5 million in unused funds. Additionally, the BIA was unable to pinpoint unspent funds, which led to concerns about duplicative agreements.⁷⁰ BIA officials reported that competing priorities, such as the statutory requirement to open and provide funding for new 638 agreements and the lack of a required end date for agreements, affected work on the 638 closeout process.⁷¹ The OIG recommended, and BIA concurred, that the agency should develop a method to monitor the 638 closeout process.⁷² As Congress and the Trump administration continue their efforts to ensure that every taxpayer dollar is used effectively, federal funds allocated to 638 programs should not be sitting in limbo.

Another concern is how quickly tribes and tribal organizations receive a response to their proposals for self-determination contracts and compacts.⁷³ If DOI does not respond promptly, particularly for a request to negotiate a self-governance compact,

momentum and expertise could be lost both at the tribal and federal level. Congress should continue monitoring the implementation of the PROGRESS Act to ensure that processes benefit tribes and reduce reliance on the DOI. Congress could also consider legislation to require the BIA to submit a yearly report detailing the 638 processes and outcomes, as a means of gathering and sharing additional information with tribes and Congress to inform and pursue improvements. These actions would provide ways in which the BIA adheres to a close out process and is responsive to tribes.

Another consideration is the tribal shares of federal monies received when a tribe enters into a self-determination contract or compact. Once the BIA determines a tribe's share of federal funds for a program through the BIA tribal shares process, that allocation remains unchanged unless an Act of Congress explicitly amends it. Therefore, a tribe's share year to year remains unchanged, regardless of any growth on the part of the tribe, and there is little flexibility when other tribes achieve federal recognition, and whether there will be increased discretionary appropriations.⁷⁴ Because a newly recognized tribe would not have previously participated in the BIA's tribal shares process, the BIA will instead provide baseline funding based on the tribe's population.⁷⁵ In effect, this will reduce the amount of funding available for other federally recognized tribes. Congress could require the BIA, in consultation with affected tribes, to reevaluate tribal shares of federal funds in cases of significant changes in a tribe's circumstances or when a region has a newly federally recognized tribe. The equitable distribution of federal funding should consider each tribe's unique situation and its self-governance programs, as well as the constraints of the Federal government's current fiscal realities.

Finally, considering the role audits play in a tribe's plan to enter into a self-governance contract or compact, Congress could consider pursuing a Cooperative Audit Resolution and Oversight Initiative (CAROI) system, similar to the one first established by the Department of Education in 1999.⁷⁶ CAROI "seeks to improve dialogue, promote innovation in identifying solutions to problems, foster continuous improvement of the audit process, improve the efficiency and effectiveness of all oversight activities, and minimize bureaucratic and other inefficient methods".⁷⁷ In a report by the GAO, it was found that "CAROI projects have had a positive impact in reducing recurring findings identified in statewide audits."⁷⁸ CAROI was expanded to all federal agencies as a way to engage all stakeholders in a cooperative audit process and produce better outcomes.⁷⁹ However, it does not explicitly apply to self-determination contracts or self-governance compacts. CAROI "audits can contain cross-cutting findings that identify internal control weaknesses and compliance issues that potentially impact multiple federal programs across numerous agencies."⁸⁰ It could "help promote transparency in a manner that permits the tribes to control the content and use tools to manage their programs better."⁸¹ Congress could consider explicitly applying CAROI or other cooperative audit resolution processes to help build tribal capacity through the audit process. This would ultimately bolster a tribe's ability to allocate resources more efficiently while monitoring where that funding is directed.

- ¹ President Richard Nixon, Special Message on Indian Affairs. 1970. <https://www.epa.gov/sites/default/files/2013-08/documents/president-nixon70.pdf>.
- ² P.L. 93-638. The “638” part is used as another name for self-determination contracting (638 contracting) and self-governance compacting (638 compacting).
- ³ Murray, Mariel. *Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs*. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>.
- ⁴ 25 CFR Part 900 and Part 1001.
- ⁵ P. L. 93-638.
- ⁶ Murray, Mariel. *Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs*. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>.
- ⁷ 25 USC Sec. 5321 and Hobbs, Straus, Dean & Walker. Memorandum on PROGRESS Act Amendments to Titles I and IV of the ISDEAA <https://www.tribalselfgov.org/wp-content/uploads/2020/10/02-10-22-20-PROGRESS-Act-Title-I-and-Title-IV-Amendment-Final.pdf>.
- ⁸ 25 CFR Part 900.
- ⁹ 25 CFR 900.145.
- ¹⁰ Id.
- ¹¹ 25 CFR 900.22, detailing the five narrow reasons why a Secretary can decline a self-determination contract proposal.
- ¹² P.L. 100-472.
- ¹³ P.L. 102-57.
- ¹⁴ P.L. 103-413.
- ¹⁵ P.L. 106-260.
- ¹⁶ 25 CFR Part 1001. And Washburn, Kevin. *Tribal Self-Determination at the Crossroads*. Connecticut Law Review 38-777. 2006. https://digitalrepository.uvm.edu/law_facultyscholarship/511.
- ¹⁷ Murray, Mariel. *Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs*. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>.
- ¹⁸ 25 CFR Part 1001.
- ¹⁹ Id.
- ²⁰ Id.
- ²¹ Strommer, Geoffrey. *The History, Status, and Future of Tribal Self-Governance Under the Indian Self-Determination and Education Act*. American Indian Law Review. 2015. <https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?article=1001&context=air>.
- ²² P.L. 116-180.
- ²³ Senate Report on “A Bill to Amend The Indian Self-Determination and Education Assistance Act to Extend the Deadline For The Secretary Of The Interior to Promulgate Regulations Implementing Title IV Of That Act, and For Other Purposes” S. Rpt 118-38, p. 1 <https://www.congress.gov/118/crpt/srpt38/CRPT-118spt38.pdf>.
- ²⁴ P.L. 116-180, Sec. 101.
- ²⁵ Id.
- ²⁶ Notice of Meeting. *Self-Governance PROGRESS Act Negotiated Rulemaking Committee*. BIA. 2022. <https://www.federalregister.gov/d/2022-17284>.
- ²⁷ Senate Report on “A Bill to Amend The Indian Self-Determination and Education Assistance Act to Extend the Deadline For The Secretary Of The Interior to Promulgate Regulations Implementing Title IV Of That Act, and For Other Purposes” S. Rpt. 118-38, p. 2 <https://www.congress.gov/118/crpt/srpt38/CRPT-118spt38.pdf>.
- ²⁸ P.L. 118-15, Sec. 2102.
- ²⁹ Id.
- ³⁰ Self-Governance PROGRESS Act Regulations, 89 Fed. Reg. Issue 238. (Dec. 2024). <https://www.govinfo.gov/content/pkg/FR-2024-12-11/pdf/2024-28302.pdf>.
- ³¹ Self-Governance PROGRESS Act Regulations, 89 Fed. Reg. Issue 238. Page 100, 231 (Dec. 2024). <https://www.govinfo.gov/content/pkg/FR-2024-12-11/pdf/2024-28302.pdf>.
- ³² Indian Health Service. Self-Governance Tribes. <https://www.ihs.gov/selfgovernance/tribes/>, and IIA Staff Correspondence with IHS. March 21, 2025.
- ³³ Kauffman and Associates, Inc. 1994. *Indian Health Service Self-Governance Review Through 1994 Negotiations*. University of New Mexico. Pg. 17 <https://www.tribalselfgov.org/wp-content/uploads/2021/05/Indian-Health-Service-Self-Governance-Review-Through-1994-Negotia.pdf>.
- ³⁴ Indian Health Service. Self-Governance Tribes. <https://www.ihs.gov/selfgovernance/tribes/>.
- ³⁵ Id.
- ³⁶ Cherokee Nation. Health Services. <https://health.cherokee.org/> and IIA Staff Correspondence with Cherokee Nation. March 13, 2025.
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⁵⁰ Id.

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⁵⁴ IIA Staff Correspondence with Cherokee Nation. March 14, 2025.

⁵⁵ Id.

⁵⁶ IIA Staff Correspondence with Cherokee Nation. March 14, 2025.

⁵⁷ Id.

⁵⁸ IIA Staff Correspondence with Quapaw Nation. March 18, 2025.

⁵⁹ Quapaw Nation through their compact operated their own Trust Asset Account Management (TAAMS) system.

⁶⁰ Id.

⁶¹ Quapaw Nation. “Realty/Trust.” <https://www.quapawtribe.com/183/Realty-Trust>.

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⁷³ IIA briefing with the Self-Governance Communication and Education Tribal Consortium. 02.22.24.

⁷⁴ IIA briefing with the Self-Governance Communication and Education Tribal Consortium. 02.22.24.

⁷⁵ CRS. Bureau of Indian Affairs: Overview of Budget Issues and Options for Congress. <https://sen.fias.org/crs/misc/R47723.pdf?text=One%20Congress%20enacts%20BIA%20appropriations%2C%20BIA%20distriutes.provides%20BIA%20with%20discretionary%20appropriations%20through%20seven>.

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**OVERSIGHT FIELD HEARING ON EXAMINING
50 YEARS OF THE INDIAN SELF-
DETERMINATION AND EDUCATION
ASSISTANCE ACT IN INDIAN COUNTRY**

**Friday, April 4, 2025
U.S. House of Representatives
Subcommittee on Indian and Insular Affairs
Committee on Natural Resources
Oklahoma City, Oklahoma**

The Committee met, pursuant to notice, at 9 a.m., CDT, at First Americans Museum, 659 American Indian Boulevard, Oklahoma City, Oklahoma, Hon. Bruce Westerman, presiding.

Present: Representatives Westerman, Gosar, Stauber, Collins, Walberg, Maloy, Hurd, Leger Fernández, and Hoyle.

Also present: Representatives Lucas, Bice, and Ellzey.

The CHAIRMAN. The House Committee on Natural Resources will come to order. Good morning, everyone. I want to welcome you to our hearing, especially our witnesses, the members who traveled here, some who live here, and the guests in the audience today, as we conduct this hearing. And we also want to welcome those who are tuning in online.

Since this a congressional hearing, like all congressional business, we open the session with the posting of the colors and the Pledge of Allegiance. So it is my honor to recognize the Putnam City High School Color Guard for the presentation of the colors, and we also have Mr. Hurd, who will lead in the Pledge of Allegiance. So if you will please rise.

[Presentation of the colors.]

[Group recitation of Pledge of Allegiance.]

The CHAIRMAN. Thank you. You may be seated.

Without objection, the Chair is authorized to declare a recess of the Committee at any time.

The Committee is meeting today to hear testimony for an oversight hearing entitled “Examining 50 Years of the Indian Self-Determination and Education Assistance Act in Indian Country.” Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I therefore ask unanimous consent that all other members’ opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

By way of introduction, I am Congressman Bruce Westerman from Arkansas’ 4th Congressional District, and I serve as the Chairman of the Committee on House Natural Resources. I am grateful today to be joined by several members who represent the great state of Oklahoma and other members from on and off our

Committee who have traveled here to talk about these very important issues.

I ask unanimous consent that the gentleman from Oklahoma, Mr. Lucas; the gentlewoman from Oklahoma, Ms. Bice; and the gentleman from Texas, Mr. Ellzey, be allowed to sit and participate in today's hearing. Without objection, so ordered.

I will now recognize myself for an opening statement.

STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

The CHAIRMAN. Again, thank you for joining us today for the Committee's first field hearing of the 119th Congress. A special thanks to our hosts, Representatives Bost and Lucas, for being with us today and for your hospitality during the visit. I know we were in Representative Bice's district last night. We are in Representative Lucas' district this morning.

At the end of the 118th Congress, I expressed my desire for our first field hearing this year to focus on engaging with Tribes and to continue a meaningful discussion on how Congress can best collaborate to uphold the United States' trust responsibilities to Native American communities. We hosted a roundtable in D.C. last November, and engaged Members of Congress and Tribal leaders from across the country to discuss how to best expand economic opportunities, enhance health care delivery for Tribal communities, among other topics.

From the discussion at the roundtable, it was evident there is considerable interest in Congress and among Tribal leaders for increased dialogue focused on enhancing Tribal self-governance, promoting economic opportunities, and improving the quality of life for Tribal communities.

Since the 1970s, the United States has pursued a policy of self-determination for Tribes, enabling Tribal governments to direct the services provided to their members. It was President Nixon who said, and I quote, "We must make it clear that Indians can become independent of Federal control without being cut off from Federal concerns and Federal support." Simply put, Tribes know best how to serve their people.

As a result, Congress enacted the Indian Self-Determination and Education Assistance Act, or ISDEAA, in 1975. This law, Public Law 93-638, which is commonly referred to as 638, established the statutory basis for self-determination contracts and later self-governance compacts. Through the authorities provided in ISDEAA, Tribes can establish systems to provide essential services that promote economic development and improve health care delivery for their members, among other things. Today's hearing features Tribes that have utilized the 638 authorities to assume responsibility for delivering essential services to their members from the Federal Government.

Ensuring consistent and culturally appropriate health care in Indian Country is a challenge for the Federal Government. However, by centering the responsibility at the local level, Indian Nations have improved health care access and delivery for both their Tribal citizens and those in the surrounding communities.

When it comes to economic development, government processes such as those required to process land transactions, must move at the speed of business, not at the glacial speed of the Federal bureaucracy. Tribes have taken innovative steps to cut Federal red tape, develop locally grown solutions, and enable themselves to compete in a global marketplace. We will hear several such success stories today.

Unfortunately, the success of the 638 program, Tribes continue facing challenges in expanding the scope of 638 contracts and compacts to other Federal departments and agencies. The United States has a nation-to-nation relationship with each federally recognized Tribe, and each Tribal Nation is unique. As such, the Federal Government must not adopt a one-size-fits-all approach.

I hope this hearing will provide us with a better understanding of the role self-determination agreements play in enabling Tribes to serve their people most effectively. I also hope we will identify opportunities for Congress and Tribes to improve the 638 authorities and the relationships that exist between the Federal Government and Tribal governments. I look forward to hearing the testimony of our witnesses and to the discussions that will follow.

I now recognize the Ranking Minority Member for any opening statement.

**STATEMENT OF THE HON. TERESA LEGER FERNÁNDEZ, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS**

Ms. LEGER FERNÁNDEZ. Thank you so much, Chair Westerman, for holding these hearings. Thank you to our Oklahoma Representatives and everybody who has come. It is a wonderful showing, and it demonstrates: our commitment to the bipartisan nature of Tribal sovereignty and Tribal self-determination. So I am very grateful to everybody for being here today, and to our witnesses.

I need to tell you, Oklahoma is one of those places that anybody who has worked in Indian Country knows is where you come if you want to know more about Indian self-determination. I, myself, have set up two separate Tribal health clinics, we looked to you, and you showed up, and you helped us, which is what you do to Tribes across the country. You are always there with your assistance.

And on the 50th anniversary, it is important that we both celebrate and reflect, a celebration and a reflection to see where do we need to go from here, what lessons can we learn. And you, in your written testimony, have pointed out a guidepost of what we can do. You have suggested that we increase and expand Indian self-determination to other agencies like the USDA, that we make sure that we cut bureaucracy and red tape, that we look at some of the burdens that Tribes who might not have a lot of resources may face.

So I am very pleased to be here, the place where the Cherokee Nation was one of the first Tribes to negotiate a 638 contract with the IHS, and has the largest-run health facility. Muscogee Creek's Health System Service, over 40,000 patients. And we know that when you exercise self-determination and build these health clinics, it not only serves your people, and you know best how to serve your own community, but it benefits everybody in the surrounding

areas. It is the neighbors and it is the non-Indians who are also benefiting from your work.

I do want to raise, however, a concern I have, which is 74 days into the Trump administration we are not yet, and I hope it is a “yet” and we will see better stuff later on, seeing a commitment to the spirit of Indian self-determination. On March 14th, Trump rescinded Executive Order 14112, which stated reform in Federal funding and support for Tribal Nations to better raise our trust responsibilities and promote the next era of Tribal self-determination. That executive order spoke exactly about what we need to do, which is how do we improve efficiency, how do we cut red tape, how do we make sure that we look at cost-sharing, which is a problem.

When the President announced the rescission, he deemed it harmful. But what is harmful about promoting self-determination and self-governance? The Federal Government should make it easier for Tribes to access and utilize funding, not harder.

On March 6th, we also learned that the GSA planned to terminate leases for 12 IHS and 25 BIA field offices. In Oklahoma you are so very lucky. I am such a fan of Chairman Tom Cole and his work and commitment to Tribes. He was able to get the leases in Oklahoma rescinded, but what about Tribes across the country who also need to make sure that their BIA and IHS offices that serve these programs continue to be able to exist.

I also am very concerned about the Medicaid cuts, because we know that Indian self-determination does not exist in a vacuum, that when I was helping set up those clinics and when you were setting up your own clinics, you were relying on third-party funding. Everybody is nodding their heads because it is simply true. You were relying on those Medicaid dollars to come in so that you could increase services, because sadly, we underfund IHS. We have had hearings on that, and it breaks my heart every time we read the numbers of how every other agency, for their health care, gets paid so much more. And if you cut Medicaid funding, Tribes might have to cut services, they might have to cut staff, and this is a major problem. So an \$880 billion cut to Medicaid does not just other communities, it hurts this amazing goal and promise of Indian self-determination. So I look forward to hearing more about that.

But, you know, it is a celebration. It is a reflection. And I think it is a wonderful moment to be here at a place that is such a central locus of those great ideals that President Nixon put into action when he signed the Indian Self-Determination and Education Act, 50 years ago. And with that I yield back, Mr. Chair.

The CHAIRMAN. The young lady yields back. Again, it is an honor to be here Oklahoma, and it is also an honor to be sitting by my distinguished, the Dean of the Oklahoma Congressional Delegation, and I want to recognize Congressman Lucas for brief remarks.

**STATEMENT OF THE HON. FRANK LUCAS, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OKLAHOMA**

Mr. LUCAS. Thank you, Mr. Chairman, and thank you for being here, and thank you to our very distinguished witnesses for testifying today. Congresswoman Bice and I are so pleased to show

off Oklahoma, our beautiful First Americans Museum, and all the incredible Tribes that bless our state. We have a very vibrant and complex history here, and I am glad the Natural Resources Committee and its members have made the trip to learn ways we can continue to work together.

Oklahoma is the home to 39 Tribal Nations, and in my district I have the privilege of touching and working with all or parts of 18 of them. It is so important that the Federal Government has a strong relationship with each and every Tribe, and that is why I have long supported a number of key programs to ensure that the United States complies with its trust and treaty obligations.

The topic of our hearing today, Indian self-determination, is certainly one that deserves our intense attention, which questions like where can we expand and improve on 638 contracts and compacts, where funding needs yet to be realized. I hope we will discuss these issues while still celebrating the accomplishments we have made since the ISDEAA was passed in 1975.

And with that, Mr. Chairman, again thank you, and I yield back.

The CHAIRMAN. The gentleman yields back. I also want to recognize my distinguished colleague, the gentlewoman from Oklahoma, Ms. Bice.

STATEMENT OF THE HON. STEPHANIE BICE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA

Ms. BICE. Thank you, Mr. Chairman, and I will keep this brief because we have lots of discussion to get to. But I want to say first, for those that are here and have not previously been to Oklahoma City, welcome to the 3rd and 5th Congressional District. We are thrilled to have you all here for this important hearing. And thank you, Chairman, for choosing Oklahoma to have this important discussion.

I hope you all have had a chance, or will have a chance to see the museum. It is an incredible new addition to this community, and I hope you get the chance to see some of the amazing things that are here.

I would just reiterate what my colleague, Mr. Lucas, and Chairman Westerman have said, and that is Oklahoma is actually home to more than three dozen federally recognized Tribes, and these individuals are providing pivotal resources to our communities through compacts and partnerships across Oklahoma and across the country.

I look forward to the discussion of the last 50 years of the Indian Self-Determination and Education Assistance Act. I want to thank fellow Oklahomans who are here, Tribal leaders, and everyone else in attendance, and I look forward to a robust hearing.

And with that, Mr. Chairman, I yield back.

The CHAIRMAN. The gentlelady yields back. We do have a very distinguished panel of witnesses today, with a vast amount of knowledge and stories to share with us. I want to now introduce the witnesses, starting with The Honorable Bill Anoatubby, the Governor of the Chickasaw Nation in Ada, Oklahoma; The Honorable Chuck Hoskin Jr., Principal Chief of the Cherokee Nation, in Talequah, Oklahoma; The Honorable Gary Batton, Chief of the Choctaw Nation, in Durant, Oklahoma; The Honorable

Martin Harvier, President of the Salt River Pima-Maricopa Indian Community, in Scottsdale, Arizona; Mr. David Hill, Principal Chief, Muscogee Creek Nation, in Okmulgee, Oklahoma, you will have to bear with me with my Arkansas pronunciations here, Mr. Jay Spaan, Executive Director of the Self-Governance Communication and Education Tribal Consortium, in Tulsa, Oklahoma; and Mr. Mark Rogers, Chief Executive Office of the Osage Nation Health Systems in Pawhuska, Oklahoma.

Did I miss anybody?

Mr. LUCAS. You missed the Chairwoman.

The CHAIRMAN. Oh, I am sorry. Chair Supernaw from—

Mr. LUCAS. We never ignore Quapaw.

The CHAIRMAN [continuing]. Quapaw, Oklahoma; and Quapaw is very prominent in my district, in Pine Bluff, Arkansas. So I apologize for missing you there.

I do want to remind the witnesses that under Committee rules they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record. To begin your testimony, please press the button on the microphone using the timing lights. When you begin, the light will turn green, when you have 1 minute left, the light will turn yellow, and at the end of 5 minutes the light will turn red, and I will ask you to please complete your statement.

Sounds kind of like a game show.

I will also allow all witnesses on the panel to testify before we have member questions.

And I recognize Governor Anoatubby for 5 minutes.

**STATEMENT OF THE HON. BILL ANOATUBBY, GOVERNOR,
CHICKASAW NATION, ADA, OKLAHOMA**

Mr. ANOATUBBY. Good morning. Thank you very much, Mr. Chairman, and members of the Committee, and our Oklahoma Congresspeople. I started to say Congressmen. It is very nice to be here with you. I really appreciate the opportunity to briefly share our perspective on the importance and the impact of the Indian Self-Determination—

The CHAIRMAN. Governor, can we have you move that microphone a little bit closer? We want to make sure we hear you.

Mr. ANOATUBBY. OK. You folks heard me, though, on that first part. I really do appreciate you being here today, and actually locating the hearing here at First Americans Museum, which is a shining star in Oklahoma. And we are thankful for the opportunity to share our thoughts with you.

As you said, we offer written testimony, and this will be very brief.

This Act was monumental to Tribes in our ability to exercise our sovereignty and be self-determined and do the things that we needed to do, and need to do today, for our citizens. It gives us the opportunity to administer programs that we had not administered before, or were administered by the Federal Government, primarily Bureau of Indian Affairs and the Indian Health Service. And we took that seriously, and we began right away to plan and put together ideas and programs that we could utilize to serve our people.

When you empower people, empower Tribes in this case, to run our own programs and deliver on services, it gave us the ability to tailor these programs in such a way as to better meet the needs of the people that we serve. Since then, we have continued to work toward more effective and comprehensive services and greater financial self-sufficiency.

You know, we want to realize that vision that we had of self-determination. We are thankful for the Federal Government and, in this case, particularly President Nixon, who had a view of what was happening in Indian Country and the United States, and he saw a need to make changes. And that change was very instrumental in the way that the Tribes operated then and operate today.

We needed revenue, obviously. Some Tribes had more than others, but many Tribes simply didn't have the resources that they needed to really do the things that they wanted to do on their own, so this gave Tribes a bit of a jumpstart in being able to provide services to our people.

But we needed additional revenue, and economic development certainly was key to that. And there is more in the testimony about the economic development effort.

But we coupled that ability to run these programs and create revenue. We combined that so that we could then create additional programs that were not even operated by the Federal Government. And so this was the direction that we took.

And we wanted to create the kind of revenue that is necessary to sustain not only what we were doing then but also in the future. Our entry into business really was small, with the purchase of the Artesian Motor Hotel in Sulphur, and it was done in 1972, before the Self-Determination Act. Not every business succeeded that we began to operate, but we learned along the way. And this has helped us to be successful.

I know that some folks here did stay at OKANA. OKANA is, in fact, a Chickasaw venture. It was done in conjunction with First Americans Museum, and it is an example of what can be done. And what happened as a result of the Indian Self-Determination Act in allowing us to proceed as we felt necessary, and using our own ingenuity and our own abilities to do what it is we wanted to do.

Our tribal businesses have grown. They have actually become an economic engine that greatly stimulates the economies of our local areas, but also for the entire state. In addition to funding vital programs, the revenues that are produced provide services and they support our goal of self-determination. And we have grown to operate a diverse portfolio of businesses, and we now count 100 businesses or so that we are, in fact, operating.

Through self-determination, we have been able to determine the markets and the industries we need to be into. We are really thankful for the Indian Self-Determination Act, all it has done for the Chickasaw Nation and its people, and really for Indian Country. And we applaud the U.S. for actually creating this opportunity for us and allowing us to do what it is that we can do in the way that we want to do it.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Anoatubby follows:]

PREPARED STATEMENT OF BILL ANOATUBBY, GOVERNOR OF THE CHICKASAW NATION

Mr. Chairman and members of the committee, thank you for inviting me to participate in today's hearing and for this opportunity to share our perspective on the importance and impact of the Indian Self-Determination and Education Assistance Act in the Chickasaw Nation.

The Chickasaw Nation, like any modern nation, is complex, and we have a long history of perseverance, determination and progress.

In our more recent history, the combined efforts and hard work of Chickasaw Nation leadership beginning in the 1970s and 80s, along with certain United States congressional acts, enabled the Chickasaw Nation to gain greater control over the management of our health, education and social services funds, most notably the Indian Self-Determination and Education Assistance Act of 1975.

This Act enabled First American tribes to exercise our sovereignty more fully by assuming responsibility for administering programs and services through compact agreements with the federal government.

Inseparable Part of this Country and State

Our history and the history of Oklahoma, as well as the United States, are forever intertwined, and we are honored to be a part of this great country and state's past, present and future.

The 1786 Treaty of Hopewell was the beginning of the official relationship between the Chickasaw Nation and the United States. Though this relationship has been marked by a series of changes throughout our history, the Chickasaw Nation built a relationship with the United States based on each entity's inherent sovereignty.

Treaties, compacts and other agreements with the United States throughout our shared history are examples of the Chickasaw Nation exercising our sovereignty in our relations with other sovereigns.

Today, we may not negotiate treaties, but we regularly compact, and each of our compacts provides examples of this exercise of sovereignty. Over the years, successful compacts have supported and strengthened our powers of self-governance and self-determination.

Our longstanding relationship with the federal government changed significantly with the advent of Oklahoma statehood in 1907 when the government of the Chickasaw Nation was reduced to a single official, Governor. For decades following statehood, the President of the United States appointed the governor of the Chickasaw Nation, who had previously been elected by the Chickasaw people.

This occurred despite the fact that the Act of 1906 passed by Congress provided that the government of the Chickasaw Nation, which consisted of executive, legislative and judicial departments, would remain in "full force and effect."

In the 1960s, Chickasaw citizens increased their efforts to reestablish the democratic government structure enshrined in the tribe's Chickasaw Constitution. Those efforts were part of a growing movement that began to shift federal Indian policy toward self-governance.

These steadfast efforts resulted in federal legislation in 1970 that ended the practice of Presidential appointment and re-empowered the Chickasaw people to elect the governor of the Chickasaw Nation. That first election of the Chickasaw Nation Governor since Oklahoma statehood was a significant step toward re-asserting our self-governance.

For more than 30 years, Chickasaw Nation compacts with the federal government have been key to effective and strong intergovernmental relationships. These legal agreements among sovereigns are carefully crafted to preserve the sovereign recognition and rights of each party, balance competing governmental interests, and serve all citizens and residents.

As a result of these agreements, we have been able to accomplish a great deal for those we serve. We continue to build productive partnerships with local, tribal, state and federal governments.

Sovereignty and Self-Determination are the Foundation

In 1970, President Richard Nixon issued a "Special Message to Congress on Indian Affairs," which refocused federal policy on self-governance and economic independence of tribal nations.

This resulted in passage of the Indian Self-Determination and Education Assistance Act of 1975. This Act empowered us to better meet the needs of those we serve, because, being closer to the people, we have a more intimate understanding of those needs and how to best meet them.

This was a major step forward in the recognition of our sovereign rights, tribal sovereignty and self-determination.

Sovereignty is the foundation of our right to establish a government that serves the Chickasaw people. It enables our government to secure the rights of our citizens and is vital to the success of our businesses and other economic development efforts.

The Indian Self-Determination and Education Assistance Act was monumental in enabling tribes to exercise our sovereignty more fully by assuming responsibility for administering programs and services through agreements with the federal government.

By empowering tribes to negotiate with the federal government to run our own programs and deliver our own services, it gave us the ability to tailor them in ways that better meet the specific needs of those we serve.

Since then, we have continued to work toward more effective and comprehensive services, just as we have also continued working toward greater financial self-sufficiency.

Today, we continue to build upon a diverse and sustainable economic foundation that enables us to develop new programs and services, and to partner in the improvement of our communities in a number of ways.

To fully realize our vision of self-determination, we had to come up with ways to raise revenue through business. Revenue would be used to expand further business activity and fund needed programs and services for the Chickasaw people.

Our plan for economic development was three-fold. In addition to generating revenue to help meet the needs of our people, including quality affordable housing, improved health care and educational opportunities. We also sought to offer employment opportunities to Chickasaws and generate enough revenue to sustain the future.

Our entry into business began small, with the purchase of the Artesian Motor Hotel in Sulphur, Oklahoma, in 1972, making it the first business owned and operated by the tribe. It was renamed the Chickasaw Motor Inn.

Operating this venture helped us understand the potential of business diversification and economic development to serve Chickasaws and benefit our neighbors.

Not every business succeeded, but what we learned along the way has helped us build the success we enjoy today. That first business later turned into the Artesian Hotel, also located in Sulphur.

By 1987, the Chickasaw Nation had about 250 employees, with a budget of only \$11 million dollars. But, little by little, we continued to build and make economic progress.

Our first large bingo hall, called Touse Ishto, was located on a former peanut farm in Thackerville, Oklahoma and has now grown into the WinStar World Casino, one of the largest in the world.

Our most recent effort to grow Oklahoma tourism, the OKANA Resort and Indoor Waterpark, has created hundreds of new employment opportunities and will generate a substantial economic impact on the region.

Today's Chickasaw Nation

Today, the Chickasaw Nation consists of more than 81,500 citizens worldwide. Our treaty territory includes 7,648 square miles and encompasses all or part of 13 counties in south-central Oklahoma.

At our core is a mission and a set of core values that define our purpose and drive our decision making. That mission is "to enhance the overall quality of life of the Chickasaw people."

To fulfill our mission, we have tailored nearly 400 programs and services to specifically meet the needs of Chickasaw citizens in a broad range of areas including housing, health care, education, aging, veterans services, family and social services, law enforcement, and many other areas.

To fund these vital programs and services, we have established a diverse portfolio of more than 100 businesses, ranging from banking and health care to high-end chocolate production, IT and communications, gaming and tourism, luxury hotels, venture capitalism, government contracting, radio broadcasting, manufacturing, and more.

We employ more than 14,500 people across these businesses and government operations, built to serve our people and fund our operations.

In addition, these businesses help stimulate the economies of local communities, as well as the economy of the state of Oklahoma.

We also fund roads, bridges and other infrastructure projects, all of which improve the local and state economy to the benefit of Chickasaws, other First Americans and all of Oklahoma.

Benefits to Oklahoma

Tribal citizens are also Oklahoma residents and American citizens. We strongly believe what is good for the Chickasaw Nation is good for Oklahoma, and what is good for Oklahoma is good for the Chickasaw Nation.

According to the most recent economic impact report in 2022, the Chickasaw Nation has a statewide economic impact of \$5.5 billion.

Through the multiplier effect of our business and government activities, we support more than 24,000 jobs paying Oklahoma workers \$1.5 billion in wages and benefits.

According to this same report, when combining business revenues, government expenditures, and capital expenditures, the Chickasaw Nation accounted for more than \$3.5 billion dollars in direct Oklahoma production.

That same year, our businesses alone generated more than \$3 billion dollars in revenue. Again, much of the profit from that revenue is invested in programs and services, as well as infrastructure and other capital development in our local communities.

We are also heavily involved in philanthropic efforts and assist many non-profits, cities, counties, schools and universities across the state. In fact, together, the Chickasaw Nation provides millions of dollars annually to these types of charities and educational institutions.

Exercising our sovereignty can take many forms. Many times, we exercise sovereignty in the form of mutually beneficial compacts with federal, state and local governments and agencies.

In 1994, the Chickasaw Nation became one of the first tribes in the country to compact with Indian Health Service to assume administration and delivery of health care to First Americans within our service area.

With this compact, we did more than just take responsibility of our own health care system, we took control of our tribe's destiny, as this was a major leap forward in reasserting our sovereignty and enhancing our ability to self-govern.

As we began operating our health care services, we applied a holistic, mission-driven approach. We held listening sessions inviting large numbers of our citizens to attend to learn what mattered to them and what needs they prioritized. This helped inform our decisions regarding which health care and other services to offer.

We set goals, such as having a medical facility within 35 minutes of any Chickasaw in the Chickasaw Nation. We made sure transportation and unique services for elders were available.

We paid attention to those voices who had special needs and made sure we built services and provided access to those who needed those services. We thought about our people who were struggling with addiction, mental health issues and partner violence, and offered appropriate services.

We developed new initiatives in nutrition, healthy lifestyle and physical fitness education, and provided community facilities where our people could exercise and obtain healthy foods. We coordinated our health care services to other government services such as education, rehabilitation, social and legal services, and more.

From 2005 to 2010, we added vital health and nutrition services, opened comprehensive diabetes care facilities and incorporated wellness and fitness centers in most of our communities.

We were seeing real solutions at work, and our health system was growing, as were the number of patients. As we continued to expand and improve our health care system, more and more First Americans from many different tribes and locations in the region chose to travel to our facilities to receive their health care services.

In 2009, the Carl Albert Indian Health Facility, our previous health facility, counted more than 300,000 patient visits annually, between 10 to 15 times its original estimated capacity and far too many patients for the space available.

We invested our own funds to construct a new facility, the Chickasaw Nation Medical Center, utilizing the Indian Health Service (IHS) Joint Venture Funding Program. In return, IHS provided funds for a portion of staffing in the new facility.

In 2010, the Chickasaw Nation Medical Center opened and has been providing the highest quality health care to our patients since.

Many new and expanded facilities and services have been added over time to accommodate the growing needs of patients, including a family medicine residency program, new outpatient and inpatient pharmacies, facility support buildings, an alternate care site, expanded surgery space, and more.

In the past 15 years, we have received two additional Joint Venture awards for the Ardmore and Tishomingo health facilities.

As a sovereign nation, we work closely with the federal government, and as a good neighbor, we work closely with the state of Oklahoma. But we are most active at

the local and municipal level. We have a vested interest in seeing our communities thrive for the betterment of Chickasaws and all who call the Chickasaw Nation home.

Because we work so closely with all levels of government, tribes are uniquely positioned to be a bridge between federal agencies, the State and municipalities.

The Chickasaw Nation and other tribal nations of Oklahoma work hard to improve conditions for Oklahomans and continue to find innovative ways to stimulate local and state-wide economies. Oklahoma is home to us all, and we all benefit from a healthy and prosperous economy.

But among these large numbers, there are also many other ways that we, along with other tribes in the state, directly benefit Oklahoma's economy, support local and state government and enhance the lives of all Oklahomans.

Economic Impact: Examples and Details

Every day, tribes reduce the state's financial burden by providing a large variety of programs and services to First Americans and local communities.

Some of these services are funded through federal grants and others we fund with earnings from tribal business operations.

We serve approximately 1 million patients per year at the Chickasaw Nation Medical Center and outlying clinics, and fill or mail millions of prescriptions annually. We spend millions of dollars on the health care of our patients every year, an expenditure that substantially reduces Oklahoma's Medicaid costs.

In terms of education, we provide millions in scholarships, grants and school supplies to thousands of students each year.

Our roads program supports our state's infrastructure with millions of dollars worth of repairs and development on roads, water lines, sewers and bridges. By providing these services to local communities, we relieve municipalities and the Oklahoma Department of Transportation of much of their repair and maintenance costs.

Through the Tribal Transportation Program, tribes have a dedicated source of federal funds to build roads and bridges and to develop transportation systems. Because we all share the desire to improve our transportation infrastructure, many tribes match funds with counties to construct or improve local roads and bridges.

The Chickasaw Roads Program routinely works with the Circuit Engineering Districts and local municipalities to coordinate long-term planning for large road projects.

On average, our Roads Program repairs or replaces more than 40 miles of road each year. This work is done through cooperative agreements with local counties. Each year, we match county funds with millions of dollars to finance these joint transportation infrastructure projects.

The Chickasaw Nation also supports local businesses in a myriad of ways. Tourism efforts, like those of our Chickasaw Country guide and website, promotes businesses throughout the 13 counties that make up the Chickasaw Nation.

Through our many housing and development projects, we bring much needed construction revenue and growth to the state economy. These construction projects employ local contractors and construction workers, beautify communities, and provide stable, well-paying jobs after construction is complete.

We also provide our communities with a wide variety of beneficial services, including WIC, child support services, utilities assistance, senior citizen programs, health and wellness services, food and nutrition programs, work training and much more.

We are also involved in many philanthropic endeavors and support medical research, the arts, non-profit charities, and schools and universities across the state.

The Chickasaw Nation provides millions of dollars annually to these types of charities and educational institutions.

Future Compacts

Looking to the future, we would like to expand compacting to other agencies. More specifically, we would be interested in discussing compacting for the Tishomingo Wildlife Refuge and the Chickasaw National Recreation Area in Sulphur. Both are located in the heart of the Chickasaw Nation and offer a variety of outdoor and leisure activities for residents and visitors.

The Chickasaw National Recreation Area is especially important to us. This land was sold to the federal government by our ancestors with the intention of preserving its beauty, springs and wildlife from commercial and private interests. Thanks to their foresight, we are still able to enjoy this historic area.

These areas were not created to boost the local and state economies, but that has been, and could be once again, the case because of their impact on the community.

Years ago, we worked on an agreement with the National Park Service to partner on the Chickasaw National Recreation Area, but an agreement was not reached. We have also worked together with the U.S. Fish and Wildlife Service at the Tishomingo Wildlife Refuge but would like to be more involved.

Through a PL 93-638 agreement, we believe we can enhance both areas to be beneficial economic boosts for the local communities through tourism and further economic development.

Closing

Tribes are beneficial for Oklahoma economically, socially, culturally and in many other ways. We are involved in our communities by providing community-based services, improving roads and bridges, renovating school facilities and much more.

Our sovereignty and right to self-determination make all of this possible. Our sovereignty enables us to elect our own leaders, create our own laws, develop our own businesses, and provide services to our people. Our sovereignty offers our people the ability to maintain our way of life and our culture.

We work to ensure that our relationship with the federal government and the Oklahoma government remains positive because we truly believe that "United We Thrive."

That is, if the Chickasaw Nation is doing well, then the state of Oklahoma is doing well, and if all the states are doing well, the United States will do well. When the tribes, the state and federal government work together for the benefit of the people, we will all thrive.

Thank you, again for the opportunity to provide testimony.

QUESTIONS SUBMITTED FOR THE RECORD TO BILL ANOATUBBY, GOVERNOR,
CHICKASAW NATION, ADA, OK

Questions Submitted by Representative Westerman

Question 1. As one of the first tribes to participate in health care self-governance, Chickasaw Nation's health services have grown with the times. Please describe the tribe's experience with expanding services, were there any bureaucratic practices that inhibited this growth?

Answer. Since 1994, when The Chickasaw Nation became one of the first tribes in the country to compact with Indian Health Service (IHS) to assume administration and delivery of health care to First Americans, we have expanded many services and facilities to enhance the healthcare that is available, both preventative and treatment services. Our services and facilities have been expanded to meet the needs of our tribal communities as determined by our data, such as medical residency program, empowered living, public health, new electronic health record, developmental pediatrics, pharmacy (outpatient, inpatient and pharmacy refill center), laboratory, supply warehouses, alternate care sites, and pediatrics, There have been many challenges we have encountered and still encounter in several areas, for example:

Third-party billing

- Untimely processing by Medicare contractors of our tribal contracts to become Medicare provider.
- Ensuring the correct payments are made from Medicare Part C (Medicare Advantage Plans) and Part D (Pharmacy) plans. This continues to be a daily issue. The solution would be to deem Indian health care providers "in-network" providers and require payment at the approved rate for Indian health care providers.
- Ensuring our Medicaid patients receive the Indian special protections and provisions for Medicaid found in the American Recovery and Reinvestment Act of 2009, Section 5006.
- Ensuring Patient Benefit Managers provide reimbursement as stated in statute.
- Working with commercial insurance payors to reimburse us at the market rates they pay other health care providers in a specific market.
- Ineligibility to participate in Medicare reimbursement for our medical residency program due to low Medicare penetration in our markets.

- Working with our Purchase and Referred Care patients who are billed inappropriately by outside vendors.
- Recognition of tribal sovereignty in executing third-party billing contracts.
- Ensuring insurance agents and the marketplace enroll our patients in the best possible plan for their needs.
- Tribes were forced to divert direct service dollars to support administrative program costs because full Contract Support Costs needs were not met for many years. However, this issue has been resolved with the updated IHS contract support cost policy.
- Electronic Health Record (IHS RPMS) inadequacies and funding constraints to update the EHR causes many issues with providing and supporting direct care.

Question 2. The Chickasaw Nation's health care facilities are some of the top in the state. How has self-governance impacted the Chickasaw Nation's ability to adapt to the times and provide innovative solutions for its community at large?

Answer. Self-governance has allowed the Chickasaw Nation to take responsibility of our own health care system and deliver services that best fit the needs of our tribal community, our community as a whole and the state. Self-governance has essentially removed the IHS and government from our program process and allowed us to redesign, reallocate and operate programs in a much more efficient and effective manner. We govern our own health care system to national standards, such as the recent Malcolm Baldrige Award and provide innovative solutions to many health-related issues. We have been able to focus on nutrition, healthy lifestyle and physical fitness, education and provide community facilities where our people could exercise and obtain healthy foods. Our focus on preventative and other creative solutions to curb chronic diseases within our population is instrumental in meeting our Chickasaw Nation mission "To enhance the overall quality of life of the Chickasaw people."

2a) In the realm of telehealth, how has self-governance provided opportunities that being a direct-service tribe would not?

Answer. The Chickasaw Nation has embedded telehealth opportunities for our most vulnerable patients in the manner we desire. We have also been able to integrate telehealth solutions in critical areas such as mental health, specialty services and urgent care. As a direct-service tribe, the tribe would be subject to operate under the IHS telehealth policy which may or may not be funded adequately or designed to meet the needs of their populations.

Question 3. Supplemental funds often play a large role in a tribe's ability to pursue and innovate self-governance services. To what extent have additional funds been used to supplement the needs of your various self-governance programs?

Answer. The Indian Health Service is funded at a small portion of the needs of Indian country. For FY2026, the IHS National Tribal Budget Formulation Workgroup identified \$63 billion as the total need for Indian Country.

The Oklahoma City Area, which comprises Oklahoma, Kansas and Texas, has the largest user population within all of IHS, however, the Area is the lowest funded IHS Area per capita. In FY 2024 the Oklahoma City Area per capita amount was \$2,335, compared to the IHS overall per capita amount of \$4,078. For reference, the total calendar year 2022 U.S. National Health Expenditure per person was \$13,493.

With this underfunding to provide health services to our communities, supplemental funds have accounted for more than half of our annual health budget.

The Department of Interior's (DOI) Tribal Interior Budget Council identified the full funding need for the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) at \$27 billion in FY 2026, yet the President's BIA and BIE FY 2025 budget request was less than \$5 billion. Supplemental funding supports core tribal government functions such as tribal court, law enforcement, roads maintenance, natural resource management and realty as well as other services to our people such as Indian child welfare, welfare assistance, education and job placement and training.

3a) Where has your tribe found these supplemental resources?

Answer. Supplemental funds for the health system are derived from mostly third-party revenue, including Medicare, Medicaid and private insurance. We have also raised revenue through our businesses; this revenue is used to supplement or fund

needed programs and services for the Chickasaw people and other First Americans in our community.

For example, we provide millions in scholarships, grants and school supplies to thousands of students each year.

3b) What challenges has your tribe faced when pursuing supplemental funding?

Answer. There have been many challenges we have encountered and still encounter in several areas, for example:

Third-party billing

- Untimely processing by Medicare contractors of our tribal contracts to become a Medicare provider.
- Ensuring the correct payments are made from Medicare Pmi C (Medicare Advantage Plans) and Part D (Pharmacy) plans. This continues to be a daily issue. The solution would be to deem Indian healthcare providers “in-network” providers and require payment at the approved rate for Indian health care providers.
- Ensuring our Medicaid patients receive the Indian special protections and provisions for Medicaid found in the American Recovery and Reinvestment Act of 2009, Section 5006.
- Ensuring Patient Benefit Managers provide reimbursement as stated in statute.
- Working with commercial insurance payors to reimburse us at the market rates they pay other health care providers in a specific market.
- Ineligibility to participate in Medicare reimbursement for our medical residency program due to low Medicare penetration in our markets.
- Ensuring insurance agents and the marketplace enroll our patients in the best possible plan for their needs.

Question 4. What was the biggest benefit you’ve seen in your community after choosing to compact out healthcare programs from the Indian Health Service?

Answer. The greatest benefit has been the ability to expand services under tribal leadership and the many preventative and treatment services we are able to offer the citizens of our communities. The Chickasaw Nation is in a much better position to provide healthcare to First Americans under self-governance. Some of those expansions include, Inpatient Care including OB&GYN, Surgery, Internal Medicine, Intensive Care, and Physical Therapy; Ambulatory Care including Medical, Surgery, Dental, Physical Therapy, Optometry, and Audiology; Ancillary Services including Dietary, Laboratory, Pharmacy (including pharmacy refill center), and Radiology (radiographic, ultrasound, mammography, MRI, and CT studies); Emergency Medical Services including additional ER capacity and Urgent care; medical lodging, mobile medical unit; Preventive Health including Nutrition, Wellness Services, Health Education, Diabetes Programs, Public Health Nursing, and Environmental Health Services; Behavioral Health including Mental Health, Alcohol and Substance Abuse, and Behavioral Health; Administrative Support and Support Services.

Question 5. As one of the first tribes to participate in self-governance with the Indian Health Service, please describe how the compacting process has changed in the past fifty years and where there is room for growth?

Answer. Self-governance growth within the U.S. Department of Health and Human Services aligns with the Make America Healthy Again initiative through the expansion of self-governance authority across the Agency. The Chickasaw Nation offers both health and human services to First Americans; other health and many of the human services are funded with grants from non-IHS agencies within the Department such as Centers for Disease Control, Substance Abuse and Mental Health Services Agency, the Administration for Children and Families and the Administration on Community Living. Administering these health and human service programs through one self-governance compact could enhance efficiencies and flexibilities to better serve the needs of First Americans within our community. In addition, there is room for self-governance growth within the DOI and the USDA. For example, The Chickasaw Nation is interested in discussing compacting the Tishomingo Wildlife Refuge with the DOI’s Fish and Wildlife Service and the Chickasaw National Recreation Area in Sulphur with the DOI’s National Park Service. The USDA’s natural resource, land, food and nutrition programs could also be efficiently managed under a permanent self-governance program.

Question 6. ISDEAA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Answer. Self-governance is an exercise of our tribal sovereignty. We have done more than just take responsibility of our own tribal programs and systems, we have taken control of our tribe's destiny, as self-governance helped us move forward in enhancing our ability to self-govern. When we began operating our health care services under self-governance, we applied a holistic, mission-driven approach. We held listening sessions inviting large numbers of our citizens to attend to learn what mattered to them and what needs they prioritized. This approach helped inform our tribal decisions regarding which health care and other services to offer, as self-governance affords us the opportunity to redesign and reallocate funds to best meet the needs of our tribal communities.

We offered real solutions, and our health system grew as well as the number of patients. As we continued to expand and improve our health care system, more and more First Americans from many different tribes and locations chose to travel to our facilities to receive their health care services. We continue to have a vested interest in seeing our communities thrive for the betterment of Chickasaws, all who call the Chickasaw Nation home and meeting our Chickasaw Nation mission "To enhance the overall quality of life of the Chickasaw people."

Question 7. What has been the biggest detriment to Chickasaw Nation's self-governance opportunities that Congress should be aware of?

Answer. A few of the detriments to self-governance in the beginning and over the years has been HHS and other agencies not paying full contract support costs; IHS opting to send new appropriated dollars through grant mechanisms instead of self-governance agreements; negligence of some government agencies to develop self-governance demonstration projects, and having compacts with single agencies, rather than an overall departmental compact to cover multiple agencies.

Question 8. Please speak to how self-governance amplifies the government-to-government relationship the Chickasaw Nation has with the U.S. Federal government?

Answer. Exercising our sovereignty can take many forms. Many times, we exercise sovereignty in the form of mutually beneficial compacts with federal, state and local governments and agencies. Our diligent work with various governments has produced many benefits for our Chickasaws and our communities at large. We have been able to expand our facilities through the Joint Venture Construction Program whereby the Chickasaw Nation has invested millions of dollars for these facilities. As a sovereign nation, we work closely with the federal government, and as a good neighbor, we work closely with the state of Oklahoma. We also work actively at the local and municipal level. We have a vested interest in seeing our communities thrive for the betterment of Chickasaws, all who call the Chickasaw Nation home and meeting our Chickasaw Nation mission "To enhance the overall quality of life of the Chickasaw people." Because we work so closely with all levels of government, we are uniquely positioned to be a bridge between federal agencies, the state and municipalities.

Question 9. What has been the biggest challenge to your community's economic development after engaging in self-determination agreements?

Answer. Some of the challenges include the federal government providing funds through grant processes, rather than through self-governance agreements. Also, many of the federal grants require matching funds which could disqualify tribes from participation. Material underfunding of programs, services, functions and activities coupled with growing responsibilities in areas such as law enforcement, detention, tribal courts, and social welfare has been a challenge to our community's economic development. This also includes historical underfunding of administrative and facility support costs (contract support and 1051 lease payments) and support to build internal capacity.

Other challenges to economic development include limited access to capital and the unwillingness of other federal agencies housing economic development programs, such as the USDA, Departments of Commerce and Treasury and the Small Business Administration, to fully embrace self-governance and self-determination. Many economic development programs do not offer tribal set-asides; while tribes might be eligible program recipients, sometimes they must access these programs through states or compete with non-tribal entities for program funds. To assist in our community's overall economic development, it would be beneficial for the federal

government to expand self-governance into other agencies, such as, HHS expansion, and DOI expansion (including Fish and Wildlife Service and the National Park Service). The USDA's natural resource, land, food and nutrition programs could also be efficiently managed under a permanent self-governance program.

Question 10. How can the-audit process tribal self-governance programs go through be improved?

Answer. The audit for self-governance and other programs is a time-consuming process that requires tribal capacity in order to meet deadlines. It takes time for auditors to understand the complexity and uniqueness of each tribal nation and the diverse programs they operate.

Additional time consideration for completion to complete this process may be helpful.

Question 11. What changes should Congress make to the self-governance process to ensure continued successes for tribes?

Answer. The expansion of self-governance authority, through both department demonstration programs and permanent self-governance laws, across federal agencies would honor the government-to-government relationship, reduce federal program inefficiencies and continue the success for tribes to meet program needs at the local level. Self-governance programs could be strengthened by ensuring agencies do not add additional regulatory barriers to program authority and funding.

The CHAIRMAN. Thank you, Governor.

I now recognize Principal Chief Chuck Hoskin, Jr., for 5 minutes. You are recognized.

STATEMENT OF THE HON. CHUCK HOSKIN, JR., PRINCIPAL CHIEF, CHEROKEE NATION, TAHLEQUAH, OKLAHOMA

Mr. HOSKIN JR. Chairman Westerman and members of the Committee, and members of the Oklahoma delegation, I want to express by—

The CHAIRMAN. Governor, will you please turn your microphone off? Thank you.

Mr. HOSKIN JR. Chairman Westerman, members of the Committee, and members of the Oklahoma delegation, I want to thank you all for your presence here. I want to also say Osiyo on behalf of the Cherokee Nation. You are not in the Cherokee Nation but you are very close, and I am glad to be here with the distinguished panelists, including fellow Tribal leaders.

It is my honor to serve as Chief of the Cherokee Nation. We are the largest Tribe in the United States. I represent here over 470,000 citizens, including, Mr. Chairman, citizens in every district of every member represented here, and 19,000 in the great state of Arkansas. We are a large Tribe.

We do, I think, a great deal of good. And a lot of what we do, a lot of what we have built on over the last 50 years has been a direct result of ISDEAA. This law is, I think, one of the singular accomplishments of this country, and it demonstrates that on a bipartisan basis, the Congress of the United States, the President of the United States, can focus on self-determination, can focus on unshackling Tribes, to exercise Tribal sovereignty, and to do what we have always been capable of doing when the laws of the government of the United States are shaped in a way that allow us to do it.

We are, in Cherokee Nation, the economic engine of northeast Oklahoma. We have a 7,000-square-mile reservation in northeast

Oklahoma. We just did an economic impact study that shows we have an annual impact of \$3.1 billion. This, of course, has this rippling effect across the region. It creates a great deal of employment. It spurs entrepreneurship, and I am not only talking about our citizens, although that is my primary care and concern. It is all of the individuals who live across the communities in our reservation.

Much of this success is due to the reforms that are from this era that we are talking about, ISDEAA, allowing, again, the Cherokee Nation and other Tribes to chart our own future by exercising our own judgment, determining what the most efficient way to spin Federal dollars is, how to shape programs. Quite simply, we have demonstrated in the past five decades that Tribal Nations can spend a dollar better than the government of the United States. We demonstrate it time and time again.

We were one of the first Tribes to embrace self-governance for compacting and delivery of Federal programs and services, and today we assume administration for every program, service, function, activity that allows for self-determination and self-governmental authorities. We are able to build roads and infrastructure, supporting housing and education, operate world-class health care facilities, preserve and improve our natural resources, and lift up rural communities, in particular, without being bogged down in Federal red tape. One of the reasons is that we are closer to the people. We are closer to the communities. We know the people, in many cases, that are being affected by this, and we certainly know the communities. Again, Tribal citizens and non-citizens alike benefit.

Consider the most recent accomplishment of the Cherokee Nation under this law. That is our self-governance agreement with the Department of Transportation. We are able to exercise authority closer to these projects, to make sure they get done in a manner that we think they should get done, and working with local stakeholders, but local is the key. We can do it the way we think we should do it, not the way Washington, D.C. agencies dictate that we should do it.

Health care facilities is perhaps the greatest accomplishment of the Cherokee Nation under this law. We operate a system that is better than any system the United States has ever run. We see 2 million patient visits a year, and we are the health care system of choice for our citizens. We are leading the way. We have a partnership with Oklahoma State University, right on our health campus, to grow our own doctors, so to speak, which is the way we plan for the future.

In the area of natural resources, we engaged in compacts that allow us to manage Tribal lands, whether it is fighting wildfires or just managing the natural life that we found when we were removed, and that we are charged to take care of. We do that under ISDEAA. We are, I think, leading the way in the area of natural resources.

We are by any metric, much better off five decades after President Nixon said, "We should do this," and the Congress, on a bipartisan basis, said, "We must do this." We have demonstrated that Tribes spend dollars wisely. We administer programs better.

The continuation and strengthening of this program is what the Congress should do. Your presence here demonstrates your commitment to doing this.

And I have to say that the Secretaries of the agencies that we have dealt with under the Trump administration, the Secretary of HHS, the Secretary of the Department of the Interior, have also demonstrated an embrace of this law, and that is critical.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Hoskin Jr. follows:]

PREPARED STATEMENT OF CHUCK HOSKIN, JR., CHEROKEE NATION PRINCIPAL CHIEF

Chairman Westerman, Ranking Member Huffman, and members of the House Natural Resources Committee:

Osiyo, and welcome to Oklahoma. On behalf of the citizens of Cherokee Nation, I thank you for this opportunity to testify before you on the importance of Tribal self-governance programs and how leaders at Cherokee Nation have utilized these programs to benefit our citizens and advance economic, health care, transportation, and so many other opportunities throughout our region.

With a population of more than 470,000, Cherokee Nation is the largest Native American tribe in the United States. Many of our citizens reside on our Treaty-guaranteed land, a 7,000-square mile reservation covering 14 counties in northeast Oklahoma. The remainder of our citizens are scattered throughout the United States, living in all 435 congressional districts. More than 19,900 Cherokee Nation citizens live in the Chairman's home state of Arkansas, and about 28,000 of our citizens reside in the state of California.

Cherokee Nation is the economic engine of our region, employing more than 15,100 and directly and indirectly supporting more than 23,000 jobs. We take pride in providing for the safety, health, and comfort of the more than 520,000 who live within our reservation boundaries and the communities located on our land.

We have an annual economic impact on northeast Oklahoma that exceeds \$3.14 billion, and that impact is not limited to our citizens. We remain steadfast in our commitment to growing our regional economy, helping our non-Cherokee friends and neighbors improve their quality of life.

Like many tribes we have successfully utilized self-governance to ensure better outcomes for our people in all facets of life. And partly because of the self-governance opportunities we will discuss today, over the next year Cherokee Nation will make \$3.6 billion in strategic investments that will help families become happier, healthier, stronger, and safer.

As I have always said, Cherokee Nation can spend a dollar better, wiser, and more efficiently than the Federal government can. And for 35 years, Cherokee Nation has repeatedly proven this through the success of our self-governance agreements.

Cherokee Nation was one of the first tribes to fully embrace self-governance compacting for the delivery of federal programs and services. We've used the authorities granted through ISDEAA and subsequent self-governance statutes to administer federal programs and services to tribal citizens and better northeast Oklahoma writ-large. We use these authorities to build roads and water infrastructure, support housing and education, operate world class health centers, preserve and improve our natural resources, and uplift rural economies. These initiatives are beneficial to both citizens and non-citizens.

The past decades have demonstrated conclusively that when tribes are in charge of their own destiny, they thrive. By any metric, Native people are better off today than they have been in generations—socially, politically, economically. I strongly believe this is due to the advancement of self-governance.

Cherokee Nation currently assumes administration for nearly every program, service, function, and activity that possesses self-determination and self-governance authorities.

Our history with self-governance programs dates back to February 1990, when Chief Wilma Mankiller's administration entered into negotiations with the Department of the Interior on a self-governance agreement. We were one of the first tribes to forge this kind of partnership with the Federal government.

Four years later we were one of the first tribes to negotiate a self-governance compact with the Indian Health Service. This agreement allowed us to take control of IHS-funded healthcare services, leading to improved healthcare based on local

priorities and the direct needs of its citizens and broader community. We have reinvested third-party billing revenue into new and improved health care opportunities for the entirety of northeast Oklahoma, allowing for state-of-the-art technology, innovative solutions, expanded specialty services, and better preventive care programs.

Most recently, we signed the first-ever self-governance compact under the Department of Transportation's Tribal Transportation Self-Governance Program—the latest example of how self-governance authorities and Cherokee Nation's sovereignty brings great benefits for everyone living within our reservation, including our non-Cherokee neighbors. With self-governance authorities over transportation funding we are able to plan and oversee our own road construction and transit projects, allowing us to slash needless red tape and invest in the rural communities in our reservation that historically have had few other sources of support.

Self-Governance programs provide flexibility for Cherokee Nation to use federal funds more effectively and efficiently by providing the authorities needed to redesign and grow programs that meet local priorities, integrate related resources to reduce fragmentation at the tribal government level, and waive burdensome federal agency rules that hinder local solutions. It also reduces administrative and reporting burdens while increasing local accountability, allowing us to meet the current needs of our citizens, adapt to changing environments, and most importantly, focus on outcomes and program delivery. We administer the program Cherokee Nation citizens and the citizens of northeast Oklahoma need—not the program Washington tells us to run.

In so many areas our hands are no longer tied to the failed policies of the past, and our success in those places where we have been able to use self-governance authorities is easy to demonstrate.

Consider what we've been able to do in health care. Cherokee Nation runs the most advanced and largest tribally-operated health care system in Indian country, with our facilities receiving more than 2 million patient visits annually. We've invested substantially in technology and new facilities, including a 469,000 square-foot outpatient health center offering surgical, optometry, audiology, physical rehabilitation, behavioral health, radiology, lab, pharmacy, primary care, and dental services. Soon, this health center will be joined by a new, state-of-the-art hospital.

We're leading the way in innovation through our first-of-its-kind medical school, the first tribally-affiliated medical school and the only one located in Indian country—Oklahoma State University's College of Osteopathic Medicine at the Cherokee Nation.

Self-governance made these dreams a reality. Head about 150 miles to the northeast and you will find a world-class health care campus in Tahlequah, one that's transforming care and outcomes in our region.

Our healthcare infrastructure goes well beyond Tahlequah. In a time when rural healthcare facilities struggle to stay open across the country, Cherokee Nation's network of new and renovated clinics ensure that no patient on our reservation is more than 30 minutes away from care. In Vinita, when a Veterans Administration clinic was threatened with closure, we made an agreement to co-locate the VA within our tribal clinic and preserve this care option for all veterans in the community. None of this would have been possible without self-governance.

Our self-governance compact with the Bureau of Indian Affairs gives us great flexibility and authorities within the realty space, giving Cherokee Nation Real Estate Services control and accountability for funding, programs, services, and functions that would otherwise be fully in the purview of the Federal government. Our compact extends to acquisition and disposals, removals, leasing (agricultural, residential, business, renewable energy, mineral), rights of way, probate, and oil and gas.

Through this agreement we can handle our citizens' realty matters, eliminating the need for them to travel to a BIA office when seeking assistance. We can also avoid aggravating red tape and bottlenecks when obtaining the items and documents needed to submit transactions on Restricted or Trust lands for approval, and shorten timeframes and streamline work that would otherwise be the responsibility of the BIA.

If our compact was not in place we would need to rely on BIA to obtain and disseminate these necessary items, which include NEPA documents, certifications, applications, consent, waivers, appraisals, title status reports, etc. Because of our compact Cherokee Nation has its own Land Titles and Records Office, and all recorded transactions are kept on site in a secured vault, giving our Real Estate Services office access to any document that may otherwise have been stored at BIA.

Additionally, self-governance gives us the ability to administer numerous conservation and land management programs for the promotion, improvement, and

preservation of natural resources within the tribe's reservation boundaries. Self-governance authorities allow us to conduct brush and weed management, grassland remediation, prescribed fires and fire suppression, wildlife and plant life conservation, and forestry management activities in accordance with the tribe's cultural priorities and citizens' needs.

The flexibility afforded by self-governance authorities allows Cherokee Nation both to conduct strategic land management planning as well as to respond quickly to identified emergent needs without lengthy approval processes and associated reporting requirements. Furthermore, self-governance authorities have expanded to energy and climate resiliency programming, increasing the tribe's ability to address some of the most pressing environmental concerns within the nation.

We strongly support the expansion of self-governance authorities into additional federal agencies and programs, and stand ready to jump at any new opportunity that Congress may seek to provide in the future. In the 119th Congress the House can usher in a new era of self-governance and self-determination by moving legislation that expands and improves these authorities.

For example, there are many activities within the Department of Agriculture that are ripe for self-governance. We currently work with USDA to operate one of the largest FDPIR programs in Indian country—truly an example of food sovereignty in action. But there is far more we can do in this space, and Congress should build off the success of FDPIR and consider expanding self-governance authorities into other USDA activities like nutrition programs, the Forest Service, the Farm Service Agency, meat processing inspection functions, rural development programs, and conservation initiatives.

Similarly, Congress can embrace the Make American Healthy Again agenda and eliminate waste in health care by expanding self-governance authorities within the Department of Health and Human Services. We know that self-governance has consistently proven to be the most cost effective and efficient approach in administering federally funded programs in Indian country, and I'm confident expanding health care self-governance authorities beyond the Indian Health Service would slash red tape and tear down the silos that hamper the delivery of health care and lead to poor outcomes for tribal citizens.

Secretary Kennedy, Secretary Burgum, and others in the Trump administration have expressed their support for tribal sovereignty and expanded opportunities for self-governance. I encourage the committee and Congress to heed the call for action in this space, and look forward to the day when self-governance reaches all aspects of the federal government.

Wado.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. CHUCK HOSKIN, PRINCIPAL CHIEF,
CHEROKEE NATION, TAHLEQUAH, OK

The Honorable Chuck Hoskin did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. Please elaborate on the culturally competent care that Cherokee Nation Health Services provides that an IHS facility does not.

Question 2. As one of the first tribes to participate in self-governance with Indian Health Service, please describe how the compacting process has changed in the past fifty years and where there is room for growth?

Question 3. ISDEAA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Question 4. What has been the biggest detriment to Cherokee Nation's self-governance opportunities that Congress should be aware of?

Question 5. Please speak to how self-governance amplifies the government-to-government relationship the Cherokee Nation has with the U.S. Federal government?

Question 6. What has been the biggest challenge to your community's economic development after engaging in self-determination agreements?

Question 7. How has self-governance impacted the tribe and surrounding community in the employment sector of the economy?

Question 8. Has your tribe dealt with any roadblocks in self-governance compact negotiations?

8a) What changes need to be made to address these roadblocks?

Question 9. Why did Cherokee Nation decide to compact services?

9a) What are potential factors that would discourage a tribe from pursuing a self-governance agreement?

Question 10. How can the audit process tribal self-governance programs go through be improved?

What changes should Congress make to the self-governance process to ensure continued successes for tribes?

The CHAIRMAN. Thank you, Chief Hoskin Jr.

The Chair now recognizes Chief Batton for 5 minutes. You are recognized.

STATEMENT OF THE HON. GARY BATTON, CHIEF, CHOCTAW NATION, DURANT, OKLAHOMA

Mr. BATTON. Mr. Chairman and members of the Committee and our Oklahoma delegates, again welcome to Oklahoma. Oklahoma is a Choctaw word. "Okla" is for people or clan, and "homa" is for red. So Land of the Red People. so welcome to the Land of the Red People. We are glad to have you here.

And I just think about the Indian Self-Determination Education and Assistance Act has been highly successful for Tribes. And I want to say Yakoke, which is "thank you" from our language, which means for you, Mr. Chairman, and the rest of this Committee for recognizing the basic foundation of self-determination is understanding that we are a government, first of all, and you have done that.

And then secondly, understanding that everything is controlled best at the local level. So our Tribal citizens hold us accountable and responsible for everything that we deliver. That is when, to me, accountability and responsibility truly happens.

So just to give you a little bit knowledge about the Choctaw Nation, we are located in southeastern Oklahoma, Arkansas on our eastern side, Texas on our southern side, and then the Chickasaw Nation on our western side. But we encompass about 11,000 square miles, over 13 counties. We have about 230,000 Tribal members located, again, as Chief Hoskin said, all across the United States of America. So we are very honored to have that.

But one of the things I think that has been, to me, most successful is giving us that authority and responsibility to make things happen. I have been with the Tribe since 1987, so 38 years out of these 50 years I have been able to see the transition. I think about our health system. When it was run by the Federal Government we were restricted to what dollars could go into dental, what could go into family practice, and so on. When we compacted that, used to we had about 100,000 outpatient visits, and now we see over 1.1 million outpatient visits. We have built a hospital, seven different clinics, two recovery centers, one for our females, one for our males. The one for our females is for our women that are trying to keep their children and their families together. So it allows us to give that local control.

I think about in the areas of education, used to when it was run by the Federal Government it was restricted to one-quarter degree of blood or more. Now since the Tribe uses our own resources and are able to compact and so on, we delivered about \$61 million in education services to over 13,000 Tribal members within our area. And to me, to see that we have grown from, when I started in 1987, we had about 110 employees. Today we have over 13,000 employees within the Choctaw Nation. That is what the Indian Self-Determination and Education Assistance Act has allowed us to do.

And again, as Chief Hoskin said, yes, our primary focus is our Tribal members, but not all of those people have benefited. All of our employees are tax-paying citizens that pay into the state, the county, the Federal Government, and we are very proud and honored to do that. We are very proud to Americans, as well.

But also, for me, it has given us the ability to be things, like I want to just highlight this, with that 13,000 employees, we are the number two employer in the state of Oklahoma. We are the 32nd best employer nationally. And we are very honored of that because we used our traditional culture to bring to our modern-day organizational culture to help us succeed and move forward.

But some of the areas that we think are really important is to expand and solidify the 93–638 language, because mainly we have dealt with BIA and IHS. We believe that we should be able to compact any Federal, I would say not Federal funds but treaty funded, because we sign the Treaty of 1832 between the United States and the Choctaw Nation of Oklahoma, so that is the role and responsibility of the Federal Government to do that as our fiduciary.

But we believe if we could just do HHS and Forestry. For example, Ouachita National Forest is in our area. We should be able to compact. We believe we can manage it better. It lacks resources. Even through some of our other agencies, the food distribution program, Children and Family Services, all of those, if you give us the responsibility, we will show you that we can be accountable and that we could administer it extremely well.

And, you know, you think about like education funds. I mentioned to Representative Hurd earlier that automatically the Federal Government will send dollars down to the state level. Well, I think we should be able to have that same relationship, not that we are a state—we are a government. But those dollars, we should be able to compact those, all of those dollars, and come directly to us.

But again, we just want to thank you for being here today. We thank you for the opportunity, and we hope this is a good dialogue and information for you, and just thank you. Our Tribal Council also passed a resolution celebrating these 50 years of celebration this year, because it truly is a celebration in what the Tribes have been able to accomplish. Yakoke. Thank you.

[The prepared statement of Mr. Batton follows:]

PREPARED STATEMENT OF CHIEF GARY BATTON, CHOCTAW NATION OF OKLAHOMA

Chairman Westerman, Ranking Member Huffman, and distinguished Members of the Committee, Yakoke for the opportunity to testify on behalf of the Choctaw

Nation of Oklahoma (“Choctaw Nation” or the “Nation”) before the U.S. House of Representatives Committee on Natural Resources to discuss the positive impacts the Indian Self-Determination and Education Assistance Act (“ISDEAA”) (Pub. L. 93–638, 25 U.S.C. §§ 5301 et seq.) has had on the Nation, and more importantly tribal and non-tribal community members, since its inception.

The Choctaw Nation, a federally recognized Tribe, governs one of the largest Reservations in Indian Country, encompassing 11,000 square miles spread over 13 counties in southeastern Oklahoma. Our Nation is responsible for providing critical services to over 230,000 members. We are proud to be the third largest and growing tribal government in the Country.

While the Nation was not the first tribe to negotiate a self-governance compact, we quickly realized the impact that this authority could have in achieving our goals of achieving self-sufficiency, more effectively and efficiently using federal dollars, enhancing our ability to provide more culturally relevant and localized services and in turn improving the health and well-being of our community, creating good paying jobs, building critical infrastructure, and promoting high impact economic development throughout the state.¹

In recognition of the 50th anniversary, the Nation is celebrating the use of self-determination contracts and self-governance compacts as critical tools that provide tribal governments with the option and flexibility needed to successfully deliver federally funded services to our members. Honoring this success, the Tribal Council passed Resolution 03–25 to acknowledge and celebrate ISDEAA’s anniversary.² The Resolution reads, “[ISDEAA] was a pivotal law which gave tribal governments the right to administer and oversee the implementation of their own and federal programs . . .” For this reason, we ask this Subcommittee, Congress as a whole, and this administration to not only fully embrace this authority which enhances local decision making, but to expand the authority to additional agencies and programs within your jurisdiction to ensure that tribal governments have the tools they need to make decisions that reflect the needs of their citizens and employees.

To provide specific examples of the way we have utilized ISDEAA, my testimony summarizes the scope and impact of our self-governance compact as it pertains to the Nation administering programs traditionally carried out by the U.S. Department of Health and Human Services (“HHS”) for the benefit of Choctaw members as a requirement of the federal government’s trust and treaty obligations; the economic impacts of utilizing self-governance agreements; and a short overview of where we see opportunities to expand the use of self-governance agreements that fall within the jurisdiction of this subcommittee, particularly with respect to additional programs at HHS and the Forest Service.

I. U.S. Department of Health and Human Services

Given the breadth and rural nature of our jurisdictional footprint, the Choctaw Nation has an expansive healthcare network consisting of 27 facilities (8 clinics, 16 Wellness Centers, Hospital, and 2 Substance Abuse Recovery Centers). These facilities help us ensure that we can meet the demand of over 1.2 million patient encounters annually.

To meet this demand, the Choctaw Nation began operated its healthcare facilities through a self—governance agreement with the Indian Health Service (“IHS”) in 1995. For the last 30 years, this has allowed the Nation to pull back the layers of federal bureaucracy and redirect resources to the delivery of health care programs that are needed most by those in our region. The Nation via self-governance authority can design and re-design health programs to meet tribal specific needs without diminishing the United States’ trust responsibility and obligations to our citizens and communities. This allows the Nation to be timelier and more responsive in addressing health care needs that are identified, including how services are delivered as well as expanding health services to underserved areas of the Reservation.

Contract Support Costs (“CSC”) are another tool supporting the delivery of healthcare services through the Nation’s self-governance agreements. These costs are a dollar-for-dollar transfer of administrative costs IHS would have used to deliver the services that the Nation now provides directly. Although the payment of CSC costs has been challenged, CSC has repeatedly been affirmed by the federal

¹ Choctaw Nation, Choctaw Nation Recognizes the 50th Anniversary of the Indian Self-Determination Act of 1975 (Jan. 7, 2025) (“In Choctaw Nation: A Story of American Indian Resurgence, Dr. Valerie Lambert notes that it wasn’t until eight years after the ISDEAAs signing that Choctaw Nation used the funding to start programs . . .”).

² Choctaw Nation, CR–03–25, A Resolution Acknowledging and Celebrating the 50 Year Anniversary of the Indian Self-Determination and Education Assistance Act of 1975 (Dec. 18, 2024).

courts as a legally binding contractual obligation of the IHS for self-determination and self-governance.

II. Economic Development

As previously stated, ISDEAA helps us create employment opportunities and make investments in affordable housing and critical infrastructure.

a. Employment Opportunities. Not only did ISDEAA allow us to tailor our services to the needs of our people, it also enabled us to become one of the State of Oklahoma's largest employers. Currently, the Choctaw Nation ranks among the top ten largest employers in Oklahoma, with over 13,000 employees. Recognized by Forbes as the #2 best employer in Oklahoma and as the 32nd best employer nationally, we continue to expand our economic footprint while ensuring long-term prosperity for our communities. The Choctaw Nation has a keen focus on being the employer of choice throughout the reservation.

For the Choctaw Nation's healthcare system alone, we employ more than 1,900 in high quality health sector positions, including doctors, residents, pharmacists, nurses, radiologists, laboratory and support staff. These are good paying jobs for tribal members and non-tribal members residing in communities across the Reservation alike. To support job creation in some of our most rural communities, the Nation uses several strategies to keep vacancy rates as low as possible, such as managing housing for providers near the health campus, funding a training center for nurses and other hard-to-fill professions, recruiting providers through a variety of loan repayment programs, and starting an accredited Graduate Medical Education ("GME") program for family practice providers and pharmacists.

b. Investments in Affordable Housing. The Nation has also invested significantly in building housing and other critical infrastructure to ensure that our employees have affordable access to the services they need to be successful working at our operations. Since 2014, we have built over 1,500 homes and invested \$257 million in new housing developments. Many of the communities we are building in are historically underserved and have not had significant new housing construction in decades. Over the next five years we plan to invest \$50 million annually to construct 240 new homes per year. The Choctaw Nation understands home ownership to be a critical pathway to economic self-sufficiency for our tribal Members.

c. Investments in Infrastructure. Without modern infrastructure, jobs, growth opportunities, and quality of life in our rural communities are at risk. Since 2010, we have invested over millions of dollars in infrastructure projects, including roads, water lines, broadband, and public safety facilities. In 2020 when the pandemic hit, the digital divide in Southeastern Oklahoma was evident. Children completing education assignments, elders attending tele-health appointments, and tribal members utilizing remote work during the pandemic were forced to depend on internet connectivity in our parking lots at our community centers and businesses because of the lack of broadband connectivity within Southeastern Oklahoma. Telehealth partnerships between the Nation and Oklahoma State University will make primary care available to natives and non-natives in rural communities without any healthcare providers. Currently, we are addressing this divide with local, state, and federal partnerships to expand broadband throughout our reservation.

d. Health Care Innovation. Self-Governance has provided us with the flexibility to expand and innovate far beyond the former IHS administration of health services. Health care access in very rural areas such as the Choctaw Nation is difficult, and not often sustainable for other health providers. There are many communities without providers or where rural hospitals are closing, and counties in which the Oklahoma State Department of Health (OSDH) has shuttered offices. The Nation is the health system underpinning communities and counties across the reservation with public health, wellness and access to primary care, lifting the health status of natives and non-natives alike. For instance, we partner with the OSDH to provide flu immunizations in all the schools throughout the reservation and provides access to primary care in Talihina and other very rural areas to all residents without access to care. Our health system leverages grant funding to operate Choctaw Transit, a system of non-emergency medical transportation to doctor's appointments, serving over 2,600 patients and performing 29,000 trips per year. Our hospital in Talihina is a teaching hospital that attracts quality faculty and residents of which over 80% go on to practice in rural locations and over 70% choose to work for our health system. We placed a priority on prevention and wellness by opening 16 Wellness Centers across the reservation, and sponsor insurance premiums for thousands of patients that generates revenue to further expand the health system. We address the needs of elders through Healthy Aging specifically oriented for this population providing enhanced case management, home assessment (accessibility and safety), referrals to other Choctaw programs (such as housing or human services), rides,

medical alert devices, and enhanced medication management. All of these initiatives impacting the economy and health status within the reservation would not have been possible without the advent of self-governance.

III. Future Opportunities to Enhance the Use of ISDEAA

There are two primary areas where this Subcommittee can aid in the expansion of the use of Self-Governance agreements other HHS programs beyond the IHS and the Forest Service.

a. HHS Programs Beyond the IHS. Although the use of Self-Governance agreements has proven to be highly successful and a much more efficient and effective use of federal resources, it is only directly applicable to the U.S. Department of Interior and the IHS. A federal feasibility study was conducted in 2003 that determined that expansion of self-governance is feasible with 11 other agencies within HHS, in areas such as Child Care and Development Fund, Head Start and Substance Abuse and Mental Health Administration programs.³ Such an expansion would provide more opportunities for efficiencies and leveraging similar or related programs for greater impact in Indian country.

b. Forest Service. As this Subcommittee knows, the Nation has been an important steward of the Ouachita National Forest. Following a remote oversight hearing before the entire House Natural Resources Committee on March 8, 2022, entitled “Examining the History of Federal Lands and the Development of Tribal Co-Management,”⁴ I wrote the Committee to express my regret that the Forest Service had not testified given the on-going work undertaken by the Nation to try and work with the Forest Service to co-manage and directly manage portions of Oklahoma Ranger District of the Ouachita National Forest which occupies 336,000 acres on the Choctaw Nation Reservation.

Over a century ago, the United States took that valuable Reservation land from us despite solemn treaty promises that it would never be taken. After harvesting and extracting a century’s worth of commercial value from our forest, we believe the Forest Service has a legal and moral obligation to allow the Nation to properly manage our forest. Yet, the Forest Service has repeatedly told us that they have limited authority to work with us. Unlike state and local governments, the Forest Service lacks the authority to transfer Forest Service land to the Nation, even if that land has lost Forest Service character or the Forest Service lacks the financial or staff resources to management the land. The Forest Service is also limited in its scope to enter into co-management agreements that achieve the Nation’s intended goals. We operate the Bureau of Indian Affairs’ forestry programs available under self-governance, and while these are limited resources, leveraging those of the Forest Service along with them would be much more efficient and effective.

Section 8703 of the 2018 Farm Bill (Pub. L. 115–334) tried to address some of these shortfalls by authorizing a tribal forest management demonstration project which allowed Tribal governments to use ISDEAA agreements (25 U.S.C. 5304 et seq.) to carry out activities authorized by the Tribal Forest Protection Act (“TFPA”) (25 U.S.C. 3115a et seq.). While this was an important step forward, activities authorized by TFPA are limited to protecting tribal lands and trust resources from threats like fire, disease, and other risks, and to restore federal lands. We were excited to see that the House Agriculture Committee passed version of the Farm Bill during the 118th Congress included a demonstration program under TFPA for prescribed burning. However, the Nation is capable of doing so much more. We have proven time and time again, and note by providing life and death services, that we can carry out any program, function, service, and activity that the Forest Service can. This is why we are asking this Subcommittee to work with the House Agriculture Committee to ensure that the Farm Bill includes language more broadly authorizing ISDEAA agreements to be used with the Forest Service.⁵

³ U.S. DEPT OF HHS, Tribal Self-Governance Demonstration Feasibility Study (Mar. 2003).

⁴ Examining the History of Federal Lands and the Development of Tribal Co-Management Remote Oversight Hearing Before the H. Comm. on Natural Resources, 118th Cong. (2022) (state of Choctaw Nation of Oklahoma Chief Gary Batton).

⁵ See Sec. 106(a)(3)(B)(v)(III) and Sec. 206(b)(2) of H.R. 471, Fix Our Forests Act, 119th Cong., available at; See also Section 801 of S. 2354, Improving Agriculture, Research, Cultivation, Timber, and Indigenous Communities Act, 118th Cong.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. GARY BATTON, CHIEF,
CHOCTAW NATION, DURANT, OK

Questions Submitted by Representative Westerman

Question 1. Please list any suggested improvements you have for the self-governance compact negotiation process.

Answer. The primary obstacle has been the level of capacity of the Office of Self-Governance (OSG) within the Department of Interior (DOI). There are simply not enough staff serving as Negotiators within OSG to address the growing demand for self-governance among Tribes. Using any comparison, such as the number of negotiators working for Indian Health Service self-governance negotiations, or the number of BIA field and Central Office staff working on self-determination contract negotiations, the OSG is woefully short of capacity to support the number of existing self-governance Tribes, much less support significant expansion.

Question 2. What additional services is Choctaw Nation looking to expand self-governance in?

Answer. As a priority, we would first seek to expand self-governance in other agencies of the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA), although we urge expansion across all federal agencies.

These contain programs that Tribes have delivered for decades but remain siloed as separate grants. Self-Governance would allow us to consolidate and much better leverage funding for complementary services such as those in Forest Service, Food Distribution, Rural Development, Administration for Children and Families, the Substance and Mental Health Services Administration, and the Centers for Disease Control.

2a) How can Congress assist with the expansion of services?

Answer. Clear statutory authority must be enacted by Congress that extends P.L. 93-638 authority to agencies other than BIA and IHS. That extension of authority must curb or eliminate federal agency discretion and favor tribal assumptions of federal authority and resources. Without a law requiring an agency to transfer authority and resources to a Tribal, at Tribal option, bureaucratic pressures will make sure that no expansion happens.

The P.L. 93-638 statute (ISDEAA) has been refined and polished over the past 50 years—Congress should simply apply its provisions to every federal department.

Question 3. Supplemental funds often play a large role in a tribe's ability to pursue and innovate self-governance services. To what extent have additional funds been used to supplement the needs of your various self-governance programs?

Answer. The most extraordinary example is because the federal bureaucracy did not treat our Reservation as a Reservation since removal to Oklahoma, federal resources were directed elsewhere for Law Enforcement, Courts and Detention, ever since the earliest days of BIA. When the Supreme Court reaffirmed that our reservation had never been disestablished, we had to very quickly find resources to supplement the meager BIA resources and responsibly protect our people under our jurisdiction. This was very challenging, and while Congress has made progress to increase funding, the gap has not been entirely filled with appropriations to this day.

Other examples of our supplementing programs have been:

- Large investments in Higher Education (BIA) for our citizens. The federal appropriation as it currently stands for the number of our citizens is virtually non-existent.
 - a. Choctaw Nation invests over \$60 million annually in education, including college scholarships, career development, early childhood education, and K-12 support programs.
 - b. In 2024 alone, we provided nearly \$15 million in higher education assistance and supported over 3,800 students in our summer school programs. The Choctaw Nation understands that increased educational opportunities better equip the workforce for increased productivity.
- Purchased and Referred Health Care (IHS). We have periodically had to invest millions to ensure that citizens are not denied lifesaving health services when referred to outside providers.

- **Water and Sanitation (IHS).** Over the last 30 years, the Nation has had to move forward with addressing serious lack of water or sewer needs with other resources while waiting for IHS to allocate funds to these projects. It isn't reasonable to ask our citizens to wait for up to a year without water or a septic system while the federal bureaucracy gets the funding disbursed. These funds should be distributed at the beginning of the year based upon a formula.
- **Health Facilities Construction.** The Nation has heavily invested to construct new and replacement health clinics over the last 30 years as well as the replacement Talihina hospital in FY 2000. No health facilities have been included on the IHS Health Care Facility Construction Program list (federal construction funds) for the Choctaw Nation over the last 30 years.
- **Health Provider Housing.** The Nation must invest heavily in housing for health professionals, including providers and nurses, in Talihina Oklahoma. Talihina, the location of the IHS hospital that was transferred to the Nation's administration in 1995, is located in a community of 1,100 with scarce housing appropriate or attractive for providers and their families. A limited number of outdated quarters were transferred from IHS; however, the Nation has had to locate other funding sources to expand the housing stock to ensure that recruitment and retention of providers to the community is possible.
- **Health Wellness Centers (16) Construction.** The federal government, via IHS, never emphasized wellness or prevention activities, as the scarce funds were used almost exclusively on treatment of life-threatening conditions. Using the flexibilities of self-governance, the Nation constructed and operates under its self-governance compact 16 (16) Wellness Centers across the reservation, varying in size and complexity to fit the community. Emergency workers in the community, such as police officers and firefighters, are invited to the Wellness Centers, regardless of their tribal status.

3a) Where has your tribe found these supplemental resources?

Answer. Using the experiences of self-governance and rebuilding its governmental capacity and expertise, the Nation operates very successful businesses and is a strong regional partner at all levels: community, municipal, county and state. This has led to leveraging all sorts of resources, whether it be those developed by the Nation in profitable ventures or grants, or sharing the costs with other governments and organizations that have similar goals as we.

3b) What challenges has your tribe faced when pursuing supplemental funding?

Answer. The biggest challenge has been the federal resistance to allowing Contract Support Cost funds, what we call "CSC Funding", to cover the administrative costs tribes bear when we provide supplemental funding to expand the federal programs, services, functions, and activities in our 638 agreements. Congress should clarify that it intends full federal funding of CSC for the administrative costs associated with tribal spending of tribal supplemental funding for federal programs, services, functions, and activities in our 638 agreements.

Question 4. What was the biggest benefit you've seen in your community after choosing to compact out healthcare programs from the Indian Health Service?

Answer. The first would be the range of, and access to, health care services in the Reservation. The Nation has been able to internalize specialty services and expand outpatient procedures directly delivered by us that prevent our people from having to drive long distances to receive. We continually review and assess geographic areas and types of care that are underserved and develop plans to address them.

The Nation maintains a low vacancy rate for its providers and other health care professionals through a variety of strategies, including loan repayment, housing, graduate medical education and being the employer of choice across the Reservation.

Question 5. ISDEAA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Answer. While Tribes began rebuilding their governmental structures much earlier than federal self-governance authority, it was incremental and moved forward slowly. With self-governance authority beginning in the early 1990's, a very large component of federal programs and services were turned over to Tribal control. No longer was the Nation required to ask for approval for every strategy or service it chose to pursue on behalf of the people—it was now up to Tribal leadership to make these important decisions that best met local priorities. The shift resulted in

something revolutionary. The Nation enacted more codes, developed appropriation processes, procurement, human resources and other systems for itself, and built systems for internal accountability and reporting to Tribal leadership. This leap forward in capacity and strength of government ignited all kinds of other initiatives and partnerships, including business development, extensive partnerships with other governments and increasing our control over natural resources and other assets in the Reservation.

Question 6. How can the audit process tribal self-governance programs go through be improved?

Answer. The audit required for self-governance Tribes is limited to the Single Audit. The Nation successfully completes the audit each year without incident. The only minor item is that once submitted to the Federal Audit Clearinghouse, there should be no other requirement to mail the audit to any federal agency, as they all have access.

Question 7. Please speak to how self-governance amplifies the government-to-government relationship the Choctaw Nation has with the U.S. Federal government?

Answer.

- Self-governance has changed, over time, the government-to-government relationship between us and the federal government by elevating our agreements from being mere “grantees,” “stakeholders” or “procurement contractors” to a government-to-government, negotiated compact required by federal statutory policy. Compacts are not entered into with vendors, but rather with peers.
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- Self-governance has changed, over time, the government-to-government relationship between us and the federal government by elevating our agreements from being mere “grantees,” “stakeholders” or “procurement contractors” to a government-to-government, negotiated compact required by federal statutory policy. Compacts are not entered into with vendors, but rather with peers.
- Tribal Consultation, or mutual, diplomatic and respectful discussions over federal policies affecting Tribal governments is now a mainstay of our relationship, when it was not so previous to the mid 1990s.
- ISDEAA assumes that Tribes are not only capable, but are in the best position to direct, administer and provide services that are based on local community needs, and that the “prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities” (Congressional Findings).

Question 8. What has been the biggest challenge to your community’s economic development after engaging in self-determination agreements?

Question 9. How has self-governance impacted the tribe and surrounding community in the employment sector of the economy?

Answer. ISDEAA enabled us to become one of the State of Oklahoma’s largest employers, with over 13,000 employees currently. In 2024, we were recognized by Forbes magazine as the 2nd best employer in Oklahoma and 32nd best employer nationally. Our goal is to be the employer of choice in Southeastern Oklahoma, and we are a key contributor to the overall economic growth of our region. This is possible because of self-governance agreements that help us to create employment opportunities and make crucial investments in housing and infrastructure.

Question 10. What has been the biggest detriment to Choctaw Nation’s self-governance opportunities that Congress should be aware of?

10a) How best can Congress work to address these issues?

Answer. Self-governance is a proven, highly successful initiative that has been a catalyst to grow our sophistication and proficiency as governments. In the early days of ISDEAA, there was a great deal of skepticism, primarily from the federal bureaucracy, whether Tribes were capable of handling new responsibilities and whether they would be accountable.

Those should no longer be questions after the Nation’s 30 years in self-governance. Unfortunately, as we discuss expansion of self-governance into other

federal departments and agencies, we are receiving the same kind of skepticism and bureaucratic resistance, even when discussing programs we have been operating under grants since the 1960s.

Expansion of self-governance has been advocated by Tribes since before 2000 and the same, tired “reasons why not” continue to be promoted by those federal officials that currently have their stronghold over those programs. What Congress can do is to pass legislation that unambiguously extends authority for self-governance to federal agencies other than BIA and IHS. That extension of authority must curb or eliminate federal agency discretion and favor tribal assumptions of federal authority and resources.

Without a law requiring an agency to transfer authority and resources to a Tribal, at Tribal option, bureaucratic pressures will make sure that no expansion happens.

Question 11. In your written testimony, you mentioned contract support costs and the way in which they support Choctaw Nation’s healthcare services. Please describe that process.

Answer. Contract support costs (CSC) are essential to support all of the systems that serve the direct program, such as finance, human resources and many others. These are reasonable costs that are necessary to administer responsible and accountable health operations. The ISDEAA statute requiring CSC be paid when programs are assumed has been reaffirmed three times by the U.S. Supreme Court.

Since these are recognized as legally-binding obligations, the federal appropriations were made indefinite appropriations to cover such sums as necessary. To fully recognize the non-discretionary nature of CSC obligations as described by the Courts, CSC should be moved to mandatory appropriations.

11a) Where has Choctaw Nation experienced issues in receiving those payments?

Answer. For the BIA, the policy does not permit payment of 100% of the requirement at the beginning of the fiscal year. This policy strangely only applies to self-governance Tribes. The Nation frequently has not received 100% under after the entire fiscal year is over, meaning that we must cash flow a federal obligation. The BIA policy should require full payment with later reconciliation.

The IHS policy requires 100% to be paid as required, and payments are much more timely. However, the IHS has yet to fully implement the requirements of the last Supreme Court decision on CSC from June 2024. Collaborative work was done last fall to prepare an interim process, but relatively very few payments to Tribes have been made, either for the current year 2025 or for prior years that adjusted payments are due and owing.

Question 12. In your written testimony, you described several opportunities that Choctaw Nation has used to keep healthcare vacancy rates low in rural communities. What was the catalyst for those specific opportunities?

Answer. With the flexibilities afforded through self-governance, the Nation uses several strategies for recruitment and retention in rural communities. The most successful for recruitment of health professionals has been our Graduate Medical Education (GME) program. A rural GME is very difficult to sustain, and most rural GME programs unattached to a much larger health system most often fail. The Nation successfully competed for a grant through the Health Resources and Services Administration for a Teaching Health Center that defrays some of the costs for our 15 accredited student slots. However, there are a host of other costs to make a rural GME successful, with increased needs for transportation, travel, housing and others. The Nation is uniquely positioned to consolidate and reallocate resources in its health system to address these wrap-around costs that are not provided by any federal GME program. The GME not only recruits the students themselves but also recruits providers who want to be part of a teaching hospital faculty. It also raises the quality of care being provided, as the faculty and staff are more up to date on the most modern health care practices.

The Nation also placed a high priority on provider and nurse housing. To attract families with relatively higher incomes, the Nation found that housing was a key component to influence a decision to work for our health system. The city of Talihina simply did not have enough housing, or housing that would be desirable to providers, nurses and their families. Once constructed, the tenants pay rent that goes back into the overall program. The IHS formerly had a small number of units in Talihina, but by making it a priority, it has become an important part of our recruitment efforts.

There are some limited opportunities for placement of providers in our facilities through federal loan repayment programs, such as IHS. However, we have found that student debt for health professionals has dramatically increased, and that the

Nation should create its own program to expand the number of professionals recruited to our facilities.

12a) What was the process enacted that brought these ideas to fruition?

Answer. While some funding per GME student is received via the HRSA grant, most of the resources needed for these ideas and initiatives come from the Nation's ability to reprogram budgets and redesign its health program under self-governance authority. The freedom to design and administer our own health programs also fostered a partnership with Oklahoma State University facilitating accreditation of our program and a pipeline of students.

Question 13. What changes should Congress make to the self-governance process to ensure continued successes for tribes?

Answer. The existing 638 statute is "tried and true" after 50 years of refinement and implementation. Self-Governance works. Expand ISDEAA, word for word, to all agencies, and, at each tribe's option, make it the sole vehicle for all federal funding available to benefit that tribe.

Question 14. In the realm of telehealth, how has self-governance provided opportunities that being a direct-service tribe would not?

Answer. As a self-governance Tribe, the Nation is in the driver's seat to identify where and how such services are provided and which telehealth platform is used. The Nation is also able to design the program without waiting for IHS to act or having a "one-size-fits-all" approach to all of Indian country. For instance, the Nation has identified some very rural communities in the Reservation that have no healthcare providers, native or non-native. Residents of these communities must drive long distances to access health care. The Nation evaluated this and quickly learned that a traditional clinic setting would not be as financially viable due to the lower patient workload. We also have a great partnership with Oklahoma State University to extend access to care in rural areas of Oklahoma.

By expanding our existing partnerships, OSU and the Nation will shortly be opening telehealth clinics in these communities to increase access to primary care to the entire population.

Tribes receiving direct services from the IHS must rely upon IHS to make the decisions for any changes in service delivery and are not able to redirect the resources themselves.

The CHAIRMAN. Thank you, Chief Batton, and you are the neighbor on the west of my congressional district.

Mr. BATTON. Yes, we are.

The CHAIRMAN. And I now recognize Chair Supernaw, who, with the Quapaw Nation has a very rich history not only in Arkansas but in my hometown of Hot Springs. You are recognized for 5 minutes.

STATEMENT OF THE HON. WENA SUPERNAW, CHAIR, QUAPAW NATION, QUAPAW, OKLAHOMA

Ms. SUPERNAW. Chairman Westerman, Chairman Hurd, Ranking Member Leger Fernández, members of the Committee, and members of the Oklahoma delegation, thank you for the invitation to testify before you today.

Let me begin by telling you just how honored I am to be testifying in my home state. While you are here, you will see that things are a bit different in Indian Country than they are in D.C. From me, and I from assume others, you will hear that more government isn't the answer. We need a smarter government. We need one that works with Indian Country to meet our needs, not a government that is stuck in its paternalistic past.

Fifty years ago, President Nixon challenged the Democratic majorities of both the House and Senate to reduce bureaucratic

interference in the affairs of our people. As a result, Congress passed the Indian Self-Determination and Education Assistance Act of 1975. That law put in place a formula that we now know works.

At the Quapaw Nation, we have elected to use BIA self-governance for 21 discrete functions, almost everything that we are eligible for. That is because when programs and services are authorized by Congress, they are most effectively administered by the Tribal Nations.

Self-governance is not just about the efficiency of your government; it is also about the efficiency of our government. In our experience, the act of self-governance alone is a form of economic development. Tribal members can learn the valuable, technical skills that were previously reserved for residents of the District of Columbia.

Before I go into the specifics of programs, I want to let that sink in. Self-governance alone is a form of economic development.

When the Quapaw Nation moved to self-governance, something changed for us. We moved from a tribe that was dependent on the United States to one that was partners with the United States. As we gained proficiency, our mindset changed from what is the next service the Federal Government will offer?" to "how can the tribe better serve our people?"

Looking back, it was the skills our government and people learned from self-governance that gave us the confidence to start a rehabilitation program, a commercial gaming business, and an environmental services company. The skills we learned in the early days of self-governance, things like cash flow, audits, reporting requirements, they changed the trajectory of our nation. We took the skills developed running our government and applied them to our economic development. It was a revelation, and for that, I am truly grateful.

Now let me tell you a bit about some of the specific programs.

The Quapaw Nation operates a critically important substance treatment program as a part of our Indian Health Service self-governance. Tribal leadership felt very strongly that we needed to do more for our people that struggled to find comprehensive, compassionate drug treatment. Simply put, there was not a culturally competent or qualified provider in our area. I am most proud to offer to our tribal membership and others in the community. We have already reduced some of the worst outcomes, and are finally making progress to heal our people.

Two of the most important BIA programs we run are our realty and trust management services. By controlling these functions together, the Quapaw Nation now retains sovereign control of our land. As a result, we can work with landowners and lessees to quickly and transparently resolve issues on trust land.

The most important example of self-governance as economic development for the Quapaw Nation was the creation of the Quapaw Services Authority, QSA. We founded this authority to do work with the EPA Superfund program, which is working to clean up the toxic lead and zinc waste left on our reservation after the BIA allowed 70 years of unsupervised mining on our land. Although there is no formal EPA self-governance program, something

that you all might want to work on with the Energy and Commerce Committee to rectify, we worked with EPA and the Oklahoma Department of Environmental Quality to put an ad hoc program together after the first clean-up crew failed to protect our cultural resources. The tribe, via the QSA, is now working in lockstep with the EPA and ODEQ to restore our land for future generations.

Now, I would be a negligent tribal leader if I didn't also mention H.R. 1451, the Quapaw Tribal Settlement Act. This legislation, introduced by our Congressman, Josh Brecheen, and our Senators, fulfills the settlement of our claim against the United States for the mining disaster I just referenced. I hope to have the opportunity to work with you all on that legislation in the near future.

Thank you again for the opportunity to be here today, and I look forward to answering any questions you may have. Kanike.

[The prepared statement of Ms. Supernaw follows:]

PREPARED STATEMENT WENA SUPERNAW, CHAIR OF QUAPAW NATION

Chairman Westerman, Chairman Hurd, Ranking Member Leger Fernández, Members of the Committee, and Members of the Oklahoma Congressional delegation, thank you for the invitation to testify before you today.

Let me begin by telling you just how honored I am to be testifying in my home state. While you are here, you'll see that things are a bit different in Indian Country than they are in D.C. From me, and I from assume others, you will hear that more government isn't the answer. We need a smarter government. We need one that works *with* Indian Country to meet *our* needs; not a government that is stuck in its paternalistic past.

50 years ago, President Nixon challenged the Democratic majorities in the House and Senate to reduce bureaucratic interference in the affairs of our people. As a result, Congress passed the Indian Self Determination and Education Assistance Act of 1975. That law put in place a formula that we now know works.

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When the Quapaw Nation moved to self-governance, something changed for us. We moved from a tribe that was *dependent* on the United States to one that was *partners* with the United States. As we gained proficiency, our mindset changed from "what is the next service the federal government will offer?" to "how can the tribe better serve our people?"

Looking back, it was the skills our government and people learned from self-governance that gave us the confidence to start a rehabilitation enterprise, a commercial gaming business, and an environmental services company. The skills we learned in the early days of self-governance—things like cash flow, audits, reporting requirements—changed the trajectory of our nation. We took the skills developed running our government, and applied them to our economic development. It was a revelation, and for that, I am truly grateful.

Now, Mr. Chairman, Mr. Ranking Member, let me tell you a bit about some of the specific programs we operate.

The Quapaw Nation operates a critically important substance treatment program as a part of our Indian Health Service self-governance. Tribal leadership felt very strongly that we needed to do more for our people that struggled to find comprehensive, compassionate drug treatment.

Simply put, there was not a culturally competent or qualified provider in our area. So we embarked on an effort to do it ourselves and it has become one of the services I am most proud to offer to our tribal membership and others in the community.

We have already reduced some of the worst outcomes and are finally making progress to heal our people.

Two of the most important BIA programs we run are our realty and trust management services. By controlling these functions together, the Quapaw Nation now retains sovereign control of our land. As a result, we can work with landowners and lessees to quickly and transparently resolve issues on trust land.

Let me give you an example: our nation inherited a gas line trespass that tribal members had been trying to address since 1964. Instead of running to our regional BIA office or DC with our hat in our hand, the professional staff at the Quapaw Nation analyzed the problem, remained steadfast on seeking an outcome favorable by landowners, and found a way to resolve the matter without seeking litigation. In doing so, the tribe obtained an acceptable settlement for landowners, all while staying within federal regulation.

Another key function of Realty is to facilitate land acquisitions on the reservation. Before taking over Realty, the BIA would not allow restricted landowners to sell land west of Spring River.

This was because the BIA wouldn't talk to EPA to understand the regulations governing the Tar Creek Superfund Site. At the time, we had a tribal member needed to sell some of this property to pay hospital bills, so it was a matter of urgency. Once we took over, the transaction was quickly approved, and we have since been able to replicate that process many times over without issue.

Finally, the most important example of self-governance as economic development for the Quapaw Nation was the creation of the Quapaw Services Authority (QSA). We founded this authority to do work with the EPA Superfund program, which is working to clean up the toxic lead and zinc waste left on our reservation after the BIA allowed unsupervised mining on our land. Although there is no formal EPA self-governance program—something you should work with your colleagues on the Energy and Commerce Committee to rectify—we worked with EPA and the Oklahoma Department of Environmental Quality to put an ad hoc program together after the first clean up crew failed to protect our cultural resources. The tribe, via the QSA, is now working in lock step with the EPA and ODEQ to restore our land for future generations.

Now, I would be a negligent tribal leader if I didn't also mention H.R. 1451, the Quapaw Tribal Settlement Act. This legislation, introduced by our Congressman, Josh Brecheen, and our Senators, fulfills the settlement of our claim against the United States for the mining disaster I just referenced. I hope to have the opportunity to work with you all on that legislation in the near future.

Thank you again for the opportunity to be here today, and I look forward to answering any questions.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. WENA SUPERNAW, CHAIR,
QUAPAW NATION

Questions Submitted by Representative Westerman

Question 1. Have there been any major issues your tribe experienced when negotiating or renegotiating any compacts that Congress should be aware of?

Answer. The primary issue we face is insufficient funding. As you heard, the Nation strongly supports self governance, and we will continue to pursue it. But we do so at great cost. Dollar for dollar, the Quapaw Nation contributes far more to our government than the United States does. IHS and BIA funds are an important revenue stream, but they fall far short of the amount needed to live up to the United States' treaty and trust obligations.

Question 2. How has self-governance brought the idea of "local" government back to Quapaw Nation and the surrounding communities?

Answer. The Quapaw Nation's self governance program reflects the priorities of the Quapaw Nation, not the priorities of BIA staff back in Washington D.C. This means we are able to create programs that work best for us. I mentioned our drug treatment center in my testimony; that is an example of a program that IHS would never have come up with on its own. But we did because its right for us. Government needs to be flexible and self governance gives us the ability to do that.

Question 3. When the Quapaw Nation began negotiations to take over some economic development-related services, what was that experience like?

Answer. Efficient government is economic development, and that is what we've created at the Quapaw Nation. Our government is small but nimble. When we entered negotiations with the BIA for land functions, which are really key to economic opportunity, they proceeded just as other functions did. BIA did not prioritize them, but it also did not deprioritize them. The agency respected that the tribe was making a decision that was right for us.

Question 4. How has compacting out realty services allowed Quapaw Nation to work at the speed of business rather than the speed of the Federal Government?

Answer. Realty is an important function for us, and one that allows us to process business, agriculture and residential leases more quickly than when we relied on the BIA.

Question 5. ISDEEA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Answer. As I said in my testimony, self-governance has empowered the tribe in a way we never thought possible. It gave our government the tools to be more active for our tribal members, but it also gave us the confidence to use that knowledge to make economic growth a priority as well. We knew that if we could run a government well, we could run a business well too. We did that, and now it is our businesses that are the keys to our future.

Question 6. Please speak to how self-governance amplifies the government-to-government relationship the Quapaw Nation has with the U.S. Federal government?

Answer. Self Governance does not mean sole governance. It's a partnership. We work with our federal partners to make sure that our needs are met, and that their laws are followed. We find the happy middle ground.

Question 7. How does increased tribal sovereignty positively impact surrounding communities?

Answer. The Quapaw Nation's self governance agreements have allowed us to better serve our members, but also our neighbors. We now provide all municipal services to the City of Quapaw, for instance. We provide law enforcement to other local jurisdictions, including some across state lines. It is nice that the tribe can bring these assets to the table in a government to government dialogue; it means we don't need to always show up hat in hand.

Question 8. Has your tribe dealt with any roadblocks in self-governance compact negotiations?

8a) What changes need to be made to address these roadblocks?

Answer. The biggest hurdle is funding. We struggle to take on new functions and services if there's not the money for it. We already have to allocate large sums of our economic development to fulfill the obligations in our self governance compacts, but expanding further is financially risky because we bear the disproportionate burden.

Question 9. Why did Quapaw Nation decide to compact services?

9a) What are potential factors that would discourage a tribe from pursuing a self-governance agreement?

Answer. We chose to pursue a compact because we valued the flexibility and reliability of that agreement compared to spotty service from the BIA and IHS. The challenge, as I have previously said, is that there is not always ample funding to administer the programs. We need to align self governance funding more closely with the actual costs of running programs.

Question 10. What has been the biggest detriment to Quapaw Nation's self-governance opportunities that Congress should be aware of?

10a) How best can Congress work to address these issues?

Answer. I sound like a broken record, but even in a time of austerity the answer has to be additional funding. Running programs on a shoe string budget has created too many gaps in service, and with more funding, we would be able to provide a service that the tribal government is proud of.

Question 11. What changes should Congress make to the self-governance process to ensure continued successes for tribes?

Answer. In addition to funding, I liked what I heard from other tribal witnesses at the hearing: provide tribal nations greater authority to approve transactions, should they wish to do so. There are certain federal approvals even fully self governing tribal governments can not make, so we need your help in freeing up greater opportunities for us and our people.

The CHAIRMAN. Thank you, Madam Chair.

The Chair now recognizes President Harvier. You are recognized for 5 minutes.

**STATEMENT OF THE HON. MARTIN HARVIER, PRESIDENT,
SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY, SCOTTS-
DALE, ARIZONA**

Mr. HARVIER. [speaks in native language] Good morning. How are you? Chairman Westerman Chairman Hurt, Ranking Member Leger Fernández, and members of the Subcommittee, thank you for this opportunity to provide testimony on the 50th anniversary of the Indian Self-Determination and Education Act. My name is Martin Harvier, the President of the Salt River Pima-Maricopa Indian Community, located in Phoenix, Arizona.

I would like to recognize Representative Gosar from the great state of Arizona, and thank you for your representation of the Tribes of your district. Thank you, Representative.

Our community has a long history of self-governance, compacting the majority of Federal programs from the Bureau of Indian Affairs and most recently from the Indian Health Services. We entered into our first BIA self-governance compact in 1995, and have expanded that agreement several times over the last 30 years. Today we operate 17 programs, including Tribal courts, road maintenance, and law enforcement.

Perhaps the most impactful has been the Land, Title, and Records Office, the LTRO. Before taking over the functions of LTRO it took the BIA up to 6 months to record a lease. After we took this function over, the community now records leases in 48 hours. The key to a successful LTRO program is to have access to the BIA Trust Asset and Accounting Management System, better known as TAMS. While it has taken several years for the BIA to grant the access we need, things are improving.

Today there are a few areas of concerns with the BIA. For probate, the BIA has a massive backlog, but there are layers of bureaucracy within the Western Region Office that do not allow us to submit completed probate cases directly to the Office of Hearings and Appeals, even though our staff is qualified to perform all functions. BIA should let us do this work ourselves.

Further, understaffing at the local Salt River Agency means that we often must work with staff of another agency that lacks the knowledge. This means rights-of-way are often not approved within the 60-day window required by regulation, causing delay for infrastructure and economic projects. To address this, BIA must either staff up or let us approve these transactions ourselves.

Finally, funding for our compact with the BIA is not sufficient. For example, in 2023, we received \$15 million to run these programs, but had to spend more than \$37 million of Tribal funds to meet the need. That means we spend more than two times the

amount on these programs than the BIA provides. Over time, funding levels have not kept up with inflation, let alone population growth.

More recently we began compacting programs from the Indian Health Services in 2017. Self-governance is an integral part of our “5 in 5” goal, to increase the life expectancy of our community by 5 years every 5 years. We face a stark reality. Residents in our community, on average, die more than 30 years younger than residents of Scottsdale, only a few miles away. It will be a challenge to meet our 5 in 5 goal if there are significant cuts to Medicaid.

IHS only funds about 65 percent of our operational budgets, so we, like other Tribes, rely on third-party revenue to supplement our programming. And the vast majority comes from Medicaid. Any cut to Medicaid would significantly reduce the budget of our health system, and without an equal increase in IHS funds we would have limited capacity to expand programs and facilities that are needed.

A cut to Medicaid would make it nearly impossible to keep up with the demand for service. After only 2 years, our health facility is serving more than 300 new patients each month. In addition, later this year we will be opening a 61-bed residential treatment center that is part of our Journey to Recovery program, but we cannot meet the future demand if funding levels remain the same.

Finally, Congress must fully fund contract support costs and 105(l) leasing. Last year I was proud to co-chair a Contract Support Cost Advisory Group to develop a framework and process to implement the requirements of the U.S. Supreme Court decision in the San Carlos Apache Tribe litigation. The IHS and Tribes successfully concluded negotiations in December 2024. Following, our community was the first to go through a pilot program to test this process, and we successfully concluded an agreement in January of this year. I am glad the President and Secretary Kennedy have continued that work.

In closing, I want to thank the Committee for holding this hearing. In the 50 years since the Self-Determination Act we have seen tremendous positive change for our community. I am hopeful this Administration and this Congress will continue its commitment to work with Tribes to improve self-governance for another 50 years.

Thank you again for this opportunity to testify, and I am happy to answer any questions. Thank you.

[The prepared statement of Mr. Harvier follows:]

PREPARED STATEMENT OF MARTIN HARVIER, PRESIDENT, SALT RIVER
PIMA-MARICOPA INDIAN COMMUNITY

Chairman Hurd, Ranking Member Leger-Fernández, and Members of the Subcommittee, thank you for the opportunity to provide testimony on the 50-year anniversary of the Indian Self-Determination and Education Assistance Act. My name is Martin Harvier, President of the Salt River Pima Maricopa Indian Community (SRPMIC).

On behalf of our Community, I am happy to share our history and experience with Self-Governance Compacts through the Department of Interior (DOI), Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS), and to provide a few observations that may be useful for the Committee in its oversight capacity.

By way of background, the Salt River Pima Maricopa Indian Community was established by Executive Order on June 14, 1879 and is home to two distinct tribes, the An Auk Akimel O’odham (Pima) and the Xalychidom Piipaash (Maricopa).

Today, SRPMIC shares borders with the fast growing cities of Scottsdale, Tempe, Mesa, and Fountain Hills. The reservation encompasses 52,600 acres and we have an enrollment of approximately 11,000 members.

Our community has a long history of Self-Governance, compacting the majority of federal programs from the Bureau of Indian Affairs, and more recently from the Indian Health Service.

Bureau of Indian Affairs:

The SRPMIC entered into its first Title IV Self-Governance Compact on October 1, 1995. The first tranche of programs that were included in the Compact were:

- Tribal Scholarships
- Tribal Scholarships
- Johnson O'Malley
- Tribal Courts
- Social Services (Indian Child Welfare Act, Welfare Assistance Grant)
- Housing Improvement Program
- Law Enforcement
- Road Maintenance
- Agriculture
- Real Estate Services
- Real Estate Appraisals

Over time the SRPMIC assumed the following additional programs:

- FY 2000—Job Training and Placement
- FY 2002—Tribal Transportation Planning
- FY 2003—Indian Reservation Roads Program
- FY 2006—Detention/Corrections
- FY 2007—Juvenile Detention Education
- FY 2017—Land Title Records Office
- FY 2022—Section 105(l) Leasing Program

Among these, perhaps the most impactful has been the assumption of the functions of the Land Title and Records Office (LTRO). Through LTRO the Community has been able to improve transaction times for business leases, agricultural leases, home sites, right-of-way and probates. One of the key parts of the LTRO function is to have access to the BIA Trust Asset and Accounting Management System (TAAMS). Not only did the community bring the TAAMS system “in-house”, but we also hired and trained several staff people that are certified on the system.

Along the way SRPMIC has gone through several Tribal Trust Evaluation audits (TTE) with the BIA. These periodic audits are meant to ensure the Community is faithfully upholding our responsibilities, but they also serve as an opportunity to both strengthen tribal programming as well as identify areas where the BIA and partnering Agencies can improve. For example, in the TTE completed in 2022, it was clear the pandemic greatly impacted the delivery of service.

In recent testimony before the U.S. House Appropriations Committee, Subcommittee on Interior, Environment, and Related Agencies, it was noted there remain issues of federal bureaucracy that stand in the way of efficient operation of the important programs.

BIA's Review of Probate Cases Amidst a National Backlog:

The SRPMIC has compacted the probate function and is responsible for probate case preparation, inventory and asset verification, and getting cases submitted to the Office of Hearings and Appeals (OHA) for formal probate proceedings. Despite this, BIA requires additional reviews at the regional level, rather than allowing SRPMIC to operate independently. BIA does not allow SRPMIC to submit completed probate cases directly to OHA. Instead, cases must go through additional layers of BIA review at the regional level, despite SRPMIC staff being fully trained and qualified to perform all required probate functions. During FY2023 and FY2024 Probate cases were at the regional level for reviews ranging from 1–4 months.

It is our recommendation the SRPMIC should be allowed to submit completed probate cases directly to OHA, eliminating unnecessary BIA oversight at the regional level.

Lengthy Timeframes for Realty Transactions submitted to the Local BIA Agency Office:

The Salt River Agency (SRA) serves the SRPMIC and two other tribes. Due to staffing shortages the Salt River Agency Superintendent is covering two agencies (Pima and Salt River) and is present at SRA only one day per week. As a result, approval for rights-of-way regularly exceeds the 60-day timeframe required under 25 CFR § 169.123, causing significant delays for infrastructure and economic projects. Wait times have significantly worsened since mid-2020, with no clear justification from BIA for the excessive review timelines. Without adequate staffing, the agency cannot function properly, leading to delays in realty transaction approvals.

It is our recommendation the BIA must acknowledge the staffing issue and take steps to provide additional staff to reduce realty transaction approval delays. Alternatively, if staff support is not possible the SRPMIC recommend the BIA provide full authority to the Community to approve all transactions.

In addition to these recommendations, it is always critical for the Congress to consider funding programs to the need that exists. When the SRPMIC first compacted programs with the BIA in 1995 we received \$3,212,357.00. Following the addition of seven programs the SRPMIC currently receives approximately \$14.7 million with an additional \$6.9 million coming from USDOT for CMAQ. However, based on the growth of the Community, in terms of increased enrollment and development, the needs of the Community have grown exponentially where the self-governance funding has not kept pace. For example, in Fiscal Year 2023 the SRPMIC appropriated an additional \$37.2 million of tribal funding for compacted programs to meet the unmet need that exists.

Indian Health Service:

More recently the SRPMIC has assumed many programs from the Indian Health service through a self-governance compact that include, but are not limited to:

- Ambulatory Services.
- Pharmacy.
- Physical Therapy.
- Diagnostic Imaging.
- Behavioral Health programs that include mental health and social services.
- Facility Support Services for the operation of the River People Health Center.
- Preventive Care that includes Public Health Nursing, Community Health Representatives, and Public Health and Epidemiology, and Disease Prevention.
- Diabetes Prevention, Treatment and Control.
- Telehealth.
- Emergency Medical Services.
- Many administrative functions.

It is the goal of the SRPMIC to provide our Community members and the Phoenix area urban Native population with access to high quality and comprehensive medical services in line with the federal government's trust and treaty obligations because we know that chronic underfunding of the Indian health system has had detrimental impacts on our communities. American Indians and Alaska Natives are disproportionately affected by obesity, diabetes, heart disease, cancer, substance use disorder, and other largely preventable conditions. In our Community, these impacts directly result in an average life expectancy of just 52 years, while just across the reservation border in Scottsdale, Arizona, the average life expectancy is 85 years. We can, and must, do better.

We believe that taking control of our own health policy will allow us to construct a comprehensive health model to improve the life expectancy of our people, what we call "5 in 5"—increase the life expectancy by five years every five years. In order to build a successful health model, the SRPMIC will rely on full funding of all elements of the current compact as well as the authority to bill and collect from third party insurance entities for services provided by the Community. These two components will make up approximately 99% of funding to implement the health care system for the SRPMIC. As a result, we look forward to working with the Congress in the following areas to ensure there will be funding available in the future to meet the needs that exist:

Permanently Exempt the IHS from Cuts, Sequestrations, Rescissions, and Funding Freezes:

Despite its chronic underfunding, the Indian health system is constantly at risk of additional budget cuts, sequestrations, rescissions, and funding freezes. As recently as January 2025, Tribal health programs like us feared that our desperately needed funding was frozen when the Office of Management and Budget issued a memorandum pausing federal financial assistance. Similarly, in FY 2024, Congress rescinded \$350 million marked for public health infrastructure from the IHS. In fact, the IHS is the only federally funded service providing direct patient care that is not exempt from sequestration. This uncertainty greatly impacts our daily operations and ability to plan for the future, which in turn affects the quality of care we can provide our patients.

We respect the efforts to trim the federal budget, however, we ask you to remember the trust and treaty obligation that exist. In fact, the IHS budget remains so small in comparison to the federal budget that cuts, rescissions, sequestrations, and freezes do not result in any meaningful savings in the national debt, but they do devastate Tribal Nations and their citizens.

Continued Support for Advance Appropriations for IHS:

This year's budget cycle clearly demonstrates why advance appropriations are critical where IHS clinical services have remained continuous, in spite of the volatile budget process. We hope the Congress will extend advance appropriations to all IHS accounts, including Electronic Health Records Modernization, Health Care Facilities Construction, and Sanitation Facilities Construction.

Mandatory Funding for Contract Support Costs and 105(l) lease payments:

We believe it is important for the Congress to fully fund Contract Support Costs (CSC) and section 105(l) lease payments. Despite the obligatory nature of these payments, they remain in the discretionary budget, where they continue to take up a larger and larger percentage of overall IHS funding.

This is especially concerning given the recent U.S. Supreme Court decision, *Becerra v. San Carlos Apache Tribe*, which found that the IHS is required to pay CSC on third-party revenues and other programs. As the co-chair of the Contract Support Cost Advisory Group ("CSCAG") the IHS and Tribal Nations worked diligently to develop a framework, and process, that will reasonably assess all relevant obligations for payment of CSC. This negotiation was successfully finalized in December 2024 and the first step in the process was to utilize a pilot program to measure the feasibility of the framework. In fact, the SRPMIC was the very first tribe to go through the pilot program and we have since successfully concluded a CSC agreement with the IHS in January of this year. With this framework in place, it can only be successful if there is a commitment by the IHS to negotiate in good faith with Tribal Nations and for the Congress to appropriate the necessary funding to meet the federal obligations.

Limit any cuts and rescissions to Medicaid:

Tribes offset their underfunded compact amounts using third party revenue they collect, the largest portion of which comes from Medicaid. For our Community, third party revenue will be a key component to help build out our health system and we share the concern of many tribal leaders that any reductions in payments would cause tremendous damage to tribal health care programs. At SRPMIC, the IHS programmatic budget only funds about 65 percent of our facility's operational budget. To supplement the insufficient IHS funding, we rely on third party billing, with the vast majority coming from Medicaid, to keep our facilities afloat. Any cut to Medicaid would cut millions from our health clinic budget, and without increases to baseline self-governance funding to make up for it, we would be forced to reduce the number of specialty departments that our Community relies on.

Extend Self-Governance Funding Options to the Special Diabetes Program for Indians (SDPI) and increase funding to \$200 million/year:

While we understand that SDPI is not under the jurisdiction of the Subcommittee, we appreciate that Congress has continued to include short-term extensions of SDPI throughout this fiscal year at a \$160 million annualized rate. We recognize that these are among the first increases given to SDPI in two decades. Communities like ours across Indian Country rely on these resources to address the alarming rates of diabetes and diabetes-related health complications among our people. SDPI's success rests in the flexibility of its program structure that allows for the incorporation of culture and local needs into its services. Consistent with this model, Congress should authorize SDPI participants the option of receiving their federal funds

through either a grant (as currently used) or self-governance funding mechanisms under the Indian Self-Determination and Education Assistance Act.

Additionally, SDPI has not had a meaningful increase in funding since FY 2004 despite its overwhelming success. Short-term reauthorizations continue to destabilize this program and make staffing and program continuity difficult. For this reason, we recommend permanent reauthorization for SDPI at a minimum base of \$200 million per year with annual adjustments for inflationary increases. This is consistent with that which was included in the first continuing resolution in December 2024.

In closing, the SRPMIC applaud the Committee for holding this important discussion on the 50-year anniversary of the of the Tribal Self-Determination and Education Assistance Act. While we believe there are great challenges ahead with the tremendous changes that are occurring in the federal government, we believe there is also ample opportunity for the Congress to fully embrace the policy of tribal self-governance and self-determination and the obligation that follows because it is good government.

This Administration has outlined a number of national policy objectives, one of which is reducing the size and scope of the federal government. We believe that tribal programs can contribute to this effort by expanding self-governance or eliminating some of the duplicative approval processes already in place. However, it must be done responsibly, in consultation with tribal governments, and without causing reductions or interruptions in service.

Thank you again for the opportunity to testify and I am happy to answer any questions you may have.

The CHAIRMAN. Thank you, President Harvier.
The Chair now recognizes Chief Hill for 5 minutes.

**STATEMENT OF THE HON. DAVID HILL, PRINCIPAL CHIEF,
MUSCOGEE CREEK NATION, OKMULGEE, OKLAHOMA**

Mr. HILL. Good morning. Thank you.

[Speaks in Muscogee language.]

Good morning. My name is David Hill, Principal Chief of the Muscogee Creek Nation. My Tribal town is Okfuskee and my clan is Beaver Clan. And I want to thank each and every one of you for this opportunity to speak in front of you. As we met before, Chairman Westerman, and I am glad to meet you today, Ms. Leger Fernández, and congratulations, Representative Hurd. It has always been an honor to come before you.

I can almost share the same thing, as I was looking at my notes. It appears that Governor Anoatubby and Chief Hoskin came and took some of my notes, so I don't want to repeat everything that has been said. And I am pretty sure you have our written testimony.

What I would like to do is share a little bit of who Muscogee people are. It has been our custom to tell you who we are. We originally come from Florida, to be relocated, to be removed again, to Tennessee, to South Carolina, to Georgia, and Alabama. In the 1830s, being removed again by General Andrew Jackson in the 1830s on the Removal Act. Nothing but the clothes on our backs. To walk the Trail of Tears, over 24,000. Only 18,000 made it to Oklahoma.

It is where we are today, 100,900 Creek citizens, the fourth-largest in the United States. And it is an honor to be here again, to where we was at before.

Last year we attended the Nixon Foundation here, on this same issue. To where we were at, with nothing on our backs, to come here to Oklahoma, with only 3.2 million acres now. And it was re-

moved from Alabama and Georgia, giving up over 22 million acres. But it is where we are at today.

As has been mentioned, IHS, law enforcement. When I first came into office 6 years ago we only had 30. Today we are up to 140. We have five hospitals. And I think we are the only Tribe that we service Creek citizens, non-Creeks, and non-Natives. That is how we help our community, as well as emergency management. We assist other communities, the drones that we have. Actually we used it just last week and just recently yesterday in Wagner, with the assistance of the Cherokee marshal. That is how we work with our communities.

It has been a struggle, our history, fighting for our rights and our freedom. And just recently we came from Horseshoe Bend. As you well know, that was the last battle of the Muscogee Creek Nation, with Andrew Jackson. And we offered our services when that tornado came through. But due to regulation we were not able to. We were going to send our arbor crew, our cemetery crew to help clean up the debris and all the trees that fell down. But that is who we are.

With everything that has been said, as I mentioned, I would be repeating everything that the rest of these Tribal leaders have mentioned. I would just like to read one quote from President John F. Kennedy. “American Indians remain probably the least understood and most misunderstood Americans of us all. Our treatment of Indians still affects the national consensus. Before we can set out on the road of success we have to know where we have been in the past. It seems a basic requirement to study the history of our Indians. Only through this study can we, as a nation, do what must be done, and our treatment of the American Indians is not to be marked down for all times as a national disgrace.”

Recently, on July 9, 2020, the Supreme Court ruled that Muscogee Creek Nation reestablished their reservation. That affected Indian Country. That affected Muscogee Creek Nation. That affected the state of Oklahoma. That affected Indian Country. And all to say this is we have governed our own ever since. Before our first treaty, 1733, with England, we were the first to have a treaty with the United States, with President Washington in 1790, the Treaty of New York.

We still have the same government. As Chief Hoskin had mentioned, we conduct business almost better than the U.S. Government. When Supreme Court Justice Gorsuch mentioned, and this is my last quote, “At the far end of the Trail of Tears was a promise.” I had mentioned to Member Fernández that I carry my bible with me, over eight treaties with Spain, Britain, and England, over 38 treaties with the United States and other Tribal leaders. And that is all we want is the promise that was given to us. [Speaks in Muscogee language].

[The prepared statement of Mr. Hill follows:]

PREPARED STATEMENT OF DAVID HILL, PRINCIPAL CHIEF MUSCOGEE (CREEK) NATION

Good morning Chairman Hurd, Ranking Member Leger Fernández, and Members of the House Subcommittee on Indian and Insular Affairs.

Thank you for holding this important field hearing on “Examining 50 Years of the Indian Self-Determination and Education Assistance Act (ISDEA) in Indian Country.” This conversation is deeply meaningful for the Muscogee (Creek) Nation,

as well as for tribal nations across the United States. I appreciate the opportunity to share both the challenges we face and the tremendous progress we've made—thanks to ISDEA and the broader policy of self-determination.

The Indian Self-Determination and Education Assistance Act marked a turning point in federal Indian policy. Rather than imposing a one-size-fits-all approach from Washington, ISDEA recognized that tribes are best positioned to govern and serve our own people. Over the past 50 years, this principle has reshaped Indian Country—strengthening tribal governments, improving quality of life, and creating safer, healthier, and more prosperous communities.

At the Muscogee (Creek) Nation, we see ISDEA as a powerful tool for rebuilding the governing capacity and infrastructure that past federal policies eroded. These tools help us deliver services in a culturally appropriate and locally responsive manner. And they don't just benefit tribal citizens—they lift entire regions by creating jobs, stabilizing communities, and attracting investment.

ISDEA enabled us to assume control of healthcare services starting in 1978, beginning with the acquisition of our first hospital in Okemah. Today, we operate four hospitals—including a Long-Term Acute Care facility—and nine clinics across our Reservation. In 2023 alone, we provided healthcare to over 230,000 individuals and filled nearly 330,000 prescriptions. Many of our patients are non-tribal community members. Our healthcare system created more than 1,400 jobs—half held by Muscogee citizens—and is a key part of the region's economy and public health infrastructure.

This success wasn't achieved with tribal funds alone. It required leveraging IHS resources, federal grants, and third-party revenue. The Indian Health Care Improvement Act, Social Security Act, and Affordable Care Act all help make this possible, working hand-in-hand with ISDEA to build a sustainable tribal healthcare system.

Likewise, our work in economic development shows how tribal self-governance supports regional prosperity. In 2023, the Nation's government operations generated over \$800 million in expenditures, resulting in a total economic impact of more than \$2 billion. When we include the contributions of our business enterprises, that number climbs past \$3 billion. These are real wages, real services, and real reinvestments into our communities.

As one of the largest landholding tribes in Oklahoma, we manage over 129,000 acres of restricted lands for individual citizens and more than 14,000 acres in trust. Our compacted Realty Department supports everything from surface leasing to oil and gas royalty recovery to estate planning. These services allow families to retain and benefit from their lands, creating generational value while preserving our homeland.

Thanks to reforms such as the 2018 amendments to the Stigler Act, more citizens can keep their allotments intact. These are not abstract achievements—they are real, measurable benefits: rental income for families, business and agricultural use, and protections for sacred sites and natural resources.

We urge Congress to support reforms that make it easier for tribes to take land into trust and to protect sacred places—tools essential to sovereignty, heritage preservation, and economic planning.

638 contracting and compacting is the engine of modern tribal governance. While law enforcement is often the most visible area, it is only one piece of a much broader framework that allows tribes to govern effectively and responsively.

At Muscogee (Creek) Nation, we use 638 authority to operate a wide array of programs that directly serve the needs of our people and contribute to community safety, health, and prosperity:

Emergency Services

Our ambulatory and emergency response services provide critical care across our Reservation, often serving rural areas where state or county capacity is limited. These services are lifesaving—and they are possible because of the flexibility and stability 638 provides.

Education and Youth Services

From early childhood education to higher education scholarships, 638 enables us to support youth in culturally rooted, academically rigorous environments. We also operate language revitalization and cultural preservation programs that instill identity and pride in our young people—key factors in preventing social harms down the line.

Workforce Development

Employment and training programs supported through 638 contracts help tribal citizens gain skills, earn certifications, and launch careers. Our job centers work

directly with tribal enterprises and local businesses to match workers to real opportunities. This is especially critical in transitioning citizens from short-term assistance to long-term economic stability.

Housing and Infrastructure

Housing assistance, home repair for elders, and infrastructure planning are all coordinated through our self-governance agreements. These programs strengthen family stability, enable intergenerational living, and increase housing stock across the Reservation.

Elder and Family Services

We operate elder meal programs, wellness checks, and in-home care, ensuring that those who built our Nation are supported with dignity. Our family services programs also provide parenting resources, domestic violence response, and trauma-informed support for children and caregivers.

All of this—emergency response, education, workforce training, housing, and elder care—is possible through 638. These are not side projects. They are the core functions of any government. And they are deeply connected: when citizens are educated, housed, healthy, and employed, communities are safer, more resilient, and more prosperous.

We are proud of the Muscogee (Creek) Nation Lighthorse Police Department and the role it plays in our justice system. But even more important than the number of officers or jail beds is our ability to keep people from entering that system in the first place. Through 638, we invest in diversion, prevention, reentry, rehabilitation, and restorative justice—approaches that strengthen, rather than strain, our families and communities.

To build on 50 years of success under ISDEA, we recommend the following:

- **Reform laws governing land-into-trust and sacred site protections** so that all tribes have equitable and efficient access to tools necessary to protect cultural heritage and exercise full territorial sovereignty.
- **Expand 638 contracting authorities into additional federal functions**—including education, housing, infrastructure, and emergency management—so that tribes can tailor programs to meet local needs.
- **Support co-stewardship and co-management agreements** between tribes and federal agencies, ensuring tribal voices shape land and resource decisions.
- **Create clear statutory authority for tribal governments to levy and collect taxes** on activities within our jurisdiction, which is essential to long-term financial independence

The Indian Self-Determination and Education Assistance Act helped usher in an era of tribal resurgence. But this hearing should not be the end of the conversation—it must be the beginning of a new chapter.

The federal government has a trust and treaty obligation to support tribal self-determination. The Muscogee (Creek) Nation—and all tribal nations—are ready to do our part. We are building institutions, investing in people, and doing the hard work of governing. We ask Congress to meet us with bold, decisive legislative action to help us continue that work.

Thank you for your attention and your commitment to tribal nations.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. DAVID HILL, PRINCIPAL CHIEF,
MUSCOGEE CREEK NATION, OKMULGEE, OK

The Honorable David Hill did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. The Muscogee Creek Nation Realty Office has played a crucial role in the economic development of your tribe. Please describe the opportunities provided to your tribe by this compacted service.

Question 2. The Muscogee Creek Nation Realty Office has acquired more than 18 real properties for the tribe. How has the acquisition process been streamlined as a result of your realty services being compacted?

Question 3. What impact has the Muscogee Creek Nation Realty Office had on the Muscogee Nation and the surrounding area at large?

Question 4. The Muscogee Creek Nation has seen over \$1 million in annual revenue from surface leases. Would this have been possible if Muscogee Creek's realty services were not compacted?

4a) How has this revenue been reinvested into your tribe?

Question 5. When the Muscogee Creek Nation began negotiating to take over some healthcare services for your tribe, what was that experience like?

Question 6. ISDEAA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Question 7. What has been the biggest detriment to Muscogee Creek Nation's self-governance opportunities that Congress should be aware of?

7a) How best can Congress work to address these issues?

Question 8. How has self-governance impacted the tribe and surrounding community in the employment sector of the economy?

Question 9. When the Muscogee Creek Nation began negotiations to take over some economic development-related services, what was that experience like?

9a) Are there any further negotiations you engage in when you expand your compact?

Question 10. How has compacting realty services allowed Muscogee Creek Nation to work at the speed of business rather than the speed of the Federal Government?

Question 11. Has your tribe dealt with any roadblocks in self-governance compact negotiations?

11a) What changes need to be made to address these roadblocks?

1. Why did Muscogee Creek Nation decide to compact services?

a. What are potential factors that would discourage a tribe from pursuing a self-governance agreement?

2. How can the audit process tribal self-governance programs go through be improved?

What has been the most positive impact of self-governance for the Muscogee Creek Nation?

The CHAIRMAN. Thank you, Chief.
The Chair recognizes Mr. Spaan for 5 minutes.

STATEMENT OF JAY SPAAN, EXECUTIVE DIRECTOR, SELF-GOVERNANCE COMMUNICATION AND EDUCATION TRIBAL CONSORTIUM, TULSA, OKLAHOMA

Mr. SPAAN. Chairman Westerman, Ranking Member Leger Fernández, and members of the Committee, thank you for the opportunity to speak with you today. My name is Jay Spaan. I am a citizen of the Cherokee Nation and serve as Executive Director for the Self-Governance Communication and Education Tribal Consortium.

We are here today because 2025 marks the 50th anniversary of the Indian Self-Determination and Education Assistance Act, a landmark piece of legislation that fundamentally changed the Federal-Tribal relationship. Before ISDEAA, the Bureau of Indian Affairs and the Indian Health Service controlled most of the programs serving Tribal communities. There was little room for Tribal input and even less for Tribal control.

ISDEAA changed that. It gave Tribal nations the tools to reassume control of Federal programs through self-determination contracts and self-governance compacts. And what we have seen over the last five decades is that when Tribal Nations control the programs that serve our communities, outcomes improve, services become more effective, delivery becomes more efficient, and economic and community development follow.

In the early years, Tribal Nations faced resistance from Federal agencies that were reluctant to give up control. It took persistent leadership from Tribal leaders to drive home the need for Tribal authority and accountability. That led to the evolution from self-determination to self-governance, where Tribal Nations not only received the funding, but equally important, the authority to design and implement programs without Federal micro-management.

Congress first tested this through a demonstrate project in 1988, then made it permanent in 1994. Today, over 380 Tribal Nations have a self-governance compact, and nearly all Tribes have at least one self-determination contract. Under these agreements, Tribes may enter a wide range of programs, from health care to public safety to natural resource management and infrastructure.

The success of self-governance is undeniable. A recent study found that from the late 1980s, when self-governance was introduced, to 2022, the per capita income of Tribal citizens living on reservations increased by 61 percent, and the proportion of families living with children living in poverty decreased significantly. The GAO has cited ISDEAA agreements as a best practice for Federal agencies to distribute funds efficiently, reducing burdens for both Tribal and Federal partners.

ISDEAA gives Tribes flexibility to redesign programs, integrate funding streams, waive unnecessary Federal rules, and focus more on delivery than red tape. It also encourages innovation and builds local capacity in Tribal governments, skills that have ripple effects far beyond individual programs.

As we celebrate the success of the law, we must also look forward. We believe it is time to expand ISDEAA's authority into new areas, especially in agriculture, more health care programs, and law enforcement.

First, we urge Congress to expand ISDEAA authority to include key programs within the U.S. Department of Agriculture. Tribal Nations are deeply involved in agricultural economy, managing vast farmland, producing livestock, operating successful farming operations, and addressing food insecurity. Extending ISDEAA authority to USDA provides Tribes the opportunity to assume greater control over, and to make USDA food and nutrition programs, rural development, conservation, and food safety functions more effective for their communities. Based on the success of the limited food distribution program Self-Determination Demonstration Project, we know expansion of self-governance will result in positive outcomes.

Second, we recommend expanding ISDEAA authority to additional health care programs within the Department of Health and Human Services. Tribal Health Systems are filling critical gaps in rural health care. Given the success of self-governance at IHS,

extending this authority to other HHS programs is both logical and urgently needed.

Public safety is another area ready for expansion. With over 230 Tribal law enforcement agencies already in operation, extending self-governance to DOJ programs would empower tribes to address high crime rates, respond more effectively to a crisis, and strengthen intergovernmental partnerships. This would also provide an opportunity for Tribes to better integrate law enforcement resources, reducing both administrative burden and Federal fragmentation.

Further, for Indian Affairs to be prepared for the next 50 years of self-governance, the agency must modernize its systems and processes. Right now, Tribes are hindered by outdated databases, delays in fund distribution, and inefficient communication. We recommend that the Committee direct Indian Affairs to upgrade their technology, improve data sharing, and streamline processes to meet the demands of modern self-governance.

Finally, we ask Congress to address a long-standing inconsistency regarding Contract Support Costs. While ISDEAA agreements can be negotiated with agency across Interior, only BIA and BIE programs currently receive CSC funding. We recommend amending appropriation language to make CSC available for all ISDEAA agreements within the Department. A change to one line of in appropriations language would correct this issue.

By making these changes, Congress can strengthen Tribal self-governance and ensure that Federal programs truly work for the communities they are intended to serve.

Thank you for your time, and I welcome questions.
[The prepared statement of Mr. Spaan follows:]

PREPARED STATEMENT OF JAY SPAAN, EXECUTIVE DIRECTOR, SELF-GOVERNANCE
COMMUNICATION & EDUCATION TRIBAL CONSORTIUM

Chairman Westerman, Ranking Member Huffman, and Members of the Committee, I am honored to represent the Self-Governance Communication and Education Tribal Consortium (SGCETC) today. Our mission is to support Tribal Self-Determination and Self-Governance by facilitating communication, education, technical assistance, collaboration, and resource sharing among Tribal Nations.

The enactment of the Indian Self-Determination and Education Assistance Act (ISDEAA) in 1975 marked a pivotal shift in federal policy, empowering Tribal Nations to take control of their affairs.¹ Before ISDEAA, the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) administered most federal programs serving Tribal communities. ISDEAA establishes Self-Determination contracting and Self-Governance compacting, mechanisms that allow Tribal Nations to reassume administration of select federal programs. This shift has proven that Tribal governments are administering programs more effectively and efficiently than the federal government, enhancing economic development, improving healthcare, and reducing bureaucracy.

A Brief History of ISDEAA

ISDEAA ushered in a new era of federal policy recognizing Tribal sovereignty and the right to self-govern. Yet, Tribal Nations faced challenges in the late 1970s and early 1980s implementing this new authority—largely due to resistance from the federal bureaucracy to relinquish control over federal programs that federal agencies were accustomed to administering.

Revelations of corruption and mismanagement in the late 1980s, coupled with pressure from Tribal leaders for federal officials to relinquish control of federal programs that Tribal Nations administered using Self-Determination contracts, laid the

¹P.L. 93-638.

groundwork for the strategic evolution of Tribal authority from Self-Determination to what is now known as Self-Governance compacting.

Self-Governance compacting is based on the idea that Tribal governments should receive both funding and the authority to design and implement federal programs that serve their communities without federal interference.

In 1988, Congress established a demonstration project to test Self-Governance, expanding Tribal authority and reducing federal oversight. Recognizing its success, Congress made Self-Governance a permanent option in 1994. Today, ISDEAA remains a cornerstone of Tribal Self-Governance, enabling Tribal Nations to tailor programs to their unique needs and improve community outcomes.

Success of Self-Determination and Self-Governance in Delivering Federal Programs

Tribal Nations have the autonomy to decide whether and how to administer federal programs using ISDEAA agreements. Nearly all federally recognized Tribal Nations have negotiated Self-Determination contracts with Interior and/or IHS, while over 380 Tribal Nations have entered into Self-Governance compacts to manage various federal programs.

Program Administration and Benefits

Through these mechanisms, Tribal Nations have successfully diversified federal programs and functions, including natural resource management, oil and gas inspections, land surveying, utility operations, infrastructure maintenance, law enforcement services, primary healthcare delivery, and social services administration. The success of ISDEAA is evident in its nearly 50-year history, demonstrating that local control and knowledge of community needs lead to more effective programs, enhanced administrative capacity, improved governance and leadership skills, and significant economic benefits.

Economic and Social Impact

Studies have shown substantial positive outcomes. The Harvard Project on American Indian Economic Development reported that from the late 1980s to 2022, the per capita income of Tribal citizens living on reservations increased by 61%, and the proportion of families with children living in poverty decreased from 47.3% to 23.5%.² Additionally, the U.S. Government Accountability Office (GAO) identified Self-Determination contracts and Self-Governance compacts as a best practice for quickly distributing funds to Tribal Nations, reducing administrative burdens for both Tribal governments and federal agencies.³

Key Advantages of ISDEAA Authority

ISDEAA provides Tribal Nations with flexibility to:

1. Redesign Programs: Tailor federal programs to meet local priorities.
2. Integrate Resources: Reduce fragmentation by combining related resources at the Tribal government level.
3. Waive Federal Rules: Bypass certain federal agency rules that hinder local solutions.
4. Reduce Administrative Burdens: Decrease reporting requirements while increasing local accountability, allowing for a greater focus on program delivery.

Key Differences in Self-Determination and Self-Governance

Both Self-Determination and Self-Governance, as outlined in the ISDEAA, share a common goal: to empower Tribal governments by transferring control over federal programs, functions, services, and activities. This shift allows for more local decision-making and reduces bureaucratic hurdles. However, these two authorities have distinct approaches. Under Titles IV and V of ISDEAA, Self-Governance gives Tribal Nations the flexibility to administer and redesign federal programs according to their unique priorities and needs, with minimal federal interference. In contrast, Self-Determination, under Title I, typically requires Tribal governments to submit proposals for federal review and approval, which maintains a higher level of federal oversight and involvement in program implementation.

²The Harvard Project on American Indian Economic Development, American Indian Self-Determination Through Self-Governance: The Only Policy That Has Ever Worked, Statement to The Commission on Native Children by Joseph P. Kalt (December 15, 2022).

³U.S. Government Accountability Office, COVID-19 RELIEF FUNDS: Lessons Learned Could Improve Future Distribution of Federal Emergency Relief to Tribal Recipients, GAO-23-105473 (Washington, D.C.: December 2022).

Extending ISDEAA Principles to More Federal Agencies

Over the past decade, Congress has extended the principles of Self-Determination and Self-Governance beyond their original scope. This expansion has empowered Tribal Nations by allowing them to engage more directly with additional federal agencies and programs.

- Department of Transportation: In 2015, the Fixing America’s Surface Transportation Act enabled Tribal Nations to negotiate Self-Governance agreements for specific programs, enhancing their control over transportation projects.⁴
- USDA’s Food Distribution Program: The 2018 Farm Bill introduced a Self-Determination Demonstration Project.⁵
- Tribal Forest Management: Also in 2018, the Farm Bill established the Tribal Forest Management Demonstration Project.⁶

Tribal Nations are not only shaping their own futures but also contributing significantly to the strength and prosperity of the United States. Through effective governance, economic development, and cultural leadership, Tribal governments drive innovation, create jobs, and contribute billions of dollars to the U.S. economy. The success of the Tribal Self-Determination Era is clear: when decision-making authority is placed in the hands of those who best understand their communities, everyone benefits.

SGCETC offers the following suggestions for the Committee’s consideration:

Extending ISDEAA Authority to Agriculture and Economic Development Sectors

Congress should consider establishing a new title under the ISDEAA that expands Self-Governance authority to key programs within the USDA. This expansion would include USDA nutrition programs, the Forest Service, the Farm Service Agency, meat processing inspection functions, rural development programs, and conservation initiatives.

Tribal Contributions to Agriculture

Tribal governments play a pivotal role in the U.S. agricultural sector, managing vast areas of farmland, rangeland, and natural resources. They are significant producers of cattle and bison across states like Montana, South Dakota, and Oklahoma. Additionally, Tribal communities operate successful farms growing a variety of crops, including wheat, potatoes, corn, soybeans, wild rice, alfalfa, and specialty crops. For example, the Ak-Chin Indian Community in Arizona operates one of the state’s largest and most successful farming operations.

Benefits of Expansion

Since 1977, Tribal leaders and Congress have discussed the benefits of extending ISDEAA authority to USDA programs. Expanding Self-Governance in this sector is crucial for empowering Tribal Nations to manage their food systems effectively, implement nutrition assistance programs efficiently, create jobs, and enhance economic development.

Recommendations for Immediate Action

In the absence of comprehensive expansion, Congress should ensure the success of existing Self-Determination authority within USDA by making permanent and expanding the scope of authority for the FDPIR Self-Determination Demonstration Project and directing USDA to prioritize funding for Tribal Forest Management Projects. In addition, Congress should support the bipartisan Promoting Regulatory Independence, Mastery, and Expansion (PRIME) for Meat Processing Act⁷ and the Improving Agriculture, Research, Cultivation, Timber, and Indigenous Commodities (ARCTIC) Act.⁸

⁴Section 1121 of the Fixing America’s Surface Transportation Act, Pub. L. 114–94.

⁵Agriculture Improvement Act of 2018 (2018 farm bill; P.L. 115–334). The results have been overwhelmingly positive, with Tribal Nations reporting improved outcomes.

⁶Tribal Forest Protection Act of 2004 (TFPA), 25 U.S.C. § 3115(a). This initiative allows the USDA’s Forest Service to negotiate project-specific Self-Determination contracts with Tribal Nations under the Tribal Forest Protection Act.

⁷The Promoting Regulatory Independence, and Expansion for Meat Processing Act proposes to amend ISDEAA to provide Tribal Nations with the opportunity to enter Self-Determination contracts with the FSIS for meat processing inspection, keeping processing local and available and facilities running smoothly and safely, and the Improving Agriculture, Research, Cultivation, Timber, and Indigenous Commodities (ARCTIC) Act.

⁸The Improving Agriculture, Research, Cultivation, Timber, and Indigenous Commodities (ARCTIC) Act proposes to make permanent the FDPIR Self-Determination Demonstration

Extending ISDEAA Authority to Additional Healthcare Programs

Tribal governments play a vital role in providing healthcare services through hundreds of facilities that serve both Tribal and non-Tribal communities. These facilities offer essential access to primary care, specialty care, and behavioral health services, particularly in rural and underserved areas. For example, the Jamestown S’Klallam Tribe operates the only comprehensive opioid treatment clinic in Clallam County, Washington, serving over 120 patients daily. Tribal healthcare systems also contribute to the national healthcare workforce by training medical professionals and partnering with universities.

Building on Success

Given the success of Self-Governance at IHS, Congress should consider expanding this authority to include more programs within the Department of Health and Human Services (HHS). This expansion would enhance healthcare delivery and reduce wasteful federal spending by allowing Tribal governments to manage programs more efficiently. Over the past 25 years, joint efforts between HHS, Tribal Nations, and Tribal-federal workgroups have explored this expansion, with studies confirming its feasibility. Enacting legislation to support this expansion would be a critical step forward.

Extending ISDEAA Authority to Law Enforcement Programs

We recommend that Congress consider expanding Self-Governance authority under ISDEAA to include law enforcement programs within the Department of Justice. With over 234 Tribal law enforcement agencies and 400 Tribal justice systems operating across the U.S., Tribal governments are already crucial in maintaining public safety through policing, judicial systems, and emergency response services.⁹

Tribal Law Enforcement Successes

Tribal law enforcement agencies have demonstrated remarkable success in addressing critical issues. For instance, the Tulalip Tribe’s Police Department recently collaborated with federal and local partners to seize over 61,000 counterfeit fentanyl pills during “Operation Clean Sweep,” effectively targeting fentanyl distribution networks.¹⁰

Benefits of Expansion

Expanding Self-Governance to law enforcement could significantly reduce the high rates of violent crime in Indian Country, as recommended by the Indian Law and Order Commission in 2013.¹¹

Modernizing Indian Affairs Systems to Support Self-Governance

We urge the Committee to direct Interior’s Indian Affairs to undertake comprehensive modernization efforts to support the continued growth of Self-Governance. This includes upgrading technology systems, enhancing data management and sharing capabilities, and streamlining overly complex processes associated with Self-Determination and Self-Governance.

Challenges with Current Systems

Tribal Nations face significant challenges due to outdated and complex systems within Indian Affairs. These inefficiencies hinder the expansion of Self-Governance and create barriers for Tribal Nations with existing ISDEAA agreements. Key

Project and expands Self-Governance authority to certain Federal forestry and conservation programs.

⁹“Opportunities and Challenges for Improving Public Safety in Tribal Communities,” Statement of Bryan Newland, Assistant Secretary for Indian Affairs, United States Department of the Interior, Before the United States House Committee on Natural Resources Subcommittee on Indian and Insular Affairs (Nov. 14, 2023).

¹⁰Tulalip Tribal Police Department, Media Release: “Tulalip Police Department’s Drug Task Force Seizes Over 61,000 Counterfeit Fentanyl Pills Operation Clean Sweep,” February 20, 2024. (<https://www.tulaliptribalpolice.org/MediaReleases>) Additionally, Tribal governments have shown their commitment to mutual aid by supporting emergency response efforts, such as the Navajo Nation’s deployment of firefighters to assist with Los Angeles area wildfires. By granting Tribal governments more control over law enforcement programs, we can enhance their ability to tailor solutions to their unique needs, improve community safety, and foster stronger partnerships with federal and state agencies.

¹¹In 2010, Congress passed, and the President signed, the Tribal Law and Order Act, P.L. 111–211 (TLOA), which created the Indian Law and Order Commission. The Commission is an independent national advisory commission comprised of nine members who have all served as volunteers in unanimously developing the Roadmap. The President and the majority and minority leadership of Congress appointed these commissioners.

administrative processes, from application to fund delivery and data collection, need simplification to ensure the long-term success of Self-Governance.

Examples of Challenges

- **Timely Funding:** Interior often fails to deliver funds within the required time frames, causing delays and financial strain for Tribal Nations. The Government Accountability Office (GAO) has highlighted these issues, citing vacancies and cumbersome approval processes as contributing factors.¹²
- **Inadequate Data Management:** The Office of Self-Governance (OSG) database lacks timely information, making it difficult for Tribal Nations to manage funds effectively. Tribal Nations have repeatedly called for the modernization of this system.
- **Inefficient Information Sharing:** Interior is often unresponsive to Tribal requests for information, leading to burdensome processes. For instance, BIA has used outdated methods like mailing CDs instead of providing electronic files, prolonging simple requests, and adding unnecessary administrative burdens.

Recommendations for Improvement

To address these challenges, SGCETC recommends the Committee direct Indian Affairs to complete the following:

1. **Implement Technology Upgrades:** Modernize systems to ensure timely access to critical information and efficient fund distribution.
2. **Enhance Data Management:** Improve the OSG database to provide accurate and timely data, facilitating better financial management.
3. **Streamline Communication Processes:** Ensure that BIA and OSG respond promptly to Tribal requests, using efficient and modern communication methods.

By addressing these inefficiencies, Congress can support the continued growth of Self-Governance and empower Tribal Nations to manage their affairs more effectively.

Ensuring Contract Support Costs for Non-BIA Programs

We urge Congress to consider amending the ISDEAA to make Contract Support Costs (CSC) available for non-BIA programs within Interior. Currently, ISDEAA allows Tribal governments to negotiate ISDEAA agreements with both BIA and non-BIA agencies, which has proven beneficial for Tribal Nations and the public. However, a significant barrier remains: Tribal Nations cannot recover CSC, the reasonable administrative and overhead costs associated with these contracts. This limitation creates a structural impediment to Tribal-Federal co-management agreements and contradicts the intent of ISDEAA. Each year, Congress provides CSC in a separate appropriation for “such sums as may be necessary,” but this funding is currently restricted to BIA and the Bureau of Indian Education. This inconsistency discourages partnerships and undermines the effectiveness of ISDEAA.

Recommendation for Amendment

We recommend amending the CSC provision to include non-BIA programs to address this issue. This can be achieved by revising the appropriation language to ensure consistent application across the Department of the Interior. A proposed amendment could read:

“For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with any agency within the Department of the Interior for fiscal year 2026, such sums as may be necessary.”

This change would align with the original intent of ISDEAA, promote more effective partnerships, and support the continued success of Tribal Self-Governance initiatives.

Empowering Tribal Governments to Address Natural Disasters

We strongly urge Congress to consider enacting the Tribal Emergency Response Resources Act (TERRA Act), a bipartisan legislation that will significantly enhance Tribal governments’ ability to respond to natural disasters and related threats. By

¹² U.S. Government Accountability Office, INDIAN PROGRAMS: Interior Should Address Factors Hindering Tribal Administration of Federal Programs, GAO-19-87 (Washington, D.C.: January 2019).

streamlining access to critical federal resources, the TERRA Act aligns with the principles of Tribal

Self-Determination and Self-Governance, allowing Tribal Nations to manage disaster responses more efficiently.

This legislation proposes the following key improvements:

- **Simplified Access to Federal Resources:** Tribal governments will work with a single program office at the BIA to identify and integrate eligible programs from multiple federal agencies into a unified plan. This approach reduces bureaucratic complexity by requiring only a single annual report.
- **Flexible Funding Options:** Tribal Nations can receive plan funds through existing ISDEAA contracts or compacts, ensuring a seamless integration with current administrative structures.
- **Expedited Processes:** The TERRA Act includes expedited review, permitting, and fee-to-trust procedures to address disaster resilience needs promptly.

Benefits and Support

The TERRA Act enjoys broad support in Indian Country because it empowers Tribal governments to address disaster-related concerns urgently and efficiently, free from unnecessary bureaucratic hurdles. By allowing Tribal Nations to determine how best to protect their communities without excessive justification, this legislation further enhances Tribal Self-Governance and Self-Determination. It aligns with the long-standing goal of ISDEAA to place decision-making authority in the hands of those who best understand their communities' needs.

Conclusion

In conclusion, ISDEAA has been instrumental in improving the health and economic well-being of Tribal communities. However, there is still room for improvement. By addressing administrative inefficiencies and expanding the scope of Self-Governance, Congress can further empower Tribal Nations to manage their affairs effectively. We urge continued support for these efforts to ensure the long-term success of ISDEAA.

SGCETC appreciates the opportunity to share information on Self-Determination and Self-Governance with the Committee. Chairman Westerman, Ranking Member Huffman, and Members of the Committee, this completes my prepared statement. I would be pleased to respond to any questions that you may have.

The CHAIRMAN. Thank you, Mr. Spaan.
The Chair recognizes Mr. Rogers for 5 minutes.

STATEMENT OF MARK ROGERS, CHIEF EXECUTIVE OFFICER, OSAGE NATION HEALTH SYSTEM, PAWHUSKA, OKLAHOMA

Mr. ROGERS. Thank you, Chairman Westerman—

The CHAIRMAN. Spaan, will you please turn your microphone off.

Mr. ROGERS. Thank you, Chairman Westerman, distinguished Committee members, and attendees. Hawe'. Hello. I am Mark Earl Rogers, CEO of the Osage Nation Health System. It is a distinct honor today to present before you, on behalf of the Honorable Chief (Kiheka) Geoffrey Standing Bear of the Osage nation, some brief remarks regarding positive impacts for health programs upon the Osage people, their families, and the community through the lifechanging impacts of self-governance and self-determination in Oklahoma's largest county, Osage County, located in the Pawnee Service Unit.

Our funding via a compact with the U.S. Government under the self-governance mechanism has brought incredible economic viability, stability, and services to the people of the Osage Nation and other Tribal members we service, along with our grants programs. I often describe these integrated services as a programmatic tapestry or quilt of interwoven programs to service our population

in ways that are vitally important to the health and well-being of the Osage Nation and does indeed have life and death consequences for many of the people we serve.

Some of these services include medical, dental, optometry services; specialty care; behavioral health and substance abuse services; and other vital programs like public health immunization needs of the community. A diabetes grant providing education, limb care, and control of diabetes to crease noncompliance, lowering long-term diabetic complications such as dialysis and limb amputation.

“Osage Strong” is our active, early interventional program we have in our clinic, educating children and adults on healthy eating, dieting, and exercise with weight management for overall health. Serving nutritional meals and addressing food insecurity annual for our Tribal members via Title VI program. And Community Health Representatives and Senior Services grants within our health system provide for the transportation of elders to medical appointments, sometimes a 4- to 5-hour round trip into and out of Osage County, as well as provide social services, case management, and other coordinated care for a population often suffering from geographic loneliness, food and transportation insecurity, whilst residing in these remote parts of our area.

The Mobile Medical Unit program, we have two units in operation that service the medical, dental, behavioral, and public health vaccination and immunization needs of our Tribal members located in areas where reliable transportation is a barrier to accessing health care in a reliable manner, often supporting non-tribal members in the process. Noteworthy was when the Osage Nation had a Tribal response to the 2024 Barnsdall tornado emergencies during multiple declared Federal, State, and Tribal national states of emergency.

Self-governance has provided not only more services to the Tribe and area, but it has also generated incredible economic opportunities for both Native American and non-Native citizens alike. Everyone prospers in our community when the Osage Nation prospers. Self-governance has provided this ability to deliver these programs and services to the people in a more robust, decentralized manner, allowing the Osage Nation to leverage these vital programs and services as a result.

Some of these opportunities include approximately \$85 million dollars in new construction with investments in health-related services with a new clinic, expansion clinic, assisted living facility, and primary residential substance abuse center providing jobs and opportunities on a grand scale in the community.

Our self-governed tribal health system and grants create jobs via an annual budget of \$62 million in the region with payroll, taxes, community infrastructure, education, and housing market stability. It also provides invaluable cultural and tribally unique opportunities for the Osage people that are vitally important as a proud, viable Nation of Native peoples central to self-governance and self-determination.

Our area vocational programs and higher education institutions also benefit with producing the future workforce necessary for our programs, and deliver these vital services to the community, keep-

ing the next generation home with a future, and thus bending the curve of outward migration from decades past.

Development of the Daposka Ahnkodapi, “Our School” in Osage, to strengthen and preserve language and culture through education is important.

The economic impacts of being a self-governed tribe allow for a new, younger generation to remain within their communities that had not been previously available.

Osage Nation Tribal members also are more involved in their own governance, providing more employment opportunities to Tribal government and with other elected positions in their Tribe, now and into the future.

An ability to remain culturally active as a Tribal nation to grow and stabilize in both ceremonies, language, and traditions, all vitally important to the Osage people since time immemorial, with traditions handed down from their ancestors, allowing for the Osage people to be the Osage Nation.

It is with great honor that I share my experiences with you on behalf of the great Osage Nation and its proud people, and to present this testimony today before this Committee, as requested. Thank you again for this opportunity, and thank you to the U.S. Congress for all it has done, and continues to do, in advancing the recognition, economic needs, and self-determination of all Native Peoples. We-wi-nah. Thank you.

[The prepared statement of Mr. Rogers follows:]

PREPARED STATEMENT OF MARK EARL ROGERS, MAL, CEO, FACHE, FACMPE, CHC

Hawe’ (Hello): I’m Mark Earl Rogers, CEO of the Osage Nation Health System, and it is a distinct honor today to present before you, on the behalf of the Honorable Chief (Kiheka) Geoffrey Standing Bear of the Osage Nation, some brief remarks regarding the positive impacts of our health programs upon the Osage people, their families, and the community through the life-changing impacts of self-governance and self-determination in Oklahoma’s largest County, Osage County, located in the Pawnee Service Unit (Note 1). Our funding via a Compact with the U.S. Government under the self-governance mechanism has brought incredible economic viability, stability, and services to the people of the Osage Nation and other tribal members we service, along with our grant’s programs. I often describe these integrated services as a programmatic “tapestry or quilt” of interwoven programs to service our population in ways that are vitally important to the health and well-being of the Osage Nation and does indeed have life and death consequences for many of the people we serve. Some of these services include:

- Medical, dental, optometry services, specialty care (Note 2), behavioral health and substance abuse services, and other vital programs like public health immunization needs of the community.
- A diabetes grant providing education, limb care and control of diabetes to decrease non-compliance, lowering long-term diabetic complications such as dialysis and limb amputation(s).
- “Osage Strong” active early interventional clinic educating children and adults on healthy eating, dieting, and exercise with weight management for overall health.
- Serving nutritional meals and addressing food insecurity annually for our tribal elders via Title VI program (Note 3).
- Our Community Health Representatives and Senior Services grants provide the transportation of elders to medical appointments (sometimes over a four to five hour round trip), as well as provide social services, case management, and other coordinated care for a population often suffering from geographic loneliness, food and transportation insecurity, whilst residing in these remote parts of our service area.
- Mobile Medical Unit (MMU) program with two units in operation that service the medical, dental, behavioral, and public health vaccination and immuniza-

tion needs of our tribal members located in areas where reliable transportation is a barrier to accessing healthcare in a reliable manner, often supporting non-tribal members in the process. Noteworthy was the Osage Nation's Tribal response to the 2024 Barnsdall Tornado emergencies during multiple declared states of emergencies with vitally important services (Note 4).

Self-governance has provided not only more services to the tribe and area, but it has also generated incredible economic opportunities for both Native American and non-Native citizens alike. Everyone prospers in our community when the Osage Nation prospers. Self-governance has provided this ability to deliver these programs and services to the people in a more robust, decentralized manner allowing the Osage Nation to leverage these vital programs and services as a result. Some of these opportunities include:

- Approximately \$85 million dollars in new construction with investments in health—related services with a new clinic, expansion clinic, assisted living facility, and primary residential substance abuse center providing jobs and opportunities on a grand scale in the community.
- Our self-governed tribal health system and grants programs create jobs via an annual budget of \$62M in the region with payroll, taxes, community infrastructure, education, and housing market stability; it also provides invaluable cultural and tribally unique opportunities for the Osage people that are vitally important as a proud, viable Nation of Native peoples central to self-governance and self-determination.
- Our area vocational programs and higher education institutions also benefit with producing the future workforce necessary to staff our programs and deliver these vital services to the community, keeping the next generation home with a future and thus bending the curve of outward migration from decades past.
- Development of the Daposka Ahnkodapi (“Our School” in Osage), to strengthen and preserve language and culture through education (Note 5).
- The economic impacts of being a self-governed tribe allow for a new, younger generation to remain within their communities with options and opportunities not previously available in Osage County (Note 6)
- Osage Nation tribal members also are more involved in their own governance, providing further employment opportunities to serve the Osage Nation both in tribal government and with other elected positions to guide their tribe now and into the future.
- An ability to remain culturally active as a tribal nation to grow and stabilize in both ceremonies, language, and traditions, all vitally important to the Osage people since time immemorial, with traditions handed down from their ancestors, allowing for the Osage people to be the Osage Nation.

It is with great honor that I share my experiences with you on behalf of the great Osage Nation and its proud people, and to present this testimony today before this committee as requested. Thank you again for this opportunity and thank you to the United States Congress for all it has done, and continues to do, in advancing the recognition, economic needs, and self-determination of all Native Americans. We-wi-nah (Thank you).

Written Support/Notes for Testimony:

1. Osage County Total Land Space is 1.47 million acres or 2,304 Square Miles of land and water surface area; Osage Nation Total Tribal membership is >25,000, with 4,467 living in Osage County. Patient population served is >10,000 in total programmatic impacts annually.

2. Specialty Care Comprises: Cardiology, Neurology, Orthopedic, Dermatology, Podiatry, Nephrology, Psychiatry, and Gynecology services. Being in-house eliminates needless hours of inconvenient driving, quicker access to care from one year or more to days or weeks now, in—house accessing specialty care along with related pre/post-operative procedures. Osage Nation Health System (ONHS) is a tribally recognized Federally Qualified Health Center (FQHC).

3. Total Title VI nutritional meals served annually >30,000 for at risk elders including weekend shelf stable meals for at risk seniors/elders and shelf stable meals issued during inclement weather (i.e., snow days). Homebound seniors are also provided with home meal deliveries throughout the year during service hours Monday through Friday in the Pawhuska, Fairfax and Hominy areas of Osage County.

4. During the Barnsdall Tornado emergencies in 2024, whereby a National, State, and Tribal States of Emergency were declared, the Osage Nation and Health System provided invaluable integrated response and healthcare services to the entire community, the Health System being specifically requested by FEMA to remain on-site for weeks after the events to provide medical support, social services, and mental and behavioral health counseling services to all community members, with our other community partners present. This would not have happened without us being a self-governed health program and the tribal leadership having both the organic tools and logistical capability, as well as the flexibility, to direct vital life-saving services and care when and where they were needed, for both Native and non-Native community members.

5. Daposka Ahnkodapi (Our School in Osage) is a private school serving Osage children from six-weeks through 8th grade that was established by the tribe to strengthen and preserve its language and culture through education. The program also provides before and after school support for working parents who children attend and participate in the program.

6. \$50 million dollar new 60,000 square foot clinic; \$20 million-dollar five facility men's, women's, and adolescent inpatient substance abuse center with transitional housing and administration building; \$9.5 million dollar Assisted Living Facility; and \$3.5 million dollar expansion clinic. Good paying and secure healthcare related job opportunities in Nursing, Ancillary support roles (Laboratory, Health IT, Administration, Business Office, Finance, Radiology/Diagnostic Services, and Grant positions, etc.), that provide solid good paying, full-time employment with benefits including retirement plans for several hundred employees currently. Our total employees today are: 210; Osage Health Employees: 74; Non-Osage/Native American employees: 54; Non-Native employees: 84, with another 85–100 positions forecasted within the next 12–18 months. The economic impact of the services and big-ticket items we purchase, for both our operations and for care provided outside our community, is huge and noteworthy. We purchase all of our vehicles from area vendors, all of our medical and other supplies, to include high-dollar diagnostic and other medical equipment with service contracts, from area vendors as well as expend millions of dollars over the past few years alone with area hospitals, specialists for specialty care, and ambulatory surgical procedures, providing the area hospitals from Pawhuska, Bartlesville to Tulsa with a patient population that helps sustain these larger institutions important for everyone in our communities and within the State medical system. Securing a \$50M loan, debt serviced by health's third-party revenue resources, to construct a 60,000 square foot state-of-the-art health clinic to service our Native American patients with new equipment and facilities, replacing outdated facilities and consolidating services into a single location responding to the growth in our population and the surrounding community for years to come. Without being a self-governed tribe, this would have been nearly impossible to accomplish otherwise and provide jobs and steady work for hundreds of people for years in the process (short-term with construction 350 construction jobs, and long-term with 210 jobs and growing with the Health System).

QUESTIONS SUBMITTED FOR THE RECORD TO MR. MARK ROGERS, CHIEF EXECUTIVE OFFICER, OSAGE NATION HEALTH SYSTEM, PAWHUSKA, OK

Questions Submitted by Representative Westerman

Question 1. Has self-governance led to the revitalization of any cultural practices for your tribe? If yes, please elaborate on the impact this has on your people.

Answer. Yes; the Osage Nation tribal members also are more involved in their own governance now, which not only provides further employment opportunities to serve the Osage Nation (both in tribal government and with other elected positions to guide their tribe now and into the future), it generates a special "synergy" amongst tribal members that relies on traditions within their culture to traditionally organize, communicate, and interact within cultural norms and traditions of the Osage people. An ability to remain culturally active as a tribal nation to grow and stabilize in both ceremonies, language, and traditions, all vitally important to the Osage people since time immemorial, with traditions handed down from their ancestors, allowing for the Osage people "to be" the Osage Nation. This doesn't replace the American in Native American, only allows for the identity of the tribe to be embraced and rebirthed within the tribe whilst being full, proud and active citizenry of the United States, often viewing themselves as the "First Americans" as do many

other tribes, but also fiercely proud of their warrior culture embedded in centuries of service to the United States military. One such tribal hero was Major General Clarence L. Tinker, born in what was known as Indian Territory in 1887, present day Osage County, Oklahoma, he was the first American Indian in U.S. History to attain the rank of Major General, and unfortunately the first American general to die in World War II. Tinker Air Force Base in Oklahoma City, Oklahoma, is named in his honor. The Osage, and other Native Americans in general, view serving in the United States military as a way to “earn their warrior status” by proudly serving in the U.S. military, and all tribes highly value and honor this service within their various cultures and traditions with highly respected ceremonies and additional honors for those serving in the American Armed Forces. Daposka Ahnkodapi, (Our School in Osage), is a private school serving Osage children from six-weeks through 8th grade that was established by the tribe to strengthen and preserve its language and culture through education. The program also provides before and after school support for working parents whose children attend and participate in the program. In our health system, we teach basic greetings and phrases in Osage that has seen a huge increase in the trust and engagement of tribal elders utilizing services and staying engaged in wellness programs and services and programs that promote overall well-being of the tribe.

Question 2. In your written testimony, you described “integrative services” as a “programmatically woven tapestry, or quilt” that worked to address the needs of the Osage Nation. Elaborate on that analogy and how specifically compacting has benefited the health and well-being of the Osage tribe?

Answer. Yes, thank you for allowing me to elaborate. I.H.S. and the U.S. Government allowing for compacting with tribes has led to amazing economic growth and enhancements to those tribes who have chosen or been allowed to do so; with I.H.S.’s leadership and assistance, compacting has enhanced several tribes’ ability to react and respond locally with planning and programming specific to the needs, in our case, of the Osage Nation and the community in which we live and serve. Although there are success stories from several compacted tribes, a few examples of the “patches” in our service “quilt” are the following directly related to being compacted:

- Standing up a Specialty Clinic that reduces referral delays for care and access to specialty medical care and services internally, versus seeking care through the community. Neurology, for example, previously took 12–14 months to secure an appointment for a referral for a neurological exam; however, now we are able to bring neurology “in-house” a few days a month, reducing access to just a few weeks now to fulfill a neurology referral. This also reduces the manhours Purchase Referred Care, PRC (formerly call Contract Health) spent searching for services and securing appointments previously; this is all in-house now with these negotiated specialty arrangements and we are able to bill for these services, off-setting the cost of bringing the specialty service in-house as well as the manhour savings of staff refocused on other patient needs and services, making the overall PRC experience smoother and increasing patient satisfaction, patient safety, and patient throughput.
- Ability to choose an Electronic Health Record System that is more current and congruent to healthcare operations, such as EPIC, that data informatics for population health determinants/resource allocation, versus outdated platforms like RPMS, providing better, faster, more focused servicing of our patient population that they can access via MyChart on their mobile devices just like those in the private sector can, giving the tribal patient more control over their health services and care programs.
- Embedding our diabetic grant program within our primary care services to schedule same day diabetic “super appointments” with dental, optometry, our nutritionists, and laboratory testing as well as primary care encounters is another example of leveraging a grant program with our primary care services to aggressively identify, educate, conduct early intervention of newly identified diabetic patients and actively work to manage the disease process early on. My son, we are Cherokee Citizens, recently through this program actually reversed his diabetes and no longer requires medication as a result, greatly increasing his health and wellness, future longevity, and preventing limb amputation his mother and other family members have suffered from with this horrible disease afflicting Indian Country today.
- We utilize our grant programs to link up and interact with primary care and other services like our Title VI Elder Nutrition programs, whereby our

Behavioral Health grants and Public Health grants can engage elders and other tribal members with caregiver trainings, teach them how to manage and test their diabetes, blood pressure, recognizing other issues such as signs and symptoms of heart attack and strokes. We also train and depend upon our grant staff to recognize depression, report loneliness of elders for additional visits with tribal officials and other connections to services, like wheelchair ramps for recent amputees and those infirmed post-surgical procedures, etc. . . These other grant programs serve as “early warning” when properly trained, to identify a range of service needs and programs for the Osage people that would not be possible without these grants and additional services provided that connect people “beyond” just coming in for a medical appointment, many times than not because of these important outreach efforts with measured results.

Question 3. In your written testimony, you mentioned the economic benefit the Osage Nation Health System brings to the community, specifically noting the vehicle and equipment purchases made. If Osage Nation was still a direct-service tribe with the Indian Health Service, would these purchases been made, or if so, would they have benefited a company outside of your community?

Answer. That is correct; we would have had to also compete with other direct service tribal programs and locations for these assets, equipment purchases or vehicles versus and gone through processes with more complicated budgeting and approval layers versus through our tribal procurement and local approval process, including servicing and support of high dollar purchased assets. We are able to have tighter decision loops which translate into quicker reaction to identified needs being serviced or addressed for our Osage people and programs.

Question 4. Why did the Osage Nation decide to compact services?

Answer. The Osage Nation’s decision to compact was sought out to bring more direct accountability in healthcare services and other programs to be truly be a self-determined tribe, accountability being locally managed and overseen by local elected leadership chosen by the tribal peoples, versus being direct services, whereby decisions, complaints, and complicated matters, especially medical matters, took greater coordination and had less consideration within the local tribal needs of Osage Citizens who are directly impacted, but leaving chosen tribal leaders constrained or limited in their ability to direct care and service needs of its citizenry, often carrying cultural and traditional implications on those leaders. Decisions and issues had to be resolved previously with labor intensive advocacy efforts “through the chain of command,” often going all the way Washington D.C., for action or response, taking months and sometimes over a year that could have been addressed locally with the resources and empowerment of tribes via self-governance.

4a) What are potential factors that would discourage a tribe from pursuing a self-governance agreement?

Answer. I would say fear, fear of the unknown, fear of potentially failing and not being able to recruit or retain the variety of highly skilled specialties I.H.S. provides with the Public Health Corps servicing I.H.S. Direct Service tribes. Some will choose a positive outlook on FEAR, that is to “Face Everything And Rise,” and some will chose a negative outlook on FEAR, that is to “Forget Everything And Run.” Choosing to seek compacting as a tribe is a unique and specialdiscussion unique to every tribe, there are no cookie cutting approaches I believe. Changing something that is known and familiar versus venturing off into something new and unfamiliar carries risks for tribes. In Indian Country in general, if a tribe “gets it wrong” there are not often second chances provided, historical trauma has shown us that, and every tribe has their own horror story with “getting it wrong;” when a tribe makes a bad decision, they lose money, they lose resources, people suffer or in some cases even die from bad decisions, even their very own culture, language and traditions often suffer as well from collateral damage. Tribes are very deliberate and calculated in what they do, and how they do it as a result, this is why tribal consultations are so vitally important to tribes. The ability to discuss, understand, advocate, educate, and evaluate how major decisions, investments, programs, or other ventured efforts or federal policies or laws will impact Native American peoples have historically had life and death consequences, known and unknown. Tribal histories are full of these examples and these stories. However, I believe Indian Country today has made tremendous strides in “getting it right” and growing and prospering because of self-determination and the help of the Indian Health Service and other institutions making it easier for tribes to make important decisions for their people and their preferred futures.

Question 5. How can the audit process tribal self-governance programs go through be improved?

Answer. Tribes have to comply with the Single Audit Act but are often required to pay for this audit due to BIA and I.H.S. funding constraints. Concerns exist about the impacts of the derivative and related costs of these audits with purchasing information systems for accounting and storage of data, archives, and other files for presentation and storage recall to the single audit reviewers who are professionals and require commensurate fees with these auditing services.

Stabilized funding to cover these costs that impact tribes' Indirect Costs or Contract Support Costs (and takes funding away from programs otherwise used for services to tribal members) should be considered to alleviate the additional costs and financial burdens tribes go through to be in compliance with the Single Audit Act requirements.

Question 6. When the Osage Nation began negotiating to take over some healthcare services for your tribe, what was that experience like?

Answer. The Osage Nation entered into a self-governance compact with the United States of America nine years ago through the Department of Health and Human Services on October 1, 2016, to provide advantages and benefits in improving health and welfare of the Osage People. Program revenue and income has steadily increased year over year since, allowing for more grants and services to be added and ultimately a new \$50M state-of-the-art super clinic to service the Osage Nation and surrounding communities. Servicing tribes with continuing education and assistance during and after the negotiations is a must. In our experience, we received excellent support throughout the compacting process, but afterwards it "felt like" we were on our own and very little guidance, education, training, and assistance we experienced, leaving the tribe with little "service after the sell" so to speak. Seeking out other compacted tribes for mentoring and assistance was the big difference in us "finding our way" through the other side of the effort.

ISDEAA turns fifty this year. We have seen tremendous success with increased self-governance. Please share how turning to self-determination and self-governance has changed the trajectory of your tribe?

Answer. It has been a significant hand up, not a handout, for the improvement of the Osage people, from being allowed to self-governed by democratic processes invaluable to the American Citizen in the cause of freedom, as well as the Native American Tribal member charting the course of destiny for their tribe. It allows for better resource management, better resource allocation, and better health and wellness unilaterally for the Osage people, in health, housing, and education, preparing the Osage for being not only better tribal citizens, but a better citizen overall by participating in the process of governance. The Osage tribe's growth and development in services and with also helping the community over the past decades continues to show that when the Osage tribe does well, the community does as well, making self-governance extremely important to the both the tribal member and the general citizenry of any area(s) such as townships or counties, improving infrastructure, tax revenues from tribal enterprises, as well as education and housing. The ISDEAA has provided tremendous life to the Osage Nation and must continue to exist in its spirit and intent to meet the United States' obligations to its tribal nations now and into the future.

The CHAIRMAN. Thank you, Mr. Rogers, and again, thank you to all the witnesses. You know, as I listen to your testimony I thought how many laws has Congress passed that people come back 50 years last and celebrate the effectiveness of the law. I think ISDEAA is a great example of good policy, good bipartisan policy, that has really made a difference. Chair Supernaw, I think you summed it up. You said, "ISDEAA changed things. We went from dependence to partners." And it appears to me we have only just begun on what we can do when we empower people and when we let decisions be made at the local level.

So it is exciting that we are here today. We are going to now move to member questions, and I am going to begin by recognizing the gentleman from Oklahoma, Mr. Lucas, for 5 minutes.

Mr. LUCAS. Thank you, Mr. Chairman, and as a part of self-determination there are many programs in the different parts of the Federal Government.

My first question I would like to focus on the 2018 Farm Bill, where we established a pilot program that allowed a few select Tribes, that is the nature of a pilot program, including the Chickasaws and the Cherokees, to enter into self-determination contracts to purchase USDA foods under the Food Distribution on Indian Reservation Program. When USDA consolidated a number of its food distribution warehouses, leaving many Tribes in a tough spot, the Chickasaws and Cherokee Nations were able to continue operations and assist other Tribes with that disruption.

My first question is to Chief Hoskin and also Governor Anoatubby. How has this pilot program helped in the distribution of food in your communities? And whoever would care to go first, please.

Mr. ANOATUBBY. Thank you very much. The program is excellent. I want to be sure to say that as we move into this answer. We have had this program for somewhere around 40 years, and in all cases the Federal Government will provide the food to us. And, of course, we have the opportunity to order that food based on what our needs were.

But the addition, with the self-determination program, where we can purchase certain foods ourselves is certainly something we welcomed and we believed, and that has proven to be a very good change. In fact, sort of a side note is I believe that we could do the same thing with the entire program, under 638. We could avoid some of these issues that we had last year.

But during the time that we had the shortage, we were obviously depending on the Federal Government to supply us, as we were the food. And when we ran low we would order, or at least to a certain inventory level, and when that food did not arrive it did cause us some issues, as you can imagine.

Fortunately, our team, because we have several sites, we were able to move food around where it was need, and we were able to meet the needs of the people who came very, very close to running out of food for distribution. But in the case of this self-determination program, that simply did not occur. We could acquire the food that we needed it, when we needed it, and we were in charge of this acquisition.

So it is a very good program. I believe it could be extended into the entire program, and allow us to operate like we would any other Indian self-determination program.

Mr. LUCAS. Any thoughts?

Mr. HOSKIN JR. Congressman, thank you for the question. I echo what was expressed by Governor Anoatubby. It is a good program. It is an effective program. We have used it, I think, to good ends in our food distribution program. People should understand what you all understand, which is that these food distribution programs are really, in our Tribal lens, grocery store experiences in which

the dignity of the citizen is maintained, but they are able to access food that they need.

Where this has been so beneficial is it has empowered us to buy locally, if we choose to, make the decisions as to where our food comes from, which is something in this country I think we have got to get back to. So it meets that interest.

It also meets an interest that wasn't written down anywhere, but it the pride of both the people who access these foods, knowing that the Cherokee Nation, their government, is making those decisions, and our own pride in demonstrating further that we have got the capacity to make these decisions and make these purchases, and do them in a way that benefits our people.

Relatedly, during the pandemic, when we saw what the rest of the country saw, which is a bottleneck in meat processing, we were determined to do something about it. So we started our own meat processing company, the first time we had ever been in that sort or endeavor. It was a challenge. We stood it up. Part of the success, though, and part of the success of what you are talking about is we also were able to take product from that meat company, put it into those food distribution stores. And when I am talking about the pride of an elder knowing that the beef that she bought, the hamburger meat that she bought, was not only something she wanted but was something that her Tribe generated, and she knew it. That is the sort of pride that you can't put a price on.

It also enabled us to increase the capacity in meat processing, because that is an industry that takes professional capacity. And we built that up.

So if people in this country want to talk about shopping locally, building up local economies, making sure people locally can decide where their food comes from, they need to look at this program, because it is a success. We have demonstrated that we can do this across USDA programs, which is an agency that has been challenging to deal with. This has enabled us to make a lot of progress. Thank you.

Mr. LUCAS. I yield back, Mr. Chairman. Just another example of why we have to have a farm bill passed every 5 years in Congress.

The CHAIRMAN. I will second that, former Ag Chairman. The Chair now recognizes the gentlelady from New Mexico, Ms. Leger Fernández, for 5 minutes.

Ms. LEGER FERNÁNDEZ. Thank you, Chairman, and I need to thank each of the witnesses. It was such an inspiring morning, to listen to both your descriptions of what you have done in your places being close to the people, because you are the people, and the idea that self-determination is a promise at the end of a trail is both a beautiful image but it is also, I think, that we are on a path that it is not the end of the trail. It is on a path that we are all on together, as partners, and not as dependents, but as partners. The whole Federal Government, everybody is looking to have more efficiency, as so much to learn from what the Tribes have done.

I am also very inspired, and I would love us to follow up more, we just have so little time, with regards to the manner in which taking over the realty functions is so key, because that is such a bottleneck for economic development.

But I wanted to thank the Chair for raising the issues with regards to the Tribal nutrition programs, because I actually also had a Tribal Nutrition Improvement Act that has been funded, and there was a Tribal Nutrition Pilot Project that will apply for 10 Tribes, so that they can also take over. I see some of these programs that you were discussing, Chief Hoskin. They are kind of like the camel's nose in that tent. We need to show the USDA that, yes, Tribes know how to run these programs incredibly well and will do so well on it.

But I wanted to go back to the idea that the Indian health facilities can see up to 70 percent of their funding come from Medicaid, because as discussed and as some of you have mentioned, the IHS funding alone is not enough. Medicaid provides coverage for 36 percent of non-elderly Indian and Alaska Natives, and over half of American Indian and Alaska Native children.

President Harvier, I know you are in the process of completing a residential treatment facility. I want to thank all of you for the work you do in mental health and substance abuse and drug addiction. Can you tell us, President, how any potential cuts to Medicaid or third-party revenues would affect the completion of that facility?

Mr. HARVIER. Representative Fernández, if Medicaid cuts were to happen, I really think the community would really have to look at what programs would have to be cut or put on hold in moving forward. As I mentioned, we estimated the third-party revenue accounts for approximately 34 percent of our operating budget. It is going to be something that we would have to look at and see what projects are we going to move forward, because of the cuts.

The facility itself is going to open here hopefully by the end of this summer, a 61-bed facility, 24 beds for female, 24 beds for male, 13 acute detox rooms. Something sorely needed in our community. And I think all Tribal Nations are suffering because of drug addiction and alcoholism. This facility is a bigger part of what we are trying to do, and what I mentioned in my opening statement, of trying to expand the years of life in our community, 5 years in 5 years. This project, and if Medicaid was cut again, we would have to just see what programs that we can continue to move, having to use now Tribal dollars to provide these services that third-party billing, or Medicaid, would be able to help in.

Ms. LEGER FERNÁNDEZ. Thank you, Mr. President. And I might want to go quickly down the line and ask each of you, because each of you touched upon the importance of health care in the use of 638. And I am running out of time so I will just ask, would Medicaid cuts affect your ability to provide the full range of services? Would it negatively impact? So Governor Anoatubby.

Mr. ANOATUBBY. Yes, ma'am. If Medicare were to be reduced, then it would affect our operation because we, again, utilize third-party revenue as a way to help fund our services. So any reduction in Medicare would, in fact, cause us to have a reduced budget.

Ms. LEGER FERNÁNDEZ. Thank you, Governor. And I think I am going to run out of time, so maybe a yes or no, Principal Chief Hoskin.

Mr. HOSKIN JR. Well, I can't be restrained to a yes or no. But I will say that it would be not only damaging to the Cherokee Nation's health system, but think of the opportunity cost in the

future. We are in a growth phase. We are building a world-class system of wellness. We are building it, notwithstanding the Congress of the United States has not adequately funded Indian health care. So we lean on Medicaid. If that cuts, it is not a single injury. It is a double injury. And I trust Members of Congress and the majority and the President when they say there won't be cuts. But this is a trust but verify situation as we go forward.

Ms. LEGER FERNÁNDEZ. Thank you. Chief Batton.

Mr. BATTON. I would use the word it will be devastating to us, because, to give you a real-life example right now, according to our budget this year for this fiscal year, we are \$30 million already behind on where our projections were. So for a health system that has a hospital, eight outlying clinics, and two recovery centers for our males and female, it is almost 50 percent of our service delivery system, so it will be devastating to us.

Ms. LEGER FERNÁNDEZ. Chair Supernaw.

Ms. SUPERNAW. Yes, it would have a very harmful impact in two different ways. One, the nine Tribes in Ottawa County came together years ago to establish the Northeastern Tribal Health System. We pooled our IHS dollars, if you will, in order to provide good quality health care for Native Americans in northeastern Oklahoma. So it would obviously have a direct negative impact to NTHS.

The second impact would be our Quapaw counseling services that I mentioned previously, which is a drug rehabilitation program. Basically, we would have to stop providing care to those that utilize Medicare.

The CHAIRMAN. I hate to cut witnesses off but we are 2 minutes in on this one. You are 4 for 4. Does anybody of the last 4 disagree with any of the first 4? All right.

The gentlelady's time has expired. The Chair now recognizes the gentlelady from Oklahoma, Ms. Bice, for 5 minutes.

Ms. BICE. Thank you, Mr. Chairman, and because we have limited time I want to get right to it. Mr. Spaan, in our testimony you actually mentioned expanding health care authorities. Can you elaborate a little bit on what you mean by that?

Mr. SPAAN. Yes. Currently self-governance authority is only provided for IHS programs. The Tribes use a number of programs that are outside of IHS, within HHS. So either it is from SAMHSA or HRSA or other agencies. And these programs provide a comprehensive holistic approach to health care, and those are currently being offered through either block grants or granting mechanisms that are very limiting.

So expanding those self-governance authorities to these additional programs would provide Tribes the additional flexibility needs to really look at wraparound services and take all the Federal funding and redesign it in a way that suits their community the best.

There are examples right now where if you get program funding from an HHS program, that you have to keep that separate from your IHS money. You have to track it separately. You have to have separate staff.

Ms. BICE. You mean bureaucracy? No.

Mr. SPAAN. Yes. So definitely Federal bureaucracy and cut the red tape.

Ms. BICE. Thank you very much. You also mentioned that you would like to see an updated to IHS technology to be able to process these programs quicker. Can you give me a little bit of insight into that, as well?

Mr. SPAAN. I was actually referring to the Department of the Interior.

Ms. BICE. Oh, OK.

Mr. SPAAN. Yes. At Department of the Interior they have an out-dated database for transfer of funds. It wasn't ever designed for self-governance or self-determination contracting and compacting. That needs to be corrected. They have challenges with getting reports out to Tribes on how their funding is being transferred to them, when it is transferred to them. We just really feel like there needs to be an overall modernization within the Department of the Interior to make sure that they stay on the edge of being able to support self-governance in the future.

Ms. BICE. Thank you. I want to move to education. There are a lot of conversations around education currently. And you all have, I think, the opportunity to provide some services to your Tribal members. This may be unique. Does anyone want to talk a little bit about some of the unique education partnerships or programs that you have provided to your Tribal members that you think that we should know about? Chief Batton.

Mr. BATTON. Yes. One of the programs we have is called the Posse Program, the summer school program, where we have 89 different school districts within the Choctaw Nation Reservation jurisdiction area. And it has been proven that if children in the third grade, if they are not at the level they need to, their chances of graduation are very limited.

So what we do is we provide that opportunity for all Indian and non-Indian students all across the 89 school districts, and we do that every summer. We employ about 200 teachers to help supplement their incomes so that they can provide that. They do art. They do all these other types of things. And they love it because they get out of the fixed system of what they have to provide to children. But you get the children back on the path that they need to be, and it has been very successful for us.

Ms. BICE. Anyone else want to, Principal Chief Hoskin?

Mr. HOSKIN JR. Yes. Very good, Congresswoman. We recently have been part of an agreement to the Bureau of Indian Education, the Native American Agriculture Fund, using, in part, some Keepseagle settlement money and some Bureau of Indian Education money, to restore agriculture education at Sequoia School, which is the school that we operate under a BIE contract. If we mean to lead in the agriculture space, and we do, we have to invest in this generation coming up, and that is what we have been enabled to do through that partnership.

Ms. BICE. Fantastic. Anyone else? Let me pivot a bit. Chief Hill, can you discuss a little bit about the Eufaula Dorm the Muscogee Creek Nation manages and how services have assisted in education?

Mr. HILL. Thank you for that question. The Eufaula Dorm works with the Eufaula School. We went to a 7-day and had to go back to a 5-day because employment is hard to keep, keeping the kids there 7 days a week. But it has been operating, now I can't remember how many years. It would be devastating if those funds were taken away from Eufaula Dorm. The poverty level where they come from has been a big issue. A lot of them would rather stay at the dorm to help, or to get more education and assistance, other than going home. And that is a big tragedy there. Most of them live with their grandparents. But Eufaula Dorm has been a great system.

We had several elected officials that went to Eufaula Dorm, and it is a real passion of them to keep it going. Education there, on the funding floor, is one of the best opportunities you have, and if it is taken away that would definitely affect our dorm there.

Ms. BICE. I am out of time, so Mr. Chairman, with that I yield.

The CHAIRMAN. The gentlelady yields back. The Chair now recognizes the gentlelady from Oregon, Ms. Hoyle, for 5 minutes.

Ms. HOYLE. Thank you, Mr. Chair. I represent the central and south coast of Oregon, which is the home of four Tribes: the Coquille, the Cow Creek, the Siletz, and the CTCLUSI, and one-third of the members of the Grand Ronde and the Tolowa Dee-ni', so Tribal Nations are a really important part of my district. And as an Oregon Representative, I bring the values and mission that we have, that the United States has a moral and financial responsibility to acknowledge our responsibility for the injustices of the past. And the Indian Self-Determination and Education Assistance Act and the contracts under it play a critical role in that.

I would also like to request unanimous consent to enter into the record a letter from Carla Keene, the Chair of the Cow Creek Band of Umpqua Tribe of Indians on the importance of the Indian Self-Determination and Education Assistance Act and Tribal self-governance.

The CHAIRMAN. Without objection, so ordered.

[The information follows:]

**Cow Creek Band of Umpqua Tribe of Indians
Roseburg, OR**

As we reflect on the 50-year legacy of the Indian Self-Determination and Education Assistance Act (ISDEAA), it is clear that tribal self-governance has transformed service delivery across Indian Country. The flexibility provided by 638 contracts and compacts has enabled Tribes to deliver culturally competent, locally managed programs that better serve Tribal citizens while promoting economic development, health care access, and tribal sovereignty.

While this hearing rightly commemorates the achievements of ISDEAA, it must also serve as a bipartisan call to action: to expand the principles of tribal self-governance to a broader range of federal programs and agencies beyond the Department of the Interior and Indian Health Service. Tribes have repeatedly demonstrated the capacity, innovation, and commitment necessary to assume greater control over programs that directly affect their communities.

Legislative tools such as the Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH) Act and the Indian Trust Asset Reform Act (ITARA) have shown that when Congress provides Tribes with the authority to manage their own lands and resources, and Tribal assets, the results are efficient, accountable, and aligned with local priorities. These Acts are prime examples of how federal policy can honor the trust relationship while removing bureaucratic barriers to tribal self-determination.

To that end, we urge this Committee to support bipartisan initiatives that:

- Expand self-governance authorities to federal agencies such as the Departments of Agriculture, Education, Energy, Transportation, and Commerce;
- Promote broader use of compacting and contracting mechanisms modeled after 638 authority, without;
- Incentivize inter-agency collaboration to streamline funding and oversight across programs administered by Tribes;
- Expedite the delivery of federal funding to Tribal governments, recognizing that delayed or inconsistent funding disrupts program delivery and hinders long-term planning. The Cow Creek are currently still waiting for 2024 & 2025 BIA TPA Forestry funding.
- Reevaluate tribal funding formulas and allocations to ensure they reflect the true needs growth, and responsibilities of each Tribal Nation not outdated baselines;
- Continue to monitor and improve implementation of the Practical Reforms and Other Goals to Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act (PROGRESS Act) and ensure its intent is fulfilled with clarity and efficiency;
- Explore cooperative audit resolutions and other tools that build capacity and reduce barriers to tribal program administration;
- Index funding levels to inflation, acreage and population growth to avoid budget shortfalls;
- Shift from discretionary funding to mandatory funding for programs operated under ISDEAA, ensuring tribes have stable, long-term resources to meet their growing needs;
- Establish a mechanism for protecting federal funding that has been obligated to Tribes, against federal budget cuts and shutdowns;
- Promote education and awareness within federal agencies regarding the self-governance process to foster respect for tribal decision-making and minimize the risk of federal overreach in the implementation of self-governance agreements;
- Shift from discretionary funding to mandatory funding for programs operated under ISDEAA, ensuring tribes have stable, long-term resources; and,
- Develop demonstration projects that could serve as models for permanent programs, enabling tribes to exercise self-determination, co-management, and stewardship over ancestral lands, including federal lands, regardless of whether those lands fall within current reservation boundaries.

Expanding tribal self-governance is not only a matter of policy, it is a matter of principle. It honors tribal sovereignty, strengthens government-to-government relationships, and advances the long-term well-being of tribal nations and surrounding communities. Now is the time to move forward together.

Sincerely,

CARLA KEENE,
Chairman

Cow Creek Band of Umpqua Tribe of Indians

Ms. HOYLE. So first I am going to take a point of personal privilege. My family came over from Ireland during the famine, and the Choctaw Nation, after the Trail of Tears, sent money to starving people in Ireland, that my family personally benefited from. And we tell that story, and I heard that story growing up, and we tell our children of your generosity. And I just want to say thank you. It really matters.

Tribes in my district have shown how valuable it is that they have been able to use the contracts under ISDEAA to have local contracts on forestry and health care and focusing on help for rural

communities in a culturally competent way. You are important part of our economy.

And Chief Batton, I would like you to speak specifically to the efficiencies, because I have seen our Tribal Nations, again, without red tape, use Federal dollars more efficiently, the effectiveness of outcomes that you have seen for your Tribe, in you Tribal forest management, what you have done and how you have been able to use these dollars more effectively than the Forest Service, on Forest Service lands.

Mr. BATTON. Yes. I mean, when we are able to, it is our home. So whenever it is there, we are able to make sure and protect it. We want to make sure to utilize the resources we have. We always say we are the very beginning in conservation, so we want to make sure and manage all the forestry, the land. We want to do it properly, and we have been able to do that locally, in partnership with the Forest Service. And we believe, again, like the Ouachita National Forest, we believe any type of property, I think any Tribe here would say that we believe we can manage it, we can do it in a conservative way, and that also we could do it from an economical way, and regards and in promotion of economic development too. Because in southeastern Oklahoma, tourism is a big industry for us, and we believe we can drive people to southeastern Oklahoma to practice good conservation and have a good economy.

Ms. HOYLE. Thank you. I am working on a bill for Tribal co-management of our Forest Service lands. We have the ONC lands where we have a patchwork set of ownership, and we see, right next to Forest Service lands, BLM lands, and Tribal-managed lands, how much better and easier it is to manage wildfire prevention, and also our Tribes manage our forests for forest health, for many generations.

Is there anyone else here that would like to speak to some of the successes you have had in forest management with Federal dollars, because you get a lot less money than the Forest Service does.

No is OK. All right. Thank you. I yield back.

The CHAIRMAN. The gentlelady yields back. The Chair now recognizes the gentleman from Arizona, Mr. Gosar, for 5 minutes.

Dr. GOSAR. I thank the Chairman for hosting this hearing and our Tribal members for joining us here today. We are going to learn a lot. In February, my Oversight Subcommittee actually had a hearing in regard to the mismanagement of some of the BIE schools, and I think this hearing piggybacks that very, very well.

So let's go back to school and look at the word self-determination and what is also the meaning of sovereignty. To be truly sovereign, our Tribal communities need a hand up to secure economic development for their future. We need to clarify and define where the trust obligations begin and where it ends with both Indian Country and with the Federal Government.

I have always said the future of this country goes through Indian Country. I still stand by that.

Now, I would be amiss if I did not quantify some of these things about Medicaid. I am also a dentist so I know a lot about this. The Medicaid is not being cut. It is being capped. And part of the problem with this capping is what happened during COVID. We

rose Medicaid enrollments by 60-some percent. We didn't ask anybody about did they have alternative health care. We just added them. It rose over 60 percent. And all we are asking is that if we were to cap it and to raise it by medical inflation, which is twice the inflation rate, we would save about \$1.2 trillion. That's it.

But if you were to add into that, if people went into debt for a job, or you were asking for them to reapply, to find out if they did have alternative methods for health care, boy, you would save hundreds of billions of dollars, as well.

So one of those things I have always said is that this country goes through Indian Country, I also believe that for health care.

Now, Chief Rogers, how could this Self-Determination Act really help us in the new Administration's wellness and preventative aspects?

Mr. ROGERS. I think being aware and looking at your resources and allocating them appropriately, communicating the challenges that arise as a result of any changes. The self-determination and compacting for Tribes and stabilizing programs, which enables a Tribe to plan multiyear out, be able to invest, you know, sometimes paying back student loans, not just through HRSA but sometimes through the Tribe. So there is kind of a first, second, and third order of magnitude when you are addressing that.

Dr. GOSAR. So let me ask you another question. Will increased mineral and mining opportunities promote greater Tribal sovereignty in your Tribe? You brought up the LASSO Act, and they have got me introducing the LASSO Act.

Mr. ROGERS. I apologize. I have kind of an echo. I didn't hear that, sir, if you could repeat.

Dr. GOSAR. OK. Would increased mineral and energy mining enhance opportunities to promote greater Tribal sovereignty?

Mr. ROGERS. In regard to those areas, we have our Minerals Council and we have an organization that works and addresses the Osage Nation's requirements and sovereignty expressed in those areas. I am not going to be able to speak to those today, as I was here for the self-governance and health perspective.

Dr. GOSAR. I appreciate that. President Harvier, I would be amiss if I didn't talk to you. As you know, in the desert, water is life. How could self-determination actually help build, and through Indian Country, help regionalize water use and help. For example, in northern Arizona we have got a number of Indian settlements that can really help a lot of other people, as well. You guys are always very preventative. Could a co-op actually work or something like that? Could you give me some ideas how that could work?

Mr. HARVIER. So Representative Gosar, I know you represent a lot of the Tribes along the Colorado River. We live in the Phoenix metro area. We were one of the first Tribes to receive our water settlement in our community, and I will tell you, with the settlement that we received, unfortunately the agriculture in our community, we don't utilize all of the water that we get from our water settlement currently. So I know, because of that, our settlement is used in other areas to benefit others.

So to look at the overall, each individual Tribe, and looking at their settlements, I think it would be something to really sit down and look at and see how we could all work together. Water is so

important in Arizona. I was flying in here, seeing all the rain and all the puddles of water, and I thought, we sure could use some of this in Arizona.

Dr. GOSAR. I tease everybody, I would be Paul Bunyan if I could take it back with me. I yield back. I'll have more questions for you later.

The CHAIRMAN. The gentleman yields back. The Chair now recognizes the gentleman from Minnesota, Mr. Stauber, for 5 minutes.

Mr. STAUBER. Thank you, Mr. Chair, and thank you to Representatives Lucas and Bice for inviting us to this great state of Oklahoma.

I am so grateful to hear your testimony this morning. I wrote some things down that you talked about. "It is best at the local level." "You have given us the authority and the responsibility." "More government isn't the answer." "Reduce bureaucratic red tape." "The act of self-governance is a form of economic dependence."

Those are profound statements that I think we all can agree on. We are seeing that right now at the national level, bringing some departments to the state level and the local level. As a former city councilor and former county commissioner in northeast Minnesota, I often get frustrated when officials in St. Paul or the nation's capital told us what to do, gave us unfunded mandates. And I recognize how important this is for our sovereign Tribal Nations. In fact, it is something I hear from the seven Ojibwean Tribes that I represent in northeastern Minnesota: Grand Portage, Bois Forte, Fond du Lac, Red Lake, White Earth, Leech Lake, and Mille Lacs.

Decentralized government, government that is closest to the people that are most affected, is important across the entire United States, but especially Indian Country. The Indian Self-Determination and Education Act has been pivotal in this. But as we have heard from you all today, we certainly have a ways to go and plenty that we can do to strengthen the system.

Chair Supernaw, in your testimony you mentioned the perspective shift Quapaw Nation experienced with participation in self-governance opportunities, moving from dependency to partnership mentality. Could you speak further on this perspective shift and provide a few examples?

Ms. SUPERNAW. Thank you, Representative. Yes, I will start with one example. We have an Emergency Operation Center in Ottawa County. The way that came about was the Quapaw Nation, through its ability to utilize Federal grant dollars, we built a building. Of course, Quapaw Nation had to provide for the match dollars. As well, in partnership with the other 8 Tribes in Ottawa County, plus the City of Miami 911 board, and Ottawa County, we built that Emergency Operation Center and opened it about a year ago as the first consolidated 911 call center for the entire county. So regardless of whether you are inside the Quapaw Nation reservation, Modoc, Eastern Shawnee, all those calls go to the Emergency Operation Center that sits on the reservation.

We had a problem in terms of too many split directions, what goes to the City of Miami, what comes to Quapaw. We brought it all together, and we did that through a partnership to provide a

whole-of-community solution that was desperately needed. I think that is probably a—

Mr. STAUBER. Yes. So if you couldn't practice self-governance, do you think some of these issues would have been solved? And if you were just relying on the BIA and other Federal entities, how long would these problems have taken to resolve?

Ms. SUPERNAW. They probably would not have been solved, because we all had to be able to come together for a common goal to accomplish the outcome that we all sought. Obviously, our grant was approved, so we are glad about that. But it took all of those groups, all the Tribal Nations, all of the counties, as well as the city to come together for a common good.

Mr. STAUBER. I think that, again, to me I am profoundly grateful to hear all the success stories. We still have a long ways to go. And it is the commitment from our government, it is commitment from our National Resources chair. We are here in Oklahoma to listen, to learn, and bring your ideas back. Very impactful, very emotional, very powerful. From this Representative from Northeastern Minnesota I say thank you.

Mr. Chair, I yield back.

The CHAIRMAN. The gentleman yields back. The Chair now recognizes the gentleman from Georgia, Mr. Collins, for 5 minutes.

Mr. COLLINS. Thank you, Mr. Chairman. I don't think we have to pretty much tell people, we are from the South. Since everybody else has an accent, Chairman, I tend to talk a little slower.

[Laughter.]

Chief Hill, I wanted to start out by telling you I grew up and still live about 5 minutes from Indian Springs State Park, and visited it many, many times as a child, and enjoyed that area down there.

Chief Hoskin, Cherokee, North Carolina. I have gone through there ever since I was able to remember going anywhere, on my way to Gatlinburg, Tennessee, and up to Cherokee itself. And I say that because I harken back, and it has not been too many decades ago when it was basically one road with a creek and souvenir shops and a tepee out front, and people trying to earn money by selling moccasins.

And you look at that today. That community is incredible. They have got a hospital there that rivals anything I have ever seen, and they have even added on to it lately. And just riding through you see the signs, and they are not only in English but they are also in Cherokee.

And the reason I say that is because the Eastern Band of Cherokee Chief Hicks was in my office not too long ago, and he had the superintendent of schools there, and they were telling me about all of that. And I thought, like 99 percent of Americans out there, that the Federal Government did all that. I did not realize, didn't even know what a 638 was. But they sat down and were telling me just how proud they were of their education system, just how proud they were that they were able to bring culture back to the students, just by doing things like teaching Native language, and how that was making people proud to be who they are and where they came from.

And they happened to be in my office right before we had a BIE oversight hearing. And I am second term, but the things I saw in

my freshman term, of what we have done to the Indian reservations and Tribal lands out there, it is disgusting. You know, buildings that shouldn't even be occupied, that we shouldn't even have people in these things. We have got Tribes out there that the cartels have taken over, and sex trafficking. We have Tribes that have been asking to just mine their own land. They know how to mine.

But yet the Federal Government, in their infinite wisdom, put you on a piece of land, told you to stay there, don't move, and we will take care of you. Thank God we did something through 638 contracts. And I really didn't know what a compact was, but I figured it out since your testimony, Chief Batton.

So what I want to ask, since these 638s, what is the first small step, and I would like to address it to Chief Hoskin if I could, what is the first small step that some of these other Tribes, that don't participate in this, what is one little step that they can do to get started down that path of self-governance?

Mr. HOSKIN JR. Well, one of the steps that a Tribe that is not participating can take is really capacity building. And in terms of context, every Tribe has the potential to execute in a really excellent manner on these 638 contracts. But because of the legacy of bad Federal Indian policy, ISDEAA is good Federal Indian policy but we have got a great deal of bad Federal Indian policy, the capacity is not always there. So building some capacity on some specific programs I think would be advisable. And we have partners in the government of the United States that can help provide some of that exposure.

The health care system is one in which I think any Tribe that can, should take that step because it makes the most meaningful impact on the daily lives of people that they are serving. So any aspect of health care that a Tribe could assume responsibility for, we don't have to speculate whether it will be done better. We know it will be done better.

And just briefly, I could take everyone on a field trip to Cherokee Nation for a few hours and show you a federally run Indian hospital and clinic that pales in comparison to the ones that we run. The similarities are there are great people working in both of them, a lot of Native peoples. The systems are different. Our system is better. We deliver. And a Tribe could take a portion of a health care system and assume responsibility, and I think make a great deal of difference. So that would be my recommendation, capacity and looking at health care.

Mr. COLLINS. Thank you. I know I am out of time, but does the Federal Government offer to help in any way to these Tribes to get to that point?

Mr. HOSKIN JR. There are opportunities for help, and my friend, Jay Spaan, down there runs a wonderful organization that helps bring those together. So there are a number of ways we can do that, and I think Tribes should avail themselves of it.

Mr. COLLINS. All right. Thank you. I yield back.

The CHAIRMAN. The gentleman yields back. The Chair now recognizes the gentleman from Michigan, and I will point out the gentleman from Michigan is also the Chairman of the Committee on Education and Workforce, and it is great to have him on the

Natural Resources Committee, as well. Mr. Walberg, you are recognized for 5 minutes.

Mr. WALBERG. Mr. Chairman, thank you for having me on this Committee, and it is great to be on it, for the first term and learning a lot, as well, in the process.

I must state quickly here, this is a great experience for me to come back to this community, where 25 years ago, at the behest of the University of Michigan, who had been attempting to get my son's heart condition cared for, couldn't do it, but knew Dr. Jackman here at the University was preeminent and skilled. And my son was cured, and to the point that he was able to serve in the military, as well. So I have a great heart for that.

The only bad thing I remember is one Oklahoma wrestler that I could not best at one experience in my life, and I will hold that against Oklahoma for a long time. That was in younger years, as well.

[Laughter.]

But it is good to be here, and I appreciate the opportunity to hear what goes on in your efforts to lead your people, who are our people, together in a way that makes sense. I could ask a lot on education. I appreciated the hearing we had several weeks ago where we looked at that more. But with two Tribes in my district now, my new district, we are learning more about what that means, what impact is there. We are also learning about the great positive impact that Tribes, including the Pokagon Band of the Potawatomi in my district, have had significantly in our communities, education system and commerce system, as well.

Governor Anotubby, let me ask you this. In your Tribe's experience, why did you decide to compact services?

Mr. ANOATUBBY. Thank you, sir, for the question. Our people needed education services that were not being provided. We had good people that were working in the Bureau of Indian Affairs, but they lacked resources. And with the schools, obviously, you have heard something about those schools already, the level of educational experience was pretty low.

In our case, we had no, and still don't, have any Bureau of Indian Affairs schools in our area. But we do have a dormitory, and that dormitory is where students live in that dormitory and then they attend public school. And there is an example of that, I think, also in the Creek Nation.

So we felt like that we could do a better job on that, because they basically housed the people, sent them to school, and the experience was not exactly what it needed to be. And we contracted for that and we ran that program for a while, as it was. But we worked to change the model, one that was more therapeutic, one where the students received more than just a room to live in. And by doing that we actually built cottages, and we would have house parents in that cottage, where they would interact with the students and would attend public schools.

And their grade points went up. They were certainly happier students than they were in the other setting. They didn't have as many runaways as they had. These students obviously were there, many of them because they have a lot of issues at home. And so

we tried to create, and have created, I might add, a more home-type environment.

Mr. WALBERG. And a holistic system there, as well. What might be the factors that would discourage a Tribe from pursuing self-governance agreements?

Mr. ANOATUBBY. I think part of it is you have to have confidence that you can do it. And in our case, if someone said "You can't do it," it made us want to do it even more. But it is a matter of having the confidence and having systems that you believe will sustain a contract.

But I really think that the step out, do what you can, and learn, if there is something to learn, and seek the advice of those who really know what they are doing.

Mr. WALBERG. Well, thank you. I appreciate it. I would have many more questions to ask, but my time is expiring, so I yield back.

The CHAIRMAN. The gentleman yields back, and the Chair now recognizes the gentlelady from Utah, Ms. Maloy, for 5 minutes.

Ms. MALOY. Thank you, Mr. Chairman. Thank you all for being here. This has been really enlightening for me, as well. I wrote down a lot of the same quotes that Congressman Stauber did, and then he used all of them, so that will save me some of my 5 minutes. Thanks, Pete.

But what I heard from all of you is the idea that government closer to the people and the resources responds better to the needs of the people and the resources. And as someone from a public land state, that rings really true to me. We have some experience with the Federal Government managing the majority of the land in our states, and bureaucracy getting in the way of good ideas, and responding to the needs of the people.

I am really intrigued by what Chief Hoskin said, his story about the sense of pride that Cherokee elders got from being able to go buy Cherokee beef. They know where it comes from. They are in a setting that is designed to preserve their dignity, by their own Tribe. And you have had to answer a lot of questions, so I am not starting with you.

But I love the idea of Tribes creating jobs and a competent workforce while preserving the dignity of their own people. And while you have got this many Members of Congress here, and we are on C-SPAN, and you have an audience, I just want to give the rest of you a chance to share any similar experiences you have had with being able to respond to your people in a unique way that preserves the dignity and the culture of your people, that the Federal Government would not have been able to do.

Mr. BATTON. Well, again, it is almost the same example. We started a meat processing in Smithville, Oklahoma, population of like 200 people. And it employed 30-plus employees there. And then also we did the same thing by acquiring that product and putting it into the food distribution program.

But also the thing that I love about it is, and it has helped our Tribal members, but also it helps the non-Tribal citizens, as well, because there was no other place that could process meat in that area. So it grew the whole economy as well as meeting the need of our Tribal members.

And I think about health care, as well, because we are able to provide the unique culturally tailored care to our Tribal citizens, and how we meet their needs, as well as the education programs. For example, in our early childhood programs we are able to provide our language program to them, and then even in our high school, we are in all of those 89 school districts I mentioned earlier, providing our Choctaw language to them, as well as to some of the universities and colleges in our area.

So I think that has allowed us to tailor specifically to meet the cultural needs and the local needs of our people.

Ms. MALOY. Thank you. Anybody else?

Mr. ROGERS. The Osage Nation is proud in their investment and harvest land, where they have the hydroponics where they grow their food, and they can it and they sell it, and they store. And we also have a butcher house, and we have a buffalo ranch the Tribe has opened and invested in. So not only does it provide jobs, it too has been a source of pride for our Tribal members since that program has been stood up, and continues to grow.

We are also able to purchase some of these items in our Title VI program and actually feed our elders, and somewhat becoming self-sufficient in that regard, to a degree. Thank you.

Ms. MALOY. Thank you.

Mr. HILL. I think the Cherokee Nation and the Choctaw Nation built a meat processing plant almost the same year. We did the same, as well, and we also purchased a 5,600-acre ranch where we grow and raise our own cattle. And we actually work with our brother and sister Tribes. We purchased, I think, 12,000 pounds of bison with them.

And we are almost similar, as Choctaw and Cherokee mentioned. We have created our language program to create more opportunities, more jobs. We are working with the schools, the college. We had a liaison department we created to protect and preserve our language. And it has grown. We actually are having a language preservation next week, a symposium, having all the elders come. Those are traditional stuff that we are losing daily. Since COVID, I think we, in a 1-year span, probably lost 225 elders who knew the language, knew the culture, and knew the history.

So we created this position which is a lifetime position within our Secretary of Culture and Humanities, and that department has grown probably three times as of today.

Ms. MALOY. Thank you. I am out of time. I am going to yield back. But I will just wrap up quickly by saying the Paiute bands in my district have started incredibly successful businesses, and I am excited to see these changes that are happening. Thank you for being here.

The CHAIRMAN. The gentlelady yields back. The Chair now recognizes the gentleman from Colorado, Mr. Hurd, who chairs the Subcommittee on Indian and Insular Affairs on the House Natural Resources Committee. You are recognized for 5 minutes.

Mr. HURD. Thank you very much, Mr. Chairman. Chair Supernaw said something that really caught my ear. She said, "Self-governance is a form of economic development." And that is a simple but profound insight, and I think it underpins the Indian Self-Determination and Education Assistance Act, ISDEAA. And

that legislation also accounts for Tribal sovereignty, it accounts for the government-to-government relationship between the Federal Government and the Tribes, and Chief Batton, as you and I were discussing before, it also promotes self-determination but also responsibility and accountability on the Tribal level, as well.

It is also an example of bipartisan problem solving. As Chairman Westerman mentioned, I am the Chairman of the House Indian and Insular Affairs Subcommittee in Natural Resources, and I am very happy that my colleague, Representative Leger Fernández, is here, as well. She is the Ranking Member on that Subcommittee, and I look forward to working with her on advancing public policy that is thoughtful and sensible and good for Indian Country.

I want to also thank our witnesses for being here. As that Subcommittee Chair, I look forward to working with you and other Tribal leaders across the country in advancing sound public policy.

Chair Supernaw, when the Quapaw Nation compacted out various realty services, the allottees' files were in disarray. What did you encounter, and how did that impact your ability to carry out economic development projects?

Ms. SUPERNAW. So this situation actually occurred prior to us compacting, but since 1964, there had been a gas pipeline trespass on some of our allottees' property. So then when we compacted and took over our realty services, it was the professional team in our realty and trust services that finally got it resolved. And it just got resolved a year ago. It was complex. It required digging through files, negotiations with an outside, it's not the Federal Government; it is a private pipeline. It actually gave us the ability to set the fair market value because there are a lot more of these out there, and it gave us a benchmark, through our efforts in resolving all those allotment files, to be able to set that value so that for other trespasses we have got something to go against. We have got a heuristic that we can apply that has already been negotiated and already settled. And we did it without going to the courts. We were actually able to do it directly, between the company and the Tribe's realty office, and resolve it for the benefit of the family members that this impacted.

Mr. HURD. Thank you, Madam Chair. Very helpful. My next question is for Mr. Rogers and for Chief Hill. Can you walk me through your compacting negotiations with IHS? Were there specific delays or hurdles that you encountered in that process that Congress should be aware of?

Mr. ROGERS. Yes, sir. We were compacted prior to my arrival with the Osage Nation. They started and embarked upon that toward the end of 2014, and completed it in the fall. So it was about a 2-year process. There was a lot of consultation, and like you heard here, testimony earlier, a lot of the Tribes help each other through that process. And kind of in the spirit of Benjamin Franklin, Indian Country listened to that, "If we don't hang together we will get hung separately."

Mr. HURD. Chief Hill, can you walk us through your compacting negotiations with IHS? Were there any delays or hurdles that we should be aware of?

Mr. HILL. Not to our knowledge. All of that was prior to me. But it will be something I will definitely find out for you. But not to my knowledge, as of today.

Mr. HURD. OK. I want to thank all of you again for being here. It is an honor to be here. I think I am the most junior member here on this dais, and it is an honor to be here, to be with you. I look forward to working with you and other Tribal leaders in the months and years to come. Thank you very much.

And with that, Mr. Chairman, I yield back.

The CHAIRMAN. The gentleman yields back. The Chair now recognizes the gentleman who is not on the Committee but cares about these issues so much that he drove up from Texas and waived onto the Committee. Mr. Ellzey, you are recognized for 5 minutes.

Mr. ELLZEY. Thank you, Mr. Chairman. Thank you for holding this hearing. It is a pleasure to come up here to Oklahoma. I appreciate you all coming here today.

As Members of Congress, our obligation to you is to uphold our treaties to you and our funding promises. Along with Vice Chair Maloy on the Subcommittee of Interior in Appropriations, and Ms. Bice is on Appropriations, as well, Chairman Simpson held Tribal Days last month, and 98 Tribes came out to Washington, D.C., on their own dime and accord, to come back and tell us what is going on in Indian Country throughout the entire United States and Alaska. I guess it is a state, but it is a long way off.

What came out of those meetings that most troubled me was the life expectancy of Native American Tribes. And right now I think it is sitting around 64, certainly in the Western states, not including California and Washington. But after COVID it was the ethnic group most hit by COVID, losing 10 years, going down from 70 to 60, as I understand it, and it is the one ethnic group that has not recovered since the end of the pandemic. And we tried to get to the reasons why, and listening to all of those Tribes, it is generational trauma, it is poor food, a loss of culture, poor water, lack of education, law enforcement and a lack thereof, medical care and clinics that aren't able to see enough patients or are too far away, missing and murdered Indigenous women and people, followed by a disparate lack of hope. And like my friend, Mr. Collins, here, it is very emotional for all of us who have had to listen to it.

But I want to concentrate on the law enforcement piece. The number one job of any government, municipal, county, state, local, or Federal, is safety of her citizens, and that was the overwhelming problem amongst everybody that came and talked to us. It seems like in Oklahoma you all have figured out a lot of solutions, through self-governance, to the problems we just talked about.

I would like to hear from any of you, whoever wants to speak up, if you have figured out the law enforcement problem, how you get enough folks to patrol and take care of your people, where the money is coming from, and how we can do better. Does anybody have the answer? Mr. Hoskin.

Mr. HOSKIN JR. Well, we haven't figured it out, and we haven't perfected it, but we have made a great deal of progress at the Cherokee Nation, and I recognize my colleagues here have been doing the same ever since the July 2020 Supreme Court case in

McGirt v. U.S., which was the Creek Nation case that reaffirmed the reservations. It expanded the geographic scope of what we are obliged to do, which is, as you mentioned, is to protect the people.

We put, initially, our own dollars, to the tune of about \$30 million, into scaling up, it seemed like overnight, a criminal justice system to meet the moment. So that is one thing we did. We have also pressed Congress for dollars specifically for Tribes that are impacted by McGirt v. U.S., so we can seize those opportunities with Federal dollars.

We have also strengthened what were already, I think, very good working relationships with the United States Department of Justice and with the Bureau of Indian Affairs with respect to law enforcement and prosecutions. We have been engaged in the Missing and Murdered Indigenous Persons Initiatives.

One thing I would note, that is relevant to ISDEAA, is as we have amassed some third-party revenue, which only happens when Tribes can take control of their own health system, we can start, and we have, with the Cherokee Nation, identifying public health crises that at first glance, as a layperson, you wouldn't recognize. I wouldn't recognize them. That is that a lack of public safety is a public health crisis. A lack of affordable housing a public health crisis.

So we are shifting some of those dollars to do this, build a Marshal Substation in a community that has a lot of crime that contributes to that generational poverty, low health outcomes, low life expectancy.

So the ability to run a health care system turns out to be a great strategy not only for health care but for public housing, but for law enforcement. So continuing to strengthen this law and empower the Tribes will, I think, meet the interests that you have identified. Thank you, Congressman.

Mr. ELLZEY. Thank you very much for that answer. Anybody else? Chief Batton.

Mr. BATTON. One of the things that has been really important is partnerships. The ability to have self-determination and self-governance is to partner with other entities. So we have partnered with every other law enforcement agency, city, county, and the state of Oklahoma, in cooperative agreements, cross-deputization, because we don't have all the resources. They don't have all the resources. So we have to work together. At the end of the day, we just want to catch the people that are breaking the law, and then we will turn them over to the proper jurisdiction.

So we are just like Chief Hoskin, whenever this happened, this ruling, we spent about \$30 million annually to make sure, we were fortunate enough, we had some of our judicial systems, some of our laws in place. But we have had to really ramp up and get those involved. But I think we have been the most successful in regard to partnering and pulling that together. And I don't know another government within probably 90 days has set up their laws, their court system, their jurisdiction, all those things in place to get them implemented and be effective.

Mr. ELLZEY. Thank you. Thank you, Chair Westerman, and I would like to thank our hosts, Mr. Lucas and Ms. Bice, for hosting us today. Thank you.

The CHAIRMAN. The gentleman yields back. I recognize myself for the final rounds of questions, and again, I want to thank the witnesses for being here.

You know, Mr. Spaan, I took notes when you started listing things we could do to maybe improve ISDEAA. You said some key programs in agriculture, you referred to additional health care programs, DOJ programs, BIA technology upgrades, appropriation language could help. And I just want to open it up to the dais, maybe we can start with Mr. Rogers, is there anything else that we need to know, that we can take back to Washington and work on, to make self-determination work even better than it has worked the past 50 years?

Mr. ROGERS. Yes, sir, Chair. I believe more education and resources from the BIA and IHS to assist Tribes that are going through that process, and not forget about them once they do follow up on them. Once you have achieved that it is kind of like, well figure it out, you are on your own. And those are actually comments that have been received in years past. So I think that would be one of the big things to help.

Also, when it comes to attracting professionals in the health side, HRSA and a continuation of the funding. The student loan payback program with the people who chose to work in Indian Country continues to be, for us, a big concern. Thank you.

The CHAIRMAN. Mr. Spaan, anything to add to your already nice list?

Mr. SPAAN. The other thing I would add is we have encouraged Congress to really protect base funding for Tribal programs. Whenever Tribes are electing, if they want to take over a program under a self-determination or self-governance, they are looking at that funding level and seeing can they operate the program, or can I supplement it. So protecting that base funding is really critical.

Another opportunity would be moving CSC and Section 105(l) over to the mandatory side of appropriations. That provides certainty for Tribes that this is a long-term commitment to self-governance and provide us stability needed to move forward.

The CHAIRMAN. Thank you. Mr. Hill? And we are going to have to speed it up a little bit.

Mr. HILL. I just want to touch on your question. I had it written down. But public safety. That definitely affected Creek Nation first, and with the cooperation with the other four Tribes we have been able to acknowledge that. And working with the state, with cross-deputization, our law enforcement went from 30 to 140 currently now. And these jail agreements. And once that happened, they almost tripled in price, from \$30 to almost \$89 a day, that we have to pay in our jurisdiction, regardless of what Native they are. That has increased. So anything that can help with us, with all the Tribes here. Chief Batton said before that he was looking at me as the guinea pig, because it affected us first, and they gave him an opportunity to think ahead on what we can do.

The unique thing about it is, our Tribal law enforcement has to learn State, Federal, and Tribal. Everyone local just knows the State and Federal law. So that is the unique thing about it. They can go to the city limits, and the county can only go to the county

limits. But Tribal law enforcement can travel all 11 counties, where we can help. With the new drone system we have been helping.

As I mentioned last night, we had a suspect. With the system with Cherokee marshals and Creek Nation they were able to capture that person. And we had two just recently, working with Tulsa, working with Okmulgee, just creating that partnership. Because our goal is public safety, keeping bad guys off the streets. Thank you.

The CHAIRMAN. In the interest of time I am going to ask the rest of you if you will submit those answers in writing, if you have a moment. And Chief Batton, particular telehealth. I know you have some experience with that, and I would love to get some more information in writing on how that has been beneficial.

And to wrap up, as I was thinking about celebrating 50 years of ISDEAA, I was also reminded of some research I had recently done. On June 17th, we will celebrate 200 years of a quote that is the only quote that is inscribed in stone and put in the House of Representatives, a quote by Daniel Webster. And he was celebrating the groundbreaking for the Bunker Hill monument, which was to commemorate 50 years past the Battle of Bunker Hill. And there were 1,000 people in the audience, 190 Revolutionary War veterans, and even Marquis de Lafayette, who was the Frenchman that helped us so much in the Revolutionary War.

And those words that are inscribed in the Chamber of the House of Representatives were right at the end of Webster's speech. And I take it as a challenge to all of us. I take it as a challenge to America, when Webster said, "Let us develop the resources of our land, call forth its power, build up its institutions, promote all its great ideas, and see whether or not we, too, in our day and generation, might do something worthy to be remembered."

And I will say that in 1975, Congress and the President did something in their day and generation that is worthy to be remembered, and it is an honor to be here on the 50th year anniversary to celebrate ISDEAA and to hear the tremendous impact that it has made. I hope we can all work together to see that be even better in the future.

The members of the Committee may have some additional questions for the witnesses, and we will ask you to respond to these in writing. Under Committee Rule 3, members of the Committee must submit questions to the Committee clerk by 5 p.m. on Wednesday, April 9, 2025. The hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection the Committee stands adjourned.

[Whereupon, at 11:18 a.m., the Committee was adjourned.]

