

Statement of the Honorable James R. Floyd  
Principal Chief, Muscogee (Creek) Nation,  
To the  
Department of Interior,  
June 26, 2017

I am pleased to appear before you today on behalf of the 82,000 members of the Muscogee (Creek) Nation. I have reviewed the Department's plans for Reorganization and provide a written statement for the record and for your consideration regarding recommendations for improvement of the DOI, the BIA and BIE.

**Opening Remarks.** To begin, I want to offer a general observation that I am sure that the Members of this group recognize – that for the past three years, the Department has operated under Continuing Resolutions. The Continuing Resolutions under which the Department has operated, has had to operate during the past three years have resulted in uncertainty and fiscal difficulties for The Department and Agencies putting them behind in enacting operational improvement and other initiatives that were planned. Secretary Zeinke must recognize that the Department cannot proceed with any reorganization, especially any actions that would reduce present resources because the past Continuing Resolutions have already reduced funding at least 21 percent.

**Department of the Interior**

**Bureau of Indian Education (BIE) -** The Muscogee (Creek) Nation opposes the proposed BIE reorganization plan that does not establish the Oklahoma Area Education Office as an Education Resource Center and reduces the education services currently provided by the OAEO to Indian students and tribal citizens residing in Oklahoma, Kansas and Texas.

We also adamantly oppose the BIA's reduction or elimination of funding to the Eastern Oklahoma Tribal Schools Facilities Management Program that significantly reduces the Facilities Management Services provided to the four BIE programs and their respective tribes.

The Muscogee (Creek) Nation receives \$1,158,475 in federal BIE funds annually that are used for Higher Education Scholarships and Adult Education. This spring the Nation awarded 2,309 scholarships to students that will help offset rising tuition costs. The goal is to not only educate our students, but also to allow them to flourish without the burden of extreme student loan debt.

**Trust Real-Estate Services -** The Muscogee (Creek) Nation compacts Real Estate services for restricted and trust landowners from the Bureau of Indian Affairs. The Nation takes its Trust responsibility very seriously and any budget reduction would have a detrimental effect on our ability to provide essential services in the areas of appraisals and land operations. Any reduction in the appraisal budget will decrease the amount of appraisals being performed on for landowners for Rights-of-Way, conveyances, surface leasing, purchase, and probates. Furthermore, a reduction in the land operations budget would prevent the Realty office from

conducting surveys that are used in partition suits, boundary line disputes, housing legals, and other legal proceedings.

We recommend that the Department look at streamlining the Fee-to-Trust application process so that tribes can more easily receive Trust status approvals. As an example, the Muskogee (Creek) Nation has been waiting the past eighteen months for a Trust application to be approved. The 48-acre parcel is a critical piece of property our tribe plans for economic development. Without approval, more than 150 people are without jobs in one of the highest unemployment counties in Oklahoma. System Redesign improvements must be implemented to quickly act on Trust status applications.

### **Johnson O'Malley**

The Muskogee (Creek) Nation supports Senate Bill 943 introduced on April 26, 2017, by Senators Heitkamp, Senator Lankford and Senator Daines. The Bill directs the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

**Self-Governance Funds (DOI)** – The Muskogee (Creek) Nation is currently operating at FY 2015 levels (\$6,824,284) due to the use of "Continuing Resolutions" by Congress rather than a regular budget. If adjusting for the inflationary rate over the course of three years, the appropriation for FY 2018 would need to be \$7,029,012.52. Based on this calculation, the Muskogee (Creek) Nation is suffering a \$204,728.52 operational loss. Frankly put, this is unsustainable. Self-Governance funds support jobs, infrastructure, economic development, education, and the utilization of our Natural Resources for the betterment of our communities. Budget cuts will have a debilitating impact on economic growth and infrastructure development for the Muskogee (Creek) Nation and the 11 counties that comprise our territorial boundaries.

**Natural Resources Management** – The Muskogee (Creek) Nation Ag Youth Development program relies on Self-Governance monies to fully fund our youth programmatic operations. A loss of Self-Governance funds would result in an inability to fully offer livestock and project scholarship funding to native youth further increasing the barriers to access and entry to the agriculture industry. Additionally, the federal funds received support our summer programmatic events including sending Muskogee (Creek) Youth to leadership development camps, FFA alumni camp, and 4H Round-Up. Participation in agricultural activities often requires official uniform dress, which is another barrier to rural youth. In order to offset that need, the MCN Ag Youth Development program also accesses Self-Governance funds to provide 4H and FFA jackets to youth members. By easing access to agricultural programs and services with supplemental support, native youth in rural and socioeconomically depressed areas can be exposed to practical business and employment opportunities through agricultural experience and education.

**Public Safety and Justice** - The Muskogee Creek Nation has a fully operational law enforcement program that includes the Lighthorse Administration, Department of Justice, and a fully

functioning Judicial System that are partially funded via Self-Governance funds. Our Lighthorsemen have become an integral part of law enforcement throughout our jurisdiction via a host of cross-deputization agreements with local municipalities and county governments. With an ever-shrinking state budget, non-tribal law enforcement agencies greatly rely on the support of the Nation to assist in maintaining order and peace.

\* The MCN District Court is also funded through Self-Governance funds and would be greatly affected by budget cuts, leading to reductions in essential services to its already distressed clients. The Court handles a variety of cases from child support to adoption to deprived children and would be forced to send some of these cases to an already backlogged state court system.

**Federal Transit Administration** – The Muscogee (Creek) Nation has received an average of \$905,000 per year over the last three years in federal FTA funding, which places us among the six largest tribal transit programs in the Nation.

\* The rural portions of the Muscogee (Creek) Nation are in an economically depressed region. Of the 10 poorest towns in Oklahoma with a population over 2,000 people, 3 of the towns are in the Muscogee (Creek) Nation. Okmulgee, the tribal capital, ranks number 9 of the 10 poorest towns in Oklahoma. McIntosh County is ranked the 5th poorest county in Oklahoma. Many citizens cannot afford the costs of vehicle ownership. There is a great need among this population for rides to work, rides to medical facilities, and rides to stores for food and clothing. The level of need also fluctuates greatly by the time of month and weather conditions.

\* The Nation's Transit Department has grown into one of the largest in the United States over the past four years. The Department prides itself on having provided rides for 65,813 passengers during FY2016 for a total of 440,817 passenger miles. Of the 65,813 trips, 7,783 were rides to work, 639 were transporting Veterans to the VA Hospital in Muskogee, and 6,324 were non-Veteran trips to other area medical facilities. Also of note, 43% of the passengers were elderly.

Sincerely,

James R. Floyd  
Principal Chief  
Muscogee (Creek) Nation