

**AMBER ALERTS AND TAKING LAND INTO TRUST
IN INDIAN COUNTRY**

LISTENING SESSION

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS

UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

MAY 10, 2017

Printed for the use of the Committee on Indian Affairs



U.S. GOVERNMENT PUBLISHING OFFICE

25-531 PDF

WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON INDIAN AFFAIRS

JOHN HOEVEN, North Dakota, *Chairman*

TOM UDALL, New Mexico, *Vice Chairman*

JOHN BARRASSO, Wyoming

JOHN McCAIN, Arizona

LISA MURKOWSKI, Alaska

JAMES LANKFORD, Oklahoma

STEVE DAINES, Montana

MIKE CRAPO, Idaho

JERRY MORAN, Kansas

MARIA CANTWELL, Washington

JON TESTER, Montana,

AL FRANKEN, Minnesota

BRIAN SCHATZ, Hawaii

HEIDI HEITKAMP, North Dakota

CATHERINE CORTEZ MASTO, Nevada

T. MICHAEL ANDREWS, *Majority Staff Director and Chief Counsel*

JENNIFER ROMERO, *Minority Staff Director and Chief Counsel*

CONTENTS

	Page
Listening session held on May 10, 2017	1
Statement of Senator Cortez Masto	23
Statement of Senator McCain	1
Statement of Senator Udall	21

WITNESSES

Clement, Charles, President/CEO, Southeast Alaska Regional Health Consortium	27
Prepared statement	29
Crotty, Hon. Amber Kanazbah, Delegate, 23rd Navajo Nation Council	10
Prepared statement	11
Garry, Eileen M., Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice	2
Prepared statement	3
Walters, Jim, Program Administrator, National Criminal Justice Training Center	6
Prepared statement	8

APPENDIX

Buchanan, RADM Chris R.E.H.S., M.P.H., Assistant Surgeon General, USPHS; Acting Director, Indian Health Service, U. S. Department of Health and Human Services, prepared statement	39
--	----

AMBER ALERTS AND TAKING LAND INTO TRUST IN INDIAN COUNTRY

WEDNESDAY, MAY 10, 2017

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:30 p.m. in room 628, Dirksen Senate Office Building, Hon. John McCain, presiding.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator McCAIN. Unfortunately, due to the state of partisanship in the United States Senate today and outside events that have certainly caused a lot of turbulence here in the Nation's Capital that our Democrat friends have decided to object to committee hearings to be held today. That is their right to do so. I do not deny them that right.

What it has done is prevented us from having an important hearing today. Therefore, the Chairman, who I hope will be here shortly, because people have come from other places. We do not want to keep them from being heard as we discuss this bill.

This is not a hearing per se but it will be a listening session. Only in Washington could we do that kind of foolishness.

I am obviously very committed on this issue and this legislation as are our witnesses, so we are going to have a listening session. The bill, as our witnesses know, would reauthorize a grant program that is operated by the U.S. Department of Justice that assists local governments in developing their Amber Alert communications plans.

The bill would also clarify that Indian tribes are eligible for Amber Alert grants. Currently, tribes which participate in this grant program do so under a DOJ pilot initiative.

Further, the bill would require the Department of Justice to impel stricter transparency and accountability standards for how tribal governments use these grants. Finally, the bill directs the Department of Justice to complete a needs assessment all across Indian Country.

I thank you for being here because you care about the safety of Native American children living on reservations. According to data produced by the Federal Bureau of Investigation, there are more than 7,700 American Indian children listed as missing in the United States of America. I repeat there are more than 7,700

American Indian children are listed as missing in the United States of America.

Last year, the Navajo community was devastated by the abduction and murder of 11-year-old Ashlynnne Mike. In that high profile case, authorities did not issue an Amber Alert for Ashlynnne until the day after family members reported her abduction.

Part of the reason for the delayed alert is that complications arise when issuing alerts across the multiple jurisdictions that span the Navajo Reservation, including three States and 12 different counties. This is a problem for any Indian tribe with a large rural land base.

This grant program can help Indian tribes hire an in-house Amber Alert coordinator to develop, train and implement communication plans necessary to address child abduction emergencies.

I will be encouraging my colleagues to support this legislation. I want to emphasize, in keeping with Senate rules, this is not a hearing. This is a listening session and will not be listed as a hearing.

I am here to listen. The reason I think it is okay to have it as a listening session is because I think every day we wait to pass this legislation, there is another child whose life is in danger. I think there is some urgency to this issue.

Ms. Garry, you are the Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice. Mr. Walters, you are the Program Administrator of the National Criminal Justice Training Center of Royse City, Texas. Mr. Charles Clement is the Chief Executive Officer of the Southeast Alaska Regional Health Consortium Juneau, Alaska.

Ms. Garry, maybe we could begin with comments from you in this listening session.

**STATEMENT OF EILEEN M. GARRY, ACTING ADMINISTRATOR,
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY
PREVENTION, U.S. DEPARTMENT OF JUSTICE**

Ms. GARRY. Thank you, Senator McCain. It is an honor to be here this afternoon.

I appreciate this opportunity to discuss the Amber Alert Program and its value to our Nation's tribal communities.

As the Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention, I oversee a number of Federal initiatives designed to protect children and support tribal youth.

Before taking my current post in January, I spent 15 years as the Deputy Director of the Justice Department's Bureau of Justice Assistance. Much of my work there involved outreach to tribes through a host of criminal justice programs.

During my time at BJA, I helped lead a major effort called "The Coordinated Tribal Assistance Solicitation," which streamlined many of the department's grant programs to make them more accessible to tribal applicants. We have awarded more than \$727 million to tribes under the CTAS Initiative.

I also served as the Deputy Executive Director for the Indian Law and Order Commission. The Commission's role is to study criminal justice in Indian Country and to recommend improvements at the tribal, Federal and State levels.

We produced a landmark report with three major categories of recommendations: one, improving Federal accountability; two, expanding tribal authority; and three, strengthening the partnerships between tribal, Federal and State officials. I believe our work was a major contribution to tribal self determination and tribal safety.

I consider my work with American Indian and Alaska Native tribes to be among the most rewarding experiences of my entire career. I am proud to be a part of a Department of Justice that stands behind our tribal partners.

One of my highest priorities is making sure tribes have the resources they need to keep their children safe. An effective Amber Alert Program is key to that goal. Amber Alert has helped to recover hundreds of abducted children and return them safely to their families, but there is still much work to be done.

That is why my office, in coordination with our partners at the National Center for Missing and Exploited Children and Fox Valley Technical College, is working together to strengthen the Amber Alert Program as a whole and in Indian Country, in particular.

Since fiscal year 2013, we have invested more than \$7.2 million in training and technical assistance to help tribes, local jurisdictions and States expand their capacity to rescue abducted children. We expect to make more funding available this year for training and technical assistance.

As part of that program, we have a tribal database of training opportunities covering topics like child sex trafficking, working with tribal law enforcement, and managing child abduction response teams.

We have conducted a Tribal Child Protection Leadership Forum which brought together tribal public safety leaders and Federal, State and local partners to discuss the many challenges around protecting children in Indian Country.

We are planning a symposium next month in Bismarck, North Dakota to talk about the emerging threat of child sex trafficking and exploitation. We have invited tribal representatives to take part in a National Amber Alert Coordinator Symposium to be held in June.

We are taking these steps because we understand the life and death importance of a seamless Amber Alert Program. Our goal at the Department of Justice is an Amber Alert system that is as effective in Indian Country as it is in the busy metropolitan areas of our Nation.

I thank you for giving this issue the attention it deserves. I am grateful for your time and for your leadership. I appreciate all the support you continue to give to our tribal programs.

Thank you.

[The prepared statement of Ms. Garry follows:]

PREPARED STATEMENT OF EILEEN M. GARRY, ACTING ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U.S. DEPARTMENT OF JUSTICE

Chairman Hoeven, Vice Chairman Udall, and Members of the Committee, thank you for this opportunity to discuss AMBER Alert grants in Indian country. I am Eileen Garry, the Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) at the Department of Justice's Office of Justice Programs (OJP). I oversee state, local and tribal juvenile justice programs, and child protection activities. Prior to being named Acting OJJDP Administrator in January

2017, I served for 15 years as Deputy Director of the Department's Bureau of Justice Assistance (BJA) where I developed and administered grant programs, led tribal affairs and oversaw all planning, management, and budget activities of BJA, among other things. During my time at BJA, I helped lead the Coordinated Tribal Assistance Solicitation, which streamlined the application process for many of the Department's grant programs to make them more accessible to tribal applicants. We have awarded more than \$727 million to tribes under this initiative.

I also served as Deputy Executive Director for the Indian Law and Order Commission. My work with American Indian and Alaska Native tribes has been a rewarding experience, and I have been proud to be part of the Department's long-standing work supporting our tribal partners. Whether it is through law enforcement funding, supporting tribal victims of crime, addressing sexual assault or examining the effects of trauma on tribal youth, the Department is committed to responding to challenges facing those who live in Indian country.

Ensuring that the National AMBER Alert program is responsive to American Indian and Alaska Native children who are abducted goes hand in hand with the Justice Department's existing efforts in Indian country.

As the Committee knows, the AMBER Alert system became operational in 1996. It was the result of a collaboration between local police and broadcasters in the Dallas-Fort Worth, Texas, region to help find abducted children. "AMBER" is an abbreviation for "America's Missing: Broadcast Emergency Response," and was named in memory of a 9-year-old girl from Arlington, Texas, Amber Hagerman, who was kidnapped and brutally murdered. Although AMBER Alert programs were being implemented in some states, it was not until 2002, when President Bush appointed the first National AMBER Alert Coordinator, that the issue began receiving nationwide support. In 2003, President Bush signed into law the PROTECT Act, which strengthened law enforcement efforts to prevent, investigate and prosecute crimes against children. By 2005, all 50 states developed AMBER Alert plans.

Under existing statutes, including the PROTECT Act, the Department is authorized to provide grants to states, offer training and technical assistance to those developing or managing AMBER Alert programs and issue guidance to states and local jurisdictions to ensure that programs are effective, uniform and sustainable.

Since its inception in 2002, the AMBER Alert Training and Technical Assistance program has trained 95,448 law enforcement officers, child protection officials, and dispatchers. This OJJDP program functions in coordination with other missing and exploited children programs funded by the Department of Justice, as well as other federal agencies.

A critical role of the Department is to develop and disseminate recommended guidelines for states on how and when to issue AMBER Alerts. Specifically, the Amber Alert system works when the following 5 steps are engaged: (1) law enforcement confirms that an abduction has occurred, (2) the child is 17 years old or younger; (3) the child is at risk of serious injury or death as a result of the abduction, (4) descriptions of the child and captor are obtained; and (5) information about the abduction is entered immediately into the FBI's National Crime Information Center.

In order for this system to work at peak effectiveness, OJJDP has funded the National Center for Missing & Exploited Children (NCMEC) to operate the AMBER Alert Secondary Distribution system. The AMBER Alert Secondary Distribution system, known as AASD, is comprised of wireless carriers, Internet service providers, digital signage, social networking websites, content providers and major retailers who distribute AMBER Alerts to a geographically targeted audience in support of the AMBER Alert coordinator. These alerts assist in notifying the public about recently reported child abductions with information to help in the search for the abducted child, suspected abductor, and/or suspected vehicle. Tribes can take advantage of these NCMEC resources, which include sending and receiving AMBER Alerts. NCMEC automatically contacts the tribe or activating agency upon the report of an abduction.

In addition to providing grant support and guidance to states and local jurisdictions, we have achieved significant progress in locating missing children since the enactment of the PROTECT Act. This is due, in part, to technological advancements, particularly information sharing on social media platforms such as Facebook and Google traffic alerts, and to extensive nationwide coordination efforts with organizations like the National Center for Missing and Exploited Children, the Wireless Foundation and the Ad Council.

Since the fiscal year 2013, OJJDP has invested more than \$7.2 million in critical training and technical assistance to help states, local jurisdictions, and tribes expand their capacity to rescue abducted children. In order to continue these efforts, OJJDP issued a competitive solicitation for the National AMBER Alert Training and Technical Assistance Program for FY 2017. Tribal nonprofit and for-profit organiza-

tions, as well as tribal institutions of higher learning were eligible under this solicitation. The competitive solicitation was released on December 5, 2016, and closed on February 6, 2017, and thus the applications for this funding are still under review. OJP has not yet made final FY 2017 funding decisions.

While our AMBER Alert efforts cover all 50 states and even address child abductions that cross our borders with Canada and Mexico, we are keenly aware that American Indian tribes and Alaska Native villages face unique challenges. Some of these challenges include navigating tribal, federal, and state jurisdictions; limited 911 systems; and shortages of data management tools, dispatch systems and software needed for disseminating critical information in the aftermath of an abduction. As early as 2007, the Justice Department consulted with tribes on how to implement and improve the AMBER Alert program in their communities. That year, ten tribal sites were selected to pilot the Department's AMBER Alert in Indian Country Initiative. They served as demonstration sites to help expand the AMBER Alert program into Indian country and bridge the gap between tribal communities and state and regional programs across the country. The tribal communities selected to participate in the initiative were Pueblo of Acoma; Hopi Tribe of Arizona; Pueblo of Laguna; Zuni Tribe of the Zuni Reservation, New Mexico; The Choctaw Nation of Oklahoma; the Crow Tribe of Montana; the Eastern Band of Cherokee Indians; Gila River Indian Community of the Gila River Reservation, Arizona; Navajo Nation of Arizona, New Mexico and Utah; Northern Arapaho Tribe of the Wind River Reservation; Salt River Pima-Maricopa Indian Community of the Salt River Reservation; the Winnebago Tribe of Nebraska; and Confederated Tribes and Bands of the Yakama Nation. The initiative helped tribal communities develop and implement AMBER Alert plans and provided interoperability, infrastructure and equipment resources to meet the specific needs of tribal communities.

In September 2015, the AMBER Alert Training and Technical Assistance Program launched a tribal database that serves as a resource for tribal law enforcement, child protective services professionals and members of local communities. Training available through the tribal database covers topics such as working with tribal law enforcement, child sex trafficking, interviewing high-risk juveniles and child abduction response teams. This resource is available to all tribes, and although it is currently in the outreach and education phase, it has the potential to be used as a central depository for tribal community child protection program assessments that would help make tribes aware of the benefits and resources available.

Another vital resource we have made available is the Tribal Child Protection Leadership Forum. This event, conducted last year in Scottsdale, Arizona, enabled tribal public safety leaders to come together with OJJDP leadership and state, local and federal partners to discuss available resources and best practices to address the many challenges around protecting children in Indian Country. We are also planning the Tribal Child Protection Symposium, which is open to tribes in the region. We expect tribes from North Dakota, South Dakota, Montana, Wyoming and Minnesota to participate. This event, scheduled for June in Bismarck, North Dakota, will focus on the emerging threat of child sex trafficking and exploitation among tribal communities in the Dakotas and Montana. Federal, state, local and tribal partners will collaborate on developing community programs to prevent and eliminate the trafficking and exploitation of tribal youth. In addition, representatives from tribes who have implemented AMBER Alert plans in their communities will take part in the OJJDP-sponsored 2017 National AMBER Alert Coordinators Symposium, to be held this June in Minnesota. This event will provide an opportunity for tribal coordinators to collaborate directly with their state and regional AMBER Alert peers and to exchange information on emerging technology and best practices.

Notwithstanding the progress and numerous success stories that have resulted from the AMBER Alert program, there are opportunities for improvement in tribal communities. For example, tribal leaders and the Justice Department have explored creating an emergency alert system, as well as improving the efficiency of the current system.

In its two decades of existence, AMBER Alert has been instrumental in safely recovering hundreds of abducted children, and it is important to continue our collective work to strengthen this vital public safety tool, especially in remote and often under-resourced areas of Indian country. For example, since 2005, 50 Native American children featured in AMBER Alerts have been recovered.

Thank you for your leadership and your continued support of our tribal programs and partnerships. I appreciate this opportunity to testify on behalf of the Justice Department, and I look forward to answering your questions.

Senator McCAIN. Thank you.

Mr. Walters.

**STATEMENT OF JIM WALTERS, PROGRAM ADMINISTRATOR,
NATIONAL CRIMINAL JUSTICE TRAINING CENTER**

Mr. WALTERS. Good afternoon, Senator McCain.

In my role with the National Criminal Justice Training Center, I am the Program Administrator responsible for manning NCJTC's Amber Alert Training and Technical Assistance Program out of the Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

I wanted to thank you as well for this opportunity to come today to discuss the issue of making tribal communities eligible to apply for Amber Alert grants.

This topic is important to me because I have worked and lived in tribal communities for over 30 years. My primary focus has been on investigations, primarily in the area of child abductions. This topic is important across Indian Country.

You referenced the case of Ashlynnne Mike. A little over a year ago on May 2, 2016, 11-year-old Ashlynnne Mike and her younger brother were abducted near Shiprock, New Mexico on the Navajo Nation.

Ashlynnne's younger brother was able to escape from their abductor. He ran through the desert to seek help. He later returned to assist in the search for his sister but tragically, she was murdered by her abductor before help could arrive or she could be saved.

This Committee's focus on this issue is timely, it is relevant and it is terribly important. Ashlynnne's case demonstrates the need for Amber Alert programs to be statutorily connected not just to the States, but also to the tribes to give them equal footing.

History has taught that when a child is abducted, time is the enemy. In those child abduction cases where homicide is the outcome, in approximately 76 percent of those cases, the child is murdered within the first three hours after the abduction.

The abductor will generally take the child from the place they were last seen, move that child to another location to both avoid detection and allow them to have the opportunity to carry out whatever motivation or fantasy it was that drove them to take that child.

This is when the child is at greatest risk. The abductor may release the child on their own or they may just as likely kill the child to prevent apprehension or to prevent detection. It is crucial, therefore, that officials be able to immediately assess the circumstances surrounding that abduction, deploy the resources necessary and alert the public so the public can be involved in the process of helping to find that child and locating them before harm comes to the child.

Amber Alert is the tool that supports this process. It improves the chances of safely recovering the abducted child. To date, Amber Alerts have resulted in the safe recovery of 868 children in our Nation.

The Amber Alert plans that were created by the PROTECT ACT of 2003 created a nationwide system that enabled law enforcement agencies across the Country to alert the public when a child was abducted.

The PROTECT ACT did not fully consider the need for Amber Alert plans on tribal lands. Noticeably absent was any statutory mention of tribal participation.

In 2007, the Amber Alert in Indian Country Pilot Project was launched within the Department of Justice to develop capabilities and capacity within tribal communities to respond to abducted, endangered, missing and exploited children.

The pilot sites in that initial program underwent assessments of their capabilities that showed us that most tribes did not have the adequate infrastructure to create Amber Alert systems on their own.

The project also involved delivering training and technical assistance to tribal communities to improve the capabilities of tribal officers who, in most cases, do not have the access to specialized training in that area.

A key concept of this training is to recognize the cultural aspects of tribal communities and engage the community in efforts to recover the missing child. I was a part of that program and the pilot program was highly successful.

The participating tribes demonstrated that if access to the State Amber plans, the right tools, technology and training, they could provide the same level of service to their communities as their State and local counterparts.

An important concept of this legislation is that it provides Congress with an assessment of the capabilities and status of Amber Alert programs serving tribal communities. The results would also be used to guide training and technical assistance for tribal communities to help develop and sustain Amber Alert programs that remain in place through changes in Administration.

I would stress that the needs and challenges among tribes vary. Just like the States, there is no one size fits all solution. I applaud this Committee for considering a strong piece of legislation. There is no substitute for making sure that the statute specifically recognizes tribal needs and works within a framework that understands the unique challenges facing Indian tribes.

As a practitioner who has worked in Indian Country and an investigator who has conducted child abduction investigations, I am acutely aware of the need for tribes to have the ability to implement Amber Alert in their communities.

I was at Shiprock just days after the abduction of Ashlynnne Mike. I got to know her family and members of the Navajo community who were affected by this tragedy. I spoke with Ashlynnne's mother, Pamela, before coming to this meeting.

The message she sent to the Committee was to express her desire that Ashlynnne's legacy and what comes out of this would be a law that would bring Amber Alert to the tribes and hopefully help prevent other Native families from suffering the tragedy her family has suffered.

I thank you for your time.

[The prepared statement of Mr. Walters follows:]

PREPARED STATEMENT OF JIM WALTERS, PROGRAM ADMINISTRATOR, NATIONAL
CRIMINAL JUSTICE TRAINING CENTER

Good afternoon, Chairman Hoeven, Vice Chairman Udall, and members of the Committee. My name is Jim Walters, and I am a Program Administrator with Fox Valley Technical College's National Criminal Justice Training Center (NCJTC). I am responsible for managing NCJTC's work for the US Department of Justice's (DOJ) AMBER Alert Training and Technical Assistance Program which is funded by DOJ's office of Juvenile Justice and Delinquency prevention (OJJDP).

Thank you for this opportunity to meet with you today to discuss the issue of making tribal communities eligible for applying for grants to implement AMBER Alert plans. This topic is important to me because I have worked in law enforcement and with tribal communities for three decades, with a focus on investigations—particularly in child abductions.

Just over a year ago, on May 2nd, 2016, eleven-year-old Ashlynnne Mike and her younger brother were abducted near their home in Shiprock, New Mexico, on the Navajo Reservation. Ashlynnne's nine year old brother was able to escape their abductor and run through the desert to seek help and then assisted in the search for his sister. Tragically, Ashlynnne was brutally murdered by their abductor before help could arrive.

The Committee's focus on this issue is timely, relevant, and terribly important. Ashlynnne's case demonstrates the need for the AMBER program to be statutorily connected not just to the states but to the tribes.

History has taught us that when a child is abducted time is the enemy. Research has shown that in cases where homicide is the outcome, approximately 76 percent of those victims are killed within three hours of the abduction. We also know that there is generally a sequence of events that follows an abduction. The abductor will take the child away from the initial contact site to another location both to avoid detection and to allow for the opportunity to carry out whatever fantasy or motivation that compelled them to take the child.

It is during this time that the child is at greatest risk. The abductor may release the child on their own or they may just as easily kill the child to avoid apprehension. These dynamics make it crucial that officials immediately assess the circumstances of the abduction, deploy resources, and alert the public to increase the probability of safely locating the child before the abductor can harm them.

The AMBER Alert is the tool that supports this process and improves the chances of safely recovering the abducted child. AMBER Alerts have resulted in the safe recovery of 868 children. It exists in all 50 states because Congress took the steps to support state efforts to refine, standardize, and support this work.

The PROTECT Act, signed into law on April 30, 2003, comprehensively strengthened law enforcement's ability to prevent, investigate, prosecute, and punish violent crimes committed against children. The Act codified the previously-established National AMBER Alert Coordinator role in the U.S. Department of Justice and led to the development of a national AMBER Alert strategy. The responsibility for this program has been assigned to the Assistant Attorney General for the Office of Justice Programs.

The AMBER Alert plans created through the PROTECT Act created a nationwide system that enabled law enforcement agencies across the country to alert the public when a child was abducted.

What the PROTECT Act did not fully consider was the need for AMBER Alert plans on tribal lands. The AMBER Alert program statutory language is relatively straightforward. It reads "*Program Required.—The Attorney General shall carry out a program to provide grants to States for the development or enhancement of programs and activities for the support of AMBER Alert communications plans.*" Noticeably absent is any statutory mention of tribal participation.

In 2007, the AMBER in Indian Country pilot project was launched within the Department of Justice (grant number 2007-DD-BX-K074), providing an unprecedented opportunity to develop capabilities and capacity within tribal communities to respond to abducted, endangered missing and exploited children.

The goal of the pilot project was to support the recovery of missing and abducted children by providing interoperability, infrastructure, and resources to meet the specific needs of tribal communities. Pilot tribes underwent in-depth assessments of their infrastructure and capability to respond to endangered missing and abducted children. The assessments found that most tribes did not have adequate call intake and case management systems; and many faced infrastructure limitations which made it impossible to create their own plan or partner with the State AMBER Alert plan.

This pilot project also involved delivering training and technical assistance in tribal communities to improve the capabilities of tribal officers. This was important because the skills of investigators, supervisors and first responders in regard to endangered, missing, abducted and/or exploited children are perishable skills.

In most cases, tribal officers do not have access to specialized training in this area outside what is provided by the Amber Alert Technical and Training Program (AATTP) and the National Center for Missing and Exploited Children (NCMEC).

A key concept of this training is to recognize the cultural aspects of tribal communities, and to engage the community in the efforts to recover the missing child. We partnered with First Pic Inc. out of Gambrills, MD to provide cultural experts to assist in this area.

The pilot program was highly successful. The participating tribes demonstrated that with access to their State AMBER Alert plans, the right tools, technology and training they could provide the same level of service to their communities as their state and local counterparts.

Senate bill 772 would provide tribes the opportunity to undergo an assessment of their capabilities and identify gaps in service delivery so that they could develop plans that fit the needs of their specific tribe and give them the tools needed to bring AMBER Alert to their community. It would provide Congress with an assessment of those capabilities and the status of AMBER Alert programs serving tribal communities across the country. The results would also be used to guide training and facilitate technical assistance activities for tribal communities to help develop and sustain AMBER Alert programs that would remain in place through changes in tribal administrations.

I would stress that needs and challenges among the tribes vary. Just like the States, there is no "one size fits all solution".

I would encourage you to work with the Department of Justice to ensure that there is an appropriate focus on this initial assessment of tribal needs. States have had an opportunity to participate in the federal-state AMBER Alert partnership for more than a decade. The tribal experience has been much more limited.

I applaud the Committee for considering this strong piece of legislation. There is no substitute for making sure that the statute specifically recognizes the tribal needs and works within a framework that understands the unique challenges facing Indian tribes.

As a practitioner who has worked in Indian Country for over 30 years and an investigator who has conducted child abduction investigations, I am acutely aware of the need for tribes to have the ability to implement AMBER Alert in their communities.

Senators, I was at Shiprock in New Mexico just days after the abduction and murder of Ashlynnne Mike. I have gotten to know her family and other members of the Navajo community who were impacted by this tragedy.

I spoke to her mother Pamela before this meeting. The message that she gave to me for you was to express her hope that Ashlynnne's legacy would be the establishment of a law to bring AMBER Alert to tribes and prevent other Native families from experiencing the terrible pain that comes with the loss of a child.

Thank you for the opportunity to testify on this vitally important issue. I would be pleased to answer any questions that you may have and provide any additional information that may assist the Committee.

Senator MCCAIN. Thank you very much.

Mr. Clement, welcome.

Mr. CLEMENT. Senator, thank you very much for the opportunity to share a little bit with you this afternoon. If it pleases the Committee, I will be speaking regarding Senate Bill 825. I do not know if Ms. Crotty would like to speak to the Amber Alert bill prior to that.

Senator MCCAIN. Yes. Ms. Crotty, welcome. This is not a hearing. It is a listening session. Mr. Clement, I think we will hold yours if that is okay. I love Alaska, but I think it would be important for other members of the Committee to hear your views on that legislation as well.

Welcome, Ms. Crotty.

**STATEMENT OF HON. AMBER KANAZBAH CROTTY, DELEGATE,
23RD NAVAJO NATION COUNCIL**

Ms. CROTTY. Yá'át'ééh (Hello)

I am Amber Kanazbah Crotty with the Navajo Nation Council.

I want to thank Senator McCain for inviting the Navajo Nation to testify on this very important matter and to voice our support for your bill, S. 772, the Amber Alert in Indian Country. We believe it is paramount and time that Indian Country is eligible for this Federal funding that not only would provide training but sustain Amber Alert in Indian Country.

I would like to extend our greatest gratitude to the Committee as other members join us. Senator McCain, I want to make sure that you are especially appreciated for sponsoring this bill.

When we talk about Ashlynn, clanwise, Ashlynn is considered our daughter. Pamela and Gary have been very generous in continuing family and kinship relations so not only do we talk about what happened to Ashlynn and how our hearts were broken after she was abducted and taken, but we remember her light, we remember her smile, her giggles and in her quiet way, how she provided the beautiful harmony of her xylophone.

Senator, it is very hard to be able to talk about Ashlynn and not think about what were her final moments in life and then look at leadership and say how can we help as leaders. I deeply and at the core values of my being appreciate the Senate Bill 772.

When Ashlynn was taken and abducted and little Ian was found, he tried his best to describe what had happened to them. In all that confusion and chaos, we are concerned that Navajo Nation at the time simply did not have the right communication plan and the right protocol to issue the Amber Alert.

Currently the Nation is finalizing a solid communication plan working with our partners, our Federal partners, our State partners and forcing the Navajo Nation to not only finalize but to coordinate all of our resources.

What has come to our attention and continues to provide deep concern to myself is at this time, Navajo Nation continues to rely on the State entities to issue the Amber Alert. For example, recently in the State of Arizona on the Arizona side of our Nation, a child was taken.

The abduction met the protocol of the Amber Alert but when our dispatcher called the New Mexico State side, however New Mexico State analyzes what this case would be, it was not considered an Amber Alert and was just considered a person who was endangered.

At this point, Senator, those are some of the issues we have when Navajo Nation has to rely on other States to determine the status of our children. As a Nation and a community, we ultimately want to have the responsibility that if any child abducted, we understand that every minute counts and the more time that passes, it can be very difficult to recover that child.

As we move forward to establish the Amber Alert system and creating this communication plan, we are looking at the software that can be uniquely used on Navajo. Not only are we within three States of Arizona, New Mexico and Utah, but we also have to coordinate with 11 different counties.

I do want to mention there is also a very serious need in terms of not only fully implementing an Amber Alert system on the Navajo Nation but once that alert is activated, then an issue on Navajo Nation is the necessary infrastructure.

The Navajo Nation spans over 27,000 square miles which is roughly the size of West Virginia. It has vast differences between cellular towers which results in numerous areas of dark zones.

Senator, you will be provided additional information where in our estimates, nearly 40 percent of the Navajo Nation has some type of either dark communication or lack of cellular service. If we have this non-existent cellular service coverage, how can we alert our people of a child abduction if we are not reaching all of our Navajo Nation citizens.

This is an issue that we and many other tribes are still addressing in this mode era. As a Nation that functions within our government, it is in the best interest that our people implement and manage its own Amber Alert system.

I can say as a mother and a community member, when we receive the call through the school system notifying parents to pick up their children, that type of fear that resonated through the community really put pressure on not only leadership but to make sure we have the infrastructure we need, that we have the alert system in place and are taking every step possible to protect and recover our children.

I appreciate, Senator, your vision in initiating this discussion, not only with the Navajo Nation but recognizing that every child's life is of value, that every child deserves the right to be rescued, that every child deserves the right for their community to be able to look for them, to get them home safe and this will prevent future possible abductions.

The vast majority of Indian Country is rural. We understand the barriers and concerns that come with ensuring protections for our children. We want to voice our support for this bill and hope that you can ensure this legislation is passed in a bipartisan manner.

We appreciate, Senator McCain, your leadership, your outstanding partnership and the work of Cindy McCain. I appreciate the work in terms of human trafficking because the topic right now is Amber Alert. We have a vast number of children who are missing from the Navajo Nation and we are concerned about their whereabouts.

We appreciate the time. Thank you, Senator.

[The prepared statement of Ms. Crotty follows:]

PREPARED STATEMENT OF HON. AMBER KANAZBAH CROTTY, DELEGATE, 23RD NAVAJO NATION COUNCIL

Yá'át'ééh (Hello) Chairman Hoeven and Vice Chairman Udall, Senator McCain, members of the committee, and staff. I am Council Delegate Amber Kanazbah Crotty and I serve as a member of the 23rd Navajo Nation Council. I am here on behalf of the Navajo Nation to respectfully voice our support for Senator John McCain's bill, S. 772, the AMBER Alert in Indian Country Act. We would like to extend our sincerest gratitude to the Senate Committee on Indian Affairs and Senator McCain for sponsoring this bill and allowing me to provide testimony on an important issue that affects our Native American children in order to increase protections for them.

The Navajo Nation has several public safety needs that are critical to maintaining and improving safety protocols, and none more important than the vital need to im-

plement a comprehensive AMBER Alert system. In May 2016, we lost an 11-year-old Navajo girl by the name of Ashlynn Mike near the area of Shiprock, N.M., due to an abduction that ultimately ended in a fatal tragedy. The events that led to her demise not only devastated our Nation, but also led to an outcry by our Navajo people pleading with our leaders to implement our own AMBER Alert system.

Currently, our communication plan protocol forces the Navajo Nation to rely on state entities to issue AMBER Alerts on our behalf, which has proved to be a lengthy and dangerous process. When a child is abducted, every minute counts and the more time that passes, the more difficult it can be to recover the child. As the Navajo Nation moves forward in establishing an AMBER Alert system, we are in the process of creating a communication plan unique to our Nation's needs, which includes obtaining software that will allow us to send out mass communication to our local areas within Arizona, New Mexico, and Utah.

FEMA recently provided the Navajo Nation access to their Integrated Public Alert and Warning System (IPAWS), which would allow the Navajo Nation to issue and manage various emergency alerts, as well as AMBER Alerts. Once the nation obtains the mass communication software to issue alerts, we will still need additional resources to maintain the communication plan and train public safety and emergency management personnel.

However, once the Navajo Nation has everything in place to issue any sort of emergency alert system, we still lack the necessary infrastructure to reach our Navajo citizens. The Navajo Nation spans over 27,000 square-miles of land, with vast distances between cellular towers and few Internet fiber optic lines, which has resulted in numerous areas of "dark zones," or non-existent cellular service coverage. How can we alert our people of a child abduction if we are not reaching all of our Navajo citizens? This is an issue that we and many other tribes are still addressing.

As a Nation that functions with our own government, it is in the best interest of our people that the Navajo Nation implement and manage its own AMBER Alert system. Although we appreciate the assistance of the states for their efforts in aiding with AMBER Alerts, we realize that we must be accountable and responsible to our people, and it starts with taking every step possible to protect and recover our children when they are taken.

Bill S. 772 would provide the opportunity to not only the Navajo Nation, but to other tribal nations in critical need of an AMBER Alert system and an effective communication protocol plan. I appreciate the Senate Committee on Indian Affairs and Senator McCain for initiating this discussion with tribal nations, and it is important that we keep this dialogue open in order to convey our needs to the Federal Government. The vast majority of Indian country is rural, and we understand the barriers and concerns that come with ensuring protections for our children, so we want to voice our support for this bill and hope you can ensure this legislation is passed.

S. 772 would allow for grants that the Navajo Nation would greatly need to capitalize on its current emergency plan development by focusing on training and capacity building around the AMBER Alert activation communication protocol. These grants would assist in increasing the administrative capacity of the Navajo Nation Emergency Management Department and the Navajo Nation Division of Public Safety in enhancing their AMBER Alert activation protocol. A minute can be the difference between life and death; especially when a child is involved.

The potential waiver of the federal share can be the foundation for increased opportunity for the Navajo Nation and tribes to create collaborative relationships with states on a government-to-government basis in issuing AMBER Alerts. The resources to create these much needed collaborative partnerships with the surrounding states and cities is essential in increasing the capacity of tribes to create, control and issue their own AMBER Alert warning. Additionally, these grants provide tribes the opportunity, and all involved in the activation of the AMBER Alert, to be accountable to not only the Federal Government, but to the Navajo people, as well. We look forward to continuing and strengthening this relationship of accountability between this esteemed body, the Department of Justice and its various agencies, the various states, and the Navajo Nation.

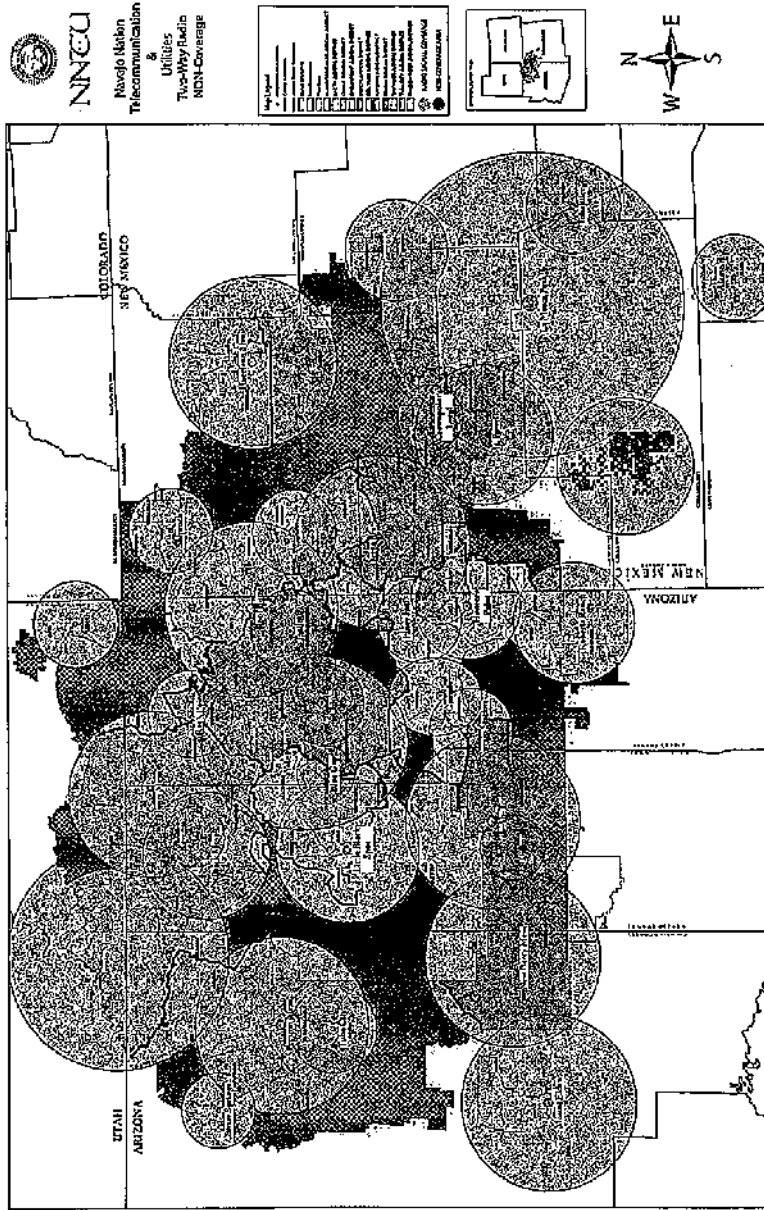
I appreciate Sen. McCain for his leadership with this bill and thank the Senate Indian Affairs Committee the opportunity to provide testimony. Ahéhee' (thank you)!

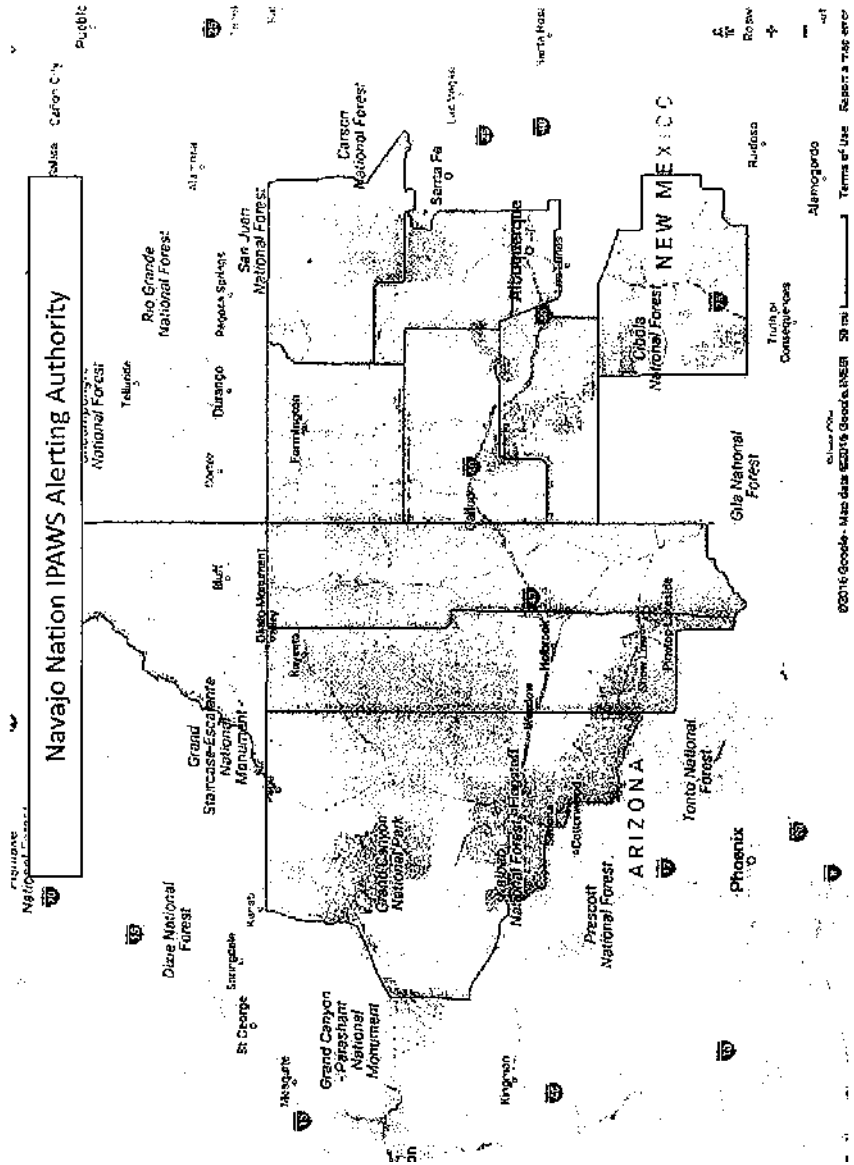
Attachments

Current Process

Step by step:

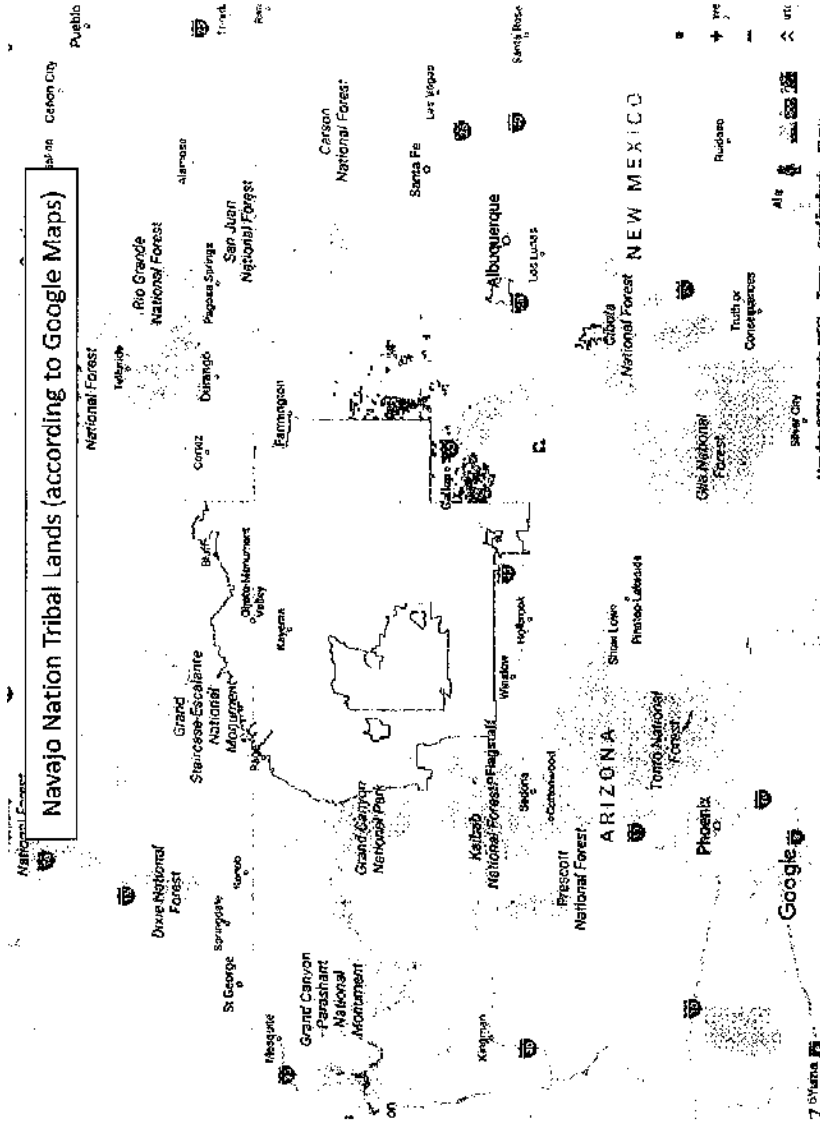
1. Call received from reporting party to police dept.
 - a. Dispatcher takes information
2. Police Officer is dispatched to location
 - a. Information is gathered regarding the incident (Victim, Suspect, Vehicle Description, Photo's)
 - b. Initial report begins
 - c. Review/apply AMBER Alert Criteria
 - Department of Justice Recommended Criteria
 - i. There is reasonable belief by law enforcement that an abduction has occurred.
 - ii. The law enforcement agency believes that the child is in imminent danger of serious bodily injury or death.
 - iii. There is enough descriptive information about the victim and the abduction for law enforcement to issue an AMBER Alert to assist in the recovery of the child.
 - iv. The abduction is of a child aged 17 years or younger.
 - v. The child's name and other critical data elements, including the Child Abduction flag, have been entered into the National Crime Information Center (NCIC) system.
 - d. Police Officer relays information to dispatch to be entered into NCIC.
 - e. Notification to supervisor (Sgt., Lt., Capt.)
3. Contact AMBER Alert Coordinator
 - a. Navajo Nation
 - i. Contact AZ State Coordinator (Duty Officer)
 - ii. Contact NM State Coordinator (Public Info Officer & Clearing House Officer) (Endangered Person)
 - iii. Contact UT State Coordinator (Coordinator)
4. AMBER Alert is Issued
 - a. Investigating district receives calls (tips/information)
 - b. Tips/information is dispatched to officers
5. Child/Suspect is located
 - a. Officer confirms located child/suspect
 - b. AMBER Alert is Cancelled
 - i. Notification is sent to AZ/NM/UT Coordinators cancelling alert.
6. After Action
 - a. Incident de-briefing
 - b. Release of on-scene personnel
 - c. Incident report completed





©2016 Gooddata - Map data ©2016 Gooddata, INSEER 50 mi

Terms of Use Report a map error



Senator MCCAIN. Thank you.

Ms. Garry, you mentioned child sex trafficking. In your experience, on Native American reservations, is this an issue that is a growing problem or is it stable or is it being reduced?

Ms. GARRY. Senator McCain, thank you for the question.

I do not have information on the data and the numbers.

Senator MCCAIN. What is your impression since you are involved in this?

Ms. GARRY. I think as there is an increased awareness and increased training on the part of State and local law enforcement, it is being recognized more. If I had to gather a guess, I would likely say the number has been increased as a likelihood of increased reporting and general awareness about the issue.

Senator MCCAIN. One of the aspects of this whole issue is the social networking which makes it so much easier to engage in these activities. I noticed you nodding your head, Mr. Walters.

Mr. WALTERS. Yes, Senator. I think you speak to a very important aspect of the issue related to Indian Country. One of the things we have seen, both as it relates to some of the economies that have been boosted by petroleum and so forth in the Dakotans, the Balkans and others, we saw an increase of trafficking, especially of Native children in that time frame.

Also, the spread of social networking and access to technology, we have seen a clear correlation between tribal communities that 15 years ago had no Internet and no access to technology, and today they have cell phones and access.

As you are aware, the use of technology to traffic and exploit children is significant. Our experience has been in cities like Phoenix, Albuquerque and other hub cities in Indian Country, if you go into some of the platforms used to advertise for trafficking, you can quite easily search and find Native Americans listed on there because there is a market where traffickers can make money, they will do it and will use Native children as a means of making that money.

Senator MCCAIN. Did you want to say something else?

Ms. GARRY. Excuse me, Senator McCain. I was just going to add that as the perpetrators and the offenders have begun to use technology to their advantage, State, local and tribal law enforcement have taken advantage of the increases in technology.

With the Amber Alert Program, the National Center for Missing and Exploited Children does a wonderful Amber Alert secondary distribution system where they take advantage of the various social media that Mr. Walters was discussing, as well as partnerships with businesses, retailers in the area, wireless carriers, portable digital signs that we too are learning and trying to advantage of technology to combat not only the child sex trafficking issue but the issue of missing and abducted children.

Senator MCCAIN. I appreciate those comments but everything I am hearing, not just on Native American reservations, is that the bad guys are using this technology to great advantage as Mr. Walters said. It is a growing issue.

Did you want to comment on that, Ms Crotty?

Ms. CROTTY. Thank you, Senator.

In some recent reports from our partners at the USDOJ office, there have been at least two confirmations of Navajo young women being found in a sex camp in the Balkans.

Senator MCCAIN. From where?

Ms. CROTTY. In the Balkans, North Dakota. When we were given the key study on how they ended up there, they were certainly trafficked up to the area. When the perpetrators identified them, they specifically were looking for Navajo young women so that they can

market them as either Navajo, Native American, Asian, and Hispanic.

We are seeing from the conversations that our young children are being targeted. They are using social media and there are pretty sophisticated rings that are either in our border towns. There are some reports that there may be possible connections right in our communities on Navajo Nation.

Senator MCCAIN. Thank you.

Ms. Crotty, an article in the Navajo Times claims that Navajo received a \$330,000 grant in 2007. Half the money was unused. I want to make sure that if we get additional funding, that money is well accounted for and it is spent wisely. Will you make sure that happens? I can rely on you? I will hold you responsible. You will go to jail.

Ms. CROTTY. I appreciate that, Senator. I am the person to get that done, so I appreciate that.

I want to make sure that you, your staff and the individuals in the room know that more than half of that money was used for search and rescue. The other portion was returned. Current leadership, we are not overseeing that money.

From that, we have learned with this comprehensive approach. We have already identified how using money, using Navajo Nation revenue, partnering and making sure access to Federal funding will sustain the programs. We can guarantee that. I appreciate that, Senator.

Senator MCCAIN. Thank you. I will rely on you.

Mr. Clement, just out of curiosity, you came from Juneau, Alaska, is that correct?

Mr. CLEMENT. Yes, Senator. I came from Juneau last night.

Senator MCCAIN. How long were you planning on staying?

Mr. CLEMENT. I am leaving at 7:00 p.m.

Senator MCCAIN. On behalf of many of us, I want to apologize for the inconvenience that you were subjected to. I hope we can have you back. I apologize but the fact is that because of disputes among us here in the U.S. Senate, you have been deprived of your ability to be heard on what I know is a very important issue to you and the citizens of Alaska.

Mr. CLEMENT. I completely understand.

Senator MCCAIN. Thank you for coming. We will welcome you back. Maybe when it gets a lot colder would be more appropriate.

This is a listening session, as I continue to repeat, and I thank the witnesses.

Senator Udall has arrived fashionably late.

Senator UDALL. Fashionably late. It is Washington, right, Senator McCain?

Senator MCCAIN. I want to thank my dear friend for coming. We were having a listening session, I want to emphasize. We were discussing this whole issue of Amber Alert. I know the Senator from New Mexico especially has been very, very interested and committed.

Again, this is a listening session, not a hearing. I wonder if you and our other Senator would like to go ahead. The witnesses have testified and I have given an opening statement, so I would like to turn it over to you, Senator Udall.

**STATEMENT OF HON. TOM UDALL,
U.S. SENATOR FROM NEW MEXICO**

Senator UDALL. Senator McCain, I appreciate so much your kicking this off and getting it going. I do not know whether you all know but Senator McCain, today we had a vote on the floor on a methane waste rule which Amber, you know the Four Corners area is under the biggest methane cloud in the world. You can see it from a satellite.

He understands the whole issue of methane waste. He really helped us on that and was very courageous.

It is a bit off topic here but some of these witnesses are living under that cloud. I know they would appreciate that you were taking care of that natural gas waste issue. I really appreciate; your help on that.

Senator MCCAIN. I was not elected Mr. Congeniality again by my Republican colleagues. Thank you.

Senator UDALL. You always have a great sense of humor. As Senator McCain leaves, he came into the House and Mo Udall, I think, was the chairman at the time of the Indian Affairs Committee. It was the Interior Department Committee but Indian Affairs was a part of it.

These two partnered up, Mo Udall and John McCain, many, many years ago. We do not even want to talk about how many.

Senator MCCAIN. It was during the during the Coolidge Administration.

Senator UDALL. Nobody here even knows who Coolidge is.

Senator MCCAIN. The finest man I ever knew in the United States Senate was Morris K. Udall. I might mention that Senator Udall's father, Stewart Udall, served the longest period of time as Secretary of the Interior of anyone in history. He certainly shares the Udall family's commitment to Native Americans as a worthy successor. I thank you, Senator.

Senator UDALL. Thank you for being here.

Thank you to everyone. As the Senator said, Senator McCain has been on this Committee a lot longer than I have.

This is a listening session. We know that all of you have traveled long distances, some from Alaska and some from New Mexico. It is unfortunate that we hit a situation where we have this thing going on with the FBI and the President and all of that and we had some scheduling problems. I apologize to you. It is very unfortunate.

Also, there is some media here that is filming New Mexico's representatives, Congressmen and Senators, going around. I just wanted all of you to know that.

I wanted, first of all, to ask about the Amber Alert that Senator McCain has been very much involved in. We had Ashlynn Mike and her little brother who were abducted. It was a horrible situation.

Looking at this legislation, it pulls at your heart to hear this situation. Amber, I know and many of the others on the panel have the deep and strong feelings as to what happened.

How do we get to the point that we can make sure something like that does not happen again? Do you think this bill does it? What are the other issues that are not covered by the bill? I am

going to ask that one question and then I am going to go to the Senator from Nevada, Catherine Cortez Masto and have her start participating in this also.

Mr. WALTERS. Senator Udall and Senator Masto, thank you.

Having worked in the Amber Alert area and specifically in the Amber Alert in Indian Country since its inception. I think we have seen where there are two primary areas of focus that we need to address in order to bring tribes up so they can provide the same level of service to their children as those of us do not live on tribal lands.

Resources and policy are what it boils down to, giving the tribes the resources they need to be able to quickly identify, assess and activate the Amber Alert systems. Time is absolutely a critical factor in all of this, as Ashlynn's case proved and the resources needed to develop that plan so they can implement and get the public involved in finding that child as quickly as possible.

The policy that goes in place is part of the training and so forth to make sure these programs are sustainable. We want to see a program that five, ten or fifteen years from now is still working in tribal communities so we do not put the work into it and then lose that traction.

By doing both of those, we feel strongly the pilot project proved the tribes are quite capable of doing this.

Senator UDALL. Do any other members of the panel want to speak to that?

Ms. GARRY. Thank you, Senator Udall.

I want to echo the comments that my colleague, Jim Walters, made. Sustainability of these programs is critical. Given the turnover rate of staff in the field and on tribal reservations with tribal law enforcement, none of the officers at Navajo Nation are there. The officers who were there in 2007 and 2008 when the pilot project started are no longer there.

Lesson learned, unless policies are developed, protocols are written down, unless a child abduction response team is put in place, when that tribal law enforcement officer leaves that knowledge leaves with him.

I think Jim rightly stated that sustainability of these programs is critical. We would like to help the tribes develop plans so that they can not only active or initiate an Amber Alert but that they have the resources, the knowledge, the skills, the infrastructure, the training and the technology to intake a case, to manage that case through trial, if necessary, through prosecution, through return, through recovery and reunification.

Senator UDALL. Yes. Council delegate?

Ms. CROTTY. Thank you, Senator Udall and Senator Masto.

I want to make sure you both recognize that you are part of the healing process for our Nation in the loss of baby girl because I know the focus here is on her and what happened. In the way we need to heal, our people need to know that we are in charge and have the ability to protect our children.

When any individual tries to pluck one of our children from our community, they need to know we are able, are armed and have the ability to through the quickest and fastest means to get that

child back. I think as parents, as human beings, that is really the dream of all of us.

I want to thank the Senators for being here. Even though we are at a listening session, it is very powerful to be able to say these words to you and convey how important it is for Navajo Nation to have access to sustainable funding that will not only enhance current services but allows the ability to dream and be able to put those dreams forward that we are able to protect our children and our community members rest assured that we will take quick action.

I agree with Mr. Walters and Ms. Garry in terms of policy and financing but we did discuss earlier our challenges with infrastructure. Senators, at this point, we estimate nearly around half of our Nation is not covered by some type of cellular service or communication.

Your offices will be provided a map that I can show you here. This red area is the area that has non-coverage. That is a huge issue we have in this modern era. We may think it inconvenient not to have cell service and make that text but when you are not able to provide that text, you are not getting the emergency text messaging that is required and needed.

At this point, there are communities that struggle with these local communication plans and rely on either social media networks or individuals going out.

Senators, I appreciate your time. I think this is a heavy, heavy issue that weighs on the hearts of all of us. As a Navajo Nation Council delegate, I am the Chairwoman of our Sexual Assault Prevention Subcommittee.

Not only do we have stories like Ashlyne but there are other stories, maybe hundreds to thousands of Navajo victims of violence that have not been told. At this point, it is our children who are being targeted for different forms of violence.

We spoke earlier about human trafficking of which we now have evidence on Navajo Nation. We must continue to advocate, make sure and reassure our people that we will have adequate public safety for them, including communication.

I appreciate the opportunity.

Senator UDALL. Thank you very much. I know culturally, it is very difficult to talk about these situations. We really appreciate your being here.

Also, I know the Navajo Nation offices represented by their able Jackson Brossy, sitting right behind you and others also. Please give my best to President Begay. I welcomed him today on the floor on the methane debate where he put in his letter. Thank you.

The Senator from Nevada, Ms. Masto.

**STATEMENT OF HON. CATHERINE CORTEZ MASTO,
U.S. SENATOR FROM NEVADA**

Senator CORTEZ MASTO. Thank you, Ranking Member Udall.

Thank you for this conversation. I represent Nevada. Looking at the map you have here that covers Arizona, Utah and New Mexico, some parts of Colorado and similar to these States, we are geographically challenged when it comes to resources and services be-

cause we have a lot of rural communities and few urban areas. Most of our Indian Country and tribes are in rural communities.

The challenge we have is making sure they have access to the Internet. One of the things we are pushing, rightfully so, is to bring in broadband to all areas of the State because I think that is important to address how we communicate and share Amber Alerts and when there are times of emergencies happening.

I was the Attorney General of Nevada for eight years. The National Clearinghouse for Missing and Exploited Children was in my office. We focused on doing everything we could to find missing children and then focused on participating as part of the Amber Alert system in the State of Nevada.

That is why I want, first of all, to thank DOJ, thank all of you for what you have done to really bring the system to the level it is today but more needs to be done. When it comes to our Indian Country, part of that is bringing broadband there so I am curious about your thoughts on that and how we should be investing in broadband across the State.

I also am curious and I know this. I get the sustainability. I think that is a challenge in Indian Country. Quite often, we see changes in tribal leadership. Every one or two years, there are not consistent policies always established that are followed. I wonder if you can address that and how we address the sustainability when it comes to training our law enforcement? That is number one.

Number two, not all of the tribal communities in my State have law enforcement. They do not have the funding to have law enforcement, so how do we work with them to address emergencies like this and what do we need to do?

When they do have law enforcement, how do we put protocols in place so that they are working with law enforcement from the contiguous communities they are working with? If there is a local city or county that has law enforcement which works side by side with our tribal law enforcement, what can we do to make sure their training protocols and policies are seamless when they are working together?

I throw that out there and I am curious about your thoughts on how we address all of those issues. Just educate us here in the Senate on what we can be doing to address those issues.

Ms. GARRY. Thank you, Senator. I will start and then Jim and the Honorable Crotty can jump in.

We make sure the department offers training and technical assistance to tribes interested and anxious to set up Amber Alert programs, either their own or if they are interested in training and technical assistance to help them partner with a State or regional system.

The last thing you want to do is have a tribe set up a standalone Amber Alert system with no partnership with the State and/or regional system because if an abductor would remove that child from the reservation across the street into an area that is off-reservation, that alert would not be going to that community.

Even if a nation decides we need to have our own Amber Alert system, we still would strongly encourage them to partner with the State, other States and with regions. This is very important and

critical, not just to the Navajo Nation, but I think that is the most rare example with the Four Corners area.

Fox Valley Technical College, the department's training and technical assistance provider for Amber Alert issues, ensures that they work with the tribes. They will go on-site, do all needs assessment, identify gaps in services, help the tribal leadership, councilmen, the tribal chairman and tribal president, identify areas for improvement.

They will ensure there is a process for documenting those policies and procedures, that they are current, efficient and effective so that when you do have turnover in those law enforcement positions, all the knowledge does not leave the building with that individual, that there are processes in place which can be carried over from administration to administration.

We understand the issue of sustainability to be so important that Fox Valley offers, I believe, a block of training on just how to sustain programs. That is not just true for Amber Alert and not just in Indian Country, that is true for all programs.

You can often find a champion on the reservation or in a unit of local government that really gets the community excited and engaged but everyone, all the stakeholders, have to be at the table in order to ensure the sustainability of these projects.

Senator CORTEZ MASTO. Thank you.

Mr. WALTERS. Thank you, Senator.

To echo what Ms. Garry said, in that process of developing a comprehensive child abduction recovery program in a tribal community, one of the key elements we have seen and has proven effective is each tribe is different. Each tribe has to be assessed its own capabilities. Your State certainly reflects that with tribes in urban areas and in very remote areas.

One of the things we have found to be really successful was we then required the tribes becoming part of the program to pass a tribal resolution to get something that has tribal government get involved and make it the law of the land that we adopt and implement the policies of the Amber Alert. Each State and each tribe may be different.

On the issue of tribes who do not have law enforcement of their own, a prime example comes from Senator Udall's State, the Santa Domingo Pueblo north of Albuquerque does not have its own law enforcement. When we went into that community, we partnered with the New Mexico State police and the Bernalillo County sheriff's department. They came in as partners with the tribe.

Today, they have an existing agreement between the tribe, the sheriff and the State police. The sheriff went so far as to have an officer assigned as their liaison for these Amber Alert activities.

If you can train together, partner on developing policy, and share the same goals of child recovery, we have seen that it can be very effective. It has shown true results with children being recovered as a result of that.

Senator CORTEZ MASTO. Thank you.

Ms. CROTTY. Thank you for the question, Senator.

I want to state for the Navajo Nation in terms of our challenges with telecommunication or infrastructure, we are just beginning this assessment. Right now, the preliminary studies will cost near-

ly \$45 million for two-way radio communication, cellular coverage and broadband to be installed and implemented on the Navajo Nation to meet our needs.

In terms of how do we partner and coordinate, that will always be the challenge. I think we are seeing the results right now of political maneuvering and what is prioritized. I think as a Nation, we are working on how to mandate the training; with the waves of different administrations at the tribal level, and making sure that Amber Alert and other emergency functions will not be cast to the wayside.

I think that ultimately as leaders, we are accountable to our people. In these discussions, we are setting systems in place to have that accountability, that transparency to our people to make sure they know that we are working with our Federal partners in providing solutions.

Now we are coordinating with non-profits and weaving these different programs into our institutions. With that partnership, the service expands, makes it stronger, and we have more people involved who are committed career-long individuals, who are committed to the process.

It goes back to the reassurance that it is not just one person and one program, but collectively and with a very personal, spiritual sense of duty. For Navajo people, to protect our children is our duty. We do not have a choice. Our children were bestowed upon us through prayer, thought and ceremony. It is our ultimate responsibility to make sure every one of those children is taken care of and protected.

I have heard that call and as a leader of Navajo Nation, that is what I represent.

Senator CORTEZ MASTO. Thank you.

I so appreciate your being here because it is one thing to talk about Amber Alert, but the other explains why we need it. In Nevada alone in one year, we had 8,000 child abductions, 8,000. They are either parental abductions, stranger abductions and I am glad you brought it up, sex trafficking issues that we saw in our State, an area that I focused on.

Unfortunately, our children are falling prey and are victims. We need to do everything we can to ensure their safety. That is why, for my purposes, this Amber Alert system has been an incredible tool for law enforcement to protect those children from those abductions, to identify them immediately, try to get to get them the resources they need, and hopefully put them back in a comfortable environment where they came from or with their families, whatever it is, to try to get them those services.

I think that is the side we do not talk about. We talk about Amber Alert, it is a great tool, but there is a human piece to this. That is why I am so glad you are here because you see that human side of it. You tell the story every day. That is what this is about for many of us.

Thank you so much for this discussion. I really appreciate you being here.

Senator UDALL. Thank you very much, Senator Cortez Masto for those very insightful questions and very good responses from the panel.

I am going to come back to the Amber Alert bill, S. 772. We also have, I think the other panelists may be interested as well, the other bill that is part of this listening session, S. 825, a bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes sponsored by Senator Murkowski, with whom I worked very closely on the Interior Department appropriation. She is my chairman.

Mr. Charles Clement is here today. He is the President and Chief Executive Officer of the Southeast Alaska Regional Health Consortium in Juneau, Alaska. I know you have not had a chance, Mr. Clement, to give an opening statement. If you would like to, that would be great. You can take up to five minutes or whatever you like. I have a health care question I want to ask you but I want to hear whatever opening comments you have.

**STATEMENT OF CHARLES CLEMENT, PRESIDENT/CEO,
SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM**

Mr. CLEMENT. Thank you so much, Ranking Member Udall.

My name is Charles Clement. I am the President and CEO of the Alaska Regional Health Consortium in Southeast Alaska.

First of all, I want to extend my appreciation to the folks to my right. I think the work they are doing is absolutely incredible. As a parent of two young girls, Alaska Native girls, I certainly appreciate the work they are trying to do.

Being from Metlakatla, Alaska, which is the only Indian reservation left in Alaska, the work they are doing strikes to the heart of being a parent. Thank you very much.

I do extend a thank you to the Committee for the opportunity to share a little bit about the work we are doing in Southeast Alaska. I specifically would like to recognize and thank Senator Murkowski. I know she cannot be here; she is in the Arctic today with I believe a contingent of Arctic leaders from around the world, along with Mr. Tillerson. I know they are doing good work on behalf of the State of Alaska and the government here in Washington, D.C.

I would like to take up to five minutes to talk about Senate Bill 825 which relates to the conveyance of certain properties. Southeast Alaska Health Consortium operates a hospital in Sitka, Alaska. It is a tertiary hospital. We are a receiving and referring hospital for an area of about 35,000 square miles.

It is an incredibly large service area. It goes from Yakutat, Alaska on the northern edge of southeast Alaska to Metlakatla where I grew up. Again, it is mostly comprised of small islets. There are not roads; there is very limited ferry. Most of the travel happens by very small plane.

Again, this is a referring center for all Alaska Natives and American Indians in that catchment area. In the packet I will submit to the Committee for the record is a map outlining all the villages we serve. There are quite a few and they are growing all the time.

There is a great deal of challenges as related to our friends from Navajo. There is a great deal of challenges in delivering services, whatever they may be, when you have a large, disparate area like southeast Alaska or the Navajo Nation. Whether it is transpor-

tation or telecommunications, I think we share some of the same struggles.

The bill that is introduced is helping us work through the challenges of managing and operating a hospital on behalf of the HIS. We are Indian Health contractors, so we provide services for Alaska Natives and American Indians that would otherwise be provided by the Indian Health Service.

We have been compacting with the Federal Government, specifically the Indian Health Service, since 1986. We are one of the oldest compactors in the Country and one of the largest compactors in the Country.

When we look back to 1986 when we assumed services from the Indian Health Service, one of the main components of that service spectrum we inherited was the hospital at Mt. Edgecumbe in Sitka.

The hospital is about 75 years old now, originally built at the end of World War II by the Department of War. At the end of World War II, it was deemed a tuberculosis sanatorium. When we took over the services provided there, it was converted to a tertiary care hospital.

As you can imagine, the challenges and the needs of delivering services related to operating a tuberculosis sanatorium are quite a bit different than trying to deliver health care in the 21st century.

Every year, we make improvements on the hospital. We try to keep everything up to code. We work very diligently with the Indian Health Service to try to make sure we do everything we can to deliver health care to the level, extent and quality we feel our beneficiaries deserve.

Again, it is a challenge. Something that was built by the Department of War looks like something built by the Department of War. It is a concrete structure, a Department of War military base, so it is a large concrete building, largely filled with asbestos. Trying to change things to evolve it to how health care is delivered in this day and age continues to be a challenge.

We have partnered, I think very successfully since 1986, with the Indian Health Service. As I am sure everyone in this room knows, they relate to the provision of services to Alaska Natives and American Indians. In many ways, the BIA and IHS have their own struggles as well in terms of how to best meet the needs.

It is incumbent upon us to try to get as creative as possible, working collaboratively with both our congressional delegation and the effected agencies to figure out how to solve these problems, to help resolve them on behalf of our beneficiaries.

There are several opportunities whether it is the facilities replacement list, the joint venture program, or self funding anything going forward with regard to repair and replacing the facility.

One of the big challenges is as we go through land disposal, which is turning the land over from the Indian Health Service to the local tribal organization, which is ourselves, it comes with a quit claim deed which basically limits the amount of things we can do and the interactions we can do with financing agencies.

This bill is, I want to say exactly but for the technicians in the room, it is very, very similar to previous bills this Committee passed which have been enacted into law and relate to the transference being a warranty deed.

It gives us more latitude in terms of going out and working with partners, whether that is the Indian Health Service or private funding institutions, to go ahead and build and operate replacement facilities.

At the heart of this bill, we are in the midst of a transference with the HIS. I think it is a very collaborative process and always has been. The IHS has said to us that we do have more options if we can get the Congress to agree we are better served by having a warranty deed. It gives us more flexibility in terms of the next steps.

We have learned that we have to be prepared for a contingency and be creative in our approach to resolving these problems. This tries to put more tool on the table for us to help try to resolve those issues.

Additionally, I would say we have reviewed the testimony HHS has provided for this Committee. There are several items brought up in that testimony. I think we believe that all of them can be worked through. They are issues related to time frames. We are flexible. We understand there is a need to get this resolved, so we are prepared for any opportunities that arise whether they are Federal, State or local opportunities, and development opportunities.

We also understand that maybe they cannot work within the 180 days we put forth and suggested. I think some reasonable compromise we have already vetted with the agency is very reasonable.

There are some provisions about revisionary clauses. I think they vetted those in the past with the Committee and the bills that have passed went forward without any modifications to those. I think they feel they need to bring attention it.

Ranking Member Udall, I do not want to belabor this. I think our bill is very similar if not exactly the same as at least six other bills around Indian Country that have been passed, vetted by this Committee, and previously enacted into law.

I would be happy to answer any questions you may have whether health related or any other questions.

[The prepared statement of Mr. Clement follows:]

PREPARED STATEMENT OF CHARLES CLEMENT, PRESIDENT/CEO, SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM

Chairman Hoeven, Ranking Member Udall, and members of the Committee, I want to thank you for the opportunity to testify today. My name is Charles Clement. I am the President and CEO of the Southeast Alaska Regional Health Consortium (SEARHC) and a member of the Metlakatla Tribe of Alaska. I bring you the greetings of our Board Chair, Ms. Kimberley Strong. I want to take this opportunity to thank our senior Senator from Alaska, Senator Lisa Murkowski, for her unwavering support for tribal health care providers in Alaska and for introducing this bill. I am honored to testify in strong support of the Southeast Alaska Land Transfer Act, S. 825.

SEARHC is an Alaska Native controlled non-profit tribal organization. We are authorized by the resolutions of 15 federally-recognized Alaska Native tribes to administer a comprehensive health care delivery system for the Tlingit, Haida, Tsimshian and other Native peoples of Southeast Alaska. This bill today is critical to our efforts to improve the care that we provide at Mt. Edgecumbe Hospital in Sitka, Alaska. We are developing plans to make critically needed upgrades to bring Mt. Edgecumbe into the 21st Century, but we need clear title to the land, currently held by IHS, in order to move forward with these upgrades. This is what S. 825 will accomplish.

SEARHC was founded in 1975 and is one of the oldest and largest Native-run health organizations in the United States. In 1976, we first contracted with the In-

dian Health Service (IHS) under the Indian Self-Determination and Education Assistance Act (ISDA) to take over management of the Community Health Aide Program serving our Tribes. In 1982, we expanded our contract to take over operation of the IHS Juneau clinic, recently renamed the Ethel Lund Medical Center, and in 1986 we expanded once again to take over operation of the Sitka Mt. Edgecumbe Hospital. For more than twenty-years we have provided health care services to the people of our region under a Self-Governance Compact with the Indian Health Service executed under Title V of the ISDA. Today, our service area stretches over 35,000 square miles, with no roads connecting most of the rural communities we serve.

Through our compact we operate twenty-eight community health clinic sites and one hospital. We have 950 employees ranging from specialized doctors in Mt. Edgecumbe to community health aides in our village clinics. Again, the facility most relevant to today's hearing is the Mt. Edgecumbe Hospital in Sitka.

The Mt. Edgecumbe Hospital (S' 'axt' Hit in Tlingit) is a 25-bed critical access hospital. We provide acute care, critical care, obstetrics, surgery, and perioperative care, as well as outpatient primary care and emergency services. At Mt. Edgecumbe we employ 458 individuals, including 25 doctors, 58 nurses, and 8 specialists. Last year we had 46,392 outpatient visits, performed 1,236 surgical procedures, had 502 inpatient admissions, and delivered 57 babies.

The Mt. Edgecumbe Hospital is critical to our ability to provide quality care throughout Southeast Alaska. SEARHC's top priority is therefore addressing the aging condition of the Hospital. This is why this legislation is needed, so we can secure necessary resources and make facility upgrades required for a modern 21st century hospital.

At 67 years old, the Mt. Edgecumbe Hospital is the oldest facility in Alaska and one of the oldest in the Nation. It was constructed toward the end of World War II by the War Department and through the 1950s focused largely on tuberculosis treatment. The hospital is in poor condition and ill-suited to a 21st century model of health care dominated by primary and ambulatory care facilities. SEARHC has therefore developed plans to make the critically needed upgrades required to bring Mt. Edgecumbe into the 21st century.

The need for S. 825 is simple. Title to the parcel underlying Mt. Edgecumbe Hospital, and those parcels adjacent to the hospital, is currently held by IHS, our primary partner in this project. SEARHC needs to hold unencumbered title to the land where the upgrades will be made. The bill therefore directs the Secretary of the Department of Health and Human Services to transfer approximately 19.07 acres of land located on the Mt. Edgecumbe campus to SEARHC by warranty deed.

The warranty deed transfer can only be accomplished through federal legislation, so we ask for this Committee's help and that of the entire Congress to achieve this result. In doing so we wish to call to the Committee's attention that the bill is identical to legislative measures Congress recently enacted for the Yukon Kuskokwim Health Corporation, the Alaska Native Tribal Health Consortium, and the Maniilaq Association.

Last year the Senate Appropriations Committee directed IHS "to work with the Southeast Alaska Regional Health Consortium to formulate options for facilities upgrades and ultimately a replacement facility at Mt. Edgecombe [sic] in Sitka. The plan shall be submitted to the Committee within 180 days of enactment of this act." S. Rep. 114-281, at 91. S. 825 is a critical first step in the process of developing a comprehensive new plan for the delivery of health care across our massive service area.

We understand that IHS may believe additional time is needed to effectuate any land transfer that Congress may authorize. While we are not wedded to the 180-day timeframe set forth in section 2(a) of the bill, we believe the transfer needs to happen promptly.

The idea of a land transfer is not new. To the contrary, we have worked on this for years, and finally, thanks to this legislation, we can see the light at the end of the tunnel. To help move things along, over the past year we hosted Alaska Area IHS staff at the Sitka campus, we met at IHS Headquarters, and we tracked weekly progress through informal check-ins with agency staff. Our dedicated staff have spent hours and hours researching and tracking down the needed documentation and clearances to transfer the land. From tribal resolutions to site assessments, each requirement was carefully tracked and monitored. SEARHC also paid for contractors to conduct hazmat surveys and historic determinations of eligibility for the Sitka campus properties. We took the initiative to coordinate with outside agencies that may have a stake in the land transfer including the FAA, the Bureau of Indian Affairs, the Alaska Historical Society, and the National Parks Service.

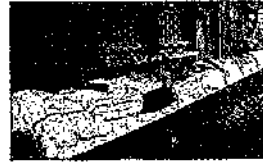
The agency's apparent belief that several years, rather than several months, are needed to complete the transfer reflects a fundamental misunderstanding of the bill, and that the land transfer will go forward promptly thanks to this new authorizing legislation. It is precisely to forestall several more years of delay under existing law that this bill has been introduced.

We thank the Committee for its support for this measure and look forward to speedy approval of the bill so that desperately needed work can begin soon to upgrade this critical hospital.

Attachment



Founded in 1975, SouthEast Alaska Regional Health Consortium (SEARHC) is one of the most historic and largest Native-run health organizations in the nation. SEARHC is a non-profit health consortium, providing healthcare in 18 Southeast Alaskan communities. We are extremely proud our services are available to all members of the communities we serve.



About SEARHC

SEARHC was established in 1975 and began operating the Juneau clinic in 1982, which is now the Ethel Lund Medical Center.

In 1986, we began operating the 25-bed Mt. Edgecumbe Hospital (MEH) that provides acute care, critical care, obstetrics, surgery, and perioperative care to the community of Sitka as well as others in Southeast Alaska. With approximately 24 providers, the hospital serves as a regional referral center for people throughout Southeast Alaska. MEH also provides outpatient primary care. As a critical access hospital in rural Alaska, MEH also serves as a swing-bed provider for acute care, skilled nursing, or rehabilitation services.

SEARHC's outpatient clinics, located throughout the region, provide a broad range of high-quality healthcare services. Those services include internal medicine, family medicine, pediatrics, women's health, behavioral health services, dental and eye care, nutrition, and physical therapy as well as many health promotion programs. As one of Alaska's healthcare leaders, SEARHC is committed to using advanced medical technologies to improve patient care.

SEARHC frequently offers specialty clinics, sending medical specialists to various remote facilities for patients who cannot travel to Anchorage or Seattle for services not available in Southeast Alaska. Some SEARHC medical providers from its larger facilities also make regular trips to the smaller, remote clinics to provide services typically not available there.

OUR MISSION

Alaska Native People working in partnership to provide the best healthcare for our communities.

Through continuous community engagement, SEARHC makes a difference by bridging gaps in healthcare services while enhancing the quality of life for the people in the communities we serve.

SEARHC has won national recognition for developing quality and award-winning programs to deliver healthcare in an area with unique challenges while achieving the highest possible national accreditation ratings for quality healthcare management. SEARHC is proud to make a difference in the lives of all Southeast Alaskans and is committed to improving their health through innovation and quality services.



SEARHC Innovation & Quality Awards

Due to the remote location and geographical challenges of Southeast Alaska, SEARHC employs innovative ways to meet our mission. All SEARHC facilities are accredited by The Joint Commission and, in 2016, SEARHC was awarded the Commission's "Gold Seal." MEH received the 2016 Hospital Quality Achievement Award from Mountain-Pacific Quality Health. As part of SEARHC's commitment to the health of patients, our primary care teams embrace the clinical quality measures defined by the Government Performance and Results Act (GPRA). SEARHC met or exceeded 17 of the 19 GPRA measures in 2016 and is proud to have significantly increased its performance in the past three years. Notably, SEARHC's scores for most of the quality measures surpassed the overall results for the state of Alaska.

SEARHC BY THE NUMBERS

FY 2016



77,954

Outpatient visits to our family practice, general practice, nursing clinics, nutrition, social services, and specialty clinics



502

Inpatient admissions at Mt. Edgecumbe Hospital



57

Babies born at Mt. Edgecumbe Hospital

- **Bringing Healthcare Home** - Improvements to and expansion of clinics throughout our communities have allowed SEARHC to provide patients with local access to essential services, eliminating the need to leave their families or jobs to receive care. SEARHC also continues to build partnerships with regional healthcare organizations to provide medical care for SEARHC patients.
- **Providing Behavioral Health Services** - SEARHC offers a full-service, nationally accredited behavioral healthcare program. The program includes youth residential substance abuse treatment programs as well as intensive outpatient services for adults. The Community Family Services program provides substance abuse prevention and treatment services in nine remote communities under the supervision of upper-level staff in Sitka. The program also includes extensive suicide prevention initiatives.
- **Leading in Telemedicine Services** - Clinics in some of SEARHC's smallest communities use state-of-the-art video technology and secure software to connect patients with healthcare providers in Sitka, Juneau, or Anchorage. This technology allows SEARHC to conduct office visits that previously required travel for the provider or the patient. Telebehavioral health allows patients in remote villages to consult by video conferencing with a psychiatrist, clinical psychologist, or behavioral health clinician based in Sitka or Juneau. Dietitians in Juneau and Sitka also provide telenutrition services to patients in remote communities.
- **Implementing Systems Transformation** - The implementation of electronic health records brings patients' complete and current health information into one location. Tying together all patient healthcare and business systems into one comprehensive system allows SEARHC to be better prepared and proactive in delivering healthcare services.
- **Providing Dental Health Aide Therapy** - Acting as dental assistants, SEARHC Dental Health Aide Therapists can perform a variety of procedures without a dentist present. SEARHC's village-based program fulfills patients' dental health needs with services ranging from toothbrushing and oral hygiene instruction to oral x-rays, triage of dental emergencies and complex restorations. The program has been instrumental in improving oral health and dental care in areas that previously had none.
- **Operating Mt. Edgecumbe High School (MEHS) Student Health Center** - SEARHC has operated the MEHS Student Health Center in partnership with the state since 2007. The health center serves students from more than 100 Alaska communities. The majority of students are Alaska Native, and SEARHC works with the state's other tribal healthcare organizations to ensure the students receive the highest quality of healthcare in Sitka and in their home villages. Students can access medical services at the school clinic and receive advanced medical, dental, eye care, behavioral health, and wellness services from Sitka's MEH, adjacent to the MEHS campus.
- **Offering Raven's Way** - With an interest in helping young people with substance abuse issues, SEARHC developed Raven's Way, an experiential-based program. Due to the innovative approach to meeting the needs of these young people, Raven's Way has won national recognition as a successful model for the treatment of adolescents with substance abuse problems. Hundreds of Alaskans between the ages of 13 and 17 have participated in the program.



collectively, the strategic themes identified during this process comprise the "SEARHC View 2018" and assert that by 2018, we desire to be able to objectively demonstrate that:

SEARHC is:

THE PROVIDER OF CHOICE IN OUR COMMUNITIES, WHICH WILL BE NOTED THROUGH OUR PROVISION OF QUALITY CARE AND IMPROVEMENTS TO ACCESS ACROSS THE CONSORTIUM

THE EMPLOYER OF CHOICE FOR CLINICAL PROVIDERS AND STAFF, WHICH WILL BE ACHIEVED THROUGH CONSISTENT EMPLOYEE ENGAGEMENT, FAIR COMPENSATION AND TARGETED RECRUITMENT

UTILIZING STRATEGIC AND FINANCIALLY-SOUND STRATEGIES TO SUPPORT GROWTH AND SUSTAINABILITY IN AN EVER-CHANGING HEALTHCARE MARKET BY OPTIMIZING TECHNOLOGY AND MAKING STRATEGIC IMPROVEMENTS IN OUR SYSTEMS

COMMITTED TO ADDRESSING THE INCREASING HEALTH CARE NEEDS OF OUR ELDERLY POPULATION THROUGH PARTNERSHIPS THAT IMPROVE ACCESS AND BY EVALUATING SERVICE LINE OPPORTUNITIES

PROVIDING A HIGH QUALITY HEALTHCARE EXPERIENCE THROUGH CONSTANT IMPROVEMENT IN COMMUNICATION AND FACILITIES

EMBRACING INCLUSIVENESS OF OUR CULTURES AND EXPANDING VITAL HEALTHCARE SERVICES TO ALL MEMBERS OF THE COMMUNITY BY ESTABLISHING A CONSISTENT PROCESS ACROSS THE CONSORTIUM

SUCCESSFULLY FOCUSING ON THE LEADING CAUSES OF DEATH AMONG SOUTHEAST ALASKAN PEOPLE – CANCER, HEART DISEASE AND UNINTENTIONAL INJURY – THROUGH LIFESTYLE COUNSELING AND IMPROVING OUR DATA COLLECTION OF PREVENTIVE INDICATORS AND SCREENS



SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM
2017 FEDERAL LEGISLATIVE PRIORITIES

Indian Health Service (IHS) Transfer of Title to Mt. Edgecumbe Sitka Campus Properties to SEARHC

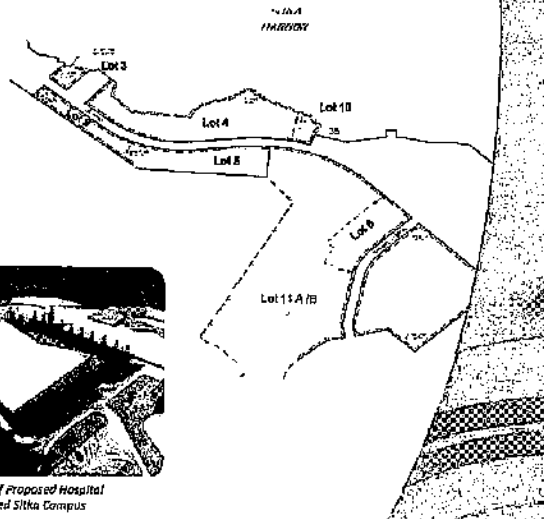
To provide Southeast Alaskans with the most advanced healthcare, SEARHC must obtain title to the land and buildings on lots 3, 5, 6, 9 and 10 as well as parcels 11A and 11B within the Mt. Edgecumbe Sitka campus. SEARHC has been managing and maintaining the 19.07 acres for more than 20 years. The land request is comprised of several parcels of land currently being considered for future joint venture and other healthcare expansion opportunities. SEARHC has been working with the IHS, National Parks Service, Environmental Protection Agency and the Alaska State Historic Preservation Office to expedite the transfer.

BENEFITS

The land transfer will give SEARHC more leverage and oversight of a property that SEARHC has been managing and maintaining. Site control of Sitka campus will open the door for expanded tribal healthcare opportunities to the entire Southeast Alaskan community.



Architectural Rendering of Proposed Hospital Facility on the Expanded Sitka Campus



Senator UDALL. Thank you so much for sharing those comments with us.

Recently, I have heard from several tribes about how funding for medical services at IHS facilities has increased over the last few years, mostly through increased billing revenue from programs like Medicaid.

As you know, Medicaid funds have allowed the majority of IHS service areas to move from Medical Priority 1 care, what is called life or limb only, and because of these Medicaid monies, they have moved into Medical Priority 3 and 4, which are preventative care and primary care services.

How has the State of Alaska's decision to adopt Medicaid expansion affected your consortium? What is your opinion on that?

Mr. CLEMENT. I am not sure it is an opinion. I think I can tell you that Medicaid expansion has affected us in a very positive way. To qualify that, I think it has been acknowledged around Indian Country that services by the Indian Health Service are funded at about 50 percent the level of need in terms of an ongoing, operating basis.

It is incumbent upon tribal contractors, and even direct service tribes, to get creative to try to figure out how to fill the gap between the funding level where it is and where it is enacted and the rest of the needs.

I would say more clearly, it has affected us positively. Has it given us everything we feel we need? No, absolutely not. I do not even think we expect to get everything we need, but I think we feel it is important to work with our partners, whether Federal or State, to try to get creative.

We understand in the Alaska with the price of oil being what it is, these are very difficult financial times. We understand that the mood here in Washington sometimes can be uncertain and maybe not as forthcoming with some of the financial support we would otherwise like but it does not absolve us of the responsibility to work collaboratively with all of our partners to try to deliver the best possible care for our beneficiaries.

Senator UDALL. Do you think Federal reductions or alterations to Medicaid and other third party billing sources would impact Alaska Native health?

Mr. CLEMENT. I am sure it would. I could not tell you exactly how they would but I think it is a fact that Medicaid expansion has sort of helped us sustain and maybe grow in ways that prior to expansion, we could not have.

Senator UDALL. Thank you.

You hit on something that is very important. I think all of the witnesses know that in the health care area, what you said, a 50 percent level of need is where the services of the Indian Health Service are.

For many of these tribes, the commitment was by treaty to give good quality, affordable health care. We are 50 percent off that. The thing that drives me crazy is if you go through the list of Medicare, Medicaid, and the Veterans Administration and you have a per capita number, they are way above the Indian Health Service.

You would have the Medicare number up about 12,000 per capita, then you come down to Medicaid and Veterans and at the very bottom is IHS with a very small number. That is one of the things I am just dedicated to do everything I can in the appropriations process and the authorizing process, to make sure we push those dollars up so we get good quality health care for every tribe across the Nation.

Thank you. I know for your consortium, that is exactly what you are trying to do with the limited resources you have.

Delegate Crotty, you mentioned your current communication plan protocol forces the Navajo Nation to rely on State entities to issue Amber Alerts on your behalf which is a very lengthy process.

Can you walk us through the steps the Nation would need to take in order to issue an Amber Alert in New Mexico, Arizona or Utah?

Ms. CROTTY. I appreciate the question. In working with our partners and technical team, the current process is when an incident is reported and the police department begins the investigation with the dispatchers, once this information is gathered, I want to state in terms of not only the communication gaps we see on the ground, but in terms of our public safety, it is an average from anywhere to a hour and a half to maybe three hours for a police officer to respond in some of our rural areas.

When the initial report begins, we review the Amber Alert criteria recommended by the Department of Justice. When there is reasonable belief by law enforcement that an abduction has occurred, at this point, Navajo Nation will call the State agency that is responsible for Amber Alert.

Then the dispatcher, the Navajo Nation dispatcher, if it is believe it involves maybe another State like Arizona or New Mexico, the dispatcher then will call directly to Arizona. The Navajo dispatcher the makes the second call to the Arizona dispatch.

In the Four Corners area where multiple States are in close proximity, the Navajo Nation dispatcher will then call Utah dispatch. I did give a brief example that recently there was an abduction in Arizona that met the criteria, so when Navajo dispatch called Arizona, an Amber Alert was issued. When a Navajo dispatcher called the State of New Mexico, the State of New Mexico determined it was an endangered child.

We are looking for consistency. We are also looking, at this critical time, to have a system that when one of our Navajo children is taken, immediately the community is notified and are aware.

We do contact the Amber Alert coordinators, and then the Amber Alert is issued. Any tips or information is provided to the dispatchers or related to our officers. We now are beefing up our debriefing, the release of on the scene personnel and incident reports.

We are learning if Navajo Nation can have the ability to identify these very unique, geographical areas and be able to be the ones to issue the alert working with the requirements, that is the step by step process.

I think all of us in the room can agree that any additional step that should not or does not necessarily need to happen, if we have the power as legislators to remove it, that really should be the goal.

As we are amending this PROTECT Act, it is hard for me to understand why Native Nations were not initially eligible for this funding when it was first appropriated. I think this is the time and you are in a vital position to correct previous wrongs and empower our people. I appreciate the question, Senator. Thank you.

Senator UDALL. Thank you.

I have just one follow up. Is there full time personnel that continuously improves the current communication plan? If not, what is preventing the Nation from doing so?

Ms. CROTTY. Thank you, Senator, for the question.

The Navajo Nation has a Department of Emergency Management and they have a full time employed director, but this individual is not specific to Amber Alert coordination. Right now, this individual manages any emergencies that happen on the Nation.

You can imagine, this individual also had to deal with the unfortunate San Juan River contamination and other issues. It is my

understanding that this Federal funding provides specific eligibility to have an Amber Alert coordinator. That is what the Navajo Nation needs. Our vastness and challenges really require us to make sure that our children are protected.

Thank you, Senator.

Senator UDALL. Thank you.

Hearing no requests for additional questions or additional discussion, sometimes at the end, panelists after you hear everything, if you heard anything and you would like to clarify in writing, we have a couple of additional questions people have asked that I hope you can maybe get back to us in writing if possible.

I can just tell you both of these bills are very important to Indian Country. It is tremendously important that you have traveled all this distance from Alaska and New Mexico. We really appreciate it and look forward to educating the full Committee on what happened here.

You saw a number of Senators. We will let them know everything that happened. We will work expeditiously on these very good pieces of legislation.

Thank you very much. We really appreciate it.

[Whereupon, at 3:50 p.m., the Committee was adjourned.]

A P P E N D I X

PREPARED STATEMENT OF RADM CHRIS BUCHANAN, R.E.H.S., M.P.H., ASSISTANT SURGEON GENERAL, USPHS; ACTING DIRECTOR, INDIAN HEALTH SERVICE, U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Chairman and Members of the Committee:

Good afternoon, Chairman Hoeven, Vice-Chairman Udall, and Members of the Committee. I am Chris Buchanan, an enrolled member of the Seminole Nation of Oklahoma and currently the Acting Director of the Indian Health Service (IHS). Prior to that, I was the IHS Deputy Director, leading and overseeing IHS operations to ensure delivery of quality comprehensive health services. I am pleased to have the opportunity to provide a statement for the record to the Senate Committee on Indian Affairs on S. 825, a bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska.

The IHS plays a unique role in the Department of Health and Human Services (HHS) because it is a health care system that was established to meet Federal trust responsibilities to American Indians and Alaska Natives (AI/AN). The mission of the IHS, in partnership with American Indian and Alaska Native people, is to raise the physical, mental, social, and spiritual health of AI/ANs to the highest level. The IHS provides comprehensive health service delivery to approximately 2.2 million AI/ANs through 26 hospitals, 59 health centers, 32 health stations, and nine school health centers. Tribes also provide healthcare access through an additional 19 hospitals, 284 health centers, 163 Alaska Village Clinics, 79 health stations, and eight school health centers.

S. 825 would provide for the conveyance by warranty deed of certain property located in Sitka, Alaska to the Southeast Alaska Regional Health Consortium.

Southeast Alaska Regional Health Consortium

The Southeast Alaska Regional Health Consortium (SEARHC) assumed responsibility for the provision of IHS-funded health care services in 1975 under the authority of the Indian Self-Determination and Education Assistance Act (ISDEAA). The Federal property described in S. 825 is used in connection with health programs in Sitka, Alaska by the SEARHC. On November 17, 2016, SEARHC requested transfer of all Federal property located within the Mt. Edgecumbe Hospital campus, including land, buildings, and appurtenances in Sitka, Alaska.

The IHS informed SEARHC of its intent to fulfill SEARHC's request. In order to fulfill the request, the IHS further informed SEARHC of requirements that must be completed to execute the transfer including but not limited to: Phase I Environmental Site Assessment, environmental remediation of the property, HazMat survey of the buildings and historical consultation with the Alaska Department of Environmental Conservation (ADEC) and the Alaska State Historical Preservation Office (SHPO).

Due to on-going environmental remediation and consultation with ADEC and the Alaska SHPO, the parcels requested for transfer in S. 825 are not currently ready to be transferred within 180 days as stipulated. However, it is anticipated that Lot 11B containing 10.68 acres identified by SEARHC for construction of a proposed health care facility may be ready for transfer by December 2017 at the earliest. If a warranty deed is executed under S. 825 for these selected parcels, the IHS will continue to work with the SEARHC and the State of Alaska to complete environmental remediation on the remaining portion of land requiring remediation in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)). In addition, IHS will continue to work with the SHPO to fulfill its requirements under the National Historic Preservation Act (36 C.F.R. Part 800) for the transfer with an expected completion date of two years.

IHS supports the transfer as furthering the Government-to-Government relationship that exists with American Indian and Alaska Native tribal governments. It is

important to emphasize that, as a normal practice, IHS does not transfer properties via the warranty deed mechanism.

Warranty Deed

We believe that reasons to use a warranty deed mechanism in future cases are limited. Traditionally, Alaska Tribes and Tribal Health Organizations (T/THO) have preferred to leave the title to facilities previously operated by the IHS with the Federal Government.

The majority of the health care facilities used by the Tribes in the other 35 States are located on tribally owned lands. This warranty deed transfer would be the sixth of its kind in Alaska. IHS recently issued five warranty deeds authorized by Congress to transfer parcels of land to the Maniilaq Association, Alaska Native Tribal Health Consortium, and Yukon Kuskokwim Health Corporation previously transferred through a quitclaim deed. On other numerous occasions, properties have been transferred to T/THOs through quitclaim deeds.

Although a warranty deed does not have a reversionary clause ensuring the property will continue to be used in support of federal health programs, we think retrocession of IHS programs is unlikely. We can count only four retrocessions since the 1975 enactment of ISDEAA. Three were only small program components which have been re-assumed by the Tribes. None of these retrocessions were in the Alaska Area.

IHS believes there are technical issues with some of the bill's language pertaining to environmental liability and the reversionary clause and would like the opportunity to work with the Committee to provide technical assistance on these matters.

Environmental Liability

Since 1975, SEARHC has managed the Mt. Edgecumbe Hospital Campus and provided excellent quality health care to approximately 13,000 IHS beneficiaries. Between now and the time SEARHC assumed management of the campus, the IHS did not undertake any activities that may have resulted in environmental contamination. However, the current language in S. 825 will absolve SEARHC of any liability for environmental contamination during the period SEARHC controlled, occupied, and used the property. It does not include any provisions to absolve the agency of environmental liability during this period. This leaves the HHS responsible for contamination that may have been caused by SEARHC. The agency believes this could be rectified by including language to absolve the IHS of environmental liability subsequent to the time SEARHC controlled, occupied and used the property.

Mr. Chairman, this concludes my testimony. Thank you.

