

**Department of the Interior Tribal Interior Budget Council
November 18-19, 2015, Minutes**

Opening Remarks	1
Tribal Caucus Update.....	3
Land Buy-Back Program.....	5
DOI Budget Update.....	7
Office of Wildland Fire.....	9
Cyber Security Update.....	13
Day 2, Opening Remarks	15
Tribal Data Exchange Update	16
Update from White House, Cabinet Affairs, Alison Grigonis.....	17
FY 2018 Budget Formulation Process.....	18
New Business - Navajo Nation.....	20
One-Stop Shop/Crosscut	20
Strategic Plan Update/Need for Tribal Input.....	23
OST Update.....	24
Public Safety and Justice Funding.....	25
Tribal Interior Budget Council, Public Safety and Justice Workgroup.....	28
Small & Needy/Tiwahe/Domestic Violence Updates	29
Education Reform	33
Tribal Colleges Update.....	36
New Business - Red Lake Budget Proposal.....	40
Old Business/New Business.....	41

Invocation: Buster Atteberry

Approval of Minutes: Lorenzo Bates moved and Jefferson Keel seconded a motion to approve the minutes. Motion carried.

Opening Remarks

KEVIN WASHBURN: Great. Thank you. This is a really important process. We're working through the budget and trying to figure out what your priorities are.

Acknowledgement of Tommy Thompson: Tommy Thompson is our Deputy Assistant Secretary for Management, which is the highest career level person in my office. He's been here since a little bit longer than I've been here, so more than three years working this position, first as an acting and for about the last three years as the named permanent Deputy Assistant Secretary for Management.

He's been an absolute pleasure to work with the last three years. One of his great strengths is his sense of humor. He's often got bad news because we're dealing with the federal budget, but he always delivers it with humor and grace. He spent 20 years working for the Cherokee Nation. No one has worked harder for your budgets. He's always trying to make things work a little bit better within the federal government. And so it's been my great joy and frankly, my good fortune, to be able to work with him the past three years. So we've got a special plaque to honor his service.

TOMMY THOMPSON: It has been my pleasure to serve this august body. One of the most difficult tasks is trying to translate to OMB, the Hill, and everybody else that you have to make those arguments for on behalf of the tribes. I think one of the things that we were able to do was with Tiwahe, actually put a face on that and identify a problem and see the actual rewards from that. I hope we will continue to look at our budget from a personal perspective rather than just numbers in a comp table.

I have had the honor of working for a number of great leaders, and I put Kevin right up there with him as far as caring about what he's doing. We had that conversation when I was acting as to what he wanted and whether I could fulfill that mission that he was trying to drive for. And, obviously, it was the same mission. We have made improvements, but we have a long ways to go. And one of the things that I have carried is a campaign slogan from Wilma Mankiller. You know, "Positive People, Powerful Results." And until we've walked in someone else's moccasins, let's don't criticize the way they walk.

Our obviously internal next big date is here in a couple of weeks when we get our pass-back for OMB that we will have to start to work to obligate or negotiate that through the process. But we will have a lot of ground to cover, but I think we have a golden opportunity to move Indian Country forward and support the mission back home.

KEVIN WASHBURN Opening Remarks

One really large accomplishment is our Right-of-Way Regulations. They hadn't been amended in many years and we have a lot of different legal authorities through which we can do rights-of-way, but we decided we were going to start doing it in a much more uniform way. Before, there might be a right-of-way, a railroad right-of-way or something out there that had been there for years and other people came along and tried to use that right-of-way for other purposes without getting any new compensation for the tribe. We call that piggybacking; someone puts another purpose -- puts a telephone line or telecommunications line or a road across an old right-of-way and they don't want to pay compensation -- we've ended that. The new right-of-way regulation provides that it's only a right-of-way for the scope of use authorized; and if someone wants to piggyback on that right-of-way, they're going to have to go through the process again and presumably pay new compensation for that.

The Supreme Court issued a decision in *Strate v. A-1 Contractors* that said that states have jurisdiction on rights-of-way, tribes don't. In our right-of-way it doesn't constitute fee land, that if we approve a right-of-way, we will only approve it if the right-of-way clearly states that the tribe retains jurisdiction on that right-of-way. So it's got a *Strate v. A-1 Contractors* fix. One of the other things we have done is we've doubled down on our preemption of state taxation. We've provided in our right-of-way regulation that states cannot tax the business activity on that right-of-way or tax the right-of-way itself for any improvements on it. If a tribe has an interest, even just a fractional interest, in a piece of land, it can veto any right-of-way across that land. Secondly, if a tribe negotiates a compensation for that right-of-way, we will defer to that compensation amount.

We are continuing to work on our Indian Child Welfare Act regulations. Our guidelines are out and we're continuing to work on the rules.

The President asked for mandatory funding of contract support costs in the future. We don't know if the Congress will do that, but we think they will give us full funding. We've also worked to address the past underfunding of contract support costs. If you've had a 638 contract in the last 20 years, it is very likely your tribe will get a check for past contract support costs that were underpaid. We have a tentative settlement of \$940 million that goes to each of the contracting entities that we've contracted with over the last 20 years or so. So that's got to be approved by the Court. The contract support costs chapter is nearly closed. That is an obstacle to good tribal self-government and tribal self-determination. We're paying you full amounts going forward, and we're trying to make it up for you for underpayments in the past through the settlement.

The secretarial election regulations are also very pro-tribal self-determination. We invite people, in the preamble of those regulations, to take out the requirement for secretarial elections out of your tribal constitutions, because there's no reason the secretary should be approving your elections. But some of you still have in your constitutions a provision that says the secretary calls certain elections. And it's your constitution; it's not the secretary's, so we think that should be taken out of there.

But, in the meantime, we've streamlined the way we run secretarial elections, and we think that will be a big improvement. Thanks again for being here.

Tribal Caucus Update

RON ALLEN: We appreciate all the areas that you talked about, the CSC settlement and the CSC policies as we're going forward. We know that there are some provisions being considered on the Hill to try to create a firewall between the CSC obligations versus the programmatic needs of Indian Country. We are hopeful that language will be in final appropriations bills that allow the protection of that particular matter.

LORENZO BATES: I'd like to read into the record a request from the 23rd Navajo Nation Council, as well as from the president's office. When the 23rd Navajo Nation Council came into office, we developed priorities as they pertain to the Navajo Nation. And one of those priorities is what we referred to as the Bennett Freeze.

"Dear Gentlemen, on behalf of the 23rd Navajo Nation Council and the Navajo people impacted by the Bennett Freeze imposed by the federal government, we are requesting the U.S. Department of the Interior Bureau of Indian Affairs and other federal agencies to create a budget line item to rehabilitate the former Bennett Freeze area in order to improve the basic quality of life for our people.

"In 2012 a line item was created in the amount of 1.2 million for the redevelopment of the former Bennett Freeze under the President's budget-strengthening Tribal Nation Trust Natural Resources Tribal Priority Allocation line item. The budget line item was created to complete the integrated resource management plan and currently is in 30% draft review.

"In 2008 funding in the amount of 1 million was provided to conduct a ground assessment and to create a priority action plan. This has been completed, and copies were provided to the federal agencies and our Congressional leaders.

"The background to this is that in 1966 the federal government issued an administrative order imposing a construction freeze on the Navajo Nation west of the 1882 reservation. This directive is commonly known as the Bennett Freeze. Under the terms of the freeze, no construction or development could occur on this land. In 1974 Congress passed the Navajo-Hopi Settlement Act, which created a structure for partitioning the jointly-held 1882 reservation lands, established a federal agency to relocate Navajo and Hopi people living on land partitioned to the other tribes and has also authorized a lawsuit to determine the ownership of the 1934 reservation lands. The freeze remained until December 2006, when the tribes dismissed the litigation.

"The impacts, the former Bennett Freeze area covers over 1.5 million acres in the northeast corner of Arizona and western portion of the Navajo Nation consisting of nine chapters. More than 12,000 Navajo people living in the area were subject to this freeze on development, which contributed to poor living conditions, therefore impacting the quality of life for our Navajo people living in the area. Those who could not live without the basic necessary services, especially our young people with families, were forced to make the difficult decision to leave their communities for job opportunities and better living conditions elsewhere."

So with your permission, Mr. chairman, I would like to submit this as well as to Assistant Secretary Washburn for their consideration in moving forward. And as I indicated earlier, this is a priority of the Navajo Nation, as well as other priorities; but this is something the Navajo Nation Council is looking to and working jointly with the office of the president and vice-president in addressing the situation as it impacts our people in Navajo.

RON ALLEN: We will address this under New Business.

- Jefferson Keel moved to accept the agenda, seconded by Rick Harrison. Motion carried.

ED THOMAS, JR.: We had several topics that we discussed this morning at the Tribal Caucus. We went in depth over the Tribal Data Exchange (TDE) update.

Discussion included: 1) Marketing communication outreach strategy to be developed to get more tribes utilizing the TDE system; 2) Expanding the TDE to include Tiwahe report, 3) there are currently 226 required reports, the system could be used to streamline reports and cut administrative burdens cost to tribes throughout the nation.

Merits of the system include that TDE is: tribally driven, centralizes data collection systems maintained and operated at a fraction of the cost to feds; program performance data is critical for budget justifications to OMB.

Improvement to be made: help assist tribes utilizing the system; system could streamline reporting process; adjustments to be made to website to make it more user friendly.

Number two: the U.S. Commission on Civil Rights, the commission's last report, the Quiet Crisis, helped identify resource gaps. Reports are an important tactic that tribes can use to demonstrate budget needs. The draft was released in April, expected to be finalized before June.

The budget update: Interior appropriations, House and Senate both have their own versions of the bill. The House increases Bureau of Indian Education, and the Senate increases care. Tribal-base programs, tribes hope to achieve increases in both areas. Interior receives additional funding from caps being raised; money should go to support base funding and care, tribal programs that were drastically impacted by sequestration and permanent recession. Fund tribal priorities, not just Presidential priorities. Oppose funding trust obligations through grants. While have tribal nations briefing book outlines many issues, we feel that administration could get done with remaining time left, institutionalizing nation-to-nation relationship. Build taxation, trust modernization in two areas. Administration may be able to do something about Congressional challenges to secretary authority. Tribes are concerned about challenges to the secretary authority and the precedent it may set.

U.S. Fish & Wildlife Service and other agencies, tribes want other Interior agencies to attend TBIC and engage with tribes. Agencies need to hear from the tribes regarding their needs and not to have the needs dictated to them. Agencies need to share funding opportunities for tribal programs and have tribes' needs assessed. The tribes need these funds. Tribes want to know how dollars are being spent.

RUSSELL BEGAYE: We're asking for support on the tribal energy deal because it provides authority over minerals from Indian nations, particularly, Navajo Nation. We want to be able to have complete say over our natural resources, coal, oil, gas, uranium, and any type of mineral that's in the ground.

Secondly, we do want to, through the tribal taxation bill, we are again dual taxation. We want to see that change because that really hampers; it kills, basically, economic development in Indian Nation, especially Navajo.

And also, we want to see the expansion on jurisdiction over non-Indians committing any crime on tribal land. VAWA has given us an open door, but we need that jurisdiction to apply to any crime on Indian land.

And, of course, also we are encouraging the Bureau to address El Nino that's coming our way.

And, then, of course, we just read into record our request for the Bennett Freeze.

RON ALLEN: The Northwest and the Great Lakes tribes have been deeply concerned about what we consider are "our treaty rights at risk." In our treaties we reserve the resources that are important to our cultures, whether it's fish, timber, etc. We're concerned about the federal government's ability to do its job in order to protect or restore those resources that are embedded into those treaties. So that issue is an issue of having the capacity to engage not just with the federal agencies that are responsible, meaning EPA,

Army Corps of Engineers, and all the other departments and agencies that affect our interests. So that's an issue we want to make sure is on your radar as you're examining the '17 and '18 budgets.

Another area that was of concern to the Northwest and I think California and elsewhere was fire protection. We had a lot of fires in Washington state, Spokane tribe, Colville tribe, for example, got hit hard. I know California tribes got threatened. The main issue was the resources that are made available in order for the tribes to effectively fight those fires and protect those treaty rights.

KEVIN WASHBURN: On land into trust in Alaska, there isn't a lot of new information. The state continues to maintain its lawsuit against us. The one new development is that we had actually moved to dismiss that action on the basis of mootness, and the state opposed that motion, too. We are still litigating. There are some tribal leaders that are talking with the governor about possible routes for settlement. We've said to the tribal leaders that if they and the governor want to come up with a compromise, we'd be willing to consider what that is. It just means that we've got to wait. We've got to wait till the court decision is won before we can actually take action. And this DC Circuit, moves -- all courts move slow, and so it will be a while before we know. But I'm hopeful that those discussions might produce something eventually for us to consider.

RON ALLEN: We all are aware of the budget deal that was struck in order to deal with '16 and '17 increases that are being proposed. The question is what's the process in terms of if Interior gets X, whatever the number is, then how does that get determined where it goes in the budget?

KEVIN WASHBURN: Basically, they try to follow the Green Book as best they can, which is the process that we all are participating in. We're here to help formulate the budget for FY 18, and that's the Green Book process. We will release the Green Book for FY 17 in February, presumably.

Congress doesn't have to follow the Green Book, and so to some degree, this is in Congress's control, because they are now trying to figure this out. It depends if they give us a top line amount and say, "We don't care how you distribute it within your agency." They tend to do that with some pots of money but then be pretty prescriptive about other pots of money.

We're certainly having conversations with appropriators right now. One of the things we're doing is trying to keep these policy riders off that you told us in August that you wanted us to keep from having attached. So we've been negotiating with Congress on each of the policy riders that have mostly nothing to do with the budget that are on there.

RON ALLEN: Okay, for the most part, we won't know till we get closer to the December 11, when they have to have a final deal. I think it's important for all of our tribal delegates to remember, we're here gearing up for the '18 budget. Meanwhile, the '16 budget that we're in is in limbo. So we don't know how the dust is going to settle or if there is any type of sequestration or any kind of holdbacks at all within the budget, as well as '17's embargo, but on the other hand, we can still make our points to you as the President is unfolding his budget.

Land Buy-Back Program

JOHN MCCLANAHAN: the Program Manager for the Land Buy-Back Program.

Handouts: status report on the Land Buyback Program, 2015

Link: https://www.doi.gov/sites/doi.gov/files/uploads/Buy-Back_Program_2015_Status_Report.pdf .

This presentation will review our accomplishments so far, how we're supporting tribal sovereignty, and then how we've got a new planning initiative to add additional locations to our schedule of implementation.

In less than two years we've paid out \$715 million to individual landowners that voluntarily decided to consolidate fractional interests to their tribe. That resulted in over 1.5 million equivalent acres being consolidated for 18 different locations. So we've really achieved a huge amount of progress in just a short amount of time. And I want to pause and just recognize that, as we've said from the beginning of the program, that success would not be possible without the close partnership and teamwork not only with Interior but most importantly with the tribal leaders and their staff. We have 25 agreements with the tribes where we've implemented the program so far, so we really are working closely with each of those locations, and the folks that tribes have hired have really worked well with us. And, again, this success, this \$715 million and 1,500,000 acres wouldn't have been possible without your involvement.

I also want to point out that that has happened in a short amount of time with using a very small amount of the dollars available for implementing the program. So the costs for appraisals and outreach and title work have only been \$35 million. So it's only 13% of what we're able to spend.

There are a total number of landowners with fractional interests of about 246,000 landowners right now. And we gave quite a few of those folks an opportunity to participate in the program; basically 66,000-plus people have gotten an offer to consolidate interests. Not everybody has accepted those offers, but at least we've given a shot to many people to participate.

This table on page 19 lists the locations where we've made offers so far and how much we've paid out and the total acres that we've consolidated. We've ordered it by the total amount paid to individuals. Crow is at the very top. We've paid out \$130 million to landowners with interests at Crow. We did that in less than 45 days. There are actual on-the-ground uses that tribes are already making of the land. One of the things to take away from this is how well the appraisal worked. We did a mass appraisal at Fort Belknap, like we've done at many other locations in the Great Plains and Rocky Mountains. It's incredible to see that whole reservation, a great part of the fractionated lands being appraised and getting offers. We doubled the land base of Fort Belknap in the program.

At the Fort Belknap community, after the program, not only did they have some surface tracts where they were able to exercise their sovereignty, but also subsurface. The amount of decisions that can be made, the land use that can actually occur now is greatly enhanced for Fort Belknap. We share these maps with tribes to show where they can make decisions, whether it's leasing or protecting the land, which might result in great income for the community. Mapping is a good tool for the tribes to know where they might want to focus their efforts.

The total reduction in fractional interests across Indian Country went down a bit after the program started to purchase fractional interests in December 2013. The 18 places that we've been, the total of fractional interests were reduced by 20%. 35% of the fractional interests were reduced at Fort Belknap and same with Pine Ridge, all really good results with the program.

The Crow Nation has a site for a water plant that they need for drinking water that is now 100% owned by the tribe. They're in a position to implement their water settlement. The Squaxin Island Tribe consolidated lands on their island so that their oyster beds are protected from the possibility of development. Umatilla, where some offers are outstanding right now, were able to get some lands next to their existing cemetery or burial grounds, which they needed to expand. Gila River worked with us early on in the program to get some lands for a utility corridor that's really something that they're trying to pursue to bring economic development to the community there.

Finally, we have 42 locations on our schedule right now. The sooner we start working with tribes, the better because our whole goal, the main goal of the program is to align our resources with what's important to the tribe. So we want to know what tracts are most important to you as the tribal leaders, and we want to try to appraise and consolidate those tracts so that you're then able to pursue your goals, which takes time. With this planning initiative, we are asking those approximately 104 tribes that are not

yet on our schedule.

There are 42 places that are on our schedule right now, which takes us through about the middle of 2017. And then there are 104 locations that we're asking to let us know if they're interested in this program, and we want them to submit what we call a Tribal Expression of Interest if they are by March 11. We'll take that input and we'll also look at how many owners at those 104 locations have called us and said we're interested in this program. In the spring we are planning to announce additional locations where we'll bring this program.

So I would encourage those tribal representatives that aren't yet on our schedule to take a look at this planning initiative; and if you're interested, give us one of these Expressions of Interest, also online, which is basically two things: a resolution, designated point of contact, and then a narrative that describes the tribe's readiness to participate in the program.

Comments

KEVIN WASHBURN: They've consolidated 1.5 million acres. We've been working for six years to take land into trust, and we've only got 305,000 acres. They've done five times that amount in consolidation. John had to coordinate with OST, BIA, Deputy Secretary's Office, Office of Evaluation, several different units around, and with tribes all across the country and Regional Directors' offices around the country and superintendents. In only two years of making purchases they've put \$700 million to work.

JOHN MCCLANAHAN: Regarding the timeline, we're going into our fourth year. The settlement was approved by the Supreme Court in November of 2012, and we've got until November of 2022, if we need it, to implement the program. A year or two ago we were a little bit concerned with the provision in the settlement that says if you don't use the money by 2022, it goes back to the Treasury Department. Now it's looking like we're in good shape to use the funds probably before 2022.

ED THOMAS, JR.: You identified that this legislation doesn't allow this in Alaska. Should there be another reauthorization, will the administration work to expand the buy-back authority to tribes in Alaska, where we have a lot of fractionated Native allotments, so there's lots there but it's never been incorporated in this legislation.

JOHN MCCLANAHAN: Sure thing. Thank you.

DOI Budget Update

KEVIN WASHBURN: Olivia Ferriter is Deputy Assistant Secretary for Policy Management and Budget in the Department of the Interior. So they work on the whole department's budget and of course ours. And those are the people that, they work directly with the appropriators. We always route our communications through PMB, and they do a great job.

OLIVIA FERRITER: I'm here today to share the latest information that we have on our budget and to assure you that our Indian Affairs programs continue to be among the secretary's top priorities. The Congressional appropriations committees are now working on our FY 2016 funding. They are using FY 15 as the baseline. As a reminder of what happened in '15: Congress enacted \$2.6 billion for the Bureau of Indian Affairs in 2015 and that was a three percent increase above 2014. Contract Support Costs were fully funded for the second year in a row. The Tiwahe initiative continued to ramp up, with an increase there. We were able to see increases for the -- actually, the Tribal Climate Resilience work was maintained at \$9 million. Congress funded the Tribal Grant Support costs at a higher level. They also funded construction funds to complete construction of the Beatrice Rafferty School in Maine.

With FY2015 as that baseline, the FY2016 President's budget request represented a very, very high bar for funding Indian programs, and what we saw were major increases, not just in Interior but also government wide. The Interior's budget was part of the administration's all-of-government approach to Indian Country.

The President charged the cabinet-level secretaries to work together and to really make a difference for Indian Country. His budget request had not only ramped up funding for tribal programs in Interior but also for Health and Human Services, Justice, Education, Energy, Housing and Urban Development, Transportation, Veterans Affairs, and the Environmental Protection Agency. The total requested increase across government was \$1.5 billion.

For Interior we requested \$2.9 billion for Indian affairs; it was a 12% increase. We had some pretty clear goals in mind in crafting that budget. One, support tribal management of Indian programs, improve services to tribes, improve Indian education, address social issues, and address climate change. So that's what you see in the 2016 budget request.

Again, we call for full funding for the Contract Support Costs, and also we had a proposal for moving those to mandatory. For improving services to tribes, I know many of you have heard about the one-stop support effort: this is something that has been initiated with the idea of having kind of one place to go to to get access to services. There is a pilot that has begun that is focused on native view.

Likewise, we have a proposal for Indian energy service center. It was funded on the House side, not on the Senate, so we would expect to see some kind of meeting of the minds for that. As many of you know, we requested \$1 billion for Indian education programs and school revitalization; this represented a \$153 million increase. And that was also -- we took a very comprehensive approach, looking at the Indian education programs and what we really need to make those better for everybody. We requested additional funding for the Tiwahe initiative and a real ramp-up for the Tribal Climate Resilience Program. We requested a really huge \$50 million increase to this program, and it represents really the attention that the President has given government-wide to help in communities of all kinds to prepare for climate change.

Across Interior, not just Bureau of Indian Affairs, our Native American programs total \$3.6 billion; and for 2016 our request was for an increase of 384 million department-wide.

Neither the House nor the Senate gave us everything that we asked for, which hardly ever happens. The good news is that both the House and the Senate had marks that were higher than FY2015 for Indian Affairs.

The House mark is roughly \$165 million above 2015 enacted. It is below the President's request, but still that represents a pretty strong increase over the previous year. The House did not fund our requested increases for fixed costs or for Tiwahe and some of the education initiatives. However, they did fund the request for tribal grant support and education construction.

The Senate mark, again, was over FY2015 by almost \$92 million. Again, it was below the President's request. It included our request for fixed costs, did not include the increases for Tiwahe and education.

We are currently operating under a continuing resolution until December 11, which puts us all on pins and needles, hoping that they're going to get their work done. Certainly, we don't want there to be the specter of a government shutdown, and we do know that the committees are working very, very hard to get their work done on time. It does make it more difficult for us to manage because we are working with only kind of a partial-year funding. It makes it hard to start anything new. And we know that this also has an impact on the tribes, and we regret that.

There are signs of progress. The President and the Congress agreed to a two-year budget agreement, which was good news for many of us. They raised the discretionary spending caps by \$50 billion in 2016 and \$30 billion in 2017. Then they also worked out a deal on the government's debt limit. The discretionary spending increases are evenly split between defense and non-defense. So for non-defense spending, which is what we are, there's an additional \$25 billion for 2016, but it has to be divided among all of the appropriations bills. So you could think that that might not go too, too far. We know that the staffs are talking between the House and the Senate, trying to work out their differences. They have not publicly

released the 302-B allocations. We know that they have them, but we don't know exactly what they are.

So at this point it's a little too early to predict the outcome for 2016. As I heard Kevin mention earlier, we've been trying our best to fight back on proposed riders that don't belong on our appropriations bill and many of which would hinder us in being able to get our jobs done.

The FY 2017 budget will be released in February. We submitted our proposal to OMB in mid-September, and we know that OMB is working very hard on all of the proposals that came from across government. Right now we are expecting to have OMB pass back to us -- so we gave them our budget proposal, they pass back their budget proposal to us. Typically, this would happen right after Thanksgiving, so we're looking at roughly November 30 for this. As far as we know, that schedule is holding. What we don't know is how the budget deal might change the numbers for 2017 overall. We didn't have that deal in place when we submitted our budget to OMB, so we're not entirely sure how that's going to work out.

OLIVIA FERRITER: Thank you. We're happy to answer questions anytime. You don't have to wait for these meetings. So, thank you.

Office of Wildland Fire

JIM DOUGLAS: I'm the Director of the Office of Wildland Fire, which is an office in the Office of the Secretary in the Department of the Interior. And I'll talk a little bit as I go here about what we do and our relationship to the Bureau and the tribes and the Wildland Fire program.

The Office of Wildland Fire is a policy and budget office in the Department. We're responsible for the coordination, policy development, oversight and management of all the programs. We are not an operational office.

Our job is to provide some cohesion, cogency, organization to the overall Departmental programs. So the operational, on-the-ground programs, the Bureau of Indian Affairs and the other three bureaus in the department; and of course, in the Department of Agriculture we have the Forest Service with a much bigger fire program; and then we have our partners in states and localities and so on. So we provide national program oversight. We allocate the budget for Fire within the Department. We do a lot of strategy development, partnership work, try to manage the investments and information technology that support all of the activities for all of the Bureaus and ultimately provide advice and counsel to leadership of the Department. Contrast that, then, to the role that the BIA and the other agencies have within the Department for actually implementing and executing the fire management programs, policies, actions and so on in the Department.

Since this is a budget council, I thought maybe we could talk a little bit about budget and where we are and what we're doing. So as Olivia just mentioned, we are still trying to extract a final budget from the Congress. So what I'm laying out here is what we, as the administration and as the President have proposed for 2016. So you can see where our budget for the Department is broken down. Now you can see that our budget is broken down into these major activities. There are three principal areas in the Fire budget: preparedness, as you know, everything we do to get ready for fire; suppression operations, the costs of actually fighting the fires; fuels management, the various activities to mitigate risk in a variety of ways; and then some other smaller programs, post-fire support for facilities, support for science activities. But the big three are the preparedness, suppression, and fuels. And the preparedness and fuels we allocate from our office out to each of the four Bureaus in the Department based on historic workload, needs, and so on for both preparedness and fuels. Suppression, the money there flows to the areas that need it during the course of the summer. So I have a pretty good idea at the beginning of the year, historical patterns; but as funding requirements come up during the course of the year, we make sure that the Bureaus that are spending the money on fire get that.

An important part of our 2015-16 and I expect it will be part of our 2017 budget proposal, as well, is to continue to emphasize the need for reforms to the way we pay for suppression, and that is the what we call the Budget Cap Adjustment. And the basic bottom-line message there for us is that we would like to pay for fire the way we pay for other natural disasters in this country, which is we have a fairly fixed idea about how many tornadoes and floods and earthquakes and so on there are and a routine amount of money. We don't know where and when, but we know as a country that -- and through FEMA how much gets spent on those. And then we have the extraordinary events, the big ones, which FEMA gets extraordinary funding for. And we want to model the way we do Wildland Fire in the same way is that we have about 70% of our fires or about 99% of our fires cost about 70% of our budget. So we are emphasizing to the Congress that we'd like to make sure that we get a core funding for that 99% of the routine fires, which is 70% of our 10-year average; and then that extraordinary one percent of the fires which costs us about 30% of our overall budget, on average, over the years fund out of a separate budget cap and budget supply, basically, with the way the Congress and the administration allocate dollars. That, in our mind, would both recognize the truly emergency and extraordinary nature of large fires but also allow for freeing up funding for investments in those kinds of activities that will reduce risk and reduce costs in the long run both in fuels and preparedness areas.

A little bit about the year that we're just closing out, 2015. We had about \$960-some million dollars that we obligated, which is an increase over the prior year by 100-some million. But the real big message every year, as you know, is how much we spend on suppression. We get a budget up front for preparedness, a budget up front for fuels and the other programs. But what the big variable is, as I just spoke about with the cap adjustment fix, is how much money we spend.

So we have a little bit of an internal bookkeeping issue called a FLAME account that we get money appropriated from Congress in two different ways, and we move that money around as we need it. But the bottom line, I think, for all of us to understand is that last year we spent almost \$420 million in the Department of the Interior on suppression, which was an increase of almost \$100 million, \$90 million over the year before. We were fortunate that we had carryover money from 2014 that was able to carry us forward; but as you've experienced and I've certainly experienced over the years, when we run over the appropriated amount, we start having to borrow from other programs and activities in the Department. And so one of the big reasons we wanted that budget cap adjustment is so we don't get stuck with that problem of in the past. So a \$90 million increase from 2014 to 2015, and we will see about 2016.

A couple of other programs that are very important to Indian Country that I wanted to mention, and that is what happens after the fire. So we have two programs that are available from the fire accounts. The first is called Emergency Stabilization. Emergency is these are things that we cannot budget for in advance; we don't know what they are. It really focuses on what can be done immediately to deal with soil and -- soil erosion, basically, wind and water, but also in many cases what we can do to keep invasive species from coming out.

The second program is the fire program is Burned Area Rehabilitation. This is really a bridge from fire activity into long-term restoration and recovery programs in the Bureau of Land Management Bureau programs that are associated with land management are responsible for, and that is again starting to bring back landscapes that are not going to recover on their own. Our operating assumption is that fire has been a natural force and will continue to be a natural force on the land. Most of the areas that we manage and deal with are fire adapted, have responded to fire, will recover from fire. But when we get extraordinarily damaging fires, the natural environment doesn't recover on its own. Unique to the Bureau of Indian Affairs is that we allow funding from this program for reforestation, commercial reforestation.

Wildland Fire Resilient Landscapes: we asked in 2015 for \$30 million for this program, and Congress said you can spend \$10 million out of your fuels program. We've asked for the same \$30 million in 2016, and so far the reaction of Congress has been about the same. We await their final bill.

This is place based rather than organization based. Our regular fuels management, hazardous fuels program over the last 15 years or so has been about giving money to organization, first from me to the Bureaus in the Department and from within the Bureaus down to their units and those units doing projects, fuels management projects, whether they be about community protection or whether they be about forest health or risk reduction from catastrophic fire. Whatever their purpose were, they were projects that were sponsored by, oriented and conducted at that unit level.

The Wildland Fire Resilient Landscapes Program takes a different approach; and that is to take a place and find the partners associated with that place. It's explicitly tied to matching contributions, not necessarily matching dollars. We ran a competitive process early in the calendar year 2015 with the \$10 million; we were able to award 10 pilot projects in a number of areas around the country. We received 29 really good proposals; we wish we had enough funding to fund all of them, but we ended up with funding 10 of them.

A number of the projects have Indian Country partners. The BIA is the lead for a project in Santa Clara, where Pueblo is the lead agency with a bunch of supporting partners. We're in the process of evaluating the performance on those 10 projects, pilot projects that we awarded funding to, and I think our bias is to continue with those 10 if they're performing well so that we can give that dependability, stability and predictability to ongoing investments.

No presentation on Wildland Fire would be complete without a reminder about the Cohesive Strategy and how important that is to what we do. The three major goals of Fire-Resilient Landscapes, Fire-Adapted Communities, and Safe and Efficient Effective Operations really underpin everything that we do in the Department, how we expect the money to be used, where we place our priorities, but also how we work with partners.

I wanted to mention that over a year ago we put out a formal consultation policy from my office, that we'd been doing it in an informal, less-structured way in the past. We have a formal policy to adhere both to Presidential and Secretarial direction, but also common sense and good management in terms of effective engagement of tribal leaders, both on a formal and informal basis. I've had the opportunity to do consultation really at both levels, getting out on the ground with folks, meeting informally, at committee meetings, symposia and so on, but also face-to-face consultations.

Things like climate change challenge us a lot. It's sort of death by a thousand cuts; every year there's a slight change, slight change, slight change, and then we look back after a number of years and we see that the world has changed dramatically. We'd like to be better about anticipating that change, managing towards where things are going to be in the future.

The Forest Service and the Interior sponsored what we call the Quadrennial Fire Review. It's a similar process to what the Defense Department does, Homeland Security does, Transportation, Energy, other places.

We ask what are some alternative futures that might be out there? What would the world look like if we continued down certain paths? And those could be certain funding paths, environmental, climate-change paths, social. What alternative future do we prefer?

They identified four different places we could be in the future. The sort of the Hot, Dry and Out of Control one is that fires are increasingly intense, big, out of control, and we've lost control of the situation as land managing agencies. A Suppression Centric one, in which we get out of the land management and fire management business and we get into the fire department business and what that might entail for us. Another future is kind of the Resilient Landscapes, Cohesive Strategy future, which is that we have a collaborative working environment, we have fire-adapted communities we learn to live with and live among and use fire and respond to fire where it's bad but utilize fire where it's good. And then a Radical Change model, where we get out of the business of having land managing agencies do fire and we get into the

business that there's some kind of central management authority to respond to an increasing fire threat and how that might look.

We would like to be in Scenario 3, quite frankly; and I think that's where a lot of us would like to be there. And this is what we're going to be working on from sort of a big-picture standpoint over the coming years is how do we avoid getting into the three boxes we don't want to get into and how do we do things that gets us into the box where we do want to be, which is No. 3. And so investing in land management activities, fuels management, for example, is a good way to reduce risk and improve forest health and management and get into that. So a way to help guide us to think about what we want to advocate for and what we want to stay away from.

QUESTION: What percentage of that funding is utilized in Indian Country, and what's the process to get that funding there or for tribes to access that funding?

JIM DOUGLAS: Where there's a need, the money flows there. So post-fire on any given incident, if there's a need for immediate actions, we have an overall total cap that we try to stay within, but it's a pretty big cap. It is wherever the need is. There's no allocation that says the BIA gets a certain amount and the Park Service gets a certain amount and so on. Myron Harbinger on Aron's staff certainly can tell you over the years how much has gone to Indian Country and different places. But it's strictly need based.

QUESTION: What about Alaska?

JIM DOUGLAS: We don't do Emergency Stabilization in Alaska because the land forms are completely different up there. They don't have the slopes and the erosion problems and so on that Emergency Stabilization is designed to address.

GREG ABRAHAMSON: In the Northwest we've had quite a few acres get burned between the different reservations from Warm Springs, Yakama, Colville, Spokane, Nez Perce, probably 300,000 acres that got burned. We're going to lose a lot of that area to erosion and that there and to some of those creek bodies in those areas there.

JIM DOUGLAS: Both the Emergency Stabilization and the bar money go directly to that incident, to that location. So it's not like there's an allocation to the region or there's an allocation to the agency; that money is justified, need to be spent on that ground that burned for that reason. So there is money being spent as we speak for Emergency Stabilization on the Colville, on the Spokane, etc., as a result of those fires. It's the tribe working with the BIA.

GREG ABRAHAMSON: Does that help with a lot of the timber that has been burned as you try to make the lands better there? Is some of that able to be used for that there, because we're in the process right now, I know the Spokane Tribe and the Colville Tribe are trying to harvest as much as possible; but there's only a certain amount of mills that will take it there. On the Spokane Tribe we had, I think, 38 million more feet affected, and Colville's was like four times that much.

JIM DOUGLAS: So the salvage logging and the long-term restoration, reforestation, is really a forestry program, not a fire program. Both the Emergency Stabilization and the burned-area rehab are designed to be quick bridge, get in there right away, stabilize the situation, get the process started; but they're not forestry programs. So that's where -- and we've been working closely with Dave Koch and folks from the Colville and I think your tribe and so on in terms of identifying what those requirements are and helping coordinate the work that happens between the two programs. But really our funding is designed to be -- stabilize the situation, not to deal with the long term. That's a forestry area program to deal with the long term.

Cyber Security Update

SYLVIA BURNS, Department of the Interior Chief Information Officer

I used to work at Indian Affairs in -- I actually started at Interior at Indian Affairs and as head of IT planning. So what I actually thought I would talk with you about, if you just want to follow along with the handout, is I'll give you a little overview on what's been going on with cyber. I'll talk to you about the implementation of this new law called FITARA. It stands for the Federal Information Technology Acquisition Reform Act, and it's another big deal that's going on. Phil Brinkley is our Senior Advisor for Information Resources and Indian Affairs. The BIE reorganization is a big priority for the administration at Interior. I'll also talk to you about priorities that I set for the Budget Year '18 and '19 cycle for IT and talk to you about next steps.

Interior was involved in the serious cyber security breach. We learned about it in April. There was the observation, DHS observed anomalous activity that related to stuff that they were already working on with OPM; and through their what they call Einstein sensors, which are basically tools that they have put at the Internet gateways where DOI gets to the Internet, they were monitoring those gateways, and they observed suspicious activity.

And that started an investigation that I would say lasted probably a few months. So as soon as we learned about it, I signed agreements to get the DHS and interagency partners from the federal government on the ground to start working on the data center. DOI hosts OPM. In our data center, they have various systems that they use to manage personnel information, personnel processes. We provide the hosting services for that. Through the investigation we learned that there were compromised credentials from OPM's side. There was a contractor on OPM's side who had their user name and password compromised and they ended up using their credentials to actually come into a trust connection between OPM and DOI to then go and basically breach OPM's system and extract data.

There were two incidents that were talked about in the news with OPM. We were involved in the first incident that involved personnel records. The intruder came in and actually exfiltrated a portion of the database that we were hosting for OPM. And out of an abundance of caution because -- and I think the total database, that's the one that had 4 million records in it; it was a small subset of that. But because we couldn't tell which records were taken, the decision was made that we should notify everybody. So we were part of that process in briefing the Hill about it, working with the federal community to do the communication that you ultimately heard about in the news. It was a wakeup call for us in that we needed to do a lot more than we had been doing in terms of IT security.

Indian Affairs was probably one of the better-off bureaus out of all of the bureaus and offices in Department of the Interior. This can be attributed to the hard work that they did when they did the reconnection to the Internet. So they were in a much better situation than other parts of the Department.

We instituted remediation. Ultimately we developed a strategic plan and formed a Cyber Security Advisory Group. Around June 23 the Secretary issued a Cyber Security Directive to the heads of the agency. We also had the IG, after we had our incident, the IG actually was doing their own study. And they identified weaknesses around publicly-facing systems that were in DOI. Now, it did not include Indian Affairs in that, but they made some broad findings about some problems in publicly-facing systems.

Also there was a new issuance of the laws that govern IT security called FISMA. At the same time that FITARA was issued, December 2014, we also had a reissuance of FISMA. And then we had White House guidance about cyber security that was very intense, actually.

OMB issues this thing called the Cyber Sprint. It had about five things that we had to pay immediate attention to. Two-factor authentication -- government people in are familiar, they have their PIV cards, or their ID cards, and it has a little chip in it that gets into a system. The two unlock the system. We hadn't implemented that in DOI despite the fact that it was a requirement for many years in the federal

government, likely an unfunded mandate. Two-factor authentication was a really important lesson learned from the incident in that the credential that was stolen was a user name and password. If the adversary had to have a card, a government-issued card with a chip in it and a pin that went with it, it would have been much more difficult for somebody to come in and compromise the system if they had two-factor authentication done. The CIO for the federal government in the Cyber Sprint required all organizations to have their privileged users -- those are the system administrators -- everybody, 100% of privileged users, had to be authenticating to the network using PIV cards.

DOI accomplished that. We then expanded it also, because it wasn't just privileged users, the system administrators, just the regular user needs to use two-factor authentication, too. We're at 96% compliant with two-factor authentication for non-privileged users. Also important are basic things about making sure your systems are patched and your software's up to date. Those are such basic things, but are 60% of the reason for successful hacking.

We're reducing the number of privileged users. We're identifying what we call high-value assets. So what are high-value assets? Interior does important business for you in Indian Country using TFAS as the IT system. Those are mission-critical systems; Indian Affairs couldn't do what they need to do and fulfill their responsibilities back to you without making sure that those systems are working properly.

Vision for DOI's IT: "Unifying the forces of mission in IT to safeguard the Department's high-value information from emerging cyber threats and uphold the trust placed in us by our employees, customers, partners, and the American public."

The goals that we have in our plan: to know when we have risks and vulnerabilities, to protect our high-value assets and information, to do what we call continuous monitoring so that you know what's going on around the system and the network and that you can act and be agile and nimble if something's happening.

Also a goal is improving the understanding of cyber security and privacy, and building the knowledge within the overall community.

And here is more about FITARA, this Federal Information Technology and Acquisition Reform Act, which Congress enacted and the President signed in December 2014, which builds off another law that was implemented in 1996 called Klinger-Cohen. Klinger-Cohen established CIOs in the federal government. FITARA enhances CIO authorities. It focuses on the Department-level CIO to create a more cohesive chain of accountability in a standardized way of how agencies are going to manage IT.

The key areas that were focused on for FITARA in the short term, in this fiscal year: to issue department-wide executive level guidance to our bureaus and offices about FITARA and how we want to implement FITARA; under FITARA, we're going to have Associate CIOs for the bureaus and offices.

I think part of it is there's a message about this FITARA relative to our experience with cyber security. We have what I call IT sprawl. IT didn't grow up with like some central vision. When you think about how IT really happened in the federal government, it really was the evolution of the typewriter. And it sort of morphed from being just a typewriter to being a piece -- like a strategic asset. This sprawl creates an incredible vulnerability for Interior and the whole federal government because the thousands and thousands of points of entry you can have into the network are the how many chances does a hacker have to get in and do harm. That's the connection between what's happened with cyber security and really what FITARA is about.

BIA and BIA services and performance provides IT and business resources used daily by over 13,000 individuals to perform mission, support activities for Indian Country. Phil's team runs the Albuquerque data center. Albuquerque's data center is one of the Department's core data centers. There are only six core data centers in the Department. And just on that note, our strategy in terms of reducing our threat surface is to consolidate our data centers. We have hundreds of data centers in DOI

Phil's team runs ENAN, the education network. And so he completed a physical assessment of 177 Bureau of Indian Education schools to identify, prioritize infrastructure technology upgrade needs. BIE is very important to this administration and to the managers, the leadership in Interior.

We also need secure mobility. We don't have a bring-your-own-device policy at DOI, and I don't think that we will have a bring-your-own-device policy at DOI. What I hope we have is a policy on the secure use of personally-owned equipment. And I understand the need for mobility because we are such a field-based organization that has needs to get out and visit our customers, do the work on the land. And that does require secure mobility.

Number three is Strategic Sourcing. We did an analysis, and we think that in the Department we probably spent about \$7 million on Adobe software because people are just buying onesie-twosie licenses. Strategic Sourcing will have us create a contracting vehicle for the whole Department to use where you can get that Adobe product, and we think we can pay a fraction of what we're paying right now. So that \$7 million could become \$3 million for the whole Department, and that savings would go back to programs.

And then we have a fifth thing, which is Revenue Management, which more has to do with the financial system part of revenue management and doing a better job in having standards around that and having department-wide solutions around that and shared services.

All our data is not encrypted. And whether our high-value asset data is encrypted, most of our high-value asset data may not be encrypted. And we need to move to some technologies that will allow us to secure that data.

Information Rights Management, Digital Rights Management: that's an important thing. This concept of department-wide application white listing, so it's letting applications through our network that we know are good tools, so we can put them on a good list and let them come through. So if people are going to sites that are recognized good sites, that's what application white-listing is. Network-based forensics is another thing and web-application scanning. So that's to do a better job in our publicly-facing systems.

RON ALLEN: Thanks for the nice presentation. And for the future, will you bring more copies and bring a power stick to plug into the machine --

RECESS

Day 2, Opening Remarks

KEVIN WASHBURN: We have our new Senior Advisor in the Domestic Policy Council with us this morning. And it's Karen Diver. This is her first week on the job, but when we briefed her up -- she knows about TIBC - - and when we briefed her that you were going to be here this week, she knows how important your work is, so she wanted to come by and just say a few words.

KAREN DRIVER: I'm the Special Assistant to the President for Native American Affairs. As he said, this is my fourth morning on the job. So far I've been meeting with all of the teams that are embedded into White House staff on initiatives in Indian Country. One of my first priorities is to get OMB to the table and let me know what they have on the plate for Indian Country but also outside of Indian Country that we can tap into and hopefully bring to bear for 2017 priorities.

One of the main reasons why I was interested in this and one of my questions for them when they were talking about it was I wanted to know whether the agenda for Indian Country was already set and they really just needed someone to come in and implement it or if there was still room for input and improvement from Indian Country. And the clear answer to me was that Indian Country remains a priority for the Administration; and right up until January '17, when we're all leaving our offices and shutting off the lights, if we think of one more thing we can do to help Indian Country, then we are to do it. And so then that made it a little bit more exciting.

Obviously, our issues are important to the President, but we also have competing interests that we need to make sure that we are advocating for and putting our position forward. As of Friday I would have been sitting in one of those chairs instead of this chair on Monday, so I don't forget who I am and where I came from. And each of our jobs is to serve the citizens of our nations and to contribute to their wellness and our community's wellness, and I will do that with as much vigor as is necessary. So hopefully we will prevail more often than not. The one thing I can assure you is if we don't get our way it's not because I didn't try. I don't care if these folks are my friends; I need them to do the work that helps us serve Indian Country.

I'm your partner in the White House. I'm sure I'll be talking to many of you on an ongoing occasion, and obviously, I'll be working close with other Administration officials in each of the departments. And I'll give you everything I've got for 14 months to see what we can get done. So thank you for having me here, and rest assured I'll work hard for you.

RON ALLEN: Having the Special Advisor to the President in Domestic Policy is a big deal. I was just talking to her this morning about some objectives that we had over at OMB with regard to getting somebody identified to be a better liaison among all the Indian examiners, where we can access the different programs. We all know about the, the "19 billion or so" that's made available for Indian Country and all the different departments and agencies, and we want a better handle on who's helping us advance those agendas and keep moving the numbers up to better serve Indian Country. So she's having a meeting, I think you said, today or tomorrow with the OMB folks, all the different examiners.

Tribal Data Exchange Update

RON ALLEN: The request was for TIBC to be supportive of the \$220,000 that we were looking for for the Chickasaw Nation, who runs that program.

When we engage with OMB, one of the key questions they are always asking is is that we don't have sufficient information to show how well the tribes are using the dollars that go out to Indian Country now. There's basically probably well over a couple of hundred different reports that go out there on different programs. And we wanted to simplify it and we wanted to have an easy access. We also wanted to protect the tribes' information so that it's not subject to FOIA, and that's why we talked to a tribe -- and this ended up being the Chickasaw Nation -- to be the host for this system.

KEVIN WASHBURN: I'm recused on matters involving the Chickasaw Nation. But I'll be back as soon as you're done with this discussion. So thank you.

JEFFERSON KEEL: I understand that there were some questions about why we needed to do that and what the purpose and all those things were. We'll be glad to answer any of those questions. If there are questions that tribal leaders have about how to get engaged in this and what the purpose and all those things are, I think we need to just have them come and visit with us and show. Anytime we talk with OMB, the first question they ask is how we're using the funds that we're using, where do you get the data and how is it being used. And our biggest problem in Indian Country, not just in Interior but across all agencies, Health, Housing, all of those things, we need the data to support our requests and our needs and to justify those things. I think the problem over the past several years is that tribes didn't get engaged, for whatever reason. And so I won't go any further; I'll just let it stand for those questions that we have.

RON ALLEN: So just to remind everyone, this project has been a pilot project. We initially had about a dozen tribes, and then it went up to around 25 tribes, something like that. And then it got whittled back. And so some of the criticism is because it was being designed for GPRA standards, and we wanted it to be more simplified for tribal standards. GPRA standards are designed for the federal system and not necessarily the tribal system. Tribal systems can be different; self-governance and 638, you have a little more flexibility than that agenda. And then we broadened it out to make sure it was inclusive of direct-service tribes so that we're comparing apples and apples when we compare the performance of these

different programs.

It is still a pilot project, we still are trying to get more and more tribes engaged. It's easy to get engaged with regard to the program and get your technicians, who would insert this data into the system. And then we transfer the system, without any actual tribal names, to the BIA. That's subject to FOIA, but your identity is protected. We are also trying to design it so that we can identify the unmet need. For example, if you have a law enforcement program, you get \$1 million but you contribute \$500,000 to provide a better level of law enforcement services, that \$500,000 with regard to those FTE dispatchers, etc., is an unmet need that the federal government should own up to.

ED THOMAS, JR: Yeah. I support the concept. I'd ask for a motion. I think there needs to be more extensive outreach to Indian Country to get more buy-in to the concept and going to regional affairs that each region usually has that provides travel services back to the tribes. Attend the BIA provider's conference in December to provide technical assistance on how the system actually works and getting the technical components. I support the concept.

RON ALLEN: We try to schedule the TDE subcommittee the day before TBIC to economize travel.

MIKE BLACK: I read through the proposal yesterday, and I saw the marketing component that you're planning. If we give it another year and see if we can wrap up that activity and that involvement, I think then it is a viable tool for everybody. If we're not getting usage, is it really the best use of money?

RON ALLEN: What should we expect in a year from now; should it be 25, should it be more or less?

KITCKI CARROL: We are supportive of giving TDE another year's effort to meet those objectives and what the target is. Our concern is about the execution of TDE. We're five years into this, we're over a million dollars into this. We are sitting at five tribes participating in it. There needs to be an aggressive approach to get tribes on board with this so they can understand the value that would be derived from it. It's a new startup. At the last TDE we talked extensively about some new performance measurements, streamlining, all those sorts of things. We are supportive of giving it another year to meet those goals that are there and then to reassess it at that time.

DARRELL SEKI: We support it at Red Lake. We need to see is training; go to each region to have training on this software they have. I know our members tried, but it's difficult. They need training, technical assistance to get this going. So we support it.

- Kitcki Carroll made a motion to approve; seconded by Darrell Seki. Motion carried.

Update from White House, Cabinet Affairs, Alison Grigonis

KEVIN WASHBURN: Alison Grigonis has joined us also this morning she works for Cabinet Affairs. She works for Broderick Johnson, who's the link between the President and the cabinet secretaries. This White House has been more committed to Indian Country than any we've ever seen in history.

ALISON GRIGONIS: Your input here is critically important to the budget process. You give us our marching orders; we are informed by these choices that you are making, these hard decisions and these debates that you're having. A large part of what I work on is internal to the government. It's a little unseen, but I think it's also a key piece of what the Obama administration stands for, which is interagency collaboration. We are trying to push the government to think of things -- the trust responsibility doesn't just lie with the Interior, but it really lies within the whole federal government. We are pushing on each one of these cabinet secretaries all the way down to staff level to think about Indian Country in their everyday work, think about ways that they can really help the government better fulfill its trust and treaty responsibilities to your communities.

RON ALLEN: So I have a quick question, Alison. So the White House Native American Affairs Advisory Council that deals with all the secretaries on the array of Indian issues, do you have a role with regard to that advisory council, with regard to the matters that come before it?

ALISON GRIGONIS: Informally I try to encourage cabinet members to participate, encouraging chiefs of staff that serve each one of the secretaries and encourage them to think about attending, making this a priority, letting them know that this is something that the President is very personally invested in. We've seen a really great turnout not just at the White House council meetings but then also at Tribal Nations Conference, at the youth gathering we had earlier this summer.

RON ALLEN: The Advisory Council is supposed to be inclusive of all the secretaries and administrators that affect Indian programs. It broke itself down into five subcommittees, energy, climate change, education, etc. One of the areas that a number of us have raised is that natural resources, which is critically important to us, that's embedded in our treaties and it's important to our culture way of life, is not really in there -- fisheries, hunting, timber, grazing land. We've been told that in order for that to happen we need somebody to step up and be a leader within that subcommittee. Is there any reason why maybe deputy secretaries can't take that kind of a role?

ALISON GRIGONIS: Someone was hired recently as the Executive Director of the council, Morgan Rodman. He came over from the land buy-back program. He's aware of it, and he wants to find a better mechanism for dealing with these issues.

FY 2018 Budget Formulation Process

Presentation: http://www.ncai.org/2018_Budget_Formulation_Process_Change.pptx

GEORGE BEARPAW: I'm going to ask my Division Chief for Formulation and Performance, Peter Probst, to help me with this presentation. I'd like to add something to the TDE discussion just for the federal portion of it. I have dedicated my staff to this effort. I've got people from my Performance staff that are included in the workings that's going on with the TDE effort, and they'll continue this next year, especially in the configuration team effort. So they'll be totally involved in working with the tribes as well as with the Chickasaws and try and get this -- getting this forward or started this next year.

At the Albuquerque meeting, Jeannine did a presentation and led the discussion of the budget formulation process, which led to many good recommendations. One of the results of that meeting was for the budget formulation folks to work directly with the budget subcommittee in ironing out the recommendations and going forward with a new process for '18. We've done that. I'm going to ask Peter to kind of go over the highlights of what we've done. We've had a couple of sessions with the regions on the new instructions. It's been really a good team effort between TIBC, the regions and my division to try to come up with a new process. I think we're finally getting to that point to where we are making some changes and trying to identify the real need in the regions as far as budgetary needs.

PETER PROBST: In 2017, we've had our own internal website where we've collected the information from the regions, and that's how we've asked the regions to submit the data. We've had on that website, the instructions made it available, besides sending it out to each of the regions, so that they had all the material necessary to provide the formulation.

We collected the information from the regions in 2017, and then we shared the narratives that were submitted that came back from the regions with the central office programs as part of the formulation process.

And as part of the process in 2017, last year, , we asked each region to rank the priorities, which is the process and the method that we were using at the time. That was submitted and aggregated up so we had an overarching set of priorities.

We heard the feedback from the TIBC that we wanted to get away from priority ranking. They wanted more of the formulation to be developed at the regional level, at the local level. Instead of asking everyone to create a national table, this year we're reaching out to the regions. We're asking them to reach out to all the tribes and the agencies and work on a regional table so it should just have the regional numbers instead of the national numbers. Hopefully it provides a little more clarity in terms of the amount of funding that goes to each region.

As part of the 2018 submission for the region table we're asking each region to provide what the initiatives are that would be supported for an 8% increase. We're asking for a narrative to support that, and then we're also asking for an unmet needs submission that shows the unmet needs from each region.

The table looks fairly similar to what was used last year, but this is at the regional level, not the national. Our biggest challenge is coming up with the best justification that we can to submit to OMB so that they will support our budget request.

Additionally, besides working just with the regions, our office is primarily working with the regions, but we're also submitting down to the agency level agency-level tables.

And this is where we need TIBC support in terms of understanding that this process is going on and making sure that the tribes in your regions are aware that the regions will be working with you and need your help in formulating the 2018 budget initiatives that are going to go forward.

RON ALLEN: How do we make sure that we're all using the same criteria? Otherwise, we're not comparing apples and apples on how we calculate the unfunded obligation.

PETER PROBST: One of the things that we're asking for is for the line items that have a standard calculation that has been communicated to you through your region; we ask that you use that standard calculation. And for ones that do not have a standard calculation, we ask you to provide the detail behind your calculation and the numbers that you submit so that we can review and make sure that they are apples to apples and not apples to oranges.

This will be due from the regions in January.

GEORGE BEARPAW: Mr. chairman, I would like to add, before we conclude this, there is a document that you have a copy of. It's an analysis done on the priorities going back to 2009. It's not complete, but it shows you what we're going to be doing also as a part of this process. We're going to start analyzing a lot of the historical stuff that's gone on with the prioritization of all of those functions, as well as line items. So that will kind of give you a little bit of information now to take a look at as to what kind of formats we're going to be using. It's just to help make some decisions, especially with the budget subcommittee when they come, and to finalize it for the assistant secretary.

So we will be producing more analytical-type information as we go along. It will be complete with comparisons from year to year, going back hopefully maybe within a 10-year period. I know they've asked for that, the group here has asked for that several times so that we are going to be doing more analytical-type reports so that you can see what we've done in the past.

KITCKI CARROL: What we are attempting to do this year is break it out even further to eight category areas within the primary categories within BIA. We are asking our tribes to prioritize within each one of those. Last year, we prioritized under regional and central oversight, we prioritized for BIE, and then we prioritized for BIA, the programs. Because there are so few that have BIE, BIE never stood a chance to get prioritized. The only way to properly get BIE prioritized is to separate it out. We're building on that this year, but we want to make sure or need some reassurance that when we do that and submit numbers up, that that's going to be able to be captured and rolled up in the national roll-up.

PETER PROBST: That's the intent of working from the regional-level tables is that when we add it all up, it

should reflect everything at each of the regions that's prioritized or an initiative at that region so that it won't be lost in the merging of all the data; instead, each component will be added together as a separate stand-alone component.

GEORGE BEARPAW: This is a work in progress. Any changes, any recommendations -- during the evaluation process we ask for recommendations. And we'll keep asking that, and we'll incorporate anything that the tribes see from one year to the next that might be a usable change or a doable change within our process.

New Business - Navajo Nation

LORENZO BATES: I'll not reiterate a whole lot of what I indicated yesterday, but as you go through the document, you'll see that it impacts nearly 1.5 million acres in Arizona, the northeast corner of Arizona, and it impacts nearly 12,000 people. The acreage is about the size of the state of Delaware. And during the 40 years that the Bennett Freeze was in effect, all but stopped development in these communities and contributed to poor living conditions for many residents who chose to stay in the area. Many of these residents have lived without electricity, plumbing or assurance of clean drinking water, even to the extent that one out of three residents have to drive up to 24 miles every few days to haul water. Other residents resort to drinking the same water as their livestock from the nearby windmills.

We put together a list of project priorities within the Bennett Freeze, the first one being housing. The cost to that of the total percent is 64% of the total costs regarding Bennett Freeze. It's a \$3 billion project. Now, what Navajo is doing as we speak is looking at the various possible locations. And it's working within the chapters. As such, Navajo Nation is collaborating with NHA and all of the other housing entities to begin to look at where these houses can be built. Infrastructure and utilities is \$470 million, 10% of the total price.

We are asking for a line item within the 2018 budget be created so that the Nation can form a partnership with the federal government and begin to address the needs within the Bennett Freeze. It's to my understanding that there was a Bennett Freeze line item; in 2012, that particular line item went away several years back and has not been funded to this point.

One-Stop Shop/Crosscut

TOMMY THOMPSON: The landscape has changed. When I started my career there in 1973, the invention of the calculator had not been derived at that point. There were adding machines, but there were not calculators, electronic ones.

That's sort of what we've come to with the One-Stop. This was your initiative, and everyone's taking credit for it. I urge you to Tweet out to tribal communities about what's happening on the Native One-Stop.

In 2014, OMB talked about the Crosscut, and the first indication from the Crosscut is where's all this money, how do we program it, how do we get access to it? Without the access to that number, it really is meaningless when it hits the shop floor at your tribal offices. TIBC wanted was some granularity. If you look at some of the programs that were included in the Crosscut, is it really accessible to us or is it accessible to states.

One of the solutions that we came up with was a Tribal Support Center: How do we take all this information, how do we advocate across the federal government and sort of get this together?

One of the things that has occurred is in the '16 budget we propose \$4 million, with a large support from OMB. They understand the weakness in just putting a number out there if it is not accessible to everybody. So we created the Tribal One-Stop, and actually a support center for all tribes. And in our '16 Green Book we asked for the \$4 million to actually put the technical staff together to do this, but at the same time, Gen-I was part of it, and they introduced the concept that we would need a portal for young people.

And as we recall, there was a tremendous amount of need for information across Indian Country, particularly with teen suicide. And one of the things that Gen-I took on was how do we get a website set up.

In collaboration with the White House, OMB, the Department of Labor, we created this website. It is Phase 1. There's three phases to this. This is the outward-facing public where the constituents that you serve can go get services. That's why you need the Twitter account so that you can advise your constituents where to go, what's available, what you've done for them. The next phase -- there's two additional phases. One is the tribal portal. This will be where tribes can go in behind the wall and get all the details for all of the various programs that tribes have access to or should have access to. And we'll talk a little bit about that in a moment. Then the next one is the Buy Indian Act, how we implement that particular program across the Indian Country.

One of the things that we have the benefit of is with this website we get the traffic counts, we know how many referrals from these programs are going to the other agencies. There's some 80 different programs out there right now that are available to the general constituency. We get the traffic counts as to how many referrals are coming off of this, we get the hourly count as to how many people are visiting this website. If we really want to make an impact in changing the glide-scope of all the other agencies to really refine programs to meet your needs, it will be done off of the trafficking that comes across.

So part of this is how we look proactively, is how we address the future needs of tribes by collecting this data on the backend for the formulation process. I will assure you that the data sheets that were filled out for this website came as a direct result from her calling the chiefs of staff and saying, "Where's your data?" Because we were a couple of weeks away from bringing this up, and all of a sudden, these calls go out, and Annmarie played a key role in that, too. So there was obviously a unified effort to get the data for you. And we should take advantage of that.

Once we do the tribal portal, we will take and do a drill-down on that crosscut. So everybody that puts their number in that says this is the Native American Crosscut, we had the vision that the four technical people here in DC would be working with each of those departments to actually get the qualifications requirements and the program information so that we could put it on the tribal portal so that you would have access to the inside information as to what their thinkings were.

Most of the programs that's listed there now are the public-facing programs. We are envisioning for the tribal portal that information that you need to access the entire crosscut. We would look at it as a cloud-based program to where you could possibly store or have as your repository the programs that you're interested in. And you're driving the decision-making for the rest of the agencies as to what's popular, what's needed.

KITCKI CARROL: Two questions. So can you clarify that that behind-the-scenes tribal portal presently is not available?

TOMMY THOMPSON: It's not available. It was in the '16 budget request as part of the support center.

KITCKI CARROL: So the expansion of the native one-stop is contingent upon that being funded to be able to achieve that?

TOMMY THOMPSON: I can write and cash those checks now that I don't have to pay for, but it was subject to us receiving the additional money from Congress in '16. I think there is a bona fide need there. I think it would be a priority of this administration to find whatever resources we can. It may not be as robust as we first envisioned the support center as being, because it really has to be two approaches. One is the digital, but the other has to be the technical staff on site helping people with the information. I would suspect there would be a scaled-down version if we don't get Congress's support for it. And right now it's not neither the House nor the Senate mark.

KITCKI CARROL: My second question is more of a question/recommendation is I don't understand -- so by example, under the resource categories, why you wouldn't presently have a health category that lists SAMHSA, CDC, all these other health-type available opportunities that tribes are eligible for that is public information without having to go through a behind-the-scenes, backdoor tribal portal. Because my concern is -- and we heard this from our membership when we made enhancements to our website -- if they have to search for things too hard, it's of no value to them.

TOMMY THOMPSON: Two things. I think part of the missing of SAMHSA was it was more institutional; it doesn't refer them back to the actual web pages for their particular question, the Q & A part, but more of a resource side. This was based off of the resources that were available; and, obviously, education came up real high as for scholarships and internships and all those. I can go back to the team that put this together and see what Phase 2 of this -- because the initial was what resources are available. And there are obviously other resources, other than just monetary, that is important across the country, too. So we can look at that to see, other than grants, what resources are out there. But I think some of the SAMHSA stuff was probably at a higher level from an institutional awards rather than individual.

KITCKI CARROL: And I don't disagree with your point about non-financial resources being available, but at least from our perspective for the Native One-Stop, part of this was to give tribes transparency in access to the supposed \$21 billion that's available to them beyond just the 9 billion through IHS, BIA, and smaller other pots. So what we would hope this does is provides us transparencies of how to get to those other \$13 billion of resources that OMB is saying are available to tribes that they're eligible for.

TOMMY THOMPSON: Yeah, that is on the tribal portal. We heard this body loud and clear that they didn't like for us putting that \$19 billion out there in the public spectrum so that there was pushback saying, well, you've already given them 19 billion, that's enough. So we're breaking that down and putting it in the tribal portal instead of the public portal so that the tribes know what resources are out there, not necessarily the public. Because a lot of those, if you start really breaking it down, they're really not accessible to the tribe but they're pass-throughs from the state through tribal members. So one of the things that we intentionally did was try to isolate those other resources to where only the tribes would have access to the detail behind those. There's a lack of transparency that it won't be because our intent is to take the Native American Crosscut, put it behind the wall where the tribes have full granular detail of what is in that crosscut. And that is the next phase that we're looking at bringing up in this process.

With this particular Native One-Stop is to assure we want to have a registry of qualified native-owned businesses that we have across the country. Right now one of the impediments for all agencies in order to utilize it is that they have to go out and create their own list or try to do that. It's not that we're all looking for the easy way out, but sometimes we don't have the bandwidth to do the marketing. So what this website's going to do is do the marketing of what firms are out there that qualify to submit, and we're also going to put our annual procurement plans out there on this website, send notices to all the vendors here's what we have available for 2016-17, going forward, so that we're not coming up on Friday afternoon at 3:00 o'clock saying, "I need this proposal by Monday at 1:00."

It doesn't apply to non-profit organizations. It can be used for tribally-owned enterprises, tribal citizenry-owned enterprises, and tribal enterprises. If a tribe has a corporation or a business entity, they would qualify for competing for those. But a non-profit set up under a tribal would not have the same benefits. The statute specifically eliminates the non-profits.

KITCKI CARROL: So if a not-for-profit has a for-profit component to it, it would be eligible?

TOMMY THOMPSON: Yeah, if there is a for-profit separate entity, then it would be eligible.

Again, we will be pushing all of this out as part of '16 and '17 as we start doing the research for this. We're trying to figure out how to do a path forward with the resources that we've got in case we don't get the

funding from Congress. Here's the resource finder. Again, tweets that went out when this website was there. And our thanks to the National Congress of American Indians for picking up on it. Obviously, we do the research as to who's tweeting and retweeting the stuff, but the objective is with the modern communication links that we've got the word of mouth is really too late. When we update this site, we should be sending automatic tweets out to those people that are following those particular initiatives.

There is a computer website, and there's a mobile app website, as well.

It has been my pleasure working for you all. Good luck. I hope to see this website used.

Strategic Plan Update/Need for Tribal Input

Presentation: http://www.ncai.org/DOI_Strategic_Plan_Update_presentation_JB.ppt

JEANNINE BROOKS: Mel Gilchrist is our performance person within the budget shop. And I am Jeannine Brooks, the Deputy Budget Officer.

The strategic plan is supposed to be in place from 2014 to 2018, but they start two years in advance modifying this. The last iteration of this pretty much slid by everybody. We didn't even realize it had been updated, and we wanted to make sure we gave a chance for tribal input, regional input, on if we want to modify and change the way we appear in the DOI Strategic Plan.

When a new administration does take place, even though this is supposed to run through 2018, they are allowed to modify the Strategic Plan. So while we may have a couple of years to get this ball rolling, that could also be cut down to one year. And there is a lot that goes into creating a good solid Strategic Plan.

The Strategic plans has three mission areas that Indian Affairs currently plays in. We celebrate and enhance America's great outdoors -- that's our museum and collection stuff. We are strengthening tribal nations in insular communities, which is where most of our goals and measures fall. And then we have ensuring healthy watersheds and sustainable secure water supplies -- that's our irrigation stuff and our water resources stuff. Those are our primary mission areas.

We have four goal areas within these mission areas. We protect America's cultural and heritage resources; meet our trust, treaty and other responsibilities to American Indians and Alaska Natives; improve quality of life of tribal and native communities; and availability of water to tribal communities.

Within that, there's eight strategies as outlined. I don't want to read all those to you. You can read all of those. We have eight strategies that we fall into, and most of our programs fit themselves in there in some way, shape or form. There are 22 strategic key goals, which mean those are the ones that actually appear in DOI's Strategic Plan right now. And then there are 43 bureau-specific measures. Those are measures that the programs create just to keep track of things, but they don't actually appear in DOI's strategic plan, nor do the reports on them go up to that level.

So basically what we're up here for today is how should we proceed with this? We should have a role in saying how do we fit into that, what is it that we should be doing as an agency to achieve those missions while reflecting the needs of Indian Country. So we are trying to figure out how we can best include Indian Country in that decision-making.

A suggestion we had was to reinstate the original Strategic Plan subcommittee -- there used to be one once upon a time years ago -- and for that committee to actually, do either regional planning sessions or do brainstorming on their own and then go and consult with that or a combination of both, or we are open to any other suggestions you have on how we should proceed. January is when we need to be up and running, hitting the ground to start doing something. So we're looking for some advice on how we should proceed to make sure that we include Indian Country in the development of the latest version. We have no money for this.

ED THOMAS, JR: We got to do something once you get the plan.

JEANNINE BROOKS: We can do this remotely too.

JACKIE JOHNSON PATA: I remember several years ago we went through this in depth and actually really worked hard on trying to be able to make sure that the measures were reflective of what tribes and tribal programs wanted to see. What's the timeline for providing your comments back for any changes?

MELVIN GILCHRIST: The processes start in January. Anytime you look to revise or update measures, you need at least a year to baseline the data that you're collecting. Inputs that I've gotten from the Department state that by August of 2017, we should have everything lined up. So we really only have about a year and six months, even though it's going into 2018.

JACKIE JOHNSON PATA: The last time we did this, it was the data working group that actually took on this effort to engage with the administration folks and to go into a more detailed review. So I would suggest to the council here that you might want to make that recommendation for that to happen.

OST Update

Presentation: http://www.ncai.org/initiatives/tibc/05_OST_TIBC_Presentation_2015-11-18.pdf

DEB DuMONTIER: Mr. Logan is in Albuquerque this week. He's visiting some of our regional offices. But we also had our OST at 20 kickoff. So OST has been here for 20 years, and we were reflecting on some of our accomplishments. So I can tell you in my career of 10 years as a tribal attorney advocating for trust reform and self-governance and then 10 years with OST leading trust reform, it's been an exciting time for us. But it was very rewarding yesterday to hear the accomplishments from Asia and BIA from the leadership in this room.

One of our significant milestones that we had again this year was an unqualified opinion on our IIM trust funds financial statements for a third year in a row; a clean audit. I like to say our books are in order so Cobell has been settled. And we will continue to do that. It generates confidence with our IIM account holders, but it also generates that confidence with the secretary that we're fulfilling a trust responsibility.

OST this year has achieved many milestones in delivering our trust management services to tribes and to IIM account holders. We had 1.7 billion funds received and disbursed from tribal and individual accounts, and 74% of those funds were disbursed electronically.

We had approximately 10.7 million financial transactions that were processed with 99.99% accuracy, and again, meeting that fiduciary trust responsibility.

Our current status of our 2016 budget, like it's already been said, we're operating under a continuing resolution till December 11, 2015. So basically we're operating as if we're in 2015, which if you're a budget officer, it must get very confusing to know what year you're in, because technically it's 2015 but it's fiscal year 2016. Both the House and Senate have looked at our bill for OST, and it looks like we would remain the same at 139 million, which is where we've been for a few years now.

OST is managing nearly 5 billion. We have 3,300 tribal trust accounts that we're managing individually, individual portfolios for tribes. We have nearly 1 billion that we have a pooled account for our IIM account holders. And we're posting an income factor in that pooled account of about 3%. So when you look at a savings-like account, it's a very good posting for interest. So basically, we are asset managers, and we providing funding -- or we provide investments in government and government-backed securities.

To date we've had 1.7 million calls and we recently received the Department of Interior award for promoting exceptional customer service.

We have our trust officers also out in the field and our regional trust administrators that can assist beneficiaries and tribes with their account statements, oil and gas statements, and just general questions.

In January there will be a conference at the University of Arizona School of Law. We've collaborated with them to provide Investment 101 training.

Public Safety and Justice Funding

KEVIN MARTIN: I work for the Office of Justice Services within BIA. I heard at the SGAC and when I reviewed the minutes from the last meeting of this group, it was mentioned that a tribal advisory group for public safety and justice funding was a concept that perhaps you all wanted to move forward with. So that's something that Director Cruzan is certainly interested in. And he asked if I would come here and kind of go through what our -- what that might look like or what our expectations from OJS's perspective might be going forward with that.

I'll go through how we have, over the past several years, allocated public safety and justice funding and the reasons for that. We'll be available to you as the discussion moves forward also.

The first thing I wanted to clarify is that, when we're talking about a distribution of funding for public safety and justice, it's not necessarily that different than with other BIA programs. The existing appropriated levels that we distribute out to, our direct-service programs and our tribal programs, because of Public Law 638, those levels, we can't reduce those tribe by tribe. So that existing appropriation that is provided to us goes out consistently from year to year. It is when additional appropriations are received, i.e., budget increases, that we get a chance to effect a distribution pattern with some intended results for -- whether it be Method A versus Method B, it's the additional appropriations piece that from OJS's perspective, that the potential tribal advisory group for PS & J funding would weigh in on.

So over the past 5, 6, 7, 8, more years OJS has used what we refer to as the OJS Funding Increase Methodology. And it's been used to determine a distribution of appropriated increases going back a number of years. If we go all the way back to 2009, budget increases from 2009 through 2014, those budget increases total a little over \$100 million to the public safety and justice budget within BIA. We use the funding methodology to determine increases for that \$100 million. The current public safety and justice budget sitting at \$350 million, \$360 million, at least \$100 million of that has been distributed -- the pattern of distribution was affected by the OJS funding methodology.

RON ALLEN: This topic was raised in Albuquerque, and we were suggesting that we establish this small group. Those who are interested in the law enforcement program with regard to what OJS, how they distribute the resources that they get and any increases, but also to crosswalk what kind of resources that we access with DOJ, because we get COPS monies over there, DOJ, etc. We want to make sure we're reconciling how we are best using those resources to the benefit of public safety. This allows us a venue, like our budget subcommittee, to get into the details on how this methodology works or if there's excess monies that are available and where the priorities are and how they're used. This is a good thing. We're going to ask for some volunteers to work with Kevin, Darren and the rest of our team.

KEVIN MARTIN: The first thing I'm going to do is go through the OJS funding increase methodology: what is it, when is it used and why is it used. I should point out if you want to learn about what is done with the public safety and justice money that we receive in the BIA appropriation, it is described in detail in the President's budget request. I don't think we had it in previous years, but we got into the 2016 President's budget. That's a public document, so anybody can pull it up.

So what is it, when is it used, and why is it used? It is a method to distribute appropriated budget increases to the areas of greatest need. As you can see up there, Congress directed pretty specifically that we are to allocate additional funds outside of the normal allocation methods to reach the areas with greatest need, particularly remote reservations. That was for a particular year. We've received other guidance from the Congress, from the committees and their staff. And generally we've gotten from them, when we explain our funding increase methodology, pretty supportive response. We'll see why in a moment.

This is a simple distribution calculation based on weighted averages, based on 1, 2, 3, 4 different factors. One of the factors is violent crime rate for that tribe; another is land base; resident service population; staff need -- because this was for detention facilities -- and annual inmate intakes from the previous year, because it's detention. Each of those items is assigned a weighting, and then they're just multiplied across. And that is what was used to distribute a particular budget increase. In this case it was 2014 detention increase that was identified in the President's budget for new facilities.

But this does not represent the only format that the OJS funding increase methodology takes. It uses other criteria sometimes. It depends on the unique scenario or budget increase that we receive. If it's a CIP, i.e., law enforcement increase, it would use different weightings for different criteria. They're not always the same. The results that happen aren't the final results. We may review three different scenarios where each has a different weighting for each of the factors and see which one appears to have anomalies or outliers that are not -- could be perceived as unfair for a particular tribe. And then we would make adjustments.

So it is as simple or as complicated as that. That's what the funding increase methodology -- it's not fixed in any particular formula. It's OJS essentially exercising the discretion of the discretionary aspect of the appropriation

NAVAJO NATION: Navajo Nation being the largest tribe land-base wise, Navajo has been helping to get the facilities in place across the reservation. So in their methodology process, I want to get more information specifically of how each of the tribes really get involved in requesting for funding, because it seems like it's never enough. After facilities are built, how are we going to operate these facilities again? I'm interested in the subgroup that you're talking about, as well, the O and M process.

RON ALLEN: That's where we're going to get into the details that you're looking for. So we need a subgroup to work more closely and to have a better understanding so we can make recommendations here in the TIBC forum.

MARK AZURE: We also need follow up to the letter that was drafted here in 2014 under the direction of former chairman Tex Hall about this COPS grant funding. I know Great Plains and Rocky Mountain Region are very frustrated with the process with the COPS grants and everything that entails because it's not really helping in our regions.

JACKIA PATA: We did send a letter over to the Department of Justice, and when we got a verbal response -- they called right away -- to want to have a conversation. We must recognize a number of the things that we are requesting would require statutory or legislative changes in order to be able to make happen. If we're going to have this working group, that it seemed to make sense that there would be a little bit of analysis regarding the coordination that needs to happen between Department of Justice and Interior so that there could be even a better, more specific asks that we could then target and have a larger conversation with all of Indian Country outside of even just the TIBC, because I know that is still being debated back and forth about who really is going to provide public safety better, Department of Interior or Department of Justice. I think that identifying what is going to require a legislative change is going to be a good next step. Whether this working group gets that far or not, it certainly could identify where those linkages are between the funds and programs and where we need to seek alternative solutions.

RON ALLEN: It's not a definitive answer to the question that Great Plains raised. This subcommittee can explore what needs to be done. If part of the solution is a statutory authority for collaboration between the two departments, then we can try to champion that agenda. So this kind of gets us into the mix a little closer.

MARK AZURE: Yes, I would like to sit on that committee.

DARRELL SEKI: Yeah, we have a shortfall in our law enforcement for years, year after year. And we submit

our shortfalls, but it's unique to be self-governance when we have shortfalls, we have savings somewhere we move it to cover the costs. Our government has trust responsibility and fiduciary responsibility to cover these costs for the tribes because currently now we are finding these drug traffickers are coming to our reservations that are nonmembers that we cannot prosecute. In Red Lake we are 10 officers short, and to fully equip them it's going to cost \$1 million.

RON ALLEN: I think what we're trying to do is get our arms better wrapped around what resources we have and how to elevate it, how to make an argument for more resources. The TDE is actually relative to that topic. We need to quantify what the unmet need is for each of those categories.

KEVIN MARTIN: When is it used, increased appropriations. And I specify criminal investigation, police services, and detection and corrections, because those are the two primary OJS programs that are contracted in the public safety and justice budget. There's also a public safety facilities operation and maintenance program that's heavily contracted, as well. But that goes through the OFMC organization rather than through OJS. And their distribution has always been by square footage is the primary driver. So it wouldn't be included there.

But tribal courts, that's TPA funding, so tribes have more to do with that distribution than OJS does. And the other lines, like Indian Police Academy, internal affairs, those are -- and special initiatives, those are essentially oversight functions. They typically don't make it out to the field in terms of funding allocations.

Last time we did one of those in CIP or detention was 2014. There hasn't been sufficient available funding to do one since then. The funding methodology is not used to reshuffle the base. The existing appropriations are set, they're distributed out to these tribes in these direct-service locations, and 93-638 won't let us increase one versus decrease another. So the methodology does not apply to the existing appropriations.

The trend looks pretty clear. The budget goes up, crime goes down over the past five years very consistently. I have never seen a stronger argument for more public safety money with the criteria that OMB gives us. What is our goal besides just to reduce violent crime throughout Indian Country? The goal would be to achieve parity with the national average for violent crime so that we're not above it anymore. By the way, for 2014 -- was it 2014 or 2015 -- it was 365 versus our 419. So there are slopes to those graph lines out there, so you could project the budget amount that would have to be added to get the 419 down to 365.

This is just BIA public safety and justice budget. Of the \$350 million up there shown for 2014, 100 million of that was, the distribution was determined by the OJS funding methodology. Is it pure coincidence that the violent crime goes down when the budget goes up, or are the resources being allocated intelligently, strategically and having an impact? Who knows for certain? But the evidence is pretty remarkable

RON ALLEN: But we gather all kinds of data, domestic issues, civil issues, etc., right? I mean, so you're just calculating -- this chart just shows the violent crimes, what fits into that category?

Our law enforcement provides regular monthly reports on -- or quarterly reports, one of the two, and there's different categories of offenses that we report. And you give that information to DOJ, as well? You share that -- that's the same data; we're not duplicating?

KEVIN MARTIN: We share all of our data with -- whatever we collect from you, we share with DOJ. And we share our own data with DOJ.

RON ALLEN: The working group could consider this as well. I think that's one of the things we would want is for them to determine what kind of report do we need in order to make the case. When we go to Congress, we want a report to point to that here's the problem, here's the success.

KITCKI CARROL: Related to the fiscal year '18 budget process as well as data, part of the problem is, going

back to the question on data -- starting with the budget piece first. We are frustrated with the budget process that forces you to identify five priorities, because it fails to recognize the breadth of BIA funding and programs that fall within it. So this is why we were making that point last year as well as what we're trying to do this year. We don't feel that the budget process adequately reflects or gives us the opportunity to reflect priorities. Forcing us to identify five things as if we are working with an agency or department that is much more narrow is not adequate.

The second point which ties to the budget but also ties to the data part of it, so I understand that in the Fiscal Year '18 budget process there's an avenue for identifying needs outside of that 8% and the language that was offered up earlier about justification in language and data to support that, the problem with this that the bureau is fully aware of is that is a challenge. It's a challenge because there has not been an adequate investment into data for tribes to easily extrapolate and gather the very data that they're asking for.

Tribal Interior Budget Council, Public Safety and Justice Workgroup

Volunteers: Charles Dolson (Red Lake), President Begaye and Kee Allen Begay Jr. (Navajo Nation), Rick Harrison (Chickaloon), Greg Abrahamson (Spokane), Mark Azure (Ft. Belknap), Great Plains (Harold Frazier)

Purpose of the Public Safety and Justice Workgroup

- Analyze resources in BIA and DOJ that support public safety and justice, including courts, law enforcement, prosecution, legal services, victim services (this might also involve HHS), detention, probation, and reentry services
- Review funding methodologies used by BIA/OJS and DOJ
- Review linkages and existing mechanisms for collaboration between BIA OJS and DOJ programs
- Consistent with TIBC's recommendation to consolidate public safety funding at a single agency, analyze which agency is best suited to administer a consolidated program and which funding streams should be included
- Assess whether statutory changes are required to address problems in either DOJ or BIA
- Identify administrative changes that would address problems in either DOJ or BIA

KITCKI CARROL: I'd like clarification of what is going to be the action at the central level for the national roll-up and once they receive the regional submissions.

PETER PROBST: So the process we envision is we're going to roll everything up, total it out, and then we're going to share what has been compiled with the budget subcommittee of TIBC when we meet with them. And then it will be up to the budget subcommittee to determine how they want to proceed forward in terms of will there be a limited number of initiatives that are proposed as part of the tribal request to the secretary or will it be a much larger number of initiatives, 20 or 30, across multiple programs that reflect the requests from each region. But the data will be there because we will be collecting that at the regional level.

KITCKI CARROL: What do you mean "initiatives"?

PETER PROBST: The 8% increase over the prior 2017 budget that is part of what is being requested in the format, that's the initiatives that are being requested from each region. And each region will have an opportunity to provide what initiatives they would like to pursue for 2018. And it can be any number of

initiatives. It can be one, it can be 20; it depends on what the needs are in that particular region.

KITCKI CARROL: I'm hearing there's no way for you to capture what it is that we have proposed multiple times. We feel currently it's too broad of areas to do that. So we have broken those areas apart, and our plan is to submit by program area or by these areas.

CYNTHIA NEELY: Yes, we will be capped by the amount that we can ask for -- we always are -- but we're hoping that for those regions whose priorities don't rise to the top -- for instance, Midwest is natural resources and Northwest that are fisheries -- with the narrative piece, we will be able to see what is important for you and give you the chance so that can still be seen as a priority for your region even if it isn't for everybody across the table. So, yes, break it out that way because it allows us to see what components of education are important to you and should have a focus. Even if we are capped, we need to keep that into consideration.

JEFFERSON KEEL: The budget subcommittee I know sits and they've discussed this process. But is there a way that we can come to some kind of conclusion and a recommendation between now and the next meeting on how we actually get these rolled up? Because it not only affects education -- he used BIE -- but it affects all of the other programs across the board, everything from justice, law enforcement, all of those things are affected because the different regions have different priorities. They have different concerns in areas. And so we need to have one common, I guess, the priorities we're talking about.

We said for years it's almost impossible to come to ask the 12 regions, 566 tribes, to come up with five priorities; what's the most important thing, what's -- all of them were important, every one of them. So, I would ask the budget subcommittee to look at this and come up with a recommendation for the next meeting so we can get one thing firmly established in terms of how we're going to do this, particularly for 2018, because we're going to be getting into those discussions here shortly.

KEVIN WASHBURN: Let me just say this is the hardest thing we do. There's a lot of wisdom in everything that you've said. And, just one size fits all does not work in Indian Country. And necessarily when we all come together to put a budget together, we kind of have to militate towards generalities. And that's not satisfying to folks. I encourage you to keep thinking about this to figure out ways to do it better because we are -- we have sometimes seen people prioritize a particular line in our budget because under law enforcement there are things that some people get and some people don't. And in some regions, that are mostly -- Public Lot 280, for example, there's only a handful of little programs in law enforcement that are likely to help them. And so I don't know what the answer is here.

And I'll tell you the one answer is self-determination because the TPA monies that you get, you do have flexibility about how you use them. That's one of the benefits of fully funding CSC and fully funding the TPA lines, because then you have flexibility to determine how you use that money.

That's not an adequate answer, but it's a partial answer. This is the hardest thing, the most complex problem we haven't quite figured out.

RICK HARRISON: I think that the changes made to the process this year were to help with exactly what you're talking about, Kitcki. Because this 8% represents a dollar amount that you could spread amongst every line item if you wanted to, if your region wanted to. And they're not asking us to prioritize five or 10 things; they're not limiting us that way this year. And then also then you have the additional column for unmet needs area to even address things further than 8%, if there's that need.

Small & Needy/Tiwahe/Domestic Violence Updates

HANKIE ORTIZ: For FY '14, Small & Needy Tribes was funded at \$1,845,000. In FY '15 it was funded at \$1,845,000. And the request for FY '16 is \$3,095,000. The two criteria for eligibility to benefit Small & Needy Tribes funding, which both must be met, the first one is that a tribe has to be a federally recognized

tribe with 1,500 or fewer enrolled members. And also, a needy tribe is determined to be a federally recognized tribe in the lower 48 states with less than \$160,000 in annual funding or in Alaska with less than \$200,000 in annual funding.

In FY '16 \$1,250,000 in new money will have to be distributed. Distribution of the new money will depend upon results from discussions about eligibility of certain TPA-based funds. That's a discussion that we'll be having within Indian Affairs, the annual funding available for government operations.

We've also been talking about a needs analysis that would be required to sunset the Small & Needy Tribes initiative. What we mean by that is that we want to try to calculate, find a way to calculate what we would need to bring these tribes up to that threshold. So what I said earlier was that if a tribe has less than \$160,000 in the lower 48 or less than \$200,000 in annual funding in Alaska, that when we distribute these funds, we try to bring everyone up to a certain level. And at this point we have not been able to bring any of those tribes up to the threshold level of \$160,000 in annual funding or \$200,000 in annual funding. So every year we distribute that kind of as a bottoms-up approach, bringing the lowest-funded tribe up to the next level or bringing all those tribes up to the next level until we run out of funding. We've been looking at how can we calculate the funding that would be needed to bring everyone up to at least those thresholds. This initiative was started in 1997, and Indian Affairs did not receive an appropriation for Small & Needy Tribes during the years of FY 2006 to FY 2011. Funding was restored recently in FY 2012.

So looking at Small & Needy, if we're not going to sunset it, if we're going to continue it, some of the issues that we've been talking about that we need to discuss are should the funding threshold be increased. It's been those same amounts for about 20 years, since this initiative began in 1997. Should the population requirement be changed? There may be tribes with a greater population, so they're not necessarily small, but then their funding might be less and they don't meet both prongs of the criteria. So that's another issue that we need to look at is should that funding threshold be increased, should the population requirement be changed, should gaming revenues be considered in the calculation. So far they have never been considered in the calculation. But if they were considered, then funding would be stretched out to other tribes that don't have gaming revenues to consider. So those are some of the issues surrounding Small & Needy tribes.

ED THOMAS, JR: It's way off base. Since that inception in 1996 and '97, there have been no inflation-adjusted increases to that. And as you identified, it's been there over 20 years.

HANKIE ORTIZ: Okay. Thank you. And, we would be looking for recommendations.

Tiwahe

HANKIE ORTIZ: For FY '15, \$10 million was appropriated, \$5 million for social services, and \$5 million for Indian Child Welfare Act. Approximately 80% of the total was distributed across the board to all tribal organizations that received social services in ICWA, TPA's funding in FY '14. Each site received a 21.5% increase in their ICWA funding dollars and a 7.9% increase in their social services funding. The remaining 20% was allocated to the four pilot project sites that have been identified as Spirit Lake Tribe, Ute Mountain Ute Tribe, Red Lake Nation, and the Association of Village Council Presidents. The sites were chosen, as we discussed before, to include a self-governance tribe, a direct-service tribe, a self-determination Title 1 contracting tribe, and -- across the country, and we wanted to have a tribe located in Alaska, so we selected the Association of Village Council Presidents, which serves a large number of tribes within their corporation.

ED THOMAS, JR: I'd like to say something on that. I attended the AVCP annual meeting, and they were doing a presentation on this. They're hitting the ground running. And I didn't really know much about the Tiwahe, the way it was explained here. They really explained it very well there; you're going to have some good champions coming out of there. I'd like to congratulate you on that program, because I think it's

going to be a good program, and I think it's a good one.

HANKIE ORTIZ: We have been trying to -- we've been working with all of the tribes that are part of the pilot project individually, providing as much technical assistance as we can provide.

In addition to the \$550,000 of job placement and training funding was also appropriated to those pilot project sites. It was just distributed to them on a pro rata basis. None of that funding was distributed nationally, just because their funding amount was so small.

And all of the four tribes have communicated their plans for implementation. They're primarily focusing on integrating social and human services, promoting economic opportunities through job training and supporting youth activities.

Progress on Tiwahe-related activities has already begun at some locations. In addition to what you said about AVCP, the Ute Mountain Ute Tribe has begun integration of human services resources into a one-stop shop format for their members and also supported a film produced by their youth entitled "Escape," which presents the stories of their lives on the reservation and the challenges they face. And earlier this week the film won the Best Student Film category at the LA SkinsFest. That was a great accomplishment for them.

We had a meeting; we invited all the tribes to participate. And the tribes signed on, gave us tribal resolutions. We developed for them a model, a Tiwahe model that had built-in flexibility so that the tribe could take the model and they could redesign it in a way that would most benefit their communities. And so as was mentioned, AVCP has been doing that. But all of the tribes are doing that. They're looking at how they can restructure their programs utilizing this model as a tool -- it was just provided as a tool to assist them -- to help them better achieve the goals of their own communities. So they're very unique; none of the plans actually are the same. And so we're working at the details. They've submitted draft plans, and we are working on helping them to finalize those plans and answering questions.

And the other thing that we did was we also provided them some funding for a family advocate that's going to be located where their tribes are located. And that advocate is someone who's also going to continue to help them and who's going to be communicating with our central office and working with us. In my office I also identified a Tiwahe coordinator. The position hasn't been advertised yet, but we're in the process of getting it advertised. We do have someone acting as the Tiwahe coordinator. That is Melita Rank Orchepe. A lot of you know her as Chepa Rank. She's acting as a Tiwahe coordinator. She's been visiting the tribes. She's going out there, meeting with them, participating in their big meetings, and helping them to develop their plans and get on track where they want to be.

Last Friday I held a conference call with each one of the tribes and just to touch base with them, let them know that we're communicating with them; I wanted to know personally if they had any questions or if there's anything else that we could be doing to provide assistance to them. We really want them to be successful. Their success would reflect well for all of Indian Country and hopefully benefit other tribes as we try to pursue additional funding for tribes for these various programs.

DARRELL SEKI: We're one of the pilot projects. We have it going. My question is we received \$500,000; is there going to be considered any more additional funds? Because to fully operate it's going to cost more than \$500,000.

HANKIE ORTIZ: So for FY '16, the President's FY '16 budget request for Tiwahe was \$6 million to provide additional child protection services and child social service workers at the Tiwahe sites. This increase will allow the sites to focus on increasing prevention, intervention and outreach activities, as well as decreasing child protection caseloads per social worker. All additional disbursement of FY '16 Tiwahe dollars will be in accordance with the 19.67% of the FY funding levels for the first CR, and then across the board Tiwahe, ICWA and social services funding is expected to be disbursed from central office to the regions within the

next week. Disbursement of Tiwahe funding to the pilot project sites will not occur until their plan is approved. Once your plan is approved, then we'll give you the additional Tiwahe funding for the pilot project sites. But the across-the-board increases, those will be going out immediately.

We don't know what the '16 budget is actually going to look like, but that is the proposal. It does include an increase, in addition to the social services, for tribal courts. So I don't know what that's going to look like ultimately, but that's what's in the proposal, and that's what we're planning to do.

RICK HARRISON: I was just wondering if what you're talking about is included in coordination with the OJS side of Tiwahe, and is any of the pilot projects focusing on that area, as well?

HANKIE ORTIZ: The extent has really been focused on tribal courts, because that's the anticipated funding that's coming up. They are also planning to kind of build on the recidivism projects that they had in OJS. And OJS is part of the internal work group. We have a couple of representatives from OJS. Rod Robinson and Tricia Tingle have been working with us in Indian Services to try to bring in the technical assistance pieces for OJS. The largest focus has been on social services, but there has been communication with OJS and involvement in looking at what they're trying to do, because overall I think we share a lot of the same goals, and we work together closely and between law enforcement and social services there's a lot of communication.

The next topic is domestic violence. And I just wanted to share with you that Indian Services really is committed to addressing domestic and family violence in Indian communities. This is a new program that we've taken on in Indian Services. FY '15 was the beginning of the program. The Division of Human Services is where our domestic and family violence program is located. Human Services has continued to develop a comprehensive plan for addressing the needs of Indian communities with high rates of domestic and family violence and high incidences of child abuse and neglect. During FY '15 36 new domestic violence social workers were hired through funding provided by Indian Services. Twenty-six of those positions were hired by tribal social service programs, and seven were at regional offices, and three were located at agencies.

The domestic violence plan focusing on strategies to expanding family services related to domestic and family violence; we've improved teamwork between law enforcement and social services to more rapidly address instances of domestic and family violence, improve coordination of services with other related domestic and family violence partners in Indian Country. The plan includes developing a gap analysis and best-practices model; organizing training and on-site visits and ways to best provide technical assistance to tribes operating domestic violence or family violence prevention programs.

In Indian Services we hired a family advocacy specialist. Her name is Danielle Roberg, and she just started a couple of months ago. But she's going to provide program oversight to help develop a gap analysis and best practices model. She's going to do the organizing of the training and on-site visits and provide technical assistance to tribes operating a domestic violence or family violence prevention program. She was just asked to do a detail at Rocky Mountain Region, and she's out at Crow, and we're agreeing to do that, because I think that would give her some good on-the-ground experience in dealing with the kind of social services issues that come up at a regional and agency level. She is going to be going on a 30-day detail, but she's still going to be focusing on these issues, as well, at the same time.

Disbursement of the funding for the 36 domestic violence social worker positions will be in accordance with CR 1 -- the first CR that we're having, which is 19.67% of the FY funding levels and is also expected to be transferred from central office to the regions within the next week.

We have been reaching out to our federal partners. The Department of Justice, for example, has done a lot of work in the area of domestic violence, and we've been trying to reach out to them and work in partnership with our other federal agencies. Because this is a huge issue, as you all know, in Indian

Country, one that has probably impacted us personally or someone in our families, and one that we absolutely want to make sure we're addressing.

Education Reform

MONTY ROESSEL: We have the Sovereignty in Indian Education Initiative, the tribal education department grants, the native language summit that we've gone through, the native language framework that we have, our reorganization and our outreach. These are all areas in terms of the total reform that we talk about, and I think it's reflective over -- the underlying premise in all of these is that tribal voices matter, and tribal decision-making is the only way we're going to reach outcomes that are going to improve education.

We had a language summit. We recently signed our native language framework.

The Sovereignty in Indian Education grant, just to give you an update, we have a second year of that cohort that's been funded. We are in the process of a request for proposals for funding Year 2 of the Sovereignty grants. We have a couple of tribes -- Miccosukee, Navajo is in the final phases that we hope to have that identified and signed by January. We have other tribes that have also engaged with us that are looking forward to that: Mississippi Choctaw, Oglala, Standing Rock. We are providing the support for tribes to develop the kind of accountability workbook where they set the standards, they set the assessments, and then they are able to control what education should look like on their reservation. They can tie in language if they so choose. They can tie in other aspects of what they feel is important for education.

In addition to that, we also have the Tribal Education Department grants. And these are funding -- for the first time we've had this funding available. It's been a blank line item for many, many, many years. We now have \$2 million, and that's the limit, the statutory limit, that we have for this fund. We awarded a group of six tribes in August, and the remaining of the balance, we went back out and we awarded another four tribes just recently. Now we have 10 tribes that are looking at ways to build their capacity. Some of these tribes have a single BIE school, some of these tribes have three, and some of these tribes have 66 different schools.

We had the second annual Native Language Summit recently. We've identified \$3 million that can be used with tribes and schools developing a native language program. The money is not to hire teachers; that money is to figure out how are you going to assess the students, what are you going to use, an emergent program, a bilingual program, a dual-language, a heritage program. Make those decisions; and when you make those decisions, then what do you do for support. There has to be a policy level, there has to be a program development level to actually say this is the outcome we want. And then you work backwards developing those standards, maybe a scope and sequence for kindergarten through 12th grade, if you have that; or if it's kindergarten through fifth grade or sixth grade.

The reorganization. We are creating an Office of Indian Education, a Sovereignty in Indian Education Office, where we can focus and have people that are experts in native language development, in bicultural education that can provide that support for the schools that are out there, for the tribes that are out there as they decide what it is that they want to do as they move forward.

The other part of this reorganization is a very targeted professional development approach towards instruction. The biggest impact on improvement in outcomes is the teacher. We need to focus on the teacher. That's a big part of this reorganization. Realigning the ADDs so we have Associate Deputy Directors in the past that were based on geography; now it's based on functions. BIE-operated schools, tribally-operated schools, they have one singular focus; that's what we're trying to move forward to. Changing our line offices from just places of compliance to actually being there to provide technical assistance in these education resource centers as we move forward. Taking people that are centrally located in Albuquerque and moving them out to the field so they're in Kyle, North Dakota; Tuba City, Arizona; Turtle Mountain; getting them out to the field so they're closer to the schools is what we're trying

to do. Creating people that can oversee the academic side that will be accountable to what our outcomes are; also accountable on the financial side to ensure that are audits are well and moving forward.

And so right now we also are in the process, we've submitted this letter to Congress. This is part of reprogramming. We're waiting for their reply to us. We believe it's going to be affirmative. I think also with the help of all of you, with the resolution at NCAI, we believe that we've answered every question many times. It is moving into an implementation phase.

We are looking to develop a tribal leader summit on education. And no matter if you have a public school only or you have a BIE school only or you have both, how can you drive reform at your tribal level? What does it need from the tribal leadership level to be able to implement the reforms? What are those challenges that you have and how can we try to get there? There's a lot of legal issues that need to be explained.

RON ALLEN: Yes. You're almost the last show, so if there's any questions, we'll be happy to field them.

COMMENT: We feel like this is change for change's sake. We've been through this reshuffling before. We don't agree with NCAI, we're not members of NCAI, and neither is the majority of the BIE-controlled schools.

CRST and Oglala have filed suit against this. The Great Plains resolution reflects our position. I'm going to read this now. "Therefore, be it resolved that the Great Plains Chairmen's Association calls on Congress to reject BIE's request for funding for reorganization and authority to reprogram funding and instead focus reform upon better delivery of support services to tribal schools and adequate funding in order to adequately fund maintenance facilities and other areas of education need.

"Be it further resolved that the Great Plains Chairmen's Association calls on Congress and the BIE to implement the following to redirect the BIE's reorganization efforts to better respond to the GAO's suggestions and to better serve tribes, tribal schools and native students, promote self-determination and capacity building by permanently funding tribal schools, tribal grant support costs at 100%, support bureau and tribally-operated schools by eliminating discretionary education enhancement grant programs and redirecting those funds into Indian school education program formula funding pool, which will go directly towards instruction and materials; help hire and retain effective teachers and principals by enabling tribal-controlled grant schools' personnel to participate in the federal employee health benefits program and the federal employees' group life insurance; reject the BIE's proposal to reorganize its staff into regional educational resource centers and provide the existing educational line offices located on or very near to reservations with training to respond to facilities issues, serve as a direct line of communication between the BIE and schools and provide technical assistance to tribes and schools; reduce duplicative and burdensome reporting requirements associated with BIE administration and grant requirements to better enable tribes and schools to administer their schools; establish their own educational criteria and goals to reduce the burden on BIE while enhancing their ability to respond to tribal needs directly and efficiently.

"Be it further resolved that the Great Plains Tribal Chairmen's Association calls on BIE to, prior to taking any more actions to further its proposed reorganization provide specific information as follows: One, successfully answer the questions set forth in October 9, 2015, letter to BIE from chairs and vice-chairs from the Senate and House Appropriations Committee and provide its answers in the form of a Federal Register Notice with a comment period of not less than 60 days; two, prepare and provide impact statements for each school to explain clearly how the proposed reform will affect the school, including which education resource center school support team and other staff will be assigned to it, as well as any other changes, and allow tribes and tribal schools to have an opportunity to respond to and enter into dialogue with the BIE about their respective statements; three, provide tribes and tribal schools the research and data upon which proposed reorganization is based."

KEITH BEGAYE: Regarding the reorganization and also the direct funding, my request or recommendation to the group is that if we truly want to adequately equip the resources that our young kids will have, meaning the teachers and the staff, why not have the BIE have a line item where housing funding also be directly appropriated rather than right now I think they have to go through HUD to get housing.

MONTY ROESSEL: The President's budget had something like \$20 million set aside for housing-related Indian education. It's not the BIE -- HUD, just to put the grand context out there for you, HUD has about \$650 million a year for housing in Indian Country, and BIA and Indian Affairs has about \$8 million. This year the President's budget set aside, I think it's \$20 million just for education, though, for teacher housing, and asked that HUD change its programs to use that money for teacher housing. Our \$8 million isn't very much, and it's our HIP, Housing Improvement Program; and it gets spread across Indian Country. And so, frankly, you just can't do very much with \$8 million. But we've brought HUD to the table. OMB and others, the President, the White House, brought HUD to the table, and that's how we're trying to deal with that, get HUD more focused on education so we're working better together.

JACKIE JOHNSON PATA: I think part of that initiative and that plan is to share more models on how you leverage dollars or how to be able to create leveraged housing in the tribal communities. So even though it's \$20 million, it's not a lot of money; but there are ways that you can either use your NHASDA money or you can actually use loan guarantee programs that the tribes are eligible for that you can finance housing using some of that leveraged dollars. And then you can actually rent housing to your teachers, or you can create -- it also can be somewhat of a stream of alternative housing that the tribe could then control more for your teachers, particularly if they are non-tribal member citizens that you want to provide housing for but wouldn't necessarily be giving any land to for housing.

I'm hoping that we will get some really good models that we could share with tribes, because I've gotten this question from tribes across the country a lot of times not only related just to education but also to your health service providers. And this model could be used for both -- and law enforcement.

MONTY ROESSEL: This reorg is actually addressing that type of decision. Right now BIE does not have that control over construction, over teacher housing. But when the housing and when construction comes under, facility maintenance comes under BIE, then at that point we would have the ability to have a separate line item; we would be able to say this is again from BIE and not from somebody else, we would be more in control of those homes that are for the teachers at the schools. So part of our full implementation of this reorganization is putting that under the authority of BIE so we can move forward and try to address some of those concerns that we talked about earlier.

RON ALLEN: You must have some sort of an assessment of what that need is; in other words, with all those Indian schools that are seeking teachers and there's a need for housing, so you must have at least an initial inventory, correct, of the need?

MONTY ROESSEL: Yes, we have under the division. They do have an office in Albuquerque that deals with our BIA housing, and that includes BIE schools as well as the others.

DARRELL LAROCHE: That's one of the things that we've been working with BIE together on to actually contact in each of the local locations to actually get those teachers' needs. We have a good idea about how many quarters are at each location and the utilization rate and how many are rented and so forth, but there's not that granularity of which ones are being rented by teachers and so forth and what the actual need is. So that's one of the things that we're doing is we're contacting each of the local sites to get a better feeling for what the need is at those locations.

RON ALLEN: I think it would be helpful for future reference if we were able to categorize the housing needs for teachers versus law enforcement, because they're two different areas, and we know that we have need for both. But this topic that's being raised by Navajo is relative to the teachers. And so it would be helpful

for us to have that information broken out, if you can.

DARRELL LAROCHE: Okay, that's something that we do have.

Tribal Colleges Update

CARRIE BILLY: My name is Carrie Billy, and I'm the President and CEO of AIHEC, which is the tribal colleges and universities.

Presentation: http://www.ncai.org/2015_TIBC_WDC_Nov_19_2015.pptx

Engaging and working to strengthen all tribal nations is the real focus of tribal colleges. Our vision is strong sovereign nations through excellence in tribal higher education. So I'd like to tell you a little bit about how we're achieving that vision, but first I want to put in a plug for our top priorities with this administration as we go into the last budget. First, education, full funding of education programs. Education really is the key to addressing all of the challenges we face as native people. If you want to address law enforcement challenges, invest in education. If you want to end the day when the nicest building on our reservations is a jail, invest in education. If you want to improve the health status of our people, invest in education. If you want to grow our economies, invest in education. If you want to give our people and our children hope, invest in education. I can guarantee you it is the best investment the federal government will ever make.

I'll show you why in a minute, but now what we would like as our first priority is for this President in his last budget to make a bold and firm commitment to Indian education and fully fund Indian education programs, including tribal colleges. For tribal colleges we're about \$1,000 per Indian student out of full funding. That's a total of about \$20 million that we need to fully fund tribal higher education.

Second, we think that in the Interior schools, all Interior schools should be -- their budgets should be based on an academic year and their funding should be based on an academic year. This is called the forward-funding issue; and right now only five Interior-supported institutions are not forward-funded. That's Haskell, and then in New Mexico, SIPI, IAIA, and Navajo Technical University, and United Tribes Technical College in North Dakota. These five schools face closing their doors every time there's a government shutdown. They're the only five schools that begin the school year running out of money, and they have no idea most of the time when Congress is going to pass an appropriations bill to fund them. This can be easily fixed. We only need, again, about \$20 million minus whatever we work out in the FY '16 budget to forward-fund these five institutions.

I'm going to stop there with those two priorities, \$40 million additional needed to sustain and strengthen what we think is the best experiment and experience in Indian self-determination. And it really is one of the best investments that the federal government can make, tribal higher education.

AIHEC recently commissioned an internationally known economic impact study to investigate the economic return, the return on investment of tribal colleges. What that revealed is for every one dollar the federal government invests, the return to taxpayers is \$2.40 for every one dollar. For students, every one dollar students invest, the return is \$4.20. And for tribes, states and regions, you all really clean up because the investment, the federal investment, one dollar, the return on investment to you is \$5.20.

So I'd like to put that investment into context and talk a little bit about the tribal colleges, who they are and how they're working with tribes and all tribal people. I like to say that tribal colleges emerged onto the U.S. higher education landscape because using that word "emerged," it signifies to me the place-based nature of tribal colleges. Tribal colleges emerged nurtured by and in turn nurturing the land, language, culture and distinct people who created them.

In terms of prioritizing tribal college funding it's really important to remember why our leaders established tribal colleges. The first reason was the near complete failure, which continues to exist today, of the U.S. higher education system to meet the needs or even include American Indians. And the second is the need

to preserve our culture, our language, our lands and our sovereignty, our past and our future. Tribal college responsibility to your people, to my people, extends far beyond academic program. Their goal is to build our own education systems founded on our ways of knowing, traditional knowledge and spirituality.

We've grown from that first tribal college, Diné College, to 37 institutions in 17 states operating more than 75 campuses throughout Indian Country and serving geographically about 80% of Indian Country. Tribal colleges today educate more; they train about 100,000 American Indians and Alaska Natives in academic and community-based programs every year. And although there are only 37 tribal colleges, more than 250 Indian tribes are represented at our schools. We serve tribes from Barrow, Alaska, to Florida to California, in all four directions. Thirteen of the tribal colleges offer four-year degrees. All of them offer associate's and certificates. And five offer master's degrees.

Our student body is like that of most community place-based institutions. We're about 67% female, 39%, about 40% male. But our fastest-growing population, student population, which is really exciting, is American Indian males. The average age -- another really exciting thing for us is the average age of incoming tribal college students is between the ages of 16 and 24. That means that students are going directly from high school into a tribal college, which is really, really exciting. Our students comes with a lot of needs, the financial needs. Almost 80% of our students receive maximum Pell benefits. And the average tuition at tribal colleges is really low. It's the best investment for an individual to get a four-year degree. The average tuition is about \$3,200 a year. It's really incredible.

Tribal colleges take hope, ideas and pitifully few federal dollars and shape them into opportunity for our people, opportunities for a healthier life, a more stable and prosperous community, revitalized language, engaged citizenry, really focusing on workforce development. In fact, tribal colleges produce the majority of American Indian nurses in this country; they produce Head Start teachers, elementary and secondary teachers; agriculture and land-management specialists; tribal leaders; engineers; computer programmers and more. In fact, two schools, Oglala Lakota College and Salish Kootenai College, graduate the most American Indian nurses of any institution of higher education.

We have a lot of partnerships in a lot of different areas. And I want to just talk about one, a new partnership we have with the BIE, that I think sort of signifies this new commitment that Dr. Roessel's bringing to the Bureau of Indian Affairs. This is a partnership between BIE and 20 tribal colleges -- well, actually, 22 because Haskell and SIPI are part of it -- to encourage more American Indians and Alaska Natives to be college bound, to stay in school, get a high school diploma and then go to college when they graduate. It's a new partnership, really exciting. We're focusing on enrichment activities, the educational experience in two areas of critical need for our students, which is math and English. And right now we're engaging the schools right now, and we've established -- another really important thing about this is we have really strong metrics to measure the progress that we're making over time in impacting the future of our students.

It's not a one-of, one-time effort, however, to address the challenges that we face and the extremely high drop-out rate of American Indians; we need to really instill the power to succeed, instill the self-worth and identity within these students. And that's something that takes time and really requires a sustained federal investment.

We also think we need a little more money for this initiative, because right now we're involving 22 schools. But those schools, some of them have multiple feeder schools; and right now they can, with the amount of money they're getting, can only work with one. So we hope to sustain this and see it growing in the future.

This is just some more information about the teacher preparation. And in terms of workforce development, I just want to mention one of our schools did a satisfaction survey of employers of their students, Lac Courte Oreilles Ojibwa Community College in Wisconsin, and they had a 100% return on investment -- a 100% satisfaction rate among their employers. And that's not just at the Indian health

service or tribal programs; that's for all the employers in the area. So they're really meeting their needs.

In addition to workforce development now, though, one thing that we're doing with tribal colleges is focusing on job creation to really turn around the economic development situation that we're facing. So we have five schools right now working with their tribal governments to focus on advanced manufacturing and job creation in Indian Country. We're doing that through a partnership with the Department of Energy.

We're also engaging in a lot of research. And some of you all may have heard about some of the research going on on your reservations. This is student-led community-based research, which we found is a real key to keeping students in school. But focusing on things that you need, food sovereignty, water quality, natural resource management, behavioral health; a wide variety of initiatives that are going on.

One that I'll mention, at Diné College we have students doing research to address the agriculture problems, grazing problems we face. They're looking at a new type of grass as an alternative to alfalfa, low -- drought-resistant, low-water-usage plants that could really change the landscape of agriculture and meat-animal production in the Southwest and could really be a change that will impact not just tribal communities but the entire region and the country. It's really important as we address climate-change issues.

So that's just some of the types of research that are going on. But in addition to the research, tribal colleges do a lot of things for communities. One tribal college runs the bus service. Many of you probably participate in things like the United Tribes Tribal Leaders Summit; a number of activities going on in our communities that tribal colleges are leading. Tribal colleges are open-door institutions; they take anyone who will walk through their doors and work with their students and their communities where they are. We've traditionally focused on the needs of the community and the tribal needs; but as I said, we're now moving into really exciting areas like workforce -- besides workforce development and to job creation.

But we face a lot of challenges. Our students are coming unprepared, about 70%. Seventy to 75% test into developmental education every year right at the beginning in at least one subject, many about 60% into three subjects. So tribal colleges are spending a lot of time reeducating and retraining our students. We have -- we're underfunded, as all tribal programs are. And have a number of other challenges, geographic boundaries and other things, that we're addressing.

But we've also found ways to really succeed with our students. And I'll just mention a few of those, a few of the things that we're doing with our students. Tribal colleges -- this is a student at Cankdeska Cikana Community College -- well, he graduated from there now. Ryan Brown is going to be the first engineer graduating from the Spirit Lake Lakota Tribe. He's now a student at one of the North Dakota universities, but he attributes that success to the programs that Cankdeska put in place, place-based internships, mentoring, dual credit, that program of working, creating those partnerships between high schools and community colleges. And dual credit is something that most of the tribal colleges are engaged in, and no one pays for that, actually, except for the tribal college.

This is a student at Oglala Lakota College, Tada. She attributes her success to a partnership that Oglala Lakota College created, very similar to other ones that we have throughout tribal colleges, where the tribal college doesn't have the resources to have the kind of equipment and mentors that they need, so they're partnering with South Dakota School of Mines to make that research, advanced research, a reality for the students. And she's now going on to get a higher degree.

We have students who -- this guy at Sitting Bull College, he was a pre-engineering student. Sitting Bull had one engineering professor, and that professor left them because they couldn't afford to pay that professor anymore. So they thought he was going to have to drop out. But Sitting Bull, instead of closing down the program, created a distance learning program with another university that has the beginning, pre-engineering courses he needs so he can stay in that engineering program.

We have students who were homeless. These are two guys at College of Menominee Nation, homeless; no

one ever in their entire education career told them they could succeed until they went to College of Menominee Nation. Now that second guy, Clinton, is going to -- he's in law school; he's going to be a lawyer. So tribal colleges are really changing the future of Native America one student at a time.

At Fort Peck Community College they have a lot of male students in particular enrolled in certificate and workforce development programs, and they saw that they were dropping out. So instead of bringing them to the main campus for student support services, they moved all of that stuff in the workplace to them so they get the kind of service they need and that wraparound support that's really unique to tribal colleges where they're taking classes and where they're working.

Navajo Technical College, one of our most successful colleges in addressing remediation and retention, I won't go through all the things they're doing; but they have totally turned around the way they do developmental ed and math courses, setting high standards for their students. And they're succeeding; 70 to 80% of their students are retained and graduate every year. It's really incredible. We now have a program to scale up what they're doing with other tribal colleges.

Another thing that we do is use data. And I've included in your packets a summary of our economic impact study; but really looking at data to measure student success. We've started a new initiative with our tribal governing boards. So the governing boards and the colleges are working together on student success, setting really strong metrics. We're doing all this being among the most poorly-funded institutions of higher education in the country. Not just operating funding, which comes from Interior, which we're dealing with now, but also particularly in land-grant funding, which should be very important to tribal leaders because 75% of our land is forested or agriculture land.

And if you look at these numbers of how tribal colleges are funded compared to the other land-grant institutions, it's just almost criminal. For example, for extension we get 4.7 million a year; the state land-grant institutions get \$300 million a year in extension program. Same thing for research. And this is continuing. So one of our priorities is to try to get that funding increased.

And for the students, their issues are just as strong and significant as the tribal colleges. Tribal college higher education tuitions, best investment in education anywhere. A little over \$3,000 per student for tuition. But as I said, most of them get maximum Pell. But the average cost, when you include transportation -- some students drive 100 miles one way -- when you include transportation and all of the other costs of going to school, including supporting a family, that's a little over \$13,000 a year. The average income of our students is about 15,000. So you see that that's \$2,000 they have left if they're going to go to college. So it's really, really difficult. That's why things like the scholarship programs and fully funding our operating funds are so important. Tribal colleges write off every year about \$100,000 to 200,000 a year in unpaid tuition. So you know that whole America's college promise of going to college free? Tribal colleges are already doing that for our students. It's just they're just not being recognized for it.

So as I mentioned, that's why we have these two priorities that I went over earlier: education full funding for all Indian education programs, including tribal colleges; and forward-funding for the five Interior schools that are no longer funded. And as I showed you earlier, if you make that investment, if the federal government makes that investment, if the tribes make that investment, you're going to get every penny of it back and more. Two dollars and forty cents for the federal government, for taxpayers, for every taxpayer in this country; and for tribes, states and regions, \$5.20 for every dollar invested. It's really, really incredible. And that investment will help us achieve our vision of strong, sovereign nations through excellence in tribal higher education.

RON ALLEN: I've visited some of the colleges and I know they're severely underfunded. But even being underfunded, they're getting phenomenal results. It's resonating with many of our communities. And many, if not most, have no other real option that works for them in terms of the cultural comfort level of going onto higher education, whether it's an undergraduate or postgraduate kind of program. So, I'm from

the Northwest, so the Northwest Indian College, it works real hard at developing their capacities, going to the four-year degree capacities, baccalaureate, so it's a big deal to us. And I can say that Indian Country wants more of our people graduating, to be a stronger force in the workforce at home and elsewhere, as well.

DARRELL LAROCHE: I'd like to address the curriculum a little bit. Bureau of Indian Affairs, we hire a whole lot of people specifically to work real estate services. We're not finding anybody on the street that we don't have to train. So it would really do everybody good, Indian Country, the Bureau of Indian Affairs, if some curriculums were developed to match what we do. We do a different type of real estate service than anywhere else in the country. It's pretty specialized. But in my region alone, I have 450 total employees. At least 100 of them, probably more, of those employees are real estate services. And, again, we have to train. There's just nobody out there that's building them. And so I would suggest that some folks reach out to some of the real estate folks here in DC and see if they can't help them develop some curriculum.

CARRIE BILLY: Thank you for mentioning that. Curriculum alignment, just throughout with all industries, is a key to workforce development now. So I think it's something that tribal colleges need to do better. In the past they sort of looked at what are the needs of the reservation and work with their tribes to develop education agendas, which means they're doing a lot of things, maybe in some cases more than they could do really well. So we need to look at where the jobs are and align those curriculums. So we'd like to do that. Some other people at USDA and Interior mentioned that to us, also. So maybe that could be part of the summit, the Indian Education Summit, having the curriculum aligned with where the jobs really are. So I'll definitely follow up with you. Thank you.

New Business - Red Lake Budget Proposal

DARRELL SEKI: Yeah, 2016. It's regarding an increase that might be approved. And it's like 142 million. When I talked about it, my recommendation was to put it to our -- the sequester cuts. Apparently that's not allowable, is what I was told. So David Connor has an idea how to do it, so I'll have him present it.

DAVID CONNOR: Proposal for FY 2016 Tribal Jobs Recovery and Relief Initiative

The FY 2016-2017 Budget deal to soften the blow of sequestration provides an additional \$25 Billion to Discretionary programs in FY 2016. This compares to \$22.4 billion provided to Discretionary programs in FY 2014 under the Murray-Ryan budget deal. In FY 2014, BIA received an additional \$142 million, in which the BIA had some flexibility in how to allocate such increase. It is likely that there will be an increase to the BIA budget in FY 2016, similar to FY 2014, and with similar flexibilities for the BIA to allocate such increase.

We propose to the BIA to take \$34 million of the FY 2016 increase and distribute it to tribes as a TPA General Increase under BIA budget line T9901 and/or similar lines. This increase would be similar in concept to the TPA General Increase Congress provided in FY 1998, which at that time was for Social and Family needs relief. The purpose of this Initiative shall be for Tribal Jobs Recovery and Relief. As a general increase, tribes would have the flexibility to determine how to use the funds, consistent with the title of the initiative.

Allocation of funds would be on a pro rata basis, similar to a General TPA increase like that of FY 1998, and based on each tribe's TPA funding levels.

This initiative would provide a balanced approach to allocation of additional FY 2016 resources, leaving room for Congressional directives and Administration priorities, while at the same time providing significant and lasting relief for tribal TPA programs, which have suffered significant erosion in the last decade from across the board rescissions and sequestration.

- Motion made by Darrell Seki and seconded by Rick Harrison to support the FY 2016 Tribal Jobs Recovery and Relief Initiative for \$34 million to address funds lost to rescission/sequestration.

Motion carries.

Old Business/New Business

RON ALLEN: Well, I'm assuming Navajo put their proposal on the table. And I'm assuming that same proposal is also going to come through with their region proposal. They're going to have a region proposal; and this issue, I'm assuming, is going to be inside it.

RON ALLEN: So it's going to be aggregated into whatever else you're going to be recommending from the Navajo Region, this last proposal? Because it was for FY '18, correct? Yeah. So when you come in, what is it, the March -- isn't it March when everybody brings the 12 regions? So then you'll bring yours, and that proposal that you've actually put on the table now will be a part of it.

Suggested Topics

- Protocols
- The Strategic Plan proposal that we've asked Jeannine and Melvin to engage with us in the data management to talk about and shape out a strategy and work plan with regard to the training and review of the Interior Strategic Plan so it gets updated and everybody is comfortable with it.
- The regional priorities and then what do we do with that next level, so to have that conversation.
- And then, of course, there is the law enforcement/public safety working group, which the tribal side should have all received an e-mail already about wanting to get together and get that going. So you should receive that e-mail, and then we'll coordinate with the Department on who the leads will be from your angle.

Meeting Adjourned