

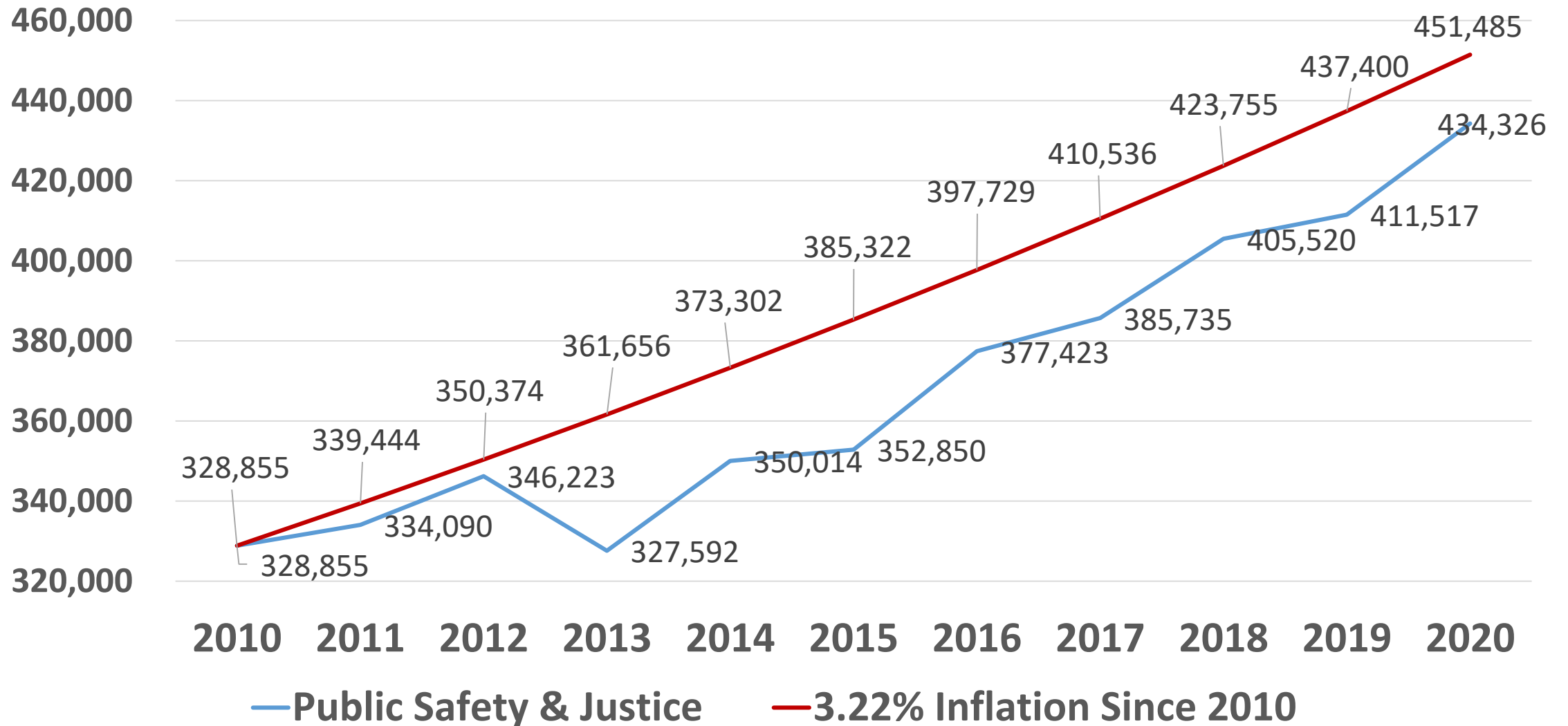
Tribal/Interior Budget Council

Public Safety & Justice Subcommittee Meeting
August 11, 2020

BIA Public Safety & Justice Funding: 10 Years in Review

Year	BIA Public Safety & Justice Activities			3.22 % Inflation Since FY 2000	Inflation Total vs Actual Total	Purchasing Power Compared to Inflation
		Increase/Decrease				
2010	328,855	0	0.00%	328,855	0	0.00%
2011	334,090	5,235	+1.59%	339,444	-5,354	-1.58%
2012	346,223	12,133	+3.63%	350,374	-4,151	-1.18%
2013	327,592	-18,631	-5.38%	361,656	-34,064	-9.42%
2014	350,014	22,422	+6.84%	373,302	-23,288	-6.24%
2015	352,850	2,836	+0.81%	385,322	-32,472	-8.43%
2016	377,423	24,573	+6.96%	397,729	-20,306	-5.11%
2017	385,735	8,312	+2.20%	410,536	-24,801	-6.04%
2018	405,520	19,785	+5.13%	423,755	-18,235	-4.30%
2019	411,517	5,997	+1.48%	437,400	-25,883	-5.92%
2020	434,326	No FY 2021 Data for Comparison		451,485	-17,159	-3.80%

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House Report Language for FY 2021 Appropriations

- *Public Safety & Justice and COVID-19.* — The Committee is aware that several public safety personnel and detention center inmates have tested positive for coronavirus or even worse, have passed away. The Committee expects BIA to provide and require public safety personnel and detainees to comply with Center for Disease Control guidelines and wear masks.
- *OJS to AS-IA.* — The Committee recognizes that the proposal to modify the organizational structure to move management oversight of the Office of Justice Services to the Office of the Assistant Secretary of Indian Affairs requires legislative authority. Therefore, the Committee expects that none of the funds will be used to implement the reorganization, either directly or indirectly, until such legislation is enacted.

House Report Language for FY 2021 Appropriations

- *Use of BIA Law Enforcement Funds on Bureau Activities.* — The Committee has heard concerns from Tribal leaders that BIA retains a large amount of funding designated for law enforcement activities for Bureau activities. The fiscal year 2021 budget justification indicates that “close to 90 percent of funding under this subactivity is used at the local level”. While most of the funds do seem to be used at the local level, it also means that over 10 percent of the funds provided for this subactivity, or approximately \$40 million, is not being spent at the local level. As a result, the Committee directs Indian Affairs to provide a detailed accounting of funds retained for Bureau activities or not spent at the local level within 90 days of enactment of this Act, including the activities funded, the number of employees by activity, and the number of vacant positions.

House Report Language for FY 2021 Appropriations

- *Staffing Shortages at BIA Detention Facilities.* — The Committee notes that not all BIA regional detention facilities have opened due to staffing shortages, despite funds having been provided for these facilities. The Committee understands sufficient funds are available to continue operation of the staffed portions of these facilities. Rather than have these funds remain unobligated, the Committee directs that \$2,500,000 of these balances be used towards needs at other detention facilities located in Indian Country.
- *Insufficient Funds to Assist Victims and Witnesses.* — The Committee is concerned that there are insufficient BIA employees to assist victims and witnesses who are involved with criminal prosecutions, including cases involving missing and murdered indigenous women, in Tribal or Federal courts. The Committee directs BIA to report back within 120 days of enactment of this Act on the number of Victim/Witness Assistance program employees hired with these funds and how the funds will be used to provide additional victim witness services throughout Indian Country.

House Report Language for FY 2021 Appropriations

- *Expanded Eligibility for Public Safety & Justice Facility Replacement/New Construction.* — The Committee continues to hear from Tribes that Indian Affairs considers funding made available for Facility Replacement/New Construction for public safety and justice facilities as only available for detention facilities. The Committee directs Indian Affairs to consider all public safety and justice facilities as eligible for funding under this program and to include such facilities in the master plan that the Committee has repeatedly directed Indian Affairs to maintain. The Committee directs Indian Affairs to provide the master plan to the Committee within 90 days of enactment of this Act.