

## Tribal Interior Budget Council Meeting

March 5-6, 2015

Washington Plaza Hotel

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### Invocation

### Agenda approval

### Minutes Consideration

Jimmie Mitchell made a motion to approve the minutes, seconded by Greg Pitcher.

### Opening Remarks

Assistant Secretary Kevin Washburn: Thank you for traveling here. These meetings are exceedingly important to help understand what our priorities ought to be. He is pleased to be here. We've had a lot of good news here. Last week, we rolled out new Bureau of Indian Affairs (BIA) guidelines. The Indian Child Welfare Act (ICWA) is a very important law. The guidelines will help.

We rolled out land into trust regulations for Alaska. That is a big history changing thing. All of you know how important land into trust is for the Obama Administration. That's something going on outside the budget context. We have a lot of good news in that arena.

The President wanted us to focus on Native youth and Indian education. The Tribal Interior Budget Council (TIBC) isn't the best representation of Indian education. Virtually all of your priorities show an increase. The next thing is to get the priorities through Congress. There is a lot of money for climate resilience. We did that by putting in money for natural resources and it provides increases for many different lines. We also have an energy service center so BLM, OST, and others can come together.

Mandatory funding of contract support costs (CSC) is another major proposal. This is a way to get this money to tribes.

He's done a lot of hearings in the last few weeks. The Secretary of the Interior was before the House Resources Committee. One of his big talking points – it's a 12 percent increase, but there are other things in this budget that also helps Indian Country. It's good that the whole government came together for this budget. He's not asking for this money from our subcommittee, but also other subcommittees. One example is the Education Department funding that goes to states. Education Secretary Arne Duncan changed it so tribes can apply too. That's one example. We need housing for our teachers. The Office of Management and Budget (OMB) brought together key people. This is a good year for us. It will make a big difference over the long term. We are hopeful that this is bipartisan. It helps to have all of you. This process is really important. It will never be enough.

Tribal Co-Chair Ron Allen: We do agree with you. That is significant and addresses a lot of needs. You will also hear about the overwhelming needs of Indian Country. We also heard some comments regarding our advocacy for the budget as well as the mandatory CSC initiative. The devil is in the details for how it is going to work. We also need some legislation. The tribes are geared up for mandatory CSC. It protects the CSC against basic program needs. When you look at the budget overall, without a doubt, IHS is the largest number out there. But BIA has a significant role in advancing the self-determination of tribes and meeting needs as well.

One of the processes is how to identify that unmet need to pass the redface test. Congressman Tom Cole and others have said this will be a difficult time to increase tribes' budgets. But we have to work together to chip away at the unmet needs in Indian Country. We are going to try to work together to garner the political support.

Tribal Co-Chair Sam Thomas: He said he looks forward to representing you throughout the time here. He thanked the regional director and co-regional representative. He looks forward to working with you all to make sure our initiatives and unmet obligations are fulfilled.

Kitcki Carroll: First, he cautioned the TIBC to never say never on full funding. On the point about other departments providing funding to tribes – fulfillment of the trust responsibility should be more than grants. We want to contract and compact with those other agencies. We don't want to have to apply for competitive grants.

He raised the need for more detail for the OMB crosscut. Part of the discussion was the challenge as it relates to CSC mandatory. We would be interested in hearing your impressions about mandatory funding.

We see that as a first step for more mandatory funding.

Darrell Seki: We are hoping that sequester cuts would be reinstated. It's good to have increases, but it would be better if we got the funding that was cut back.

Buster Atteberry: We think that there can be enough. We won't be greedy in asking for more than we need. But the way it is right now, the obligations haven't been met. It breaks his heart when funding runs out and we have to turn people away for dental work, or other services. We just want the obligations met to not have to turn people away. Representing the second largest tribe in California – we should be able to serve our people.

John Yellowbird Steele: Always remember that these are trust responsibilities.

Ron Allen: We are looking for more information on that \$19 billion. We are hoping that this is something that they could produce with it. There's a lot of information that we hope OMB can provide to us.

Gary Hayes: Thank you for attending. The increases we see are important. The problem we see with the 53 percent increase at IHS is that it's not keeping up with actual need. What we are receiving today is a drop in the bucket. On the topic of new increases in other agencies, we would urge that the new funds are not just to grants.

Jimmie Mitchell: How do we find a way to know what the unmet obligations are in Indian Country? Right now, you are stuck with what you got.

Vice President Jim, Navajo Nation: On the idea of robbing Peter to pay Paul, one issue is the Native American Housing and Self-Determination Act (NAHASDA). There is language in the house that Navajo strongly opposes.

Navajo Nation is applying to become their own education system. They are going back and forth between BIE and Department of Education.

We would like community colleges to be free in Indian Country as well.

Kitcki Carroll: Another issue is getting the language right for grants, contracts, compacts.

We are still looking for the clarification on this.

**Olivia Ferriter, Deputy Assistant Secretary for Budget, Finance, Performance and Acquisition**

She just started in December. She thanked the co-chairs. The President's budget has gone to the Hill. It does reflect a strong commitment to Indian Country.

For BIA and BIE, it's a \$2.9 billion budget, a 12 percent increase, or \$324 million. It includes strong support for tribal management. There's the proposal for full funding of CSC.

The goal is to improve services to tribes. That's the idea behind the one-stop tribal support center. The idea is to help tribes find the whole suite of services available. This would be physical and virtual. In the beginning there would be a pilot program on Native youth.

A similar proposal is for an Indian energy service center. That is for tribes to develop their own energy resources.

Another \$12 million would support quality tribal data. This is for analysis for economic development, service needs, and land management.

\$1 billion would be for Indian education. This is a multi-year plan. \$73 million would be for tribal grant support costs.

The budget would expand broadband access – \$34 million to bring broadband to all BIE schools. Imagine how that would help the communities.

Social issues – Tiwahe would be continued. That's a \$15 million increase to address a broad range of issues.

Overall, there is \$3.6 billion, a \$384 million increase over last year.

Historic preservation would see a \$1 million increase and a dedicated state and tribal wildlife. Plus up of 2 million.

Alaska subsistence programs – \$15.2 million.

The Department of the Interior (DOI) is part of the Administration's all-of-government approach. We want to coordinate across 20 federal agencies. The cabinet is working together on behalf of Indian people. \$1.5 billion is the government wide increase for tribes.

Generation Indigenous is really focused on bringing along Native youth.

The President's budget is forward looking. The President is proposing a budget without sequestration, but that will take Congressional action to raise the caps. Being able to implement these programs will make a big difference in Indian country.

Judging from Congressional reaction, there is clear interest and recognition of the responsibilities. We hope for all of the best for this budget. We appreciate what you do. You bring the hometown stories.

Ron Allen: Thank you for your update. It's always been a good process that Pam Haze engaged with us on.

The data initiative has struck our interest. On that topic, one of the things that is important is that we engage really closely on what the objectives are on what DOI is proposing to do, as well as the collaboration with Census. There is a lot of information that is skewed in how it captures the profile of Indian Country. NAHASDA is based on census that is skewed; some programs in the Department of Labor as well. There is a lot of data and it's used in formulas for different resources. As we move forward,

improving data is important. As you're aware, OMB made some comments that they don't have good information that quantifies how well funding in Indian Country is spend. Particularly TPA has been questioned. We are engaged on a separate track. Now this initiative has come in – the department wants to improve our data, but we want to be actively engaged on it. members on our TDE would like to be engaged.

Kitcki Carroll: To clarify the President's budget, is that in pure numbers compared to ...

Tommy Thompson: ... by pure total of the request. It restores overall by total, but not by line item.

Gary Hayes: What about increases for tribal courts?

Tommy Thompson: Tribal courts would see \$5 million. More important is the policy part of Tiwahe to address the across the board family issues. We are really trying to support the entire family.

Jimmie Mitchell: Does this address sequestration that we have received?

Kevin Washburn: When we talk about sequestration, we increased some lines but not all back to before the 5% cut.

On the data initiative – we need to explain the trust responsibility better. We have to be accountable for the money we spent.

Carrie O'Toole: Census does the American Community Survey. Can we use Census data?

Tommy Thompson: We need the right level of data so the surveys are useful. We need the actual reservation boundaries. But going back to roads, we need the data to support the number of people, but people who might use the roads. Right now, it's all driven by what we think would happen. What we are looking at with Census is customizing the data extraction to support what we need.

Carrie: When Census did their 2010 census, we made sure we had good education campaigns.

Norman Honanie: On Energy, are we trying to wean tribes off of energy? Are heading in that direction? Everything is going green right now. The emphasis is to shut down coal it seems.

Kevin Washburn: The Administration is working to keep Hopi people employed. Vice President Rex Lee Jim had a conversation with the President about coal. The President does think coal has limited use in our future. Not to speak too much for him, but growth of coal is not something that is in the cards. Maintaining coal is a goal. Something like 80 percent of your revenue comes from coal. We want Navajo and Hopi to survive. But the President is not interested in dramatic growth of coal. We are interested in clean coal technology, because other countries are going to be using coal.

Ron Allen: The Chairman from Crow raised that directly as well.

AJ Not Afraid: He commented that even though domestically we are shutting coal down, internationally, it's on the rise in demand. South Korea has a coal burning outfit that is cleaner than our coal burning plants. Domestically, it is deteriorating. Jobs are being lost.

Vice President Rex Lee Jim: The President said we want to invest in clean ways of burning coal. What is the investment in that research? What about exporting coal?

Kevin Washburn: This isn't in our budget. Energy may have programs. This whole issue is that this is the way the President is setting policy at EPA. This is a tough issue and BIA doesn't have a lot of control over it.

Sam Thomas: To go back to reiterate to the body, the data initiative is good. Next we will hear from Melanie Stansbury.

**Office of Management and Budget**

Melanie Stansbury, Examiner

Thank you for arriving safely. On Data, it's important to remember that this is a direct outcome of conversations we've been having with you. We don't want to repeat previous efforts. This is a way to meet the data needs that you have for your own nations. Data is essential to economic development, resource management, addressing social programs. It's fundamental to understanding trends to help support what tools and analytics you would need as you're making decisions.

There are three components. First, census, we heard concerns about the labor force report and concerns about census data in Indian Country. There are problems. We engaged in conversations with BIA and Census to see what the problems are with Census. We are early in the conversation. The way data is collected, it's hard to discern who members of particular tribes are. It's hard to track membership and service area due to the way census questions are asked. We are going to develop products with Census that would be relevant to your tribes. This is just an initial proposal. The next step is to talk to you. The reason it's expensive is about the enumerators. It will take years to figure out if the data is statistically accurate. We want to support tribes in collecting data for your communities. That's to support economic development and decision-making.

The third is to support tribal capacity. BIA is a complex business.

You need data to figure out if programs are working. The third component is to offer in house analytical expertise to take data to provide better direct services. It's just common sense. It's not a big scary thing. None of this will be done without consultation.

The way this initiative was designed was based on the feedback from tribal leaders. We read those comments and consulted with experts.

Mandatory contract support cost proposal: We did 3 years at a time to make adjustments, to make our best 3 year estimates. The basis was for both IHS and DOI; we looked at the way we currently estimate outyear costs. We made our best educated decision about how those costs might grow. We didn't want to overestimate the CSC which would've made the PAYGO offset more difficult.

Right now CSC is under our discretionary cap. The current discretionary cap would be lowered to by the amount of CSC leaving to mandatory.

Ron Allen: We know that you worked with the CSC workgroup. We appreciate that. In our tribal caucus, we discussed that we still need statutory authority. We have engaged with people in OMB in regard to

where. For example, the Medicare Doc Fix bill would work. We want to be on the same page for congress to buy into it. We want the bill to work. We want this to not be a problem in 3 years.

Melanie Stansbury: Tribal leaders will be interested in this statutory language.

The third issue was about the crosscut. It is online. It's on Interior's budget page. We've had some follow up conversations about what needs to be in the crosscut. This is a big challenge – identifying what resources are available to tribes in a way for tribes to feel the impact of those resources. The one-stop tribal resource center is a direct response to that. We are looking at what programs are available. It is a large activity. There are literally over 100 programs that have set-asides, they have different authorities. It's very complicated for any mere mortal trying to figure out where those resources are.

The idea is that there would be an online portal. It will take years to build out. The idea is similar to – someone said we need something like a turbo tax – you go in as a tribe looking for resources, see what you are eligible for, and it's a streamlined resource for tribes, then you can apply for them.

It is a very complicated thing. The One stop shop is to make these federal resources available. There is a portal and a human component. Not all communities have access to the internet. We hope this will be available in person as well. We know that out in the regions, often times, the first point of contact is the local BIA office, a superintendent. The idea is to equip people out in the field to help you access the other resources that the federal government has. When you're looking for housing money, these people will help you access the funding. How do tribes access this?

AJ Not Afraid: First area, on data, have you figured out the cuts of designated funding for central, tribal governments.

We assume capacity building at the time, we are trying to build our own banking system. That would help us sustain.

Kitcki Carroll: He expressed appreciation for the engagement. He acknowledged the distinction of data needs for your own nations. There is a perception that the OMB data requests are just for justification for funding to Indian Country. We want this data to be tribally driven to make our own case, than justifying investments for tribes.

On Mandatory CSC – do you have any concerns about unintended consequences as it relates to the 3 year cap?

On the messaging of the crosscut – on accessibility and eligibility, the only word of caution is with Congress. The challenge is that certain members of Congress oversimplify when you hear \$19 billion. There is the issue that much of the \$19 billion goes to Indian Country. As this number is being used, after you do your analysis, you may find that only \$12 billion is going to tribal administration of programs, etc.

If there is incomplete information, it makes education more difficult to achieve. We appreciate your being here.

Melanie Stansbury: On CSC, there will have to be more discussion and consultation on the specific language. There are lots of outstanding questions about how the language would be written. Your questions about the 3 years. Right now, it's a proposal and not legislation. We will need lawyers and

legislative specialists. We want to look at liability risks. We want to do appropriate fiscal budgeting. We work with Interior's budget office.

The question about the cross cut, the point you made are valid. The cross cut, to her knowledge, it had been collected as an internal tool for years. There was a desire by tribes to be more transparent. So it was released through the cross cut. The way in which the data are generated is: OMB sends a data call to the agencies and ask what funding they set aside for tribes. They use internal formulas to derive that information. It depends on their formula. They might have native students in states. In USDA, it's guaranteed loans and grants. It will take a lot of time to figure out.

Kitcki Carroll: We view it as a logical starting tool that the WH Council on Native American Affairs to accomplish their goal and vision. They need to know where the dollars are going.

Greg Abrahamson: On data collection, some regions have a tribal epidemiology center, which has been successful in collecting data. That could be helpful. Three or more regions participate in that.

On mandatory CSC, we want to make sure we protect direct service tribes.

Gay Kingman: She thanked OMB for being here with us. Her tribes have stated we need improvements in the Census. A concern is the definition of Indian. We hope you don't change it – census uses self-identification. It would not be right if we were forced to use that too.

On data collection, this morning, the vice president of Navajo mentioned our colleges. We want to plug our Indian colleges. They could do some of this data collection. Whatever data collection takes place, we want it at the local level.

Melanie Stansbury: On the data initiative, it's about supporting tribal governments on collecting data. Where would you like to see that money go?

We'll put our minds together and come up with some good ideas.

Ron Allen: There are lots of kinds of data that can be gathered: program, conditions, etc. one of the things is that we want to be engaged. In this proposal is the discussion about how to engage with Census. We want to see and agree with what will be done. We haven't had good experiences with Census. We have a subcommittee on data. That's a good start. Others want to be engaged.

Our hope is that Congress keeps it in the budget. The \$300 million increase is steep, but we will try to make it happen.

On the cross cut, the devil's in the details. We have been trying to flesh out the cross cut. There are a variety of reasons, but we appreciate you coming back.

Gary Hayes: Appreciate this. We always wanted your presence with us. On Census, the HHS secretary is also a numbers lady. The four communities off reservation, the median age is 45. His tribe is 27. Pine ridge is 23, Rose Bud is 22. Tribal people are young because we are dying. Various factors have contributed to this. He asked his tribe to go back and look at the average age. 50 for male. Average is 52.



It's frustrating to go back and bury our young tribal members.

HHS has compiled a grants matrix. Many of it goes to the states. That's the confusion about the \$19 billion. Yet we are required to provide data to justify everything we do, but there's a difference in our relationship with our federal government. The issue with HHS is grant writer availability. That's the challenge we have. But then, you're competitive. 566 tribes, it's daunting to review each and every grant. On the tribal health epicenters, we want to be treated the same as a state health center. It goes back to state tribal relationships.

### **Tribal Caucus Report out**

Kevin Washburn: When the president said he wants full funding for community colleges, that applies to tribal colleges as well. That's got to go through Congress as well.

John Yellowbird Steele: Tribal budgeting pits tribes against tribes.

Resolution moved by John Yellow Bird Steele and seconded by Jimmie Mitchell.

Comments: It needs to speak specifically to the 2017 guidelines. It needs to speak to the existing process. It is premature to move this.

Motion was retracted until the resolution could be amended to address the 2017 budget cycle and other concerns.

Motion was made to redraft the resolution along with NCAI.

We will have a draft concept to share with our respective regions.

Johnny Naize: On changing the process, we want an alternative budget process also included. What are we changing it to? What is the alternative process?

Ron Allen: That's why, we want to come up with just come concepts, and maybe a process, that we will bring back in May. Your question is what is the new system? How does it work? Or do we design a new system? We aren't going to vote on it tomorrow.

Sam Thomas: A few years ago we had 13 tribes, now we have 135 tribes responding. It's not attractive to tribes to prioritize – we all know TPA is important, but we need some mechanism for us to get to where we're going.

AJ Not Afraid: To add onto that, Tommy has put in a lot of time on this. But as we are trying to smooth this budgeting system out, how many new tribes are coming in to play?

Kitcki Carroll: From USET, we are dissatisfied in the limitations in telling the whole story.

Gary Hayes: In each region, what percentage of participation did you have? We need to take this bull by the horn and run it. Looking at the \$12 million for data collection, maybe we can have that to help tribes come to the meetings. SW had 8 percent participation. Looking at the budget, tribal leaders are getting more involved in the process. We need to use some of the money to find out that need. If we have OMB

do it, it will take from programs. Too much analysis causes paralysis. His problem is that for the first time we had law enforcement. Problem is BIE not coming to our meetings. These internal things we need to work out to establish a need based budget.

Ron Allen: Great Plains tribes are challenging the system. We have to have a system that reaches out to the tribes. We have a certain level of success. We all have different numbers. Our region had 33 percent of the NW tribes. We did the best we could. We responsibly reached out. Steele is raising other issues – but we need a system.

He has watched us complain about it not working. What is the alternative? All of us on our own, we can't do that. We need some sort of system that brings these priorities together. Navajo raised the question: what new system? There isn't a new system. Maybe what we're trying to do is figure out that better way. What would it look like? Maybe we need a workgroup for concepts.

Kitcki Carroll: The resolution does call for consultation with every single tribe.

John Yellow Bird Steele: We want to simplify this – we just want to look at a new process. Let's not throw out the whole thing. We may not adopt a new system. Why not look at a new one? Let's find a way for all of our differences to be resolved. Our strength is being together. We can't be divided or conquered. We have to be civil to each other in discussing monies.

Ron Allen: We are shifting this to a review of the process. Those who are interested in brainstorming can work on this.

Jimmie Mitchell: We all disagree in some way with the current system. The best way to move forward is to direct each region to come up with alternatives. We should ask each region to come up with alternatives.

Ron Allen: Let's shape that into the resolution for guidance back to the regions, those who are willing to do it. Some are willing to do it. Let's give it a shot for process.

### **IA Update-2016 Budget, George Bearpaw**

#### Strengthening Tribal Nations

The 2016 Budget Request for Indian Affairs = \$2.9 billion, an increase of \$323.5 million above 2015

- Opportunities for Native Youth – Generation Indigenous
- Supporting Indian Families and Protecting Indian Country
- Tribal Nation Building
- Supporting Climate Resilience in Indian Country
- Sustainable Stewardship of Trust Resources
- Indian Water Rights

#### All of Government Approach

- Coordination through White House Council on Native American Affairs, chaired by Secretary Jewell.
- Supports improved access for tribes to Federal programs and resources.
- IA and IHS represent 45% of overall budget request for tribal programs.

- The 2016 President's Budget proposes \$20.9 billion to 22 Federal departments and agencies serving Indian Country, +\$1.5 billion or +8%:
 

+\$384M DOI (+\$324M IA)	+\$15M DOE
+\$648M HHS (+\$486M IHS)	+\$10M VA
+\$240M Education	+\$ 6M USDA
+\$102M DOJ	+\$ 5M DOL
+\$ 62M DOT	+\$ 2M IAIA
+\$ 45M EPA	+\$ 1M Treasury
+\$ 25M HUD	

#### Generation Indigenous

- \$1 billion investment in Indian education to support a comprehensive multi-year transformation of the Bureau of Indian Education.
  - + \$94 million to improve outcomes in the classroom; provide improved instructional services and teacher quality; promote enhanced language and cultural programs; provide scholarships focused on STEM fields and law; enhance broadband and digital access; funds to tribes to incentivize creative solutions to school transformations.
  - + \$59 million to replace Little Singer and Cove Day schools in Arizona and plan for repair and rebuilding of other BIE schools.
  - Proposes language enabling the Secretary to activate the National Foundation for American Indian Education – focused on fundraising to create opportunities for Indian students in and out of the classroom.
- + \$3 million to support youth participation in BIA natural resources programs that focus on protection, enhancement, and conservation of natural resources through science, education and cultural learning.

#### Supporting Indian Families

- As part of the President's commitment to protect and promote the development of prosperous tribal communities, BIA will continue the Tiwahe initiative.
- Addresses interrelated issues associated with child welfare, domestic violence, substance abuse, poverty, and incarceration.
  - + \$6 million for Social Services program will provide additional social workers to improve the number of clients to case worker ratio.
  - + \$4 million for Law Enforcement Special Initiatives and
  - + \$5 million for Tribal Courts to implement a comprehensive strategy for providing alternatives to incarceration and increases in treatment opportunities.

#### Tribal Nation Building

- + \$26 million to fully fund estimated Contract Support Costs.
- Proposal to fully fund CSC as mandatory beginning in 2017.
- + \$12 million to address long standing concerns with quality of data in Indian Country.
- + \$1.25 million to aid Small and Needy Tribes.
- + \$4 million to establish One-Stop Tribal Support Center to make it easier for tribes to find and use services available to them across the Federal government.
- + \$4.5 million to establish Indian Energy Service Center to facilitate energy development in Indian Country.

#### Supporting Climate Resilience in Indian Country

- + \$40.4 million across Trust-Natural Resources programs to develop and access science, tools, training, and planning; and to implement actions that build resilience into resource management, infrastructure, and community development activities.
- Funding will also support Alaska Native Villages in the arctic and other critically vulnerable communities in evaluating options for the long-term resilience of their communities.

#### Sustainable Stewardship in Resources

- + \$6.9 million for Trust Real Estate Services activities to bolster the stewardship of trust resources.
- Expanded capacity will address probate, land title and records processing, geospatial support needs, and database management.
- Administration set ambitious goal of placing more than 500,000 acres of land into trust by end of 2016.
- + \$1.25 million to provide O&M for Ft. Peck Water System.

#### Indian Water Rights

- + \$46 million to strengthen IA's capacity to meet its trust responsibilities and more effectively partner with tribes on water issues.
- Includes + \$14 million to increase support for settlement negotiations and sustainable water management.
- Provides + \$32 million for implementation of enacted settlements and meeting enforcement dates.

#### Comments

Rex Lee Jim: When programs like IHS are receiving 55 percent of need, we do need advance appropriations.

Kevin Washburn: We do have forward funding for education. We don't object to IHS having forward funding. We have many scholarship programs with Navajo and late funding was an issue. This year we didn't get a full year budget. We are supposed to have it ahead of October first.

#### **Office of Special Trustee Presentation**

- Budget Update
  - FY 2015 Enacted Budget
  - FY 2016 President's Budget Request
- FY 2014 Accomplishments

#### OST Budget Update

- FY 2015 budget appropriation enacted by H.R. 83; Public Law 113-235.
- OST's FY 2015 appropriation is \$139,029,000; \$1.6M below the FY 2014 enacted budget.
- OST's FY 2016 President's Budget Request is \$142.9M; \$3.9M above FY 2015 enacted budget.

#### FY16 Budget Request

- FY 2016 budget request fully funds fixed cost increases and includes three program increases:
  - +\$1.6 million for Field Operations for additional estate planning opportunities for trust beneficiaries to stem fractionation and the number of estates requiring probate.
  - +\$1.2 million for Appraisal Services for appraiser training program to address the shortage of qualified appraisers.
  - +\$1.02 million for Trust Records to expand records training program at Haskell Indian Nations University (HINU) and create new records training programs at two additional tribal colleges.

#### Estate Planning Services

- Initiative addresses underlying causes of increasing administrative costs of Indian trust probate.
- Will reduce fractionation by providing meaningful estate planning opportunities to Indian trust beneficiaries in accordance with the American Indian Probate Reform Act of 2004 (AIPRA).
- Four complimentary components:
  1. Funding third parties for legal services to facilitate beneficiaries' development of wills.
  2. Streamlining the gift deed process to provide trust beneficiaries a straight-forward tool to transfer property to beneficiaries free of probate.
    - Owner retains use and income derived from the property during his or her lifetime.
  3. Using AIPRA Family Limited Partnerships Pilot Project to explore use of legal entities to manage interests in trust property.
  4. Developing Transfer on Death Beneficiary Designations to allow non-probate transfers of Indian trust assets.

#### Appraiser Training Program

- Difficult to recruit appraisers due to shortage of state certified general appraisers.
- Will fund twelve apprentice appraiser positions for Native Americans in three-year training program.
- Upon successful completion of program and attainment of licensure, newly certified appraisers qualified to fill critical positions in OST appraisal operations.

#### Records Training Program

- Expand records training program at Haskell Indian Nations University (HINU).
  - Trust Records currently funds program at HINU; graduating approximately 120 students per year with certificate in records management.
  - \$150,000 increase to expand program for additional 80 students.
  - \$600,000 for new records training programs at two additional tribal colleges.
- \$270,000 to implement records programs at tribal colleges.

#### FY 2014 Accomplishments

- FY 2016 President's budget request includes OST's Annual Report for FY 2014; report contains more complete listing of FY 2014 accomplishments.
- For second consecutive year received unqualified opinion for the Individual Indian Money (IIM) trust fund financial statements in the independent annual audit for FY 2014.
  - Audit report contained no notice of findings and recommendations.
- Collaborating with U.S. Department of the Treasury to transition the printing and mailing of trust fund statements and checks from OST to the Treasury.
  - As of the beginning of FY 2015, printing of beneficiary checks has transitioned to Treasury.
  - Transition of all printing and mailing functions dependent on Treasury, but hope to complete in 2015.

- Risks to OST and beneficiaries will be significantly reduced by transferring these functions to the entity (Treasury), whose primary function is the issue of checks on behalf of the U.S. Government.
- Completed negotiations and consolidated OST's office space in Albuquerque, reducing leased space by 50%.
- Reduced the number of returned checks per month from an excess of 800 to an average of 70 through use of National Change of Address database.
- In support of plaintiffs' discovery requests, searched 9,251 boxes of records and delivered 1,349,470 documents (2,543,737 pages/images) to Interior's Office of the Solicitor and Department of Justice.
- Processed and reconciled more than 37,000 transactions daily (over 9.9 million annually.)
- Migrated 100% of servers in applicable OST field sites to BIA's Storage as a Service environment.
  - Allowed decommission of failing or obsolete local servers while increasing file support.
- Successfully processed mass appraisals for over 10,000 tracts across 6 reservations for *Cobell* Land Buy-Back program.
- Currently testing a new system that automates control desk activities to manage workflow in OST's backroom accounting office (Trust Services.)
  - System electronically tracks all update documents for Trust Funds Accountability System.
  - System will reduce number of paper records sent to American Indian Record Repository (AIRR) for storage by 90%.
  - System provides accounting of time for each step in workflow process.

#### Special Trustee Priorities

- Financial Education
  - Develop comprehensive lifecycle approach to delivery of educational activities in Indian Country.
  - Develop educational and experiential learning formats designed specifically for children.
  - Provide life-cycle education and skills training from preparation for post-secondary education and first time home purchase to retirement and estate planning.
- Investment Review
  - Team assembled to conduct comprehensive review of OST's investment policies.
  - Review will culminate in report of findings that may include recommendations for changes.
- Facilitating Probate Reform
  - Working with BIA and Office of Hearings and Appeals to provide:
    - Useful estate planning opportunities.
    - Tools and approaches to reduce burden of probate process.

For More Information Please Contact:

**Mark Davis**

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#### TIBC second day

Kevin Washburn said he views this meeting as important guidance.

## Regional Budget Presentations

### Midwest Region Presentation

Darrell Seki Sr., Chairman, Red Lake Band of Chippewa Indians  
Jimmie Mitchell, Little River Band of Ottawa Indians

Good morning, we are pleased to present to you budget issues of concern to Midwest Region tribes.

The Midwest Region is comprised of 36 tribes and nearly 200,000 tribal members in Minnesota, Michigan, Iowa, Wisconsin, and Indiana. 35 out of 36 tribes were represented. The Midwest Region is rich in natural resources. We have the 5 great lakes, as well as the 6th great lake – Red Lake! Water, fish, wildlife, and forests abound, and they are important to us.

The Midwest Annual Budget Meeting was held on January 15<sup>th</sup> at the Ramada in Bloomington, MN. Representatives from 14 Tribes attended the Meeting. Before the meeting officially began, there was a ninety minute 'One on One' Session with Tribal representatives and BIA Staff.

There were 11 different Presenters giving presentations which included the Overview of the Budget Formulation Process, Review of Initiatives with a discussion, Sub Team updates on Realty, Probate, Natural Resources, Forestry and Climate Change, Law Enforcement, Social Services, Road Maintenance, Contract Support, Paycosts and Education. The Budget Meeting then ended with a Tribal Leader Discussion led by the TIBC Representatives.

Budget Teams were reinstated from last year for Education, Social Services, Law Enforcement, Forestry, Probate & Real Estate, and Natural Resources Management to focus on the Initiatives and Narratives for the Tribes and BIA. There were over 40 members on these 6 Teams. The Teams were made up of Tribal representatives and BIA Employee's.

They conducted 6 web-ex meetings. Regional meeting in January had 14 tribes attend. Agency superintendents were important to the process.

### Top Ten Rankings for a 10% Increase

1. Criminal Investigations & Police Services
2. Tribal Courts (TPA)
3. Scholarships & Adult Education (TPA)
4. Indian Child Welfare Act (TPA)
5. Social Services (TPA)
6. Consolidated Tribal Gov't Program (TPA)
7. Natural Resources (TPA)
8. Contract Support (TPA)
9. Aid to Tribal Government (TPA)
10. Road Maintenance (TPA)

You can see that many of the Midwest Region priorities are similar to other regions. We won't go into much detail here, our written testimony provides detail on the funding needs for these budget lines. We would like to mention that 4 of our first 5 priorities are embraced by the Tiwahe Family Initiative. We appreciate and support this Initiative, a comprehensive and integrated approach to address the

inter-related problems of poverty, violence, and substance abuse faced by Indian communities - this is a great idea, and we should all support the Administration on this. In FY 2015 Congress signaled its support for the Tiwahe Initiative by providing increases of about \$5.1 million for Social Services, \$4.7 million for the Indian Child Welfare Act (ICWA) program, and \$.5 million for Job Placement and Training. All three of these programs have seen their funding erode through either cuts or flat-funding for decades, so these increases are welcomed.

We further support the President's request to expand on the Tiwahe Initiative in FY 2016, by providing an additional \$6 million for Social Services, an additional \$4 million for Law Enforcement special initiatives, and an additional \$5 million for Tribal Courts.

The Midwest Region developed a BIA 2017 budget comprehensive table at the Plus 0%, and Plus 10% levels, and Identified both Regional and National Budget Initiatives.

Considerable effort was expended this year in presenting Midwest Region Initiatives. Teams of tribal and BIA staff were formed to work in various budget categories.

Although we only had Midwest Region information in many cases, we did present several National Initiatives for the BIA totaling \$1,333,123,000.

We also identified Regional Initiatives totaling \$137,858,000.

This slide shows the total BIA enacted budget from FY 2004 to the present, including the President's FY 2016 budget request. The FY 2016 budget request is \$2.9 billion, an increase of \$323 million, or 12.4%, over the FY 2015 enacted level. This represents one of the largest BIA budget increases ever, and we greatly appreciate this and we thank you for your efforts and advocacy.

This slide shows two charts. The top chart you've seen before, it shows the overall percentage increase in funding of the 6 largest Interior agencies over a ten year period, in this instance from 2004-2013, the year of sequestration. It illustrates what tribes have been concerned about, that BIA has been getting the short end of the stick in Interior budget increases.

The bottom chart shows the overall percentage increase in funding of the 6 largest Interior agencies from 2004-2016, should Congress adopt the President's 2016 request. You can see the President's budget request represents an important move forward in evening the playing field for BIA.

In terms of dollars, the FY 2016 request for BIA is the second largest, just behind the National Park Service (NPS). In terms of percentage increase, the 12.4% request for BIA is the third largest, just behind the 16.6% requested for the National Park Service, and 14.4% requested for the U.S. Geological Survey.

This slide shows the last three President's requested budget increases, for all of Interior excluding BIA in Blue, and just BIA in Green. We showed you this chart last year for just the FY 2014 and FY 2015 budget requests, and it caused a bit of a stir. But in FY 2016, we can see a major change, with the BIA requested increase of 12.4%, compared to the rest of Interior at 8.3%. Tribes have something to be pleased about this year, and now we have work to do in getting Congress to support the President's Budget.



Tribes' core government service programs have experienced steep declines for many years. For instance, all tribes' TPA accounts (which form the core of government services) were permanently cut by about 16% back in 1996.

These same programs were permanently cut an additional 8% from 2000 to 2013, from at least 14 different rescissions to pay for things like tax cuts, wars, hurricanes, and even information technology upgrades.

Tribes lost an additional 5% in 2013 to 2015 from the Sequester. That means from just 2000-2015, Tribes' TPA funding has been subject to cuts of 13%. But when adding the 16% General Reduction in 1996, Tribes' critical government service programs must operate today with 29% less actual dollars than in 1995!

On top of all this, the only additions to tribes' core service programs in 18 years has been pay costs. But for the last 12 years, pay costs have only been partially funded, usually at 50% or less.

This table shows all of the rescissions tribes have had to suffer from going back to 2000 – at least 15 different rescissions if you include sequestration! They all represent permanent cuts to tribal Base programs! Sequestration dealt a harsh blow to tribes' government services programs. Every program was cut by 5% in FY 2013-2015, and this could rise to about 8% in FY 2016 continuing through FY 2023. The amount lost to BIA and tribes in FY 2013 was \$142 million. In December of 2013, Congress struck a two-year deal to temporarily soften the blow from sequestration. This resulted in a FY 2014 Omnibus Appropriations Act which added back exactly the FY 2013 sequestered amount of \$142 million for BIA. Despite our pleas to utilize a significant portion of the increase to replace 2013 Sequestered funds at the tribal program level, the Administration chose instead to fund the President's initiatives outlined in his FY 2014 budget request. Whereas many of these initiatives are laudable, nothing was more important than helping tribes at the local level, who saw critical government service program budgets slashed. We do acknowledge and thank Darren Cruzan and the Office of Justice Services however, for being the only BIA office to do the right thing by using \$4.5 million of their 2014 spending plan increase to replace a portion of the sequestration cuts at the BIA and tribal program level. And we're happy to report that they are Paying It Forward in 2015 and beyond.

We were shocked to find that the President's FY 2015 budget request last year, did not request restoration of the FY 2013 sequestration cuts. It is no less upsetting that the FY 2016 budget request, while adding significant increases in some areas, also keeps sequestration cuts in place. Sequestration is a breach of Trust and Treaties, and the President should not stand for it.

Sequestration is a long term threat to tribes' abilities to provide critical government services to ensure the health, safety, and well-being of tribal members. The two-year deal to soften the blow of sequestration is only for FY 2014 and FY 2015. Sequestration is here to stay, along with its terrible impacts, unless the Administration and Congress take extraordinary steps to hold tribes harmless. The President's FY 2015 and 2016 budgets did not do this – the FY 2017 budget should fully replace the Sequestration cuts!

The Indian Land Consolidation Act as amended in 2000, authorizes the Secretary to remove a lien acquired under the ILCA. (ILCA Section 214(b)(2), codified at 25 U.S.C. § 2213(b)(3))

As participants of the initial pilot project for the Indian Land Consolidation Program, the Midwest Regional Office and participating Tribes are requesting the forgiveness of all existing ILCA liens and waiving all future liens.

The Indian Land Consolidation Program is not actively operating a land acquisition program and are not purchasing interests. The recoup funds are sitting idle. These funds, which can only be used to acquire additional interests, should be returned to the Tribes and all liens, current and future, should be forgiven.

Hard Rock and Frac Sand Mining and exploration companies are swarming the upper Great Lakes, especially Michigan's Upper Peninsula, Wisconsin and the arrowhead region of northern Minnesota. Lake Superior is in the bull's eye. Tribes in the region are exceedingly concerned about the long-term adverse impacts associated with mining to human health, water quality, air quality, wild rice, sustenance fisheries, treaty reserved resources, and the overall environment. Also of concern is the current lack of the needed regional expertise and resources to appropriately address the various environmental impacts of these activities during the NEPA process, and also ensure Tribal governments are properly consulted on a government to government basis.

In the BIA's 2014 Spending Plan, there were a number of funding increases, especially in Natural Resources, which provided opportunities for tribes to access additional funding. Many of these increases were to decades old recurring programs, and some were new. We've heard the term "grants" bandied about a lot in the last year, but these one-time funding opportunities are really not grants, and the Greenbook does not describe them as such.

We learned at the last TIBC meeting in November, that BIA was considering moving a number of these one-time funding programs to grants.gov for processing. We have a number of concerns with this. Grants are very time-consuming to prepare and administer. Tribes have always viewed the process of funds distribution through the BIA as preferable to grant programs such as DOJ, ANA, SAMHSA, etc.

Moving the process of applying for some BIA funds to grants.gov is unnecessary, burdensome, and circumvents self-determination. Tribes would have to learn a new process (adding another layer of complexity), and many tribes simply do not have the capacities to undertake another process and therefore may be dissuaded from applying for funds. Most critically, we're concerned that the grants.gov process may hinder or preclude tribes from receiving full Contract Support Costs including Direct Contract Support Costs.

Executive Order 13175 requires consultation with tribes when significant policy changes are contemplated. Moving BIA program funds to Grants.gov is a significant policy change. If the BIA proposes to utilize grants.gov to process BIA funding opportunities for tribes, it must first establish and conduct a consultation process. This concludes our presentation, Migwetch!

### **Eastern Region**

Powerpoint:

[http://www.ncai.org/initiatives/tibc/FY\\_2017\\_Eastern\\_Region\\_FY\\_2017\\_Budget\\_PP\\_Presentation -  
March\\_2\\_2015.pptx](http://www.ncai.org/initiatives/tibc/FY_2017_Eastern_Region_FY_2017_Budget_PP_Presentation_-_March_2_2015.pptx)

**Top Five Priority Areas**

- ❖ Tribal Courts
- ❖ Indian Child Welfare Act (ICWA)
- ❖ Housing Improvement
- ❖ Social Services
- ❖ Aid to Tribal Government

**Tribal Courts**

- FY 2015 BIA budget includes only \$23.3 million to operate 300 Tribal Courts and 7 Court Offences (Average of \$75,896)
- Since FY 2012 funding has been stagnant – not taking into consideration significant sovereignty and jurisdictional gains
- Need for strong judicial systems has drastically increased
- Further funding could be utilized:
  - VAWA investigation, prosecution, conviction and sentencing
  - Courts need:
    - Effective assistance for counsel
    - Law trained judges (licensed)
    - Cross-section of jury pools
    - Protection & Services for (operating strong judicial systems)
    - Indian Child Welfare Act
    - Child Support Enforcement
    - Temporary Assistance to Needy Families
    - State/Tribal Criminal Codes

**ICWA**

- Since passage of ICWA in 1978, less than 43% of the original estimated need of \$26 million has been fulfilled
- Funding disparity is further magnified by:
  - Population Growth
  - Inflation
  - Environmental Factors
  - Additional funding needed to employ additional and non-existent staff:
    - Case Managers
    - Investigators
    - Legal Counsel
- Indian Child Welfare Programs work with some of the most At-Risk and Needy children, yet have access to Fewer Resources than states
- Indian Children are removed from their homes and communities more than any other nationality in the U.S.
  - Lose their families
  - Lose their culture and traditions
  - Non-Native Agencies and Courts making decisions not based on the best interest of the child, as they cannot know what those are

**HIP**

- The BIA's Housing Improvement website states: *"It is the BIA's policy that every American Indian and Alaska Native family should have the opportunity for a decent home and suitable living environment"*
- FY 2014 Annual Appropriation equated to only 1.1% of estimated need
- Approximately 40% of On-Reservation Housing is **Inadequate**
- Since 2010 funding has been drastically inadequate
  - Largest Regional Allocation – 3.8% needs met
  - Smallest Regional Allocation – 1.9% need met
- FY 2014 provided assistance to only 11 applicants dividing the received \$105,433 amongst them (Average of \$9,585)
  - If a home cost \$60/sq ft to build, that average would produce a 160 sq ft home

#### Social Services

- 2007-2011 American Indian/Alaska Native Population Poverty Rate = 23.9% compared to National Poverty Rate = 14.3%
- We applaud the Administration for "Tiwahe", however, the proposed funding is far from sufficient
- 46% of Tribes in Eastern Region contract BIA Social Services Program with average funding of \$37,481 – too little to cover even one Social Worker
- For more Comprehensive Service Delivery Tribes need additional Tribal Social Workers & Supportive Costs allowing response to more than just day-to-day emergencies such as:
  - Whole family focus
  - Education Attainment
  - Job Training Assistance
  - Child Welfare Aid
  - Family Services Support
  - Child Care
  - Housing, etc.

#### Aid to Tribal Government

- Funding has decreased in past several years, inconsistent with inflation and continued basic need for services
- Funds essential in fostering strong, stable Tribal Governments with growth evolution in
  - Economic Development
  - Tribal Enrollment/Census
  - Grants Management
  - Planning

#### Education

- Eastern Region Tribes Concerned about Budget Formulation Process:
  - Suffocates Tribes from **PRIORITIZING** Education
  - Forced to Prioritize **ONLY 5** Programs out of ~144 from 12 Distinct Areas
  - Recognizing **IMPORTANCE** of Education, Eastern Region Prioritized BIE Programs Separately –

We believe Education should be elevated to **PRIORITY Level**

- Eastern Region Tribes TOP 5 Educational Priorities:
  - Scholarships & Adult Education
  - Early Childhood Development

- Education Program Enhancements
- Johnson O'Malley
- Tribal Grant Support
- Eastern Region Tribes Request BIA & TIBC work towards REVISING Budget Formulation Process to allow Separate Prioritization for BIA & BIE Programs.

### **Southern Plains**

[http://www.ncai.org/initiatives/tibc/Souther\\_Plains.pdf](http://www.ncai.org/initiatives/tibc/Souther_Plains.pdf)

#### Budget Priorities

- Aid To Tribal Government
- Johnson O'Malley
- Real Estate Services – Regional Oversight
- CTGP
- Scholarships & Adult Education

#### Tribal Government

- Advancing Quality Communities for Indian Tribes & Tribal Nations
- Promoting strong and stable tribal governments
- Promoting Indian Self-Determination & Self-Governance:
- Enhancing the abilities of Tribal Nations in the exercise of their authority as sovereign nations

#### JOM

- Continuing Issues:
- Student count frozen in 1995;
- Indian student population continues to rise;
- Funding has not kept pace with increasing costs and student counts;
- In 1997 Indian students funded at approximately \$85 each;
- Today, Indian students funded at approximately \$66 each;
- Lack of funding severely limits the program achieve its goals of providing:
- Adequate school supplies and equipment;
- Tutorial assistance to enhance skills and understanding of the core education elements;
- Incentive programs that challenge students to earn and maintain above average grade scores;
- Opportunities to participate in Native Leadership Conferences and other leadership activities;

#### Real Estate Services

- Mission & Services Provided:
- Land acquisition (fee to trust);
- Trust conveyances;
- Surface and sub-surface leasing;
- Rights protection;
- Right-of-ways;
- Technical assistance to the Regional Director, Agency Superintendents and Tribal Leaders;
- Planning, organizing and developing the most economically feasible administrative practices and procedures for the execution of trust related programs and transactions;
- Need:

- Increases in Oil & Gas and Fee-to-Trust activities and recent updates of leasing regulations with stringent timelines increases the need for additional funding for training and staff to meet all requirements associated with the Realty Program
- Benefits of increased funding:
- Will result in a minerals program that can keep pace with industry demands;
- Increase number of sales, leasing and development of trust minerals;
- Tribal and individual mineral owners will realize greater bonus and royalty income;
- Fee-to-Trust applications will be finalized quicker;
- More land will be brought into trust on behalf of tribes and individual Indians;

#### CTGP

- Benefits:
- Allows tribes to combine various contracted programs into a single agreement;
- Simplifies contracting procedure;
- Reduces administrative costs and reporting requirements;
- Issue: Due to no significant increases in funding, tribes are forced to supplement federal programs with tribal funds, creating shortfalls in other areas;

#### Scholarships and Adult Education

- Many Tribes have no resources to support students beyond the under-graduate level;
- Even with federal assistance, students still have a huge unmet need;
- Rising tuition costs + more students applying for Scholarships = Less \$\$ available per student;
- Students are forced to take out student loans or drop out altogether;
- Tribes cannot keep up with demand at present funding levels;

#### Other Tribal Concerns

- CONTRACT SUPPORT COSTS:
- All tribes agree that these costs should be fully funded;
- Underfunding puts tribes at a disadvantage and services are reduced due to shortfalls;
- Long term solution needed that will sustain full CSC in FY 2017 and beyond;
- SEQUESTERED FUNDS:
- Sequestered funds should be restored at the tribal level as a first priority;
- Requiring tribes to pay for the federal government's shortfall by reducing funds and services to tribes is not an acceptable solution;
- OMB should be required to be present at tribal budget meetings;
- Tribal funds should be considered mandatory, not discretionary;
- Tribes applying for federal funding allocated specifically for Native Americans (i.e. USDA), should be treated as sovereign nations and not have to deal with state officials.

#### 2017 Funding Request

- |                                   |               |
|-----------------------------------|---------------|
| • TRIBAL GOVERNMENT:              | + \$9,387,000 |
| • JOHNSON O'MALLEY:               | + \$7,845,000 |
| • REAL ESTATE SERVICES:           | + \$6,499,000 |
| • CTGP:                           | + \$6,127,000 |
| • SCHOLARSHIPS & ADULT EDUCATION: | + \$4,862,000 |

**Great Plains**

Presentation

[http://www.ncai.org/initiatives/tibc/2017 Testimony Power Point - FINAL March 2, 2015.pptx](http://www.ncai.org/initiatives/tibc/2017%20Testimony%20Power%20Point%20-%20FINAL%20March%202,%202015.pptx)Tribal Representatives

Harold Frazier, Chairman, Cheyenne River Sioux Tribe

Vernon Miller, Chairman, Omaha Tribe

Tony Reider, President, Flandreau Santee Sioux Tribe (Alternate)

John Yellowbird Steele, President, Oglala Sioux Tribe (Alternate) and Chairman of the Great Plains Tribal Chairman's Association

Regional Office Representatives

Timothy LaPointe, Regional Director

Ernest J. Pourier, Budget Officer

A video was shown, <https://drive.google.com/file/d/0B2HLLKg1f0t8YIZxQINUeUhEUTA/view>Strengthening Tribal Nations Initiative

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 the Supreme Law of the land.

All interests of the Great Plains Region should be protected; the best insurance 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 benefits.

Tribal Position on 2017 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 adequate funding across a broad range of programs.

This challenge is often exacerbated in areas of concentrated poverty. Cost calculations need to accommodate and allocate additional funding for these unique circumstances affecting tribes' responsibility 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, which favor small tribes who are more numerous.

The Great Plains treaty tribes are opposed to ranking and prioritizing programs in Indian Country. All programs are basic life critical necessities that historically have never been 100% funded. All TPA programs are a priority and essential to the overall livelihood of the tribal members and the operation of

the Great Plains tribal governments. However, as the budget process requires a program prioritization this requirement has been met.

The Great Plains Tribes have voiced their desire to steer their efforts in pursuit of a Needs Based budget. In the current budget process, ranking one program over another simply becomes a series of tradeoffs. Tribal needs compete with other tribal needs. A Needs Based budget is fair and respectful to individual tribal governments as opposed to a top down approach. A Needs Based budget would augment the priorities outlined in the President's "Strengthening Tribal Nations" initiative.

BIA programs are being decreased or eliminated based on the assumption that other federal departments or agencies are fulfilling those roles or responsibilities to tribes and their membership. Tribal access to those funds becomes limited because of the lack of communication from other federal and/or state agencies. The Great Plains tribes have consistently objected to the reorganizing of line authority, the elimination of Indian Preference and funding diverted away from BIA and fragmented in myriad federal agencies.

#### Great Plains Priorities

1. Tribal Courts (TPA)
2. Road Maintenance (TPA)
3. Criminal Investigations & Police Services
4. Welfare Assistance (TPA)
5. Social Services (TPA)
6. Consolidated Tribal Government Program (TPA)
7. Scholarships & Adult Education (TPA)
8. ISEP Formula Funds (Bureau of Indian Education)
9. Job Placement and Training (TPA)
10. Economic Development (TPA)

#### 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 Regional Office 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.

#### Office of Justice Services

The Great Plains Tribes continue to experience insurmountable problems when attempting to provide law enforcement and judicial services to our people. This is due to four factors:

1. The federal government's increased reliance on funding from totally ineffective DOJ & grant programs
2. Current BIA funding does not address the costs of providing basic services to large populations across great distances
3. Current funding does not account for our broader scope of tribal jurisdiction and lack of state police services, and



4. Our inability to adjust our programs because the BIA has removed public safety decision making from the Agency/Regional level.
  - The Tribal Law and Order Act (TLOA) has had virtually no impact on the Great Plains Tribes, is considered an unfunded mandate and it will not have a positive impact until the aforementioned problems are addressed.
  - It is time for the BIA to reassume its primary responsibility for funding and providing on-reservation public safety services, including the primary responsibility for funding tribal law enforcement, courts, emergency communications and the construction and operation of all court and public safety buildings. What is happening now is simply not working! DOJ programs are unreliable. Law Enforcement and Tribal Courts must be returned to the BIA and Regional/local Agencies.. They operate without needs based priorities- spending large dollars on tribes which have only concurrent jurisdiction over police matters- and they fail to establish the reliable sources of funding our programs need to operate effectively. Additionally, DOJ facilities construction programs have created nothing but problems.
  - We have standards and policies established throughout the years, now is the time for implementation and intervention - more education on crime prevention for our reservations, particularly funding to design our own training and standards
  - All policies are not one-size-fits-all for individual Tribes, as we have distinct and unique tribal codes, tribal constitutions, and sovereignty jurisdiction
  - The Great Plains Tribes are in the position to be proactive, train, implement, and, most of all, provide the mission of the Indian Affairs and Office of Justice System to our elders, children, enrolled members, and citizens, ensuring the protection of life and property, enforcing the laws.

#### Criminal Investigations and Policing Services

- The mission and promise of Indian Affairs and Office of Justice Services are to uphold tribal sovereignty, customs and provide for the safety of Indian communities
- How are staffing and crime statistics compared to law enforcements in large cities with similar crime rates? We are expected to secure safety and laws within Indian Country Reservations at a minimum cost on a much larger land base scale than cities with similar crime rates across the nation.
- Many Tribes are supplementing law enforcement services as much as possible despite lacking significant casino or mineral resources revenue. We are taxpayers just as every other U.S. citizen, our tax money is used by county and state law enforcement while services for our Tribes go unfunded by DOI and DOJ.
- We need due process, equal rights and justice, with consideration of our requests to address all unmet needs in the areas identified. Submission of statistical graphs and reports as mandated by the tribal law enforcement programs must be shared with funding agencies to document Need.

#### Tribal Courts

- Indian Nations in the Great Plains Region need additional base funding to implement the mandates in the Tribal Law and Order Act of 2010 (TLOA)
- The Great Plains Region has a healthy and comprehensive network of tribal courts. Regardless of the situation within other Regions, Tribal Courts must remain a high priority because of its significance to support healthy and secure communities and healthy economies for large Tribes with large land bases and attendant areas of jurisdictional responsibility.
- Thousands of criminal cases, in the Great Plains Region, were dismissed due to failure to prosecute because of the lack of prosecutorial and support court staff

- In some tribes an entire case load falls into the responsibility of 1 prosecutor were it should be shared among 4 prosecutors. Until these positions are filled, the U.S. Attorney's Office will assert jurisdiction over matters in which the tribal courts share concurrent jurisdiction, undermining the tribe's self-determination efforts.

#### Social Services

A February 2013 U.S Census report indicates that South Dakota has the highest Indian poverty rate of any state. The Great Plains Region's reservations are home to five out of the ten poorest counties, including the poorest county in the entire country (4 in South Dakota and 1 in North Dakota) according to 2010 U.S. Census Bureau data. Poverty rates in our Region ensure tribal members face challenges meeting their basic needs and children are at great risk for abuse and neglect.

- Case level standards in the Great Plains Region for child protective services and child and family case management fall woefully below recognized national standards. In the Great Plains Region, there is an estimated 40 cases per 1 Social Worker for most Tribal and BIA Child Welfare programs.
- These overloads impair services provided, such as assessing the safety of children at risk of abuse/neglect, providing case management, providing supportive services to the families, and assisting with working towards the goals of permanency and safety.
- National studies indicate that children in families living at or below national poverty levels are at greater risk of removal from their homes due to abuse and neglect.
- With the sequestration effects, jobs have been abolished or reduced to part time, causing both welfare assistance and child protection caseloads to increase.

#### Welfare Assistance

- The program serves the "neediest" of the needy in Indian country and ultimately the last resource Indians seek for assistance.
- Unfortunately since 1994, Congress has included a statutory CAP on the level of funds BIA can use for Welfare Assistance. Welfare Assistance programs have to cease services for a lack of funds due to the Congressional enacted cap. This type of a financing structure continues to fuel a crisis driven system.
- We continue to compromise safety when decisions become financially driven and we triage who is in more need of services; a vulnerable adult who is being financially taken advantage of by family or placing a child sexually abused by a family member, or deciding if a family will receive financial assistance to ensure heat and food are available.
- To improve outcomes, for those who receive financial assistance and social services, there must be an overhaul to how federal financing is provided for welfare assistance programs. Protecting the most vulnerable population is a moral responsibility for everyone. Increases to welfare assistance will greatly enhance the ability to safeguard and protect those who require these services and improve the quality of life for the nation's most vulnerable citizens.

#### Road Maintenance

- Current funding is about 14% of need. In recent years, the Great Plains Region has struggled to maintain safe roads for tribal citizens with funding levels far below those utilized by state road maintenance divisions. The Great Plains Regional roads maintenance budget has a need that is extensively documented by deferred maintenance records.
- The BIA budget for Tribes has been around \$26 million for 20 years it should be at \$160 million a year; the current budget doesn't justify the maintenance backlog of Tribes. In addition to the increase in funding, we request funds to address the backlog for maintenance.

- Routine bridge maintenance is not being performed unless it becomes an emergency. Bridge maintenance funding is requested.
- Snow & ice control can take up to 50% of an annual budget, additional funding is needed.
- Tribes feel that the government should fully fund road maintenance and not rely on the tribe's road construction funds to perform road maintenance.
- The FHWA construction dollars are supplemental; not in lieu of TPA allocations.
- Adequate funding over a multi-year span would greatly improve road conditions and preserve dollars intended for new road construction.

### BIE

All 16 Tribes within the Great Plains Region signed a Treaty with the United States Government and most are a party to the 1868 Treaty between the Sioux Nation and the US, that guaranteed education for tribal members in **perpetuity**.

For example, Article 7 of the 1868 Ft. Laramie Treaty states that:

*"In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians, and faithfully discharge his or her duties as a teacher."*

- The Great Plains Region has some of the highest number of Bureau of Indian Education (BIE) funded Schools. Historically, Tribal leaders have been leaders in Indian Controlled and Self-Determination Education: there are 25 PL 297 Schools, 7 BIE funded schools, 1 Dorm and 11 Tribally Controlled Colleges and Universities in the Great Plains Region.
- Of the \$2.4 billion appropriated for the Operation of Indian Programs, a mere 20% of the funding is in the BIE budget.
- Of the funds received to operate schools, the BIE uses two-thirds (2/3) for administrative activities and the schools receive only one third (1/3) of funds to operate. \$22,000 plus is allocated per child but this results in only \$7,900 per child at the local level. BIE is top heavy with high paid staff; the emphasis must shift to more funding at the local level where education of our children is taking place in challenging environments that warrant greater investment per pupil.
- Eliminate Positions at the Central Office of the Bureau of Indian Education and increase and retain Education staff at the local Agency including, funding the tribe's Tribal Education Department/Agency as the State educational agency. BIE should be a pass through agency for funding and allow the Educators at local level determine their reading programs, curriculum etc.
- Address the BIE findings in The Bonner Report Recommendations and implement the BIE Recommendations.
- Why is another study being conducted and why is BIE requesting another \$1 M for a new study? This takes funds away from our Children at the local level where it is drastically needed.

The Bonner Report recommends and Tribes agree that BIE needs to follow up on the following issues prior to any proposal being developed, including:

- Re-organization must not be done until full consultation and study is done with tribal leaders.

- Thoughtful, Effective Implementation is Critical.
- Centralization is not effective.
- Reorganization must address the fact that, "Indian affairs relies on personal relationships rather than organizational structure, to complete administrative tasks."
- The structure is poorly served by a wholly inadequate communications and coordination program.
- Budget formulation and funds management should be restructured to Regional Office level instead of centralized offices.
- Supervision of OBM functions should be under Regional offices and not a central office function.

The Bonner Report recommends and Tribes agree that BIE needs to follow up on the following issues prior to any proposal being developed, including:

- Indian affairs would achieve improved customer service and accountability with local supervision of the Contract Specialists by the BIA Regional Directors. BIA should consider streamlining processes and eliminating unnecessary approvals.
- All Property Management Should be under regional BIA office supervision.
- All Facilities managers need to report to regional directors and BIE should sign an MOU with BIA to provide this service.
- Centralization of the human resources staffing function is not effective!
- Equal Employment Office needs to be established.
- NEED A SMALLER DAS-M SERVICE to improve "customer service" after full consultation with tribal leaders.
- It will be most cost effective to return BIE under Regional and Agency BIA Supervision.
- Tribes want more local control to set up their own Tribal Codes, Accreditation and Standards. Fund the Tribal Education Offices.
- Eliminate the middle management offices and move the majority of the funds and functions to the Line Offices. These offices include the Associate Deputy Directors of East, West and Navajo, Associate Deputy Director-Division of Post-Secondary Education, and some staff positions in the Director's office.
- Eliminate the Division of Compliance, Monitoring and Accountability and move the majority of the funds and functions to the line offices. A small amount of the functions could be moved to central office.
- Move Line Offices that are not on reservation lands to reservation lands.

### Housing

- The BIA housing policy is that every American Indian and Alaska Native should have the opportunity for a decent home and suitable living environment, which is consistent with the national housing policy.
- This fiscal year Great Plains Region initiated a Pilot Project for Native Homeownership as an additional option. In an effort to leverage assistance to additional applicants, it is imperative HIP moves forward with collaborative efforts with other complementary housing programs to increase program benefits and participation.
- Assisting eligible HIP applicants seeking long term, low interest mortgage financing, with sufficient subsidy to enhance repayment ability, will provide long term sustainable housing, increase the benefits derived from the HIP fund, and ensure that the services provided are responsive to the needs of program participants.
- Homeownership not only provides a place to live, but provides profound positive effects on the individual/family, community, and culture in breaking the bonds of poverty.

- It is imperative that the Bureau of Indian Affairs expand such strategic efforts, as Housing and Urban Development's strategic plan makes no mention or reference to Indian Tribes. Numerous Studies, as Home ownership improves lifestyles for the poor in distressed Neighborhoods completed in 2013 by the Institute for Policy Studies at Johns Hopkins University in Baltimore, Maryland indicate the following positive social benefits of homeownership:

- Increased charitable activities
- Increased civic participation in the neighborhood and community
- Greater awareness of the political process
- Higher incidence of membership in voluntary organizations and spiritual activities
- Greater social capital generated
- Lower teen pregnancy by children living in owned homes
- Higher student test scores by children living in owned homes
- Higher rate of high school graduation thereby higher earnings
- Children more likely to participate in organized activities and have less television screen time
- Lower teen delinquencies
- Home owners reported higher life satisfaction, higher self esteem, happiness, and higher perceived control over their lives
- Better health outcomes, better physical and psychological health
- Less likely to become crime victims
- Stability, a place to call home. Compared to a child who never moves, a child who moves often achieves approximately one year less of education, has a 25 percent lower probability of graduating from high school and approximately a 20 percent lower chance of obtaining post-secondary education.

#### Trust Natural Resources

The protection of land and natural resources is critical to maintaining the Great Plains tribal land base. The Region has one of the largest land bases in Indian Country and the most fractionated interests. Limited funding resources have not allowed the BIA to fulfill its trust obligation in protecting and enhancing these resources for the 1.7 million individual land owner and tribal interests.

- Great Plains Region has the responsibility for managing and protecting 6.1 million acres of tribal and allotted lands for approximately 90,000 individual land owners.
- Annual value of grazing to the Indian landowners and Tribes is approximately \$18 million and approximately \$14 million for farm/ pasture leases.
- 25 CFR 166 requires the development of Reservation specific Agricultural Resource Management Plans (ARMP) and Range Unit specific Conservation plans to protect the trust resources of the Indian landowner.
- Lease Compliance and Unresolved Rights funding must be restored. These activities continue to operate but at the expense of other TPA programs.
- Create a permanent funding source for Tribal Historic Preservation Offices appropriated through the Department of Interior as per the DOI Strategic Plan for 2011-2016.

#### Economic Development

- The 2010 National Census data revealed the following counties in Great Plains as the 5 of the 10 poorest in the nation: Ziebach (Cheyenne River Sioux Tribe), Todd (Rosebud Sioux Tribe), Shannon (Oglala Sioux Tribe) and Corson and Sioux (Standing Rock Sioux Tribe.) It is an epidemic that needs Congressional attention to aid the tribes in moving towards reducing the poverty levels that plague the Great Plains Region.

- The average unemployment rate in the Great Plains Region ranges from 40-65% Economic Development is imperative to improving the quality of life for tribal members through job creation.

Within the FY-2015 Budget Justification manual, it lists the authorized uses of funds in development and training for workforce (focus on Job Placement and Training and Minerals and Mining); yet additional funds must be allocated to assist Tribes with:

1. Influencing the expansion of access to capital approaches such as community reinvestment activities, private sector lending in Indian Country, trainings to provide information on tribal laws (UCC), and access to and use of diverse tribal finance opportunities.
2. Influencing policy and resource allocation through tribal data.
3. Developing diverse private sectors through progressive Tribal government business practices.
4. Encouraging entrepreneur development.
5. Reverse the consolidation of the functions and authorities of the Office of Indian Energy and Economic Development Office back to the BIA Regional Office and Agency level to reverse the reduction of service and regular tribal consultation inherent in the new stove piping of this program.
6. Allow the Tribes input and opportunity for participation in proposed changes and evaluations affecting the Indian Financing Act or other economic development programs.
7. Infrastructure and business development and start-up funding for facilities and incubators to house small businesses to provide employment opportunities for tribal members.
8. Funding for economic and energy feasibility studies.

#### Tribal Historic Preservation Office

- Every Tribe in the Region has a Cultural Preservation Office / Tribal Historic Preservation Office / Cultural Resource Management Office/Cultural Affairs Office, or similar name, responsible to protect and preserve historical / cultural resource assets.
- Tribal cultures remain centered today on practicing their spiritual connections on the land, which is often impacted by encroaching developments such as housing, roads, utilities infrastructure, businesses, etc.
- Over the last 18 years, the tribes have used federal dollars, primarily from the Park Service, to assume certain National Historic Preservation Act functions from the state historic preservation officer, and to develop effective and efficient cultural resource management programs and in many instances are now taking the lead in these efforts.
- A lack of adequate Park Service funds, as well as very minimal BIA funding for these efforts has failed to keep pace with the explosion of newer and increasing management responsibilities.
- Start-up and sustained baseline funding within the Indian Affairs budget will allow the tribes to determine which specific cultural resource area that they have a need in and to apply these funds to that area.

#### Meth Task Force

- Tribes across the Region are faced with increased drug trafficking and drug related crime, included is the ongoing and prevalent methamphetamine crisis in most of Indian Country.
- Drug use and distribution are major factors in violent crimes and seriously compromises the health of Indian communities. In addition to this rising drug epidemic, Law enforcement must obtain up-to-date training on how to effectively and humanely combat this growing problem within the Reservation.

- Funding for a Methamphetamine Task Force would allow for the specialized training of task specific officers required for the dismantling of drug traffic on Great Plains Region reservations.
- With additional funding, the task force will have the ability to procure state of the art surveillance equipment needed to prosecute offenders, as well as technological devices used for the detection of methamphetamine and its principle chemical compounds.
- ▶ The task force will also allow for continued monitoring and apprehension of methamphetamine manufacturers and their subsequent distributors. The task force will focus mainly on the manufacturing, distribution, and trafficking of methamphetamine.

#### Great Plains Hot Topics

- Law Enforcement, Yankton Sioux Tribe
- Northern Plains Appellate Court (ineffective), Ponca Tribe
- Road Maintenance (Green Book). Justification misleading
- Funding Formula should be based on NEED, direct tribal demographics reporting and treaty based. Land based emphasis.
- Public Safety and Justice should be one cohesive unit (law enforcement, 911 dispatch, corrections, tribal courts)
- Tribes in Great Plains operate as full functioning “governments” as large land based tribes identified in the DOI strategic plan
- Indian Preference must be fully honored at all levels and across disciplines
- Reduce high level SES positions across the board and add funding to the tribal level
- OIEED, OST, BIE, OJS, OFMC. Move back to Agency and Regional Office level
- “Sunset” OST. Functions back to Indian Affairs

#### Final Recommendations and Comments

- Creation of a Cabinet Level Position for Indian Affairs.
- Create a special category for Large and Needy Tribes**
- Restructure Indian Affairs and realign all programs, including FTE’s and funding, back to the Bureau of Indian Affairs. Eliminate Stove Piping.
- Utilize ALL unobligated balances under the Assistant Secretary oversight (BIA, OJS, BIE, OST, Economic Development.)
- Funds must be provided for the continued development of the United Tribes Technical Training College Law Enforcement Training Center.
- Internal budget changes always have a negative impact to Tribes. Administrative Savings and Fixed Costs leave budgets flat with no realization of funding increases
- The BIA, OJS and DOJ must meet and work with Tribes to develop strategic plans.
- The Great Plains Region requests a Needs Based Budget
- The BIA must work with Tribes to develop Needs Assessment measures that are meaningful and provide training to BIA and tribal officials on Needs Assessment.
- Eliminate Deputy Superintendent functions and redirect funding to establish local Self Determination Awarding Officials and Needs Assessment specialist.

President Obama’s Strengthening Tribal Nations Initiatives, particularly Advancing Nation-to-Nation Relationships, is a good concept but not reflected and implemented across the board.

**Navajo Nation**

Presentation

[http://www.ncai.org/initiatives/tibc/FY\\_2017\\_Navajo\\_Nation\\_FY17\\_BIA\\_BJ\\_TIBC.pptx](http://www.ncai.org/initiatives/tibc/FY_2017_Navajo_Nation_FY17_BIA_BJ_TIBC.pptx)**FISH & WILDLIFE+\$500,000**

Total Budget Request (BR) w/ increased amount is \$734,882

Program funding increase will add:

- three (3) additional staff to operate the NN Hunter Education Program:
  - certifies an average of 300 people per year.
- three (3) extra staff to increase law enforcement patrol efforts in the golden eagle habitat areas to protect golden eagles from illegally being taken;
  - prosecuted 7 (seven) individuals in federal court for illegal take & possession of eagle parts.
- three (3) additional staff to patrol the big game hunting areas to deter poachers and for conducting wildlife decoy operations;
  - 15 successful wildlife violation convictions.
- Sport Fisheries- additional funding to purchase sport fish from commercial vendors;
  - restocking of largemouth bass, bluegill, cutthroat and brown trout for fishing lakes.

**SAFETY OF DAMS (Non-TPA)+796,997**

Total BR w/increase amount is \$1,205,197

Increase funding for:

- Complete operations & maintenance manuals for 4 facilities at a cost of \$25K per dam facility.
- \$100,000 to initiate the completion of Inundation Maps for all 14 dams.
- Additional 10% funding for two facilities scheduled for Table Top Exercises to bring 100% completion rate for Emergency Action Table Top Exercises for all 14 dams.
- Additional Projects to be completed:
  - Repair of Round Rock Rip Rap on Downstream Face;
  - Installation of Fencing to deter animals on D/S and U/S faces of all 14 Dams.

**FOREST MGT+\$70,867**

Total BR w/increase amount is \$779,541

Funding increase for personnel and operating costs for healthy forest restoration, wildlife habitat improvement, forest marketing entrepreneurship, educational tours, &amp; reduce risk of woodland fire activities:

- Reforestation activities (planting)- collection of cones for seeds, extracting seeds from the cones, growing containerized seedlings in the greenhouse & planting.
- Timber harvesting- development of treatment prescriptions to improve overall forest health, reduce loss to insect/disease infestations & improve wildlife habitat.
- Recreation management- development & maintenance of forest recreation sites.
- Forest thinning reduces risk of catastrophic woodland fire, which results in millions of dollars loss from multiple forest resources.

**ENVIRONMENT QUALITY +\$400,000**

Total BR w/increased amount is \$412,207

Funding increase for personnel and operating cost. Facilities Management (FACMAN) is responsible to:



- Ensure undertakings affecting historic resources (buildings and schools) are in compliance with National Historic Preservation Act & cultural resources laws.
- Perform building and ground assessment,
- Provide limited archaeological field services,
- Coordinate transfers of buildings from BIA to the NN.
- Goal to operate more effectively on a programmatic basis rather than a project-by-project basis.

### **Criminal Investigations (CI) & Police Svcs +\$22,581,176**

Total BR with increased amount is \$45,470,000

CI Services **+\$5,411,172**; total budget requested is **\$9,150,000** as follows:

- **Personnel Salaries**, Overtime, Holiday Pay, Fringe Benefits \$4,500,000;
  - bi-Weekly payroll averages \$145,000 for a total of 55 FTE's, Headquarters for seven (7) CI Districts, overtime and holiday pay.
- **Federal Law Enforcement Training** \$150,000
  - to complete the Federal Law Enforcement Training Course; construct crime scenes, firearms, NM, AZ, & Utah State specialized training compliance standards; travel, registration, per-diem & other costs.
- **Replacement of Vehicles/Apparatus** \$2,500,000
  - travel 26,000 square miles rough terrain, accumulate over 100,000 miles per vehicle; wear and tear, personnel safety, mileage & maintenance major issue.
- **Equipment and Facilities Operations** \$1,500,000 equipment & adequate facilities needed for operations, collection & storage of vehicles and evidence is below standards.
- **CI Services: (Special Ops/ Assignments)** \$500,000 Special/proficiency training required in technological investigations; e.g. Financial, Network, Cellular, and other forms & methods required.
- Safe Trails Task Force Personnel required to collaborate with other Law Enforcement Agencies (Federal, State, County, & other local Law Enforcement) with Major Crimes, Dangerous and Violent Gangs and Narcotic Activities

### **A0J30-POLICE SERVICES +\$17,170,004**

Total BR w/increased amount is \$36,320,000

Funding increase as follows:

- **Personnel Salaries**, Overtime, Holiday Pay, Fringe Benefits – \$28,820,000:
  - bi-weekly payroll average is \$920,000 for 350 FTE's within Headquarters, 7 Police Districts, Training Academy, Internal Affairs of Commission and support services personnel.
- **Basic Recruit Training and Certification** by AZ State Police Academy - \$2,000,000:
  - Police Officer ratio per 1,000/Population is significantly below the Rural Average of 3.0 per 1,000/Population that equates to a minus 2.4 or .06 per 1,000 Population.
  - low attrition rate compounded with limited new hire;
- **Commissioned Personnel Annual Continued Certification & Liability** - \$2,500,000:
  - continued off-reservation certification not limited to 40 hours In-Service training, firearms qualification, semi-annual requalification, medical examination, 5 year background, etc.
- **Special and Proficiency Training** - \$3,000,000:
  - responds to over 250,000 calls for services, 38,000 arrest, 40,000 drunkenness, 8,000 DWI's, 5,000 vandalism and domestic violence associated to socio-economic and recidivism trends that moderately increases each year, etc.

**DETENTION/CORRECTIONS +\$13,134,118**

Total BR w/increased amount is \$20,365,000

**JUVENILE DETENTION SERVICES +3,383,362; total BR w/increased amount is \$6,475,000:**

- **Personnel Salaries & Fringe Benefits** \$4,400,000; 70 personnel; 67 Corrections Officers, 7 Cooks, 6 Maintenance and 2 Office support staff, need 20 additional front line operational facility officers - Crownpoint (15) and Kayenta (5).
- **Basic Recruit Training & Certification** \$700,000; all new correction officers sent to training academy for six weeks for Basic Corrections Officer Certification.
- **Corrections Officer Annual Training** \$475,000; Officers Requirement/Certification, maintain basic proficiency skills in community & alternative services, intervention & substance abuse counseling, anger management etc.
- **Capital purchases** \$300,000 purchase of 10 new prisoner transport vans, 4 additional transport vans & 1 administrative car, outfitted w/ radio communication, prisoner cages & computer systems.
- **Uniforms & Equipment** \$300,000 outfit 88 officers w/ basic correctional uniforms, equipment & replace uniform & equipment for current 70 officers.
- **Communication and Computer Equipment** \$300,000 Replace radio equipment to meet communication standards, replace & upgrade computers for all facilities, plus licenses for radio communications.

**A0J31 ADULT DETENTION Services +\$9,750,756 ; total BR w/increased amount is \$13,890,000:**

- **Personnel Salaries, Fringe Benefits** \$9,000,000; 120 employees provide daily services to an average of 32,000 individuals a year.
- **Basic Recruit Training & Certification** \$2,000,000; 6 weeks training for 75 new correction officers' to obtain Basic Corrections Officer Certification.
- **Corrections' Officer Annual Training** \$1,500,000; personnel required to obtain 40 hours of training a year to maintain basic officer proficiency skills to continue work in correction facilities.
- **Capital purchases** \$390,000; 13 new prisoner transport vans; replace 5 transport vans & 5 administrative cars.
- **Uniform and equipment** \$500,000 outfit 200 additional officers with basic correctional uniforms, equipment & replace uniform & equipment for current 55 officers.
- **Communication and Computer Equipment** \$500,000 Replace radio equipment to meet communication standards, replace & upgrade computers, plus all radio licenses.

**FACILITIES O & M +\$9,537,052**

Total BR w/increased amount is \$10,200,000

- **Law Enforcement Facilities O & M** +\$2,000,000;
  - Western Agency (Tuba City and Kayenta District), Eastern Agency (Crownpoint Police District),
  - new constructed multi-Justice centers' upkeep,
  - preventive maintenance of Police Department buildings, HVAC systems, public work utilities, maintenance personnel and vehicles.
- **Juvenile Detention Services Facilities O & M** +\$2,200,000 of
  - 3 juvenile detention facilities, training of new officers, meet yearly training requirements, etc.
- **Adult Detention Services Facilities** +\$5,551,579
  - 5 adult detention facilities due the 1992 Consent Decree. Three (3) older jails are outdated, dilapidated and very costly to operate.

**HIGHER ED SCHOLARSHIP+1,180,464**

Total BR w/increased amount is \$12,985,099

Higher Education Program is a crucial investment in the youth as they are the future leaders.

- Only 7 percent of NN residents hold a college degree or higher (Census 2000).
- NN median age is 28 years & one-third of tribal members are younger than 18 years.
- College education costs increased radically but students awards remained the same level for decades.
- Annual appropriations to Program on a steady decrease while the number of applicants have been increasing:
- Actual Need Based on 2013 Data:

17,221 applicants x \$2,000 per semester = \$34.4 million

\$34.4 million x 2 semesters = \$68.8 million

#### **WELFARE ASSISTANCE (TPA) +\$2,355,837**

Total BR w/increased amount is \$25,157,097

- **SUBCONTRACTOR PLACEMENT** \$16,352,115 payments to subcontractors inclusive of children/youth /adult & elderly placements in group homes, nursing & assisted living homes. CY 2014 Grant Total Estimate \$12,043,250.64.
- **GENERAL, BURIAL, EMERGENCY AND DISASTER ASSISTANCE** \$6,289,271 increase of 68.5% in the number of requests served.
- **FOSTER CARE/HOME PAYMENTS** \$2,264,141 services to an average of 768 cases per month inclusive of children, adults and elderly, an increase of 13.6% from 2012.
- **ADULT IN-HOME CARE (AIHC) PROGRAM** \$251,570 served a total of 1,996 cases.

#### **HOUSING IMPROVEMENT +119,896**

Total BR w/increased amount is \$1,091,245

HIP is very successful in providing quality, safe and sanitary houses to eligible individual(s) & families:

- NN low income population results in increased homeless, overcrowding of individuals & families in one household.
- **NAHASDA and HIP do not provide duplicate services**, eligibility requirements are different between the two programs.
- Budget allocation reduction a huge impact on the program's administrative & construction activities.
- BIA fails to maintain or allocate increase level of funds to keep pace in providing housing needs to Tribes.
- Annual allocation received late in CY (June-July).

#### **NEEDS BASED PRIORITIES**

##### **NATURAL HERITAGE PROG +878,968**

NHP total BR w/increase is \$1,144,963

Navajo Endangered Species List (NESL)& Resources Land Use Clearance Permits (RCP) request and Biological reviews **\$732,168**:

- updating, monitoring and evaluation of species & other tribal policies & regulations.
- need to processed RCP requests for Home sites, small & large projects, nearly 60% increase.

Establish work plans to improve operations & NNHP Database System **\$146,800**:

- address sensitive Plant & Animals species' knowledge deficiencies.
- improve biological review time, provide spatial/data information, and
- allow network system information integration for use by other tribal/federal resources management agencies.

**WATER DEVELOPMENT +\$1,403,230**

Total BR w/increased amount is \$1,848,512

WATER DEVELOPMENT Funding needed to better manage, conserve, utilize resources:

- Eight (8) new positions, water facilities;
- Develop livestock surface and sub-surface water; develop & improve of livestock water facilities;
- Sustain & promote livestock economy;
- Develop 5 water sources by developing deep water wells; 5 water storage 24,000 gallon installed
- Installation of 10 waterline extensions, 10 stock troughs, 10 water storage tanks 4,000 gallon;
- Minor/major repairs & preventative maintenance on existing water facilities;
- Development of water resources projects, e.g. planning, designing, securing proper clearances & permits for installation;
- Backlog to construct over 99 livestock water facilities;
- 121 water facilities to be maintained;
- Support wildlife habitants.

**TRIBAL COURTS (TPA) +\$19,085,651**

Total BR w/increased amount is \$20,382,099

Funding includes costs to fund:

- **Personnel** \$11,075,915 salaries for all 250 tribal court personnel at 100%;
- **Fringe Benefits** \$4,844,605;
- **Consultant Fees** \$100,000 for Community-Based Peacemakers on Children's Code Cases and Bilingual Transcription
- **Operating Costs** \$4,361,579 for eighteen (18) Business Units (Judicial Districts, Administrative Offices of the Courts, Peacemaking, Probation, NNIJISP, and the Supreme Court), Justware and Portal Licensing Support Cost. No provision for operation and maintenance for 2 new facilities and 3 existing dilapidated courts.

**LAW ENFORCEMENT PROG MGMT+\$10,000,000**

Total BR w/ increased amount is \$10,000,000

**POLICE SERVICES** capital purchase: has a need of 200 vehicles (at \$48,000 per unit x 200 = \$9,600,000) plus \$400,000 for essentials:

- replacement certified police package vehicles outfitted with police radio communication, prisoner cages and computer systems, departmental rental and mileage expense, auto liability, deductible and insurance rates, general property liability rates;
- Replacement of a Record Management System (CODY) to a Unix System rather than the DOS base systems, NCIC, E911, Narrowband initiatives & Interoperability for national state and federal communications during a Declared Disaster.

**Alaska Region**

Presentation

[http://www.ncai.org/initiatives/tibc/FY\\_2017\\_Alaska\\_Region\\_TIBC\\_Powerpoint.pptx](http://www.ncai.org/initiatives/tibc/FY_2017_Alaska_Region_TIBC_Powerpoint.pptx)

- Weldon "Bruce" Loudermilk, Regional Director
- Edward K. Thomas, Jr. (Sam), Craig Tribal Council
- Rick Harrison, Chickaloon Nation

**Number 1 – Aid to Tribal Government**

- The overall goal of the Aid to Tribal Government Program is to strengthen the Tribe's ability to sustain self-governance. .

- Increased funding to sustain staffing at the tribal level to assure such issues as enrollment, tribal infrastructure, and program operations are maintained.
- Increase of funds will reinforce our commitment to Tribal Governments and to assist the Tribe's effort to provide programs and services to the highest level possible.

#### Number 2 – Social Services, Indian Child Welfare Act

- This program creates tribally-based child protection programs to strengthen families so children will not be removed by the state due to abuse and neglect.
- Additional funds will ensure Tribal ICWA workers address the increasing complex caseloads.
- Additional funds will support child protection services by developing local Child Protection Teams. ICWA Workers are first responders in child abuse cases.
- Additional funds will support the effort to keep children within their families and tribal communities and keep cultural connections.
- Twenty-one (21) Alaska ICWA programs have implemented village based Child Protection Teams.
- Alaska ICWA programs are intervening in state court cases earlier which results in the reunification of children with families and maintains cultural connections.
- Alaska Tribal ICWA workers are increasing skill sets and knowledge to address the multitude of social service issues such as domestic violence, suicide, drug/alcohol abuse.

#### Number 3 – Scholarship and Adult Education

- Additional funds would provide future incentives to help retain students thru graduation.
- Students would acquire essentials supplies and tutoring, which would increase self-esteem.
- Many of our people desire higher education but with limited funding opportunities, they are consigned to stay home, looking for minimal jobs.

#### Number 4 – Housing Improvement Program

- HIP is a one of a kind, non-duplicated federally funded housing program. Tribal organizations use this program to replace dilapidated homes, and construct new houses.

Last year, the funds we received only allowed to provide assistance to 1% of our eligible applicants.

#### Number 5 – Job Placement and Training

- Due to high unemployment, and decreasing oil prices, many Alaska Native Villages, are in need of training, and development is critical in today's competitive job markets. Additional funds are needed to assist for examining weaknesses and implement a curriculum that will strengthen our workforce in becoming self-sufficient.

#### NEXT 5 Tribal Budget Priorities

6. Contract Support

7. Economic Development

8. Tribal Courts

9. Johnson O'Malley Assistance

10. Fire Protection

- Decreases - the Alaska Tribes are not fully funded to begin with, so many Tribes found this to be difficult to choose what programs to decrease.

- Tribal Priority Allocation Funding is important because it supports tribal self-determination contracts. Many Tribes, especially those that do not have significant sources of tribal revenue depend on TPA funding for the operation of tribal government functions in the areas of human services, tribal operations, natural resources and economic development.
- Small and Needy was established in 1993, to support PL-93-638, by fostering stable tribal governments ability to exercise their authority. This initiative is still needed here in Alaska.

Sam Thomas: The federal subsistence board is important to Alaska Natives. There is the North Pacific Salmon Treaty. Then there is a treaty between Canada and Alaska. There is a North Pacific – bycatch takes the fish that we are used to utilizing. We’ve been putting pressure on the federal subsistence board and the commission on fisheries to do away with bycatches targeting king salmon. It’s a slow process. We need the feds to step in and do some co-management for these resources. The obligation is still there.

### **Western Region**

#### Presentation

[http://www.ncai.org/initiatives/tibc/FY\\_2017\\_Western\\_Region\\_Budget\\_Presentation\\_2017.ppt](http://www.ncai.org/initiatives/tibc/FY_2017_Western_Region_Budget_Presentation_2017.ppt)

#### Consultation Process

- Dear Tribal Leader Letter
- Agency level consultation with Tribes
- TIBC Tribal Representatives working with Region staff
- Submission of FY 2017 Formulation Package

#### Methodology

- Each Agency submitted their Tribes’ top ten (10) recommendations with narratives written for the top five (5).
- The Region’s top five (5) recommendations for FY 2017, where then determined using a point system based on the number of occurrences.

#### Western Region top 10

1. PUBLIC SAFETY AND JUSTICE
  - Criminal Justice/Police Services
2. BUREAU OF EDUCATION
  - Scholarships & Adult Education (TPA)
3. PUBLIC SAFETY AND JUSTICE
  - Tribal Courts (TPA)
4. HUMAN SERVICES
  - Social Services (TPA)
5. BUREAU OF INDIAN EDUCATION
  - Johnson O’Malley Assistance Grant
6. TRIBAL GOVERNMENT
  - Roads Maintenance (TPA)
7. PUBLIC SAFETY AND JUSTICE
  - Detention/Corrections

8. TRIBAL GOVERNMENT
  - Consolidated Tribal Gov't Program (TPA)
9. TRIBAL GOVERNMENT
  - Aid to Tribal Government (TPA)
10. HUMAN SERVICES
  - Indian Child Welfare Act (TPA)

#### Criminal Investigation and Police Services

- The Tribes served by the BIA Western Region office share a unique situation:
  - lands are rural,
  - populations are dispersed, and
  - communities are located near the US and Mexico international border.
- Our communities struggle to address these issues in a multi-jurisdictional context and with woefully inadequate resources, both human and capital.
- As the number one priority for the Tribes in this area, more funding can increase the number of police officers and dispatchers to ensure that Tribal governments can be more responsive to their respective tribal communities.
- Increased capacity can increase the number of criminal investigations that address the Tribes most pervasive crimes, which continue to be related to drugs and alcohol related crimes and gang activity.

#### Best Practices

- Implementing task forces to address motor vehicle crashes due to impaired driving
- Implementation of multi-disciplinary teams made of social services, education, and law enforcement to address truancy and substance abuse issues among Indian youth
- Agreements between Tribes, state, and federal governments to share criminal data information among each other in a better coordinated effort
- 16 Tribes have obtained Special Law Enforcement Commission (SLEC) cards.

#### Scholarships and Adult Education

- In order for our tribal nations to build capacity politically and economically we must achieve academic success.
- increasing number of students at a post-secondary level.
- It is critical to our Tribes to develop professionals from our tribal members rather than recruiting from the general public off reservation to meet tribal self-sufficiency economic goals.
- The cost of a college degree per average student has increased 80%
- The students either go into debt or extend the amount of time to complete an educational goal.
- more and more tribal students are dropping out of college due to the sky rocketing costs of tuition.

#### Tribal Courts

- Tribes served by the BIA Western Region experience a broken justice system due to inadequate funding and having to address complex crimes.
- Dilapidated facilities, lack of justice staff, lack of training, inability to access data or utilizing effective software management, lack of telecommunications are just some of the reasons why there is a tremendous backlog in court cases for many Tribes.

- With the passage of the Tribal Law & Order Act and the Violence Against Women Act, while good policy in principle, has burdened Tribes to be compliant in order to strengthen their tribal justice systems.
- As the top third priority for the Tribes served by the BIA Western Region, the Tribes recognize how important it is to have an effective justice system that results in a reduction of crime, recidivism, and overall safer tribal communities.

#### Best Practices

- High Priority Performance Goal at the San Carlos Apache Tribe has seen a reduction of crime by 5% each year since its inception
- Correction Action Support Team being implemented in three Tribes
- Reduction of Recidivism implemented at Shoshone Paiute Tribe of Duck Valley

#### Social Services

- In the refinement of Indian Social Services the long term goal is to heal all the ailments that are part of the social effects that wander into the tribal lands.
- The Social Services program is in the top five priorities in order to meet the demand of increased case management, counseling, foster care, general assistance, adult institutional care, burial assistance, special needs and emergency assistance and ICWA. The foundation to addressing social problems is to have adequate services for the impoverished members of the tribes.
- With more funding investment to the most disadvantaged tribal members, case managers would have manageable caseloads without the extra consequences of case managers experiencing high volumes of stress.
- The increase in alcoholism and substance abuse has negative effects to families and the community.

#### Best Practices

- Social Services sponsors the annual fatherhood conference and supports the women's conference where all clients are encourage to get involved;
- other projects like men's retreat, women's retreat are supported;
- the children's cultural camp in the mountains,
- job interviews,
- CPR and First Aid Classes.

#### JOM

- With a major emphasis on national educational policy standards, more of our students are struggling to meet core standards.
- In order for many students to succeed additional resources are required, such as remedial instruction, counseling, cultural programs, as well as school supplies for students to participate in curricular and extra-curricular programs.
- Cultural programs and activities are an effective means to reduce truancy. It serves as an incentive to students to maintain academic achievement.
- JOM resources provide many students with needed cultural support resources that help them stay in school and sustain them through secondary education.

#### Western Region Initiatives

##### Invasive Species - \$5.0 million

- Rocky Mountain Spotted Fever (RMSF), a potentially fatal disease
- Since 2003, over 250 cases and 20 deaths primarily affecting tribal communities in Arizona
- Brown Dog Tick carrier of RMSF
- \$5.0 million for 5 years to control Brown Dog Tick



Contact information

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Western Region Budget Formulation Team

Cathy Black, Budget Officer

Carolyn Richards, Acting Deputy Regional Director, Indian Services

Travis L. Lane, Interim Assistant Director, Inter Tribal Council of Arizona

**Southwest Priorities**

- Due to the lack of funding across the board for our programs, it is unrealistic to choose which program is a priority over another.
- For too long, Tribes have been left with fighting over the underfunded budget. A divide and conquer mentality that does not foster a positive unity in Indian Country.

TPA

Annually, tribes are requested to establish their budget priorities. The Southwest Regional Tribes continue to contend that all Tribal Priority Allocation (TPA) programs are priorities.

Scholarships and Adult Education

- Program goal is to enable students to achieve post-secondary academic success with the intention of giving back to our communities.
- Increase in funds for scholarships is critically important to ensure financial support to students so that they can successfully reach their educational and academic goals.
- Provide educational support services to help acquire the basic and professional skills for workplace and society in general.

Social Services

- Increase funding for full-time professional positions to meet program needs.
- Providing funds for training and staff development, is critically needed.
- Funding would allow for the program to enhance the service providers and support staff needed to support the families in need of services in our communities.

Tribal Courts

- Increase funding for professional tribal and CFR court positions.
- Increase funding to upgrade and purchase new equipment.
- An effective and efficient tribal court system contributes to a safe and secure community, increases the due process in our justice systems.

Road Maintenance

- The ultimate goal of the program is to properly maintain our roads and bridges to make our communities safer.
- Increase funding will provide the much needed adequate staff to meet the goals of our program.
- Increase funding to replace older heavy equipment needed to maintain roads.

ICWA

- Increase funding for full-time professional positions to meet program needs.

- Increase in funding for emergency costs for children placed in substitute/foster care and provide support for families.
- Prevention is critical to building a healthy community. Increase funding to provide prevention and intervention programs.

#### Needs Based Budget

- Funding for Education programs has historically been underfunded resulting in limited services.
- Additional funding is needed for the increase in education participants culturally relevant programs and scholarship funding for higher education.
- In the Social Services program there is a need for additional FTE's in these professional positions to meet program needs.
- Provide funding for training and staff development.
- Increase funding would allow for additional service providers and staff to provide the critical services needed for family reunification.
- Increase funding is needed for tribal and CFR professional court positions, upgrade equipment, and technical assistance to update legal codes.
- Increase funding for Aid to Tribal Government which provides support and basic services to all its community.
- Increase funding for Self-Determination projects, Self-Governance, renovations to tribal infrastructures and to upgrade technology and training.
- Increase funding is still needed for the judicial infrastructure, certification training for Tribal Officers.
- Additional funding is needed for the positions in the area of Correctional and Tribal Officers.
- Increase funding for Road Maintenance to provide adequate staffing of equipment operators, mechanics and field supervisors.
- Increase funding is needed to replace heavy equipment in order to maintain BIA and tribal roads to provide safer roadways in our communities.

#### **Northwest Region**

##### Presentation

[http://www.ncai.org/initiatives/tibc/FY17\\_NORTHWEST\\_Regional\\_Priorities.ppt](http://www.ncai.org/initiatives/tibc/FY17_NORTHWEST_Regional_Priorities.ppt)

1. **Natural Resources:**  
Fish, Water Resources, Forestry, Litigation Support Attorney Fees
2. **Public Safety & Justice:**  
Criminal Investigations & Police Services, Tribal Courts
3. **Education:**  
Scholarships, Adult Education, Johnson O'Malley
4. **Human Services:**  
Indian Child Welfare, & All human service programs
5. **Economic Development:**  
Tribal Credit Programs

#### NATURAL RESOURCES:

1. Fish, Wildlife and Parks:
2. Water Resources Program
3. Forestry
4. Litigation Support/Attorney Fees

## Public Safety and Justice:

5. Criminal Investigations & Police Services6. Detention Centers/Corrections

Outdated, dilapidated inadequate facilities

7. Tribal Courts

High costs and little or no increases to funding, decisions to arrest, prosecute, and detain will be based on financial restraints rather than the best interest of public safety.

## Education:

8. Scholarships & Adult Vocational Training

Inadequate funding doesn't cover the needs in a downturned economy that is vital for obtaining employment at a living wage

8. Johnson O'Malley (JOM)

Tribes decrease the number of opportunities it provides for its Tribal members to gain a better education and to improve livelihood for future generations

## Human/Social Services:

9. Welfare (General) Assistance

Strengthen families, prevention of domestic violence and child abuse

9. Indian Child Welfare

Eradicating child abuse, neglect and the exploitation of children Tribal Youth Shelters.

Absent any funding allocations, ability to maintain operations is uncertain

## Community &amp; Economic Development

10. Economic Development

Access to capital, infrastructure, parity in tax incentives and resources for technical assistance and training.

Tribal Credit Programs helping tribes to financial independence. Seeking ways to strengthen and improve financial program services.

**Pacific Region**

## Presentation

[http://www.ncai.org/initiatives/tibc/FY\\_2017\\_Pacific\\_Region\\_2017.ppt](http://www.ncai.org/initiatives/tibc/FY_2017_Pacific_Region_2017.ppt)

Robert Smith, Chairman, Pala Band of Mission Indians

Russell Attabery, Tribal Chairman, Karuk Tribe

Amy Dutschke, Regional Director

## Priorities

- Tribal Government: Aid to Tribal Government
- Tribal Government: Small & Needy Tribes
- Human Services: Community Fire Protection
- Education: High Education Scholarships
- Trust Natural Resources Management: Cooperative Landscape Conservation—Climate Change

## Initiatives

- Law Enforcement
- Tribal Courts

- Tiwahe Initiative

#### Success Stories

##### San Pasqual Reclaimed Water Project

- Multi-partner and multi- funding approach: San Pasqual, RCAC, BIA, IRWMP, and Valley View Casino
  - **Partner Contributions and Roles**
  - **BIA**
  - Tribal Water Resources Grant: Funded the engineering and survey work of the project
  - **RCAC**
  - Partnered with San Pasqual to assist with the IRWMP application and submittal process
  - **Valley View Casino**
  - Providing the reclaimed water and funding the tap into their existing reclaimed water tank and connection to new reclaimed water main line
  - **IRWMP**
  - Provided the funds

##### **Project Details**

- Valley View Casino produces over 30,000+ gallons of excess treated water per day
- Estimated 23,129 feet of purple pipe and one booster pump to be installed
- Funded for Phase II & Phase III of IRWMP
- Plan (HOPE) to break ground in November 2014 and complete by April 2015
- Plan to complete all work with Tribal labor and expertise

##### **Benefits**

- Conserve potable water from being wasted on landscapes and yards
- Financial benefit for homeowners
- Water source for construction projects
- Fire suppression water source

##### Wildland Urban Interface: "Treatment Effectiveness on Tribal Lands in California"

- The Pacific Region provides trust resource protection to 104 tribes, and more approximately 500,000 acres of tribal trust land.
- Majority of the Reservation/Rancheria lands in the Pacific Region have small acreage, they are very susceptible to adverse wildland fire impacts.
- Tribal Lands maybe intermixed with dense populations and may be subject to multiple jurisdictions.
- Decrease in funding reduces the ability to provide protection to the trust resources and communities; safety concerns for firefighters and public when wildland fires occur.
- Extreme drought conditions have brought extended Fire Seasons and more extreme wildland fires.
- "16 Complex Fire" burned almost 18,000 acres in Colusa County over multiple Jurisdictions including the Colusa Rancheria.
- The BIA provided funds to the Cortina Tribe to clear vegetation, piling, burning piles and thinning trees.
- The fuels reduction effort completed on the Cortina Rancheria provided safe and
- Defensible space and allowed Incident managers to utilize the fuel breaks in suppression of that section of the fire.

##### Full Depth Reclamation

- Through an agreement with the Rocky Mountain Region the Pacific Region was able to borrow a Cat Re-claimer Stabilizer.

- Use of the equipment saved between 30-70 percent of new construction costs through reconditioning roads opposed to repaving.
- The Pacific region also partnered with local Tribal governments and utilized local Tribal Labor force to successfully complete projects.
- This partnership created jobs for local reservation communities as well as cost saving.
- Should the Region be able to complete work, with the loan of this equipment, it is projected that a 50% savings could realized using BIA and Tribal workforce.
- With costs to construct being so high in California, agreements like this, utilizing existing bureau equipment and tribal work-forces have proved to be extremely cost effective.

#### Hot Topics

- Carceri
- California Drought 2015
- Fee to Trust

### **Rocky Mountain Region**

#### Presentation

[http://www.ncai.org/initiatives/tibc/RMR\\_Formulation\\_Presentation\\_FY2017\\_final.ppt](http://www.ncai.org/initiatives/tibc/RMR_Formulation_Presentation_FY2017_final.ppt)

#### Tribal Priority Allocation

1. Scholarship and Adult Education
2. Tribal Courts
3. Criminal Investigations and Police Services (non-TPA)
4. Social Services
5. Housing Improvement Program

#### Next 5

6. Economic Development (TPA)
7. Indian Child Welfare Act (ICWA) (TPA)
8. Aid To Tribal Government (TPA)
9. Job Placement & Training (TPA)
10. National Resources (TPA)

#### Lack of Funding at All Levels

- We cannot prioritize the financial disparities of our people. Our people are severely impacted by the lack of funding. Increasing TPA funding will help cover these financial disparities; however
- Historically the funding we normally receive is not adequate. We have over-worked and under-paid staff which leads to inadequate professional services provided to our people. This is unacceptable at all levels.
- You need to be in our shoes to see and feel the affect, it is and can be devastating.
- With 100% funding of our TPA we would be able to hire more tribal professionals, provide training and jobs which leads to less unemployment and will increase tribal capacity in Indian country.

#### 1) Scholarship and Adult Education

- Cost of education has increased while funding has decreased or remains the same
- To provide educational opportunity to our adults to be successful is a solid investment

- To improve our communities through education changes the quality of life of our tribal members
- Capacity building of tribes is not possible without education of tribal members

## 2) Tribal Courts

- Increased Population = increased crimes = more individuals in the court system
- In critical need of additional qualified professional positions:
  - Public defenders
  - Prosecutors
  - Judges
  - Administrators
  - Court Clerks
  - Technical Support staff

\*\*All are key positions that our tribal people have the right to receive

- Violence Against Woman Act
  - Required legislation
  - Required mandates

## 3) Criminal Investigations and Police Services

- Increase of Law Enforcement staff
  - Montana/Wyoming Reservations are large land based and not enough law officers to cover
  - Increased population (some due to oil development)
    - Increased drug related crimes
    - Increased number of alcohol related offenses – domestic violence
    - Gang-related activities
    - School truancy issues
- Some reservations in Rocky Mountain have lowest paid police officers – there is a high turnover rate therefore a major need to retain qualified staff
- Lack of Law Enforcement becomes a major safety issue on the MT/WY reservations

## 4) Social Services

- Protection of our children, disabled and elders
  - abuse (physical and sexual)
  - neglect
- Assist in continuation to provide services to abused victims. To conduct training and awareness to community and schools and be able to improve communication and coordination of cases between tribal, state and federal agencies.
- Higher rates of crime due to people moving in and through the communities (increased population)
- Services to assist children transitioning to adulthood – transitional living

## 5) Housing Improvement Program

- In 2013 there were 680 eligible applicants in which only 8 housing projects were funded
  - Overcrowding
  - Homelessness
  - Health and Safety Issues
  - Quality Standard Homes
  - Crime, Alcohol and Drugs

\*\*\**Healthy homes provides for healthy communities*

#### Hot Issues

- Fire Protection
- Meth – Criminal Investigations & Police Services
- Road Maintenance

#### Other Issues

- Contract Support: The Tribes of the Rocky Mountain Region 100% support the 2017 contract support proposal turning the funds into a *MANDATORY* appropriation, rather than discretionary.
- Formulation Process
  - Revamp formulas for allocation of funding
  - Steer away from the priority system
  - OR, prioritize based on Program Activity and let the tribes distribute funds to the sub-activities and program elements where they see fit
- Budget Transparency:
  - Implement a website for tribes and budget formulation teams to include useful updated budget information

#### Eastern Oklahoma

Video

#### 2017 Budget Formulation Process and Results

[http://www.ncai.org/initiatives/tibc/TIBC\\_2017\\_Budget\\_Formulation.pptx](http://www.ncai.org/initiatives/tibc/TIBC_2017_Budget_Formulation.pptx)

#### Office of Budget and Performance Management

Process: In September of 2014, OBPM launched the 2017 Formulation site. A portion of that site contained the detailed instructions to help the regions fill out the forms OBPM requested. Narratives sent to Central Office. Analysis is ongoing, and will be released at a later date.

#### Results

Top 5 Priorities	2017 pts.	2016 rank
1. Scholarships and Adult Education	73	1
2. Tribal Courts	57	3
3. Criminal Investigations	56	4
4. Aid to Tribal Government	54	5
1. (Ranked #1 priority 4 times)		
5. Social Services	48	2

Contact: Roy Bohling (202) 208 4808, [leroy.bohling@bia.gov](mailto:leroy.bohling@bia.gov)

Documents presented available at:

- [FY 2017 Budget Narrative Consolidated \(PDF\)](#)
- [FY 2017 Budget Processes Timeline \(PDF\)](#)
- [FY 2017 Funding Table Consolidated \(PDF\)](#)
- [FY 2017 Priority Ranking - All Regions \(PDF\)](#)

## Strategy Discussion

Ron Allen: We know this will be challenging, but we have to keep at it. This budget, as well as other proposed requests, should be met. The Interior bill won't be passed right away. Every year, we see continuing resolutions (CRs). If we end up with a CR, the first issue is getting money out faster. But it still provides an opportunity to get our numbers up. We have to work hard together.

Sam Thomas: The title is TIBC, and we would like to see other bureaus here, especially ones with impact on Indian Country, just as we do with the Indian Affairs budget.

John Yellow Bird Steele: You have the 2016 budget now. We are giving testimony before the House appropriations committee, March 24. You have to realize timelines here. You have to get on there. We are giving testimony. We are going to benefit, all of us if we are united in our priorities. You should contact your legislators. If you see me going into Congresswoman McCollum's office, he'll be there and probably your Congressman's office too. These members want to see us, not the lobbyist. They want a letter signed by tribes. Right now, he's also going to meet with OMB. It's not just one person's responsibility. We can't let someone else do it for us. Go to a Senator's office and have a meeting.

Ron Allen: He underscored it. He had dinner with Congressman Kilmer. He commented that he knows Washington state tribes, but not all of Indian Country very well. Appropriations committee members show up pretty strong. Meet with them.

John Yellow Bird Steele: How will the data funding be used? Is it contractable?

Kevin Washburn: It won't be contractable. It doesn't go into tribal shares. That data center would serve all of those tribes.

Ron Allen: It's not a program, service, or function, so it wouldn't be a tribal share.

## Resolutions

Title: Improving the Structure and Process of the Tribal Interior Budget Council Budget Formulation Process

- Gary Hayes made a motion to accept the budget process resolution, seconded by Rick Harrison. Motion carried.
- Final version available at:  
[http://www.ncai.org/initiatives/tibc/2015.03.06\\_TIBC\\_Budget\\_Formulation\\_Resolution.pdf](http://www.ncai.org/initiatives/tibc/2015.03.06_TIBC_Budget_Formulation_Resolution.pdf)

Title: Include the Indian Child Protection and Family Violence Prevention Act (ICPFVPA) in the Tiwahe Initiative and Fund the Programs Authorized to the Fullest Extent

- Rick Harrison from Chickaloon and Gary Hayes from Ute Mountain Ute moved and seconded the resolution. Motion carried.
- Final version available at:  
[http://www.ncai.org/initiatives/tibc/2015.03.05\\_TIBC\\_Resolution\\_ICPFVPA.pdf](http://www.ncai.org/initiatives/tibc/2015.03.05_TIBC_Resolution_ICPFVPA.pdf)

## August meetings

Great Plains – 2016



Navajo next August meeting for 2017 at the resort by Flagstaff.

**Agenda Items for Next Meeting**

- Mandatory CSC Update
- BIE update
- Alaska pilot project on data gathering
- Data Initiative
- Tiwahe Initiative

**Meeting Adjourned**

