

**Tribal Interior Budget Council  
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- Roll Call
- Invocation – Buster Atteberry
- Agenda approved as a guide.
- Minutes of November 2017 Meeting accepted.

**Opening Remarks**

**Jim Cason, DOI Associate Deputy Secretary:** Thank you for inviting me back to join you guys. I’m sitting in for I guess John and Bryan because they both have duties with the Secretary on Indian related matters in two different trips so I would be sitting in for them. I think I’ve done a dozen TIBC meetings in the past because I regularly sat in on TIBC meetings during the Bush 43 Administration. So this is my first one for this Administration but happy to be back with the group and I look forward to hearing the discussion today.

**Rick Harrison, Tribal Co-Chair:** Thank you, Jim. I want to start off by thanking you for taking the time and being able to make it here today. It’s very important to us. We are very disappointed that John Tahsuda couldn’t make it or Bryan Rice. These meetings are important to us and a lot of us take time out of our schedules. We don’t get paid for these meetings and we consider it very important work. So I hope we can move forward and present our work in a positive way and that message will get across and get to the right people to make a good change for Indian Country.

**DOI Budget Update**

**Olivia Ferriter, Deputy Assistant Secretary Budget, Finance, Performance & Acquisition:** The Secretary, every chance he gets talks about his commitment to Indian Country. I think he growing up in Montana was very close to the tribes, has a good understanding of Indian Country and so I think you can be assured of his commitment going forward.

We are in a rather unusual situation, where the President has presented his budget for the year that's going to start October 1<sup>st</sup> so that's the FY19 budget but the Congress is not finished with FY18 so we have the circumstance where we laid our cards on the table essentially for '19 while they're still working on '18.

The CR runs out on Friday and so we just heard late this morning that we thought that they might post the bill today. In terms of the '19 budget the President calls for \$11.7 billion for Interior. We have focused the budget primarily on taking care of what we have and executing our core missions. Some of the things that you will see in our budget is a focus on infrastructure; there's a proposed reorganization for Interior; and we have a strong focus on energy and critical minerals. The Secretary very much wants to have a conservation legacy second only to Teddy Roosevelt so we do have provisions in our budget for conservation stewardship and for outdoor recreation and increasing access for people to our public lands.

Our budget addresses wildland fire and forest health. We have an emphasis on timber and trying to do more salvage kinds of operations. We have a very strong budget for the Payments in Lieu of Taxes Program and we also have an emphasis on Meaningful Tribal Sovereignty.

The budget includes a legislative proposal to establish a Public Lands Infrastructure Fund. I think the Secretary would say this is his top priority. The fund would provide up to \$18 billion over 10 years to address Interior's deferred maintenance backlog and that includes the Bureau of Indian Education schools, our national parks and our national Fish & Wildlife refuges. And the funding would come through energy leasing revenues.

Right now we have a deferred maintenance backlog for our BIE funded schools at \$634 million and we also know that replacing the schools that are on the current 2016 replacement list is another \$400 to \$600 million and that would be depending on the type of construction. So we know that there's a significant need here and this proposed legislation represents an opportunity to make progress in our Indian Education infrastructure. And Secretary Zinke has told the Congress that this is again one of his top priorities. The Interior's proposal for infrastructure complements the President's infrastructure initiative and his is a long term investment to rebuild infrastructure in America—roads, bridges, everything that you can think of. Overall it proposes \$200 billion in federal funding and that includes a \$50 billion fund for modernizing infrastructure in Rural America. That's being called the Rural Infrastructure Program. Within that there is an unspecified tribal set aside and we have worked very closely with the White House and those who were crafting this legislation to make sure that Indian Country and the infrastructure needs there were recognized through this package. The initiative also recommends funding for tribes through both Interior and the Department of Transportation's for the Tribal Transportation Program. I understand that the process for how that would be distributed would be determined in consultation with the tribes.

There's another effort that we're really taking a look at and trying to figure out how we can be a part of this. In January President Trump signed an executive order directing Interior to promote broadband development in rural areas and that would be by increasing access to tower facilities and other infrastructure assets that are managed by Interior. So right now we're evaluating our existing authorities that might allow us to have commercial entities to come in to deploy broadband equipment on our infrastructure.

On '19 budget, we have energy including oil, gas, coal and renewables that are a primary focus in our Interior budget. We have a total of \$792 million for onshore and offshore energy programs department wide and this is a significant increase from our '18 level. So not only are we trying to strengthen our programs so that we can help make American energy dominant, as the Secretary likes to say, but we're also trying to improve the application and the permitting processes and to support related rights of way. In terms of Indian Affairs budget for minerals and mining program, we do have \$24 million there and we also are continuing support for the Energy Service Center.

Overall the President's FY19 budget request for Indian Affairs is \$2.4 billion. It prioritizes programs to advance self-governance, self-determination, to foster strong economies, self-sufficiency and to support safe Indian communities. It includes \$292 million to support self-governance compacts, consolidated tribal government programs and other activities. It includes \$231 million to fully fund the estimated need for contract support so we know that that is something that we have a strong commitment to that and certainly we see support for that through OMB and hopefully through the Congress as well. The funding for the tribal grant support costs is also fully funded. That's at \$74 million and that's the full estimated need. For Public Safety and Justice, we have \$350 million. It's to support core law enforcement programs and services including the detention/corrections operations.

New this year is a \$2.5 million initiative that's targeted at addressing the opioid crisis in Indian Country and this is something that our new leadership for Indian Affairs very much wanted to have in our budget and so we were successful in getting that included.

Our water settlements are funded at \$45.6 million and we are...we have sufficient funding to complete the payments for the Navajo Trust Fund and the Navajo Gallup Water Supply Project. Both of those have enforceability dates in 2019. Again, these water settlements have been very much of a top priority for the Secretary. I mentioned earlier some of the infrastructure initiatives. The budget also includes \$133 million for construction and that includes \$28 million for Indian Affairs for dam safety and the maintenance program.

On reorganization, the budget for '19 proposes \$18 million across the whole Department and to begin the process of implementing the Secretary's initiative for unified regional boundaries. If you look at a current map of all of Interior's regions for every bureau, you will see that none of them align. It's a real patchwork and the Secretary has a vision that by having unified regional boundaries it would help us to improve our coordination across the bureaus, across other federal agencies, that there would be more focus at the local and regional level, people working together to solve problems and issues at more of a landscape scale. The emphasis is also on getting more resources out to the field so having less focus on headquarters in Washington and really more deployed out to the field. We've been working on this proposal for a year now.

Mr. Cason had a big leadership role in this and it's certainly been something where we've been taking a lot of feedback. The Secretary's been socializing the idea with lots of different stakeholder groups. He's been on the Hill talking about this a lot. None of this is set in stone yet. We are planning to have consultations with tribes to discuss what the role would be for how Indian Affairs might play in this proposal. No decision has been made yet on that and certainly those who have opinions are welcome to express that. We have gotten some questions about what is that that's in the budget for Indian Affairs for the reorg? It's \$900,000 intended to be a placeholder so if this does move forward for Indian Country then that would allow Indian Affairs to participate in a pilot in the first year. So there are some other

proposed organizational changes that are in our '19 budget and Jerry Gidner's going to talk to you, I think next so he'll fill you in on a lot of those.

The Secretary has four budget hearings. He's already had two of them. One... These were both last week before Senate Energy and Natural Resources and before House Natural Resources Committee. Assistant Secretary Tahsuda had a hearing yesterday. I think he was supposed to have one today and I believe that that one has been postponed. The next two for the Secretary are going to be House Interior House Appropriations on April 11<sup>th</sup> and then Senate Interior Appropriations on May 9<sup>th</sup>. We've had them strung out a bit but that is because they haven't finished the work on the '18 budget just yet. So I have to say, every time we go to the Hill and we meet with the staff and we meet with the members, one thing that we do see is very strong support for Indian Country and I do know that they like to hear from you and we like to hear from you too and so I just would encourage you to make your voices heard.

**Kee Allen Begaye, Jr. with the Navajo Nation.** I sit on the Tribal Public Safety Justice Workgroup, a subcommittee of this council. Yesterday we had a meeting of the Public Safety but we didn't have representation directly from BIA, also from DOJ.

Regarding broadband, I'm sure you heard about the Firstnet.

Right now all 50 states had opt in to the plan of the company, AT&T. But a lot of the reservations don't have the coverage by AT&T and there's a lot of issues that still needs to be addressed working directly with the tribes such as the right of way consent. Some of tribal members have grazing permits where we have to go through those consent forms. We need to have Firstnet give an update. If we could be able to get some form of a partnership and while the Firstnet Program is going to be allocating funds for infrastructure why can't we utilize that effort to get the funding for infrastructure all across our Indian Country to have our Public Safety have access to communication?

**Jim Cason:** Under this Administration the rural broadband program was actually lumped under the Department of Agriculture and Sonny Purdue, the Secretary at Agriculture, had developed four groups under an executive order to explore how the Administration could be supportive of rural communities in the United States. One of the things that came out of Secretary Purdue's efforts was a recommendation that the Administration pursue and advocate for rural broadband. So you might want to consider also talking to the Department of Ag folks about that and where they're going. Secondly, there's a Rural Broadband Task Force that's part of the Administration and Interior's representative on that is Kate MacGregor and Kate is the Deputy Assistant Secretary in Land and Minerals Management. So if you had an itch, you could call Kate and ask what the Rural Broadband Task Force is doing and whether there's a way to get your input through that process. I think that going at the Firstnet, that's a possibility but its real focus isn't rural broadband. The Firstnet focus is basically the telephonic infrastructure that allows all of us to call each other as opposed to going that last mile to get out to rural country. So those are a couple other places you might want to check into.

**Harold Frazier:** Thank you. I was wondering about the budget. I see that several crucial programs were zeroed out in the budget such as scholarships. What was the rationale for that? Why were those programs eliminated?

**Jim Cason:** This budget it was a tough budget. It is designed to be fiscally responsible and the focus was really on core mission. That's all I know how to tell you.

**Harold Frazier:** The other thing is there's a lot of vacancies at the local level and one of the things is on our reservation and in our area we have a need for new schools and it's sad that when the BIE split off from the BIA they never took all the authorities or functions with them. Right now on the Cheyenne River agencies there are five unfilled positions. I think it's very important that these positions are filled at a local level and when you talk about the reorganization I recall over a year ago or so we had a great meeting out in Rapid City and that's what they talked about was the consultation on reorganize but I never heard no feedback.

**Olivia Ferriter:** I don't think the consultations have been scheduled yet.

**Jim Cason:** No. We had a bunch of listening sessions around Indian Country on reorganization but frankly the listening sessions were too early in the process to really match up your comments to what we were doing. They were very early in the concept...the process to basically say, 'Well, what do you think about organization and reorganization and how should we be organized?' but they were very substantive. And we haven't focused on official or formal consultation yet because the state of play is still in flux. And what I mean by that is we still have I'll call it a fundamental issue that we're looking at and that is whether to organize around states or jurisdictional boundaries and so each region would be a grouping of states or whether to organize around the Secretary's favorite idea which is ecosystems or ecoregions. And we put a lot of work into trying to address the Secretary's concern for ecoregions and eventually ended up with recommendations from the U.S. Geological Survey to utilize watersheds as a way to organize ecoregions because watersheds were more commonly understood in the broader academic community than a lot of other options we had for organizing around ecoregions.

We started off a couple months ago where we put out a draft map based on ecoregions and how we would organize around those. We went up the Hill. I did calls with the tribal community and with governors and other constituent groups around the country and the feedback that we got was basically, 'Well, very interesting idea and I can certainly see the attraction to it but we'd much rather organize around state jurisdictional boundaries.' So the Secretary has listened and he has decided to go with what the recommendations he's got from listening to all of you folks and governors and our other constituency groups and our employees, the folks off the Hill and has decided to go much more closely to a state based set of regions as opposed to ecoregions. So we're probably at the point that we can actually start having a discussion that would be meaningful in terms of formal consultation. From the Secretary's point of view, he looks at this as a thing that Indian Country can basically give us feedback that says, 'We want to be aligned with the Department's common regions' or 'We want to stay with the current tribal 12 regions that we have right now.' And in large part we'll look out and ask for feedback on that whether you think there's more advantages to being aligned to the Department's regions or to the current regions you have. So we're on the cusp of that. We didn't want to start too early so that we started you down this pathway and then switched to this pathway between ecoregions and states and we were in the process of doing the 151 consultations and we didn't want to get things confused with, 'Are we talking about 151, are we talking about reorg?' So we just wrapped up the 151, I think, and we're probably in a position that we can move on to consulting about the reorganization stuff.

**Harold Frazier:** One of the things that I see afterwards at the BIA is everyone getting moved around. They're moving regional directors. So I'm curious when's this all going to stop and take place where we have stable management?

**Jim Cason:** As far as the Assistant Secretary goes, the Administration's intent on nominating Tara Sweeney from Alaska to be the Assistant Secretary. We've been waiting for her to clear through the

ethics program. And what I mean by that is we have I'll call it a hang up or a glitch with Tara that as an Alaska Native she has certain rights to ownership in local/regional corporation and that also creates a conflict of interest that if she's going to do her job as Assistant Secretary she's got to be able to make decisions in Alaska that will affect the interest of her regional corporation. And so the Office of Government Ethics has been trying to sort out, 'Well, how do we deal with this?' In a normal circumstance, if the issue was, 'I own Exxon stock and I'm going to make decisions about oil and gas policies in the United States, then I can just go sell my Exxon stock and relieve the conflict of interest.' But in Tara's case, if she sells her regional corporation stock, she's losing basically her cultural heritage and this is part of being an Alaska Native that's tied to regional corporations and have ownership in them. So this would be forcing her to do something that's clearly against her interest in the long term and so what we've been trying to do is figure out how to deal with that.

**Comment:** In actuality she's not even allowed to sell her stock. That's not even an option, by law.

**Jim Cason:** Okay. Well, we've been trying to avoid any kind of circumstance that would require her to do that if she wants this job. And we don't want to put her in a position where she has to feel compromised and we don't want to get her into a position where she has to recuse herself so broadly that she can't do her job. So that's what we're trying to work out here within the Administration. The Secretary has been firmly committed to Tara since day one when he finally made the choice and as far as I know the Administration's still committed to her. We're just trying to figure out how we remove the impediments that are there and move her forward. So that's where we are. In terms of the instability, Harold, you asked a question about the instability of the BIA program and what I'd have to tell you is that we're trying to rebuild I'll call it the bench strength of BIA and also BIE that if you take a look at our management teams for both organizations, we have a pretty significant need for additional leadership talent within the organizations and that's one of the things that's causing part of the movement that you see is we don't have enough leadership talent that's seasoned to really take all the positions that we have. That doesn't address all the lower level people that you were talking about earlier but in terms of the management team itself that's a big challenge that we have on our docket right now.

**Darrell Seki:** I'm looking at this budget for 2019, going to cut \$444 million which to me sounds ridiculous and you said it's responsible spending by the Trump Administration. Building a \$25 billion wall is not responsible spending. In 1996 general reduction for tribal government was minus 16 percent. 2000-2018 another 9.5 percent. 2013-2018 sequestered cuts of five percent. And your president, 16.2 percent for 2019. That's 46.7 percent for tribal governments being cut since 1996 and you're calling this responsible spending on the backs of tribes?

**Jim Cason:** I think one of the things just in context is our country has gotten into a bad habit of spending money we don't have and if you take a look at our recent history here, we can never get a budget done because the players can't agree on what they're going to spend. When they eventually agree on either a CR or an omnibus, they end up agreeing to spend more money that they don't have and that's why we just crossed the threshold of a \$21 trillion deficit. What the President tried to do is to say, 'I have some priorities within the Administration that I think we need to do a better job on.' Part of those priorities is the military had gone short shrift for quite a long time and that he needed more resources he thought to deal with immigration across our southern border and there were a handful of other priorities. And unlike others that make these choices, the President said, 'I want to go a little different way which is I don't want to run huge deficits to the extent I can control it and so to fund these other priorities I've got to take cuts from somewhere else.' Unfortunately part of those cuts came from the Department of

Interior. When we started off in FY17 we offered up our '18 budget and the instructions we had was to cut \$1.6 billion out of our '18 budget and that came across the board from most of our agencies.

In large part most agencies took a 12 or 13 percent hit on their budget and we ended up relatively in better position than a number of other agencies. Like State Department got 35 or 36 percent cut, I think EPA ended up with like a 50 percent cut. So it's painful to go through the process of cutting down the budgets anywhere in government because the whole country has gotten used to spending money on every whim that we have. That's not to say that from your standpoint or from Indian Affairs generally that you couldn't make an argument, 'This is more important than other things that the President's decided on.' But that is what he was trying to do is not get into big major deficit spending. At this point in time we'll have to see how that works out but we basically were I'll say advised that this is the kind of budget target that we should hit as opposed to this being Olivia's idea or my idea, this is what we want to do. We were basically told that this is the budget target we have to hit and then we went about the process of hitting it.

**Comment:** I disagree what you're saying because every time there's a disaster of war or anything that goes on, it's always taken from the tribes back. That's always been happening, year after... Every time there's...something happens, who gets the cuts? The tribes, Indian Country. But what you're saying, I disagree with you.

I think if you look at the Bureau budget over the last 10 or 15 years I think it ends up being a trading range, \$2.2 to \$2.5 billion kind of over time.

**Comment:** These other agencies get more except BIA.

**Jim Cason:** Some agencies do get more. I think what everybody just needs to keep in mind is that in making the final determination of what the budget is for Indian Affairs overall, that final determination is not being made by me or Olivia or John Tahsuda. We basically hit a target that we're told to hit, we send it to OMB and they jockey with it and then they send it to the Hill and the Hill basically does whatever it is they're going to do. So the end result, if you folks want to communicate effectively on this stuff, the end result is Congress decides how much money is available for Indian Country and Congress decides whether to raise that budget or lower that budget and what cuts to take or what increases to give and so the issue I would say back to you folks as TIBC members and to NCAI generally is this is a conversation that you folks need to have with Congress. So I would encourage all of you folks to collectively talk about where you are in the budget, what you see in the budget and make that part of your dialogue on Capitol Hill about relatively where you think the tribal budgets are and express your point of view with the congressional appropriations folks. Say, 'We think we're getting short shrift here and other agencies are getting increases and we're getting hammered.' But ultimately that's where the decision gets made.

**Darrell Seki:** We just got back from the Hill visiting some congressional people and they disagree with Trump's budget.

**Jim Cason:** Well, that seems to be pretty apparent across the board because what...the feedback that I've gotten so far on the budget is that the appropriating committees are feeling very independent of the President's budget, at least for '18 and we'll have to see how '19 works out. But ultimately that's still the place that they make the decisions about whether to increase our budget or not.

**Kitcki Carroll:** We're supposed to be working cooperatively and in partnership to put forward tribal priorities that we can secure funding for our tribal communities. But I've heard this thought over and over to go work Congress and we get that and we do that but we do feel that there is a responsibility of the Administration to be putting forward budgets that properly reflect that relationship. I will remind you in the President's FY17 signing statement he spoke to fulfilling trust responsibilities. He said, 'A great nation keeps its word and this Administration will continue to uphold and defend its responsibilities.' Olivia, during her presentation, made the comment about during the Department's visits to the Hill that there's been very strong support for Indian Country expressed. That's true. But to present this as a budget that's fulfilling core mission, we don't agree with. In fact we don't believe that this is fulfilling core obligations. We're dealing with a BIA budget already that is severely underfunded. So to propose a budget with those sort of dramatic cuts, we do not feel it is fulfilling core missions or fulfilling core obligations. And it's also been framed as a messaging document. Well, that sends a very loud and clear message when a budget is put forward that doesn't represent the fulfillment of that very thing that the President spoke about -- fulfilling and defending trust and treaty obligations.

The second point that I want to make regarding the reorganization proposal, I've heard a couple conflicting statements even just within the past hour. During the opening remarks by Olivia this is the beginning of implementation and the BIA part of that is \$900 million for pre-implementation steps. So in the out years that \$900,000 is going to increase to something much more significant. But then I also heard later in the comments that this is not set in stone but it sure sounds like things are proceeding when you're budgeting for activities and yet there hasn't been a single DTL issued to Indian Country so we're in the dark about how this is going to impact or not impact Indian Country. So I can appreciate what you said about, 'We don't want to go down this road and then switch roads on you guys and cause some confusion' but understand from our perspective, we're hearing all about this on a day to day basis and only getting more confused because there is nothing being offered to us with any clarity about how this is going to impact Indian Country or not and ultimately where these monies are going to come from to pay for that. One thing I would just offer as a suggestion. The watershed boundaries don't make sense for BIA regions. The HHS and IHS model offers an example of how HHS has different regional boundaries than IHS does in recognition of the different type of relationship that IHS has with the tribal nations in their respective areas.

We would hope that the Department look at the BIA the same way, that we are not based upon watershed boundaries, that these regional offices are not perfect but they are responsible for having interrelationships with the tribal nations within them and they understand that better than anybody else. So to slap on some model that doesn't account for that is going to create lots of failures within the diplomatic relationship between the United States and tribal nations because those regional offices are the ones responsible for on the day to day executing on behalf of the United States to make sure that that relationship is as solid as possible. The other comment that I want to make and then the last thing is a question. You mentioned this just a moment ago but you also mentioned it on the call that you had with the FY18 budget. I am sorry to disagree but the deficit and debt position of the United States is not a responsibility of Indian Country. Indian Country did not create that debt and deficit position. So while the U.S. may have out of control spending, Indian Country should not be the entity that we look to resolve that and if you use the word to the President about upholding and defending its responsibilities and a promise is a promise and a great nation keeps its word, then that debt and deficit position is not the responsibility of Indian Country. The value of the land and the natural resources that this country derives on an annual basis that was all Indian Country at one time, the amount that gets appropriated to Indian Country on an annual basis is a fraction of a percent of that total value yet we're having to have this discussion year after year about absorbing cuts.

The last point I have is a question. Olivia mentioned in her remarks that there were substantial dollars budgeted for PILTs. I'm curious about if Olivia if you would share a little bit more about what that means. This is of interest to me, of course, because of the challenges that we have in the fee to trust base and a lot of the opposition that we get from state and local counties, one of their biggest arguments being the loss of a tax base. So can you speak to me about the budgeted dollars for PILT in light of some of those challenges that we have on fee to trust?

**Olivia Ferriter:** So the funding for PILT is at the same level as '17. We don't know what the full funding actually is for PILT because the Secure Roll Schools Program was not reauthorized so there could be some changes there. But the difference for PILT in the President's budget versus in previous budgets is that it's not a gimmick. It's in the appropriations request versus being in the mandatory request. And I'm not sure I can answer the other part of your question.

The recipients of PILT are local counties and governments that have federal lands that they cannot use as part of their tax base.

**Question:** Non-Indian entities basically are the recipients?

**Olivia:** Yeah, all over the counties all over the country.

**Question:** So that's not cut but Indian programs are cut and some are even zeroed out, correct?

**Olivia Ferriter:** Well, it's not a one for one.

**Rick Harrison:** I wanted to piggyback on the consultation comments. I think part of the things that tribes are upset with about consultation was meaningful dialogue back to them. And to us meaningful dialogue is being engaged in the beginning and being part of the process and the decision making on where you're going to forward not after you've already made that decision and then come to us and see what we have to say about it. The other thing was about the budgets, our budget is a fraction of a percent out of all of that. To take more from that little piece that's critically underfunded when other areas that aren't our issue or our problem, specifically like defense, receive increases and other areas even within the graphs you've got there within the DOI. They don't take as big as cuts when we're actually dealing with services for people and obligations to the First Peoples of this country. I understand it's not your decision, it's not Olivia's decision but it is your obligation to carry our message forward to the appropriate people to try to make the changes that we need made to reinforce Indian Country and make them better communities for us to live in.

**Dave Conner:** A big concern in the first graph that you were handed is when we look at the President's 2019 budget request it's \$465 million cut over 2017 enacted for BIA. That's \$171 million larger than the next largest Interior agency cut with Fish and Wildlife Service, it's \$260 million larger cut than the National Park Service where as in Indian Country we're serving the lives of five million people. And in the second chart through TIBC, the lead consultative body on Indian Affairs where we're supposed to work with Indian Affairs and Interior to produce better budgets for tribes, and each year we're asked to prepare our top 10 priorities and for 2019 they include social services, Indian Child Welfare, tribal scholarships, tribal courts but what we see in the President's budget is they receive the largest cuts. 37 percent for social services, 28 percent for child welfare, tribal scholarships for our youth totally eliminated and the list goes on and on. And the Department has used the line at TIBC and with the

budgets saying, 'We're doing this to focus on core tribal programs.' We wish really that the Department would quit saying that because it's not true and just say, 'It is what it is. We had the target and we did this,' because these programs with the massive cuts and then 21 different programs slated for elimination, all of them programs where the funding goes to tribes, it's not BIA run programs.

Just a massive number of program eliminations and it's misleading to say that these only affect a few tribes or core tribes. It affects tribes all across the country and even the Bureau's budget itself, 120 some lines that was developed over many decades, you may have some budget lines where the funding may go out to 20 tribes but another budget line it may serve 300 tribes but due to the uniqueness in the way this budget was constructed, even though a budget line may serve only 20 tribes, it's still core funding for those tribes. It's the recurring funding. So the process that's been taken in some ways to target budget lines for elimination and such because they serve a smaller number of tribes, that's an inappropriate way to do it because you're picking and choosing who to cut and eliminate from funding and much of this funding has been in place for a long, long time.

And then you talked about how things have shaken out for the BIA within Interior over a longer period of time, that maybe things shook out okay but I think this chart shows pretty clearly if we go back and look at a 15 year period of time that the BIA, if the President's budget were approved, would have advanced about four percent in 15 years and at the same time the actual rate of inflation for those same years advanced 32 percent. So as of the President's '19 budget the rate of inflation grew eight times greater than the BIA budget did. So in fact, the BIA has not fared well in Interior budget requests and I'll say that also happened under the previous Administration, the Obama Administration, for much of that Administration as well so I don't want to make it sound one-sided. And then finally, when there's not an Assistant Secretary leading the helm, BIA doesn't fare as well and we already now have two budget cycles without an Assistant Secretary and that very possibly why BIA did so bad in this '19 budget. Thank you.

**Jim Cason:** Thanks for sharing your slides and thanks for preparing them. One of the things I've noticed over my professional life is that one can develop numbers to make any point and certainly if you take our budgets and slice and dice them in a variety of ways we can tell different stories with the same numbers. I would say if I looked at your first slide here that talks about the cuts, one of the things that I think we may find is that relatively the cuts are in the same ballpark as I remember putting together the '18 budget, all of our significant agencies all ended up in the same ballpark with about 12 or 13 percent cuts and that depending on what your base budget size was that indicated how many dollars would cut from your program. So that's one of the things just to give consideration as we looked across the Department that various agencies took various levels of cuts depending on what their base budget was. So the smaller agencies ended up taking relatively about the same amount of cuts but in terms of nominal dollars it wasn't much because they didn't have much to begin with. Secondly, I notice off the priorities when you take a look at Indian Country, if I remember right we have somewhere on the order of \$120 million or \$130 million on contract support costs and contract support costs doesn't even make your top 10 list. So is that something that you guys would recommend we don't fund contract support costs so that we can fund these other things because contract support costs are not in your top 10. We perceived that giving full funding for contract support costs was a high priority for Indian Country, even if it's not on your top 10 list. So how would you guys deal with that?

**Comment:** So one of the reasons it's not on there is it's not one of the line items we choose from when making priorities because it's been determined that that is a mandatory line item that has to be funded. So it's not something we choose from.

**Dave Conner:** Excuse me, Chairman, just one quick follow up please, Mr. Cason, and I do want to acknowledge that the budget for 2018, when you look at a percentage across the agencies, it was fairly similar. BIA was about a percentage higher than the other big agencies but they were pretty close. But, that was '18, this is '19 and this is different. And for example, if you look at the National Park Service, that's the largest funded budget in the Department of Interior at about \$3 billion and BIA is second largest but again the BIA cut is more than \$250 million more than National Park Service.

**Jim Cason:** I guess I'd like to add a little bit to that too. I would suggest that when you sit in my seat as opposed to your seats, I think there's another observation that I would make and that is if you look at the Park Service budget which you were just referring to, the Secretary is very frustrated that he has an \$11 billion deficit in dealing with restoration work of the parks infrastructure, that we have people across the country... Last year we had 330 million visitors to national parks and they came into the national parks and they find our toilets are broken, our buildings' roofs have leaks in them, they may have broken windows. We have a lot of stuff that adds up to \$11 billion worth of deferred maintenance on our park facilities and the Secretary has been trying very hard to come up with any kind of money to deal with that problem. So he gets his Park Service budget, he doesn't get the money that he wants in his Park Service budget to even begin to address the problem he has with 330 million visitors coming into national parks and having to use broken down facilities. We could pretty much go through the budget for every agency and have a similar kind of story.

None of the agencies get the funding that they would like to have and there are always really high priority things that they would like to do but we don't have enough money to go around to do them. And I don't mean to say that your concerns are not valid. They are valid. That's part of the problem that the President is trying to address is we have a federal budget process where we spend so much money that we can't fully fund all of the things that we would like to do and so more and more every year. Every year we're robbing Peter to pay Paul on all parts of the budget and in some cases Indian Affairs gets the short shrift, in other cases other agencies get the short shrift.

Defense for example or Customs and Border Patrol for example. We have a budget that no matter what the folks do on the Hill, there's not enough money to go around to fund everybody. So if you get down to the fundamental arguments that you folks are making is we have trust responsibilities to Indian Country and that we should place the Indian Country budgetary needs in a special category that's not impacted by all of the other budget woes that occur as part of the federal budgeting process. Unfortunately at this point in time that's not how the system works and the system composed of Congress and the courts and the Executive Branch don't view our obligation that way that we need to break apart the Indian budget and fund it with a sense of all the priorities they have in mind in the funding levels you have in mind as separate from the budgeting process and the competition that goes on for funds everywhere else.

So I don't know that I have a good answer for you. All of you are experienced in this as well as I am. You've seen how the process works. I know that when I did these TIBC meetings during Bush 43 that we had very similar conversations about how to go up and tell the Hill what Indian Country really needs, how to go up and say that the budget is inadequate from your point of view. However, you also need to understand that Olivia and me and the Secretary and the Deputy Secretary, we're all in the position that we work for the Administration and part of our obligation is to support the President's budget and if we address the President's budget without being supportive of it, that's something that's considered a firing offense. So we have to walk a fine line as to what we do but you guys don't and you have the

opportunity to go express your points of view and what you think your needs are and how Congress ought to be more accommodating in funding your needs and we would be happy to do our end of that but we're obligated to support the President's budget, wherever it comes out in the process.

**Rick Harrison:** We realize that the administrative staff you are the messenger but you are also our conduit to get our message through to the President to hopefully make his budget reflect what the priorities are in Indian Country and that is what the purpose of this body is supposed to be. We all understand our responsibility to go to the Hill and address the Senators and Congress as well and take that route. It's interesting the example you used for the bathrooms, broken toilets, leaky roofs and stuff in the parks when we have a bigger problem in Indian Country with those same things including no running water. So if you want to use that example, we have a counter example that's far worse.

**Chris McGeshik:** I do agree with a lot of that and I want to make sure that we focus on the fact that we are here as a body just like the Chairman said there. But we're here to discuss the 2018 budget, the 2019 budget and to provide you a heads up on the 2020 budget so that you can go carry that water and go carry that word up the Administration. We don't have the Assistant Secretary sitting here in this meeting to do their job and to provide their aspect of what's their responsibility here to this board or this committee and to take that back and do their job, so it makes it difficult to get the message across to the agency. And when I looked at the top 10 priority listing, I don't know very many tribes or regions that actually agree with the priority listing.

Each and every one of these programs is important to one tribal nation, whether it's here or there, somewhere throughout this whole budget cycle. So they're all a priority eventually to some tribe or all tribes.

There's a draft strategic plan out there. I don't know if the new one's been signed yet or approved yet but it says that there was collaboration amongst the tribes for the strategic plan with Department of Interior. That hasn't taken place. So we're lacking the collaboration, we're lacking the consultation when it comes to reorganization or strategic planning. We're putting our best foot forward in resolving situations that affect or impact not just a tribe but the nation as a whole. So that communication needs to be grounded. And then as we did our introductions here this morning, I look around the table and I see all these regional directors that are going from one region to the next region to temporary assignment here, temporary assignment there. That only hinders the communication effort amongst tribal leaders and the regions. As far as what I want to see for reorganization of these BIA regions, I think leave it alone. It's not a priority. We have much more important things to worry about.

When it comes to the opioid epidemic—meth, heroin, all these different drugs that are associated with that—fentanyl patches, all this new stuff we have to learn—when you see a cut in the budget for your law enforcement, courts and social services and then you see a \$2.5 million pot of money come out for law enforcement to work on the opioid epidemic but yet you're already looking at cutting how many million out of that same budget. So that bothers me that we're going to start putting pots of money out there separately where these tribal law enforcement agencies are going to have to apply for and provide additional workloads for their officers rather than keeping up with their current obligation as an officer and provide additional help to them in tools which would include a budget increase for them.

The other thing I wanted to talk about conservation legacy. When you look at the Constitution and you look at tribes as a whole, conservation is something that we always utilize. We utilize natural resources and natural resources really isn't even a word in our language, it's just something that we respect and in

the Constitution it doesn't mention stakeholders, but it does mention tribes. There aren't treaties with the U.S. Government and stakeholders but there are treaties with the U.S. Government and the tribes and therefore we're not considered a stakeholder but yet who got consulted already with the reorganization proposals and possibly the strategic planning were the stakeholders.

Well, the stakeholders should have been consulted after the tribes not before the tribes. Those consultation and collaboration sessions should be going on right now and we need to schedule those things up. Meaningful consultation: what is meaningful tribal sovereignty? Tribal sovereignty is what it is. We're sovereign nations and we have to be dealt with that way and that's the way we come to this table as a group representing not only our regions but all tribes across North America. When we're looking at trying to enhance the trust responsibility that the government has that they've been failing at miserably over the years, we try to make improvements, we provide suggestions but it seems like we get little to nowhere and if we were to really sit down today and discuss this, we would have an Assistant Secretary there, we'd have additional staff here and we would sit down and say, 'These are the tribes' 2020 priorities and you guys are going to take that back up to the President and you're going to say, "This is what the tribes are really asking for for 2020".' Not a lot I can do about 2017. 2018 the continuing resolution, yes, we can go to the Hill and we can make our appropriations contacts that way and we will do that. But if the battle's fought at the front end, it's less time that we would have to sit going to the Hill and talking with our congressmen and women. Thank you.

**Joe Garcia:** The question is, did the President or whoever works for him directly consult with DOI and BIA about the needs of Indian Country?

**Jim Cason:** I would say generally no that the budgeting process between OMB and the Hill or OMB and Department of Interior ends up being one of OMB establishing budgetary targets for each agency and that they exhibit a direction that we're supposed to meet those budgetary targets. We are given a little bit of latitude to alter those targets as long as we meet the bottom line from OMB. And what we have are situations very similar with Indian Affairs. We end up, at least for this Administration, because we end up having the CR from '17 that was established during the Obama Administration and we are actually I think it's a 2015 budget that had been CR'd all the way into '17 and then we were asked early on in the 2017 year we needed to have a 2018 budget. We put together one, it was a very truncated process from normal and we submitted that budget and then shortly thereafter now we needed to get started on '19. And in this process we received targets both bottom line and within agency targets and we're supposed to stay in the ballpark though we do have a little bit of flexibility. If I move to Indian Affairs, we get a target, 'This is how much money we're expecting to make available to Indian Affairs. What are your priorities within that budget?' And so one of the things I would just suggest to everybody is we don't really get a lot of latitude to say, 'Well, the number you gave me at \$2.2 billion, pick a number, is not adequate. I really need another \$600 million above that or \$1 billion above that,' or whatever the number might be. If we got any kind of responsiveness from OMB, the responsiveness would be, 'Okay, so if you want to do \$600 million extra for Indian Affairs, you have to take that \$600 million from somewhere else in your Interior budget.' And unfortunately we're in a situation that pretty much everybody's budget's the same way, that I don't have a lot to take out of BLM or USGS or Park Service or Fish and Wildlife. If I as a departmental budget person, want to add a bunch of money into Indian Affairs, I have to take it away from somebody else so that the Department's budget meets the target. And so I would say for both '18 and '19 it's been a matter of how do we allocate the pain because the '18 budget came with the request that we reduce our budget by \$1.6 billion and so everybody got pain.

When we get a budget we go through this iterative process with OMB to arrive at the bottom number and the distribution of dollars. So if we took 2020 for example, just do a hypothetical, if I want to have all these priorities, what am I willing to give up to get these? And so things like road maintenance money or welfare money or housing money or other things, if you want to try to get it all within your budget target, you may have to give up some things and that's what we're forced to do is make those decisions—what are we willing to give up?

And I don't know what your most recent experience with TIBC has been. I know when I did this in Bush 43, basically the answer is, 'Well, we don't want to give anything up because we don't have enough to begin with.' But that's something we have to do is in order to publish a budget and to get agreement with OMB on the budget, we have to make the tradeoffs to meet the bottom line and so if you want to do an exercise where we more closely align, it would be start with a budget target that we think is in the ballpark for what we would actually get through this process and then take a look at every single line within the budget target and say, 'If I have to stay within this target, this is where I'd put money.' And what are the tradeoffs? What are you willing to give up in order to have your priorities within the budget?

And then after that one of the things that we have to do is prepare for better cases and worse cases because one of the things we got at the last minute last year for the '19 budget was, 'Well, we need you to take some more. We want to take some additional cuts over the cuts you took in '18.' And so we didn't have a TIBC meeting scheduled to have that conversation but we had a quick turnaround that we had to give up a budget, we had to make some decisions. So if you want to be the most integrated into the process, you would start with like a budget of '20, here's what we think the target's going to be and let's call it \$2.5 billion for lack of a better term. Here's what the target is, \$2.5 billion. At \$2.5 billion this is how we would distribute all of the money. Here's all the tradeoffs we would take and then if Congress gives us an extra \$200 million or \$300 million, this is where we'd put it. And on the converse side, if Congress comes back and says, 'You get \$2.2, that's all you get,' here's how you take the additional \$300 million in cuts. So if you wanted to start that for a 2020 type budget, I think we could integrate the process better but it's harder because you have to make choices about where you allow money to be and you can't make assumptions that everything that you like stays in the budget and then we have priorities after that. So all of you have done budgets. That's how the process works in the federal government and that's what we're trying to do. So we really do appreciate your sense for where priorities are but you too need to appreciate the fact that sometimes we get called on the carpet and 'here's what you need to do in two days' and we have to make some decisions based on that. To the extent we're better prepared to make those decisions by knowing what you would cut in a circumstance where we have to cut, that would make our lives a lot easier.

**Kitcki Carroll:** One thing I just want to say in response just to make sure that you are aware and that it is on your radar. I believe the majority of the people sitting around that table today are of the opinion that the current BIA budget process is a failure, it doesn't adequately represent what tribal interests are so there is an ongoing current effort right now to either revamp that budget process or to completely create a new one that's more reflective of tribal concerns and positions about how to properly convey our positions. Something though I do want to share and point out to you though is you just mentioned in your comments experience in the Bush Administration and a consistent tribal position of everything's a priority when you start with a realization that everything is underfunded already and I agree with that 100 percent. And earlier you posed a question about CSC not being reflected in the top 10. Well, there are 115 other items that aren't reflected in the top 10 but that does not mean that those aren't priorities but your question itself sheds light on this belief that just because something is not in the top

10 that somehow that means that it's not a priority yet it's the process itself that forces tribes to have to make these decisions and engage in the process like you're talking about. So this is the first time that we've heard this but we are captive to a process that is not ours, that we don't own, that we don't control but then conversely we have federal officials that then say to us, 'Well, it's not in your top 10 so it must not be a priority,' and that's just simply not correct. It's just a failure of the process as it exists right now.

**Jim Cason:** I was only using the contract support cost as an example of other priorities that we also have to factor in to constructing your budget and I wasn't trying to say that if it's not part of your top 10 list it's not a priority. The second thing, I think there's a misimpression in your question. We do not get asked by Congress or by OMB for what are all the needs that you have and let's construct a budget around Indian Country needs. We don't get asked that question. Basically what we are given is a budgetary target and then within that target what are your priorities, what are the core things that you need to get done to support this program? And that's pretty much what happens across the board in our federal budgeting process. BLM does not get asked, 'Well, what's all the things that you need to spend money on?' or Park Service certainly doesn't get asked, 'What is all the money that you need to manage the parks?' We all get given targets and we have to live within those targets. We can make arguments about the targets but in the end there will be tradeoffs between OMB and us regarding the bottom line of Interior's budget. So just so we don't have a continuing fallacy here, we do not get asked, 'What is the target for Indian Country to meet all of their needs?' That's not it. We get a budgetary target. 'Here's your share of the pie and how do you want to try to spend that share of the pie?' So that's where we are.

**Tino Batt:** Thank you for being upfront with us. That's one thing at least we get out of you. At least somebody's upfront with us. For me, my question or comment was if the Bureau and if the Congress does approve the reorganization, for us, we would recommend as the representative for Northwest that you get us comments not dealing with the BIA but with Forest Service, BLM because many of us do interact with those agencies and have off reservation rights. We deal with these multiple agencies. So not just with the Bureau. We interact with multiple with all these agencies so for us to come in in the backhand is not right because we are already communicating with Forest Service. They're already informing us of issues and concerns and it's frustrating for us because we're asking the Bureau on one side and we're asking other agencies what's going on and basically the left hand is not knowing what the right hand is doing and it's very frustrating because it's jeopardizing our treaty rights.

We know Congress is going to increase and restore the '19 budget. We know that but we expect our trustee, which is the Bureau, to make sure you align it with the priorities that we aligned in FY19.

I know you have worked with the last Administration and the Bush Administration and I hope you would be open minded to change as you're aware that we are trying to look and change the formula of how this group works and change as well as bring in OMB into the picture and how we can address the issue because again, we are unique. This does impact our people. Be careful with your comments and how you relate toiletries of the Forest Service versus sometimes those services, our people are impacting right now. Some of our people don't even have water or restrooms or are homeless. So be careful when you interact. We understand your role and your responsibility, we understand the agency role. You have to speak on behalf of any Administration that you work for but again, don't compare us to other areas because it does create a resentment because again, remember, you guys work for us and if you don't want to work for us, step aside and move forward because you're here to work for us as our trustee, you're here to represent. It's based on the lands that we gave up and we still own those lands. Many of

us have those treaty rights and access to those public lands. So again, I encourage you be careful what you say but again, I'm encouraged. Thank you for at least being upfront. But again, reality is make sure the tribes are always there at the table.

**Olivia Ferriter:** Since we've been sitting here, the leadership on the Hill has reached an agreement on the omnibus. We don't have all of the details. We do expect some increases for Interior because of the budget cap agreement. Just a little bit of news that has just kind of trickled out. Apparently there's additional funding to expand broadband and there's also an additional \$3 billion to address the opioid crisis. They also tripled the funding for transportation grants. As we get more of those details, we will be evaluating what the impact is for the whole department and for Indian Affairs.

**Rick Harrison:** And I had one quick comment going back to contract support costs just for your FYI. That very well could be litigated again because not everything in BIA is getting contract support costs like it should be and I brought this up with the previous two assistant secretaries. They both agreed with me but nothing changed. One glaring one is ICWA. They call it grant funding but it's reoccurring funding and it's a base funding for tribes but they're calling it a grant so they don't have to give it contract support costs. That's something that I think will come up for litigation again if it's not fixed.

### **Tribal Caucus Report**

**Rick Harrison:** No representatives from BIA or DOJ showed to the PS and J Subcommittee and that is a very concerning issue. We can't very well do meaningful work if our partners in those areas aren't there. And I know the Bureau doesn't have and the Department can't really dictate DOJ to be there but we need your help to try and get them there because they're an integral part in that funding for tribes. Also is access to the funding, competitive grants and any and all barriers and a lot of this happens within DOJ—matching components and caps on spending and stuff like that. So those are big issues within the Public Safety and Justice.

We need help getting those representatives from the BIA Justice program there to those meetings and also someone from the Department of Justice and we have had the Director there to one meeting and then he never came back again. And I don't know if we've had anybody since then even representing them come to it but we need to engage with them to better leverage our funding.

The other thing we went through the appropriation process and an overview of data from last year's survey and status of 2020 formulation process. And then the biggest things that we were going through was review of our executive summary from our 2020 tribal budget preparation process. And I saw you got a copy of that, you were looking over that. We haven't approved that as a body yet. We'll probably need to caucus on that shortly, maybe at the end of this meeting or something to approve it before we turn it over. But in the meantime I saw you took a look at it. Did you have any questions about that?

**Jim Cason:** No. I read through it. It looked interesting.

**Rick Harrison:** And then we have some backup material, the actual line item budget graphs, the TPA and TPA like programs that we treated with the inflation proofing that will be part of the report. So that was it.

And then some other things we talked about was the DOI and BIA reorganization no consultation and conflicting messages which you've heard about today. Unfunded obligation survey issues that it was the

first year that the BIA put that out and we're hoping to resolve that through a variety of ways. One is a work group that we're putting together to look at the whole process here of the surveys, how we run the meetings, what we do at the meetings, who's here at the meetings, but we're trying to gather that information from the tribes to determine what the real picture is of the unfunded obligation because we're all convinced and I'm sure you know we think it's well above what the budget is and it's probably in the tens to 20 billions of dollars, not the \$2.5-2.9 that we've been getting. If you just look at an example like the Office of Justice Services, the report they put out November of '16. They were at \$2.3 billion unfunded just in that one program and it's probably more than that because they just used some basic metrics off national averages and I know in my region, Alaska, those national averages are far exceeded with the rural locations and trying to retain people in the villages.

**Jim Cason:** So how would you plan on compiling that?

**Rick Harrison:** Right now through the survey we're sending that out to the tribes and they're putting metrics in there for them to fill out and get the information back. The challenge is getting the appropriate metrics. We want the information for everything to have a healthy community not just a few handful of programs. And so that's still a work in progress and that's something that the work group is looking at to improve.

**Jim Cason:** As an observation again, if you're interested in compiling some kind of a document of unfunded obligations, I think you need to look carefully about how you do that. From my opinion, and I've dealt with this again in Bush 43, there was a similar thought process that eventually we had to intercede on. It would not be an appropriate thing for the TIBC to do this exercise. So you need to think about bifurcating how you would structure the collection and compiling of the information.

**Rick Harrison:** The Bureau's doing it. We're working in partnership with creating and developing it and making sure the right metrics are asked and going out to tribes in our regions to...

**Jim Cason:** Now when you say the Bureau's doing it, who is the Bureau in this case? Who's asking for it?

**Rick Harrison:** Jeannine Brooks is the lead on your side that's helping put it together and sending it out to the budget officers.

**Jim Cason:** Okay. I will talk to Jeannine and kill it because that's not a proper purview for the agency to do. Certainly proper for the tribal leaders to compile their sense of what unfunded obligations are and what they need to do. Perfectly fine. But it's not a thing for BIA to do. So you guys just need to think about how you want to go about orchestrating this. And the reason I say that is if you go back to an earlier comment that I made is we, the federal employees, are obligated to support the President's budget and so we end up with a significant problem if we spend a lot of time and effort compiling things that we're not spending money on. So you folks just need to understand that that's not a proper role given our system for BIA to compile that information. And it's certainly a proper role for tribal entities to compile anything you want to and to share it with us and say, 'Here's our product,' but it's not *our* proper role to compile it.

**Jackie Pata:** So I just have a question on that because if there's a statutory obligation to engage with tribes on budget negotiation, how can the BIA or agency officials engage with us on budget negotiations in understanding the need to do that if they actually can't do that because of their roles of being responsive to the President's budget. I think that might be something we should continue to have

further conversation and explore but it does seem like that creates...that statutory obligation does confer some responsibility to and it'd be interesting to know where those lines of distinction go.

**Jim Cason:** Jackie, I'm happy to talk to you about it and we can include others, our Solicitor's Office or the Deputy Secretary or others to talk it over but I'm just telling you based on the experience I've had before I've had to terminate similar efforts in the past.

**Jackie Pata:** Yes, that would be good so we clearly understand it would be very helpful. I think we would want some legal interpretation from Solicitors or something along those lines as well because that is not our understanding. I don't see how you can even entertain to fulfill obligation without knowing what it is and so that's what we're trying to address. And IHS has done it and so we're trying to find the same kind of unfunded obligation that they put a lot of work and money into. And this has been an ongoing project for many years that we're just finally getting off the ground and trying to make some movement on it.

**Jim Cason:** Okay.

**Jackie Pata:** It's also contrary to the Tribal Interior Budget Council protocol. The protocol says we have to work together—the tribes and the Department.

**Jim Cason:** Yes but that doesn't mean that I have BIA compiling an unfunded funding requirement budget. Look, for me personally, I don't care but how about I'll make the commitment, I'll raise it with the Deputy Secretary and I'll try to get down to see the Secretary whenever he gets back from his trips and just raise the issue and see if they want to adopt a different policy. But that's been my experience in the past.

**Rick Harrison:** Okay. And lastly in our tribal caucus one of the main things that came out was messaging to have a greater impact in maintaining and bolstering our budgets with this Administration and where the Secretary of the Interior lands on our budgets. Looking across DOI it doesn't look like he favors our budgets. For what is already critically underfunded, the President's budget doesn't look good for Indian Country. And as we just heard, we are hopeful to see an increase with the bipartisan spending caps and as we just heard it sounds like there was some. So that was the extent of our caucus this morning.

**Jim Cason:** On the development of the '19 budget, what you folks probably ought to know is when the OMB got back to us late in the process to take more money out of our budget, we prepared a set of cuts for the Department, presented them to the Secretary. Some of those cuts came from Indian Affairs, some of them came out of Park Service and other agencies. And the Secretary was very adamant about pushing back, that he basically thought that enough was enough and we needed to push back. And as a result of that, we ended up with about \$400 million extra dollars that OMB did not want to give us, part of which went to Indian Affairs. So I can tell you the Secretary values his relationship with Indian Country and that he and I have spent a lot of time talking about how we can be helpful to Indian Country. We both recognize we have a lot of challenges but he is very supportive of Indian Country and to the extent we have policy or programmatic decisions that we can make to be helpful, he's very willing to do that.

Well, I think that would go along the lines of what we were just talking about in this unfunded obligation trying to find out what that dollar number is so we can help with that process to get more funding into that budget so it's not as hard for you guys to fund these programs that are important to Indian Country.

**Harold Frazier:** Before we move on I want to make a motion and I would like Mr. Cason to be aware of what's happening. I want to make a motion that we tribal leaders be consulted on the BIE budget as well as the law enforcement budget. I've been here, this is my fourth year as chairman and I have never ever seen a budget of the BIE or law enforcement and I think that's important for us to see where the money's going. I think it should be important for everybody. I realize that a few of the tribes sitting at this table probably don't have BIA schools or tribal controlled schools or even jurisdiction or even police officers. So it's important to us large land based treaty tribes that we see these things and that we're able to be consulted. So at this time that's my motion. And I would like to see the BIE budgets before we leave tomorrow.

Motion seconded.

**Rick Harrison:** There's been a motion and a second. Any further discussion? Hearing none, any nays or abstentions? Motion passes.

### **Presentation of Tribal Budget**

**Rick Harrison:** We haven't agreed on it yet. Do we want to talk about it now? Do we want to caucus on it after the meeting? Has everybody had a chance to look at it? I know many of us were here earlier and did. I know there was one question.

There was one question about the contract support costs and I know we've talked about it extensively in the Budget Subcommittee but they wanted to hear from you about when we made increases to the program lines we also made adjustments accordingly to the contract support line to make sure that money was there and there's a misunderstanding or lack of understanding on why we're taking that out of the bottom line dollar and it's not being come out of a different fund.

**Jeannine Brooks:** Because it is still part of our overall discretion and direct appropriation. Even though it's a separate appropriation than OIP, it's still part of the direct appropriation for Indian Affairs funding. It is not a mandatory account and a separate account so it still has to be taken into consideration with our bottom line. So we still have to absorb whatever has to go in there. Since it's in its own appropriation and we have the authority if we fall short in a given year to go back to Congress and request additional money, we have to put a good faith effort forward to ask for what we think is going to cover 100 percent of contract support. So we can't shortchange that and then go back and ask. We have to put together what we consider the need, and 11.5 percent is the trend on what covers us for contract support annually, 11.5 percent of the OIP bottom line. So we are required to put that together as a request going forward in our President's budget request and then if we fall short after appropriation is when we can go back and ask for additional funds from Treasury.

**Joe Garcia, Ohkay Owingeh:** What I was going to point out is that contract support is not a program so it's not rated as a priority in the priority listing that we've got. It's a mandatory thing. Legally you have to provide that contract support. So it goes without saying that has to be provided.

**Jeannine Brooks:** Yes, but we have a bottom line number that we have to adhere to and it's part of that bottom line number and that's why we have to absorb it within our overall allowed appropriation.

**Question:** Jeannine, do self-governance pay contract support costs or is it a lump sum?

**Sharee Freeman:** We pay it out as a lump sum as the CRs come in.

**Question:** My concern is if you're direct service, each contract has indirect costs taken out of it whereas with self-governance it's a lump sum and there's a discrepancy there.

**Sharee Freeman:** I don't think there's a discrepancy. We base it on what the tribe's programs are. We follow the same calculations as the contract support policy requires. If you're direct service, you're in a whole different vein from the self-governance exercise so maybe somebody from your region can speak to what's happening with your CSC funding for direct service or for 638 contracts but it's not us doing anything bad to anybody at all.

**Jeannine Brooks:** Is there a difference in how contract support is treated between self-governance and 638 contracts?

**Hankie Ortiz:** No, there's not. We have one contract support cost policy for all of Indian Affairs that includes all the programs included in self-governance and self-determination. Those are actually the same programs that are contracted or compacted and those same contract support cost policy flies across all of those. Now with regard to direct services, there are no contract support costs per se because we're administering the program, that's part of our administrative program cost that we pay for overhead and those other things that contract support costs cover for tribes. That's on a separate line for us in the federal government if we're directly operating the program. That is only part of the Indian Self-Determination Act and as it's outlined there and it's calculated and paid in accordance with the policy that we developed over two years of consultation with the tribes.

**Tony Dearman:** Chairman, I just wanted to address the question about the budget. The '17 enacted and the '18 and the '19 proposed budget is in your booklet that you have in front of you. It's under the tab 'Comp Table 2018'. So if you'd like to discuss more specifically line items, let us know and we'll be prepared tomorrow.

**Rick Harrison:** I think that's what he's looking for. Any other questions? So is there any other questions or concerns about the executive summary that was distributed or can we move it forward? Can we get a motion to move it forward or do we need to change it? What do we need to do to pass this? Do you guys need a break?

**Angela Thompson:** Yeah, I thought they were going to add a signatory page.

**Jim Cason:** Rick, just for clarification because I read the summary. What do you want us to do with it?

**Rick Harrison:** This is an exercise that we do every year and we present it to the Assistant Secretary normally and it's an exercise that's based similar on what the Bureau's asked to do as well. Normally we don't engage in the decrease scenario and that's why we didn't engage this time other than we want to keep our TPA and base programs held harmless. If cuts need to be made, they need to be made out of somewhere else but we still expect the same level of service or better from our federal partners.

### **Adoption of FY 2020 Tribal Budget Submission**

A motion and a second were made to adopt the FY 2020 Tribal Budget Submission. Motion passes.

**Kitcki Carroll:** Just one friendly recommendation I would make in our years as we do these executive summaries and present it to the full TIBC body that we do it via a PowerPoint presentation just to more thoroughly explain some of the nuances. Unless you were actually a participant you might not be clear on.

### **OST Presentation**

Gerry Gidner

Our FY19 budget is \$107 million. The real changes from 2018 are the transfer of the Office of Appraisal Services to PMB, cost savings from a re-competed TFAS contract and a one-off situation, we are getting some money to help with transition planning for the Navajo and Hopi Indian Relocation Office.

Our FY18 priorities, we have some transitions that we are proposing once it's well underway. On the transitions, this has been in the works for many months but our Office of Appraisal Services has moved to the Office of Policy Management and Budget into what is a new Appraisal and Valuation Services Offices. That said, the Secretarial Order will be signed shortly but in fact that was signed just Monday or yesterday so that Secretarial Order is signed so that transition is official. There's still work to do to make the transition complete but that office is now established.

We made other proposals for transitions in the President's FY19 budget. We have proposed to transfer OST from the Office of the Secretary to ASIA and we have done two telephonic consultations on that back in December which were follow ons to a number of consultations regarding ITARA in 2016.

We're proposing to move the Land Buyback Program from the Office of the Secretary to OST. That program and by the terms of statutes that established it in 2022. They may be out of funding before that and we have...recently the Department has made the policy decisions about where to focus that program so it is really operational at this point. OST supports it a great deal so we just think it would be more efficient to have that report to OST. And then finally there's the Office of Navajo and Hopi Indian Relocation. The Office of Management and Budget has asked the Department to take over a couple functions regarding that in 2019. Land management which is a little bit unusual and we'll be working with BIA Navajo Region on that but also taking the lead for the transition planning functions to come up with a plan to close out that office and transferring the remaining functions elsewhere. So the Office of Management and Budget asked the Department to take the lead on that and the Department has asked OST to take the lead on that so our budget proposes \$3 million for staffing those two functions starting in 2019. The next slide. A number of people mentioned strategic planning today. The Department's strategic plan is out. The President's Management Agenda came out yesterday. OST's five year strategic plan expires this year so we're trying to work on a new plan for the next five years.

**Question:** when was there consultation done when Appraisals was transferred? Was ever any tribes consulted on this?

**Gerry Gidner:** There was an entire series of consultations through the summer and fall of 2015. I think 10 or 11 consultations and the ITARA, Indian Trust Asset Reform Act, required us to have all the appraisal functions under one entity by this year.

**John Ross:** There are two appraisal staff in Aberdeen and two in Rapid City, three in Rapid City actually and they cover the Great Plains Region.

**Gerry Gidner:** We will have telephonic information sessions about exactly how this is going to work. There'll be a Federal Register Notice out probably in the next week or so but those dates are Tuesday, April 24 from 1:00-2:30 and Wednesday, April 25 from 9-10:30. Both of those are Eastern time. Over the next year there'll be other in-person sessions around as the staff gets out to different places. John Ross is the Director of the Office or the Appraisal and Valuation Services Office within the Department who's now responsible for that function.

Back to strategic planning. We're starting to solicit staff input on what our strategic plan should be. Obviously we want tribal input and feedback on that as well so if you have ideas on the best way we can get that feedback from the tribal community I would appreciate that. That's something we'll be trying to do throughout the summer and early fall. We would like to finish it by September.

The Department commissioned work environment surveys for all of the Department about harassment last year and the results came out. OST did not fare very well unfortunately. 38 percent of our employees said they had been harassed at work within the last 12 months and that makes us the third highest rate in the Department and High Country News put out an article last week pointing out unfortunately for us that for sexual harassment OST had the highest rate of sexual harassment of all the bureaus in the Department. Obviously this is entirely unacceptable. Since it was in the news I wanted to mention it. We're undertaking a couple efforts to address this. One is what I'm calling people centered leadership. Our problem is we just tend to bully each other in OST and this leadership training that we're putting on is to get all of us talking about different ways to treat our employees or our colleagues so that we're not bullying them. The Deputy Secretary also asked all the bureau directors to turn in harassment prevention plans. We turned ours in in January and there's three components of making sure we investigate every allegation of harassment, having consistent responses when we find there has been harassment and beefing up our training on this.

Next, TFAS, the Trust Fund Accounting System, the contract is coming to a close. It's a 10 year contract. We just awarded a new contract last month. We did change vendors. We were with FCI and now we're with a company called Innovest. We will probably rename the system because it's a new vendor but we don't know the new name yet. One, it's a much more modern system. The old system was 10 or 20 years old and didn't have all the features of modern fiduciary trust accounting or banking and so this system is going to be more modern than what we had. And we also will have account assets via web-based technology including a mobile application.

**Clara Pratte:** Question from Navajo Nation. One of the questions that we had was on the ONHIR Transition, our understanding is that it's a transition plan not a closure plan. We also are concerned that there's no consultation in the move to put the directive under Office of Special Trustee. Can you please explain to us where that came from given that we were not consulted and also just to reiterate from our perspective it is a transition plan not a closure plan.

**Jerry Gidner:** I might be able to answer part of that. It has been described as a transition plan, that is true. My understanding is that the plan though is to close the office. There would be several functions that need to exist for several years into the future and then the discussion would have to be over what happens to those functions. So I guess we'll have to see how that plays out. And as far as how it came to be with OST, not to put Jim Cason on the spot if he's still in the room, I honestly don't know. Guess what? It's coming to OST. I don't have much insight into how that came to be unfortunately.

Question was how the Office of or the Navajo Hopi Relocation Project came to OST.

**Jim Cason:** Okay. I can help out with that. It was a budget pass back item from OMB that said, 'We want to start transitioning this program from where it is right now to Department of Interior.' Where it is right now is there's an independent organization that manages the Navajo Hopi Relocation and the person that runs that reports to an analyst in OMB. Well, if you talk to that person he thinks he reports to the President but I don't know that he's ever talked to the President. So on a day to day basis he talks to an analyst in OMB and OMB decided since the Department of Interior does Indians and the Department of Interior does land, wouldn't the Department of Interior be the right place to put this. So it came from OMB, we didn't go soliciting it and it still requires that Capitol Hill through the appropriations committees make the decision to move that program from where it is right now into Department of Interior. So that's where the idea came from.

**Clara Pratte:** I think my question is more specifically related to why under OST versus BIA or any of the other functions. Again, no consultation with the Navajo Nation on this recommendation that has come forth. So that's something that we really, really must insist upon.

**Jim Cason:** Okay. If you folks would like to come in and visit with us we'd be happy to talk to you about it. At this point in time it was just a decision made that we needed to place it somewhere and that the theory of this is it's a temporary program, theoretically we're at the end of the useful life of this program but we don't know enough about it at this point in time so one of the things that we're taking a look at now is getting up to speed as to where we are with the program, what kind of decisions have been made in the past, what's left to do and then we will be in a better position to figure out where's the right spot for it to be. At this point in time, given what appears to be a temporary nature of it, OST looked like a good place to put it. But we're open to discussion if you want to come in and visit.

**Clara Pratte:** Okay. I think what we'll do is request formal consultation on that matter. Thank you.

**Kee Allen:** We wholeheartedly ask and request that this particular office be situated on the Navajo Nation within the Navajo Nation tribal government.

### **Land Buy Back update**

Katie Grounds with the Land Buy Back Program.

I'm going to be providing a quick overview of the parameters of the program outlined by the Cobell Settlement. I'll give an update on our progress to date. I'll also review the results of the 2017 strategy review and cover the list of upcoming reservations that are on our implementation schedule. So tracts or allotments, the program uses those terms interchangeably. They were created as part of a federal policy where individual Indians were assigned a tract or a plot of land and as the land gets passed down through the generations, the land increases in ownership. Fractionation, where multiple landowners on a single tract of land. With multiple landowners who own interest on the tract, it becomes difficult to make land management decisions.

So for example, at the Crow Reservation, the most fractionated tract has 476 individual landowners on one single tract of the Crow Reservation. So if you want to build a home, consent to a lease or a right of way, you have to engage with those 476 individual landowners to move forward with any land management decisions. So to give you an idea of the scope of the problem, the scope of fractionation in Indian Country, we have a few stats here that I think are interesting. More than 98,000 fractionated tracts or allotments. About 63 percent of those fractionated tracts generated no income in the last fiscal

year. The average fractionated tract has 28 different landowners and one reservation has an average of 159 owners per tract. The average landowner owns interests in nine different tracts and we have one landowner out there in Indian Country that owns interests in 347 different tracts.

So what is the Buy Back Program, what do we do? We implement the land consolidation piece of the Cobell Settlement. So we manage a \$1.9 billion fund. We purchase fractional interests—trust tracts that have a minimum of two landowners to be eligible—in trust or restricted status. The program does not purchase fee simple interest—it has to be trust or restricted fee—from willing sellers.

It's a voluntary program. Landowners are not required to accept the offers that they receive. At fair market value within a 10 year timeframe which began in 2012 so the 10 year timeframe would be ending November 2022. We're about five and a half years through this 10 year timeframe. And out of the original \$1.9 billion fund there's about \$488 million remaining as of March 1. We've spent about 75 percent of that \$1.9 billion that was in the settlement for the program. The interest that we purchase from the individual landowners are transferred in trust to the tribes with jurisdiction over the land.

\$1.555 billion. That is what we have to purchase land. That is for payments to landowners for their interests. The second largest piece, \$285 million, that's to implement the program. So we're capped at 15 percent of the total \$1.9 billion to implement the program. So that \$285 million, that's what we use to fund the tribes through the cooperative agreements, to perform landowner outreach and education, to do the appraisals and mineral evaluations.

If you look at the number of interests from 2007 to 2012 prior to Buy Back Program offers, the number of fractional interests increases every year and I think the figure is about three percent increase every year in the total number of fractional interests before the Buy Back Program started sending offers. So that's the upward trend you see at the beginning. And then after 2012 when the program began sending offers, you can see at the very tail end there that the program has consolidated over 760,000 individual landowner interests and that's through sales from February 2018.

So if you look at the graph from the beginning and at the end you can see we have about the same number of interests February 2018 as we did in 2007. So essentially we're keeping pace with the annual growth rate of fractionation at least from February 2018. In terms of implementation costs and the remaining piece for land consolidation, first on land consolidation. Since the program began making offers in December 2013 we've consolidated more than two million equivalent acres of land making offers at 49 different reservations, we've purchased over 762,000 individual interests on more than 42,000 tracts. So that amounts to \$1.2 billion. So of the \$1.555 billion that we have to purchase land, we've spent \$1.2 billion of that or about 81 percent. In terms of implementation costs, we've expended 31 percent of the \$285 million that was authorized for implementation costs. So when I say that we have about \$488 million left, I'm talking about the land consolidation piece and the implementation piece combined to get \$488 million. So beginning in April 2017, about this time last year, the program underwent a strategy review and the goal was to evaluate how to maximize the number of interests consolidated with the remaining funds. And in July of last year the program announced the results of this review.

A revised acquisition approach and schedule of locations; maximizing use of appraisals specifically mass and project reports so that they might be made available for up to 12 months dependent on market condition changes; further research on how to leverage the program's resources like the appraisals to facilitate co-owner purchases and acquisitions using tribal funds; streamlining agreements with tribes so

that the cooperative agreement application process is more straightforward and simpler to apply for; and extending the offer period from 45 to 60 calendar days so that landowners have additional time to consider their offers.

As part of the program's current approach we no longer use purchase estimates or purchase ceilings which some of you might remember. Purchase estimates or purchase ceilings were assigned to each reservation and it was based on how fractionated the location was and so there was a predetermined amount that we had hoped to spend at each reservation based on how fractionated it was. Under the current approach we no longer assign a purchase estimate or a purchase ceiling to a reservation. Instead the program will be guided by these acquisition priorities and will determine the total dollar amount of the offer set once the appraisals are complete. So the acquisition priorities. All interests on Stage 1, mineral only tracts. Interest less than 25 percent on surface tracts or B tracts. B tracts are when both the surface and the minerals are combined. And then cost effective interests in tracts. So if you have a \$50,000 an acre commercial tract at a reservation but the average price per acre at the entire reservation is \$3,000 an acre, that \$50,000 an acre commercial tract likely wouldn't be included in the offer set because it's not cost effective.

### **Recess to tribal caucus**

Day Two

**Rick Harrison:** I want to start with some opening comments specifically to benefit Deputy Secretary of the Interior and I want to start with thanking him for making the time to take today to come and be with us. I know he's got a busy schedule and he only has a finite amount of time to be here. And with that being said, all of us also want to express our disappointment with the conflicting schedules of our Acting Assistant Secretary and our Director of BIA for not being here today. We put a lot of time into presentations that we normally do at this meeting every year and so I want to thank you again for being here. We adjusted our schedule so we could deliver the most important message we could to you while we have the opportunity of having you in our presence today. We would encourage you and the Secretary of the Department of Interior to be at this meeting annually because of those presentations.

TIBC is a very important forum to the tribes and we feel that it should be an important forum to our federal partners. We have done an analysis comparing our priorities that we create each year with the enacted budgets and we can see that it makes a difference from year to year. There is no other way for the Department to know what our priorities and unfunded obligations are without engaging and working with us. And our tribes are engaged with our federal partners through an active working group to improve this process even further and we're making great strides with that. We look forward to the outcome and we continue to look forward to work with our federal partners. Some of the things we heard from the Department yesterday were very disappointing, disturbing and quite frankly not very supportive. We're putting together a thoughtful letter to address our concerns, just to let you know. We have other data available that demonstrates the lack of support in comparison to other agencies within our Department and it is our belief that the message that comes from the work that this body does it is the Department's responsibility to deliver to the Administration.

We also believe that there are many ways the Department can support our budget. One example is helping us get other departments and agencies to the table with us to figure out a way to eliminate barriers, create greater access and leverage our limited funding.

For the 2020 budget we have an executive summary and a packet for you to take to the Secretary. Firstly the representatives chose to work off the FY17 enacted budget because of the continuing resolutions and we didn't have a budget in place. For the top 10 priorities the tribal representatives chose to use the national rollup of regional submissions versus what all the tribes put in. The regions get together and they look at the tribal submissions. Sometimes they negotiate within each other and determine that some priorities may have a greater benefit to the whole region as a whole and the priorities change a little bit. And also some regions have more tribes than others so it's more equitable and fair per region to do it that way so that's what we chose to use. And within the packet I gave you has the national rollup line items and it also has the backup of all the regional priorities with it.

Some of the guiding principles we used to create the budget was to provide increases to the 2020 TIBC priority rankings based on the national rollup of regional priority submissions, to hold tribal programs and services harmless by protecting the base budgets for core tribal programs accomplished through an application of a 2.1 percent inflation adjustment and restoring any cuts proposed in the President's budget.

Some messaging statements we made through this process: one was any of the proposed federal cost savings, in particular in the administration area, there was a \$19.5 million reduction proposed by the President's budget. We applied that into our calculations and our rationale was if the Administration feels that you can still do the job adequately or better with that cost savings that that cost savings should go back into our programs and not just be eliminated. The other one was settlements. We moved that money from the budget into programs as well because it's our feeling that that money should not come out of our programs and off the backs of the tribes. It should come from the Department of Treasury. We know that's not reality but that's a statement we wanted to make.

Lastly, it was the intent for the tribal participants to ensure that all tribal nations benefit equally from the increases applied to the top level priorities, recognizing that all the line items are important to tribes and throughout regions the priorities are different and within regions priorities are different tribe by tribe. Some tribes, that line item that we want to cut or eliminate is their base funding and that's all the funding they get. So with keeping that in mind, the elimination of some of these line items is just unacceptable.

The rest of it I hope is self-explanatory as far as how we went about the below target and the no change scenario and the above target scenario and we have the numbers and percentages and dollar figures to go with that. Also we presented with you the actual budget line for line and the dollar figures. We provided a list of what we considered the TPA programs and TPA-like programs that were reoccurring and the national rollup with each regional rollup as well. And so the national rollup, our top 10 priorities were Social Services, ICWA, Tribal Courts, Aid to Tribal Government, Scholarships and Adult Education, Criminal Investigation and Policing, Road Maintenance, Housing, JOM, Detention and Corrections and Welfare Assistance. And the reason there's 11 is because the bottom two were tied in the ranking so we just counted...we couldn't differentiate which one was more important at a national level so we added an extra one. The way we weighted these was when they came in, when a tribe identified the number one priority it got 10 points and it went down from there. The second one got nine and so forth and then added up and that's how we came up with the rollup. Behind that you can see each region and their submissions and how they change. And then lastly I included a couple of graphs that were created by one of our TIBC members here that we work closely with and it shows the discrepancy between the

BIA agency and the other agencies within the Department of Interior. And so that's all I have for the executive summary and our opening comments. I'll turn it over to you for your opening statement.

**David Bernhardt, Deputy Secretary of the Interior**

Thank you very much for providing your material and for your thoughts and opinions. I thought it might be helpful for you all to know I looked at the material. You used the 2017 baseline obviously because of the existing CR situation. That's all changed I think as of today. We're optimistic that by the end of the week or at least by Saturday there'll be a new budget in place and I thought it might be useful to discuss with you a few of the highlights from that budget overall for the Department of the Interior. That budget includes money that will be about a billion dollars above the 2017 enacted level for the entire Department. And that includes notable increases for infrastructure which includes BIA, it also includes about \$150 million...\$154 million for water right settlements, about \$55 million of that is in the BIA budget and about \$98 million is in Reclamation. In addition, Reclamation's budget has I think about \$65 million for rural water projects. The bill provides about \$948 million for fire suppression and has about a \$4 million increase for fuels management.

The total in the Indian Affairs budget is \$3.1 billion which is about \$205 million above the 2017 level. That includes for Indian Affairs Construction about \$162 million more than was in 2017 and it includes about \$105 million for BIE Construction above the 2017 budget. It includes \$67 million which is \$37 million above or \$31 million above 2017 for dam safety and irrigation projects. It includes \$35 million for Public Safety and Justice. It includes about \$2.4 billion for BIA's main operating programs which is about a \$72 million increase from '17. It has an increase for Human Services which is a pretty small increase. And on and on and on. So I just wanted you to know that that happened. I think that that's a good step and I want to talk to you a little bit about what I think this means. I don't know how this works with your process, which I guess is my process too, but I think it merits thinking about. So if you were to follow the last several months, we've had CR after CR after CR and it's been a couple of years since there really was a budget dynamic change and that's what this represents.

I think it's likely that this budget is basically "the" budget for between now and the next election which is November obviously and then I think quite possibly between then and even 2019 and 2020 so for my perspective, what we do with these dollars and how we manage them going forward, I anticipate that we're likely to have this budget with a series of continuing resolutions and that's not based on an Administration strategy because what we have to do is we have to submit next year's budget pretty soon. We have our 2019 budget up there, obviously you have some differences of opinions on that budget. We get direction from the Office of Management and Budget. We have our parameters, we welcome and appreciate your input into those parameters but we don't change the parameters and then when we go forward, it's my job to support the end product and I'm unequivocal about that.

But at the same time we believe you have your ability to tell Congress exactly what you think and some of that's probably reflected in the new budget as it relates to the difference between what we proposed and what was given and that's a give and take. I think we live in an era where thinking that there are going to be large increases of federal funding -- I don't believe they exist. I think that we have to try and look at, can we do things to make the Department provide services more effectively and more efficiently to all you, can we do things to make sure that we're doing the best we can with every single dollar that we get? I think that that's where we as managers during my temporary time here and obviously all of you will be here a lot longer than me but in my temporary time that's what we're trying to ask on everything is how do we provide services better, how do we do it more efficiently and more effectively. And so our priority going into this year will really be on working to realign our regions to try and get

the Interior

them more focused on core elements within regions and so that you're not having to try and get through the minefield of Interior as it stands. But at the end of the day for us it's going to be about how can we best provide the money we have in a way that's efficient and effective and gets the most bang for its buck. So with that I look forward to listening to everything you have to say today and appreciate your input.

**Rick Harrison:** I did have a couple comments myself on what you just said. One is we fully understand the parameters that get put forward to you to make a budget. The one thing we want to elevate is the priority of us as a people and us as tribes and tribal nations. There was an example used yesterday from the Department how there's a few billion dollar deficit in facilities in parks and that there was toilets broken and leaky roofs and so forth. Our argument back is there's a bigger deficit in our communities with those same problems and worse with no running water and so forth. And so how do we raise our people and our priorities up on that list within the Department.

Another thing on the reorganization. We are very interested and insist on some consultation in that. Consultation from our perspective is being in on that discussion in the beginning not after something's been decided and presented to us and this is how you want to move forward. That doesn't feel very genuine or respectful. We are working on our side with our process and how we want to examine a better way to reflect what the needs are not only regionally but tribally. When you roll it u, some of those line items don't make it to the top but they're that tribe's only base funding and so that's one of the things we're examining too with our process is reorganizing how we bring that forward as well so I just wanted to let you know that.

**David Bernhardt:** First off, with the reorganization I think our reorganization proposal doesn't include BIA in the final boundary construct and we'll work on that with you. So that'll be a work in progress. In terms of raising your issues, I think that we know and recognize very clearly your special legal status as sovereign entities and we're not interested in and you will not get any argument from us on that.

The Secretary as one of his top 10 principles says that sovereignty's supposed to mean something and it does. The reality in terms of budget priorities, when I sit down with state leaders, state leaders say to me, 'You should treat governors special.' When I sit down with you all, you say, 'You should treat us special.' And I think the reality is state governments, Indian nations, those are different components whether they're reflected in our budget priorities, the maintenance backlog. When the Secretary talks about the maintenance backlog for parks, he generally talks about the maintenance backlog for refuges and the maintenance backlog for Indian schools. And if we were to look at the definition of infrastructure, there's some argument in the Department about whether it includes Indian schools or not. It doesn't from my perspective but there's distinctions that put money in different places and that's just the reality. And so we think that... Here's the bottom line. I'm here and we can say, 'We're not here early enough. You weren't here on the right time. We don't have the right people.' But here's the bottom line, I got this invitation yesterday so got the invitation I showed up. So next year if you want to invite me, I'd suggest you send me an invitation, see how long it takes me to say yes and that's all I'm going to say about that.

**Rick Harrison:** Well, and again, like I expressed earlier, we're all very happy that you were able to take the time to be here today. We don't normally get this level of engagement within the Department of Interior and we very much appreciate it. I think now we can open it up.

**Jackie Pata:** I just wanted to let you know, you were talking about efficiencies and trying to work with the regions. One of the things that the TIBC has been working on most recently is also trying to help with that process and they've been working really hard and we're in a current process of trying to get consistency at the regional level on the input. We know that that's been a challenge just in messaging and we're also taking responsibility ourselves as tribes that we have to be just as responsible in making sure the information comes in a way that's useful and the data that supports it. So as part of our strategic plan and strategic effort is that we want to be able to make sure that we are more useful in the budget negotiations engagement process.

**Gay Kingman:** The Great Plains has 16 tribes and it might sound like a small number but we have some of the largest tribes in the United States and the tribes run full service governments so they have a Department of Education, a Department of Transportation and so our needs are great and all of our 16 tribes are treaty tribes, signed a treaty with the United States Government under Article VI on the U.S. Constitution and we have a 150 year anniversary coming up of our 1868 treaty and many of our tribes are riding horseback from their tribes to Fort Laramie. And we're getting great assistance from Fort Laramie for that occasion.

The other point I wanted to mention was the diversity of our tribes. Some consideration has to be taken for our diversity because even within our region we have some small tribes, large tribes. Our priority has been Social Service and Tribal Courts but our tribes say that all of our needs you can't prioritize. Tribal Courts are just as important as our roads and transportation.

The tribes really want to be part of any realignment that happens. We would like to be there at the table with you.

**Clyde Romero:** From Taos Pueblo, the Southwest Region, one of the things that is nonsensical to us is the reorganization that you propose based on ecoregions. In the Southwest we're descendants of the Anasazi, we're Pueblo people. We organize ourselves that way. There's Pueblos in New Mexico and Texas. There's 20 of us. We work together and when we see this new proposed map of ecoregions that splits us apart, it doesn't feel like it makes any sense and it doesn't make us feel good. And so with the regions, we want to be at the table before you make any decisions about what those regions are going to look like. And I just wanted to mention that because Taos is one of the Pueblos and Picuris is one of the other Pueblos that is separated from the rest of the 18. And so I think those are the kind of things that need to be taken into account because that's how we organize. We're socially and culturally similar. And the second thing is that through this budget formulation we not only want to make it better but we want to make it meaningful. So how do we interact with the Department so that when you're creating budgets you're not cutting things that are a priority to us as the national priorities have been rolled up? We see that when we look at the budget cuts, our priorities are the things that are targeted and so that's another thing that doesn't seem very sensible. Thank you for your time.

**Clara Pratte:** from the Navajo Region on behalf of President Russell Begaye, thank you Deputy Secretary Bernhardt for being here today. One of the things that we really appreciate is the Administration's commitment to infrastructure as a whole across the country. That's one thing that we agree on in terms of budget priorities. Additionally we appreciate the Secretary's commitment to sovereignty and consultation as he's reiterated several times before. Unfortunately the messaging that we received yesterday did not seem to be quite in line with those previous commitments in terms of sovereignty and working with tribes. It was a little disheartening however to hear about some moves that had been made specifically to the Office of Navajo Hopi Indian Relocation move under Office of the Special

Trustee done without consultation with the Navajo Nation. We'd just like to reiterate that we really must insist upon government to government consultation in terms of coming to you in a formal manner to express our concerns and also with the budgeting process. Through this process we remain committed to TIBC and we remain committed to working collaboratively with our federal partners to improve the process. In terms of reorganization, that's something also that hasn't really been fully vetted with all of us here and I can't speak for everybody here but walking away yesterday it left me with a disappointed feeling in terms of I don't know if it's communication faux pas or lack of diplomacy but it didn't seem to be on a government to government discussion. It was in my opinion seemingly dismissive and I know that that's not the Administration's standpoint and it's certainly not the Secretary's standpoint. So I would just ask that when you return back to the Department that there could be some discussion about the appropriate way to communicate with tribal leaders. I appreciate that. Thank you.

**Darrell Seki:** Thank you for being here to listen to the tribal leaders. We appreciate your comments that you and Secretary Zinke support Indian Country but our critical government services to our people are funded by the BIA and the President's 2019 budget for BIA is cut far more than any other agency and BIA and tribes are the big loser. I believe you and Secretary Zinke have the power to reverse this on 2020 budget making BIA the strongest. Prove your commitments. The budget starts with you not Congress. Again, we appreciate for you to be here to get our arrows pointed at you.

**David Bernhardt:** Let me say something. And I know you don't like the budget. I appreciate that. But I will say this, that I've worked for three secretaries and Ryan Zinke has done better internally with his budget than any of the other secretaries. He's a fighter for his budget. That doesn't mean he always wins and when ultimately the decision is made we go out and we do what we need to do but I do want you to know he is very...he is very successful. Our job is to support the President's budget after the internal deliberations are and we do it 100 percent. We know that you have some differences with that but I do want you to know that he is fighting and in my opinion has been more successful than the other people that I previously worked for.

**Angela Thompson:** I represent 24 tribes in the Southern Plains Region and we submitted 10 priorities. Our top five were ICWA, Social Services, Tribal Scholarship, Tribal Courts and Criminal Investigation of which one of those have been eliminated in the 2019 budget.

We as a region would oppose any reorganization without meaningful consultation and what we mean by meaningful consultation is a seat at the table at the beginning of consultation not after a decisions' been made and bring and present it to us. The tribes in our area have worked hard and we as regional reps have worked hard to increase our numbers. But they don't see it getting any forward movement so they're struggling with, 'We work so hard to provide this information and it doesn't go anywhere' but we're working hard to increase that response and we've increased it by 50 percent. I think when I came onboard it was around 25 percent so we're working hard in our region to bring forth these priorities.

In regard to the unmet need, we feel that that is important because that shows a clear picture of what the unmet need is in Indian Country and going forward without us presenting that to you, you don't know that because you're not in our area. So we're here to present that to you so the unmet need is important to show that you can have a clear picture of what is needed in our regions and in Indian Country.

And we also oppose any elimination of any programs in any budget. As a part of this process was to identify some success stories which we did. One tribe in our region, the Cheyenne Arapahoe Tribe has developed a tribal justice court and courthouse to address the legal and social issues but the dollars that went into that project are tribal dollars, not BIA that we receive. So a lot of the success stories that are done are done by tribal revenue not by the BIA. It's a success story but we're funding it. The other piece of it is they also do scholarships to incarcerated individuals, tribal members and six of them have received their associate's degree and one in May will receive their bachelor's and that is also done on tribal dollars. So it's important that we get the revenue and the dollars based on trust and treaty obligations so that if you eliminate those program but it just relates back to Social Services. If we can't fund those tribal scholarships to our people and they become self-sufficient through education, then they're going to rely on the Social Service programs and it's just a perpetuated cycle. That's kind of what we're dealing with at Southern Plains. Thank you for the opportunity and thank you for being here.

**Rick Harrison:** I want to take a minute to piggyback on Angela's comments from the Alaska Region and I'm sure my comments will resonate with many other regions. There was at least six or more of the line items that were proposed to be eliminated that directly impacted my region and being we don't see a lot of the funding from BIE or any of the Justice funding in our region, these are very crucial lines of funding for my region. The BIE funding is something the tribes up there are trying to negotiate through legislation because that's the obstacle there. Justice funding is a different animal. We don't get that funding based on the priority system they have in place within BIA and that affects not only Alaska but all PL280 states. They're at the bottom of the barrel when it comes to accessing that funding and there's no law in place saying that they shouldn't get that funding. And so I think that needs to be addressed and looked at. As you may or may not know, in the TLOA report a few years ago Alaska had a 60 page chapter on the disparity and the need up there for Justice and Law Enforcement. The state isn't doing their job and that's the case in many regions and it's my feeling that the federal government just can't pass the buck of their obligation to the state and say it's their problem. So I think that needs to be looked at. And again, like I said earlier in my opening statement, some of these line items are their only base funding for some of these small tribes and so that always has to be kept in mind when you're looking at cutting programs and zeroing out funding with zero consultation with tribes on what's important in that area as regards to zeroing out a program.

**Herminia Frias:** Representing Western Region, includes Arizona, Utah and Nevada. There were 31 different types of priorities that were identified that we broke down into 10 but when we submitted the budget we included all 31 because of what was stated earlier as far as we know that all of these are important programs and these nations depend on these programs to continue to provide these specific services so we didn't want to disregard the work that some of these tribes had done to put together their budgets or their priorities so we included them.

And as a representative of these 43 different nations, there's a lot of diversity. I'm on tribal council for Pascua Yaqui Tribe which is in Southern Arizona and we're a small land based tribe and we have very different issues than what San Carlos Apache has or what Hualapai has or what even Salt River here with our alternate.

Looking at our budget. We go through the same process that the federal government does, how do we build our economic base, how do we become self-sufficient, how do we fund all of the needs within our nation? We know that we can't do everything and we can't assume that we know everything unless we actually sit down with the people, we are at the senior center, at Social Services, at the Health Department, with the Police Department, with our schools and who's educating our children and what

type of jobs we're creating. That's really where we learn because we see it on the ground and we can appreciate the good things that are happening, we can appreciate the challenges that people are experiencing and we can appreciate what our role is at tribal leaders to help them and then get that message back to a regional level and get that message back up to you to the Administration and then get that message back to Congress so that these issues are addressed at an means possible and we are really leveraging every single resource that we have.

**David Bernhardt:** I know that Secretary was in Arizona at the beginning of the week. He was in Wisconsin I believe meeting with tribes later in the week and I think he's going to be in Washington State either he's there today or he's there at the beginning of next week meeting with tribes. His focus on these trips most recently were I think some on border security and some on opioids and his vision is that we're on the road a lot. He really believes fundamentally that where he can make the biggest difference is in the local offices and getting resources there. And every trip he goes on he comes back with a list for me of things he'd like to see. Now here's the reality though, as of today I think I have six of 18 presidentially nominated, Senate-confirmed people. So what does that mean? That means I'm doing the job of the other 11 and that is the reality...the environment that we're operating in. If I went to him and said, 'Hey, you can go on a horse ride to Fort Laramie,' I probably can't hold him back. So I'll take that offer to him but he is...he is spending time with you all. Maybe it's not what you think it should be and that's legitimate but given his demands I'd say he's really trying. Two weeks ago he was in Montana for the Black Feet water rights settlement that he was involved in and so he's making it a priority candidly.

**Clint Wagon:** Chairman with Eastern Shoshone out of the Rocky Mountain Region. I know that the Secretary is well aware obviously in our area with Montana, Wyoming but I know one of the things that we discussed among our region and the tribes there and we know that even though we do end up with a list of priorities, we talked about all of these are, as mentioned before, are all priorities. So one of the things that we had discussions about, knowing historically funding is not really adequate and it never has for a long time. And so one of the things that was discussed among the tribes there in the region is one area of like training. So we know TPA dollars will help provide much needed training for our current workers, future workers, whether that's at different levels. One of the things that we looked at, our number one priority out of all of this was Tribal Courts. We know VAWA is there. I know that...we did a couple weeks ago there in Wyoming we did approve VAWA to be part of our Tribal Law and Order Code. We feel it's a good step but we know there's going to be challenges in this but it's going to come back to funding. Looking at our courts because we know just looking at nationally, looking at some of the reviews that tribes have been working with VOWA, we know there's still gaps. We know that those are some of the challenges but looking back at the region, we know that there's a lot of challenges that not only tribes face, I know that the Interior faces but we would hope as we move forward that a lot of these areas that are tied to the courts... You look at our second item that we have is the Criminal Investigations. It's all tied to courts whether it's trespassing, whether it's illegal hunting, whether it's whatever that is, we know funding still isn't enough to assist so we would hope that when we look at these future budgets we know what you mentioned earlier about there's going to be increases but still those areas aren't included in this and so those are one things I just wanted to kind of throw out at you of still that importance of especially courts and all of these laws. Thank you.

**Michael Dallas** from the Western Region, alternate from the Salt River. When I came here to the TIBC to speak I found out the Secretary was over visiting my tribe with some of our sister tribes there and one of the things I wanted to mention as you look around this table we're all unique from one another, we come from different areas, geographical areas and in the Western Region we have like Herminia was

mentioning here, we've got 42 tribes. We have one tribe that lives in the canyons...in the Grand Canyon. We've got tribes that are considered metro tribes. We have a tribe, our sister tribe, the Tohono O'odham which goes into Mexico. So we're all unique from one another and looking at some of these that have been eliminated like the JOM, the Johnson O'Malley, we had a success story that was on our PowerPoint that had stated that there was 90 percent of the some of the students that had graduated with a high school diploma. Those are the type of impacts that you look at when things are eliminated like that. I just wanted to bring that up and just to state that we're all unique from one another. Some tribes are self-governance, some are still treaty tribes.

**Chris McGeshik:** I just wanted to talk a little bit. I thought I'd hear a little bit more today about opioid epidemic but it is priorities and of course they're all priorities but in the 2017 allocation that we had and now we're looking at FY19's budget and the cuts that we're taking there and the programs that were eliminated out of our top 10, that's quite a bit and just in Law Enforcement it was a five percent cut and that equates to about \$10 million. And then you see that in '19 they're talking, 'Well, maybe you'll get some grants that you can apply for in the amount of \$2.5 million.' But then those are grants and that's directed at the opioid epidemic but you're already taking \$10 million right off the top that could also work toward that opioid epidemic or drug problem that's within not just Indian Country but throughout the United States. It also eliminated the recidivism program and we do need all of these programs to work together. And we talked about this silo effect and I think all agencies recognized that that does exist.

One program that really worked hard at tearing down those siloes and working together was something that is also within your strategic plan for FY18-22 and that is strengthening families as a priority. So when you look at families within Indian Country, the program that I'm talking specifically about is the Tiwahe Program which is Lakota for family. It's extremely important to the tribes and not that every tribe has a Tiwahe Program but that initiative is something that will not only be a part of working together to strengthen these families and protect the youth but the program breaks down those siloes within each program or each government agency or entity that's out there and it gets bureaus even working together at a higher level to focus on fixing and strengthening these problems within families that we all see and if we don't have them working together, I don't think we're going to solve those problems and taking away that program is going to deteriorate the family strengthening projects that we not only as tribes are looking toward but the Department of Interior and the President and their overall objectives when it comes to this opioid epidemic. We want to strengthen the families, we want to strengthen the individuals, we want to get rid of the drug epidemic but by taking away these programs, it's not going to solve that problem. It's going to make it harder for us to address. So internally within the tribe when you have the Tiwahe Project, you're bringing all of those people together, you're bringing all of those programs together to solve that. And now the opioid epidemic is a part of that. So I just wanted to bring that to your attention. Maybe we can get that restored into the FY20 budget.

**Courtney Two Lance:** There's something that I wanted to expand on that you had mentioned about performance based budgeting. I'm representing Great Plains Region. Tribal program allocations, that's a priority of all of the regions and when the eliminations or the cuts happen to those programs, it doesn't help us in getting the services that are needed to our people. But to expand on the performance based suggestion, the biggest impact for the regions would be also to add to that would be a data capacity building. We need to show you the real tribal data and statistics of these services and programs. I'm going to say the GPRA questions that are in the Green Book. They don't give you the real story but tribal data and statistics, they will. They will help adjust the systems to address unmet needs, unfunded

mandates. They'll fund our priorities per region. We give you that supporting justification that 'this is how we're going to work together' or you become the advocate for us, the real true advocate for the tribes. And it would also help in I want to say we don't ever want to see elimination of programs. You can't help it, we can't help it if there are cuts in funding but let's not eliminate the entire program because those services are needed in our tribal nations. Some other impacts that are important to the Great Plains Region are the trust and land and proposed regulations. The reorganization of the Interior. We would like to have some input in that. Protection of our sacred lands, artifacts and burial grounds. And for Social Services, that was our number one priority for Great Plains Region. We would like to see a strategic plan, a five year strategic plan for the Social Services programs. And also roads and road maintenance.

**Justin Parker:** We kind of lost our representative so I got the short end of the stick here for the Northwest but basically the Northwest Region and Twyla Sange, our Acting Regional Director, is over here to my right and she'll help bat in where I maybe fall short here. We have 45 tribes in our region and eight intertribal organizations, commissions, some of which were mandated by court whether it be U.S. v Washington or U.S. v Oregon but a number of our priorities does include natural resources but I just wanted to highlight the top three and then spend a little time on some of the others because I think it's important that what the BIA staff put together with assistance from our tribes and tribal organizations. I hope this doesn't go unrecognized, the amount of work they put in to try and put this document together and I appreciate you taking the time again to spend here with us to go over it. But from the Northwest Region, Scholarships and Adult Education is the number one priority followed by Tribal Courts, ICW being number three. But as I mentioned, we're definitely...tribes with our cultural and traditional way of life is so important to us and that's why you'll see a number of places that natural resources, whether it be fisheries or from rights protection and [?? 03:08:58] standpoint, forestry programs or natural programs TPA. The right to hunt, fish and gather is extremely important to our tribes. That's why you'll see a number of the natural resources riddled throughout. But one of the points I want to make is highlighting number three and this is...and I know Chuck Hudson here's from Columbia River Tribe. But we have some unfunded mandates I guess, if you will, so we do have the operation and maintenance fund for the 31 BIA administered Columbia River in lieu and treaty fishing access sites and those funds are nearing depletion so we need to make sure at some point that we get a lump sum for the recapitalization of the ONM Fund into the annual budget and so I think that item is as important to highlight and see I'm getting I'm getting the hook so I'll just leave it at that. Thank you for again taking the time.

**Rick Harrison:** You had mentioned how you're short staffed and how you're having to do work. We have an Acting Assistant Secretary and you guys have put someone forward and there's a hang up there but there's also a lot of federal positions that are unfilled, in particular at least six RDs are unfilled and in our region that's a problem. And I do appreciate the work for the Acting RDs that are filling in. It's got to be just as hard on them being moved around and working in other regions that they're not familiar with.

But in our region with 228 tribes having an RD for three or four months at a time, they can't really accomplish a lot and the tribes can't form a relationship with them to take care of their issues that they're dealing with. In our region, even if an RD's there for a couple of years, they probably still haven't visited every tribe and so it's important to us that we have those positions in place and they're there long enough where they can actually make a difference and meet with the tribes that they're representing. And so that was my final comment that I wanted to bring forward and I'll turn it over to you to have any closing comments you want to make in respect of your time.

**David Bernhardt:** I will respond to your last comment. I do realize that having acting folks in particularly the senior executive service positions is very difficult. I will also tell you I was in Alaska a few weeks ago and this has nothing to do with BIA but I was in Alaska and I went up and visited Kaktovik and I was very troubled that some of the folks that our folks that manage land up there, they were meeting people for the first time like I was and I was stunned by that because I do believe that it's important for our folks to get out and understand either the people or their neighbors depending on their responsibilities they have because I think that provides a much more informed perspective and I will tell you I was stunned.

In terms of SES positions, one of my duties is I'm the chair of what's called the Executive Review Resources Board which is responsible for the SES-ers. And I would expect that over the next few months you're going to see numerous moves, solicitations for people, etc. We are hiring people, we are moving people and we will continue to do that aggressively and appropriately.

I think that we have to have the Department's people leadership in place and we will do that despite the Senate's delay. I don't believe that Tara will be hung up. I think that's on a fast track. Generally we had some administrative things that created some items of first impression but I think she'll be on the fast track and I hope we get our other people. I thank you for your time and I will make it a point if I'm here (Deputy Secretaries don't last very long) so if I'm here next year, I'm happy to come to your meeting. I'd just like a couple weeks' notice and I will attend it and I would expect that if you want to visit with other DOI people, we'll make sure they're here. So thank you very much.

**Rick Harrison:** Thank you again for your time and we generally make our schedule out in our July meeting and as soon as we have those dates confirmed we'll send that invitation so we look forward to seeing you here again. Thanks.

To break down the rest of the afternoon, I'm just going to talk a little bit about the change of the agenda on the presentations and then we're going to go into an update on the bill that was put out yesterday for the FY18 budget. Then we can either follow the agenda, have a break and then come back for the Education Subcommittee and the Public Safety and Justice Subcommittee report or we can just burn right through it and just finish the rest of the agenda. So we'll see how it's going and how people feel if they need a break or not at that time.

With the unique nature of this meeting it's not typical for our normal March meeting and the weather and complications with people's schedules and getting some different folks here today, we changed the schedule up and obviously we don't have time to do all of our presentations like we had planned and like we normally do. So we made copies, printed new copies to hand off to Jim James. He was supposed to take the information back to Bryan Rice and the Acting Assistant Secretary and so he said he's going to schedule a meeting with both of them simultaneously to have that discussion and hand it off to them. And so I'll give these to him. I know he has some comments he would like to share with everybody and so I'll turn it over to him at this time.

**Jim James:** In listening the past day and a half or so to what has been presented, I wanted to give you my commitment to work with the staff that I supervise, all of the regional directors across the country to work with your tribal leadership, your budget folks, whoever you designate to make sure that we are collaborating on this information, we're bringing it back to the powers that be and making sure that they are listening to it and that we are not only addressing it as...in the context of the budget formulation process but in the bigger context of how we go about improving the efforts in all of our communities to make sure that folks have the type of amenities that have been pointed out here, that folks have the

type of educational opportunities and the type of economic development opportunities that are available to the rest of the country.

So if Kitcki and Rick and whoever else is on that doesn't mind me attending, I would like to attend and I'd like to be part of that because I think it's important for me to make sure that the regional directors are hearing what I'm hearing and that we're all speaking from the same page. I also wanted to go back to something that Courtney said about performance based budgets and performance metrics because indeed we are all graded on what we do by some criteria that's been established within our senior executive service program but primarily by the Department and by ourselves.

**Rick Harrison:** Thanks, Jim. I'd like to respond to a couple of things you said. One is about your participation. We welcome any and all participants from the federal side that is going to help us improve this process and eliminate barriers. And so if your involvement will do that, we more than welcome you with open arms. As for the protocols, that was a question we had earlier. I know I met with you a couple weeks ago and there were some questions around that. I was just curious where that was at and if they've been signed yet.

**Jim James:** They haven't been signed and I think one of the reasons, Rick, was because we wanted to kind of present some alternatives in front of the full body and I think it goes back to what Joe said and then I think some things that I've heard Kitcki and others say is about this process, this whole intent and purpose of this meeting is to focus on budget formulation and I want to make sure that the participation from the regions is adding some value to what we do. And sometimes when I bring the regional directors at every meeting, every quarterly meeting, I'm not sure what value they're bringing by just being here. I think it's important for them to be here at this meeting because they help with the presentations and they've helped with the formulations and this is an opportunity for them to contribute to the discussion and I want them to contribute to the discussion.

One of the other things I heard was that...and I don't know if this is true or not but I've heard that some of the regional directors or maybe all the regional directors were told not to speak and if that's the case, I would suggest that the reason being for that would be because this really is a tribally driven effort and we want to make sure this is not driven by us but really contains the input and the impetus from the tribal side not from the Bureau side.

We need to participate effectively but I want us to have the best value. I know the protocol defines the members and the regional directors as members. I would like to add something to that if I may that says regional director or his or her designee and I'm hoping that that would mean that the budget people from the region would be the participants and should be actively participating throughout the year in this process.

But I'm going to leave that up to the voting membership to decide. That in no way reflects my desire to impede the holding and the discussions that occur at all four meetings because I know they're important to the tribal leadership and even if the regional directors aren't here, I would be here, the budget folks would be here and I hope that the Director can be here in the future. I know it was just a coincidence of circumstance and I did say to the people at the Interior Building this morning that when I have...when I see all the tribal leaders travel from all over the country to be in DC and all the regional directors travel from all over the country to be in DC, I'm surprised at the inability for main Interior folks to get out of their houses to come here and I understand that it's hard and you can't...it's not that easy to move

around town. That's a reflection I think on...it's just the city, that's the city. Anyway, as far as the protocol, Rick, it has not been signed as far as I can tell yet.

**Rick Harrison:** So if that's the only change that you'd like to see in there as an alternative, I actually think that is better because when they can't...when the directors can't make it then no one comes in their place and so that's my opinion. If the body wants to vote on that change because we've already adopted it, then that's up for you guys.

So how would the body like to handle this? Do they want to amend what we approved in November or leave it? Recommended changes? Hearing nothing, we'll go with what we've already approved in November.

### **Report of the FY18 omnibus bill**

Amber Ebarb

Thank you, Chairman. We have some news. We mentioned we've been following the release of the FY18 omnibus and folks have been talking about that release. It came out late last night and so we've been reviewing what's included. Some of our staff at NCAI are looking through some of the divisions of the omnibus, Commerce Justice Science and Transportation, HUD, all the spending bills. But relevant to today is the Interior-Environment Appropriations Bill and we're looking at overall like I mentioned earlier a seven percent increase for total BIA/BIE funding, a \$203.8 million increase in the omnibus taking the total in the final bill to \$3.06 billion over the FY17 enacted of \$2.85 billion. We handed out the explanatory statement. This is a part of the omnibus. It's not the bill text but it's the attached statement that includes a little bit more detail. It shows direction to the Bureau on all sorts of things for each section—Human Services and Trust Natural Resources Management, Public Safety and Justice.

It in general restores all of the reductions that were proposed in the '18 President's request. We'll be sending out an analysis that includes some of the percentage increases compared to last year's enacted and the President's request. Compared to the President's request for '18 it's actually a 23 percent increase if you were to consider the change. The President's request was a total of \$2.84 billion so the increase in the omnibus compared to the budget request is an increase of \$575.5 million. So that's...you can see the stark reduction that was included in the President's request being rejected by Congress and so that's again something we've been talking about—strategy on how to advocate after the fact, after formulation is done and after the President's budget has come out, how to incorporate the discussions and priorities that have been shared in the national budget meeting as a part of TIBC and taking that information to the Hill. We'll be doing that for the FY19 process. But some of the highlights and I haven't studied in depth all of the explanatory text yet but it does include the Tiwahe Initiative that was zeroed out in the '19 budget. They asked for at least some improved data for Tiwahe's effectiveness in Indian Country, how to monitor and track the initiative's effectiveness and the omnibus also includes back into the BIA's budget the Cooperative Landscape Conservation Initiative. That's restored back almost \$10 million, \$9.9 million, which was zeroed out in the President's budget so that's something that I was curious to see if that would be restored.

The major increases though were in the construction accounts. It looks like in construction an increase for education construction of \$104.9 million for a total of \$238 million. That's a 78 percent increase over the '17 enacted level of \$133 million. That's where a lot of the increase for the overall seven percent in the BIA's budget came from it looks like is in the construction line items.

Public Safety too had an increase of \$24 million compared to \$11 million in '17 so that takes them up to \$35 million. So overall construction got an increase of \$162 million compared to the '17 enacted level which was \$192 million. That means relatively it's about an 84 percent increase. So that combined with the somewhat modest increase for the recurring tribal TPA like programs, if you look at tribal government programs such as the Aid to Tribal Government and Human Services, those increases were about three percent for tribal government, there was a 14 percent increase for road maintenance so that's one of the larger increases for one of the programs.

All the rest of the programs got about between level funding and about a three percent increase but road maintenance is the one that got a bump up so that's something that's one of the programs in our top priority list so that is significant. Although it's just \$4.3 million but it takes the road maintenance line from \$30 million to \$34.6 million.

Operation of Indian programs overall would increase by three percent compared to the President's budget though that's an increase of \$328 million and then compared to '17 enacted that's a \$71.8 million increase. But three percent is not a huge increase for operation of Indian programs which is a little bit disappointing, although some of the increases did go to our priorities. Tribal Justice Support would receive \$2 million for VAWA and PL280 courts would get \$13 million. That was not included in the President's budget but if you recall in the 2017 enacted bill there was \$10 million for PL280 tribal courts. So that was restored and increased. Tribal Courts didn't see an increase, unfortunately. That was pretty level with '17. And so those are the highlights.

Since we do have the explanatory text and the entire table for you to look through, those are the things that I wanted to touch on though for the major top line messages about the omnibus. And so the House just passed this just recently in the last few hours. It's expected that the Senate will pass it too. There might be some delay with Senator Paul delaying the vote.

I thought it was interesting too that David Bernhardt mentioned this could be the budget that will be the numbers that we'll be seeing for the next few years given that we're heading into an election season and then after that another election season pretty soon. I think this is important to take a look at. I know we're not looking at other agencies but the Indian Health Service would see an increase of 10 percent in their budget. So they're going up from \$5 billion in 2017 and in this omnibus bill they're going up \$500 million, so half a billion dollars up to \$5.5 billion. That's good news for some of the other agencies that we'll be reporting out in our analysis. You can look forward to seeing that in your email soon.

**Kitcki Carroll:** If we could have along with those graphs of tracking tribal priorities showing the tribal proposed, the President proposed and the congressional enacted not only graphically but showing those numbers too to really hone in on what those differences are. The second question, I'm not sure where this request would go but we're constantly being told, 'The way that you get funding increases is through providing data to justify that need or that request.' It'd be interesting to know if anybody has done or will be doing any analysis on whether those areas that got increases were areas that we were able to provide data or whether they provided increases for some other reason, just for a strategy type of knowledge going forward. I'm not sure who to make that request to but I'd be curious to know if there was data to support those areas that got those sorts of increases.

**Amber Ebarb:** Just on that, I think we could have some meetings with Appropriations staff and ask them directly what motivates their decisions in adding in the plus ups and minuses because I know that we are

often in discussion with them in sharing our priorities but getting a little bit of feedback from them about what motivates their decisions could also help us in the work that we're doing here.

**George Bearpaw:** I know Amber mentioned that the House did pass this to the Senate. The Administration also wrote a statement that they did support it so that means that there's a good likelihood of signing the bill once it's negotiated and passed.

### Education Subcommittee report

**Amber Ebarb:** I got notes from some of the members at the Education Subcommittee. The Education Subcommittee met, one of our staff was there. I heard there was about 12 to 15 people who attended. They discussed the FY19 budget for BIE, the strategic plan, the Johnson O'Malley count and there was a presentation from the American Indian Higher Education Consortium. They want to be included in the Education Subcommittee and so they shared a resolution. I think that having engagement from other education stakeholders and our subcommittees or other organizations that work on these issues makes sense and we've done that in the past with some of our other subcommittees so it's good to see engagement from other tribal orgs. I think those were the issues that were addressed. Oh, the GAO report, the high risk programs -- the fact that BIE is on the high risk report was discussed. So that's the report that I have and Buster Attebery wasn't able to make it so the meeting was chaired by Bart but that's generally the topics that were discussed.

**Rick Harrison:** Tony, there was a request yesterday from the body to discuss the BIE budget and if you were able to bring that today.

**Tony Dearman:** As stated yesterday, I really wasn't clear on what the request was because you have the budget in your packets for the '19. We can open it up for discussion if someone would like but everything is already in your packet.

**Chairman Frazier:** Who determines how much goes to ISEP, who determines how much goes to Facilities, Transportation, etc.? Who determines that?

**Tony Dearman:** ISEP is formula driven based on a three year rolling average.

**Gay Kingman:** When we start working on the budget in October, we work with the area office and they give us a budget but the area office, if you look at the organizational chart, the area office is BIA. BIE is separate and so what we get is the BIA budget. We don't get BIE or we don't get Office of Tribal Justice which is another separate agency. And so yes that's on here, Indian Affairs, but we don't get it in October when we start our budget workup. So now that tribes are going to Appropriations, we're getting this but how do we advocate for needs like in Law Enforcement when we've never seen a budget? So that's why we need that to look at it so we can advocate for increases in those areas where there's great need.

**Rick Harrison:** We don't understand why BIE was pulled from our survey. We understand that you were going to do a separate one that hasn't been done yet. You have to understand that the tribes, they already have a very hard time doing one survey, let alone two or three and that's what we're asking them to do now. And we didn't get any weigh in on education so that didn't make any of our priorities because it wasn't an option in the survey. So it is the body's feeling that BIE should be included in the survey so tribes can pick that as one of their priorities if that's their wish.

**Jo Garcia:** I give my commitment to helping you, Mr. Chairperson or Co-Chair being on the Education Committee. So you can hold me to that if you would, Chairman.

### **Public Safety and Justice Subcommittee**

**Rick Harrison:** Kee Allen had to depart. I have a few notes here. One is in the meeting there was correspondence sent out for invites to BIA and Department of Justice both to show up. We had no show and no response to either one of them. It's very important for this partnership to work and to get good work out of this subcommittee to have participation obviously. And so that's what we're looking for. And again, like I said earlier, we know you can't make Department of Justice be there but we need help in trying to get them to the table.

The other one is access to the funding and we've talked about this before. Competitive grants, competing against each other, that's not acceptable. We need to work together to reduce and eliminate any and all barriers and that includes matches, caps on how to spend the money and this is something I brought up actually through a recent DOJ grant that my tribe got and I hadn't seen this in a previous one but there was caps on how much we could pay our police officer. And the maximum cap that they had is more than the minimum payroll for our area for...in the urban area.

So there's virtually no way that we can compete to get those positions staffed and then let alone...and then there's also caps on the fringe benefits and that's usually how we compete with the outside areas is having better benefit packages and being more flexible with stuff like leave and things like that. But they have caps on that and if you exceed those caps, you're not allowed to use that amount you exceeded them towards the match even. And so there's just a lot of impediments and barriers that we need to work on and that will come through collaboration with you all and folks from the Department of Justice. But we need them to be at the table.

Hearing none we'll move on. For old business is a protocol discussion. I think we covered that earlier with Jim and hopefully that will move forward sooner than later.

**Kitcki Carroll:** On the BIE budget, we have limited BIE interests within our region but we do have some so it is an issue and interest to us. I guess I'm still not clear though on what the BIE's role and involvement is in the budgetary process then, the preparation process. And the reason why I'm interested in this is because of the longer term broader budget process improvement effort that's going on, I want to make sure that there is nothing that we're not capturing adequately. There was supposed to be a separate BIE budget priority process. I just want to make sure that whoever those people are around this table that have those very specific interests to make sure that they are a part of that process to make sure we're not missing anything and end up with a process that's incomplete.

**Tony Dearman:** I've got to get clarification on why we weren't part of the process as far as the questionnaire. What we would really like to do is not have everybody around the table but actually go to him and actually address his schools and anyone else that has schools in your area to where we can actually address your schools, the funding, the whole piece to that. As far as Title VI, that's Department of Ed. I really think communicating on the needs because I've written down some questions as well that I've got to go back and find. I think it's important for everybody to know exactly just a reminding of what Mr. Cason said yesterday. We're given a number and then we have to go to work and it's not always popular, the decisions we make but I think relationships like this and working with our tribal leaders

because even like the '19, now you see what the proposed numbers are, now we can go to work with you all to where you go to Congress and Senate or the legislators and start working on getting some improvements. The work that we seen in the omnibus comes from a lot of the leaders around the table because you seen the increases from the '18. So I think just the communication piece with our tribal leaders about our schools and the...there's just some things, Buster, that we're not going to be able to do because if we fund our students that go to the public schools outside of their JOM and things like that, then I've got to explain to our other systems on direct services with schools we directly operate and the tribes that we have 297s and 638s with why I'm pulling money from them to redirect. So there's just some things that we're not going to be able to do but again, you deserve an answer. If we can't do it, then we just tell you we cannot do it.

**Kitcki Carroll:** There's a process in place right now that's trying to get to these answers and to put a tribal perspective forward about what tribal priorities are. The BIA process doesn't happen here necessarily, it happens at the tribal level for them to put forward their priorities and that all gets rolled up nationally. And the reason why I'm raising this, I want to make sure that BIE interests are not slipping through the cracks in that process.

**Gay Kingman:** BIE serves tribal schools not public schools and the clients who you're involved with should be the people that should go to in any survey, especially since BIE is dedicated as a high risk under the GAO report. BIE and IHS designated at high risk. And so as they're supposed to be developing their reorganization and improving so they can get off of this high risk, we need to be involved, those that have the tribal schools. And we'd like to be involved.

### Old Business/New Business

**Rick Harrison:** We're done with old business. New business.

### How to Contract ICWA Issues

I received a letter addressed to Tribal Interior Budget Council. It's a one page letter here from Native Village of Gakona. The two issues are ICWA funding. One of them is a request to consider funding for ICWA services for the five tribes in Alaska who currently do not receive this funding on an annual basis. I'm sure those aren't the only five tribes in the country that have this problem that didn't get ICWA funding when they started that program. The second one is about tribal courts and all their requests I think have been met in this new proposed omnibus bill. If you've had a chance to read this letter, if anybody has any comments, I'll entertain to hear them. If not, we can move on. And that's all I have unless there's anything else from the body. The rest on the agenda is what we want to put on the agenda for the May meeting.

**Question:** Do they also receive some portion or are they eligible for some portion of the Tiwahe funds that were distributed throughout all the tribes and regions?

**BIA:** So right now there are six tribes in the Tiwahe Initiative that have been included and there was a plan to include additional tribes but then the money was targeted for not being available anymore and so it was difficult to plan on including those tribes so the program wasn't expanded at that time and what we've been telling everyone is if they're interested in Tiwahe to let us know and then when the opportunity comes to expand the initiative beyond those initial six tribes that we would let them all know, everyone that's contacted us. Our Tiwahe coordinator is Mercedes Garcia and she's maintaining a

list of the tribes that have expressed an interest. But I'm sure that information would go out to everyone but we would make sure that those tribes knew.

So there was several different pots of money that came down as Tiwahe funding and the initial funding for Social Services and Indian Child Welfare Act funds were given out in an across the board distribution to all tribes who had contracted for either Social Services or ICWA and we can see that in their agreement. I believe in Social Services it was an eight percent increase and in ICWA it was a 22 percent increase. Other pots of funding that have come down were for Tribal Courts and for Job Placement and Training and those Job Placement and Training funds have...were distributed only to the Tiwahe tribes that were in the initiative at that time and they were distributed to them proportionally.

There have been other increases for Tiwahe since that initial funding for ICWA and Social Services where there was an across the board and that funding has been distributed to the Tiwahe tribes and in most cases that funding has been distributed equally among those Tiwahe tribes that are included. So those are all the Indian Services distributions. I don't know if Charlie wants to add anything for Tribal Courts.

**Rick Harrison:** So I guess to get to the root of the question, if you weren't already contracted in that program you didn't receive those increases through Tiwahe. I guess that's the question is how can we get these tribes that aren't included the ability to contract ICWA? How to change that.

**Jeannine Brooks:** Either Title 1 contracts are under self-governance is the funding mechanism that's used to transfer those dollars and so they had to be...have contracted for it in order for us to get them the money, otherwise there was no way to get them the money. They would have money for a program that they... It was just additional funding so it would have just been an addition to whatever funding they had and based on the percentage we have to determine what they had in the first place. So there's no more across the board funding. That money that was sent out across the board became part of the base funding for tribes and as part of their TPA base funding it can't be taken away from one tribe to give to another and all that funding was distributed at that time.

**Rick Harrison:** The question is for the few tribes that weren't able to contract at the time when this program started, how can they get in the door now?

So the question's not really Tiwahe it's just how do you contract for Indian Child Welfare.

**Jeannine Brooks:** That's something I'll have to look into because I'm not sure. Sure, I will definitely look into that now that I understand the question.

**Kitcki Carroll:** So are there any other examples outside of ICWA where there was a deadline for a tribe to get into be eligible for funds? So I'm thinking about the new Virginia tribes. They would have that same ICWA issue if I'm hearing you correct but are there other issues or other programs where that would be the same? Are they going to have access issues in other areas?

**Hankie Ortiz:** Let me add something to that. ICWA is kind of unique too because ICWA was initially...it was given out in grants and then at some point it was distributed among the tribes and then it has been considered base funding or been given to them on a recurring basis and ICWA is one of those unique funds that also is 100 percent just given to the tribes. We don't keep any part of ICWA in Central Office for administration or for anything. It all goes right out to tribes. So it's my understanding that all the money is already being distributed so that's why that's a difficult question of how do you contract for

something. Because usually when you contract under the Indian Self-Determination and Education Assistance Act, you're contracting the funding that the Secretary would have otherwise provided for that program, function, service or activity. And so if the Secretary's not providing this because all that money's going out to tribes, I don't know that there's anything to be contracted that's left on the table. But that's kind of the question and that to me is why that's a little bit difficult.

**Rick Harrison:** Well, with that information then we would also need to have an idea of how many tribes fall in this category to figure out a number to make a request for.

We could probably get you the list of tribes that do get ICWA funding and then from that deduce who doesn't get ICWA funding. So we can look into that too.

**Kitcki Carroll:** So I have a request then and this may be too simplistic of thinking but this has been my general understanding. So prior to Bruce's arrival we had a situation where when our tribes on an annual basis were going through the budget prioritization process, they were only being made aware of those program items of which they had contracted or compacted for. It's only been in recent history that our tribes became more aware that there's actually this list of 125 programs that potentially you could pursue contracting or compacting for.

So the way that we always understood that was tribe either chooses to contract or compact for certain program line items, for those line items that they do not contract or compact for, the understanding is that the federal government then provides that service, right? And when we were in the last process, the question that I asked was, is there a single tribe that exists that contracts or compacts for everything and the answer was no. So that means that every single tribe relies on the federal government for something. So the question that I have then is, I would be interested in knowing and this is part of that budget process and this is a federal request, what of the BIA line items, program line items, does this sort of nuance exist where a tribe may not be eligible for a particular line item for one reason or another and I don't even know what that would be. I know we're having an ICWA specific conversation and I hear the nuances being tied to that respond but now I'm starting to get concerned that that may not be an anomaly and that may exist in other areas too. So what I need to know from the feds for this larger budget process is a listing of any program line items that a tribe may not have access to for whatever that reason is because otherwise we're going into the budget process with the assumption that that tribe either contracts or compacts for it or the federal government is providing that service. That's our understanding. So if that's wrong or incomplete, then somebody needs to tell us that.

**Jim James:** No, I hear it. I hear the request. No, we'll try to put that comprehensive list together. Obviously one of the things that everybody is aware of, those functions that are inherently federal, of course there's not a checklist that you can apply to that or those items so we just need to kind of wrap our arms around that and then work with the tribes to try to find that as best we can.

**Comment:** It's going to be really hard for the Bureau to provide that information to you because they allow regions to determine what are inherent federal functions. So every region gets to decide how much money is going to be allocated for inherent federal functions and for which functions and so there's no centralized way to collect that information. So it's going to be difficult for us as TIBC to collect and analyze information because it will vary from region to region.

**Jeannine Brooks:** I want to say that may be for the inherently federal but I think more what Kitcki's running along in the lines of what ICWA is falling into is the fact that it is all 100 percent base dollars. So

at the very minimum we could do that and figure out which of our lines, and a lot of them are going to be TPA lines, are already 100 percent base dollars so that we don't have any money there to give so that there's no direct service going with them that we can actually have more money to give to someone. So that we definitely can do. We can look at all those TPA lines and figure out which ones of those are 100 percent base dollars so there's no extra funding so in order for a new tribe to contract or compact we would actually have to request additional funds to make that happen. At the bare minimum we can do that and go through the lines. But we can look at the others too and see what might...what is currently being considered inherently federal. Even if we have to go region by region and figure that out, we can do that. It might take us a little while longer on the inherently federal but we can get to it. And that's the issue with ICWA that Hankie was just talking about. It's 100 percent base dollars out through compact and contract so there's nothing left there for anyone to take at this point.

**Jim James:** I'm curious by the comment earlier about regions get to decide because if that's the case then we're doing something wrong. So it should be it's a federal function and it's across the board. So we'll try to wrap our arms around that because I think in all fairness to tribes, they need to know what it is that they can contract and what we need to retain. Thanks for asking the question, Kitcki, because I think that generates a more comprehensive review of how we do that.

**Brian Shay:** Cherokee Nation, Eastern Oklahoma Region. We have a tribe in our region, it's not the Cherokee Nation but we have a tribe in our region that has repeatedly attempted to contract Higher Ed funds and the response they've received is, 'There's no money available. Sorry.' And they've...there's another tribal entity that has received funds on their behalf and this particular tribe has never submitted a tribal resolution in accordance with 93-638 to authorize the other entity to receive funds on their behalf. So when we get back, we're going to get questions from this tribal government. 'What should we tell them? How do they... There's no money, there's no shares available, we can't take it from other tribes.' That's the answer they've always received. What do we tell them? How do they actually get into the budget request and get into that process so they can provide education funds for their citizens?

**Tony Dearman:** I would say have them get hold of me.

**Jim James:** And basically it would be the same thing. If you are requesting to do that, that is the right path to go but if you're not getting the right answer at the field level, then you would actually step to Tony and Bart and company. Your program directors should be looking at that because what it comes down to is just like I said with ICWA, it's going to have to be part of a budget request in order to have additional funds. So it would have to be something that is put before folks and made known so that it can be considered. Whether or it'll make it or not, that's a different story. We all see what comes out of Green Book in discussions and deliberations but at least make sure it rises to the top, that folks know it's there. It's an issue that I didn't know about so it's nothing that I can take to the table. But if you're not getting the answer you want, keep pushing and I'm always there. You can always send it to me.

**Rick Harrison:** So Jeannine, I just brought up a thought with Hankie bringing up the new tribe's money, the \$160,000, and I've seen that in the budget. That's just a one year, one time funding, isn't it?

**Jeannine Brooks:** No. When funds go on for new tribes, this'll be the first time the Virginia tribes are actually put in the omnibus because they're the ones that recognized them. Normally if we go through the normal recognition process it takes two years to get the money in place. But once that money is placed there, it stays on that new tribe's line for two years because that's how long our budget process is. Then that money will be based transferred into Aid to Tribal Government for those tribes. So they will

keep that \$160,000 as part of their permanent base. And then as new tribes come on, we have to go back and request another \$160,000 for any new tribes that come behind them. So they will keep that funding.

Generally, since it's a pot of money that wasn't appropriated for a specific purpose on a program line, we just put that to Aid to Tribal Government because that's the money they're giving them to do their initial tribal government set up and carry out so it's placed within that line.

**Gay Kingman:** We would like to recommend that schools, the BIE schools, become part of the survey along with all of the other tribal programs.

**Rick Harrison:** I think Tony's heard us and I'm not sure that he was even in disagreement with it from his comments. We will place this in the action tracking so we can keep track

#### **Agenda Items for Next Meeting**

- Broadband, Department of Commerce or that FirstNet, or USDA (Rural Broadband)
- Roads Survey Report
- Subcommittee Reports
- Strategic Plan

**Meeting Adjourned**