

## **FUND DISTRIBUTION PROCESS**

**Program:** Rights Protection Implementation

**Type of Funding:** Recurring (non-base) funding

**Funding Authority/Responsibility:** 25 U.S.C. 13 (The Snyder Act of November 2, 1921), 42 Stat. 208, Pub.L. 67-85; 90 Stat. 2233, 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 88 Stat. 2203, Pub.L. 93-638, Pub.L. 100-472; 102 Stat. 2285, Pub.L. 103-413. Pub.L. 94-482.16 U.S.C. 3631 (The U.S./Canada Pacific Salmon Treaty Act of 1985); 99 Stat. 7, Pub.L. 99-5. U.S. v. Washington, U.S. v. Michigan, Lac Courte Oreilles v. Voigt, U.S. v. Oregon, Minnesota v. Mille Lacs and Grand Portage v. Minnesota.

The Deputy Bureau Director, Office of Trust Services (OTS) has responsibility for this funding.

**Criteria for Distribution:** The Rights Protection Implementation (RPI) program supports the execution of Federal Supreme Court case actions that have delineated reserved treaty rights to hunt, fish, and gather within and without reservation territories. These cases recognize and protect court decisions and orders implemented through this program including U.S. v. Washington; U.S. v. Michigan; Lac Courte Oreilles v. Voigt; U.S. v. Oregon; Minnesota v. Mille Lacs; Grand Portage v. Minnesota. In addition, this program supports the implementation of the US/Canada Pacific Salmon Treaty (PST) which further links reserved treaty rights to hunt, fish, and gather within and without reservation territories. These funds originated as Congressional budget or Omnibus legislation set asides. Funds are limited to those tribes that were designated by Congress under RPI.

### **Distribution Process:**

- Upon apportionment, the Indian Affairs Office of Budget and Performance Management (OBPM) moves Non-base funding to the Office of Trust Services. (within 5 days)
- Central OTS DNR FWR Branch Chief conveys RPI program funding amounts per the President's Budget Request for submission to OTS Program Management (PM) Office for generation into FBMS Entry Document (FED). (within 3 days)
- PM prepares FEDs and obtains signatures and submits the Regional FED to OBPM and Office of Self-Governance (OSG) FED to OSG for approval. (within 2 days)
- OBPM processes funds to the appropriate BIA Region (within 3 days)
- OSG approves FED and submits to OBPM for processing (within 3 days).
- OBPM processes funds to OSG. (within 3 days)
- FWR alerts Agency staff and/or OSG staff of FED action transfer for eventual transmission of funds to tribal programs through Self-Determination contracts.

### **Regional Processing:**

- Indian Self Determination (ISD) Awarding Official negotiates terms, conditions of award, including payments. They calculate Contract Support Costs and prepare contract award/modifications in PRISM. (within 5 days)
- The ISD Awarding Official prints and mails the award/modification to tribe for review and acceptance. (within 5 days)
- Tribal elected official approves award/modification and returns the documentation to the

Region/Agency.

- The ISD Awarding Official executes the award/modification and releases the obligation in PRISM. PRISM interfaces with ASAP and funds are available to tribes. (within 3 days of receipt of signed document)

**OSG Processing:**

- Once both OSG and OBPM are in agreement with the distribution list, a FED document is processed to OSG for distribution. (within 3 business days.)
- OSG will process the FED, subsequent PR, and obligate funding. (within 7 business days.)

Tribes log into ASAP to draw funds into their account.