

**BIA/Tribal Budget Advisory Council  
Sheraton National Hotel**

**March 17, 2009**

**Approval of Agenda**

**Invocation**

**Opening Remarks**

Ron His Horse is Thunder said the meeting with the Secretary was telling. He could only spend a half hour. He shared a story: in the end we'll know but now we can see a glimpse into his heart. As attorney general of CO, he was approached by the governor he made aware of a law suit against the Ute Tribes. Salazar said he didn't think it's prudent to enter into a law suit against the Utes. Instead they worked out a memo of understanding on air quality. Other people would have fought the tribes. He had the mindset to work with tribes instead of against tribes. Ron is pleased with the meeting. The second part of the meeting with David Hayes was also of the same mind, which is that tribes are nations. The proof is in the pudding and this is just one man and there are other interests and he will have to balance those. We hope it will be balanced instead of lopsided and that tribes will be treated as nations.

George Skibine – He shared his thoughts on his first meeting with the Secretary. George was with Mike Smith. The secretary is very aggressive. He brandished the strategic plan and said, look at all this: parks, wildlife, and no word about Indians. He asked if that's right? Look at the priorities of the previous administrations. Do you think Bush administration fulfilled the responsibilities towards Indian Country? Secretary has made it clear on the Recovery Act, this was going to be an administration that would pay more than lip service. He's an in the weeds kind of guy. Indian issues are going to be a big priority for him. He's a little frustrated that there's only one presidential appointee that has been confirmed at Interior. Hopefully we'll get an ASIA on soon so at the next TBAC we will be able to speak to the real ASIA.

Joe Garcia, we'll assume we have a quorum, and not do a roll call.

Ron Allen added that we need to follow up on the recovery monies. One point we raised was that we wanted to use Title I Title IV to get these out. OMB has some issues with reporting requirements.

Hillary Tompkins, Navajo is up for Indian lead in the Office of the Solicitor.

Add agenda items: 477 and NBC update – Old Business.

## **Congressional Action on FY 2009 Budget**

Mary Jane Miller (PowerPoint)

Question: Increase for administration of HIP in addition to HIP program itself? Mary Jane said in the recovery budget there would be some admin. Jerry said they've cancelled the riff and will be hiring.

Question was asked about why ILCP was zeroed out. Jerry Gidner said the ITMA report will be brought to the TBAC meeting on Wednesday. ILCP was proposed to be included in the recovery act but it didn't make it in. We will have to push for it with the current administration.

Ron Allen asked that if we have a plan and the plan has X requirements in terms of things that need to be in place for OST to be merged back into the bureau. Is the plan definitive about where functions will be placed. Are you working on or considering a refinement of the plan on how that might happen so it would pass the integrity test of the trust reform legislation. Donna said we're waiting for the ASIA and Special Trustee to be put in place and after that there will be more consultation with tribes. Ron Allen said once that's in place, that plan at least could put criteria to know how far we've advanced on meeting the criteria so we'll know when OST will be merged back into the Bureau.

Question on FY09, in terms of TPA and welfare assistance, there is a cut of about \$4 million from FY 2008. Loretta Bullard asked why are the funds that are transferred into their compact are being removed. Mary Jane said welfare assistance may not supposed to be in the base. Welfare is not base TPA, except for a few tribes. Welfare is not a base program and it's distributed on need, which means the need can change each year. Sharee said welfare assistance changed recently: there was never an opportunity for the tribes to discuss the fact that now we were going to pay on a need basis. The money was pulled out of the base. Jerry said we'll look into this issue. He never treated welfare assistance as a base program. Loretta said they opted out of the national distribution formula and it was a surprise that the base was going to be cut. Ron Allen said that by law, you can't unilaterally change our contract – we made a deal. We cut these deals a long time ago. The 240 tribes in self-governance, we object to programs unilaterally being taken out of the base and being moved in the central office. This happened with public safety, HIP, GA. We negotiate for a number for stability. The programs stay around, but it varies and we have to have planning numbers. Tribes want stability and that's what the self-governance compacts are all about. Once the deal is done unless we agree together to change it. Credit programs were moved out and now. This is inconsistent with the integrity of our relationship. Jerry said we'll take a look at that at all those programs – in the last 5 years they haven't been treated as base programs.

Document on the Federal Appropriations Process as it Impacts Tribes is displayed. Discussion on how the chart can be cleaned up. Mary is discussing the chart and the delays and changes. She is discussing the congressional action on the budget and how she was trying to put everything that was happening all at once on the chart. Jackie is responding and says that the lateness isn't unusual and that there is delay and rollout of

the budget. Congress is discussing what they will be talking about but they have no detail. Just received the views and estimates of the senate committee on Indian affairs, how they will be addressing earmarks.

Ron Allen discussed the issue on what is an earmark now, and these programs have been restoring Indian programs. How do we restore our base resources? Discussed the new era of no earmarks and how they are a fundamental element to restoring and getting a decent budget to Indian Country and the Bureau. Secretary said this is a new beginning. He needs to submit a reasonable budget without zeroing out programs. Mary replied that the hit money that was restored is not shown as an earmark. Ron Allen discussed how the concern is that they are trying to champion a decent budget and the game is changing and they have to be at the table to make sure they are not being mistreated. Mary Jane replied that they should recommend that they don't list it as an earmark. The list exists and they publish it in their senate committee report. Jackie discussed talking to senator Inouye and how he wouldn't want ours out there as earmarks. Transparency is important to them. And want to know who asks for the earmarks. We should ask for a meeting with the Senate side too. Joe Garcia asked who decides the list, and it was answered that members of Congress do. Ron Allen says that he doesn't care about the list on the back of the senate report, he says the issue is that this is a new era, and they are proposing to cut back earmarks. If they don't submit a larger budget, how do we get that money? Jackie responded that this environment will be hard for us to restore anything that is listed as an earmark. Mary Jane responded to Ron by saying that the issue becomes that if we try to put it in our budget, we have to work the ground, have to make it a base budget instead of the earmarks, will have to talk to OMB. Earmarks get published on the OMB website. There is a ton of work, Ron wants it in the base budget and we can give it a shot. We are going to see some changes. For FY 2011, if we want to put into the base budget to no longer be earmarks, we can have this discussion. Ron Allen says that if something is a program or activity, it is easier to go to the hill and get it bumped up than get a new program. We will be changing the old shell game. Strategize on how it can be beneficial to us, meet with OMB, senator Inouye, and President. We are on the same page.

Question about what if the administration doesn't put a number in one of the line items, will they have to go up and get money? Mary said yes, they will have to go up and get the money themselves.

Next slide is a review of what they did at the last TBAC and budget priorities, etc. Under public safety, we are starting to see some end roads. There is construction for detention facilities, education, scholarships, and economic development, surety bonding.

### **American Recovery and Reinvestment Act**

Mary Jane - going to do a very brief overview, then going to ask the program managers to come up and talk about the process. Departments set up a recovery task force after it was passed. This is very different, a lot of reporting and oversight. Payne is the rep on the task force. Performance is Mike Pittman. Project approval, no one is on this committee.

Administration, Mary is on that committee, keep numbers low. Risk management and communications committee. Acquisition committee as well. \$40,000,000 to operate Indian programs, housing improvement and work force development. Ten million in loan guarantees program. \$10 million for Indian reservation roads. Money for bonding. Already provided secretary with two briefings, March 4<sup>th</sup> and Feb 19<sup>th</sup>. Briefing recovery coordinator as well. Construction \$450 million. No projects approved to date. Bureau plan, due to dept. in two weeks. OMB gave 62 pages of guidance and another 60 pages for architecture. Submitted to hill for review. Lots of paperwork and tracking. There is a "Dear Tribal Leader" letter that provides information on process. Points of contact listed on powerpoint. Powerpoint ended.

#### Questions

Powerpoint copies will be posted or forwarded.

#### **Loan Guarantee Program/ Construction/Workforce Training**

Jack Rever and Bob Middleton

Once dept makes its approvals, we are going to be sending out a letter to tribal leaders if they have any projects they need help on in order to move forward. \$6 million for construction worker training programs. Plumbers and pipe-fitters is a program that is working well to provide job skills to participants. Energy audit. On reservation construction training. Plumbers and pipe-fitters estimated that America will need over 450 thousand welders now. 16 week accelerated course, graduate a second year apprentice. Guaranteeing a 100 percent placement, salary greater than 18 dollars per hour. Want to provide training on the reservation. Training energy auditors as well. How can we save energy? Once training is done, want them to go back and train people. Some tribes indicated they want to use HIP program funds to fund project. No handouts but can make them available. On reservation construction training, identified about 10 different programs. Teaching residential and commercial skills. Negotiating with the umbrella. All programs are open to all participants. List of 400 people who heard about it. Available to all tribes and participants with pre-requisite skills. Have opportunity to entertain proposals from tribes as well. These types of programs are core to what their office is doing anyway. Website.

#### Questions

Big hit to their department, how quickly do you think you can move on that? How much will it cost office to administer the program? 5% of money available will be used to administer program. Will there be enough staff? We will make it work. Very dedicated staff. Waiting for final approvals from the dept. Ready to go and as soon as they get the green flag they will be hearing from us.

2011 tribal budget priorities, surety bonding guaranteed program, said that he was unaware if the recovery bonding program was the same. At this point in time is it something you are thinking about? They are not, something that needs to be addressed.

Actively working with others about this activity. Trying to figure out a solution. In stimulus there are two areas of bonds. School bonding and dept. of treasury has \$2 billion to go to economic development in Indian Country. Allocation of bonds being discussed between Treasury and Interior. Excludes class 2 and 3 facilities.

\$6 million set aside for construction, is that \$6 million from economic stimulus bill? Yes, it is.

Is that money for those programs, very little is actually reaching out to tribes. A concern was raised that much of the money is focusing more on the federal side of the programs than the tribes' programs. Tax exempt bond and treasury, how \$2 million should be accessed. Just at preliminary stages but are prepared to identify areas that will provide most benefit to Indian country.

We want to demonstrate that bonding has been used wisely.

Darrell Seki asked what is the statutory limit on loan guarantee? Stimulus limit was different than the omnibus. \$300 million put out in guaranteed loans. Seki asked on \$6 million training, how will it be distributed? Looking for good candidates. 400 people applied for the pipe fitting course. There is great demand.

Jim Gray asked on tribal energy resource agreements: energy is front and center. Can you say where TERAs are going and bond financing and is it different funding or are they all being consolidated. Bob said there is recent activity: tribe invited Bob to go in and talk about putting forward a TERA to the Secretary. Another tribe is setting up a pre application meeting. Time limit is Sep 30, 2010 that money has to be allocated for bond. Tribe can use infrastructure related to energy. From standard approps, there are funds for TA for tribes that want to enter into a TERA. If a tribe wants to train someone and train for a cultural survey or look at environmental issues, there is funding for that. Training programs are for all tribes to participate in. Stimulus gave a certain amount for plumbers and pipe fitters. There is more for construction worker training. Bob had to go to Department and say what he'd do with the program. He has enough flexibility in construction worker program to work with tribes. Ron asked about outreach to tribes? How can tribes access that training opportunity? Bob has prepared a draft tribal leader letter that will go out after approval. Bob's looking at standard program dollars as well and looking for good ideas that we can model. Ron asked if the letter would share the range of activities? Bob said yes.

Question on modernization initiative and where it is? He deferred to Jerry Gidner. They are waiting for the new assistant secretary. No follow up on modernization.

## **Jack Rever**

Indian Affairs:

Department of Treasury

DOI, school construction, \$200 million Tax Advantage Bond Authority.

If bill passed as proposed. For those tribes that can retire principle on their own, this is an opportunity

OIP \$40 million

HIP, construction trades training, OJT program

- Intended to hire unemployed and put them to work on deferred maintenance on federal facilities. Bob had about \$ 6 million. Over next two years.
  - Goes through the regionals, goes through OIP programs, probalby not much to Alaska. Take number of federal square footage, get cost per square foot, divide into amount in program and send it to the agencies down to the regional directors. They will hire in those areas that are the highest unemployed. Look for young workers.

Schools, roads, detention construction:

- Replace schools \$20 million
  - Major improvement and repair: \$8 million
  - Roofs, antenna site, water, sewer, HVAC: \$1 million and up
  - Major improvement and repairs of detention centers: \$1 million and up
- The program mirrors the current program.

Road construction: 638 and direct service

- 60% goes thru 638 and 297
- balance through FAR acquisition best value
- additional work on existing construction projects
- new starts

Guidelines

- quickly
- correctly
- transparently
- competitively
- weekly reporting on recovery.gov

Fed acquisition regs contracts

638/297

- tribes/school boards
- design/build, conventional, CMAR
- Not FAR
- Yes on Davis Bacon wages
- Phased funding

Do not forget FY 2009 budget

Jack Rever, 7033906314  
2026899054 [john.rever@bia.gov](mailto:john.rever@bia.gov)

Omar Bradley asked if there was any feedback on letters that were sent out to the tribes. Jack sent out 30 and he's gotten back about 6. Jack doesn't have an approved project list.

Why does OJT exclude federal facilities? Justification was based on federal backlog. That's the way it was justified.

### **ARRA BIA Roads Maintenance**

ARRA IRR Overview, Q and As

Major provisions –

- \$27.5 billion total
  - \$310 million for IRR
- Available through September 30, 2010
- Transparency
  - Publish fund usage on website, [www.recovery.gov](http://www.recovery.gov)

How will the IRR portion be administered and distributed?

- Administered in accordance with Ca 2 of Title 23
- Distributed through the RNDP formula
- 100% federal share:
- ability to satisfy local match requirements is under review

Funding

- funds will be allocated to FYWA in early march
- FHWA will withhold the funding amount associated with the FHWA tribes and will then reallocate the remainder to BIA-DOT
- After the documentation is received and approved by BIA-DOT or FHWA, the ARRA funds will be dispersed to the tribes by PL 93-638 procedures or through the FYWA program agreements

Tribes who have agreements with the FHWA know who they are.

What is required documentation

- Transportation Improvement Program (TIP) approved by FHWA, showing the projects and activities to be performed with the ARRA funds
- more

Mary Jane said you don't want stimulus money mixed with regular money. Ron Allen said many tribes will have to commingle funding. Mary Jane said tribes just need to

make sure the money remains separate. This can be done with separate codes for recovery.

### **BIA Road Maintenance**

Program data:

# tribes affected: 342

# states affected: 34

# unique road maintenance projects: 408

miles of roads affected: 27,530

# bridges affected: 940

Funding proposed (not approved)

- \$150 M less 5% for admin use
- BIA program  $\$150 - 7.5 = 142.5$  M
  - Part I: \$71 M
  - Part II: \$71 M
- Small takedown for reporting/monitoring (\$50K)

Every road is going to be touched by this funding. Jerry said the project will be X reservation, road maintenance. If the roads are all in one state and one district, that tribe will have one road maintenance project. If tribes cross a state or congressional district, there could be multiple projects. Rick asked when we'll see dollar amounts. His road maintenance wants to get their summer work schedule ready and they are waiting to know if they'll get enough. Jerry said when the project list is approved. Mary Jane said they have briefed the project plans to the Secretary and Dept and now they are tasked with putting together the bureau plan which will have project list attached. Mary Jane said hopefully in the next two weeks it will go to the Hill. BIA was told they were prepared but can't move forward until there is approval.

### **Housing Improvement Program**

\$20 million for HIP. 5% for admin will keep HIP employees employed. \$13.6 million will be distributed the normal way for maintenance. Pilot projects for two regions in renewable energy projects. Ron Allen said there was no tribal input on the HIP allocations. He's not ok with how it's allocated. Ron wondered how self-governance is in the mix. Kevin said HIP is not a tribal share, and the existing 2009 applications to make these decisions. Michael Jandreau said there were several projects that were energy efficient, geothermal. A family put the system into their house themselves. Nobody has really taken a look at the efficiencies there. The individuals improved their houses. It's good to pursue processes that not only hone the skills of our people but build up the capacities of people. His tribe has 400 applications for housing for people needing homes. Two homes have been built under NAHASDA. His population is growing consistently. His unemployment rate is still around 48 percent. Majority of region has 80 to 90 percent unemployment. This won't fix the whole situation. The need for housing are enormous.



Do we have any input into decisions that are being made on HIP? Loretta is assuming that 99% of the roads in Alaska are not eligible for this funding. Jim Gray said many people are having a problem with the way this process occurred. Jim said HIP as recently been zeroed out and so using the queue as the basis for the stimulus money is frustrating for tribes.

Question about why geothermal was chosen as the pilot project instead of solar panels and others. Answer was that others were cost prohibitive. Gloria said there's a lot of money going out through NAHASDA and asked if there's coordination on those projects. The Native American Architects Association has done studies around using tribes mutual help groups. Greg Pitcher said as much as we're unhappy with the way things are coming down with the stimulus, the whole goal of the stimulus is the jump start the economy and it's important to remember that it's good that Indian Country is included in it at all.

Jack Rever: DOI was able to demonstrate the deficiencies in detention, tribal courts, etc. The goal is to correct this situation. The first evidence of support for correcting this came in the FY09 Omnibus. Two months ago Jack initiated what the design for the facilities will look like. They've done that for education but not law enforcement. He's still meeting with DOJ. FY08 appropriations bill directed BIA to work with DOJ to come up with a plan to meet needs. He proposed a plan and it's still circulating. They've met with DOJ a few times. The competitive grant for detention center construction was not based on need in the past few cycles. At the last meeting with DOJ as they look at Recovery Act, they asked if BIA would sit in as technical advisors for the stimulus funding. The process will probably be a competitive grant process. BIA will help with incorporating needs. PEPFAR authorized funding for public safety. That includes much more than the FY2008 appropriations bill. The plan is a tremendous task. BIA is the only one that has offered a plan. With respect to the emergency plan which directs coordination with Justice and HHS, for the first half they need to all get together and talk about what to address. There needs to be some loose consensus to then roll out to the tribes.

Question: what's the definition of a detention center – not long incarceration. Last time BIA met with DOJ, they pressed them on the definition. DOJ was more narrow in the definition. Wallace Coffey said creativity needs to be utilized. He mentioned that the IHS and BIA need to work together to address the needs of inmates.

Ron Allen asked if there are plans for multitribal facilities and are those opportunities being explored. Jack Rever said the Master Plan is based on that. Jack's plan is to go through formal tribal consultation on what should be incorporated and the priorities of the master plan.

Gary Hayes said it's good to see this presentation. Gary's region holds a monthly law enforcement meeting. This weekend new regs on medical screenings came out.

Joe Garcia asked where the copy of the plan that you've mentioned and is that being coordinated with the tribes. Pat Ragsdale said they've worked out a framework with IHS. It was on the SCIA website though. Pat said tribes can help them integrate police and court operations into the facilities plan. Pat said the BIA will consult with the tribes on the plan.

Joe noted that 19 sovereign nations would like to pursue a multitribe detention facility. There doesn't need to be consultation on that because the tribes already agree. Pat said it's true that we have a nation to nation relationship but we need consensus in Indian Country to have a national framework.

**March 18, 2009**

**NCAI presentation on Indian Country Works  
Jackie Johnson**

Service is free to everyone – not limited to NCAI membership.

- Wednesday Webinars (Grants 101, COPS, Byrne grants, HUD because the NOFAs are going to be coming out, business opportunities around contracting and Buy Indian)
- Monday eNewsletters

Questions: Pat Ragsdale mentioned that the Byrne grants that if the tribal entities are not reporting statistics to the FBI, they are not eligible. Pat is concerned about tribes getting in the pipeline for this funding. Jackie went over the Byrne grants: half the pot is restricted to tribes that report UCR statistics to the FBI, even if the tribe reports stats to the Department of Interior.

Jackie said [www.indiancountryworks.org](http://www.indiancountryworks.org) is the only one like it.

Pat Ragsdale said that Byrne grants flows from the feds to the state clearinghouses for distribution. Most tribes have to go through the state clearinghouse.

**FY 2008 Carryover Status**

Mary Jane Miller

Review of numbers on power point

Question raised- Make power point presentations available? Mary Jane said she doesn't want it to get to OMB. She has some copies, some regions may have to share some.

Question: If there is that much money in carryover how is a lower than expected numbers- these are circuit charges that are regional. If that is what you would like to restore that part of this, it happened a number of years ago, choice of committee to see how much per region. Michael Jandreau- told no money forthcoming to provide this

essential element of opening of police station, if there is this kind of money out there, and there are lower than expected costs, I don't understand that.

Joe G.: If that \$1.8 million is available can we throw that into TPA?

Mary Jane: Block your ears: The reprogramming rules are \$1 million, the department has looked the other way the last couple of years. In current year they pay close attn. and must report on every dollar, including self governance, but they don't ask about prior year. Its not illegal, Congress has rules, but on prior year, the dept. looks other way, and so yes, they will do that.

Joe: Last year about TPA, that was directly TPA Money

Mary Jane: NO, last year that was not TPA \$

Joe: last year every tribe got something

May TBAC: Tribal Budget Subcommittee submits options

Minimum \$1 K per tribe

Fund over target items

O8 earmarks not funded in 09

Tribal caucus reviews distribution

Tribal chair

NLT July distributions

August TBAC:

Report on distributions

She can give the \$4 million today, the question is if you want to do anything on these

Question: Tribal budget subcommittee submit to advisory council- full board submit options to TBAC.

May—entire TBAC would review and make decisions

A motion was made to suggest that these carryover funds be talked about directed by entire TBAC in May. Subcommittee will still supply, informed vote. Motion carries.

Mary Jane: request on items on status on obligations pending please give her a short write up on what the money is for, more information so it is on this piece of paper.

### **Update on Data Management**

Sharee Freeman.

Established because OMB argument was not knowing how money in Indian Country was managed in current system. Championing since 2000 this committee. Starting to get traction. Brenda Cannon is policy staff, Al Foster staff and they have been very effective in designing this. There are three issues of policy, purpose of committee, survey document, designing data system itself. On policy, massaged fairly well and is done, sent to solicitor's office end of February and waiting for them to review with issues to be signed off on by TBAC and Secretary office. Asking help for calls to solicitor's office to move along that review. Team has gone through and designed fields of data to gather,

only a few pending. Letter on George's desk, waiting for him to sign off and get survey out. The survey will be sent out by NCAI and the Bureau.

Sharee: To see what information, measurement from tribes, we manage paperwork reduction act, not by Feds, managed by Tribes.

NBC is helping design the system. Technical, IT type questions, what network reside on, same version, compatible with federal system, protection of data, with respect to federal moneys not tribal moneys. Only certain regions or all 562? IA-PMS system will it need to be changed? We need some IT people to complement Al Foster's team to get this work done. We expect this to cost up to a couple million dollars to get up and running, and will need some help. Can we identify today or next two weeks, by next Friday if you can offer up a couple of people to help design the scope of work for system.

Question: Discussion on tribes groups submitting data, reluctant to share data with group. Integrity of data used, misrepresented, misused, has this issue been resolved.

Ron: We don't have answer, this is one of key questions that needs answered in design of system. We will get back to everyone with proposed system. How do we create that firewall? How do we ask for that information? Interspersed tribal with federal money-how to separate or report? Trying to design a system will only be for federal money aggregate number and not tribal specific. Hoping to design this, not there yet. Direction they are going. Needs copy of draft to send out restating policy that shows we are protecting tribe's interests. Wants cost and time for system estimate by May meeting to present.

### **OST Update**

OST had \$10.7 million currently we are down, funded appraisals, 2-3 million over budget. We had anticipated records indexing program to be finished the back log, it wasn't. Used \$2 million to fund that contract. Down to \$5.3 million. As Mary J explained a few ID card charges and etc. from department, brings you down to \$5 million. Balance is typically held last few years hoping congress gave authorization to make up deficiencies out there. If there was a run on the bank, if everyone withdrew they would not have enough. They were \$6 million short, using \$3 million of carryover of that, hoping BIA match \$3 million to make up difference. Brings you to a balance of 2 million. Other moneys used for probate project, only OST specific money. Final million dollars is a final reconciliation through contract on oil/gas conversion.

Question: None is ILCA money? Answer: No, separate, once we transfer we don't get it back. That's it. I will put it on paper and send to you folks so you have it.

### **Tribal Caucus Review**

Discuss caucus: committees reaffirm 2 standing committees

1. Budget subcommittee
2. Data subcommittee

Motions to reaffirm, committee assignments, and volunteer assign.  
Ron Allen moved to reaffirm, and requirement that assign with the encouragement of co-chairs to set out mission statement on function of subcommittees. Motion carried.

Print out of individuals on committee and distributed.

Strategic plan with bureau. 12 regions have their own strategic plan developed with representatives with 2 co-chairs to lead bureau strategic plan with input for next 5 years, that is motion.

**Strategic Planning update** from LeRon: Last time moving into transition. He understand that was forwarded to Sec. Salazar. We had no direct feedback from transition. He asked for meeting with Sec. but met with Pam Hayes and Catherine Wheeler acting. David Hayes nominee for director, meeting not yet scheduled. Number of intended items to discuss to move along process. GPA requirements for strategic plan. End of December 2009 deadline, revise plan every 3 years, last one 3 years ago. It's clear there are a number of priorities: energy independence, native issues, government to government relations, law enforcement, economic opportunities, renewable energy, water issues, science, environment, national treasures, global climate change, youth, and a number of priorities that will be in next strategic plan. He's waiting for clearer picture.

On FY08 unobligated balances: Chief Gray asked for more justification on some of those items. Burden on TBAC to do this? Each region has own unique issues. Would be nice to see if regions would put together and enhance larger strategic plan for nation. If that could be done using some funds in carryover, other wise trying to squeeze in 20 minutes in next meeting, tribal input not helpful in that regard. 12 regions need to call meeting on their own areas; some resources may be needed for this. Aware other needs competing, but only every 3 years we get to do this. We could do so much more if there was a way some funds could facilitate on regional and national level enormous service to Indian country.

LeRon: Niles working hard on a regional plan; those efforts have been underway. We have always wanted to see a connection between regions.

Chief Gray: Could regions formally request those funds? Mary Jane: Yes, but there are regions that need to look internally with large unobligated balances from FY08, should look there first, but no reason if you choose that is okay if it is your priority.

Chief Gray: trying to simplify request. Not trying to bring in why some funds are not spent. Asking co-chairs to help with discussion with central office in efforts to draft a regional plan to provide assistance to be used for this purpose.

Joe Garcia: Each region consider to act on carryovers, some funds should be made available for each region to plan. A question was raised whether Interior has money available for this? BIA does not. If money available to develop strategic plan, why

should we use carryover money to use on this when we should have been part of original discussion? Strategic plan money should be provided fore this.

A comment was made on \$4 million carryover recommendations: Alaska gets very little of that. The Alaska representative would not be comfortable; Alaska wants to be funded as a priority. Mary Jane said scholarship cut off \$1,000 and Alaska got as a region very little. Every tribe would get at least a thousand this year. Money does not go far with so many. Alaska would get more this year.

LeRon: Shoestring budget on strategic plan, had \$50,000 to print and plan meetings around country. No large budget set aside to answer that point.

Is the strategic plan you discuss would it include Bureau of Indian Education? In concert with BIA? Answer: Indian affairs strategic plan includes BIA and BIE. OST would have their own.

A comment was made that a number of complex overlapping issues are being discussed. Chief Gray raised regional, we are talking about National, BIA plan aggregate. On one hand, DOI plan to be more explicit about obligations to tribes. They all have to complement each other driven from ground up, all the way up to Interior. Asking for framework that we are matching up apples to apples and how to support each regions tribal agendas. How to carry that out? Chief Gray suggested 2 co-chairs work with agencies to sort out, daunting task but it does need to be supported out.

A question was asked on what are the guidelines on subcommittee? And what are the parameters on what is recommended for carryover money. Secretary has priorities, often look to carryovers to fix problems, trust obligations. Money channeled to regions to develop plans- long term agenda.

Ron Allen said the subcommittee shapes all the suggestions from the full TBAC and then could submit it to the full TBAC again in May.

Need a framework suggested and if agreed that will be guide on moneys made available. We may differ on each region's recommendations. Not just on carryover. Some tribes' number didn't make sense, too small. We need a report that documents what we did in previous years, would be helpful 3-5 years what we did. Mary Jane said that could be done.

Jerry Gidner: We also need to figure out what we are talking about to define strategic plan. Ex. Cook Inlet had plan that was detailed, well done. Detailed operational plan, need to know where to start, both are different.

Chief Gray: Would it be helpful to use Alaska plan as regional example?

LeRon: Cook Inlet was at a beginning stage of integrating with the state plan. This gets back to the need to define strategic plan. We do need to roll up area level plans to the regional levels. At the bureau level or regional level you start look at what is more

operational, which has a different intent. The performance metrics are more detailed but there is a way to connect them all. We can look at broad high level outcome goals and connect them to what you are doing to work towards those on a regional level. Possible to do but they won't be identical. May have differences.

Chief Gray: In working with the Alaska strategic plan, these issues were identified in the process itself. Since that was already done, chances are we could use Alaska as a model if not in outcome but in process. That helps me and the co-chairs. Seems we could make some progress by using Alaska model. All we are asking for tribes to be included.

President Garcia: If Alaska is a template, it may need some refinement. It has to flow back into a BIA level and DOI level. We are almost there; we need to come together in some forum to discuss and to proceed.

Niles Cesar: the Alaska strategic plan is not suitable for the rest of the country for various reasons, which is why we created this plan in the first place. For instance, there is a different land ownership scenario for tribes in Alaska. Niles went to the tribes and did the plan with good help from the tribes. Sent it forward and died on the vine. We shared with other regions and influenced a few of the other regions. The process was good but the outcome should be different. The plan could be shared with other tribes and regions, realizing it is a couple of years old. It needs to be updated of course.

Mary Jane: We will need guidance and we need to know the general idea of what the department's plan is. It is no longer serving communities etc. We can't build our plan around the previous administration's priorities. We need the new administration's plan and priorities. Chief Gray said whether we know what those marching orders are or not, he knows that an overall strategic plan is going to be turned in. He thinks that all the tribes should be involved and a part of the plan. Mary Jane said we also need to focus on the new administration's priorities.

Navajo region: Navajo nation is already holding dialogue to develop strategic plan. When we rolled out the last strategic plan, there was limited consultation and it didn't quite fit Indian Affairs. We need guidance from Interior because a lot of this fits into GPRA and performance measures. Navajo region asked LeRon if he can share information and get it to IA staff so we can get out to tribes, we do need to get together. Regions have limited funding. All twelve regions would be in favor of additional funding for this type of work. We looked at Alaska plan and its adaptability to other regions. We will look at it as we move forward.

Ron Allen: We have a plan that's a year old in the Northwest region. We need to do an assessment of who has what out there. He agrees that we need to know where Interior is going. We need to make sure all the offices work together. We need an inventory of who has plans and how old they are

Joe Garcia: Quick inventory of which regions have regional plans - Navajo, Alaska, and Northwest all have plans. Rocky Mountain region also has a plan. Eastern Oklahoma

doesn't have a plan. Will Rocky Mountain need to do over if there's a new agenda with the new administration? Eastern region has a plan and it's posted on USET website. Western has an old departmental strategic plan and it's several years old. Southwest doesn't have one. No Pacific? Southern Plains?

We will need to spend some time at future TBACs to talk about this.

LeRon: That was the point, about how they all tie together. We have to have a start point, and if we are doing independently and in a vacuum, won't blend well. If we can get department process moving we have input, dialog. OST should provide their strategic plan as well.

OST's strategic plan is on website, widely available.

Gloria: I agree we need plan, but important if only \$4 million, the funding for strategic plan should not be part of that plan, should go to communities.

Mary Jane: We will look at what is out there so none comes from \$4 million in carryover.

Comment: optimize money we have streamlined different regions needs met, justify with tribes what our needs are to use money is right way.

Loretta: would be helpful to have written material, some regional and TPA staying where they are at. \$6 million on table we can provide advice. Know where regional given opportunity, those requests should have same opportunity as central staff bringing forth their priorities, give equal consideration.

Write ups will be provided regional directors by end of next week even the ones that are on this list.

A comment was made that tribes would like to see OST's carryover as well. Joe Garcia: same rule apply to them with resolution about reporting back to the tribe before spending carryovers, we are in same position that were were in with bureau last year.

A motion was made and seconded to pass the actions in the resolution brought by Midwest region. **Items number 2, 3, 4, 6, 7, 8, 10, 12, 13, 15 were adopted by TBAC. Motion carries.**

Comment: Eastern Oklahoma region can volunteer to help get information out to help out central office.

**Adjourn.**