



US Department of the Interior

Indian Affairs

FY 2020 & 2021 Budget Update

Tribal/Interior Budget Council

March 10, 2020



Agenda

- FY 2020 Enacted
 - Overview and Highlights
 - Distributions
- FY 2021 President's Budget
- Tribal vs. Request vs. Enacted

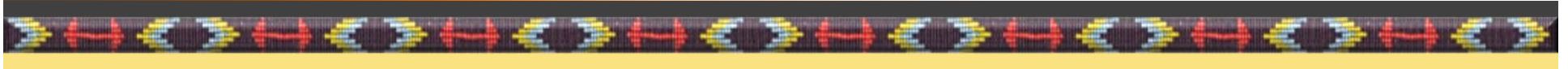


FY 2020 Enacted

- Indian Affairs' 2020 Enacted budget includes:
 - **\$2B for Bureau of Indian Affairs**, an increase of \$93.8M over 2019 Enacted and \$179M above the 2020 Request
 - **\$1.2B for Bureau of Indian Education**, an increase of \$48.5M above 2019 Enacted and \$255.1M above the 2020 Request



Indian Affairs Funding History





FY 2020 Enacted

- There is a total of **\$1.6B for Operation of Indian Programs**, an increase of \$67.1M over 2019 Enacted and \$114.8M over the 2020 Request.



FY 2020 Enacted

- **Tribal Government – \$334.2M, \$13.2M above 2019 Enacted, and \$8.2M above the Request**
 - The bill continues the Tiwahe Initiative at fiscal year 2019 levels across all programs and activities with funding distributed in the same amounts to the same recipients, including the funding to support women and children's shelters



FY 2020 Enacted

- **Human Services - \$155.7M**, \$5.7M below 2019 Enacted, and \$12.7M above the Request
 - +\$1M to implement section 202 of ICWA
 - +\$2M for Housing



FY 2020 Enacted

- **Trust Natural Resources - \$226.8M, \$19.9M above 2019 Enacted, and \$42.7M above the Request**
 - \$2M to finalize implementation of section 7 of the Elwha River Ecosystem and Fisheries Restoration Act (P.L. 102-495)
 - \$41.7M for Rights Protection Implementation
 - \$500K is for the law enforcement needs for treaty sites on the Columbia River
 - \$900K is to implement the Pacific Salmon Treaty
 - \$255K to advance the understanding of salmon and steelhead habitat
 - \$13.1M for Tribal Management Development Program
 - \$500K to develop Tribal buffalo herds and support related activities
 - \$700K for pilot projects and programs for Alaska subsistence activities as further outlined in the Senate Report 116-123



FY 2020 Enacted

- Trust Natural Resources (*continued*)
 - \$25.5M for the Agriculture Program (TPA)
 - \$9.8M for Invasive Species
 - \$6.5M for Wildlife and Parks (TPA)
 - \$8.5M for Water Management, Planning and Pre-Development
 - \$1M for the Assistant Secretary of Indian Affairs to contract with relevant federally recognized Tribes or Tribal organizations to allow Tribal cultural experts to perform a cultural resources investigation to identify culturally and historically significant areas and sites in areas of high energy development potential within the Chaco Canyon region of the Southwest.



FY 2020 Enacted

- **Trust Real Estate - \$138.1M**, \$7.4M above 2019 Enacted, and \$16.1M above the Request.
 - \$500K is to implement the Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act (P.L. 115-350)
 - \$4.9M is for Environmental Quality Program (TPA)
 - \$17.7M is for Environmental Quality Projects
 - \$4.1M is for Rights Protection (TPA)
 - \$10.7M is for Water Rights Negotiation
 - \$1.5M for Litigation Support



FY 2020 Enacted

- **Public Safety and Justice - \$434.3M, \$22.8M above 2019 Enacted, and \$25.2M above the Request**
 - +\$1M to solve Missing and Murdered Indigenous Women cold cases
 - +\$1M for background checks to hire more law enforcement officers
 - +\$2M to supplement fiscal year 2019 funding levels to hire additional detention/corrections staff at facilities located on Indian lands
 - +\$2M to purchase equipment to collect and preserve evidence at crime scenes throughout Indian Country



FY 2020 Enacted

- Public Safety and Justice (*continued*)
 - +\$3M for activities to implement and ensure compliance with the Violence Against Women Act
 - +\$14M is to address the needs of Tribes affected by Public Law 93-280 and as further outlined in the Senate Report 116-123
 - +\$18.2M is for Facilities Operations and Maintenance, of which \$2M is to supplement fiscal year 2019 funding levels for facilities located on Indian lands
 - Also included is \$2.5M to focus on advanced training needs to help address the crisis for missing, trafficked, and murdered indigenous women



FY 2020 Enacted

- **Community and Economic Development - \$52.5M,** \$5M above 2019 Enacted, and \$8.1M above the Request
 - \$13.5M for Job Placement and Training (TPA)
 - \$2.8M for Economic Development (TPA)
 - +\$3M for grants to federally recognized Indian Tribes and Tribal organizations to provide native language instruction and immersion programs to native students not enrolled at BIE schools, including those Tribes and organizations in states without Bureau-funded schools



FY 2020 Enacted

- **Executive Direction - \$235.5M**, \$4.5M above 2019 Enacted, and \$1.7M above the Request
- **Contract Support Costs** - The bill provides an indefinite appropriation for contract support costs, consistent with fiscal year 2019 and estimated to be **\$271M**



FY 2020 Enacted

- **Construction - \$126.6M**, \$6.1M above 2019 Enacted, and \$68.1M above the Request.
 - **Public Safety & Justice Construction - \$42.8M**, \$7.5M above 2019 Enacted, and \$32.4M above the Request.
 - \$25.5M for Facilities Replacement and New Construction
 - \$4.5M for Employee Housing
 - \$9.4M for Facilities Improvement and Repair
 - \$171K for Fire Safety Coordination
 - \$3.3M for Fire Protection



FY 2020 Enacted

- **Resources Management Construction - \$71.3M**, \$27K above 2019 Enacted, and \$35.2M above the Request.
 - \$28.7M for Irrigation Project Construction
 - \$3.4M is for the Navajo Indian Irrigation Project
 - \$10M is for projects authorized by the WIIN Act
 - \$2.6M for engineering and supervision
 - \$1M for survey and design
 - \$651K for Federal power compliance
 - \$38.3M for dam safety and maintenance



FY 2020 Enacted

- **Other Programs Construction - \$14.5M,** \$594K above 2019 Enacted, and \$2.5M above the Request.
 - \$1.4M for Telecommunications
 - \$3.9M for Facilities and Quarters
 - \$9.2M for Program Management
 - \$3.2M to continue the project at Fort Peck.



FY 2020 Enacted

- **Settlements/MISC Payments - \$45.6M, \$4.4M** below 2019 Enacted, no change from the Request
- **Indian Guaranteed Loan Program - \$11.8M,** \$1M above 2019 Enacted, and \$10.9M above the Request



FY 2020 Enacted

- There is a total of **\$1.2B for the Bureau of Indian Education**, an increase of \$48.5M above 2019 Enacted and \$255M over the 2020 Request. The new BIE accounts are included in the bill.



FY 2020 Enacted

- For **Operation of Indian Education Programs**, a total of **\$943M**, \$38.5M above 2019 Enacted and \$75.7M above the 2020 Request.
 - +\$11.2M increase over 2019 Enacted in ISEP
 - \$4M total provided for Native Language Immersion (an increase of \$2M over 2019)
 - Does not fund Early Childhood Pilot proposed in FY 2020
 - +\$6M increase for Facility Operations above 2019 Enacted, directed to alternative financing options/terms of negotiated leases
 - +\$1.1M increase above 2019 for Facilities Maintenance
 - +\$5.4M above 2019 Enacted for Johnson O'Malley to provide funding to more tribes and students, and \$2.5M in one-time capacity building
 - +5% increase above 2019 Enacted to all Post-Secondary (forward funded) lines
 - Scholarships programs restored
 - +\$7.2M increase to stand up BIE capabilities in Education Management



FY 2020 Enacted

- For **Education Construction**, a total of **\$248.3M**, \$10M above 2019 Enacted and \$179.4M above the 2020 Request.
 - +\$10M above 2019 Enacted for Replacement School Construction
 - Restores Replacement Facility Construction
 - Does not fund Replacement/New Employee Housing proposed in FY 2020
 - Maintains FY 2019 funding levels for Employee Housing Repair and Facilities Improvement and Repair



FY 2020 Status

- Funding was distributed at the budget address level on 01/20/20 (apportionment approved on 01/23/20; warrant 02/07/20)
 - ROP distributions occurred 02/04/20
 - TPA distributions occurred 02/07/20
 - OSG proposed distributions provided on 02/06/20, final approved distributions on 02/18/20 and distributions on 02/21/20
- BIE/BIA Separation



FY 2021 President's Budget

- The proposed **2021 budget for Indian Affairs** is **\$2.9B** and includes:
 - **\$1.86B** for **Bureau of Indian Affairs**
 - **\$944.5M** for **Bureau of Indian Education**
 - **\$108.4M** for **Office of the Special Trustee for American Indians**



FY 2021 President's Budget

- **Key highlights of the 2021 Budget Request include:**
 - **\$21.6M** in a new indefinite discretionary appropriation account for Indian Self-Determination and Education Assistance Act section **105(I) facility lease agreements** in support of tribal self-determination
 - **\$285.5M** to fully fund **Contract Support Costs**
 - **\$43.9M** to fully fund Indian Land and Water **Settlements**
 - **\$3M** for **Law Enforcement Special Initiatives** to support the Task Force on Missing and Murdered American Indians and Alaska Natives
 - **\$8.5M** to support **broadband** deployment



FY 2021 President's Budget

- Key highlights of the 2021 Budget Request include: *(continued)*
 - Transfer of Mineral and Mining activities to Trust Services
 - Realignment of management oversight of OJS BIA under the Office of the Assistant Secretary - Indian Affairs
 - **\$728.7M** for base funding for the operation of the **BIE Elementary and Secondary school** system
 - **\$94.9M** for **Post-Secondary** programs
 - **\$68.9M** for **Education Construction**
 - Establishes Bureau of Trust Funds Administration as a new permanent organization under the AS-IA to continue the ongoing essential functions currently performed by OST



FY 2021 President's Budget

Accounts/Activities	2019 Enacted	2020 Enacted	2021 President's Budget Request	Change from 20 Enacted	% Change from 20 Enacted
BUREAU of INDIAN AFFAIRS					
OPERATION of INDIAN PROGRAMS	1,510.0	1,577.1	1,446.7	-130.4	-8%
CONTRACT SUPPORT COSTS ACCOUNT ^{1/2/}	318.6	285.9	285.5	-0.3	0%
PAYMENTS for TRIBAL LEASES			21.6	21.6	--
CONSTRUCTION	120.5	126.6	59.8	-66.8	-53%
INDIAN LAND & WATER CLAIM SETTLEMENTS	50.1	45.6	43.9	-1.7	-4%
INDIAN GUARANTEED LOAN PROGRAM	10.8	11.8	0.9	-10.8	-92%
TOTAL, BIA	2,009.9	2,047.0	1,858.4	-188.6	-9%
BUREAU of INDIAN EDUCATION					
OPERATION of INDIAN EDUCATION PROGRAMS	904.6	943.1	875.7	-67.4	-7%
EDUCATION CONSTRUCTION	238.3	248.3	68.9	-179.4	-72%
TOTAL, BIE	1,142.8	1,191.3	944.5	-246.8	-21%
TOTAL, BIA & BIE	3,152.7	3,238.3	2,803.0	-435.4	-13%
OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS					
FEDERAL TRUST PROGRAMS	111.5	111.5	108.4	-3.1	-3%
Rescission		-3.0		3.0	-100%
TOTAL, OST	111.5	108.5	108.4	-0.1	0%
TOTAL, DOI INDIAN PROGRAMS	3,264.3	3,346.9	2,911.4	-435.5	-13%

^{1/} FY 19 Enacted includes CSC FY 19 Enacted amount of \$247.0 M + CSC funding requested for prior years.

^{2/} FY 20 Enacted for CSC reflects the FY 20 President's Budget Request amount.

^{3/} FY 21 funding requirements for Enacted settlements are dependent on the allocation of FY 20 appropriations.



FY 2021 President's Budget

- The 2021 budget provides **\$21.6 million** for the **Payments for Tribal Leases activity**.
 - Manages facility cost agreements that compensate the tribe owner for facility operational expenses of tribally owned buildings delivering Federal services associated with the Agency.
 - Section 105(l) of the Indian Self Determination Act requires that upon the request of a tribe or tribal organization, the Secretary must enter into a lease with the tribe or tribal organization for a facility used by the tribe to carry out a self-determination contract, self-governance funding agreement, or Pub.L. 100-297 Tribally Controlled Schools Grant (25 U.S.C. § 5324(l)(1)).
 - Proposes an indefinite appropriation to address the difficulty of projecting requirements to meet budget formulation schedules.



FY 2021 President's Budget

- **Minerals & Mining:** Proposes to move the Division of Energy and Mineral Development (DEMD) from the Office of Indian Energy and Economic Development (IEED) within AS-IA to the Office of Trust Services (OTS) located under BIA.
 - Allows for closer coordination between DEMD activities and OTS programs, such as the Indian Energy Service Center.
 - Maximizes the impact of energy and mineral development programs for Indian Country.



FY 2021 President's Budget

- **Office of Justice Services (OJS):** Proposes to realign management oversight of OJS BIA under the Office of the Assistant Secretary - Indian Affairs to enhance the ability of OJS to increase collaboration with high-level Federal, State, and Tribal counterparts to develop and implement strategies that increase public safety in Indian Country.
 - Programs under OJS include Criminal Investigations and Police Services, Detentions and Corrections, the Law Enforcement Special Initiatives program, and the Indian Police Academy.
 - Change requires legislation but would not affect the current budget structure.
 - Elements currently within OJS that would remain with BIA: Emergency Management, the Office of Tribal Justice Support, Tribal Courts, and the Fire Protection Program.



Tribal vs Request vs Enacted

- Preserved 2021 funding in the top tribal priorities of each category
- Focused on core programs
- 2020 Enacted came in higher than anticipated



THANK YOU