

TRIBAL/INTERIOR BUDGET COUNCIL PROTOCOL

Adopted on November 9, 2017

Mission: To provide a forum and process, consistent with the Indian Self-Determination and Education Assistance Act, Section 450 a-1 and Executive Order #13175 and Department of the Interior's (DOI) Government to Government policy, whereby Tribes and the Department work together to develop policy and budgets that provide:

- 1) DOI to fulfill its Trust responsibilities and Treaty obligations; and
- 2) the fulfillment of Tribes' inherent sovereign rights of self-determination, self-governance, and self-sufficiency, as well as securing levels of funding necessary to strengthen Tribal governmental capacity to serve their Tribal citizens and communities.

I. Introduction

The Tribal/Interior Budget Council (TIBC) is established to allow Tribes and Tribal organizations to work with DOI officials in the formulation of the Indian Affairs and Office of the Special Trustee (OST) annual budget requests and performance plans in the spirit of the President's Government-to-Government consultation and collaboration policy.

II. Purpose

Tribal representatives will advise and make recommendations to DOI and Indian Affairs on:

- a. development of Indian Programs within DOI, IA and OST budgets requests relative to the priority needs of Indian Country and the Department, Tribal governments, and individual American Indian and Alaska Native (AI/AN) beneficiaries; and
- b. strategic planning and data collection processes and systems to justify budget increases to meet unmet needs and fully fund budget priorities; to support budget formulation, fund distribution, program management, and statutory and regulatory reporting requirements, including Government Performance and Results Act (GPRA) and Program Assessments as they apply to the federal and tribal systems; and
- c. policy and performance measure changes that improve the budgeting policy for the long-term, including development of standards and criteria for GPRA and Program Assessments and the DOI Strategic Plan measures; and
- d. establishment of meaningful and effective relations and communication with all Federal officials that influence the Indian Affairs and OST budgets, including the Office of Management and Budget (OMB) and the White House.
- e. assist in facilitation with other federal agencies to ensure a coordinated budget strategy for tribal programs.

This protocol document provides the formal framework for TIBC meetings, activities, and actions and for any subgroup(s) authorized to perform activities as authorized by these TIBC protocols and policy.

III. Membership

Membership on the TIBC includes the following:

- a. Indian Affairs Representatives:
 1. Assistant Secretary - Indian Affairs
 - i. Principal Deputy Assistant Secretary
 - ii. Deputy Assistant Secretary-Management
 - a. Chief Financial Officer
 - b. Chief Information Officer
 - c. Director, Office of Budget Management
 - d. Director, Office of Facilities, Environmental, and Cultural Resources
 - iii. Deputy Assistant Secretary-Policy and Economic Development
 - a. Director, Office of Indian Energy and Economic Development
 - b. Director, Office of Self Governance
 - iv. Director, Bureau of Indian Affairs
 - a. Deputy Bureau Director, Field Operations
 - b. Deputy Bureau Director, Indian Services
 - c. Deputy Bureau Director, Justice Services
 - d. Deputy Bureau Director, Trust Services
 - e. Regional Directors
 - v. Director, Bureau of Indian Education
 - a. Deputy Director, School Operations
 - b. Assistant Deputy Director, Administration
 - c. Deputy Director, Policy and Evaluation, Post Secondary
 2. Special Trustee
 3. Principal Deputy Special Trustee
 4. Budget Officer
- b. Office of Special Trustee Representatives
 1. Special Trustee
 2. Principal Deputy Special Trustee
 3. Budget Officer
- c. White House Representatives
 1. Office of Intergovernmental Affairs
 2. Office of Management and Budget
 3. Executive Director of the White House Council on Native American Affairs
- d. Tribal Representatives:
 1. Twenty-four elected or appointed Tribal officials will be nominated and selected to serve on the TIBC, two from each of the 12 BIA Regions. Tribal officials may formally designate a non-elected representative by written notification. The Tribal Representatives from each region will advocate on behalf of tribes in their region.
 2. Selection criteria: Each Region will establish a process to nominate and select two Tribal officials to serve on the T/IBC and a third Tribal official to serve as an alternate. These three names will be forwarded to the Regional Director. The Regional Director may help facilitate the nomination process.

d. TIBC Leadership:

There shall be three Tribal Co-Chairs who shall be elected by a vote of the Tribal membership on the TBC. The Chairs shall be elected in a manner that is representative of direct service, self-governance, and contracting tribes.

The Tribal Co-Chairs shall serve three-year terms. The election of the expired term Tribal Co-Chair will be held annually at the National Budget Meeting (first meeting held after the release of the President's Budget). If a sitting Tribal Co-Chair is unable to continue to serve in that capacity for any reason, appointment of a Tribal Co-Chair to complete the current term can be held at any other full TIBC meeting and may be decided by a majority vote of the tribal membership. The Tribal Co-Chairs may serve multiple consecutive terms.

The Assistant Secretary – Indian Affairs serves as the federal Co-Chair and the Principal Deputy Assistant Secretary will serve in the Assistant Secretary's absence.

e. Length of Service:

Tribal Representatives are appointed for 2-year terms. Tribal Representatives may be appointed for multiple terms. In the event that a TBC member can no longer serve on the TBC, the BIA Regional Director shall—in consultation with Tribes in their Region—appoint a new Tribal Representative to complete the current term.

f. Responsibilities:

1. Tribal representatives serving on the TIBC are responsible for coordinating input from other Tribal leaders within their respective Regions, as well as providing a report of recommendations and actions to their respective Tribes.
2. Indian Affairs members serving on the TIBC are responsible for facilitating the active participation of Tribal representatives in the formulation of the Indian Affairs budget request and annual performance plan.
3. The TIBC Co-Chairs will develop a draft agenda and send it to members no later than calendar 30 days before the meeting; moderate TIBC meetings; appoint Sub-Committee Chairs/Co-Chairs; and ensure TIBC objectives are acted upon.

IV. **Meetings**

- a. TIBC meeting dates, time and location will be decided at a previous meeting of the TIBC.
- b. TIBC meetings will be held over 2 consecutive days unless otherwise agreed, and are open to the public.
- c. Seating at TIBC meetings shall be designated by the TIBC Co-Chairs.
- d. Either Co-Chair may recognize non-TIBC members in discussions at meetings. However, priority shall be given to TIBC members before a non-member is given the opportunity to discuss the issue.
- e. Special meetings may be called by the Co-Chairs with advance notice to all representatives. These meetings may be conducted via video or telephone conferencing.

- g. The TIBC will be supported with sufficient resources that support and fulfill the purpose of this council. The TIBC budget will be reviewed and approved by the TIBC annually.

V. Quorum and Voting

- a. A quorum will be met by:
 - 1. Two-thirds (16) majority of the voting Tribal Representatives (24); or
 - 2. Two-thirds (8) of Tribal regions representing BIA regions (12).
 - 3. In the absence of a quorum, a working meeting will be held with no formal actions.
- b. Voting is limited to Tribal representatives or their designee of the TIBC.
- c. A vote requires a simple majority of TIBC representatives present to pass.

VI. Sub Committees:

- a. The TIBC may establish Sub-Committees at any time to review, investigate, and/or evaluate issue(s) of importance and provide recommendations to the TIBC.
- b. The TIBC must establish a clear mission, purpose and objectives and/or tasks for the Sub-Committee(s) and select members to serve which shall be approved by the full TIBC before the Sub-Committee is authorized to begin its mission.
- c. Sub-Committees are intended to operate for a duration specified by the TIBC at the Sub-Committee's inception. A Sub-Committee's term, however, may be extended by a majority vote of the TIBC. If no extension is granted the Sub-Committee will be dissolved.
- d. Sub-Committees may include technical staff or other non-TIBC members as required to fulfill the intent of the subgroup.
- e. Standing Sub-Committees may be established to address long-term or continuing issues for the TIBC. Sub-Committee meetings are open to all TIBC members. A standing Sub-Committee's continuation must be agreed to annually at the first National Budget Meeting of the calendar year.

i. Budget Sub-Committee

The Budget Sub-Committee shall be responsible for reviewing technical information on budget development and making recommendations to the full TIBC for their review, possible amendment and approval. The Budget Sub-Committee is comprised of a core group of six TIBC appointed by the Tribal Co-Chairs and federal officials, appointed by the ASIA. The Budget Sub Committee will be chaired by one of the TIBC Co-Chairs or a designee.

ii. Data Management Sub-Committee

The Data Management Sub-Committee (DMC) is tasked to identify national standards and benchmarks; analyze and provide recommendations to standardize the tribal data collection process; develop a data management policy for reporting and managing tribal data; and to establish the Office of Program Data Quality (OPDQ) for Indian Country.

The DMC is comprised of six Federal and seven Tribal representatives of which will serve staggered three-year terms. Representatives will be selected by the representative TIBC Co-Chairs. Members can be removed and replaced for failure to attend DMC meetings and complete assigned responsibilities.

iii. Issue Sub-Committees

TIBC has authority to create and dismantle issue based Sub-Committees.

- f. The TIBC Co-Chairs shall appoint a Sub-Committee leader or co-leaders, who is/are responsible for fulfilling the Sub-Committee mandate for the TIBC. A Tribal Co-Chair will serve as a member of established Sub-Committees.
- g. Each Sub-Committee shall provide a report at the next TIBC meetings following committee convening. It is the responsibility of the Sub-Committee leader or co-leaders to prepare and present each report.
- h. In the event that Sub-Committee reports contain recommendations of the Sub-Committee, each recommendation shall be discussed individually by the TIBC and only adopted after a motion is made and seconded and approved by the TIBC.
- i. The TIBC may recommend a budget to support subgroups created by the TIBC which would include travel for tribal representatives and their technical support staff.
- j. All members of the TIBC shall receive written notice of Sub-Committee meetings in advance and be provided the opportunity to participate telephonically.

VII. Conflicts of Interest

- a. Tribal TIBC members will speak on issues for the general benefit of Indian Country. It is assumed that Tribal TIBC members will speak from the experience of their Tribes for the benefit of Indian Country in general and that no conflict of interest with any other tribe occurs when a member speaks about any Tribal issues in their particular Region.
- b. TIBC members will not present proposals that will create an unfair advantage over any other TIBC member or tribe for the individual person, his/her personal office, or his/her Tribe in the budget process.

VIII. Meeting Records and Follow-up

- a. It is the responsibility of Indian Affairs to ensure that accurate records of meeting actions are recorded and summarized as the minutes to be approved by TIBC. The written record shall at a minimum be a summary of issues and topics discussed and action(s) taken and not the discussion surrounding the action.
- b. Action items will be developed and provided to the TIBC representatives no later than three weeks after the meeting. Indian Affairs will provide a progress report on action(s) taken at subsequent TIBC meetings.
- c. Tribal representatives may be asked to follow up on specific action(s) on a voluntary basis.

d. Information regarding TIBC meetings, activities, and actions shall be posted on the Indian Affairs website.

IX. Protocol Duration:

This Protocol expires three years from the date of adoption.

X. Adoption and Amendments:

This protocol document may be adopted, amended, or terminated per the voting procedure.

The date of adoption and all subsequent amendment dates shall be recorded following this section.

Adopted

The Protocol was duly passed and adopted at the TIBC meeting, at which a quorum was present in Tulsa Oklahoma, on August 4, 2010. The Protocol was re-adopted at the Washington Plaza Hotel in Washington, DC on November 9, 2017 with a quorum present.

Tribal Co-Chair
W. Ron Allen, Jamestown S'Klallam Tribe

Tribal Co-Chair
Rick Harrison, Chickaloon Native Village

Tribal Co-Chair
Alvin (AJ) Not Afraid, Jr, Crow Tribe

Assistant Secretary Indian Affairs
Federal Co-Chair

Office of Special Trustee
Federal Co-Chair