

Tribal-Interior Budget Council
Meeting Minutes
March 22-23, 2016

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Introductions

Jefferson Keel moved to accept the agenda as a guide, seconded by Darwin St. Clair. Changes to the July dates will be added to the agenda.

Minutes: approval postponed to tomorrow.

Opening Remarks

Larry Roberts: Thank you for all of your work on the FY 17 budget. I just finished the third hearing on FY 17 and Members of Congress are listening to all of you. I hope you were able to testify before the House Appropriations committee. We got a lot of support for the President’s budget. Indian Affairs would get a 4.5% increase. Some members of Congress say that the president’s budget raised expectations in Indian Country. Tribes should show that investments in Indian Country are worth it. We showed the success of Red Lake as an example of what can be done with Tiwahe, for example. Our ICWA regulations remain a priority. We hope to get those out in the coming weeks. We appreciate the tribal comments. We received 3 times the number of comments on that regulation compared to others. Once we finalize them, they will be challenged, most likely, but we appreciate your comments.

Right of way regulations tip the scales in deference to tribal leadership about whether those right of way regulations should be issued or not. Second, they address a Supreme Court holding

in *Strate vs. A-1 Contractors* which said that if a tribe didn't reserve right of way jurisdiction, somehow the tribe lost that jurisdiction; our regulations address that by requiring every right of way to include a retainer of tribal jurisdiction over that right of way. Third our right of way regulations piggyback on what we did in the leasing regulations, that state and local taxation of right of ways is preempted. We were sued on those last Friday by industry. Those are subject to litigation right now.

Energy Service Center: thank you to tribes who have been working with us. This center includes BIA, OST, BLM, ONR. We have funding in the FY16 budget. The President's budget continues this service center.

Education: school construction, we have a process that was put in place through negotiated rule-making. We have 77 BIE schools in poor condition. I have a list of 10 schools for replacement. I have to decide in terms of those schools on priority and how they will be funded. Tribal leaders have said that the process we are utilizing, we have a crisis. We need to move more quickly on school construction. We are developing a plan that moves more quickly. For the schools that are already funded under the 2004 list, working with tribal leadership on how to expedite those.

Land into Trust: still a huge priority for the Administration. We are over 400,000 acres. Our goal is over 500,000 acres by the end of the Administration. We want to close out decisions on those. We don't know what the next Administration will prioritize. The last administration had a moratorium on fee to trust. I'm looking forward to this meeting and hearing about the priorities to make a strong FY18 budget.

Ron Allen: Self-sufficiency and self-reliance are a big deal to us. Some of your examples of taxation authority and regulations are important. When I testified at the appropriations hearings, I discussed that the \$2.9 billion is a modest improvement, but the needs of Indian Country are easily 10 times that number. How do we get there? How can the Department and Administration strengthen the capacity of tribes: access to capital, effective infrastructure, taxation authority, broadband, ICWA regs, suicide rates, chemical dependency, mental health care needs, family and community strength. The trust responsibility is not just natural resources (timber, minerals, fisheries). The issue for us is how we can put our best foot forward for FY18 knowing that the next President will come in with this budget. It needs to be put against a backdrop of what the need is. How do we quantify the need? Is it \$50 billion, how do we show that? And then, how do we get there? I look at the BIA budget, it's very complicated: governance, education, public safety, natural resources. How do we use the limited resources and maximize those limited dollars. We appreciate Tiwahe, but what else is out there to address the challenges that we have? We know how hard this is within the framework of limited amounts that we can ask for in the budget process. We still have time with land into trust. We think there is growing sentiment in terms of strengthening tribes, but we have to team up to do it: 477, public safety, and others.

Sam Thomas: welcome to everyone. When we went through this exercise last year, we said that if there was any boost in Indian Affairs' budget, we would like to see a similar TPA increase. We also want to see a restoration of sequestration in TPA. We are hoping that we outline the needs and unmet obligations and see those put forth in the Indian Affairs budget. Another issue is carryover funding. A number of years ago, we had tribes asking for help with natural disasters.

Land into trust is a big issue in Alaska still. The Secretary needs to exercise section 5 of the rule. It would be a good time to possibly test the waters. Data also continues to be a big issue. We would like to see the funding for data continue. OMB and Congress continue to ask for data.

Ron Allen: we continue to want to improve our budget formulation process. There have been some miscommunications and issues with technical assistance that undermines the uniformity of the formulation process.

Terry: in IHS tribes had good input into the IHS process. The All Pueblo Council of Governors: in FY18, we started over. The instructions were difficult. We wanted to get input from OJS. Some pueblos didn't make the deadline to provide input. Consultation, we feel the budget is already done for us. In IHS, we knew what the Great Plains needed and what other regions need. Some tribes think the budget is already done before we provide input. What we provide is really important. But it would help if we understood the needs of other tribes in other regions too.

Kee Allen Begay Jr.: one-third of the 77 BIE schools are in the Navajo Nation. He asked how BIA will make school replacement determinations. Another aspect of education is school housing. We need a better assessment of which schools have need. In reference to housing, we need to look not only the facility, but also housing. We need to elevate that as a priority.

Larry Roberts: Housing cuts across BIE and many other services: law enforcement and social services too. We could talk about it in a broader context.

Ron Allen: our work with Census could help address these data needs as well.

Darrel Seki: We have a proposal for a \$34 million Jobs Relief initiative. We also would like to see BIA receive strong support within the DOI budget. Third, law enforcement funding is flat again. Our reservation is facing drugs and heroin problems.

Vernon Miller: he requested that we be provided a comprehensive funding table, including fixed costs and variable costs.

Jonathan Nez: He raised the need to rehabilitate the Bennett Freeze area on the Navajo Nation.

Kitcki Carroll: The new budget process roll out included an effort to move to a new process. He expressed concerns over the fact that BIA is about underfunded by 54%. In IHS, there are 21 line items. In BIA, we have over 125 line items. In IHS, they have one issue. In BIA, we have many different areas. The budget process in BIA makes it difficult to have a budget that truly reflects the true obligation. Lumping all programs together makes it difficult to budget in the formulation process. We are looking for innovative ways to address the multiple issues BIA's budget funds. Eastern is looking for ways that each issue area gets the attention it deserves.

Larry Roberts: recurring issues include unmet need and process if we received increased funding. If Congress appropriates the funding, how does it benefit Indian Country? We are trying to build up the data to support increased funding, such as under Tiwahe and law enforcement.

Kitcki Carroll: The US Commission on Civil rights asked about what the Marshall Plan is for Indian Country. We shouldn't have to lobby for our funding, like health care lobbies and others. The

Marshall Plan was about nation building and that's the approach BIA's funding to tribes should attempt to do.

Roads Maintenance Update

Buddy Knife, Cheyenne River Sioux Tribe on behalf of Harold Frazier
Big John Smith

Issue: Separate Road Maintenance from the Tribal Government budget activity.

Recommendation: Create a new budget activity called "Highways and Streets" and retain the \$26 million allocation and increase funding levels by 25% to address maintenance and repair backlogs and safety standard issues.

Justification: Historical Budget Reductions, MAJOR Impacts, View of State of South Dakota budget versus BIA's budget structure, Unable to address SAFETY Standard Issues, Integrate Department of Transportation Performance Management Principles into BIA Road Maintenance Budget, Benefits of a Performance Budget, and Impact to Tribal Transportation Program Funding

The actual Road Maintenance percentage is not a true and accurate reflection of Road Maintenance funding due to the supplemental of the Tribal Transportation Program funding; the Deferred Maintenance Report will provide justification. The Tribal Transportation Program is already an underfunded construction program that is supplementing an underfunded Road Maintenance facility/program.

Road Maintenance Goals and Performance

Separate Road Maintenance from the Tribal Government budget activity. State and Federal Government identify "Transportation" as Departments, separate from other activities in their budgets. Create a new budget activity called "Highways and Streets" and place Road Maintenance as a sub-activity under it. This will give the program greater visibility and cushion it from potential cuts from other budget activities. Road Maintenance does not fit in the Tribal Government activity or the Community & Economic Development activity where it is previously resided. State governments do not group transportation with other activities in their budgets.

Major Impacts to Road Maintenance Program

Funding for the Road Maintenance Program for BIA roads and bridges is \$26,206,773

Previous budget reductions created MAJOR impacts to the Road Maintenance Program:

- Less funding for maintenance and repair.
- Shortfalls.
- Backlog.
- Equipment needs.
- Outdated equipment.
- Staff needed.
- Despair between Northern and Southern hemisphere tribes (harsh weather).
- No start up funds when tribes first contract the program from BIA.
- No start up funds for new tribes.

As you can see, the State of South Dakota, their transportation department/budget is a stand alone. BIA's Road Maintenance budget is a sub-activity within the Tribal Government Activity.

SAFETY Standard Issues of Road Maintenance Program

- School bus routes (non-BIA routes)
- Outdated equipment needs
- Retro-reflective signs
- Anti-skid surfaces (chip seals)
- Road surfaces should be stripped annually
- Vegetation control (removal, mowing)
- Pedestrian crosswalks, stripped bi-annually (should be done annually)
- Escalated materials costs (rural tribes)
- Most funds are depleted at the beginning of the 3rd quarter in the current fiscal year

Why Integrate the DOT Performance Management Principles into BIA Road Maintenance Budget?

- A performance driven budget proposal establishes goals and measures that support achievements or objectives.
- A good Performance Management budget supports that the “NEED” is there.
- Require Tribes to report progress.
- **The Deferred Maintenance Report should be considered a measure of accountability of spending (service level index %).**
- If States could be penalized if they fail to report or meet targets then so should Tribes.
- Performance Management is a continual improvement process.

Benefits of a Performance Budget

- Presenting the facts and statistics gives greater credibility to what you are asking for.
- Greater credibility increases the chances of sustained funding and potential budget increases (how does it benefit the public and taxpayer?)
- More bang-for-the-buck results due to specific targets or measures.

Impact to Tribal Transportation Program Funding

- If “Road Maintenance” was designated within a stand alone activity (Highways and Streets) AND incorporating DOT performance budgeting principles, a well presented budget would benefit TTP.
- Construction projects are underfunded and delayed when TTP funds are utilized to supplement the Road Maintenance Program.
- TTP funds are not recovered.
- Winter equipment needs.
- Safety issues.
- TTP funding could be reserved only for it’s intended purpose which is **construction**.
- Currently all tribes in the Great Plains Region and nationally take some and up to the 25% share for Road Maintenance.
- **The FAST Act now requires supplemented TTP funds to be reported on to the Secretary of Transportation annually.**

Challenges to Creating a Separate “Highways and Streets” Activity within the BIA Budget

- A consensus of all tribes/regions for starters.
- Acceptance of the idea from BIA, the Department, OMB and Congress.

With \$500 a mile for roads, we are just barely keeping up. Dewey County receives about \$2600/mile. So the county receives about triple of what BIA provides for roads maintenance.

Ron Allen: even if Roads Maintenance receives its own line item, it will still compete against other BIA needs.

Leroy Gishi: Deferred maintenance is about \$290 million. If you look at the 28,000 miles of road that we have, the bulk are gravel and unimproved earth. The percentages are high that you will lose portions of roads. We are dealing with roads in this unimproved arena.

To reengineer a road costs about \$1 million, but after that, you are doing a lot less preventive maintenance. The two worst percentages of roads are BIA and tribal roads, which provide access to the communities, places where people work, etc.

We must have data management systems. The FAST act has two studies it will perform: safety data and ways to improve safety. Data is important for what TIBC is doing and any other decision-makers: maintaining roads and improving roads.

Ron Allen: we took a major hit in 1997. In 2007, we were at \$27 million. In 2013, we hit a low. If we have such need, why did the funding decrease? Was the Administration not supportive?

Leroy Gishi: there is not much data to quantify what the need is. The deferred maintenance report has been issued every year. But a lot of the data that we have, when BIA reports data, it is for 55 tribes in 305 locations where we have roads. It is not all the data we need. The data we have are on unit costs across a region. Those costs could be improved upon if we had data from the tribes. In 1991, we had \$41 million for us. ICE-T created funding for road sealing. That started a downward trend. SAFETEA-LU also made people think there is plenty of money to maintain roads. We need to show them with data.

The two studies direct the Secretary of Transportation in consultation with organizations. There are data out there: if an accident happens on a tribal road, law enforcement develop conclusions about accidents. It's often behavioral. We don't have reports that say the roads are not supposed to handle 60 mph traffic. We hope these studies will put some quantitative values.

Darwin St. Clair: there's nothing in reports that says "this accident was caused by the road"?

Leroy Gishi: that's right, we need to not automatically attribute accidents on behavior instead of the roads.

On Wind River we have a GIS GPS map of the road system and record accident bases, and record from police reports to coincide and identify where roads have weakness that could be engineering and so forth. Nobody has taken BIA to court on an accidental death. That could be a possibility. We have a lot of safety programs. Our roads are 1920 to 1945 built. In ten years, there will be driverless cars. Tribes are developing full GIS systems. Navajo has a splendid GIS/GPS inventory base on their transportation programs. Chickasaw has a very sophisticated GIS network if they get in an accident. If they have a heart attack, services can reach them. In Rocky Mountain that is difficult to do.

Ron Allen: we need to figure out what we need to be advocating to help you get better data and analysis to make the case for better and more resources. It's a balancing act, but roads are very important.

Buddy: can TIBC fund a taskforce to meet in every region with transportation officials, gather data, and deliver a concise report and use it for funding?

Mervin Wright: tribes quantify our miles and maintenance through our applications for our renewals. How will we now turn this data in again? We have a measured outcome that is conducted year after year. If there will be a formulation of a subcommittee, perhaps the subcommittee can compile the already existing data.

Sam Thomas: the data management committee could also address these data needs too. There are different ways to identify the unmet need and unmet obligation.

Chris McGeshik: I'd like to sit on this committee. You can generate this data based on other data. The roads are always a contributing factor for accidents usually, even if there is an impaired driver.

US Census Bureau Update

John Thompson, Census Bureau Director

I appreciate the opportunity to discuss 2020 Census planning. In January, I met with Director Black and we signed an MOU for our agencies. The MOU is to have open communications, we share information, the Census Bureau has accurate geospatial information for the American Indian/Alaska Native lands, and we work cooperatively to disseminate data.

The 2020 census plans: we conduct formal consultations with the AIAN recognizing the government-to-government relationship; we are guided by the principles that were signed at the Census Bureau in 2008 and at DOC. First, two years earlier than in the previous census, we have started a series of 8 consultations with American Indians and Alaska Natives. We have conducted 7 of those to date: I had the pleasure of going to 3. Our 8th consultation will take place here. We look forward to hearing from tribes. We will do a webinar in mid-April for tribes that cannot attend in person. At our expense, we will fly in tribes for different consultations.

We have been seeking input on: 1) basic enumeration of how we count people in the Census. We have heard a lot about the geography, about the roads, and given the diversity, we know there are different ways to approach Indian Country – sometimes horses, sometimes small airplanes for remote Alaska, sometimes ATVs. We know about language barriers and multi-generational living arrangements can affect the accuracy. We also know we need to hire locally in Indian lands so we have people who are accepted locally, speak the language, and do a good job.

We are making great use of automation, including the Internet. We talked to tribes about this. Many think they don't have the proper Internet connectivity. Many tribes say it is important to send people in person to get an accurate count. We are on board with that.

We have asked tribes about the best ways to reach out to tribes about the census, and we've heard that many of the tribes do use Facebook, tribal newspapers, and tribal radio.

We have conducted discussions of our population statistics. One of the issues we have heard for 2010 was there were requests for collecting information on tribal enrollment. In 2010, it was too late to do that. This census, we started 2 years earlier, and we anticipated the request to look into collecting tribal enrollment. So we have started doing some work on that. We are in the process of holding focus groups, and then we will develop potential draft questionnaires. We will share those questionnaires with tribal partners before we use them.

We are doing a test on two American Indian reservations in 2017 and we will be testing these questions. We haven't selected those sites yet. I'll personally go and talk to some reservation leaders so they agree that we can conduct the test on their lands.

We have heard a mixed response to tribal enrollment. Some responses have been that it is a very complicated process and we might not be able to collect that in a census that uses in part self-identification response. It might not be accurate. We have heard from others that maintaining enrollment is a sovereign duty of the tribe and the federal government has no business collecting it. We have heard also that we should continue going forward to test the question on enrollment. We will continue to discuss this.

These 8 formal consultations are just the start of the process for 2020 Census. We have six regional offices and they will mail, pickup, and we plan to form relationships with each of the federal recognized tribes and we hope that we can get a tribal liaison name for each tribe.

A number of AIAN people who have worked on previous censuses have attended the consultations and want to help.

We are collecting geographic information. In 2017, we will be kicking off the Local Update of Census Address (LUCA) program. We share our address list with tribes and they can give us feedback on the accuracy. We also have a program in place where tribal governments can provide us, if they have a good geographic database, and we will ingest it into our files so that we will have the most accurate information possible.

We hope to continue our collaborations and consultations as we move forward to 2020. April 6-7 will be our national webinar.

Dee Alexander: we received some funding to continue our consultations in person at the end of this summer/early fall.

Ron Allen: I assume you have been collaborating with the BIA on the proposed \$9 million for the data that we're trying to gather and what kind of data we are looking for Census to gather. Is that a part of your normal process, or is that a separate process?

Dee Alexander: we have been meeting with BIA and OMB on a monthly basis. They put that proposal forward last year. We are waiting to see if it will be funded. We are going to form an interagency group to look at the data that they are wanting. For instance, there are Indian service areas. We don't delineate those, but the funding goes to tribes. There are questions

whether Census can do delineation for that type of geography. The other data gaps we have regarding ACS – we are looking at that. We are in the middle of tests for 2020.

John Thompson: we have funding at the Census Bureau to collect information in a number of various activities: the 2020 Census, the American Community Survey, and we have money that will let us move forward with a partnership for BIA so I wouldn't want anyone to think that if for some reason BIA doesn't get this money, we won't continue forward with our MOU and our data collection efforts in terms of providing the most accurate data we can for AIAN. This will add things that aren't really in the Census Bureau's mission. It will allow us to do broader things and maybe do special tabs that combine our data with other data. If this budget initiative doesn't go through, that doesn't mean that we are stopping.

Ron Allen: each time Census does gather data, it's getting better. The profile of what's going on in our community is important. A lot of us have a high interest in this.

Rick Harrison: will you have consultations in Alaska?

John Thompson: yes, we plan to. Thank everyone for their participation in the last census. The webinar will be online so you can access if you can't be there in person.

Ron Allen: We appreciate you, as the leader of the agency, being here, and we want to work with you as closely as we can. Last time, you did a better job of engaging tribal citizens to reach out and get this data. Many of us don't want to talk to feds.

Kitcki Carroll: some of our tribes have requested data from the capital expenditures survey.

AJ Not Afraid: there is a request for the Johnson O'Malley head count to use Census data.

DOI Budget Update

Olivia Ferriter

We thank you for your strong interest. Indian Affairs are among our highest priority, both for the Administration and the Secretary. The FY 2016 Omnibus appropriations bill was signed into law December 16. We didn't get all we wanted, which was usual, but there were many increases. BIA was \$2.8 billion, an increase of \$195 million over FY15. There was an interesting provision establishing an indefinite appropriation for CSC, which makes available the full amount (\$277 million is the estimate). This makes sure other programs will not be affected. Tiwahe got \$12.5 million over FY15. Climate Resilience was retained. Forestry got an increase and they fully funded the \$4.5 million for the Indian Energy Service Center, but not the Tribal One-Stop. The bill did not fund our requested increases to Probate, Real Estate Services, or Data initiative. BIE received an increase, supporting Elementary BIE schools, \$36 million more. BIE tribal grant support costs were increased, supporting 100% of calculated need. It did not fund increases to JOM or scholarships. Construction was funded at \$5 million above our request and included the full request for replacement and employee housing repair. This will replace the last 2 schools from the 2004 school list and \$12 million for a component. \$17 million for major facilities repair was included.

The President's budget again sets a high bar; it was released in February. It shows Indian Country is a top presidential priority. Increases cross a wide range: education, social services, health, stewardship of land, water, etc. Gen-I again would be increased. Total included \$1.4 billion, a 7% increase.

DOI: \$2.9 billion, a \$138 million increase over 2016 enacted. Principles are to support self-determination and Indian families.

Ron Allen: we always wonder how Indian affairs fit into overall DOI. How did we fare?

Olivia: you are at the top along with the NPS. We have the centennial for the part service, so their increase is 6.5% and BIA is 5.6%, from the previous base. The centennial is an anomaly.

Our budget does support strong support for tribal management. A legislative proposal would shift CSC to mandatory. There is a focus on improving services to tribes, like the One-Stop, a pilot on Native youth, and the Indian energy service center. We propose to continue Tiwahe. We are requesting funds for Climate Change resiliency. Across Interior, we have Native programs across the department at a total of \$3.6 billion, up \$147 million.

The Secretary has participated in hearings. Assistant Sec. Roberts has participated. The Hill has many strong supporters of Indian Country. Many members have a good relationship with tribes, especially those with tribes in their districts and states. We continue to see their support, interest and concern. We don't know what will happen this year. We are likely to have a CR, which would put us at the same levels as FY16. In the best scenario, we would have a real bill. We would like to have some certainty.

For any period of time, we are in three budget cycles. We are just starting on FY2018. It will be slightly different for any other cycle, because we are going into a change of administrations. We will develop a current services budget and submit that to OMB. Once the new administration is in place, we will work on a revised budget to reflect the new administration's budget. We are working to implement the priorities of this administration, which has shown great support for Indian Country.

Thank you for your interest and support. We enjoy working with you.

Ron Allen: The One-Stop support center is a great idea. As we engage with OMB, how do we access the \$19 billion? I'm very supportive of it. Some agency has to house it, and it makes sense in BIA. Another: \$1 million for updating commercial codes. Tribes will need to update their taxation codes to prevent people from encroaching on commercial activities in their areas. We believe the \$1 million will run out quickly. Many tribes need this legal expertise.

Larry Roberts: The increase in the President's budget is because of your work. When Secretary Jewell joined DOI, her first meeting was with tribal leaders. They raised that the Indian Affairs budget was in the lower tier. It stuck with her.

OST Update

Deb Dumontier, Deputy Special Trustee

OST Budget Status

FY 2016 Enacted \$139 million

- No increase from FY 2015
- FY 2017 Budget Request is \$140.4 M
 - \$1.4 million above FY 2016 budget
 - Net increase of less than 1%

2017 Budget Request

Request proposes four program increases and one decrease:

+ \$1.5 M for Field Operations

- Probate Reform - Streamlining trust estate administration
- Investment training for Tribes
- Explore and develop the use of new technologies to expand access to financial empowerment tools for IIM account holders

+ \$1.3 M for Appraisal Services

- Appraiser training program
- Addresses shortage of qualified real estate appraisers and delays in completing valuation services to support leasing, conveyances, exchanges and probate transactions for Tribes and individual Indian owned tracts

+ \$194,000 for Trust Services

- Enhancements to Trust Funds Accounting System (TFAS)

+ \$176,000 for Program Management

- Modernize and improve efficiency of Trust Records, Trust Review & Audit, and Risk Management

- \$3.5 M Historical Trust Accounting

- Decrease in litigation defense support for the Department

+ \$1.5 M for Field Operations

Trust Beneficiary Call Center (TBCC): OST's premier customer service center for beneficiaries. Recently, OMB requested TBCC to serve on the Customer Service Council.

FY 2015:

- Received 240,000
- Average time per call: 10-15 minutes. Some examples of beneficiary calls: explanation of the probate process, land buy-back process, etc. Most incoming calls are complicated and time consuming for TBCC staff as they require research in order to compile and then issue a response.
- In FY 2015, TBCC received 6 inquiries from Tribes.

FY 2016:

- In FY 2016, TBCC answers an average of 800 calls per day. When Land Buy-Back purchase settlement offers are made, TBCC can average as high as 1,138 calls per day. Average length of a call for FY 2016 is: 3:52.
- As of March 1, 2016, TBCC has documented responding to a total of **1,787,824 beneficiary calls.**

TBCC anticipates for FY 2016 & FY 2017 level of incoming calls from beneficiaries to remain the same at **240,000 respectively**.

TBCC General Information:

- There are 35 contract staff working in TBCC (30 Call Technicians, 3 Quality Control Staff, 1 System Administrator and 1 Program Manager)
- Call Center operates for 11 hours each day (M-F 7:00 am – 6:00 pm MST) and on Sat 8:00 am – 12:00 pm.
- TBCC responds to 13 different categories of beneficiary inquires. Some examples are: One time disbursements, AIPRA, Annual Audit Report requests, Debit Card Set Up Requests, Financial (account balance/status) requests, Land and realty information requests, LBBP, Cobell, Minerals, Probate, Tax Requests for 1099-INT...just to name a few.
- TBCC receives very few inquiries from Tribes. All account status inquiries are escalated to the FTO at the appropriate Agency. TBCC does not have a current list of Tribal Leaders whom are qualified to receive trust account information.
- In general, 2% of inquiries which cannot be resolved by TBCC using all trust systems (i.e.: TFAS, TAAMS, and ProTrac) are escalated through the tracking system to the appropriate FTO to handle and resolve.

Documented TBCC Contacts by Category for Fiscal Year 2015

Top 5 documented calls for FY 2015:

- Highest: financial related (account balances/status)
- Second highest: land buy back program.
- Third highest: RFM
- Fourth: AFM
- Fifth: litigation

President Obama launched the Gen-I Initiative at the 2014 White House Tribal Nations Conference to focus on improving the lives of Native youth by removing barriers that stand between Native youth and their opportunity to succeed.

OST partnered with the Pueblo of Isleta to host the Native Youth Symposium on April 26, 2016. OST staff will serve as presenters for workshops on financial education and the Pueblo of Isleta will cover the cost for their use of their facility for this event.

OST Partnerships:

- Bureau of Indian Education
- Native American Community for Action (NACA)
- National Indian Youth Council
- American Indian College Fund
- TIWA Lending
- Securities and Exchange Commission (SEC)
- Montana Financial Education Coalitions
- Department of Treasury
- New Mexico Office of Superintendent of Insurance
- First Nations Development Institute
- University of Arkansas School of Law
- Nat\$ve in Bank Challenge/NCAI
- Secretary of the Interior Sally Jewell is invited to provide the Keynote Address.

Generation Indigenous Native Youth Symposium at the Pueblo of Isleta on April 26, 2016

For additional information:

Brian Ross at (918) 977-0848

Email: brian_ross@ost.doi.gov

July Meeting Dates chosen: July 13, 14: moved by AJ Not Afraid. Buster seconded. Motion carried.

Day II

TIBC Road Maintenance Workgroup

Vernon and Chris McGeshik moved and seconded a motion to establish a Road Maintenance Workgroup. Motion carried to adopt the Road Maintenance Workgroup

Tribal Caucus Update

We discussed the Public Safety and Justice concerns of the tribes. We need to improve coordination with DOJ and OJS/BIA programs. Tribes expressed frustration with the CTAS system. We are asking the workgroup to get together and discuss what needs to be done. A few years ago, a request was made by the Great Plains to move DOJ programs to be moved to BIA so we could contract them. We need to know what programs are over there. We want to see if we can improve the coordination of resources.

Larry Roberts: we are happy to participate in that. Whenever the workgroup meets, we will participate.

Ron Allen: we have a report from our conference call, but it is more helpful to sit face to face. We made a request through Tracy Toulou for budget data.

Kee Allen Begay Jr.: he volunteered chair the Public Safety Workgroup.

Tribal Data Committee: this project has shifted its course of action. Chickasaw Nation is stepping away from this project. We are looking for a contractor. We will give an update in the future on the progress toward this goal. Chickasaw will be in touch with tribes who have used the TDE.

Comment on the WH Native Affairs council, we want to engage with the Assistant Secretary and the Secretary: how does it identify the subject matters on their agenda. How do we allow tribal leaders to participate?

Contract support costs: there is concern about an OMB initiative to shift more into grants instead of contracts. Contracting is the way we do business now. There is a grant problem at DOJ too. There is also concern about the caps on funding services provided to tribes, such as roads maintenance.

We'd like to reiterate support for a tribal liaison at OMB. We would like a person at OMB coordinating resources. We discussed the update on the Quiet Crisis, which is expected to be released later this year.

There were concerns over the consultation process. Some issues were tribal specific, and others were regional specific. Do we need to update our consultation policy or was there just a misstep?

Larry Roberts: Thank you for raising these issues. On the WH council and better engaging them, we are actively looking at how to do so. Karen Diver is focused on this, because we want tribal input as part of that council. The WH council has set up five subgroups. A number of tribes have approached the WH on this. It could be used as a template. We had a meeting on natural resources, but the tribes drove it. We had people from CEQ, EPA, and other agencies.

In terms of how to get agenda items, because we have the five subgroups, that is what is driving the agenda. If you have priorities under those subgroups, that is the best way. At TIBC, we are getting your input on the budget. We need tribal leader engagement on each of these subgroups.

On questions about use of grants more than programs to avoid CSC, that is not occurring. If you have concerns about specific areas, let me know.

On the Quiet Crisis report, we are looking forward to that report as well. There are things that we need to work on as a result, but the more information available, the better.

On consultation, we are open to bringing clarity. It's important to have good relationships with Congress as well. We are focused on the executive branch. The Administration in Indian Affairs, we are looking for the good practices that tribes have put into place. If things are working that are not codified, let's write those down to make it last into the next administration.

Ron Allen: on the WH council, Morgan Rodman is the executive director. I'm hopeful that there is a link on the DOI website for updates on what they are doing.

If you want to be on the Transportation Workgroup, volunteer.
We can include staff and other interested parties in the Roads Maintenance workgroup.

**Darrell Seki moved, Rick Harrison seconded to approve the November 2015 TIBC minutes.
Motion carried.**

Eastern Oklahoma Presentation

Eddie Streeter, Regional Director

We have extremely rural locations as well as large cities with high percentages of American Indian populations. We are focusing on things that make a big impact on tribal members but may not come to the forefront as much.

Video

The video highlighted that the region is facing issues related to feral swine, which wreck farmland. It will have an economic impact and agricultural enterprise will be adversely affected. Seventy percent have to be taken out. We do a hundred year plan, but if we don't address the hogs, this land won't be worth much.

Tribal enrollment benefits from the Aid to Tribal Government.

Family Violence Prevention program: research indicates Native women experience the highest rate of victimization. We partner with BIA, which funds an advocate to work with victims of violence. The video highlighted the Drivers Education grant. A driver's license gives domestic violence victims the tools to make the choices for freedom.

The video was produced with the help of the Chickasaw Nation.

Midwest Region

In addition to Chris McGeshik and Darrell Seki, Aaron Payment and Terra Mason.

http://www.ncai.org/initiatives/tibc/FY_2017_Midwest_TIBCFinal.pptx

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

The Midwest Annual Budget Meeting was held on January 15th at the Ramada in Bloomington, MN. Representatives from 14 Tribes attended the Meeting. Before the meeting officially began, there was a ninety minute 'One on One' Session with Tribal representatives and BIA Staff. There were 11 different Presenters giving presentations which included the Overview of the Budget Formulation Process, Review of Initiatives with a discussion, Sub Team updates on Realty, Probate, Natural Resources, Forestry and Climate Change, Law Enforcement, Social Services, Road Maintenance, Contract Support, Paycosts and Education. The Budget Meeting then ended with a Tribal Leader Discussion led by the TIBC Representatives. Budget Teams were reinstated from last year for Education, Social Services, Law Enforcement, Forestry, Probate & Real Estate, and Natural Resources Management to focus on the Initiatives and Narratives for the Tribes and BIA. There were over 40 members on these 6 Teams. The Teams were made up of Tribal representatives and BIA Employee's.

You can see that many of the Midwest Region priorities are similar to other regions. We won't go into much detail here, our written testimony provides detail on the funding needs for these budget lines. We would like to mention that 4 of our first 5 priorities are embraced by the Tiwahe Family Initiative. We appreciate and support this Initiative, a comprehensive and integrated approach to address the inter-related problems of poverty, violence, and substance abuse faced by Indian communities - this is a great idea, and we should all support the Administration on this. In FY 2015 Congress signaled it's support for the Tiwahe Initiative by providing increases of about \$5.1 million for Social Services, \$4.7 million for the Indian Child Welfare Act (ICWA) program, and \$.5 million for Job Placement and Training. All three of these programs have seen their funding erode through either cuts or flat-funding for decades, so these increases are welcomed.

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

FY 2017 Budget Recommendations
Top 10 Rankings for a 10% Budget Increase

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

This slide shows the total BIA enacted budget from FY 2004 to the present, including the President's FY 2016 budget request. The FY 2016 budget request is \$2.9 billion, an increase of \$323 million, or 12.4%, over the FY 2015 enacted level. This represents one of the largest BIA budget increases ever, and we greatly appreciate this and we thank you for your efforts and advocacy. Unfortunately, when factoring in inflation, the right line demonstrates that we really aren't making the progress we need in our buying power.

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

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

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

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

Just a few weeks ago, we participated in a Senate Committee roundtable on the Tribal Law and Order Act, 5 years after implementation. The Act was intended to empower tribes with resources. However, there have been no increases for tribal law enforcement.

We are requesting a \$34 million initiative for Tribal Jobs Recovery and Relief. This increase would be similar to the TPA general increase. Tribes would have flexibility. This would enable tribes to promote job recovery and growth. This is the same amount tribes have seen reduced due to sequestration.

We like the focus on Tiwahe. It funds pilot tribes as well as base increases. We strongly support the Tiwahe program in the 2018 budget. We also ask for seeking other agencies to include: IHS, SAMHSA, etc. we could increase knowledge of related services.

This table shows all of the rescissions tribes have had to suffer from going back to 2000 – at least 15 different rescissions if you include sequestration!

And this slide just shows graphically, the impact of rescissions and sequestration on tribal programs. Since these cuts are permanent, each year builds upon the next, so for the last 3 years, our base programs have been reduced by 13% each year.

S 1497 has been introduced, which we should all support.

There is CSC language that makes CSC one-year funding. This is damaging language and it must be removed.

Since 1996, most TPA budget lines have been frozen. The only way TPA increases occur now is through annual Pay Cost additions. Unfortunately, the current and previous Administration sharply reduced Pay Cost additions to the budget, and Congress enacted those reductions. Because annual Pay Cost additions are cumulative, these reductions have cost Tribes and BIA literally hundreds of millions of dollars. This is an area of the budget that Tribes can impact. For instance, from FY 2011-2013, most non-military Pay Cost accounts were zeroed. But because of efforts by the TIBC and support from BIA we were able to secure \$13 million in recurring TPA Base increases.

We need to keep advocating for full Pay Cost funding. In the 2014-2016 budgets, the President again requested only tiny additions for Pay Costs. What's worse, the Administration described Pay Costs as "Fully Funded", but in fact they were not. If Tribal salaries were accorded just a 2% COLA adjustment, the amount required would be at least \$7 million just for the tribes.

Summary of Requests

1. Tribes need to support the PB in Congress.
2. We ask for the strongest possible BIA budget
3. Invest in Tiwahe.
4. Remove bad 2016 CSC language
5. Admin and OMB need to provide full funding for pay costs/fixed costs.
6. The essential government services on recurring funding must gradually increase to address inflation. Grants are not the answer, recurring funding is.

Eastern Region

Kitcki Carroll

http://www.ncai.org/initiatives/tibc/07_PRESENTATION_Eastern_Region_BIA_2017_Budget_Testimony.pdf

We acknowledge the effort to hear Eastern's concerns about the formulation process. We have suggestions as the focus of our presentation.

We extend from Maine to Florida to Texas. There is much diversity.

We broke out 9 different funding areas.

Preparation for submission of the BIA Eastern Region Budget FY 2018 Funding Request

- 18 page 33 question Survey sent to 26 Member Tribal Nations
- Time invested to create & communicate needs to target most effective outcome for our Member Tribal Nations
- Built upon FY2017 efforts to structure Regional Submission that more completely reflects our Regional Priorities
- Responses conveyed the much needed funding in ALL umbrella topics
- USET Member Tribal Nations chose TOP TWO integral areas from each BIA category and split the 8% increase on a weighted average derived from survey results

TRIBAL GOVERNMENT

- Aid to Tribal Government – 4.2%
- Consolidated Tribal Government Program – 3.8%
 - Offset costs to perform Core Tribal Government Activities
 - Based on Individual Tribal Nations' needs
 - Minimal Funding forces Cost Sharing of positions or part- time staff
 - Program suffers due to lack of expertise Promotes true meaning of "Self-Determination" Greater Efficiency
 - Reduced paperwork & reporting
 - More Time & Funding to fulfill Program Outcomes

HUMAN SERVICES

Social Services – 4.1%

Indian Child Welfare Act – 3.9%

Significant need for Social Workers & Child Welfare Protective Workers

Indian Communities plagued by:

- High Unemployment
- Poverty
- Substance Abuse

Broken Promises and Obligations can no longer be dismissed as irrelevant

Indian Children are removed from their homes and communities more than any other nationality in the U.S.

- Lose their families, culture & traditions
- Non-Native Agencies and Courts make decisions without knowledge of the child's best interest

TRUST – NATURAL RESOURCES MANAGEMENT

- Forestry Program – 5.1%
- Wildlife & Parks Program – 2.9%

- Funding not in sync with inflationary costs
- Future generations impacted by today's course of action
- Over 100 acres patrolled by 1 – 2 Conservation Officers
- Need additional Conservation Officers
- Tribal resources unprotected from
 - Illegal hunting & fishing
 - Timber harvesting
 - Gravel theft
 - Camp vandalism

TRUST – REAL ESTATE SERVICES

- Trust Services – 2.75%
- Land Title & Records Office – 1.75%
- Water Rights Negotiations/Litigations – 1.75%
- Rights Protection – 1.75%

Land Title and Records Office

- Funding Utilized on Trust related activities:
 - Determination of Land Ownership
 - Protecting Land Ownership Rights
 - Preparation of Land Conveyances & Land Use Contracts
 - Cultural & Environmental Resources Compliance
- Sufficient Staff needed to assist Bureau
- Integral Element to BIA's responsibility to preserve & protect Tribal lands

PUBLIC SAFETY AND JUSTICE

- Tribal Courts – 5.2%
- Criminal Investigations & Police Services – 2.8%
 - Law Enforcement is Critical to effective Justice Systems and asserting Tribal Nations' inherent Sovereign Rights
 - Many Indian Communities face high rates of
 - Poverty
 - Substance Abuse
 - Suicide
 - Violent Crime
 - Only 3 Drug Investigators to cover area of over 2400 miles from Maine to Florida to Louisiana
 - Need increased to allow for full compliance with mandates under Tribal Law & Order Act and Violence Against Women Act

COMMUNITY & ECONOMIC DEVELOPMENT

- Job Placement – 4.4%
- Economic Development – 3.6%
 - Need to stimulate Tribal Economies
 - Mechanism to overcome immense quality of life diversities between American Indians/Alaskan Native and the rest of the U.S. population
 - Improve industry climate through business retention and expansion, marketing, neighborhood development, finance, technology, etc.

OIP & CSC CONSTRUCTION

- A1114 Facilities Improvement & Repair – 4.6%
- Facilities/Quarters Improvement & Repair – 3.4%
 - GAO Report (GOA-16-121 – November 2014): 33% of BIE School Facilities in Poor Condition, compared with only 3% of Public Schools
 - Poor Facilities adversely affect morale and performance
 - Correlation between achievement & condition of buildings

OIP & CSC INDIAN GUARANTEED LOAN PROGRAM

- Program Management – 5%
- Subsidies– 3%

INDIAN EDUCATION

- Scholarships & Adult Education – 4.2%
- Johnson-O’Malley Assistance Grants – 3.8%
 - American Indian Youth graduation rate is 67%, the Lowest of any racial/ethnic group
 - 13% of American Indians have a Bachelor’s degree or higher, compared to 29% of the U.S. Population
 - Education is Key to advance and enrich Tribal communities

U.S. Commission on Civil Rights "A Quiet Crisis: Federal Funding & Unmet Need in Indian Country, 2003":

The Commission finds that significant disparities in federal funding exist between Native Americans and other groups in our nation, as well as the general population. The federal government, through laws, treaties, and policies established over hundreds of years, is obligated to ensure that funding is adequate to meet these needs. Moreover, the government must work diligently to elevate the standard of living among Native Americans to that of other Americans by ensuring that federal agencies create attainable resource-driven goals toward this end.

The trust responsibility consists of the highest moral obligations that the United States must meet to ensure the protection of Tribal and individual Indian lands, assets, resources, and treaty and similarly recognized rights (reaffirmed in Sec. Order 3335).

Fulfillment of the Federal Trust OBLIGATION should not be a year-to-year discretionary decision.

Priority Areas (as submitted) 8% Increase Split**

Aid to Tribal Government 52.5% of 8%
 Consolidated Tribal Government Program 47.5% of 8%

**Inconsistent with our Member Tribal Nations’ goals to provide recommendations for funding priorities that more accurately reflect our regional priorities from all 11 umbrella areas offered by the BIA.

Southern Plains

Dan Deerinwater, Regional Director

Daniel Thompson and Ronnie Thomas

http://www.ncai.org/initiatives/tibc/Souther_Plains.pdf

Our region encompasses

- ▶ Total Agencies\Field Offices: 5
- ▶ Total Tribes: 24
- ▶ Total Reservations: 20
- ▶ Total Acres: 479,015.38
- ▶ Total Tribal Enrollment: 116,907
- ▶ Total Programs Funded: 41
- ▶ Total Employees: 225

Budget Priorities

- Scholarships & Adult Education
- Criminal Investigations
- Tribal Courts
- ICW
- Social Services
- Tribal Government

Scholarships and Adult Education

- Issues regarding Education continue to remain the same:
- Rising tuition costs + deeper cuts in state funding + more students applying for Scholarships = Less \$\$ available per student
- Even with federal assistance, students still have a huge unmet need;
- Many Tribes have no resources to support students beyond a minimal amount;
- Students are forced to take out student loans or drop out altogether;
- Tribes cannot keep up with the demand at present funding levels
- Increased funding is needed to enable tribal members to continue higher education goals;
- Relieve financial burdens from struggling Indian families;
- Increase the amount of assistance and number of applicants served;
- Contribute to the success of Indian communities and families;

We had a tribal member who relinquished their enrollment in one tribe and transferred to a different tribe that had more scholarship funding to provide.

Criminal Investigations

- Approximately 70% of funds under Criminal Investigations & Police Services are executed at the tribal level under P.L. 93-638 or Self-Governance compacts;
- Most of the funding is used for employee salaries and benefits;
- Major non-labor costs include vehicles & equipment;
- Due to inadequate funding tribes are forced to supplement their programs from other tribally generated resources;

- Tribes are hard pressed to provide adequate staff, training and other tactical equipment such as:
- Uniforms, Firearms, Ballistic vests, Tasers and advanced training for officers;
- Drug use & Distribution remains a major factor in violent crime and seriously impacts the health and safety of Indian communities;
- Suicide Prevention Programs a great need;
- Recent BIA study clearly reveals results linked to resources; as funding increased, violent crimes decreased
- When funding was reduced, violent crime increased;
- Increase in funding is needed for tribes to ensure public safety and reduce the number of violent crimes in their communities;
- Would provide adequate resources for vehicle replacement, upgrading communication and tactical equipment;
- Provide resources for advanced training for tribal officers and opportunities for community outreach;

Tribal Courts

- Tribes utilize this funding for salaries and related administrative costs for judges, prosecutors, public defenders, court clerks and other court support staff central to the operation of tribal justice systems;
- Tribal court systems are evolving and need to grow to meet the increasing demands of tribal communities and;
- Increased demands of TLOA & VAWA require courts to expand judicial capabilities;
- Increased funding is needed to for tribes to keep pace with the demands of federal requirements;
- Increase court days;
- Reduce caseloads;
- Address space, equipment and personnel issues;
- And continue to dispense fair and equitable justice within their communities;

Indian Child Welfare

- Ultimate goal of the ICWA is to prevent the separation of Indian families;
- Provide assistance for the reunification of Indian families;
- Requirements of federal, state and tribal laws involve an immense amount of time and attention;
- Result has been an increased caseload and associated responsibilities to tribes without increasing necessary resources;
- Increase in funds are needed for tribes to hire and train adequate staff;
- Reduce the staff to client ratio;
- Conduct community outreach and education;
- Workshops to enhance tribal culture and traditional values to children & youth;
- Financial support for foster parents & foster parent recruitment;

Social Services

- Social workers are the first responders for child and family services on reservations and Indian country;

- Tribal social workers manage caseloads that are double and sometimes triple the national standard of the client to staff ratio;
- High unemployment rates increase the need for extended services for many clients;
- Limited resources reduces the amount of assistance to needy families;
- Increase in funding is needed to reduce the client to staff ratio allowing tribes to improve quality of services to the clients;
- To focus on expanding the initiatives of Tiwahe in support for youth and families;

Tribal Government

- Indian Nations have always held self-governance and self-determination as their inherent right as a sovereign people;
- Federal Policy required tribes to adopt standardized, non-conforming and foreign constitutions in order to be recognized as sovereign nations;
- Tribes are faced with the need to reorganize and develop tribal constitutions and governments that are more compatible with their tribal laws, customs and policies;
- Overall, funding has not been sufficient to address all of the requirements and needs for strong and stable tribal governments;
- Increased funding is needed for tribes to reform and modernize their governments and programs;
 - Upgrade equipment and data systems;
 - Hire qualified staff in key positions;
 - Improve communication and services to tribal members;

Other Tribal Concerns

- Emergency Management: Tribes looking for resources to respond to emergencies\natural and man-made disasters other than FEMA;
- Fracking activities believed to be linked to increased earthquakes in Oklahoma;

More funds for the BIA to conduct investigations related to environmental agricultural and water right violations by corporate oil and gas companies who know the BIA cannot effectively monitor their activities in the performance of their trust responsibilities.

- JOM: Tribes concerned with getting an accurate student count and increasing JOM assistance which is currently at \$66.00 per student;
- Adult Education: Revision in regulations that disqualify Indian students living in non-service areas;
- Contract Support Costs: Ongoing issue in regards to being fully funded during Continuing Resolutions;
- Discretionary vs. Mandatory: How to approach Congress & Senate on declaring tribe's funding mandatory;
- TPA: How can funding levels (formulas) be re-evaluated to address Tribal Unmet Needs;
- SEQUESTERED FUNDS:
 - Sequestered funds should be restored at the tribal level as a first priority;
 - Requiring tribes to pay for the federal government's shortfall by reducing funds and services to tribes is not an acceptable solution;

2018 Funding Requests

- ▶ SCHOLARSHIPS & ADULT EDUCATION: +\$2,141,088
- ▶ CRIMINAL INVESTIGATIONS: +\$1,762,768
- ▶ TRIBAL COURTS: +\$1,461,399
- ▶ ICW: +\$1,348,108
- ▶ SOCIAL SERVICES: +\$1,237,249
- ▶ TRIBAL GOVERNMENT: +\$1,047,366

Great Plains

Tribal Representatives

Harold Frazier, Chairman, Cheyenne River Sioux Tribe

Vernon Miller, Chairman, Omaha Tribe

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

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

Regional Office Representatives

Timothy LaPointe, Regional Director

Ernest J. Pourier, Budget Officer

[http://www.ncai.org/initiatives/tibc/PRESENTATION_Great_Plains_Region_Testimony -
_FINAL.pptx](http://www.ncai.org/initiatives/tibc/PRESENTATION_Great_Plains_Region_Testimony_-_FINAL.pptx)

Strengthening Tribal Nations Initiative:

Treaties define our unique relationship with the Federal Government and predate the Constitution of the US. Treaties are recognized under the United States Constitution, Article VI, as Supreme Law of the land.

All interests of the Great Plains Region should be protected; the best insurance for the Great Plains Region’s long-term survival is full funding to sustain healthy, productive, safe, knowledgeable environments so tribal citizens of the Great Plains Region can be full partners in the American Economy.

Therefore, funding appropriated and distributed for services to Tribes and their members is based on the fact the United States Government has a fiduciary trust responsibility under the treaties to protect tribal/Indian property, land, rights and resources. Current levels of Government funding cynically mask the fact that the United States is only providing uncertain, erratic and partial handouts. These funds should not be viewed as entitlements or discretionary; they should be protected and guaranteed quid pro quo treaty rights.

Tribal Position on 2018 Budget Process:

Large land-based tribes and full-service tribes, particularly rural tribes, bear a greater responsibility for more comprehensive governance, public services, and resource management, including securing adequate funding across a broad range of programs.

These challenges are often exacerbated in areas of concentrated poverty. Cost calculations need to accommodate and allocate additional funding for these unique circumstances affecting tribes’ responsibilities for large governments and geographic areas.

Needs-Based and Regional priorities and funding would better serve the diverse needs of tribes as opposed to national priorities that favor smaller tribes who are more numerous.

The Great Plains treaty tribes oppose ranking and prioritizing programs in Indian Country. All programs are basic, life-critical necessities and historically have never been 100% funded. All TPA programs are a priority and are essential to the overall livelihood of the tribal members and the operation of Great Plains tribal governments. The Great Plains Tribes support the elimination of ranking one program over another in the 2018 budget formulation process.

The Great Plains Tribes have voiced their desire to steer their efforts in pursuit of a Needs-Based budget augmented with meaningful performance based goals and measures. **Performance based methods, when applied systematically and consistently, would protect programs from cuts or elimination and BENEFIT the people served.** In prior years' budget process, ranking one program over another simply became a series of tradeoffs. Tribal needs competed with other tribal needs. A Needs Based budget is fair and respectful to individual tribal governments as opposed to a top down approach. A Needs Based budget would augment the priorities outlined in the President's "Strengthening Tribal Nations" initiative.

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

Great Plains Proposed 8% Budget Increase

- General 3% Increase to all Base Funded TPA Programs

Additional 5% Increase to the following Programs:

- Road Maintenance (TPA)
- Tribal Courts (TPA)
- Social Services (TPA)
- Consolidated Tribal Government Program (TPA)
- Other Aid to Tribal Government (TPA)
- Scholarships and Adult Education (TPA)
- Job Placement and Training (TPA)
- Economic Development (TPA)
- Home Improvement (TPA)
- Criminal Investigations and Police Services

TPA

Tribal Priority Allocations (TPA) is a group of programs within the Bureau of Indian Affairs (BIA) annual budget that provides funding for: BIA Agency Operations, Tribal PL 93-638 self-determination contracts and BIA field operations.

Tribal Priority Allocations funding is important because it supports tribal self-determination contracts. Many tribes, especially those that do not have significant sources of tribal revenue depend upon TPA funding for the operation of tribal government functions in the areas of human services, economic development, natural resources management, judicial services and tribal operations. Over the years, Tribal Leaders of the Great Plains have consistently identified TPA as high priority.

Road Maintenance (TPA)

- The Road Maintenance funding for both Tribal and BIA has been relatively flat for the last 25 years in the Great Plains Region
- When the funding level remains flat, this creates a backlog in deferred maintenance. For example, ten BIA regions throughout the United States have a total deferred maintenance of \$98.23 million for roads, bridges and equipment. In the Great Plains Region alone, a conservative estimate for deferred maintenance is \$8.6 million
- The Great Plains Region proposes a budget restructure for Indian Affairs by removing Road Maintenance from the Tribal Government budget activity and creating a separate activity
- A separate activity will give the program the proper visibility and cushion it from potential cuts from other competing sub-activities.
- The Great Plains Region proposes to increase the acceptable road condition from 39.5% to 45% based on gradual funding increases

Tribal Courts

- Tribes in the Great Plains operate comprehensive court systems through Public Law 93-638 contracts funded by the Bureau of Indian Affairs
- Regardless of the situation within other Regions, Tribal Courts must remain a high priority because of its significance to support healthy and secure communities and healthy economies for large Tribes with large land bases and attendant areas of jurisdictional responsibility
- Many Tribes are funded at levels that typically only sustain staff such as judges and clerks (usually civil and criminal, at most), court systems cannot effectively function without other critical staff such as administrative, probation, specialized court staff (juvenile, drug, mediation/peacekeeper court staff), guardian ad litem, and public defenders
- As an example, a tribe reported their Attorney General's Office must serve as a probation department since the tribe does not have the funding for such a department but the need for such services is required. In addition, there is ONE juvenile prosecutor to take on the entire juvenile caseload of 964, and this is just one of sixteen tribal courts with similar needs
- Possible measures for success can include monitoring recidivism rates for funded probation departments or drug courts as well as reduced caseload ratios of prosecutors or public defenders

Social Service

- The Child Welfare League of America recommends that a child protection worker carry only twelve on-going active child protection cases at any given time. These workers often have caseloads that are two to three times the recommended national standard
- Tribal social workers are often required to conduct collateral duties that span across multiple areas of social work beyond just child protection or child welfare
- Heavy caseloads and workloads have been cited repeatedly as key reasons that workers leave the child welfare workforce, leaving tribal social services programs understaffed and overworked
- Recruitment of more social workers will allow tribes to begin addressing the high caseloads and workloads, so that social workers can begin shifting their focus to

providing essential child welfare services, including family engagement, relationship building, assessment and permanency planning with the long-term goal of increasing the number of families that receive intensive family assistance and/or home improvement services

CTGP

- Approximately 56% (9 of 16) of the tribes in the Great Plains Region consolidate and operate their TPA funded programs through the Consolidated Tribal Government Program (CTGP)
- The CTGP line item within the Great Plains Region budget structure is also one of the largest and accounts for nearly 25% of the regional TPA base
- The largest concentration of the CTGP resides in Other Aid to Tribal Government, Scholarships and Adult Education and Tribal Courts

Other Aid to Tribal Government

- In the Great Plains Region nearly every tribe and operate an Other Aid to Tribal Government program through a PL 93-638 contract or from within their Consolidated Tribal Government Program
- Region wide, Tribes typically request the BIA to conduct 4-8 Secretarial elections annually and internal elections frequently
- Tribes bear responsibility for all service to their over 200,000 members in the Great Plains Region, including, but not limited to, issuing replacement identification cards, preparing BIA Form 4432's to prove Indian preference for Federal jobs, providing proof of minority for business and housing lending, completing forms necessary for tribal college students to prove their membership status for tuition reductions or specialized scholarships, for example
- The increasing numbers of tribal members attending college, engaging in business activities, and Tribes requiring elections as they become more proactive in improving their organic governing documents necessitate additional support for Other Aid to Tribal Government

Scholarships and Adult Education

- Scholarships and Adult Education have historically ranked as a high priority in the Great Plains Region
- Tribes understandably link education with increased individual and community economic opportunities to offset the historically high unemployment (upwards of 60%) and low per capita income
- Great Plains Region is home to 9 of 35 national tribal colleges and universities and over 31% of the national tribal college student population
- Reservation-based tribal colleges serve as excellent community resources to provide a supportive environment for non-traditional students to achieve degrees without having to leave the reservation; providing resources for scholarships will support some of the neediest students at reservation locations due to the availability of excellent local higher education options in the Great Plains Region

Job Placement and Training

- Every reservation community in the Great Plains Region has a need for additional funds when it comes to education

- The Job Placement and Training program administered by the tribes and Bureau of Indian Affairs provides financial assistance for eligible clients to attend career and technical education programs so that they are able to acquire the skills to become self sufficient
- If a client are not funded at 100% of their need, higher education will typically be an unreachable goal in Indian Country due to the extreme poverty affecting the entire Great Plains Region
- The average cost of attendance for some 2-year colleges in the Great Plains Region is approximately \$12,000 per year, or approximately \$9,000 at a Tribal Community College
- Even if a person is eligible for the maximum in Pell Grant funds - \$5,775, in most cases it leaves an unmet need of over \$6,000 for Job Training
- Metrics to measure success of increased funding could include increase in number of clients served and outcomes (successful completion of training/education), as well as increase in earning capacity for those trained

Economic Development

- According to the Department of Interior Strategic Plan for Fiscal Years 2014-2018; Goal #2 Improve the Quality of Life in Tribal and Native Communities; Strategy #2 Create economic opportunity; it states, “The DOI assists Indian Nations in developing capacity and infrastructure needed to attain economic self-sufficiency on reservations to enhance their quality of life.”
- Many programs are designed to address poverty, such as welfare assistance, policing and court funds to address high crime rates, for example, when the best solution is healthy economies and productive tribal membership
- A tribe in the Great Plains Region implemented a “Hub and Spoke Concept” in their Credit and Finance Program where Credit and Finance (hub) is gathering and compiling pertinent information from technical, regulatory, financial and infrastructure resources (spokes) to increase small business and entrepreneur education
- Tribes would use an increase in economic development resources to design and support their own local initiatives in an effort to make decisions about what their individual Tribe needs to succeed economically.
- Performance metrics could include tracking unemployment rates or per capita income of participants or overall sales tax collection increases over time

Housing Improvement Program

- The BIA housing policy is that every American Indian and Alaska Native should have the opportunity for a safe and decent home which is consistent with the National Housing Policy
- Great Plains Region maintains an active applicant list of approximately 2,000 individuals/families seeking assistance. Over the past five funding cycles, the Region received 8,760 applications of which 8,233 were determined eligible for assistance.
- To increase program participation and extend assistance to additional applicants, the region moved forward with collaborative efforts with other complementary housing programs. The purpose is to assist HIP eligible applicants secure mortgage financing with a sufficient subsidy and leveraging of funds to enhance repayment ability
- An increase in funds will provide for additional assistance in repair, rehabilitation and new construction for those with limited income

- Performance metrics can include tracking the increase in number of subsidized mortgages or the increase in amount of dollars leveraged from other sources with HIP loan subsidy grants

Criminal Investigations and Police Services

- The mission and promise of Indian Affairs and the Office of Justice System is to uphold tribal sovereignty, customs and provide for the safety of Indian communities, ensuring the protection of life and property, enforcing laws, maintaining justice and order by confining more serious American Indian offenders in a safe, secure and humane environment
- The law requires the Bureau of Indian Affairs to report on the unmet law enforcement needs on reservations, but BIA has failed to do so since 2010. The data contained in such a report could help justify funding requests
- Methamphetamine dealers and users on Indian reservations are consuming entire neighborhoods, destroying families and endangering citizen safety. Many tribes are supplementing law enforcement services' budgets
- Police Services, Detention, Tribal Courts are all of great concern and importance to the Great Plains tribes

Final Comments and Recommendations

- Fully Integrate Bureau of Indian Education and Office of Justice Services budget data into future regional formulation packets
- Bureau of Indian Education and Office of Justice Services must participate in regional formulation meetings and work with regional formulation teams
- Why did the TPA base funding distribution to the Regions (including Welfare Assistance) come out so late this fiscal year?
- New funding in Natural Resources is distributed by competitive grants. This favors tribes with grant writers, not our tribes with 1 to 5 person offices covering 100's of thousands of acres.
- President Obama's Strengthening Tribal Nations Initiative, particularly Advancing Nation-to-Nation Relationships, is an admirable concept, but it is not reflected and implemented across the board.

Navajo Nation

Sharon Pinto, Regional Director

http://www.ncai.org/initiatives/tibc/PRESENTATION_Navajo_Region_FY18_TIBC.pdf

Arbin Mitchell, Chief of Staff; Kee Allen Begay Jr., Tribal Council Member; Vice President

Jonathan Nez

Trust Responsibility and Treaty Obligations

Congress is authorized to appropriate funds to fulfill the fundamental trust responsibilities of the United States to provide education, health care, social services/welfare, housing, law & order, trust land responsibilities, transportation, etc., towards tribes' right to self-determination, self-sufficiency and self-governance:

- Synder Act, 25 U.S.C. Section 13;
- 1934 Indian Reorganization Act, 25 U.S.C. Sections 450 et seq;
- 1975 Indian Self Determination & Education Assistance Act

Overview of Budget Request

- Budget Priorities
- Proposed 8 % Increase
- Proposed Unfunded Obligation Beyond > 8%
- Success Stories
- Issues & Concerns

Demographics

1. NN is located in 4 corner region of the U.S.
2. Total square miles of NN is 17,000.
3. The population is 339,000 per Office of Navajo Vital Records (P.L. 93-638 Contracted Program).
4. NN has 18 P.L. 93-638 Contracts

Natural Resources 8% Increases

Former Bennett Freeze Area

- Redevelopment of the “FBFA” on Navajo tribal trust land and implement the Integrated Resources Management Plan (IRMP) goals related to Agriculture, Grazing and “areas of avoidance”.
- Funding for continued agricultural land use development and grazing permit administration;
- Develop & implement strategic range management and conservation plans, establish range units, rehabilitate and restore degraded rangelands;
- Maintain and replace water storage tanks and windmills, develop water resources; e.g. stock ponds and springs.
- Construct fence lines associated with range units,
- \$200,000 to hire two additional FTE to assist in the increased workload.

Forestry Management, \$245

- FY 2018, the revised Forest Management Plan will be completed to start implementation. Forestry Management activities will include:
 - Planning (including biological clearances, archaeological clearances & NEPA);
 - Administration of existing sales in the Oak Ridge and Asaayi Lake Fire areas.
 - Large vegetation management area require adjustments to silvicultural treatment methods & monitoring standards.
 - Timber sale implementation requires the road system suitable for log hauling, current backlog on maintenance & road reconstruction on commercial forestlands.
- Forest trespass concern- funds to improve compliance; e.g. additional public involvement (prevention efforts), patrol & enforcement efforts.
- Navajo Forestry Department & Navajo Region increasing the amount of timber harvested by reestablishing a commercial timber sale program. Increase funding to add approximately 1,000 acres of commercial timber sales in 2018.

Water Resources, \$750K

Water Department Program sustains the water needs of the Navajo people residing in remote areas. Navajo people travel long distances to haul water for livestock due to severe shortage of livestock water facilities.

- Water resource projects includes planning, designing, securing proper clearances & permits for installation of livestock water facilities. Constructed livestock water facilities have increased every year in R & M costs.
- Construct at least 5 new water facilities each year for 20 years. Funds needed for new equipment, supplies & additional staff.

Water Monitoring and Inventory (WM&I) \$750K

WM&I provides groundwater well information, surface water & climate monitoring, GIS Database, library archive & coordination of water development projects with tribal, state and local agencies. Funding request:

- Supplement existing FTE 2080 hours & fringe for \$200,000;
- Navajo–Gallup Water Supply Project Design for San Juan Lateral Connections \$400,000, to finalize 3 connection design plans;
- Western Navajo Pipeline Connection Plans: \$150,000.

Fish and Wildlife Management \$500

FWL employs 3 Wildlife Conservation Officers to enforce tribal & federal laws throughout NN.

- Funds needed to replace Officer's safety equipment; e.g. bullet-proof vests, field computers & video cameras require routine replacement.
- Fish Hatchery- Add two (2) FTE Fish Culturists work raising fish & restocking the Nation's Fishing Lakes; funds needed to replace a stocking tank & replace two (2) old aerators that aerate the hatchery ponds.

Natural Heritage Program (\$500)

NHP employs six (6) FTE's to collect, manage & disseminate biological information for land use planning to promote the conservation of biological diversity, provides TA & planning to Navajo people, tribal communities & programs, ensure compliance w/tribal & federal laws.

- Increase funds to address personnel & operational expenses, improve monitoring of identified priority plants /animals species, provide TA support, expedite biological reviews & clearances to comply with federal and tribal laws by 40-60% compliance, address increased demands, fill Botanist vacancy, wildlife & range biologist, 2 wildlife techs, etc.

Public Safety 8% Increase

A0J30 Criminal Investigation (CI) \$736

A0J30 Law Enforcement- Patrol \$736

Navajo Department of CI employs 35 certified CI to served & respond to designated Uniform Crime w/in 7 police districts on 24/7 basis, serves Navajo population, responds to estimated 12,000 criminal cases & covers entire reservation, tasks are apprehension, incarceration, investigation, initial court appearance, detention hearings & prosecution via Tribal, State & Federal court systems.

- Increase CI FTEs by 7 to address manpower shortage, ongoing services & meet national standard of 2 CI per 1,000 population benchmark.

Patrol employs 220 certified Peace Officers to perform & respond to Uniform Crime Reporting (UCR) Part 1 (Felony) and Part 2 (Misdemeanor) crimes on 24/7 basis, responds to over 250,000 service calls per year; handled 35,000 arrest, traveled over 5 million miles, etc.:

- Increase Police Recruitments / officers by 30 FTEs. Increased FTEs would bring the ratio to .95 per 1000 population & would still need 225 additional FTE's to meet nation standard of police coverage.

A0J31 Adult Corrections \$736

A0J31 Juvenile Corrections \$736

NN operates six (6) Adult Detention Facilities w/ 345 bed space, provides daily 24 hour supervision, ensures full compliance w/mandated standards, provides individual counseling, mental & behavioral health, medical, dental & serves nutritious meals, allow visitation, in/outgoing correspondences & personal hygiene.

- Increase will fund all six (6) adult detention facilities' personnel towards full staff capacity at each Adult Facility.

NN operates four (4) Juvenile Detention facilities w/98 bed space, provides daily 24 hours supervision to all youth detainees, provides services; e.g. mentoring, listeners, guidance, parent role, teacher; provides individual counseling, mental & behavioral health, medical, dental, educational services, serves nutritious meals, visitation, in /outgoing correspondences & personal hygiene.

- Increase will fund all four (4) Juvenile Detention facilities & headquarters' administrative personnel, provide ongoing detainment & correction services to 5,000 juveniles & increase facility staff towards full capacity.

A0J90 (TPA) Tribal Courts \$107

Judicial Branch's (Tribal Court) provides judicial and related services pursuant to applicable Navajo & Federal laws and regulations. Navajo's Court system operates w/ funded positions of bailiff, peacemaking, traditional program specialist and probation staff, who provide essential operation.

- Increase will fund twenty-two (22) additional FTEs. Continuation of these positions will provide needed services w/ their expertise & assistance during judicial proceedings, continue quality of services provided by each position, & keep focus on providing effective court services to the defendant and parties of the court.
- The recurring funds allocated is insufficient to fund operational/facilities' cost that are required to provide services by the Judicial Branch.

Education 8% Increase

A0E90 (TPA) Johnson O'Malley \$269

A0E93 (TPA) Scholarship \$3,393

JOM achievements: administer program w/ eligible public school districts thru 27 subcontracts; monitor subcontractors; provide TA; network w/other JOM programs in US; implement regulations, policies, promote parental involvement; etc.

- Serves American Indian students ages three through twelfth grade;
- Provide services to meet specialized ED support to 45,257 Indian students.
- Increased funds aid school districts provide instructional materials, supplies & parental costs, Native studies w/ intent of raising achievement level, decrease dropout rates, truancy & increase graduation rates.

Scholarship provides financial assistance to tribal members enrolled at accredited higher education institutions.

- Current funds used to operate 5 regional offices w/ 27 FTEs who provide outreach to students in schools, colleges and communities.
- Increased funds will pay financial needs of 1,696 students at \$2,000 plus one (1) at \$1,397 per academic term. Additional funds will increase the number of students awarded in 2014 by 28% to a total of 7,731 awards.

Human Services

Social Services \$288K

- Department of Family Services (DFS) administers funds to several programs & provide multiple services; e.g. adult/elder Protective, Crisis Intervention, Adult/elderly case management, adult/elderly in-home care, youth foster care, protective, youth/ emergency shelter home for children, etc., to assist individuals & families w/ financial assistance during temporary financial hardship. Trend Caseloads: handled:

Welfare assistance \$1,449

Welfare Assistance provide services for placement of children, adult & elders in-residential care, in-home care services, institutional care, foster care and group homes, general, burial & emergency assistance. Navajo population increases annually, as does need for service.

- Contracted vendors provide services for adult & elderly residential care, paid 2014 average monthly basis for 254 adults/elderly payment of \$8,491,500, an increase from 2013 of \$1.1 million.
- Burial Assistance of \$3,247,039 served 1,323. Navajo families do not plan for unexpected life changing events.
- Increase funds will provide additional services to clients who cannot be assisted due to P.L. 93-638 funding contract.

ICWA \$95

Navajo Child & Family Services Program provides case management assistance to all Navajo children placed in state custody throughout the United States through the ICWA Unit located in Window Rock, Arizona.

- Priority to improve case management services by hiring additional social workers to meet the Child Welfare League of America (CWLA) worker and case load ratio, determined to be: 30 cases per 1 Social Worker.
- FY 2014 ICWA Caseload totaled 577 cases w/ 11 Social worker positions, equivalent to 52 cases per worker, 73% more cases recommended by CWLA per worker. Eligible Navajo Indian children who received ICWA services totaled 1,185. Trend are:

NR Unfunded Obligation > 8%

A0N9A FBFA –Housing Improvement (HIP) \$1,500

A0N9A FBFA – Water Resources \$1,000

A moratorium was imposed on Former Bennett Freeze Area (FBFA) for all types of development/improvements since 1934.

- When moratorium lifted in 2008 (74 years later), needs are 2,436 housing construction, 324 major renovations /improvements & 1,287 houses needed water/electricity.
- Budget request of \$1,500,000 to construct 10 to 12 new houses, include inspection, labor, materials, ready-mix concrete, sand/gravel, appliances, construction equipment's rental/lease/ repairs, transportation, etc.
- HIP labor force account of 24 personnel will ensure quality construction.

Water Resources responsible to develop, repair and maintain livestock water facilities to sustain and enhance livestock economy. Navajo priority to rebuild FBFA that includes housing, roads, schools, health centers, etc.

- Funds to hire 7 personnel to conduct planning, studies, obtain permits, review permits for approval & travel and overhead, provide cost estimate & address the outstanding repair, maintenance and/or replacement work. Contract Professional Engineering/Architecture firms for feasibility, conceptual & final designs at \$300,000 are included.

A0N9A FBFA Fish & Wildlife \$176

A0N9A FBFA Natural Heritage (NH) \$233

Fish & Wildlife Enforcement has authority over fishing, hunting & trapping activities within NN boundaries. Navajo has authority for licensing such activities. Four FTE Wildlife Conservation Officers (WCO) are responsible to patrol & enforce Fish & Wildlife laws and regulation over 16.5 million acres.

- Currently, no WCO is stationed in the Navajo Western Agency-FBFA.
- Funds for 2 WCO Personnel/ Fringe Benefits= \$99,092; Operating/supplies, 2 Vehicles, mileage, uniforms, travel and computers= \$76,840. Total Costs= \$175,932

NNHP facilitates public outreach, community / economic development & resources management on Navajo to ensure compliance & adherence with tribal and federal laws; i.e. T17 N.N.C. and T23 N.N.C., NEPA, Migratory bird Treaty Act, Bald Eagle Act.

- To meet initiative for FBFA: 1-Wildlife Biologist, 1 Wildlife Technician, Personnel & Fringe Benefits= \$99,274, Operating 2 vehicles, mileage, supplies, travel, computers= \$58,240 and Data collection (aerial flights, monitoring of eagles, horses, wildlife) = \$75,000. Total Costs= \$232,514.00

Agriculture >8%, \$3,000

Navajo livestock and current population within a fixed area creates an imperative condition to complete an Agriculture Resource Management Plan (ARMP) for the entire Nation.

- Pre-planning activities to ensure successful ARMP requires: management goals and objectives, conduct independent assessment & secure Navajo Council supporting resolution, conduct 2 conferences for the public to present/exchange ARMP findings and plans; build Navajo government & community capacity to support & continue future ARMP findings and improvement projects; hire staff & contract facilitator to accomplish work, purchase a modern GIS computer network system, develop and distribute educational materials and website.
- Budget for \$3,000,000 includes: 5 new FTEs, operating expenses and office equipment.

A0N9E Fish & Wildlife Management \$23

A0N9E Natural Heritage Program \$25

Fish and Wildlife Management Contract employs 3 Wildlife Conservation Officers to patrol remote areas of the Navajo Nation(NN) to deter illegal activities and to investigate illegal activities pertaining to wildlife resources. Wildlife Enforcement Officers also oversee the NN Hunter Education Program and classes are taught throughout the reservation.

- The budget increase will allow for safety equipment to be replaced such as video cameras that operate when contact is made with hunters & fishermen in the field.

Public Safety Unfunded Obligation >8%

A0J30 Criminal Investigation (CI) \$1,379,913

A0J30 Law Enforcement (LE)– Patrol \$5,000

Thirty-five certified CI serves the Navajo population, responds to approximately 12,000 criminal cases, 24/7 basis covering entire NN reservation; successfully completed approximately 75% case tracking with 986 open cases, 202 closed cases, 213 referred for NN Prosecution & 142 processed for Federal Prosecution.

- Increased funds will fill an additional 13 CI unfunded/vacant positions, enhance officer safety, officer burnout, reduce liability and cut overtime cost.

LE Peace Officers (220) respond to service calls exceeding 250,000 per year, process 35,000 arrests for Navajo traffic, domestic violence, Major Crimes Act, apprehend, investigate, incarcerate, testify & assist in prosecution through Tribal, State and Federal court systems.

- Of the \$5 million increase, \$3.7 million will provide additional salary and fringe benefits for 60 Police Recruits.
- Remaining \$1.8 million will replace the outdated Records Management Systems.

A0J90 Tribal Courts \$756

Judicial Branch’s (Tribal Court) program operates 13 Judicial Districts and a Supreme Court that covers over 27,000 square miles within Arizona, New Mexico and Utah, to provide judicial and related services to Navajo pursuant to applicable Navajo and Federal laws and regulation.

- Budget request is for five (05) additional Judges & fringe benefits at \$556,460; operational costs in the amount of \$200,000, total amount of \$756,460.
- Judges will preside over civil, criminal and family court cases. And will further assist in the increased number of hearings & judgement of cases; will be assigned at remote locations within the reservation as caseloads increased for domestic violence, criminal cases and civil case types require more time and resources as defendants request for jury trials.
- Currently, an average of 18 judicial staff are assigned to 58,000 open cases. A ratio of 1 employee to 3,222 cases.

Education Unfunded Obligation >8%

A0E90 Johnson O’Malley (JOM) \$269,195

A0E93 Scholarship \$21,103,500

JOM Program :

- Subcontracts with 27 public school districts, allocates funds to each subcontractor based on their student count - \$220,740
- Funds will support education costs, increase teaching Navajo studies & student services; e.g. attendance, graduation, & academic success.
- Allow JOM staff to conduct 100% monitoring visits & TA instead of the current 50% - \$48,455.
- Trained subcontracts will provide financial data on accomplishment, cost effective practices, etc.

Scholarship request for CY:

- Additional funds will provide 3,837 awards of \$2,000; provide 3,837 awards of \$3,500 awards;

- Annual funding \$9.0 million.
- Funds will increase the number of awards by 49 percent from 7,946 to 15,620.
- Actual need: **\$43.2 million*** (2 semesters) 10,799 total applicants x \$2,000/semester = \$21.6M (\$21.6M x 2 = \$43.2M)
- Shortfall: **\$33.4 million***
\$43.2 million – \$9.8 million.

Human Services Unfunded Obligation >8%

A0H90 (TPA) Social Services (SS) \$917,938

A0H91 (TPA) Welfare Assistance \$9,358,978

SS Administration-Department of Family Services provides direct human services to prevent & build coping skills during crisis.

- 43% of reports are related to child abuse neglect; adults & elderly abuse, neglect & abandonment and domestic violence.
- Requested funds of \$431,740 will employ eight (8) Intake Worker positions at 10 field offices.
- Case managers to complete needed home studies for \$294,217. Funds to fill Case Manager vacancies at \$166,566.
- Case Management System funding \$25,415 to purchase compatible equipment, licenses & connectivity cost.

Welfare Assistance provides services for placement of children, adult & elders in residential care, in-home care, foster care, institutional care & group homes need:

- Fund twelve (12) Youth Home positions at \$456,572 , operating cost to re-establish youth homes \$220,526. Foster home services to license care providers for \$467,958;
- Adults & elderly residential care contracted to vendors for \$ 5,999,928.
- Emergency assistance for funeral expenses of \$1,793,460.
- Adult In-Home Care program needs \$420,534.

Human Services Unfunded Obligation >8%

A0H92 (TPA) Indian Child Welfare Act (ICWA) \$253,907

Navajo Child and Family Services Program provides case management services to all Navajo children placed in state custody throughout the United States:

- Priority to hire additional social workers to meet the Child Welfare League of America (CWLA) worker & case load ratio, which is 30 cases per 1 Social Worker. Three (3) additional Social Worker positions needed for \$175,162.00 to coordinate & collaborate w/ States of Arizona, New Mexico and Utah.
- Partial funding for three (3) Contract Attorney(s) at \$38,940 contracted through NN Department of Justice on cases which require a licensed attorney for case litigation w/ States of Arizona, New Mexico and Utah.
- Manage and maintain record in Case Management System for \$39,805 of all cases from intake to closure.

Human Services Unfunded Obligation >8%

A0H93 Housing Improvement Program (HIP)

- Increase will fund existing (5) Eligibility Technicians at full time status (fringe, insurance) \$91,000;
- Purchase State of the Art office equipment, software, AutoCAD and internet services for HIP Agency & Central Offices \$25,000;

- Purchase construction materials for twenty (25) new houses including labor cost
\$130,000 x 25 homes = \$3,250,000
- Total Budget Request: \$3,366,000

Tribal Gov't Unfunded Obligation >8%

AOT90 Aid to Tribal Government \$76

Navajo Office of Vital Records & Identification (NOVRI) maintains the 1940 Navajo Census Base Roll by continuously updating membership info. Maintenance is both manual and automated with data conversion tasks.

- Update consist of collecting court documents to amend Navajo records.
- Producing ID cards to replace the paper-based Navajo CIB & converting to digital format will enable electronic verification by programs, individuals, organizations & entities for instant processing.
- Vital record maintenance requires a modern facility to shield critical data for the future. Increase funds will enable continued development of management system, data integrity, data interchange & quicker access/retrieval of membership data.

Success Stories

A0N9E – Fish & Wildlife & Natural Heritage

F & W Program:

- Restocked 91,740 fish into Lakes
- Made 14,526 field contacts;
- Conducted 11 Hunter Education Classes;
- Sold 13,926 Hunting & Fishing Licenses;
- Conducted 228 Law Enforcement Investigations;

Natural Heritage:

- 776 Biological/ Project reviews homesite leases & projects;
- Significant Project consultations, final Environmental Impact Statements (4 Corners/Navajo Mine, BHP Billiton, HPD, DNR)
- Plant, animal inventory & Monitoring, Interaction w/other agencies & Outreach.

Alaska Region

Weldon "Bruce" Loudermilk, Regional Director; Sam Thomas and Rick Harrison

http://www.ncai.org/initiatives/tibc/PRESENTATION_Alaska_Region_BIA_-_FY_2018_Budget.pptx

- Alaska Natives represent 15% of the total state population (as of 2015 the state population was 737,625, Alaska Native population was 109,218).
- The Alaska Tribes make up approximately 40 % of the U.S. federally recognized tribes.
- Typical Alaska villages are located off the road system with less than 300 residents.

Aid to Tribal government

An increase in funding would allow the governing bodies of the 228-Alaska Tribes to provide better services to their members. A majority of the Tribes have constitutions that were adopted in the 1930's and 1940's. The Tribes have expressed the need and requested training on constitutional review and the need of maintaining their membership records.

Developing tribal ordinances for various tribal functions. This will assist the Tribes to have the ability to strengthen their governmental structures and exercise their sovereign powers for the benefit of their members.

Tribes typically use this funding to perform critical roles of tribal governance, including but not limited to, development and maintenance of tribal documents, developing tribal memberships, conducting tribal elections, and the daily administrative functions of the Tribe.

Economic Development

Alaska Tribes face the same problems in developing an economy, as we are geographically isolated, undeveloped, sparse populations and very limited infrastructure. With less than 31-acres of tribal trust land between 228-Tribes, resource development is a very limited economic avenue, and gaming is not an option at all.

Without substantial increase of funding Alaska Tribes must rely on grant driven projects. For the Alaska Region, we received a total of \$16,203.00, small fraction of overall funds. Many tribes lack opportunity to establish economic development department's and adequate staffing, as needed.

ICWA

This program creates Tribally based protection programs to strength families, so children are not removed by the state, due to abuse and neglect. ICWA funding has stayed stagnant with no significant increase since 1994. The Child Welfare League of America determines caseloads standards to be 17 per worker in child welfare cases. The Tribal caseload is 3-times greater than the professional standard, and are more complex. The level of funding on average is \$30,000.00, which is inadequate.

Housing Improvement Program

In FY-2015, 820 eligible tribal members in Alaska applied, and Seven Construction Projects were funded. Increase in funds will provide for additional assistance in repair, rehabilitation, and new construction for those with limited income. Due to isolated locations, cost of supplies, and the means to get them shipped are a huge cost, when building homes in the Alaska Region.

Unmet Obligations/Needs

Job Placement and Training:

For 2015, unemployment rate in Alaska was 6.5% which is higher than the National average of 5.0%. This program was designed for those with little or no work history. Budget survey identified Job Placement and Training (TPA) as an unmet obligation, and request \$508,000.00 for this unmet need. Alaska Region needs more funding in this area to help create the job and educational opportunities that can assist individuals in securing jobs at livable wages.

Tribal Courts:

In order to effectively return children to families, tribal courts need to be funded. At the Alaska Region, \$3,323.00 is the amount received, which is not sufficient. Budget survey identified Tribal Courts (TPA) as an unmet obligation, and request \$4,172,600.00 for this unmet need.

Scholarships and Adult Education:

On July 28, 2015, the Bureau of Indian Affairs established a new initiative called Indian Professional STEM (Scientific, Technical, Engineering, and Mathematics) Student Program. This was developed to grow our professional workforce exclusively for Indian Preference (IP), and opportunities, and obtaining employment at a living wage.

Budget survey identified Scholarships and Adult Ed (TPA) as an unmet obligation, and request \$305,000.00 for this unmet need. Alaska Region needs more funding in this area to help create educational opportunities that can assist individuals in securing jobs.

Small and Needy:

Still another unmet obligation/need here in Alaska. We want to see it increase to \$300K per Tribe. We have the most Tribes, in Alaska.

Among 228 Tribes in the Alaska Region, 186 Tribes participated; 82% of our Tribes responded. This shows substantial growth in participation of this process.

Regarding the Public Safety and Justice Workgroup, Kee Allen Begay asked what the best approach is for moving forward. Darren Cruzan offered to participate in the public safety and justice meetings as a resource. Ron Allen suggested that the workgroup meet the day before the May meeting, similar to the Data Management Subcommittee.

Western Region

[http://www.ncai.org/initiatives/tibc/PRESENTATION - Western Region Budget Justification 2018.ppt](http://www.ncai.org/initiatives/tibc/PRESENTATION_-_Western_Region_Budget_Justification_2018.ppt)

Mervin Wright, Councilman, Pyramid Lake Paiute Tribe

Terry Rambler, Chairman, San Carlos Apache Tribe

The BIA Western Region is comprised of 42 Tribes and provides services for approximately 280,710 tribal members and encompasses a total land base of 12.6 million acres throughout the states of Arizona, Nevada, and Utah. Tribal lands and resources are as diverse as the peoples who have inhabited these lands since time immemorial. However, all Tribes seem to struggle with some common themes that we would like to address today. There is a need for an across the board budget increase for all line items. Tribes served by the BIA Western Region oppose any funding decreases in the BIA budget.

Methodology: Tribes and Agencies submitted their budget requests. All budget requests were incorporated into the BIA Western Region budget formulation proportionately to an 8% funding increase. The top 10 funding requests by line item include a narrative, which demonstrates the need.

Top Ten Budget Requests by Frequency

1) Criminal Investigations and Police Services	\$11,468,890
2) Road Maintenance	\$8,241,500
3) Welfare Assistance	\$5,671,000
4) Social Services	\$4,271,170
5) Detentions/Corrections	\$3,459,000
6) Housing Program	\$3,250,870
7) Forestry Program	\$2,686,000
8) Tribal Courts	\$1,997,690
9) Scholarships and Adult Education	\$1,946,000
10) Agriculture	\$1,757,890

Criminal Investigations

- Additional funding will be used to provide training for tribal police officers for criminal investigations, for POST certifications, and special unit requirements for equipment and other police services.
- This funding will be used to bring tribal police departments up to date with the technically advanced equipment, computers, computer software, and reporting modulation requirements.
- Accountability will be enhanced with this increase in funding for investigative report with case management.

Road Maintenance

- For the Western Region:
 - 356.2 miles out of a total of 6,297.9, 5.6%, miles of BIA roads are in acceptable condition.
 - 95% of roads are in unacceptable condition.
 - 127 Bridges out of 212, 59%, are in acceptable condition
- Bad roads are especially a concern since many of the Tribes are located in remote locations and are rural in nature.

Welfare Assistance

- The limited funding causes tribes to exhaust Welfare Assistance funding as soon as two to three months into the funding cycle
- Leaves tribes without any ability to provide Welfare Assistance programs to its clients.
- Child and family development and support services worker ratios normally exceed the 17:1 Child Welfare League of America ratio; case workers are tasked at two and three times this national standard.

Social Services

- Native families are exposed to domestic violence and child endangerment situations at a higher rate than in non-native communities due to the interrelated problems of poverty, violence, and substance & child abuse faced by native communities.
- Costs for child placement using inter-departments and outside agencies is a serious limiting factor with tribal social services with costs exceeding the allocated amounts.

Detention/Corrections

- Increase funding would be used to support staffing, and update obsolete equipment and computer software.
- In the Western Region, there are two BIA facilities and one holding facility and 8 tribally-run facilities. Of the 8 tribally-run facilities, six include juvenile facilities.
- Tribes served by the BIA Western Region support initiatives that address "alternatives to incarceration" strategies that seek to address underlying causes of repeat offenses.

Budget Formulation Team

Mervin Wright, Councilman, Pyramid Lake Paiute Tribe

Terry Rambler, Chairman, San Carlos Apache Tribe

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

Waquin Preston, Project Coordinator, Inter Tribal Council of Arizona

Cathy Black, Budget Officer, BIA Western Regional Office

Michael Nutter, Budget Analyst, BIA Western Regional Office

Tyrone Shipman, Regional Staff Assistant, BIA Western Regional Office

Southwest Region

Bill Mahoja, Terry Aguilar

- Consists of 25 tribes and one Navajo Chapter located in parts of Colorado, Utah, New Mexico, Arizona and Texas
- A land base of 5.3 million acres.
- The tribes within the Region are culturally diverse groups, comprised of the Apache, Ute, Pueblo and Ramah Navajo extractions.
- Government structures among the tribal entities range from traditional forms of government to conventional constitutional governments.

OUR VISION

Eliminate disparities for all American Indian / Alaska Native people

OUR COMMON GOAL

To fully fund the Bureau of Indian Affairs

Southwest Priorities

- Due to the lack of funding across the board for our programs, it is unrealistic to choose which program is a priority over another.
- For too long, Tribes have been left with fighting over the scraps of an underfunded budget.

TPA

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

Scholarship and Adult Education

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

Social Services

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

Tribal Courts

- Increase funding for professional court positions.
- Increase funding to upgrade and purchase new equipment.
- An effective and efficient tribal court system contributes to a safe community, increases the welfare of all members and helps ensure productive citizens.

Road Maintenance

- The ultimate goal of the program is to make our communities safer.
- Increase funding to provide adequate staffing.
- Increase funding to replace and repair heavy equipment needed to maintain roads.

ICWA

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

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

Needs Based Budget

- Funding for Education has been decreasing and services are severely constrained. Increase funding is needed for the increase in education participants, culturally relevant programs and Scholarship funding for higher education.
- In the Social Services unit there is a need for fulltime professional positions to meet program needs. Provide funding for training and staff development. Additional dollar would allow for the programs to enhance the service providers and the other support staff needed to support the amount of families in need of services.
- Tribal Courts provide court services to all that appear before the Tribal court. Funding is needed to fund professional court positions, upgrade equipment, and technical assistance to update legal codes.
- Aid to Tribal Government provides support and basic services to all its community. Funding will allow for continued Self-Determination project, Self-government, renovations to Tribal Government structures and upgrade to technology and training.
- Funding is desperately needed for Law Enforcement Agency in the set up of the judicial infrastructure, certification training for Tribal Officers, and funding is needed for the positions in the area of correctional, Tribal Officer and staff.
- Funding needed to provide adequate staffing of equipment operators, mechanics and field supervisors for Road Maintenance. Increase funding to replace and repair heavy equipment needed to maintain roads.

Southwest Region total need budget for FY17: \$45 Million

Northwest Region

STANLEY SPEAKS, REGIONAL DIRECTOR

TRIBAL REPRESENTATIVES:

RON ALLEN, JAMESTOWN S'KLALLAM

GREG ABRAHAMSON, SPOKANE

[http://www.ncai.org/initiatives/tibc/PRESENTATION Northwest Region FY 2018 Budget For mulation.ppt](http://www.ncai.org/initiatives/tibc/PRESENTATION_Northwest_Region_FY_2018_Budget_For_mulation.ppt)

45 tribes, 14 agencies, 3 irrigation projects

We have many different tribes throughout the region. We had the same problem as other tribes, working within the 8%. We were driven by TPA funds.

Budget Priorities

1. Natural Resources:
Fish, Water Resources, Forestry, Litigation Support, Attorney Fees
2. Public Safety & Justice:
Criminal Investigations & Police Services, Tribal Courts
3. Education:
Scholarships, Adult Education, Johnson O'Malley
4. Human Services:
Indian Child Welfare, Elder Abuse & All Human Service Programs

5. Economic Development:
Tribal Credit Programs

NATURAL RESOURCES:

- Fish, Wildlife and Parks
- Water Resources Program
- Forestry
- Litigation Support/Attorney Fees

PUBLIC SAFETY & JUSTICE:

- Criminal Investigations & Police Services
- Tribal Courts

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

EDUCATION:

- Scholarships & Adult Vocational Training
Inadequate funding doesn't cover the needs in a downturned economy that is vital for obtaining employment at a living wage.
- Johnson O'Malley (JOM)
Tribes decrease the number of opportunities it provides for its Tribal members to gain a better education and to improve livelihood for future generations

HUMAN/SOCIAL SERVICES:

- Welfare (General) Assistance
Strengthen families, prevention of domestic violence and child abuse
- Indian Child Welfare
Eradicating child abuse, neglect and the exploitation of children Tribal Youth Shelters.
Absent any funding allocations, ability to maintain operations is uncertain.

COMMUNITY & ECONOMIC DEVELOPMENT

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

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

Pacific Region

Robert Smith, Chairman, Pala Band of Mission Indians

Russell Attebery, Tribal Chairman, Karuk Tribe

Amy Dutschke, Regional Director, Pacific Region

http://www.ncai.org/initiatives/tibc/PACIFIC_REGION_2018.ppt

Representing 104 tribes of the Pacific Region.

- 16 Self-Governance Tribes
- 4 Agencies: Central California, Southern California, Palm Springs, Northern California

Formulation Process: 6 Budget Sessions held

- Five local meetings held at: Redding, CA, Oroville, CA, Santa Rosa, CA, Bishop, CA, Valley Center
- 53 Tribal officials/staff in attendance

- *A statewide meeting was held at the Rincon Reservation in early February 2016 where issues were discussed and priorities were set for the 2018 Budget submission.*

Top Five Priorities

- Tribal Government: Aid to Tribal Government
- Human Services: Indian Child Welfare Act
- Education: Scholarship/Adult Education
- Tribal Government: Road Maintenance
- Education: Johnson O'Malley

Success Story: Education

Dahkota Kicking Bear Brown

- The youngest White House Advisor ever from California
- Member of the Wilton Rancheria
- Appointed to the National Advisory Council on Indian Education
- Working to improve education opportunities for students in California since he was in 8th grade
- NERDS – Native Education Raising Dedicated Students established in 2011.

Success Story: 2015 Fire Season

The 2015 Fire Season within the Pacific Region was without question trying. From February to October, California had fires burning continually.

Two of the fires that we would like to focus on were the Butte and Valley Fires. These two fires were burning in the State at the same time and Tribes played a major role in providing mutual aid to the communities while also working to make sure that tribal residents in surrounding areas were taken care of. "Valley, Butte fires among costliest ever at \$2 billion in damages" - Sacramento Bee

BUTTE FIRE

On September 9, 2015, the Butte Fire began on the border between Amador and Calaveras County in the Sierra foothills of California. Within a matter of hours the fire moved through the foothills causing thousands of people to evacuate their homes.

Although Jackson Rancheria had not been impacted by the Fire (but was within a few miles of the Rancheria) the Tribe actively became involved and became a mutual aid provider, working with the Red Cross and setting up a shelter on the Rancheria.

The tribe provided food, lodging and support to evacuees during this most troubling time. The Tribe continued this support to the greater community assisting with support through hay donations for animals, providing drop off locations for community members to donate food, clothing and other needs and continually assuring evacuees that they would be there as long as help was needed.

The success in this tragedy was the coordination and support we received from throughout the State. We scheduled daily calls with our partners including the California Governor's Office, California Office of Emergency Services, Indian Health Services, FEMA, BIA Emergency Management, various Tribes within the state who were interested in assisting including the Inter Tribal Long Term Recovery Foundation (Foundation). The Foundation was developed as a result

of the devastating fires in Southern California in 2007. The Foundation was valuable in assisting with recovery on the Butte and Valley Fires.

INITIATIVE: CLIMATE KIDS

A Joint effort between Tribal Governments, California Landscape Conservation Cooperative, University of California – Riverside and the Bureau of Indian Affairs is the Climate Kids initiative.

Climate Kids is a series of community level collaborative projects to support youth engagement on climate change through action based science activities, storytelling and art.

Each climate kid's projects bring together artists, scientists, and storytelling into a unified partnership to inspire and educate children in K-6th grade.

The Pacific Region is currently working in cooperation with the Climate Science Alliance, the Pala Band of Mission Indians and the University of California – Riverside to expand the Climate Kid projects to Tribal communities in Southern California.

Rocky Mountain Region

Alvin Not Afraid, Jr., *Secretary, Crow Nation*

Darwin St. Clair, Jr., *Chairman, Shoshone Business Council*

Mark L. Azure, *President, Fort Belknap Indian Community Council*

http://www.ncai.org/initiatives/tibc/PRESENTATION_Rocky_Mountain_R_Formulation_FY2018_final_-1-.ppt

- Montana:
 - Blackfeet Tribe, Blackfeet Agency
 - Chippewa Cree Tribe, Rocky Boy Agency (Self Governance)
 - Fort Belknap Indian Community, Fort Belknap Agency
 - Assiniboine & Sioux Tribes, Fort Peck Agency
 - Crow Tribe, Crow Agency
 - Northern Cheyenne Tribe, Northern Cheyenne Agency
- Wyoming:
 - Eastern Shoshone Tribe, Wind River Agency
 - Northern Arapaho Tribe, Wind River Agency

TPA

- 1) Social Services
- 2) ICWA
- 3) Tribal Courts
- 4) Scholarship and Adult Education
- 5) Water Resources

Next Five Increases

- 6) Housing Improvement Program (TPA)
- 7) Criminal Investigations and Police Services
- 8) Aid to Tribal Government (TPA)
- 9) Job Placement & Training (TPA)
- 10) Agriculture (Natural Resources) (TPA)

Lack of Funding at All Levels

"I want to give you my solemn guarantee that this is not the end of the process but the beginning of the process and that we are going to follow up. We are going to keep on working with you to make sure that the first Americans get the best possible chances in life." President Barack Obama, "One who Helps People Throughout the Land" – November 5, 2009 – Tribal Nations Conference.

Historically the funding we normally receive is not adequate. We have over-worked and under-paid staff which leads to inadequate professional services provided to our people. This is unacceptable at all levels.

With 100% funding of our TPA we would be able to hire more tribal professionals, provide training and jobs which leads to less unemployment and will increase tribal capacity in Indian country.

Social Services

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

ICWA

- More funding would decrease client to staff ratio. Currently outrageous case-loads which then leads to high turnover in employees and no follow-through on cases
- Main goal/purpose is to maintain direct connection with our children's tribe, heritage, customs and families
- Our children are our future

Tribal Courts

- Increased Population = increased crimes = more individuals in the court system
- In critical need of additional qualified professional positions, key positions that our tribal people have the right to receive
- 2010 Indian Law And Order Act
- Amended Violence Against Woman Act

Scholarship and Adult Education

- Cost of education has increased while funding has decreased or remains the same
- To provide educational opportunity to our adults to be successful is a solid investment
- To improve our communities through education changes the quality of life of our tribal members
- Capacity building of tribes is not possible without education of tribal members

****Healthy careers provides for healthy communities*

Water Resources

Additional Funding will assist in the protection and management of tribal water resources

- Assist with objections to the State based claims which could affect tribal water rights
- Better documentation and management of existing water uses
- Collect valuable data: climate change, long term trends aiding in development of future systems/developments

Hot Issues

- Land Buy Back
- Scholarships
- Response time needs improvement
- Why other Regions receive extensions and Rocky Mountain does not
- OST Appraisals
- Social Services - not being notified of State removal – not following ICWA
- Meth
- Road Maintenance

Other Concerns

- Budget Formulation:
Revamp formulas for allocation of funding
- Budget Transparency:
Implement a website for tribes and budget formulation teams to include useful updated budget information
- Provide expense reports and other fund status reports
- Head count for JOM – Needs to be done more frequently

Follow Up

- ILCA – Update Titles (had liens on them)
- DOJ – COPs grant to OJS

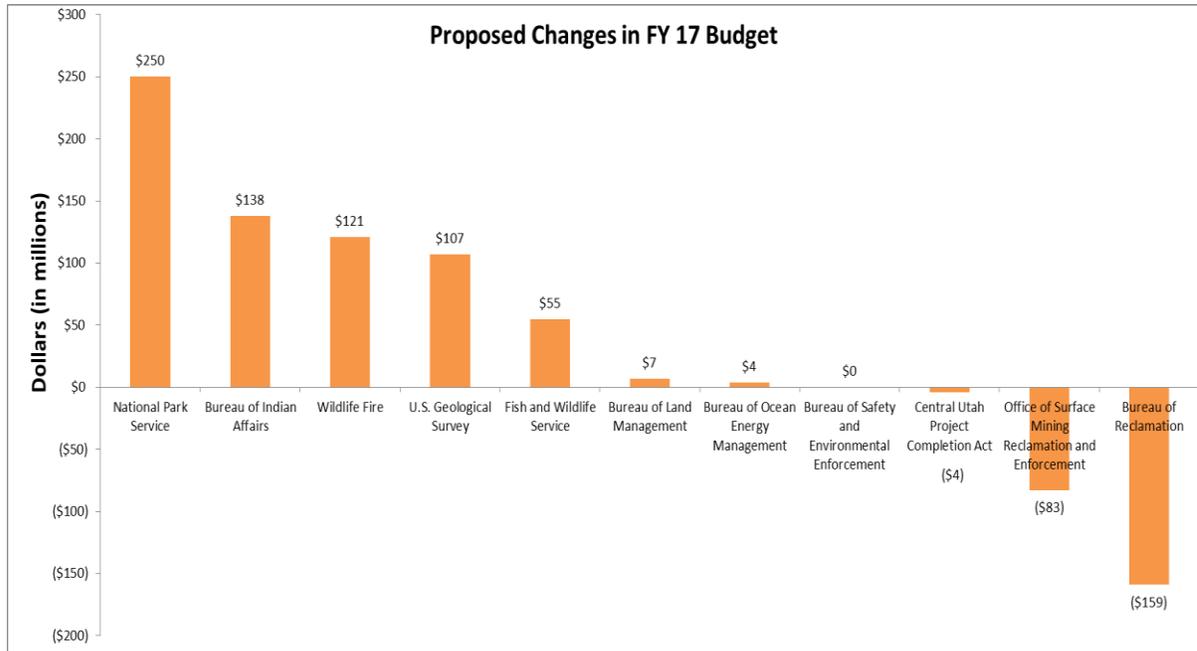
Tribes agreed on 8% increase distribution strategy as follows:

- Consolidated Tribe's submissions
- Selected increases based on the number of Tribe's interest in programs
- Distribute - 80% (of 8% increase) to top 5, 20% (of 8% increase) to next 5
- 8% of \$83,997,000 (RMR's 2015 Budget) = \$6,720,000
- 80% of \$6,720,000=\$5,376,000/top 5 increases = \$1,075,200 spread across the higher 5 equally
- 20% of \$6,720,000=\$1,344,000/lower 5 increases = \$268,800 spread across the lower 5 equally
- Reason? More towards top 5 will make it more effective/meaningful.

All of our tribes are unique, but if, as tribes, we are not united, we will lose.

Larry Roberts: Appreciate the presentations. I heard consistent themes across regions. I'm glad everyone was able to be a part of the presentations. It reminds me of the diversity of Indian Country. As AJ Not Afraid said, this is Indian Country and our budget needs to meet the needs of Indian Country.

He shared a slide with the different funding levels. BIA had the second highest increase of DOI agencies, after the National Park Service.



He issued a Dear Tribal Leader letter on climate change funding for tribes, \$6.5 million in funding for tribes. This is not through grants.gov; it goes directly through BIA.

Reviving the BIE Subgroup

Larry Roberts: We are committed to the BIE reorganization. We received a letter from House Appropriations about what they want to see in terms of our reorganization. They would like to see that we work with TIBC to consider establishing a BIE focused budget advisory or subcommittee of TIBC or other options so BIE programs are prioritized independently of other programs. How would TIBC tribal leaders like to address this? We are happy to work with a subcommittee, or a separate committee. We have strong tribal leadership as part of this subcommittee.

Kitcki Carroll: from Eastern, our tribes who have BIE have expressed concern that the current budget process doesn't allow BIE to elevate its needs properly. Eastern would appreciate the chance to consider this option. I'm fine with a BIE subcommittee looking at BIE issues.

Ron Allen: we had a BIE subgroup, which was driven by regions that had many BIE schools. They were looking at a number of different things. The reorganization: concerns include the level of consultation over the discussion of the proposal(s). I haven't been involved, but a BIE subgroup would be helpful in this process. It doesn't replace consultation requirements, including budget priorities, but it makes sense to get more participation from those who care about BIE and restructuring.

Larry Roberts: does anyone object to a BIE subcommittee? It will provide an opportunity to talk about budget formulation, reorganization, and it would be a direct line to talk about any issues relating to BIE. It would be across the board, and wouldn't replace consultation, but provide another avenue for tribal leader engagement.

Jefferson Keel: The president has Gen-I for youth. How does that relate to schools?

Larry Roberts: the president did ask in FY16 for a significant increase in school construction. That continues in FY 2017: a large BIE increase as well, about \$60 million. It's about half of our increase for FY17. Gen-I more broadly touches on Indian Affairs and a number of different agencies. Some of the things we are doing: Tiwahe is focused on Gen-I. Mike Black is leading youth conservation corps to provide opportunities for youth. We announced an honors program for our college youth, to help senior leadership with an internship program. The President is committed to Gen-I as is Secretary Jewell. It is cross-cutting over many agencies.

Specific to BIE and the reorganization, it is meant to better serve tribally-operated. Our structure treat tribally operated schools and BIE operated schools under the same umbrella. The new structure treats schools operated by tribes, allows a focus from our BIE staff for the resources for those schools. Tribally operated schools and BIE schools have different needs. We have Navajo, which as about a third of our schools in BIE. The restructure is focused to promote those outcomes in that structure. Right now, our structure didn't reflect the modern realities of how schools were operated. This subcommittee or committee would be a good idea to have a specific focus on BIE.

Vernon Miller: The Great Plains supports this. Who from Interior will also serve on this? How can TIBC be assured that the issues or budget discussions are brought up, given only half of the regions have BIE schools?

Larry Roberts: at a minimum, it will be the director of BIE, or chief of staff level, and someone from my office as well. We want to staff it commensurate to the level of folks in the subcommittee. If it's a subcommittee of TIBC, everyone around this table will make sure the issues are elevated. It will be similar to what we did with the discussion around roads.

AJ Not Afraid: can we build our own schools? You have a border town, which the county seat sits on, and the district boundaries are majority on the reservation. But the election boundaries are majority off the reservation. The boards all non-Native boards. The elementary portion is on the reservation, but the majority of funds are put in off-reservation.

Larry Roberts: there is a statutory limitation on that. This is a good point: a lot of dollars go to public schools that are educating Native children. Are those public schools being responsive to the funding they get for Native students? There have been some discussions. The public schools need to be responsive to tribal leaders.

Buster Attebery: some schools where Indian students are don't receive the financial support they deserve. There is a great need in our tribe to structure the system in a different way. A tribal member wanted to wear a traditional cap during graduation. It became very controversial. If the school is 70% Indian, it should be okay. The curriculum itself we are working on getting our language as an accredited course, getting teachers credentialed, but it's still a work in progress.

Nomination for Chairman Frazier or Chairman Yellow Bird Steele. Mervin Wright volunteered to serve on the subcommittee.

Kitcki Carroll: The conversation is often about policy and not budget. TIBC is meant for budgets, less policy. At any one point, we are talking about three different budgets, FY16, the FY17 President's budget, and the FY 18 budget in development right now. We should be talking about all three budgets. It's time to reconsider goals and functions.

Maybe the subgroup should consist of tribal leaders to examine the process as it stands right now.

Ron Allen: my view is a little different. I think what Kitcki described is what we are doing. In our tribal caucus, we discuss all three budgets. We discuss it up front, and all the parties are at the table now: tribal leaders, the BIA, the regional directors. It may not be the conversation you are looking for, but it is open dialogue. The subcommittees are only vehicles of this greater body to focus in on areas: transportation, public safety, data. Tribal leaders who have interest in those can huddle up and report back to the full body, representing all of Indian Country. We keep talking about a better, different forum. We are doing it though. It's a matter of staying engaged. It's not an easy process. We bring priorities and needs. These are urgent needs of our respective regions and tribes. The issue of roads, wanting a separate line item: the basis of a subcommittee is to get our arms wrapped around the basis for more money. A separate category for roads doesn't change the numbers of what is available for us. You have \$3 billion, but like OST, it's under DOI. The wrestling match of funding is all under DOI. How much out of that will be allocated to these categories? Roads is a good example. Other agencies are involved too. We want to make a case that they should be stepping up to the place. This is a forum to discuss that topic. We are tribal leaders advising the executive branch. Then we go up to the Hill. I have participated for 20 years. It is hard work. We all have day jobs. And this is hard. If I didn't have a great team at home, I couldn't do this. Most tribal leaders can't do that. But that's what it takes to work the Hill, both chambers, who have different numbers that the President. We have to be patient and persistent. This isn't a new conversation. This is where we fight for our needs. We ask Larry and challenge him on our needs. So this is the forum. This forum is supposedly different from the last year. We are incorporating the recommendations from the regions. At the end of the day, Larry Roberts decides and makes recommendations that are released in February of next year. We need the subcommittees to focus. The statement I made yesterday: I know \$3 billion is not enough. You can have 10, 20 times more, but is that ever going to happen? We still have to champion it. These guys are our partners, but they have political constraints. My view is to stay engaged and do our part. They can't lobby. We are the ones who can work both sides of the aisle.

Larry Roberts: I think this is an important dialogue: is TIBC working? It has to work for everyone. I think that we have a number of tribal chairmen here: it's extremely helpful as we go through the budget process to say, "I heard from Chairman Miller, and this is what is important." Just like when Chairman Seki said the Tiwahe program is important for addressing the needs of families at Red Lake. Senior leadership appreciates the strong representation of tribal leadership. The dialogue is extremely valuable. To Kitcki's point, should our agenda reflect a different course? I am open to what makes our time most effective. The agenda should value your time.

On subcommittees versus separate committees, if we break out focus then none of you, unless you are on those committees, will hear a read out from the committees. If we form subcommittees from TIBC, then you will be informed of what the subcommittees are working on when they report back to TIBC.

We know there are so many issues and it's hard to pick education over social services and should be their own item, like with health care. I get that, but I don't know how we change that in the immediate future. Practically, everything is in Indian Affairs. We can't change those line items without congressional action. We are in this situation, and it's important to have a dialogue on all the different line items. Maybe we do change the agenda a little bit to focus on each fiscal year. Maybe it should be more budget focused than policy focused. But it's important to have this body, which has tribal leaders around the table. I meet with you individually, but I don't get to have a collective conversation except here, and it's extremely valuable. I hope we can make this worthwhile to all of us. I hope that subcommittee process, which feels bureaucratic, will produce good reports. I'm open to making sure that this TIBC works for tribal leadership. If it's not working, then we have to change some things.

Chris McGeshik: If we go back to our own communities, we are looking at the money coming in and expended, and we know what it going on. When we leave, we don't know what will happen.

Kitcki Carroll: I'm not suggesting TIBC be dissolved, but that there is opportunity to strengthen it.

Ron Allen: if we need to restructure the agenda, I'm indifferent to that; what is a better way? We are trying to shape our presentations into a format that shows what is the need in order to make a stronger case for more money. That is our purpose. How do we measure our success? I can show you progress: we come in with top five, and I can show you how the Administration increased money all down the list. They hear you. There are setbacks, but we are getting increases. We agree on the framework we are dealing with and how do we beat it? I was an advocate to tighten down the presentations to talk about strategy; this is productive conversation. For instance, should BIA or DOJ be responsible for law enforcement? \$15 or \$20 billion in DOI; DOJ has a different budget. Should IHS be in HHS? That is an \$850 billion budget. You have a little more room to get a bump. There is politics in the committee structure. We hear the frustration of our leaders: how do we remedy it politically? That is strategy. We work the Administration and we work the Hill to make a difference. I don't think changing the format will change much. We asked how to improve TIBC, and less than half of the regions responded.

Mike Black: This body has done more to shape the budget than ever. The increases match the input of this body. You do have impact. This week was encouraging: to see a program addressed specifically on roads – it identified needs and educated a lot of us. I'd like to see more of the program focus, especially programs that have wide-ranging impacts. Subsistence is extremely important to Alaska and to the Northwest. It would be good to see similar presentations to have better information.

Larry Roberts: we have a path forward.

Ron Allen: they need to prepare for when they meet face to face. Do you have an actual charge? A phone conference would be helpful too.

George Bearpaw: I like all that is being said. When I first came, I talked with Ron and the Budget Subcommittee of collapsing the budget. We discussed it. Every year, I ask for recommendation for how we do business. We get advice on that from the TIBC. If we can have any changes, we need those recommendations. This is a good discussion and it will probably lead to a better budget discussion. I've heard that TBAC used to be three days long. We may need that in the future. I'm glad to see the comments and discussion.

Question on the Tribal Data Exchange

Ron Allen: It didn't dissolve; it redirected its efforts. They are no longer doing a performance analysis. We want to identify unmet need. In this process, we asked, what is your unmet need. Most regions haven't done that: they don't know what metrics to use.

Kitcki Carroll: We are hoping for more streamlined data points that measure the strength of a nation: GDP, unemployment, whatever else we can identify as tribal nations, which are at the 30,000-foot level.

Larry Roberts: we also need data to inform questions like, "what is homelessness in Indian Country?" We don't know.

Ron Allen: we need the profile data. We are requesting this from Census, but don't have it. The \$9 million could help. The data we want is to measure needs in programs. They work together.

Larry Roberts: requests for data are often duplicative. We need data to support the budget, but also be helpful broadly.

Ron Allen: perhaps a small group should make recommendations for what is the next option.

AJ Not Afraid made a motion and seconded by Buddy Knife to make the Roads Maintenance its own line item. It's currently in Tribal Government Services now. We will expect a report at the next meeting, why or why not this should happen. **Motion carried.**

AJ Not Afraid made a motion and seconded by Darwin St. Clair to approve the BIE subcommittee. Motion carried.

Meeting adjourned.