

# Reporting on National Tribal Caucus actions



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I promised last month to give a more in-depth report regarding the work I am involved with as a National Tribal Caucus leader representing Great Lakes tribes. I want to begin by saying that tribal issues and concerns relating to our environment and to natural resources is not an isolated departmental issue. It represents where the battle for strong tribal sovereignty will be played out over the next decade. It also represents where the opportunity for economic, education and cultural/social prosperity will emerge. The devil is in the details and it requires strong partnership and unification with our sister tribes throughout the Great Lakes region. These issues are converging and destined toward constitutional deliberations

at some point. It's imperative we not find ourselves asleep at the wheel.

As we come off the 30th celebration of EPA's 1984 Indian policy, and as a tribal representative of the National Tribal Caucus (NTC), I am thankful to former EPA Administrator Carol Browning for her memo implementing this Indian policy. Prior to that period, there was no venue for tribal nations to influence regulation or funding in Indian Country.

Two significant events occurred recently that brought the Indian policy into sharp relief as we tackle environmental concerns at the local level. One, coming out of the last presidential tribal leader's summit in Washington, D.C., where current Administrator McCarthy published a memo recommending the incorporation of "treaty rights" into the Indian policy and EPA. This is very big news, because the current federal regulatory framework delegates jurisdictional authority (and money) to the states. Holding states accountable — especially when it comes to quality standards and the permitting process — to the human health and cultural practices of tribes is groundbreaking.

The other event was the implementation of the new GAP Guidance (the base capacity development funding available to tribes—It's woefully underfunded). As Chairman Billy Means, chairman of NTC states, "... One event furthers the cooperative spirit

between EPA and tribes, while the second event takes that spirit back to the Stone Age and goes against the fundamentals of the Indian policy and the trust responsibilities that the federal government has with the tribes across the nation."

This is a snapshot of the current work the NTC is involved with. The NTC recommends scrapping the new GAP Guidance and begin a consultation process with the tribes across the nation on how we, together, can answer the questions and concerns raised in the 2007 inspector general's report (DOI-

EPA Joint Report: *Protecting the Environment and Natural Resources in Indian Country*).

The NTC is also preparing its budget recommendations to the Office of Management and Budgets for fiscal year 2017. Tribal programing in many cases are tied to state appropriations as a percentage "set aside." For instance, the Great Lakes National Program Office proposes a funding cut to fiscal year 2016 budgets.

The result will mean a belt tightening at the state level, but an evisceration of programs at

the tribal level. It translates into a funding cut of as much as 77 percent to particular tribes and 92 percent of all funding to the Great Lakes Indian Fish and Wildlife Commission.

This is an example of the disparity we face in Indian Country (that can only be viewed as a social injustice) and where NTC works to correct funding formulas as well as regulatory decisions that adversely impact tribal nations.

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