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**Twila Kekahbah**

**Merv Tano:** Okay folks. Let's gather around.

**Twila Kekahbah:** Bojoui. My name is Twila Martin Kekahbah and I am originally from the Turtle Mountain Band of Chippewa in North Dakota. The Turtle Mountain Reservation. When Merv introduced me earlier, he noted that I had been acting tribal chair. And he's probably talked to a lot of people back home in Turtle Mountain. But I have to tell you that normally, particularly since I've been in Denver which is about a year, I wouldn't come out for just anybody. And when I talked with Merv, I made a commitment to come over here even though I knew at the time that we were in the process of trying to prepare testimony for a meeting that's taking place tomorrow in Atlanta which is the CDC meeting which is the first consultation meeting between CDC and tribes. And the reason I chose to come here, and that goes back to loyalties, is that when I was chair out in Turtle Mountain, I needed some help in looking at environmental offices and setting up an environmental office on the Turtle Mountain. And I needed someone who could provide me a legal opinion as well.

I'm going to divert a little bit from my prepared statements and tell you a little bit about myself. First of all, I'm an educator. My background is in early childhood and I've got a Master's Degree in Administration. I taught out at Haskell and I worked at Haskell for many years as did my husband. In 1985 I became a Kellogg fellow. There were three American Indians that were selected for the Kellogg fellowship. My area of interest was looking at developing countries and comparing them to Indian reservations. The way in which I proceeded to look at them was through socio-economic, health, education, not

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necessarily political ideologies. What I came back with after basically 3 years of looking at Latin America and Asia, what I came back was with a commitment of making change. Making change meant to me returning home to my reservation from Lawrence, Kansas, very easy environment to be living in and running for tribal chair for the Turtle Mountain Band of Chippewa.

When I chose to do that, I knew that there had never been a female elected to my tribe. I knew that I had the outsider attached to me. But I also knew and some people call it gut feelings, some people call it heart. But I knew that I had that feeling in my heart. I knew that I wanted to make change to create stability that's I've often referenced as tribal government stability. I knew that we had some concerns regarding our traditional form of government versus the government that was imposed upon us through the IRA. I was very idealistic. Very idealistic. I grew up on Turtle Mountain. I grew up in a family of 12 where my mom and dad also, and I say my mom and dad because we had families that headed the household with the father and we had a mother. I grew up in a family where my mom and dad brought in a lot of other children that they raised. There was no issue of child welfare. I grew up in a situation that my mom said, we may not have enough money, but at least we can be clean. It was a one room log house. I grew up in a family where I could go to sleep at night and I could hear my dad snoring. Now in the daytime there would be rollaway beds all the way around the sleeping area. At night you wouldn't even be able to walk through. But I didn't have to worry about sexual abuse in our family. Everybody knew it was going on. Plus that we had strong ideas of who we were. My mom knew who she was. My dad, all of us. My dad was the person

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who told me, don't let anybody, never let anybody tell you you can't do something just because you're female. You can do it. There was no such thing as women's work or men's work. We worked together. There were no housing clusters. We had clans and we knew how to relate. I say that because when I went home I knew I was good at bringing money into Indian communities. I was the first basically tribal president at Tribal Mountain Community College, so I knew how to go about and get money. My master's thesis was on philanthropy and getting money back to tribes. I thought that being a good tribal chair was bringing money home. What I wasn't prepared for was the problems that I encountered. How do you deal, how does the gut, how does the heart deal with sexual child abuse? How does the heart and the gut deal with abuse of our elderly? How do we as tribal leaders deal with the issue of housing and providing adequate housing?

You know I always thought that my fear of science, math, biology, was something that was a major problem to me and I could never believe that I would be able to have a clear understanding of health issues. Because scientists to me were somebody from an academic world that didn't fit into mine. What I learned back home was that our people were scientists. They asked the questions of why. Why? Why, they asked, do we have so many deaths related to cancer? They asked, do you think it's because of the pesticide spraying that was done? Why? They asked, why are some of our housing projects built on reclaimed land that once was a landfill? A lot of whys. You know Roger mentioned earlier the use of statistics and data. I used to be so envious of those people who had that data. Because it's not always there for the tribal leadership. And

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what was coined at Turtle Mountain was that he who holds the information in their hand, holds their future. The issue of what is the population of Turtle Mountain? What is the number of children under the age of 6? What is the number of the population that is over childbearing? What or how many homes do you need by the year 2001? Do you have any territory, any land that has not been developed? And the development of land, what does that mean to the pincherries, the cranberries, the wild nuts? If you don't have them, then how can you do some of your ceremonies?

All of those questions came to me and as tribal leadership goes, you don't know how to answer a lot of the questions that are posed to you. You know I can honestly tell you that I have never come across a malicious or intentionally corrupt tribal leader.

Sometimes I know that there are decisions that are made that are not necessarily looked upon as to the best interest of the people. But my concern has always been, it's much easier to be Monday morning quarterbacks than it is to get into the fray of what it's like to lead your tribe.

And I look back now and I think to myself that I celebrated two days ago my one full year here in Denver. And I do work for the National Indian Health Board of Policy Analysts. Why did I choose to come to Denver? So I'll have to be honest with you. Denver ain't my kind of town. I know I'm Turtle Mountain. But I came here because I always figured that as tribal people we've come much further and much faster than any other group of people. We conquered issues in education to the extent that we have tribal colleges out there. But health is a different arena and health is an arena that I felt I

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needed to be more knowledgeable of in order to be able to help make decisions that impact upon the future of our tribe as well as other tribes.

Now I also felt that with the National Indian Health Board and them representing the 560 tribes throughout the country with the 12 area board representatives, that they still held something that was close to me and that's the issue of how this government to government relationship came about.

When I was tribal chair I always maintained the lynch pin decision making process was based upon our tribal constitution. Not the U.S. Constitution, upon our tribe's constitution. And when I look at the National Indian Health Board and I look at what it represents for tribes across the country, I know that those tribes relate to the U.S. Government through the government to government relationship. And that's based upon the U.S. Constitution.

Knowing all that then, I felt I owed it to myself to be able to answer some of the questions, to look at some of the data that Roger was bringing about and try and come up with some idea as to how we can make changes. You know I look at for example, Roger talked about the issue of data and the fact that Indian Health Service does maintain data. I brought with me information on tribal youth. I'm going to tell you, I'm kind of in that awkward stage. Not gangly, it's just a matter of I have bifocals and I haven't gotten used to them. I feel like I'm taking steps too high. But you know statistics that really hit me back home at Turtle Mountain as I mentioned, why? Why does the Aberdeen area have the highest rate of SIDS? Why do they say that our

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children are dying of SIDS and we're not looking at injuries. You know we're not looking at intentional injuries. We're not looking at this difference of intergenerational. There used to be times back home when I'd sit in my office and I'd think to myself, what price progress? How far have we come and how little have we gained?

You can ask yourself those types of questions and you can end up not doing anything and just become a question box in a sense. I look at what's taking place across the country, for example, we all know that 25 years ago the issue of self-governance was not out there. But again, we need to be careful, because a reference was made to self-governance tribes. There's an issue between self-governance tribes and self-determination. And one should always maintain, understanding the difference between the two. Self-governance right now is meant to be those tribes who are compacting with the federal government. That means that they have taken their shares of the bureau, they've taken their shares out of IHS. That's self-governance. Self-determination is a different issue and I think it's really important that people don't confuse the two because not necessarily all self-governing, compacting tribes are governing themselves. Nor is it true that all direct tribes who receive their services directly from the federal government because they believe the federal government has a treaty obligation, are not, . . . they're self-governing as well. As long as they abide by their constitution.

And something more, and this is where I told you earlier that I had a great feel of admiration for Merv. As you may know, to change a constitution is very difficult. To change a tribal constitution is as equally difficult. So how do you go about skirting the

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issue of constitutional reform? You bring in people like Merv and you ask them, help us create a law that deals with environment. Help us create a law that deals with our children. Help us create a law that deals with our housing. I learned that at Turtle Mountain, it was easier to take our laws from 1976 which were basically given to us, and recodify them and make them meaningful to our people. I learned that at Turtle Mountain, academic institutions can do a lot of research and they can hold a lot of information and they can dole it out to you as they see fit. I learned at Turtle Mountain that you can make up data and people believe it's actual. I also learned at Turtle Mountain that none of that works if you want to plan for your future. If you want to plan for the future of your people.

I'm going to talk to you a little bit about something that's really as I mentioned education is my background. I'm going to tell you what I think about some of the issues that are really critical on many reservations at this particular time when it comes to our children. We know the statistics. We know them. Whether we accept them to be real or not is what's in the gut and what's in the heart. What we do about them also lie there.

There are other facts too that we know. And these facts relate to money. Money such as I was mentioning with the CDC, supposedly there's 13 million dollars that filters out to tribes and to Indian communities from CDC to deal with issues like hantivirus and HIV, SIDS, the 6 disparities that the President has recognized as being burdens placed upon people of color or low income area people. And you can't get a handle on it. You

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can't get a handle on that money because some of it is untraceable. It's locked in those bureaucracies somewhere and you can't pull it out.

But I'm going to tell you besides looking at the fact of the wide spectrum of our young people and our old people, most tribal leadership usually address the vulnerable. That's our children and our elders. And you look at both sides and I'm going to relate to the elders. We all know that tribes and states don't often mix. They just don't sometimes get together. We know that in some tribes they have a high number of elderly people but yet the state refuses to give what's called a CON, a Certificate of Need so that the tribe can build a long term nursing care facility. The tribal leadership know that they can get those statistics to prove that they have the numbers in order for Medicare reimbursement. The problem is sometimes IHS, the privacy act won't give you the information so the question comes down, well if you can't get it, then contact IHS. I mean those are very simple and stupid answers because nothing can be quite that simple in terms of reality and getting the information. So how does the tribe create the statistics?

I was mentioning to Daphne that with the tribal colleges, and they've had to fight every step of the way for recognition, for acceptance. The tribal colleges have the ability to gather than information. They have the ability to create centers. Centers of information that will meet the needs of individual tribes. Because see, again, you know, I'm thinking about Brenda at Haskell. When you talk about tribes in the Alaska villages, we're not generic and Alaska fore example, the issue of sovereignty is different than the lower 48.

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Cause sovereignty is based upon the Indian Child Welfare Act. Alaska. But that's right, but again, when you look at it from a tribal position sometimes it's much more broad in terms of the legal positioning of tribes.

But I want to tell you that to me, what I hold really dear is that the children that are having problems with the school and I want to point out that buildings on the reservation are extremely dangerous. I think about the progress of eating mud out of the logs, you know that was not good. I think about the lead paint in the houses that we have to deal with. But I also think about the school systems. And the fact that 30 years ago, maybe our schools looked better. That's not the case today. That's not the case at all. Now the federal government is responsible for the funding of two school systems, the Department of Defense and the BIA. There are 185 schools that are operated by the Bureau of Indian Affairs. For fiscal year 2001 the greatest budget request has gone in for new school construction and that is over 300 million. What does that mean? That means 6 schools, 6 schools. You know 6 schools that are going to be rebuilt. These are schools that have structural and code deficiencies. They have problems that are environmental. You know we think about lead based paint and we ask ourselves as educators, how easy it has become to classify our kids FAS, FAE, ADD, EDD, you know we go down the line and how many of those might not be related to environmental problems as well.

In addition, the Bureau asked for 105 million for repairs. Repairs and maintenance.

What this means is Band-Aids. Band-Aids on some of these facilities. I look at a school

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back home and that school is over 70 years old. The bathrooms don't work. It's flooding. Kids have to walk over 250 yards to get to one modular to another modular. You know back home I call our educational facilities the lean-to system. You know we're always pushing up an old modular that we get from maybe the air base or somewhere else up against one of our modulars. And I look at the fact that even in IHS. In IHS we have our kids in these schools systems where the buildings are old and then they go down to the clinics and the hospitals. Again for this 2001, the request from IHS is 3.8 billion which would also include construction. That construction only allows for 3 facilities to be built. Three facilities.

We look at what does this mean in terms of indoor air risk. What does it mean as far as exposure to pesticides and other issues. Well it just so happens that there came out a new definition and along with that definition there came a study called Federal Facilities, Environmental Justice Enforcement. And I really like the definition of environmental justice. Now it says, "Environmental justice--the need to remedy the unequalled burden borne by socially economically disadvantaged persons in terms of residential exposure to greater than acceptable levels of environmental pollution, occupational exposure to hazardous substances and fewer benefits such as sewage and water treatment." Now to me that really sounds like reservations or the villages. And yet, yet you know studies can come out and they'll say, we are going to replace federal facilities that are not meeting this definition. Guess what? There's no BIA schools and there's no IHS hospitals or clinics. You ask yourself why? Now why is that? Why if we're talking about inequality and we're talking about equal or environmental justice, then why isn't

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that including the reservations? You have to ask yourself again, we've come a long way, but have we? And if we haven't, what are we doing about it to make it change?

You know again Roger mentioned some of the things that are going on. We've got lead base money to do screening and we've got lead base money to address the issues of lead base found in children but again, that's not enough and it just started flowing to some of the tribes. So about 86 percent of the tribes have not received any of the money yet that is out there for lead base. What are we going to do about the schools? What are we going to do about the IHS facilities? Well there's a new program that also came out under the President's initiative. And it's the new school loan renovation grant, IHS replacement facility. What it basically says is that the federal government, this is the same government by the way that's holding in trust money that we have based upon the land that they took. And they mismanaged it. But they're telling us, we're going to lend you money to build or replace these facilities. What they're not saying is that tribes you're going to have to change your codes. For some of you, you can't go out and borrow the money because your codes prohibit you from borrowing that amount of money. You can't do a bond issue because your code prohibits you from doing the bond. So tribes need to ask again, how do we access, how do we access the money? How do we change the issues of our children being in buildings that are dangerous or does it even matter? Does it even matter?

I think that for myself there's some recommendations that I think we can all look at in terms of how we want to make some change. I think that by working together,

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researchers and tribal colleges, tribal community leaders, we can identify the statistics that are causing us the concerns. And we can do something about them. It goes back to what Roger said. It's one thing to have the data, but you need to do something with it. And so far we kind of allow people to pull us here and there. My son once said to me, he said, "Mom, do you think I'm a dragon?" I said, "What do you mean?" He said, "Well you drag me here and you drag me there." I said, "Well that's a different type of a dragon." I think that the National Institute of Environmental Health and the U.S. Environmental Protection Agency need to support research at schools within tribal jurisdiction regarding the influence of environmental toxins on educational learning and positive health related quality of life, another Q.

The other thing I have a concern about is that I've asked this to myself--why must the Federal Facilities Environmental Justice Enforcement Initiative be a tool for planning and targeting inspections. That I don't have a problem with, but why is it related to enforcement activities at these facilities? You know one of the problems that occurred with EPA was that when they came out to the tribes there was this wonderful belief that because we were being treated as states that things would get underway. But when EPA started looking at tribes in areas of enforcement, that became a different issue. Because then you have to deal with sovereignty and you have to protect the sovereignty of the tribes. I know that you have to have enforcement. I know that you need to always have consequences for actions, but why does it have to be such an overriding issue when we're talking about the realities of buildings that are unsafe? I would like to see each EPA region include at least one targeted facility. Tribal facility. A school, an

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IHS clinic, that they would like to work on with environmental justice coordinators and do something about replacing instead of waiting on the tribes to meet the priority list that's going to allow them to get a new school or a new clinic. You know when we talked about the federal government, the relationship of tribes to the federal government is just not that of IHS or the Bureau of Indian Affairs. It would be nicer to see this collaboration so when we talk about children and the impacts of health we'll start looking at the real issues and some of those real issues are just as clear as can be when they're right smack in front of your face. And those are the buildings where some of our kids can't even learn simply because the buildings themselves are dangerous, both environmentally as well as from all other safety aspects.

So I know that I've skipped around here a lot and again I appreciate your listening to me and I'm here because of Merv.

**Merv Tano:** Thank you, Twila. (applause) What Twila's too kind to say is that when she took over she had to kind of fix up a situation where landfills were placed in the most, just the wrong place, where industrial facilities were put in just the absolutely worst place on the reservation. And she was stuck with that legacy and had to try to figure a way to fight her way out of it and she is a fighter. Appreciate that.

**Twila Kekahbah:** Thanks.

**Merv Tano:** Any questions for Twila?

*END OF PRESENTATION*