

July 21, 2004
 (Broadcast #04-049)

Appropriations Overview – The House continues to swiftly move appropriations, whereas the Senate’s pace is much slower due to lack of a final budget resolution. Of the thirteen must-pass appropriations bills, nine have cleared the House and only one, the Defense measure, has passed the Senate. Time is dwindling to finish the work of funding the government, with only 21 legislative days remaining before the start of FY 2005 on October 1. With election posturing heating up and the logjam in the Senate, an omnibus bill seems inevitable to carry the unpassed funding measures. Appropriations likely will be punted into September after the August break, or perhaps even drawn out past the November elections with continuing resolutions funding government through a “lame duck” session of Congress. NCAI Broadcasts 04-040 and 04-042 outlined tribal funding in the House Interior bill, H.R. 4568, and in the Commerce-Justice-State bill, H.R. 4754, respectively. On June 24, the Senate Interior subcommittee forwarded its bill to the full Appropriations committee without a formal mark-up. Senate Appropriations Chairman Stevens cancelled nine subcommittee mark-ups last week, which prevents public scrutiny of the mark-ups at this time. The full House Committee reported the Labor-HHS-Education bill July 14 and will mark up the VA-HUD funding measure on July 23. Once these measures are available, NCAI will provide further details.

FY 2005 Agriculture Appropriations – On July 13, the House passed the Agriculture, Rural Development, FDA, and Related Agencies spending bill (H.R. 4766, H. Rept. 108-584). Below is a table outlining key tribal funding levels followed by legislative provisions.

<u>Department of Agriculture</u> (in thousands)	FY04 Enacted	FY05 President’s Request	HR 4766, H. Rept. 108-584	Change: FY04 Enacted	Change: FY05 Request
Research and Education Activities					
Nat. Am. Institutions Endowment Fund	9,000	12,000	12,000	3,000	0
1994 Institutions Research Program	1,087	998	1,087	0	89
Payments to the 1994 Institutions	1,679	2,250	2,250	571	0
AK Nat./Nat. Hawaiian Education Grants	3,130	2,997	2,997	(133)	0
Extension Activities					
Indian Reservation Agents	1,774	1,996	1,996	222	0
Rural Community Advancement Program					
Native American Set-Aside	24,000	13,000	24,000	0	11,000
Tribal College Com. Facility Grants	4,000	--	4,000	0	4,000
Water/Waste -- AK Rural & Native	28,000	11,800	--	(28,000)	(11,800)
Empowerment Zones/Enterprise Com.	22,132	22,166	22,166	34	0
Circuit Rider Program	13,000	9,500	14,000	1,000	4,500
Indian Tribal Land Acquisition Loans	2,000	2,000	2,000	0	0
Food Stamps (includes Food Dist. Program on Indian Res.)	30,945,981	33,641,798	33,635,798	2,689,817	(6,000)

Food Distribution Program on Indian Reservations – H. Rept. 108-584 includes \$4 million of the amount provided to Food Stamps for the purchase of bison from Native American bison producers for the Food Distribution Program on Indian Reservations.

Water/Waste Disposal Systems for Rural and Alaska Native Villages – H.R. 4766 does not include language for Alaska Water/Waste Disposal Systems. For FY 2004, \$28 million was provided “for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such act [Consolidated Farm and Rural Development Act]” (H.R. 2673). The Administration requested \$11.8 million for FY 2005.

If you have any further questions regarding FY 2005 appropriations information available at this time, contact Amber Ebarb, aebarb@ncai.org or call 202-466-7767.

BIA/Tribal Budget Advisory Council – On July 12 in Seattle, WA, more than twenty tribal representatives met with BIA officials to discuss FY 2004/FY 2005 budget activities and issues as well as to hear reports from subcommittees on Law Enforcement/Tribal Courts, Economic Development, Contract Support Costs, Data Management, and Performance Reporting (PART). On July 13, tribal leaders held a caucus to discuss planning and strategy for the FY 2006 budget. The following outlines some of the important motions and resolutions from the meetings.

- 1) A formal motion was made and passed to amend an April 13 Advisory Council resolution requesting the Office of Management and Budget to consult with tribes to develop a budget fulfilling the obligations of the United States to American Indians and Alaska Natives. The original resolution called for tribes to be exempt from the Program Assessment Rating Tool (PART) and Government Performance and Results Act (GPRA) as each prevents the fulfillment of the trust, treaty, and statutory obligations of the United States to tribes. In addition to OMB-tribal consultation, the amended resolution calls for the analytic procedures of PART and GPRA to be amended through Executive Order or legislative enactment to reflect the goals of tribal self-determination and self-sufficiency as well as the needs and priorities of tribes.
- 2) The Performance/Reporting subcommittee will be holding two meetings for PART training. The meetings' purpose is to help the BIA prepare for PART assessments on economic development, human services, housing improvement, and irrigation programs in 2005 for inclusion in the FY 2007 budget request.
 - Aug. 3 – 4, Minneapolis, MN: a “Train the Trainers” meeting will be held to provide background information on the President’s Management Agenda, the Department of the Interior Strategic Plan, the PART instructions, and the PART reviews of BIA programs conducted to date.
 - Aug. 31 – Sept. 1, Minneapolis, MN: a national training meeting will be held for tribal government and BIA officials who work with economic development, human services, housing improvement, and irrigation programs.
- 3) A formal motion was made and passed to advocate for \$20 million for tribal law enforcement, \$10 million for detention centers, and \$58.3 million for tribal courts in the FY 2005 appropriations cycle.

The next Advisory Council meeting was scheduled for November 17-18, 2004 in Washington, DC.