



# Great Plains Tribal Chairman's Association

Tribal Interior Budget Council  
Fiscal Year 2019 Formulation  
Washington, D.C.  
March 22-23, 2017



# FY 2019 Tribal Interior Budget Council

## ■ Tribal Representatives

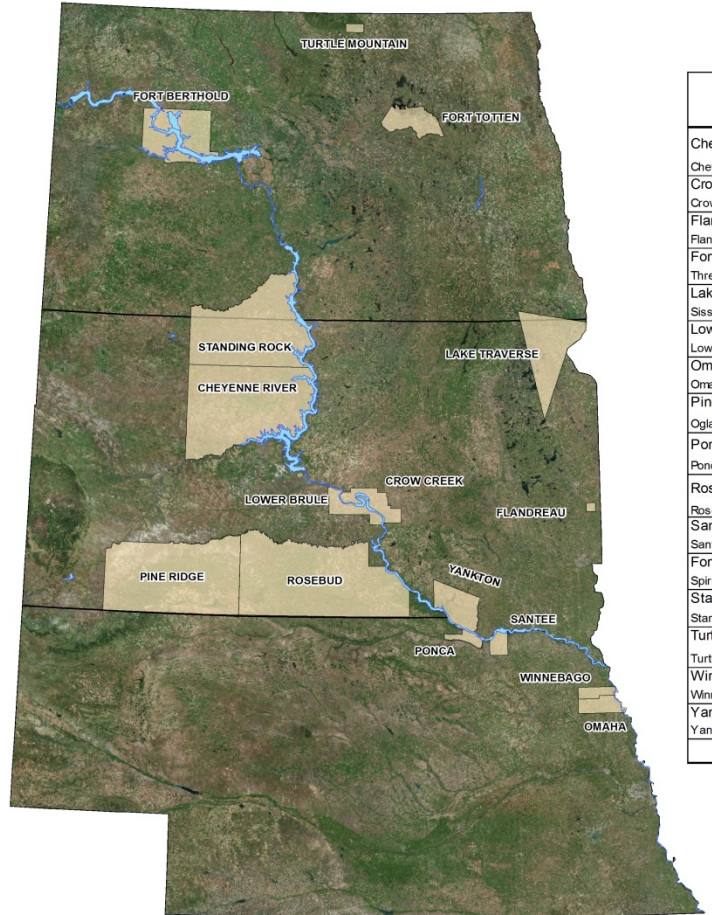
- Harold Frazier, Chairman, Cheyenne River Sioux Tribe
- Nancy Greene-Robertson, Secretary, Spirit Lake Tribe
- Larry Wright, Jr., Chairman, Ponca Tribe of Nebraska (alternate)
- A. Gay Kingman, Executive Director, Great Plains Tribal Chairman's Association (alternate)

## ■ Regional Office Representatives

- Timothy LaPointe, Regional Director
- Danelle Daugherty, Deputy Regional Director – Indian Services
- Ernest J. Pourier, Budget Officer



# Great Plains Region Trust Acreage and Road Miles



Reservation Name	Tribal Acres	Allotted Acres	Trust Acres	Estimated Tribal Enrollment	Acres within Boundary	Acres Outside Boundary	BIA Road Mileage	Tribal Road Mileage	Bridges
Cheyenne River	1,000,051	405,238	1,405,289	19,767	2,820,806	6,110	307	52	24
Cheyenne River Sioux Tribe									
Crow Creek	68,506	54,351	122,857	4,617	295,954	-	53	2	3
Crow Creek Sioux Tribe									
Flandreau	1,854	172	2,026	723	2,408	-	8	0	0
Flandreau Santee Sioux									
Fort Berthold	92,960	319,374	412,334	14,828	1,013,697	-	242	19	0
Three Affiliated Tribes									
Lake Traverse	25,449	82,094	107,543	13,014	965,092	-	92	5	1
Sisseton-Wahpeton Oyate									
Lower Brule	120,380	22,493	142,873	4,017	245,186	-	109	7	2
Lower Brule Sioux Tribe									
Omaha	11,022	18,109	29,131	5,853	198,555	-	54	0	6
Omaha Tribe of Nebraska									
Pine Ridge	708,629	995,208	1,703,837	39,861	2,787,678	-	519	1,457	23
Oglala Sioux Tribe									
Ponca	623	0	623	3,600	98,286	-	0	4	0
Ponca Tribe of Nebraska									
Rosebud	558,363	344,718	903,081	45,154	3,332,841	-	162	161	11
Rosebud Sioux Tribe									
Santee	8,111	3,118	11,229	2,766	117,464	-	15	10	0
Santee Sioux Nation									
Fort Totten	26,608	37,907	64,515	7,397	375,286	-	76	23	0
Spirit Lake Nation									
Standing Rock	378,605	456,295	834,900	15,928	2,346,217	-	220	28	12
Standing Rock Sioux Tribe									
Turtle Mountain	36,204	41,624	77,828	32,368	45,962	43,466	176	0	0
Turtle Mountain Chippewa Tribe									
Winnebago	6,252	23,402	29,654	4,321	113,041	-	43	6	2
Winnebago Tribe of Nebraska									
Yankton	13,312	22,578	35,890	8,816	439,119	-	29	1	0
Yankton Sioux Tribe									
<b>Grand Total</b>	<b>3,056,929</b>	<b>2,826,681</b>	<b>5,883,610</b>	<b>223,030</b>	<b>15,197,592</b>	<b>59,767</b>	<b>2,105</b>	<b>1,775</b>	<b>84</b>



**Notes:**

Tribal Enrollment Data taken from multiple sources with reporting dates between 2005 - 2017

Acreage Figures are taken from TAAMS active database of tracts under BIA (March 10, 2017)

BIA & Tribal Road Data taken from Road Inventory Field Data System (2017)



# Secretary of the Interior Statement

“And lastly, sovereignty needs to mean something. I will do everything in my power to ensure respect to the sovereign Indian Nations and territories. I’m proud to be an adopted member of the Assiniboine-Sioux from Northeast Montana. My commitment to the territories and Nations is not lip service.”

Ryan Zinke, March 2, 2017



# Treaty Obligations and Trust Responsibility

Treaties define our unique relationship with the Federal Government and predate the Constitution of the US. Treaties are recognized under the United States Constitution, Article VI, as Supreme Law of the land.

All interests of the Great Plains Region should be protected; the best assurance for the Great Plains Region's long-term survival is full funding to sustain healthy, productive, safe, knowledgeable environments so tribal citizens of the Great Plains Region can be full partners in the American Economy.

Therefore, funding appropriated and distributed for services to Tribes and their members is based on the fact the United States Government has a fiduciary trust responsibility under the treaties to protect tribal/Indian property, land, rights and resources. Current levels of Government funding cynically mask the fact that the United States is only providing uncertain, erratic and partial handouts. These funds should not be viewed as entitlements or discretionary; they should be protected and guaranteed quid pro quo treaty rights and should be adjusted for inflation annually.



# Continuation of Annual Tribal Nations Summit, 2017 in Washington, D.C.

- POTUS and Secretary Ryan Zinke should continue to hold the Tribal Nations Summit in Washington, D.C. 2017
- Ongoing dialogue regarding strengthening the government-to-government relationship and growing tribal nations' economies and powers of self-governance



# Tribal Position on the 2019 Budget Process

Large land-based tribes and full-service tribes, particularly rural tribes, bear a greater responsibility for more comprehensive governance, public services, and resource management, including securing adequate funding across a broad range of programs.

These challenges are often exacerbated in areas of concentrated poverty. Cost calculations need to accommodate and allocate additional funding for these unique circumstances affecting tribes' responsibilities for large governments and geographic areas.

**Needs-Based and Regional priorities and funding would better serve the diverse needs of tribes as opposed to national priorities that favor collections of smaller tribes.**



# Tribal Priority Programs

Tribal Priority Allocations (TPA) is a group of programs within the Bureau of Indian Affairs (BIA) annual budget that provides funding for: BIA Agency Operations, Tribal PL 93-638 self-determination contracts and BIA field operations.


Tribal Priority Allocations funding is important because it supports tribal self-determination contracts. Many tribes, especially those that do not have significant sources of tribal revenue, depend upon TPA funding for the operation of tribal government functions in the areas of human services, economic development, natural resources management, judicial services and tribal operations. Over the years, Tribal Leaders of the Great Plains have consistently identified TPA as high priority.



# Great Plains TPA Base Funding History

## 5-Year TPA Base Funding Historical, Great Plains Region

<i>FY 2012</i>	<i>FY 2013</i>	<i>FY 2014</i>	<i>FY 2015</i>	<i>FY 2016</i>
52,838,027	50,152,618	51,245,611	51,714,058	53,730,046
	(2,685,409)	1,092,993	468,447	2,015,988
	-5%	2%	1%	4%
Source: Enacted TPA Com. Table				



# Great Plains Preferred Programs

- Tribal Courts (TPA)
- Road Maintenance (TPA)
- Scholarships and Adult Education (TPA)
- Social Services (TPA)
- Indian Child Welfare Act (TPA)
- Other Aid to Tribal Government (TPA)
- Johnson O'Malley Assistance Grants (TPA)
- Criminal Investigations and Police Services
- Housing Improvement Program (TPA)
- Detention/Corrections

# Tribal Courts (TPA)



- Tribes in the Great Plains operate comprehensive court systems through Public Law 93-638 contracts funded by the Bureau of Indian Affairs.
- Regardless of the situation within other Regions, Tribal Courts must remain a high priority because of its significance to support safe communities and healthy economies for large Tribes with large land bases and attendant areas of jurisdictional responsibility.
- Many Tribes are funded at levels that typically only sustain staff such as judges and clerks (usually civil and criminal, at most), court systems cannot effectively function without other critical staff such as administrative, probation, specialized court staff (juvenile, drug, mediation/peacekeeper court staff), guardian ad litem, and public defenders.
- As an example, a tribe reported their Attorney General's Office must serve as a probation department since the tribe does not have the funding for such a department but the need for such services is required. In addition, there is ONE juvenile prosecutor to take on the entire juvenile caseload of 964, and this is just one of sixteen tribal courts with similar needs.
- Possible measures for success can include monitoring recidivism rates for funded probation departments or drug courts as well as reduced caseload ratios of prosecutors or public defenders.

# Road Maintenance (TPA)



- The Road Maintenance funding for both Tribal and BIA has been relatively flat for the last 25 years in the Great Plains Region.
- When the funding level remains flat, this creates a backlog in deferred maintenance. For example, ten BIA regions throughout the United States have a total deferred maintenance of \$98.23 million for roads, bridges and equipment. In the Great Plains Region alone, a conservative estimate for deferred maintenance is \$8.6 million.
- The Region has taken the lead to finalize a Road Maintenance Survey that will be distributed to all tribes and BIA agencies who operate a road maintenance program.
- The survey, 33 questions, ranges in questions from baseline budgets, critical issues, deferred maintenance, dollars spent on various categories and data collection methods. Results will be analyzed and report provided to the TIBC subcommittee.

# Scholarships and Adult Education (TPA)



- Scholarships and Adult Education have historically ranked as a high priority in the Great Plains Region.
- Tribes understandably link education with increased individual and community economic opportunities to offset the historically high unemployment (upwards of 60%) and low per capita income.
- Great Plains Region is home to 9 of 35 national tribal colleges and universities and over 31% of the national tribal college student population.
- Reservation-based tribal colleges serve as excellent community resources to provide a supportive environment for non-traditional students to achieve degrees without having to leave the reservation; providing resources for scholarships will support some of the neediest students at reservation locations due to the availability of excellent local higher education options in the Great Plains Region.

# Social Services (TPA)



- The Child Welfare League of America recommends that a child protection worker carry only twelve on-going active child protection cases at any given time. These workers often have caseloads that are two to three times the recommended national standard.
- Tribal social workers are often required to conduct collateral duties that span across multiple areas of social work beyond just child protection or child welfare.
- Heavy caseloads and workloads have been cited repeatedly as key reasons that workers leave the child welfare workforce, leaving tribal social services programs understaffed and overworked.
- Recruitment of more social workers will allow tribes to begin addressing the high caseloads and workloads, so that social workers can begin shifting their focus to providing essential child welfare services, including family engagement, relationship building, assessment and permanency planning with the long-term goal of increasing the number of families that receive intensive family assistance and/or home improvement services.

# Indian Child Welfare Act (TPA)



- The Act ensures that Indian children in custody proceedings are placed with extended families or other Indian families and prevent disruption of birth families, where possible.
- Services can include parenting or domestic violence prevention training, employment and education counseling or substance abuse prevention.
- Tribal ICWA programs and their staff are the central contact points for Indian families seeking to prevent a family breakup.
- At present, tribal ICWA staff can only manage a portion of the annual ICWA referral cases.
- Statistics in the State of South Dakota report Indian children represent about 50% of children in foster care although they only comprise about 13% of the state's child population.

# Other Aid to Tribal Government (TPA)



- In the Great Plains Region nearly every tribe and operate an Other Aid to Tribal Government program through a PL 93-638 contract or from within their Consolidated Tribal Government Program.
- Tribes bear responsibility for all service to their over 200,000 members in the Great Plains Region, including, but not limited to, issuing replacement identification cards, preparing BIA Form 4432's to prove Indian preference for Federal jobs, providing proof of minority for business and housing lending, completing forms necessary for tribal college students to prove their membership status for tuition reductions or specialized scholarships, for example. In addition, enrollment offices determine eligibility for ICWA children and probates for deceased tribal members.
- The increasing numbers of tribal members attending college, engaging in business activities, and Tribes requiring elections as they become more proactive in improving their organic governing documents necessitate additional support for Other Aid to Tribal Government. Tribes' governance has become significantly more sophisticated with no correlating increase in funding.



# Johnson O'Malley Assistance Grants (TPA)



- JOM activities in the Great Plains Region include assisting students with correspondence courses, school supply expenses, parent/committee training and activities, tutor services and websites for better communication with parents.
- The Oglala Sioux Tribe successfully reported a 97% senior graduation rate, up from 45% in previous years through improved management of the program.
- Reported per student funding ranged from \$35 to \$90
- The Oglala Sioux Tribe recommended a rate of \$100 per student.
- A flat budget forces the program to refuse services to eligible students or cover all eligible students with diluted services.

# Criminal Investigations and Police Services



- The mission and promise of Indian Affairs and the Office of Justice Services is to uphold tribal sovereignty and customs, provide for the safety of Indian communities, ensure the protection of life and property, and enforce laws, maintaining justice and order by confining more serious American Indian offenders in a safe, secure and humane environment.
- The law requires the Bureau of Indian Affairs to report on the unmet law enforcement needs on reservations, but BIA has failed to do so since 2010. The data contained in such a report could help justify funding requests.
- Methamphetamine dealers and users on Indian reservations are consuming entire neighborhoods, destroying families and endangering citizen safety. Many tribes are supplementing law enforcement services' budgets.
- Police Services, Detention, Tribal Courts are all of great concern and importance to the Great Plains tribes.

# Housing Improvement Program (TPA)



- The BIA housing policy is that every American Indian and Alaska Native should have the opportunity for a safe and decent home which is consistent with the National Housing Policy.
- Great Plains Region maintains an active applicant list of approximately 2,000 individuals/families seeking assistance on an annual basis
- At current funding levels, the Housing Program is only able to assist up to 1½% or 20-25 applicants seeking assistance annually.
- On October 31, 2015 the Housing Assistance Application was updated and includes new items such as identity for veterans.
- Additional funding will assist the Housing Program in becoming a partner with other complementary programs to increase benefits for those in need
- Performance metrics can include tracking the increase in number of subsidized mortgages or the increase in amount of dollars leveraged from other sources with HIP loan subsidy grants

# Detention and Corrections



- The Great Plains Region operates 7 BIA/OJS correction facilities which serve 6 tribal reservations and has oversight over 11 Tribal corrections facilities and maintain 14 detention contracts.
- The corrections program is subject to standards or combination of standards of the American Corrections Associations, BIA/OJS handbook, Office of Juvenile Justice and Delinquency Prevention Guide and/or tribal correction handbooks.
- Budgets cannot keep up with arrest increases in recent years due to a spike in meth use and domestic violence.
- The recruitment and retention of corrections officers is deterred by lack of quality and affordable housing and highly isolated location of facilities.



# Final Comments and Recommendations

- Encourage and support all tribes to meaningfully participate in the DOI strategic planning sessions this year.
- Engage in efforts to tie appropriate resources strategically to achieve meaningful outcomes.



The End