

The Honorable Debbie Stabenow  
Chairwoman  
Senate Judiciary Committee  
Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable John Boozman  
Ranking Member  
Senate Judiciary Committee  
Dirksen Senate Office Building  
Washington, D.C. 20510

United States Senate Committee on Agriculture, Nutrition, & Forestry

Rachel Lyons  
Bay Mills Indian Community  
12140 W. Lakeshore Drive  
Brimley, Michigan 49715

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Written Testimony pertaining to the Agriculture Improvement Act of 2018 (commonly referred to as the “Farm Bill”).

### **Introduction**

Aanii (Hello). My name is Rachel Lyons and I am an enrolled member of the Bay Mills Indian Community. The Bay Mills Indian Community (BMIC), Gnoozhekaaning, Place of the Pike, is a federally recognized Native American Tribe that is located on the shores of Lake Superior in Michigan’s Upper Peninsula. The people of our Tribe are Ojibwa and we have resided in this area since time immemorial. BMIC is one of the four original reservations established in Michigan. We are one of the smaller recognized tribes in the United States, with just over 2,300 enrolled members.

I am appearing before the Committee in my capacity as the Tribal Manager for Bay Mills Indian Community. In this role, I have management responsibilities for many different governmental departments. Two of these departments, the Commodities Food Department and Fire Management Department, in particular, have been greatly impacted by the provisions outlined in the Farm Bill of 2018.

### **Purpose**

I appreciate the opportunity to present this written testimony to the Committee regarding the importance of the federal funding and programs that have been made available to our Tribal Nation due to the enactment of the Agriculture Improvement Act of 2018.

Bay Mills Indian Community is an under-served Native American community with a strong history of high unemployment and low per capita income in relation to state and national averages. Although the location of our primary Reservation can be seen as an obstacle when it comes to economic development due to being situated in a very rural area and having some of the harshest winters in the Nation, there are many benefits associated with this location. A vast majority of our primary Reservation is positioned along beautiful and pristine stretches of the Great Lakes waterways. Natural assets of the Eastern Upper Peninsula are among Bay Mills Indian Community's greatest resources and must be leveraged to attract tourism and recreation to the region.

Numerous components of the current Farm Bill have had a positive impact upon not only our Tribal community but also the surrounding region. I strongly urge your continued support of this vital piece of legislation. The programs and funding associated with this legislation are absolutely necessary for our communities to not only address concerns related to our natural resources but also in helping to increase food security for our people.

### **Background**

#### *Good Neighbor*

As this Committee is aware, under the 2018 Farm Bill, Congress expanded authorities for forest management projects related to the Good Neighbor Authority. This expansion has allowed our Tribal Nation to contract with the USDA Forest Service (hereinafter referred to as the "Forest Service") to complete various projects within the Hiawatha National Forest that have advanced forestland restoration efforts. Our Fire Management Department has been very successful in its effort to assist in the stewardship and land management of these impacted areas. This effort involves working to increase the presence of various, preferred species of timber within our forests, improve the forest's ecosystems, and allow for overall better wildlife habitats throughout the areas addressed with this collaboration.

Based on the Forest Services' applicable forest plans and completed environmental assessments, BMIC's Fire Management has been contracted to achieve various goals of the area. The crew will work at numerous units within the national forest to remove species of trees that compete with the unit's preferred species. Some of the timber that our crew has helped to propagate have been White/Red Pine, Maple, Red Oak, Aspen, Cedar, and Yellow Birch. Along with this work

of supporting specific timber species, our crew has worked diligently to remove and reduce the overgrowth of vegetation to advance fuels reduction in our forested areas. Climate change has increased the prevalence of wildfires and this work has helped to curtail this.

### *FDPIR*

The Bay Mills Indian Community has implemented a Commodity Food program for its citizens for decades. During this time, the funding sources and names of the programming have changed, however, one thing has remained consistent: the availability of nutritious foods for our most vulnerable population of tribal members provided by the Food Distribution Program on Indian Reservations (FDPIR).

The advancements of this program even just in my lifetime have been amazing. When I was a child, like many other families in our community, we strongly relied upon “commods” to get us through hard times. Ask most any Native American throughout the country that grew up on a Reservation, and you will hear many similar descriptions of this program. Much of the food provided was canned, including all meat products and produce. Eggs came in the form of powder in a package and cheese came in a large block (it must be said that commod cheese is referred to as liquid gold in many tribal communities due to its delicious taste and versatility for cooking). Now, several decades later, one would not believe this is the same program. Current food products that are provided under FDPIR now include actual frozen meats, fresh, uncanned produce, and real eggs! Thankfully, the cheese has not changed too much.

### **Successes and Opportunities**

Our community has seen many successes come from programming funded by the Farm Bill, but we also see many great opportunities for improving upon the implementation of both the Good Neighbor Agreement and FDPIR.

### *Good Neighbor*

The Good Neighbor Agreement between BMIC and the Forest Service has fostered a strong relationship between our two entities. Throughout this project, BMIC team members have greatly benefitted from the knowledge and expertise Forest Service personnel possess; there have been numerous opportunities for our team to receive training and education that they otherwise would not have been able to obtain. The increased communication, interactions, and support from this program have formed several other progressive agreements for us, including an unprecedented Lighthouse Management Agreement that will not only help to improve the programming and services provided by the Forest Service at the Point Iroquois Lighthouse but will also help to impart the history and traditions of BMIC to the various visitors to this historic site. We truly have evolved into good neighbors for each other.

The Good Neighbor Agreement has not only helped to achieve various conservation and forestry goals but has also brought about indirect economical advances. The work in this agreement has been successful in achieving fuel reductions within our forested areas here in the Upper Peninsula, helping to decrease the likelihood of wildfires. As stated previously, this area strongly relies upon tourists coming to our region to enjoy the vast amount of recreation here.

Our waterways and forests are the basis of this recreation; without them, tourism would be non-existent in the region. Additionally, this work has kept nearly a dozen of our employees working longer into the seasons allowing them to bring in a steady paycheck and provide for their families.

There have been some obstacles to overcome with the agreement with the Forest Service. Funding for this program does not cover all expenses associated with the use of our personnel. Outside of wages and fringe, as any administrator knows, there are various expenses required to keep a department operational. Two specific costs that are needed for this department include costs for the facility in which they are housed (lease costs, utilities, maintenance and repair, insurance, etc.) and the cost of equipment that is necessary to complete various projects. In the current agreement, these costs have had to be absorbed by the Fire Management Department, something that their budgets simply cannot sustain for the long term.

Our Fire Management Department has historically been funded by the Bureau of Indian Affairs, Reserved Treaty Rights Lands (RTRL) program. This work has always been seasonal, primarily due to the requirements of the funding, but also because the funding allocated is not enough to provide full benefits for permanent full-time employees. Bringing in the Good Neighbor Agreement initially seemed like a great idea to keep our crew working further into the months that they would typically be laid off. However, this work coupled with their duties with the RTRL work has had them working throughout the majority of the last year. As much as we want to provide full benefits for these hardworking members of our team, the funding available for their programs just cannot cover the high costs of benefits. Contrary to popular beliefs, most Tribes are not rich by any stretch of the imagination. BMIC is one of those Tribes; we cannot afford to supplement this program. We are being faced with the real possibility of having to lay this crew off during what is typically their busy season.

I know that there is a real opportunity for improving this initiative by implementing collaboration between the Department of Interior and the USDA – the two agencies that fund various forest management programs. The Biden Administration is strongly promoting coordination amongst agencies and stakeholders. I can speak firsthand on the benefits of removing the silos in an organization and working collaboratively to achieve success. Our Tribe was crippled by compartmentalization of departments for decades, with our leadership only recently working to address this. It has been amazing to see the work that has been achieved with our departments actively working together and combining resources, resulting in the provision of better programs and services for our people. There is a great prospect here for the USDA to work alongside the Department of Interior and Tribal Nations to achieve critical goals for conservation and forestry in our area while helping to positively impact the economy in the region.

### *FDPIR*

The FDPIR program has continuously worked on providing the best services that it can for people across the nation. One new initiative that is being explored, in particular, holds great promise for further development by allowing for locally sourced produce and meats, including fish, to be purchased for distribution to the families that utilize this program. Although this is

only in the testing phase, there is hope for future implementation in our region. This program will bolster the availability of fresh, nutritious foods to our community members that typically would not have access to this type of nourishment. Furthermore, a positive indirect impact will come from the procurement of these goods locally. Our local farmers and fisherman will see an economic boost due to the demand and purchase of their goods.

Our Commodities Food Department has evolved from only providing nourishment to our community, to now providing ongoing education for individuals and families. Tribal members can learn more about pursuing healthy eating and cooking habits, receive one-on-one direction to learn various recipes that only utilize commodity food supplies, food preparation education, in addition to being provided cookbooks and recipes to grow their culinary skills.

Something unexpected that resulted from the Commodities Food program is the positive impact that our elders in the community have experienced. The FDPIR program allows for food delivery to our homebound members, many of which are elders. This ongoing interaction has been a great blessing for this most important group of members of our community. This service affords ongoing interactions with elders, increasing the amount of socialization they are able to participate in. Additionally, program staff can act as another outreach source to assure our elders are in good health and do not need any other services. If additional services are needed, the FDPIR staff are well-versed in the various programs available in our area and can make the necessary connections to support our elders. The delivery service allows our staff to check in on our people and assure they are remaining healthy.

The staff that administers the Commodities/FDPIR program for BMIC has continuously voiced several major concerns about the program. For an individual or family to utilize this service, they must meet income eligibility requirements, similar to most assistance programs available from various other agencies. These requirements are based upon the annual FDPIR Monthly Income Standards. The overall standards to access both FDPIR and SNAP truly need to be reassessed. For example, a single mother of one child has a current net monthly income limit of \$1,629 to access this critical resource. The program allows for a standard deduction of \$450/monthly to account for shelter and utility costs. Even individuals that receive subsidized housing see a much larger cost than \$450/month in Michigan for rent and utilities. Heating costs in our area can easily average \$150-200/ month. Add in the cost of rent, electricity, and water (just the absolute basics that are needed for a family), and you have easily doubled the actual cost of this standard deduction. A monthly income of \$1,629 is quickly depleted with the costs of rent, utilities, gasoline, car and mandatory insurance payments (an amenity that is a necessity in our rural location that is lacking various options for public transportation), health insurance costs (an unallowed deduction), in addition to the everyday costs that are common with having children. If the USDA were to increase the income eligibility limits even slightly, the agency would be able to serve this often overlooked, working poor class of citizens that are many times faced with food insecurity.

In the past, all elders that were considered disabled by Social Security were eligible to receive FDPIR; there was no review of income. Out of the blue, this changed. There was no warning, just new guidelines implemented. Sweeping changes like this have a drastic impact on

individuals that have always depended on receiving monthly assistance for food. Ideally, this program would remain open to our disabled senior citizens, but changes like this must be made incrementally so that individuals and families can better prepare for the decrease in resources. The same type of sweeping change impacted foster children that are placed in care. The children were eligible for this program, then out of nowhere, guidelines shifted to require an income review. For foster children to qualify for FDPIR, all funding associated with the child must be assessed, with no allowability for deductions (as if a child does not have any expenses associated with them.) Many foster families were no longer able to access this resource for children that were placed in their care.

An inequality that had become very obvious to our departmental staff came with COVID-19. During that time, SNAP benefits were significantly increased. While FDPIR has similar guidelines as the SNAP program, our tribal member participants did not and still have not seen any increase in the amount of food they can receive. Our families are currently allocated three types of meat per person for a month of sustenance; a family of four must survive on only twelve meat options for 30 days. If our tribal program is to be held to the same guidelines and standards as the SNAP program, they should also see a similar benefit.

And, finally, regarding the SNAP program, tribal nations typically are not granted the ability to administer this type of food assistance programming. Tribal members many times do not have the means to travel to the nearest Health and Human Services department, the agency to apply for SNAP benefits in our area. Because of this, they are not given a choice as to receive SNAP or FDPIR. While BMIC, and many other Tribal Nations, have administered grants and contracts for decades, many of which are the sole source for providing programs and services, we are not given the ability to administer the SNAP program on our Reservations. This co-management of SNAP in our area could help to increase our Commodities Food Department's capacity while helping to ease the administrative burden that is placed on local State agencies.

### **Conclusion**

There is no doubt that the Farm Bill is a necessity for our Tribal Nation, and likely most tribes across the country. The funding and programs associated with this Act have helped to ensure we can continue to provide greatly needed services to our tribal members and surrounding community.

As with many governmental programs, there is room for improvement. The changes proposed in this testimony can help agencies to provide more effective and efficient services, ease the burdens placed on any one agency, look to collaborate with others, and foster more positive economic impacts in our various regions. I greatly appreciate the opportunity to present the numerous successes my community has participated in because of the Farm Bill and the various opportunities that our teams have identified over the years. Miigwetch (thank you).