

MAY 17, 2017

# Udall Questions GAO, Administration Witnesses on ‘High Risk’ Designation for Indian Programs

Asks how hiring freeze and workforce uncertainty have impeded Indian programs’ ability to meet GAO recommendations

Committee also passes Udall-cosponsored bill to support Native educators, including Udall amendment to improve early childhood education

**WASHINGTON** — Today, U.S. Senator Tom Udall, vice chairman of the Senate Committee on Indian Affairs, joined Chairman John Hoeven (R-N.D.) in leading an oversight hearing on the Government Accountability Office’s (GAO) recent “High Risk” designation of programs at the Bureau of Indian Affairs, the Bureau of Indian Education, and Indian Health Service. Noting that Tribal communities “have long reported” management challenges and funding barriers at these agencies, Udall said that the GAO’s “High Risk” designation represents an “opportunity” for the Indian Affairs Committee — to better identify persistent challenges with Indian programs and to commit the necessary resources and investments to address these challenges.

"For years, GAO's work has provided evidence of something many Tribal communities have long reported – that management challenges and funding barriers at these agencies reduce the effectiveness of Tribal programs," Udall said. "In my view, this designation presents this committee with an opportunity – an opportunity to do better by not only recognizing the administrative challenges to effectively running these programs, but also by committing resources and expertise tailored to address them. That will enable us to do our part to uphold the federal government's trust responsibilities to Tribes."

"Just as we have come here today to ask for more accountability from program administrators, members of this committee must join together to fight for more funding for schools and hospitals and teachers and nurses," Udall continued.

Udall questioned the leaders of the BIA, BIE, and IHS about how the administration's hiring freeze and workforce reduction plans have impeded the agencies' ability to carry out the improvement recommendations of the GAO. "Along with several of my colleagues on this Committee, I sent a letter to President Trump urging him to exempt Indian programs from the February hiring freeze. Now, these same programs might feel the effects of the reduction in force plan ordered by the president," Udall said.

After being pressed by Udall, Michael Black, Acting Assistant Secretary for Indian Affairs at the Department of the Interior, stated that the agency is not currently hiring senior staff positions above the GS-11 level – at a time when the GAO has specifically recognized workforce and staff limitations as significantly contributing to the agencies' shortcomings.

Udall said, "I can just tell you that constituents of mine that visit Washington...within all of these agencies, do not feel like, at the senior level, there's guidance. Because folks are in an 'acting' position, rather than having people in the position that are running the departments and doing the things that the GAO and this committee wants them to to do."

Udall also asked Rear Admiral Chris Buchanan about how a rollback of the Medicaid expansion -- proposed as part of the GOP bill to repeal and replace the Affordable Care Act, or Obamacare -- would hurt IHS' delivery of health care in Indian Country. Buchanan testified that IHS Medicaid reimbursements have increased 21 percent between 2012 and 2016 thanks to Obamacare, and that all IHS service regions now pay for medical services above the "life and limb only" level — thanks to billing increases brought by the Medicaid expansion.

Responding to Udall's question, Rear Admiral Buchanan confirmed that a rollback of the Medicaid expansion would severely hamper IHS' health care delivery advancements. "You've seen obviously a significant influx as a result of Medicaid. If you take that Medicaid money [away], you're going to end up rolling back a lot of the achievements you've made, isn't that true?" Udall asked. "Right," Buchanan responded. "We place a premium on those third party collections... Focusing on third party collections allows us to increase more services for patients."

Prior to the oversight hearing, Udall joined Chairman Hoeven in leading an Indian Affairs business meeting to consider several bills related to Indian Country, including a Udall-cosponsored bill, the Native Educator Support and Training (NEST) Act, sponsored by Senator Jon Tester (D-Mont.). The

committee favorably reported the bill, which creates new scholarships and additional professional development opportunities, and expands loan forgiveness programs to support the recruitment and retention of educators in Indian Country schools. The bill included an amendment that Udall offered to support early childhood education for Native children by expanding scholarship opportunities to include preschool educators.

"I...want to thank Senator Tester for working with me on the amendment I've offered today that addresses another area I am committed to – early childhood education," Udall said. "This amendment expands the scholarship programs authorized by [the NEST Act] to include pre-school educators. It ensures that Native children are school-ready and provides working Native parents with more safe and healthy childcare options."

The full text of Udall's opening statements for both the business meeting and oversight hearing is available below.

#### *Business Meeting Opening Remarks:*

*Thank you, Mr. Chairman, for scheduling this business meeting.*

*Today, we will consider S. 458, the Native Educator Support and Training Act. Senator Tester's bill, which I cosponsored, addresses the current teacher shortage in BIE schools and public schools that serve tribal communities in a number of ways by providing scholarships, by forgiving student loans, and by supporting professional development.*

*This bill builds on professional workforce models that Tribes have asked Congress to champion – programs that embrace a “Home Grown” approach by investing in advanced training for Tribal members.*

*Tribes know that supporting Native educator development not only ensures Tribal classrooms will be fully staffed now and in the future, but also increases the overall levels of Tribal self-determination in education.*

*So, I want to extend my thanks to Senators Tester and Franken for joining together with me to advance this bill.*

*I also want to thank Senator Tester for working with me on the amendment I’ve offered today that addresses another area I am committed to – early childhood education. This amendment expands the scholarship programs authorized by S. 458 to include pre-school educators. It ensures that Native children are school-ready and provides working Native parents with more safe and healthy childcare options.*

*I look forward to building on the success this bill had last Congress -- when it received a legislative hearing and was voted favorably out of this committee. I urge my colleagues to continue their support for Native education and once again vote in favor of this bill.*

*We also have two other bills to consider today. S. 691, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017, which would establish a government-to-government relationship between the United States and six Tribes in Virginia. This bill was reported out of this committee last*

*Congress and I hope that, together, we can get this bill to the Senate floor for consideration and passage.*

*The final item on the agenda, Mr. Chairman, is your economic development bill, S.1116, the Indian Communities Economic Enhancement Act. You and I both know that Congress has an important role in helping Tribes grow their economies. Both S. 1116 and my bill, S. 607, intend to do just that, so I would like to work with you get our complementary bills enacted into law.*

*Thank you Chairman Hoeven for scheduling these votes.*

*Oversight Hearing Opening Remarks:*

*Thank you, Chairman Hoeven, for holding this oversight hearing on GAO's 2017 High Risk Report.*

*The federal government has treaty and trust responsibilities to provide vital services, including health care and education, to Native American and Alaska Native tribes — fulfillment of these responsibilities is both a moral and legal obligation.*

*As Congress' oversight partner, the GAO plays an important role. It dedicates time and resources to thoroughly reviewing the delivery of Indian programs within the BIA, BIE, and IHS. The review helps identify where we're falling short of meeting our responsibilities.*

*For years, GAO's work has provided evidence of something many Tribal communities have long reported – that management challenges and funding barriers at these agencies reduce the effectiveness of Tribal programs.*

*Their findings shed light on the need for increased management oversight, infrastructure investment, and workforce development, and their decision to include Indian programs on the High Risk list underscores the need to redouble this committee's efforts to uncover the systemic challenges plaguing BIE schools, IHS facilities, and the BIA's leasing program.*

*When I met with Comptroller General Dodaro last week, he explained what a "high risk" designation means and the outcomes associated with such a designation.*

*In my view, this designation presents this committee with an opportunity – an opportunity to do better by not only recognizing the administrative challenges to effectively running these programs but also by committing resources and expertise tailored to address them. That will enable us to do our part to uphold the federal government's trust responsibilities to Tribes.*

*Budgets are a direct demonstration of our priorities. Just as we have come here today to ask for more accountability from program administrators, Members of this committee must join together to fight for more funding for schools and hospitals and teachers and nurses.*

*I look forward to working with my colleagues on this committee. Many of them – like Senator Murkowski and Chairman Hoeven – are fellow appropriators. That gives us multiple ways we can work to ensure that the Senate continues*

*to pursue these important issues. I am hopeful that we can work together to ensure Tribal programs achieve the success these communities deserve.*

*Mr. Chairman, thank you again for holding this hearing. I look forward to the testimony and thank the witnesses for being here today.*