

**Sheraton National Hotel
Arlington, Virginia
March 20, 2007**

Opening remarks.

Carl Artman said many of our goals will be accomplished here in the budget process: public safety, self-governance, trust. The deliberation here and at the tribal caucus is important. We will go over the secretary's initiatives, the operating plan, and please feel free to give your thoughts.

Governor Senclair: mentioned that the effectiveness of the TBAC has been misunderstood in recent articles. The TBAC tribal representatives are advocates. We have to be able to hold accountable the central office and BIA on how the bureau spends our money.

**Status of the FY2007 Operating Plan
Mary Jane Miller**

Budget Timeline

Implications of HJ Res 20

BIA had a set amount for OIP, which is a little different than other bureaus.

Highlights:

- CSC: +11' M above 06

- Welfare Assistance: +6 M from 07 President's Budget

- Natural Resources: +4.5 M increase for merit based competitive programs

- Law Enf: +10 M from 06 level

Merit based competitive programs = earmarks

- Education +5 M

- JOM: +12 M

- Technical Colleges:

Construction:

- +7 M for irrigation

Settlements:

The \$22 M funded CSC, UTTC, CIT, and tribal salaries.

Terry Virden asked why the Nez Perce settlement was funded in BLM. MJM noted that the CR specifies.

TBAC working group of Recommendations for the draft protocols.

Bob Middleton and Ron Allen

Terry Virden, Jerry Gidner, Clay Gregory on the federal side.

Issue 1: TBAC meetings need to be timed more effectively.

Comment:

Meetings are held at different times of each year with little coordination with the budget cycle. Attempts to standardize have been tried in the past but have not been consistent.

Recommendation:

Meetings should be scheduled to most effectively allow the TBAC to have input and influence within the budget cycle and on budget formulation. Once the most effective dates are established, they should remain consistent for the out-years and only locations should be discussed.

Discussion: Leslie Lohse asked what the best time is for the meeting date. Ron Allen said late February early March is the best time. Pat Ragsdale said the timing of the budget process, what are the best ideal dates, recognizing we may have to slip a little on those dates. Bob Middleton said the recommendation could be adopted for Mary Jane and Debbie's shop to develop the dates to be proposed back to the TBAC at the next meeting. Ron Allen said the last week of February and the first week of March is the best window for us to get a shake at the 302(a) process. *Ragsdale said we vote to approve the recommendation that Mary Jane work with this work group to establish the dates. Consensus reached.*

Issue 2: Current timing of the Tribal Caucus is not effective.

Comment: Many of the TBAC members arrive

Comment:

Many of the TBAC members arrive on the first day of the TBAC meeting without a unified understanding or approach for the issues that need to be covered.

Recommendation:

Tribal Caucuses should be held the night or day before the TBAC meetings to provide an opportunity for members to coordinate tribal initiatives for the following first day meetings.

Discussion:

Bob Middleton said the tribal reps met in a tribal caucus on March 19 and it worked well, although Ron Allen said the caucus was a little prematurely held. Gloria Oneill said we should make sure that it's consistent before each meeting, as representatives from Alaska have to travel earlier to make the caucus. Ron Allen said we as tribes we can change our agenda to become more engaged in the whole political process. This could be a 3-4 day

event, if we do work on the Hill. The problem is that we should be more engaged and more focused. Bob Middleton said the federal side plans to have a 3 day meeting. Monday could be a travel day, Tuesday ... Darrel Seki said the tribal caucus was very productive. As long as the agenda items are prepared ahead of time and word is spread on the time and date. Tom Gamble said the caucus was very productive with the help of NCAI. He asked for some kind of contract to go forward for the tribal work. Mary Jane Miller asked for details. *Arturo Senclair mentioned that this merits further discussion. Recommendation adopted.*

Issue 3: Regional presentations should be more effective for the budget formulation process.

Comment:

Regional presentations have tended to be broad and repetitive, taking more of a “shotgun” approach rather than specific to the priority issues currently facing Indian programs and their budgets.

Recommendation:

Guidance should ensure that presentations present pertinent data as succinctly as possible, allowing a more “rifle-shot” approach that would produce a consensus action plan. The TBAC should consider focusing on a specific high priority area to be presented at the National meeting from each region. The remaining priorities from each region should be collated for a national aggregate overview to observe the areas of budget needs that are consistent with categories that are regionally and/or tribally specific.

Discussion:

Ron Allen said the rifle shot makes it hard to focus in. Pat Ragsdale said a template for regional presentations would be useful. The subcommittee could be tasked with this. Hector Garcia expressed concern that some programs may slip through the cracks. Ron Allen said that the dialogue can focus in on high priority areas. But, the tribes’ priorities can be collated and be on the record that such and such programs are important. We want to engage in a dialogue that is fruitful. Carl Artman asked if the regions could consider multiple priorities. Ron Allen said that would work. The priorities of Indian Country have been asked for by the Administration and Congress. It’s not an easy question to answer. The recommendations here overlap each other. We’ll get to all the right players in the room next. The issues interrelate. Every issues that tribes have are a priority. Mary Jane Miller said if we have no priorities, we have no priorities. A lot of budget development is political. We have to know what OMB is going to cut. If they’re going to cut the money, we cut the money first. We have to know who is going to cut the money where. The budget subcommittee tries to work at this level. Ron Allen said the taskforce recommendation is not intended to dismiss the other programs. It is meant to improve our collective message and to help tribes be more engaged and more proactive. Gloria Oneill asked MJM in her experience, is it purely political, or has there been cases when we’ve been more organized and made a better case that OMB changes their mind. MJM said she’s only been here 2.5 years, and she hasn’t really seen the turn around yet.

MJM said our OMB folks have a little bit of tunnel vision. The focus of having the priorities helps a lot. Tribes and NCAI and BIA keep pounding on the same things and it makes a bigger difference. You have to say it 7 times to make people remember it. OMB began saying public safety and justice and detention back to MJM. OMB certainly says they don't see any results, but our organized efforts doesn't hurt. Pat Ragsdale said GPRA definitely makes an impact if our programs don't have measurable outcomes. It's difficult to maintain funding. Darrell Seki said he doesn't have a problem with focusing on law enforcement, but we have to make sure the administration knows of our other priorities as well.

Issue 4: More pertinent and useful information should be provided at the meetings.

Comment:

TBAC members have expressed frustration that the same information is being provided at each meeting and that the information being presented is not relative to helping Indian Country as a whole.

Recommendation:

Invite the participation of budget analysts from the Office of Management and Budget (OMB), the Interior Department Budget Office, and Congressional Indian Affairs, Budget and Appropriations Committees. Presentations and/or sub-committees should address targeted issues with high priority.

Discussion:

Ron Allen said we used to have participation from OMB staff and Hill staff. Unfortunately, it's hard to get them at the meetings anymore. They are key participants in these meetings. Ron asked for instance how we're not on the same page about tribal courts and JOM. Also, the collated info from the regions. Pat Ragsdale said there could be a follow-up small group meeting.

Consensus reached on recommendation.

Issue 5: Subcommittee structure and rules need to be updated.

Comment:

The current status and past reason for establishing many of the subcommittees is often unclear. Many have completed their assigned tasks without being disbanded. Others are languishing or have lost initial leadership.

Recommendation:

TBAC should require that each subcommittee have a mission and purpose document describing membership, tasks, and sunset provisions. Every subcommittee should provide a status report at each TBAC meeting. Additionally, the TBAC protocol document should be modified to reduce the number of standing subcommittees and

provide for the establishment or termination of subcommittees at the direction of the TBAC. *Consensus reached.*

Issue 6: The TBAC should evaluate and sustain the Budget Data Committee responsibilities and tasks.

Comment:

Currently there are questions regarding what data should be collected and which data would provide the most support for an increased budget for Indian programs.

Recommendation:

The Committee should be sustained and immediately be tasked by the TBAC to develop trends analyses for budget formulations, as well as determine what data should be gathered to best advance Indian Affairs and tribal programs.

Ron Allen mentioned the trend charts that Norm Dicks put together. Real dollars versus constant dollars. Ron said we should have trends on how much we've gained or lost with our budget categorically. This will help us make our case to the Administration and Congress. Maybe it's the data committee. Maybe it's some other group.

Consensus reached to adopt the recommendation.

Issue 7: A federal budget orientation process should be developed.

Comment:

Each year new tribal leaders are added to the TBAC. Some with little or no experience in the Federal Budget process and with little understanding of what the TBAC does.

Recommendation:

An orientation session should be provided for all new TBAC members, presenting information on the TBAC and to familiarize them with Federal Budget process, budget issues, and TBAC goals and objectives. TBAC leadership should be responsible for administration.

Ron Allen said if we have new tribal members, there's a lot to the budget process they don't understand. There is much value from the members that are experienced and knowledgeable. Joe Garcia asked who specifically would do this? Bob Middleton said the chairs would take on this responsibility. Bob Middleton said this could be handled many different ways. It could happen on a regional level. It is a continuity issue. We need to get the corporate knowledge transferred to the new members. Tom Gamble recommended staggered terms for tribal representatives.

The recommendation was accepted.

Issue 8: A TBAC Website should be developed.

Comment:

Timely information sharing is critical to the success of the TBAC. Currently communications are strained by lack of communication tools.

Recommendation:

A website should be set up and made available to all TBAC members, as well as Tribal leadership across the Nation.

Discussion:

This could be a main communication tool for the tribal representatives. Timeliness is important. It would be very handy to have the basic information: trend analysis, etc. This could be a good way for the department and NCAI to collaborate in service to the tribes. Bob Middleton said it's fairly simple to set up secure websites. Ron Allen said it's fairly easy but the larger challenge is keeping them current. Joe Garcia said it would be another tack on and further this discussion with the DOI. Ron Allen clarified that the recommendation is whether this is a good idea. *Consensus reached on the recommendation.*

Issue 9: A mechanism needs to be developed to update TBAC membership.

Comment:

There is currently no way to know who the current TBAC members are and who needs to be informed of issues as they arise.

Recommendation:

The proposed website should include a list of current members of the TBAC. One organization should be responsible for updating the list on a periodic basis, coordinating with BIA Regional Directors and Tribal leadership.

Discussion:

if a website is developed, the members need to be included in a list. It needs to be coordinated with regional directors and tribal leadership. Ron Allen said the primary responsibility would be for regional directors to communicate with tribal leaders in selecting the tribal representatives. *Recommendation was agreed upon.*

Issue 10: TBAC Protocols need to be updated.

Comment:

Current Protocols expired on February 26, 2007.

Recommendation:

New protocols should be developed to more accurately reflect the mission, goals, and objectives of the TBAC. The protocols should be reviewed on a bi-annual basis to assure they are current and effective.

Discussion: a lot of good recommendations were made on the protocols. He asked the body if the protocols were good. Ron Allen said one of the tribal co-chairs was not included in the protocols. This should be included. Besides that, the protocols are more definitive. Tom Gamble clarified his original motion that one of the NCAI executive officers would be a tribal co-chair, if not the president, then the first vice president, or the treasurer, or secretary. The suggestion is to include that language in the protocol.

Consensus reached on the protocol document (with the changes made).

A comment was made that Navajo is not a member of NCAI. Tribes are not all alike, and Navajo believes that an organization is representing large land based tribes. Arturo Senclair said that it is important that when people read the protocols, it is important to know who that person represents.

Break

Jacqueline Johnson Presentation on Government-Wide Funding:
Powerpoint

Discussion

Jack Rever noted that under education, nothing addresses the condition of our schools. He mentioned that OMB is recommending that \$50 million be taken out of the BIA budget. We have to make the argument to keep the money in for FY07. Through the 2008 program, he is \$100 million short. He suggests that when we track budgets, we should include school construction. We have to understand the correlation between the condition of the classroom and success in the program. Jackie mentioned that we are very supportive of school construction, but we have issues with the impressions that OMB has of the program.

Ron Allen said he remembered being over at OMB and the criticism of school construction was how slow the process is to get the schools approved to spend the money. That was one of the sharpest criticisms. That is an issue that we encountered. He knows it has something to do with the cue list, but this seems like a topic that the subcommittee needs to review.

Ron mentioned 4 points. If we're going to get some traction, we need a theme that resonates with both the Congress and Administration. We need a theme to move the agenda forward. He also asked what are the congressional priorities. What's on their radar screen? He's not sure what their priorities are. We can also improve our trend analysis. It seems that that when we talk about 10 million there or 50 million there, it just doesn't get traction. Something like \$1 billion for something is what we should advance. When we look at a BIA budget, we need a big initiative. We need to make the Hill make

a big jump. We need to incorporate this. Carl Artman said, with school construction, and having Jack Rever on board, we have some processes and standards. Ron Allen said he doesn't know how the priority list works anymore, but in the past, the cue would hold up the other tribes.

Jack Rever said two years ago, the carry over in construction funds was greater than 200 million. This year, the carryover was 70 million. So the execution of the program has improved immensely. They are going to show OMB that the program has accelerated.

Darrel Seki said it's his view that the reductions to tribal program funding are unacceptable. Roxeanne Bighorn said she agreed. In most reservations, there is great need for detention facilities, especially with meth issues. It is very important to also look at treatment facilities and better jails. There was a drug bust at Fort Peck last week. There is very high crime. There are 28 beds and every Monday, we have to decide which one has to go home. She also sees how important school construction is. She mentioned that we have very strong needs.

Ross Swimmer

There was discussion over why the Indian Land Consolidation program funding decreased.

Becoming More Effective Advocates for Indian Programs

Peter Keifhaber, Senate Appropriations Committee Interior Appropriations Subcommittee

Peter Keifhaber is here on his own accord – he doesn't speak officially for Senate Appropriations or Senate Feinstein. Mary Jane and Jackie has asked for some tools. Need to go to the Senate and House offices that you came from. It's more important to go to the members, the Chairman and the Ranking member. Have them write letters and make phone calls to the appropriations committees. Secondly, this process, the consultation process between the tribes and the BIA is fairly unique. This is a really good opportunity to have say in how this budget is put together. He understands it's not always what you'd like. At the end of the day, the President has a big say. But having said that, tribes have more say. The director of the NPS doesn't hold a summit having all the park directors for their input. He thinks it's a good system but it's better to meet with members. There are about 561 tribes, and even if you assume that half of those are in Alaska, that's still a lot of tribes. The approps committee cannot probably meet with everyone. He gets about 40 calls in the February and March time frame. If he doesn't take a meeting he would suggest meeting with a member. It's important to meet on programs as opposed to earmarks, which is now a four letter word. OMB did a good job of taking out the individual earmarks. The 08 process will probably go back to earmarks. It's up to Congressman Obey and Senator.... earmarks will be cut back. BIA and IHS (5-6 billion) are relatively earmark free compared to some of the other agencies, such as FWS and NPS. He doesn't expect to see a huge difference from what he's seen in last

years, as there are very few earmarks. It's very helpful to advocate on behalf of programs in stead of earmarks. For us to work on some earmark or some school construction project in front of the priority list, we could not do that. He said he'd like to take some questions.

Question was asked, we've constantly come up to the Hill with stories of suffering and anguish. What's the best way to portray the need on reservations so the members of Congress can understand. Peter said that is a hard question. He suspects you've talked to the Senators from your state and the congressman. He suspects they are understanding, but the conundrum is that a tribal leader can get in to see you members whenever you want, but Biden and Snowe do not need to hear the story. We need to get the story told to the other members, particularly the 29 members of the appropriations committees. Those individuals write the bill. You have to work with the staff of the senator's offices to see if they will bring in other staff. Go to Thomas', Enzi's office, and see if you can meet with the two staffers that do Indian issues and have them bring in other staffers who don't have Indians as constituents. The tribal leader asked how we can really tell the story of poverty and unemployment. Peter said the Interior subcommittee has gotten the message. Dorgan on the democratic side for instance. The Interior subcommittee members are very aware. At the same time, there are a lot of competing interests. While he'd like to over the past few years, there has been interest in trying to ramp up the programs in IHS, but every single line item has got a constituency attached to it. At his level, it is a zero sum game. There are many balances that have to be made. At the end of the day,

At the end to late nineties, Slade Gorton ramped up school construction along with Domenici. They ramped up approps over 5-6 years. You've got to get groups of members to tell the committee this is what we want. Pat Ragsdale said there were a series of hearings on public safety in Indian Country and meth and youth suicide. Pat said one of the things that struck him . Pat asked about the process of working with oversight committees. Peter said it's the same dealing with member's offices as authorizing committees. The SCIA and others make their views known. The Indian Affairs Committee gives their views. He said, SCIA is pretty far more expert than he is. He takes their views into account but come back to the zero sum game. While we can listen to requests for increases, but somewhere has to be cut. Some of the cuts will come from the president's budget. It's a finite world. Kempthorne was up on the Senate side this morning on the Interior budget. One of the first questions from Feinstein and Craig was about the \$16 million and they are very supportive of that and may even try to boost it. They understand it is a difficult issue in Indian Country and support the effort. Ron Allen said nobody can argue against the need to fight meth and those problems. We're on board. We would also appeal for where the funding increase comes from. We know we can gain and lose at the same time. It's whether the increases support self-reliance. It can be frustrating to us. Ron thinks the Committee should hold a hearing on how tribes are losing ground in constant dollars. It seems that a hearing on how we're trying to advance that agenda to discuss this subject. What is not being done, how we're losing ground in the communities that have some of the most dismal conditions. The last Congress did not have an interest. A few years ago there was an initiative on Indian health. TPA also, is

essential government funding. However we're criticized categorically. Ron asked if he and his boss could hold a hearing on the trends or successes or failures and why and what congress can do with the tribes to move this agenda forward. At these discussions

Peter said he would speak directly with Feinstein.

House has two or three hearings scheduled on Indian funding with tribal witnesses. Peter said it's important that

Peter said that even though there is ostensibly tribal input to the budget, but he needs to hear. He likes to use NCAI to meet on tribal programs. He likes to hear a national view. He relies on tribal leaders here to know if this program is working or not working. He doesn't have the resources to conduct program audits. He can't rely solely on the administration. Peter said PART ratings are a political tool.

Arturo said this advisory council represents tribes across the country. He asked if Feinstein can meet with the 5 or 6 subcommittee members as representative of the advisory council. Peter said he'd like to meet with the subcommittee between now and the first of June or mid-May.

Navajo asked a question about school construction. Peter said he wasn't too happy with some of the cuts made to Indian education.

Gloria O'Neill said over the past few years Alaska has had Senator Stevens as an advocate. Stevens has made sure Alaska Natives have equity. She asked what his advice would be to make sure Alaska Natives are able to maintain resources. Mr. Stevens is still very interested in the process. Peter always says prioritization is very important. There will be fewer earmarks, and not a lot of new funds to be put into programs. We have to show what is the most important.

Ron Allen clarified that he is very appreciative that you meet with NCAI. It is simply an organization that helps facilitates. We don't get in front of the tribes. A lot of our sister tribes aren't members, but we simply serve to

Mary Jane Miller
FY08 Budget presentation
Powerpoint presented

Detention Center Construction:

Discussion arose about the assessment or reports on which jail construction programs are funded. Navajo asked

A question was asked about how the extra \$5 million will be spent. Chris Chaney said it will put 50 new corrections officers on the street and other law enforcement officers.

A question was asked about the JOM again. The bureau is not supporting JOM in FY08.