

**Tribal Interior Budget Council
November 15-16, 2018
Washington Plaza Hotel
Washington, DC**

Contents

Opening Remarks.....	1
Tribal Caucus Report.....	3
BIA Update	3
BIE Update	5
Transportation Subcommittee Report.....	9
Public Safety and Justice, DOJ.....	10
Budget Process Improvement Workgroup	21
Ranking Tool.....	26
New Business/Old Business	28

Invocation

Roll Call, Quorum Reached

Approval of the Agenda, Motion and Second

The agenda and purpose were focused on: 1) the BIA budget formulation process and pending tribal ranking tool; 2) the status of BIA appropriations, obligations, and outlays; 3) presentations from other federal entities on funding opportunities, in this case tribal programs at the Department of Justice. The link to the full agenda is available [here](#). The minutes from the previous meeting held in July are available [here](#).

Opening Remarks

Assistant Secretary for Indian Affairs, Tara Sweeney: We heard recently that we have not provided an update on the reorganization to Indian Country. We have been working on a dear tribal leader letter for this update. It is owed to tribes. We are going through that process now. It should be out by the end of next week. You will see an update on the reorg.

We should provide you with updates. It's not only prompted by a request, but we should share information and I strongly believe in transparency. We will also be sending out a letter to find efficiencies in Indian Affairs.

How can we improve our service to Indian Country? That also will be going out in next two weeks.

The Secretary held a small round table on the reorg. His desire is to have continued meetings with tribal leaders in a small setting. December 11th is the next meeting. He envisions making it available online so it is a town hall type engagement. He will answer those. It won't be the last of those. Our intention is to be open and transparent. We will have more town halls on the reorg.

We've been working on the FY 2020 budget submission. We will get the pass back soon. IA budget office has been working with the DOI budget people on the green book submission. We will finalize the details and we will keep you apprised. The work product will help guide our internal discussions.

On communication, public safety, energy development, my goal is to ensure a partnership approach to budget, policy, and development. That is through listening to hear the top priorities and weigh the information against the department and administration initiatives. Through that we will develop a clear action plan. Decision leaders in ASIA should interface with TIBC regularly. We ask you to provide input on the DOI strategic plan.

For empowering Indian Country, tribes should have the capacity and tools to achieve the vision of sovereignty. ASIA is creating the space for tribes to develop economic partnership to leverage federal dollars to build tribal economies.

Want to help with the bond market and other markets. Want to encourage investment to modernize our infrastructure.

We are going through the budget process and the priority process to look at different initiatives. I welcome your input on policy priorities that you'd like to see reflected through the Indian Affairs hallway.

Public safety is a keystone for economic development. We've been working with OJS on addressing the opioid crisis and not only opioids, because there are other narcotics. Our home lives and communities are affected. We need to address the epidemic to foster healthier communities and create stronger economic conditions in Indian Country. Law and order promotes healthy economic exchanges. Insufficient funding is a barrier. We've been exploring ways to combine our resources with other agencies to address crime in Indian Country. I come from energy development. Resource development is important. I want to support tribal energy development and pursue traditional or renewable energy resources. As ASIA I will work with you to develop budgets to empower Indian Country. Many of those people are sitting around the table

We have great people working inside Indian Affairs. I look to you all as a partner to advance Indian Country together. Thank you so much for your time. As you return home, I wish you all safe travels.

I want to take a moment to acknowledge those who are no longer with us today.

Comments from TIBC representatives

Rick Harrison – BIA staffing has a big impact. Central office down to regional offices, it has an impact. Communication has been an issue. Those are the big things.

AJ Not Afraid – thank you for showing up. It means a lot to us leaders.

Tino Batt – we expect to have the AS-IA attend.

Approval of the Agenda, approve as a guide.

Minutes, tabled to 11/16/2018

Tribal Caucus Report

Secretary of Leech Lake – could there be an OMB presentation?

Rick Harrison – the cross cut needs more information.

Cheryl – is there any news on the WH Council on Native Affairs?

ASIA – we need to give the White House suggestions on people. You may know folks who may be willing to serve. We need to provide those names to the WH.

Motion for federal agencies to collect and share the benchmarks about law enforcement and tribal courts. Kitcki Carroll and Darrell Seki made the motion and second. Motion carried.

Comments on seeking the VOCA grant: When we applied for the grant, the grant was over 50 pages. It was more like 90 pages and some of them were just explanatory pages but there was a lot of information and that was just for phase one because they broke it into two phases. So then if you were accepted and pass on to phase two, there's additional documentation. So for tribes that don't have grant writers that can do this work, this is difficult, but it takes a toll even on tribes that do have grant writers because the process just is so convoluted. There just needs to be a little more coordination and some assistance in that area if you could provide it would be appreciated.

Kee Allen: I appreciate all the programs coming over from the BIA, Department of the Interior and Department of Justice. You have two programs, you have two departments addressing one issue—public safety and justice. The other area that needs to be heard by Department of the Interior and Department of Justice is directly a response from the field personnel—our police officers, our police chiefs. Right now it just seems like only us as elected officials, we try to do our best to paint the picture of what actually is going on on the reservation but I guess we don't do enough to provide that information.

This past summer I did make recommendation to see if we could be able to have a Public Safety Summit specifically for all the 12 regions but yesterday was just basically more of the programs at DC level. We have quarterly meetings every year so I think that the Department even up to Mr. Zinke and even the Attorney General would have at least a minute or five minutes to come down and say a few words to the tribal council. So as elected officials from the Navajo nation and sitting in as the Tribal Public Safety Justice Workgroup, I think we do need more attention of public safety across Indian Country.

Rick Harrison: Mr. Addington, if you could help coordinate that with us.

BIA Update

Darryl LaCounte: We have three new regional directors here. This is their first TIBC meeting. That is Brian Mercier, the regional director for the Northwest Region; Bart Stephens, the new regional director for the Navajo Region; and Eugene Peltola, the new regional director for the Alaska Region. As I reported in July, we had the Southwest regional director position advertised and we have decided that we would advertise that again. Other than that, the hiring controls that were put in by the Department have been relaxed considerably like I believe I reported the last time. I have to approve every GS12 and above for

advertisement. I don't have to approve the selection just the position to go on the street and I have not denied one since I have been the Director, your Director since April. And so a considerable amount come across my desk, you might have saw me signing something here. There was about 10 of them that I just signed today.

We're currently also the Office of Indian Service Director and the Office of Trust Service Director, those were advertised and they have closed. I have not seen what we call a certificate of eligibles from Human Resources yet but they've been closed for a month so I'm hoping when I get back here that I will have a list of candidates to consider. This time of the year for HR, for Human Resources, it is a very busy time of the year. It's our performance season. First of October we have to close out every employee's performance for the past year.

Yesterday I testified on three bills in front of the Senate Committee on Indian Affairs, all three of which we supported and all three of which were very good for Indian Country but I did hear from the senator from Nevada, Senator Cortez Masto, that she had been recently in Indian Country in Nevada and there was a whole lot of confusion regarding the reorganization and whether they were in or out. I assured her at this time that was still up to the tribes and that the BIA, the BIE and the Office of the Special Trustee were not a part of that. If you decide that maybe there needs to be more information going out to tribes, I was somewhat surprised by that. If you determine that, just please make the request and I think we would probably accommodate that request. I also was able to meet with the staffers from the Committee regarding some outstanding GAO high risk findings on energy which along with the help...the significant help of Johanna Blackhair and we were able to close out 13 of those 14 and the only thing holding us up from closing out the last one is we can't get a signature from DOE on an amendment to a Memorandum of Understanding.

Some of those had been outstanding since 2014 and I'm proud of what we've accomplished in the short time that John and I've been here on those. Certainly those will continue. But as you heard the Assistant Secretary say, some oversight is good, excessive oversight is excessive and you find yourself consumed by the oversight folks and we've got plenty of them. We have internal to DOI, you have OMB, you have OIG, you have GAO and they don't seem to communicate all that well together so you end up really spending a significant amount of your time doing that.

We finally got some movement on staffing the Indian Energy and Mineral Service Center in Lakewood, Colorado. We have five positions on the street that will assist across the country with realty transactions. We're not just talking leasing or communitization agreements. We're talking rights of way, anything that impacts energy development in Indian Country, those folks will be onboard to do that. The Office of Natural Resource Revenue formerly MMS and BLM whom you all know were waiting on our lead so once I conveyed to them that we had the authority to move forward, they're moving forward staffing positions. So I anticipate in the next two to three months we should be fully staffed and helping out where we can and where it's needed.

Jim James: On the reorg, there'll be a 'Dear Tribal Leader' letter going out. We continue to monitor the progress that the unified regions are making through the regional directors. So even though we're not actively engaged in the reorganization, out of necessity we have to know where they're going and what direction they're taking because the Secretary has said, 'We're moving forward,' except for Indian Affairs.

As these regions split out, we need to know who our points of contact are, if we have business with BLM or ONR or any of the other department agencies that may be unified in one of those regions. So we're monitoring that. The one region that I've been actively observing, which is Unified Region 7, there's relatively minor movement in my mind. However, there is a target date of July that some significant decisions need to be made by. I think things will start ramping up. Obviously with the continuing resolution in place right now and unless Jason or George have some information that I'm unaware of, I haven't heard anything new about what's going to happen there.

But I would suggest that along the lines that I've been listening to in Unified Region 7, the biggest issue that I think we might be able to benefit from if we end up engaging in this at all, is the shared services in the administrative function areas. So things like Human Resources, IT, Acquisitions, all of the things that we all as agencies have to participate in and are subjected to, those are the types of things that we could stand to benefit from. But that's just an observation.

So Eugene Peltola came to us from Fish and Wildlife Service where he ran the Subsistence Program and was a manager of one of the largest wildlife refuges in Alaska prior to that. Brian Mercier comes to us from the Bonneville Power Administration so he's very familiar with a lot of the activity in the Northwest and including wildlife management, fisheries and water. Mr. Stephens comes from the Bureau of Indian Education and before that was a Superintendent so he's familiar with the structure of the BIA and familiar obviously with mineral development, oil and gas procedures and policies and is an excellent manager.

The one thing Darryl didn't say is that we're also looking for the announcement of the regional director position at Great Plains to come out soon. We had a meeting of all the regional directors to talk about direction, mission, goals, values, that kind of stuff and I'm very pleased that I think we have a group of individuals who are dedicated to the issues that you raise and that you bring from your communities. We are very anxious, prepared and committed to helping however we can. But I think most importantly, we need to hear and work with you so that we know what value our work has in the communities that you serve. And so towards that end, I've asked all the regional directors to reach out to the tribal leadership of each region and ask them to come and speak to our staff—our regional staff, our agency staff—about the value. What do we do that benefits your communities? What can we do to improve the way we provide services to help your communities? I just want to give you a heads up that that's coming and I hope it's mutually beneficial to all of us. Thank you.

BIE Update

Sharon Pinto

Deputy Bureau Director for the Bureau of Indian Education

I've been a part of BIA for almost 16, 17 years and then transitioning over to BIE. Tony Dearman is the Director, myself as the Deputy Bureau Director, there's a Chief Academic Officer position that is currently vacant. It is in the process of being filled right now. The ADD for the Division of Performance and Accountability is Dr. Jeff Hamley. Hankie Ortiz is now the Associate Deputy Director for Bureau Operated Schools and her office is located out of Albuquerque, New Mexico. We also have Dr. Tamara Pfeiffer, the Associate Deputy Director for Navajo Schools. She covers the Bureau operated Navajo schools as well as the tribally controlled Navajo schools. And of course Rosemarie Davis, she is the Associate Deputy Director for Tribally Controlled Schools for the rest of the country. She's been a part of BIE for a good number of years as well, a lot of experience in the area.

So for the most part the leadership team for the BIE side is full capacity with permanent individuals in these positions except for the Chief Academic Officer. For those of you familiar with the Bug-O-Nay-Ge-Shig School, we recently completed the construction and thank you for allowing us to participate in the opening of the school facilities. That was a huge success on the BIE side with our partnership with the Department of...Division of Facility Management and Construction. We also supported the Pueblo of Acoma to assume control of their bureau operated school recently and they changed the name to the Haaku Community Academy. I hope I pronounced that word correctly. We're continuing to assist them as they continue to transition the operation under their control. The Little Singer Community School on Navajo, quarters are approximately 90 percent complete and the school is still on schedule for March 2019 completion. The Beatrice Rafferty Community School, we held our bid opening earlier in July and the Cove Day School is at 100 percent construction. Documents have been reviewed as far as planning and design and we are aiming for construction to be awarded through our acquisitions partnership services by the end of December.

Laguna Elementary School, the replacement was awarded recently and we will, as soon as construction season opens up, we will move towards that activity. We also hired on two senior leadership vacancies and again that's back to myself and Hankie filling those roles.

It's very challenging in our local school communities to retain good quality teachers, principals and a lot of that I've become much more heavily aware of simply because obviously for the remote locations where a lot of our schools are located and these are very unique locations in our communities that we are proud of and attracting and retaining teachers and qualified individuals in those locations sometimes can be challenging.

The recruitment arm is certainly an added support to help us continue these retentions for our teachers and school administrators. We also have recognized state teacher certifications to help our schools compete with local public schools and recruitment and ensuring that our teachers are also...become competitive because we engage into a certification opportunity through a program that was recently devised by previous leadership.

Created a data governance board to coordinate and improve data gathering and discrimination as well as data informed decision making and that is housed right directly under the Director, Mr. Dearman. Additional accomplishments. There was a GAO investigation that was done, conducted several years ago by GAO and GAO based upon that review determined BIE to be at high risk because of the number of findings. Nine of those 13 findings have been remedied and have been removed by the GAO. We still have several findings that we are addressing. Those remaining findings pertain to workforce planning development that is certainly a critical need for BIE.

When I walked into BIE, we were operating on the school operations side at 23 percent capacity and trying to meet the demand and compliance requirements. And so obviously the backfilling was critical and so we are working as fast as HR can work with us in placing a lot of positions on the street so that those additional resources and FTE can help us address further these findings as well as plan to provide those resources that are needed to enhance BIE's performances as well as compliance requirements and to be a better partner with BIA in addressing our facility issues, acquisition needs, safety issues, property environmental concerns that I believe the Assistant Secretary addressed earlier today.

We've also published a strategic direction plan and right now we have a team in Albuquerque made up of senior leadership as well as representatives within the Bureau staffing that are addressing identifying

how we can meet the various goals. There are six goals that were created and meeting different milestones that were identified under each of those goals and achieving those goals in a timely fashion as part of our remedying or part of our GAO findings as well as developing and enhancing the entire Bureau as a whole. There are a number of regional trainings that have been conducted and are scheduled throughout the year that addresses staffing performance as well as professional development for a lot of the educators, the teachers, the administrators. And partnering with the Indian Affairs to create a more autonomy for BIE, again through development of our acquisitions team in addressing the acquisition side as it pertains to facilities, O&M needs, the backlog of some of these deferred maintenance activities and a lot of the responsibilities that we have impressed upon our maintenance folks in working within the maximum system so that those dollars can be generated and we can address those deficiencies at these various schools that don't end up growing into a bigger problem and end up on a school replacement list. So ONM is a huge responsibility that helps decrease the wear and tear of our buildings and there are systems in place that we need to provide better training on, communicate better on so that everybody in that process understands their role and then in moving the action further and the investment can be returned and we can apply it to the particular deficiency within our buildings and our facilities.

Right now we are conducting negotiated rulemaking. We're in that process. There were four locations identified for the workgroup to meet and prepare and develop and agree upon the standards going forward that can be represented by BIE. And again, they met in Albuquerque a couple weeks ago. They will be meeting here in Arlington, Virginia at the beginning of December and the last session I understand is going to be in Phoenix.

We are again increased recruitment efforts and I spoke about that earlier for the BIE so we are fully staffed to the degree that we can be given the budget allowances but there are certainly really desire those FTEs that carry the expertise and the knowledge to help us further deliver the services to the degree that we should be from the BIE side.

I've had some discussion in other areas as far as 638 responsibilities in handling some of the 297 contracts with our BIA partners of Indian Services and how we can strategize going forward in making sure that those mechanisms speak to how the tribes want those contracts structured and how we are taking responsibility from the BIE side to be available as technical support to our BIA awarding officials in administering those 638 contracts.

When we were at the Education Subcommittee yesterday and I spoke about the release of the 2021 budget formulation guidelines and it speaks a lot more to education line items which I spoke to the tribal leaders that were present to become a little bit more familiar with that identification of those line items so that you can introduce possibly more ranking opportunity for education related line items versus how it's been historically through the years. That's all I have for now. Thank you.

Joe Garcia: Thank you for the presentation. I know we received a little bit of insight yesterday as well in the subcommittee meeting and we appreciated that as well. When we talk about budgets and funding for BIE, we're not only talking about ICEP funding. We need to be cognizant that there are other pieces of funding that goes with education and that would be facilities funding, maintenance and operation of those facilities, safety and well-being, security, the other is transportation and it's not clear that those line items are part of the BIE budget process.

Sharon Pinto: Yes, in 2021 as we all know in the budget guidelines, now it's a lot more spelled out than previously before so it's been noted. Thank you, Joe.

Yakima Nation: Yesterday we had some discussion in the subcommittee meeting about the employees who are funded under the 100-297 funding mechanism versus the 638 whether or not they would qualify for the federal employee health benefits program and it was shared with us yesterday that it just needed a determination from the BIE, BIA whether or not those employees would qualify and you indicated you might have an answer for us yesterday afternoon or I'm just wondering if you got an answer for us today. Thank you.

Sharon Pinto: I couldn't get it out of the Solicitor's Office. We did send the question up during the meeting yesterday and I'm still waiting an official response as to what is the consideration that we need to look through as far as why 297 schools, our staffing are not allowed the federal employee health benefits package. I just looked at my staff and we'll get back with that Solicitor. But I've been informed it has been previously briefed.

Question: Thank you for that report. I am curious in going back to what President Garcia was saying. With the new school replacement, at the time when everybody went around there were 10 schools on the list and I'm happy to see a lot of the schools that were on that list for a very long time have actually begun their construction and/or completed it but there were several that weren't listed and that was only the first phase because there was like 80 percent of the Indian schools were in poor or unsatisfactory in their conditions so I was wondering what was going on with regard to those budget impacts and what the next round of funding will be and how that selection process will be commenced.

Sharon Pinto: That is the school assessment and capacity integrity of the schools are conducted by the Division of Facility Management and Construction arm, Darryl LaRoche's office and Dan Galvin and we look to them and we're going to continue to depend on their expertise in bringing about these assessments and condition...facility condition assessments. They've rolled out a schedule for this year as well and sent that out to the various regions where they will be conducting their assessments. And so I can get back with him and see what we can do to provide you a more a specific answer than I have available right now.

Juana Majel Dixon: Where we're at, we're having so much racism and violence hit our kids at the public school system where they get dollars. It's substantial money that they receive from the federal government. Eight years ago we pulled every one of our children out of every single public school and took all that money away from them 'cause they get it also for all the military kids. This is \$1,500 for elementary school kid that's res, \$3,000 middle school, \$6,000 for high school. If you have 10 kids at \$6,000, that's \$60,000 that school's getting. The tribal parent population of your society gets to weigh in on how that money's used. Are you participating?

Then we have our relatives who do this work like Buster and this Education, all of you who did this yesterday, I thank you. But I don't want this hidden anymore and I don't know how we could be partners in this but clearly as a federal, as a tribal role, we have to partner to effect a change here. Every time we put our kids in a public school this happens, this money gets delivered. They don't like it when you pull out but the way they're treating our children and they don't teach this to their young, we're invisible to them, they get harmed. And you and I all went through this growing up so I'm asking, Mr. Chair and Buster, I know you help chair, that we put this in your box to do things to follow up 'cause that's serious money that Indian Country is providing and Alaska to these schools. And our partners, we need to come

together 'cause somebody's signing that check that they're getting those and they get upset when we pull away. Thank you.

Transportation Subcommittee Report

Our proposed established workgroup here with Indian Affairs through TIBC was established in 2016. December we had a subcommittee, Great Plains developed an online survey which is complete as of today. Somehow it ended up in the government's hands but we're beyond that now and we're making a little progress. The initial round we asked for just the BIA regions that had a 638 contract or anything that dealt with BIA road maintenance and then we've got a lot more interest coming from this committee itself to say, 'Maybe we should open up that survey and see who else wants to answer it,' and that's what we did.

And so every tribe had the opportunity to come out and fill out the survey as they deemed necessary because the more information, the more information that we can gather the better data we have.

We had the tribes participating by region in the road maintenance survey. And we got fairly decent turnout. We have a baseline that we can work off of now, some that establishes a priority system within road maintenance. For me, I've worked in roads for well over 15 years here with the tribes and tribes throughout the region, my region and I've been in the field for going on over 20 years now. I've worked for the state, I've worked for counties, I've done quite a bit of work in transportation and it seems like road maintenance is always scrutinized, beat to death, always thrown to the back burner. But for some reason, whenever it comes to construction, new construction dollars, the dollars come fairly decent. But without maintenance to maintain that asset, we don't want to lose that asset within a short lifespan so hence we have to apply maintenance.

The road maintenance survey categories we had responded—assessment, priorities, top three road maintenance issues, inventory, asset management, training compliance, partnership, safety, security expenditures, cost per miles, vehicles, buildings, trails and pathways. The survey that we did, this was kind of the ranking that they came in and if you want to move to the next slide these are the priorities from highest to lowest.

Snow and ice, it's a priority and that's just not coming from the Great Plains but that also came from the southern folks also. Pavement sealing, pavement maintenance, potholes, pavement markings, gravel maintenance, remedial work on improved earth roads, signing was kind of down there on the bottom but right of way road maintenance, ditch mowing, tree removal, etc. and culverts. Some of these to me were kind of out of place but this was the survey that we're dealt and these are the numbers that are coming from the tribes.

The number one top priority was snow and ice removal. But if you look down that same column to the bottom, number eight, the responses were that's not a really high priority also. So we have a good variance in there and I'm thankful to the tribes that did participate because this gives us a lot of information on where we need to go and what we need to do on you guys' behalf to try to establish and keep road maintenance where it needs to be.

The next highest was I think remedial work on improved earth roads.

One of the biggest complaints I hear is always on dirt and gravel roads are your higher cost. As anybody can tell you that works in the transportation field, it's not all about construction. We do have our challenges in how to stretch that dollar just a little bit further so that we can all get some sort of maintenance, especially during the wintertime and flood and rain season.

Comment: we get \$427,000 annually plus \$100,000 supplemental but we spend \$900,000 and right now because we're a large land base and we have a lot of gravel road, our roads maintenance needs a grader but there's no funds so what we're doing is seeking a loan from USDA to purchase our grader. The question is, are they going to look into that formula they have? Are they going to revisit that?

Response: The formula that you're referring to is in statute, it's in Title XXIII and the only entity that can change that is Congress. But 2020 is the reauthorization of the current Highway Act so that may be an issue that comes up. So regarding the allocation of the funds, that's pretty much set. Prior to this it was negotiated rulemaking, it was a regulatory formula. In 2012 it went to a statutory formula in the law. I want to mention that this data, it's 142 entities, locations that we have roads but it represents about 86 percent of the BIA road miles that are out there. So from a representation standpoint as far as data, it's pretty good and it's one of the things we felt real great about that. Again, thanking the Great Plains Region for putting all of this together and the tribes there and really making this work. It was great.

Motion passed to approve the minutes from July 2018.

Public Safety and Justice, DOJ

Department of Justice Programs

Good morning, everyone. First of all I'd like to introduce myself. My name is Trevor Whetstone. I'm a senior advisor to the Assistant Attorney General for Office of Justice Programs at the Department of Justice. First off I'd like to thank the tribes and federal co-chairs for this opportunity to address your council and of course to the Bureau of Indian Affairs for extending to us this gracious invitation. The Department of Justice received a very warm and gracious welcome on Wednesday as we made presentations to the Public Safety and Justice Subcommittee and we are delighted that we have already been invited to your next meeting in April.

It's extremely important to the Department to have and maintain a very close and cooperative relationship with the tribes. Wednesday was a very clear sign of that relationship and I have no doubt that we will continue that here today and into the future. I want to briefly address to you today to give you a brief background of the Department of Justice's responsibilities, specifically as it relates to Office of Justice Programs. I will specifically focus on work being done at the Office of Justice Programs and then Matt Lisakowski from the COPS Office and Sherri Ann Moore from the Violence Against Women Office in DOJ will be speaking as well. I'll discuss with you without going into too much detail our tribal budget and the programs related to it and I want to relay to you some of the progress that is being made at OJP. As FY2018 has come to a close, OJP is awarding more than \$173 million to improve public safety in tribal communities. That figure does not include the significant amount that also goes out to the tribes in non-specific grants. Much of this comes through a mechanism called the Coordinated Tribe Assistance Solicitation, CTAS, which many of you or all of you are familiar with which allows tribes to apply for a multitude of grants by submitting only a single application. We have several program offices at OJP each of which is directed to specific and hopefully non-overlapping duties in providing grants and other support to tribal lands.

OVC is one, Office for Victims of Crime. OVC has a substantial amount of its funding that is set aside for tribes. One area that does this is through the Tribal Access Program, which Sherri Ann will be discussing later on but I'll give you just a brief intro on that. TAP allows access to federal databases so that law enforcement may more quickly share information on registered sex offenders and protection orders. The dramatic expansion of this program through funding in part by OVC and other offices has really seen an uptake in just the past year. TAP participating

tribes has increased more than 50 percent. The kiosks have gone from 47 and will be up to 72 I think by the end of this year or at least at the end of the next fiscal year.

Our Bureau of Justice Assistance, BJA, funds a number of programs for instance that address juvenile delinquency. For example, BJA sponsored a pilot program and practice guide to assist with the development of joint jurisdiction courts. As you are all certainly aware, there are many jurisdictional issues between federal, state, local and tribal lands...tribal governments. These courts, however, bring together through this pilot program...bring together justice system partners and allow the system to collaboratively and creatively toward better results for individuals involved in the adult and juvenile justice systems.

The Office of Juvenile Justice and Delinquency Prevention known as OJJDP, also invests substantial resources each year in tribal public safety activities. OJJDP Tribal Youth Training and Technical Assistance Center provides comprehensive training and technical assistance for tribal grantees. The Center works with grantees through a strategic planning process and offers ongoing support through the course of the grant program. All tribes, regardless of whether they are funded by OJJDP, are eligible to participate in an array of trainings, webinars and online virtual simulation trainings. Our SSMART Office, also known as the Office of Sex Offender, Sentencing, Monitoring, Apprehending, Registering and Trafficking, we just like to call it SSMART, provides technical assistance to tribal governments on sex offender registration and notification and has been working tirelessly with tribes to see that they are substantially implementing the Sex Offender Registration and Notification Act, also known as SORNA. NIJ, the National Institute of Justice, which is the research arm for the Department of Justice housed within OJP, has supported research and evaluation studies on tribal crime and justice issues since the 1980s. In partnership with OVC and OJJDP, it is funding the Tribal Youth Victimization Study. This effort will help develop a process for collecting self-report data on American Indian and Native American youth violence and victimization. NIJ also has developed a comprehensive research program on violence against American Indian and Alaska Native women consisting of several projects that will be accomplished over an extended period.

The Tribal Law and Order Act, TLOA, of 2010 directed the Department to collect data related to crime in tribal communities. BJS which is the Bureau of Justice Statistics within OJP is set to administer the first census of tribal law enforcement agencies in April 2019. BJS has also completed the first national survey of tribal court systems, which had an overall 80 percent response rate among the 237 tribal courts during 2014. In addition, BJS has established several tribal justice panels to ensure that tribal governments, their law enforcement agencies and their courts, have a central role in the development, design and implementation of the data collection programs. I would also like to speak briefly about our CTAS initiative of which I mentioned earlier. By the end of FY2018 the Justice Department will have awarded more than 2,000 grants through the CTAS totaling more than \$940 million to hundreds of American Indian and Alaska Native communities. In addition, the Department provides training and technical assistance for tribes interested in applying for CTAS. Each year the Department organizes a webinar series that provides detailed information on each section of the solicitation. In FY17 the Department offered two in-person accessing grants to strengthen tribal justice system capacity grant writing workshops, targeting tribes that historically were unsuccessful for receiving funds under the CTAS process. In that vein I would like to mention that at the Indian National Conference this coming December, the CTAS committee will conduct a CTAS orientation on December 3rd and 4th. The CTAS orientation is designed to provide CTAS grant recipients with the tools and guidance necessary to implement and operate programs funded under the FY2018 CTAS initiative.

It is also important to note that at the conference on December 4th, OVC will be hosting the Tribal Listening Session on potential future tribal VOCA set aside funding to give tribal leaders and tribal representatives an opportunity to provide feedback to the Department of Justice about the administration of potential future tribal set aside funding for victim services in American Indian and Alaska Native communities. The purpose of the listening session is to discuss victim services, grant award programs for tribal communities, information about the administration of FY18 and potential FY19 tribal set aside funding and how tribal leaders and representatives recommend that potential future tribal set aside funding be allocated and administered. An example of CTAS's impact is the work of the Yurok Tribe, the largest tribe in California. As a result of OJP funding, the Yurok Tribe was able to construct a fully functional, multipurpose justice center that accommodates a courtroom, mediation area,

self-help center, probation, judge's chambers, clerk of court, administration area, public restrooms and lobby areas and cuff bench for in-custody defendants.

And while we've had many successes, we are not without our setbacks. Accumulating accurate crime data has been a real struggle. Violent crime higher than the national average, an opioid epidemic plaguing both the nation and Indian country and the devastating reality of missing and murdered women on Indian land, to name a few, will need all of our full attention.

In President Trump's FY19 budget request to Congress we are seeking more funds to address the pressing matters. As part of that, a seven percent discretionary tribal criminal justice assistance set aside from our discretionary grant budget totaling \$93.8 million has been requested. Likewise, a five percent set aside...in FY18 it was just three percent but we're seeking five this year totaling \$115 million has been requested from the Crime Victim's Fund for tribal victims assistance. In total, \$218 million has been requested for OJP's FY19 tribal specific programs. This request is a 21 percent increase from last year's allotted funding. Of course and that doesn't go into the multitude of funding that's available to tribes for non-specific grant programs. As part of these efforts, we have requested from Congress that more of the tribal specific funds go through CTAS. We saw a six percent increase in FY17 and an 11 percent increase in FY18. We saw... Increasing the amount of funding through this process we hope will lead to substantial increases in award funding going out to tribal communities for increased law enforcement, training and technical assistance in victim services to name a few. With that, I'd like to hand it over to Matt Lisakowski of the COPS Office. I want to again thank you for your time and I look forward to any questions that you might have.

Matt Lisakowski: Good morning. Thank you for the opportunity to discuss the COPS Office at this important session. As Trevor mentioned, the COPS Office is one of the components in the Department of Justice that provides grants to American Indian nations, native villages and we have for the last several years provided our funding through the Coordinating Tribal Assistance Solicitation. Specifically the Tribal Resources Grant Program is our tribal government specific program and in 2018 we awarded approximately \$25 million under that purpose area in CTAS. And that purpose area funds law enforcement officers, equipment and training for the tribal police departments. It also includes activities around anti-meth and anti-opioid functions that Congress had appropriated in the last couple of years in their language. The program did go through changes. We received tribal feedback over the years of course and we have made revisions to address those concerns around removing local matches, this past year we actually added overtime for officers as an allowable cost based on feedback around making sure that there was 24 hour coverage and the sort of demand on overtime for officers so we did add that last year as a new opportunity within the program.

The COPS Office also has other grant programs that are available for tribes including our COPS hiring program and our school violence prevention program. Those were funded in 2018 and while we await the 2019 budget we're likely to have those similar programs again next year. So those are in addition to the Coordinated Tribal Assistance Solicitation offering that we do have. Trevor had mentioned a little bit about the Tribal Access Program and I will just reiterate that COPS has been supporting the Tribal Access Program for the last few years including the addition of the 25 new tribes that were recently selected to participate and will be deployed throughout 2019. And that program provides the access to the FBI's systems as well as the technology including the kiosk and software and then it also provides training on-site and remote training as well so that the technology can be implemented and maintained usage throughout the period. We don't just want to drop off the equipment and head out. We do want to continue to provide that training and technical assistance so that you're familiar with how to use those systems from FBI.

I think that I will leave it at that and let Sherri Ann come up and talk about the Office on Violence Against Women. But we are very supportive of tribal law enforcement including various training and technical assistance activities that we offer around encouraging the advancement of community policing and trying to solve the problems at the local level through partnerships with the community and through multi-jurisdictional partnerships where appropriate. As Trevor mentioned, we also encourage questions here at the end after Sherri's presentation and we're happy to address those that may come up. So with that I'm going to turn it over to Sherri Ann for her presentation. Thanks.

Sherri Ann Moore: I currently serve as the Deputy Director for the Tribal Affairs Division in the Office on Violence Against Women. I'm a member of the Rosebud Sicangu Lakota Tribe and I have with me today my esteemed colleague Angela Wood who is our Chief Financial Officer in the Office on Violence Against Women and she is going to tag team this with me. I'm going to go over some programmatic things and then talk a little bit about what we're doing with missing and murdered Indigenous women, substance and then Angie is going to go over some of the details of how we formulate our tribal program funds in the Office on Violence Against Women that we give out in grants and cooperative agreements to tribes and tribal organizations. So in OVW our mission is to provide federal leadership for tribes in building their capacity specifically addressing the crimes of domestic violence, sexual assault, intimate partner violence, stalking and sex trafficking. Those are the crimes that we specifically focus on in OVW Tribal Affairs Division.

We also, according to the VAWA statute which established the position that I currently serve in, the Attorney General is directed to consult with tribes annually in the areas of administering tribal funds and programs, strengthening the capacity of the federal response to the tribes that we address and enhancing the safety...specific safety of American Indian Alaska Native women from these four crimes.

As you know, Savannah's Act is currently undergoing legislation. My understanding is that it passed the Senate Committee on Indian Affairs on Wednesday, it is now going to the full Senate so I'll say when it's passed not if it's passed, this will require the Department to develop standardized protocols for law enforcement and justice to serve as guidelines for agencies with respect to missing and murdered Indigenous women and girls including a training component for law enforcement officers and others on how to better identify when someone is being trafficked or when someone is missing what to do in that regard. When this is passed, it will also add a fourth category to our tribal consultation according to the VAWA statute to receive comments from tribal leaders on how to improve access to local, state and federal crime information databases and crime information justice systems.

We know this is an issue for a lot of our tribes in Indian Country at the present time and so I look forward to working with you on that. We do need better data, we need accurate data, we need verifiable data and so I'm hoping that this will help us in the work that we do. In 2018 OVW awarded a little over \$50 million to tribes and tribal organizations. You've heard both Matt and Trevor mention CTAS, the Coordinated Tribal Assistance Solicitation. In Tribal Affairs we have one of our grant programs that is where we solicit applications through CTAS, that's our Tribal Governments Program. It's purpose area five in the solicitation. We awarded \$35 million to 55 tribes in FY18 for that. And then the other programs...tribal programs that I specifically manage in the Tribal Affairs Division are for our tribal coalitions of which we have 17 funded at roughly \$6.3 million in 2018 and our Special Domestic Violence Criminal Jurisdiction Program and specifically in 2016 we had \$4.2 million for this program and we only received six applications for that funding. And so we have a balance remaining of \$1.2 million because we didn't receive enough applications from tribes.

And so at our consultation we did a framing paper and we asked for your comments and input. What can we do? How can we work better together to encourage tribes to apply for this funding that Congress has appropriated? As you know...everywhere I go I said, 'As you know when Congress appropriates funds they expect that we'll award those funds and they will go out and be put to use but when we can't demonstrate we've used all those funds, Congress looks at that as if maybe they're not needed.' You've done so much work in getting that appropriation so far, we don't want those funds going back to Congress and so we've asked for tribal leader input and comment on those funds.

What can we do better, what can we do together with tribes to reduce the complexities? We heard in the Public Safety and Justice Committee from a lot of the tribal leaders how there are so many barriers and obstacles for tribes to be able to apply for funds whether it's a large application or if you don't have the resource to hire a grant proposal writer or anyone to put their time to it, there's too many special conditions. We hear all these things and we try to work whenever we can, whenever we're authorized to do so to knock down some barriers.

In the Tribal Jurisdiction Program in FY19 in response to this we are going to reduce some of those barriers. We're eliminating the requirement to submit the 11 item questionnaire that we previously required in order for tribes to go ahead and use the resources for prosecution or incarceration. Instead we're requiring that tribal leaders certify that you have the processes in place to ensure due process to your SDVCJ defendants. We're not requiring the MOU be presented at the time of application but rather required before any funds can be expended for SDVCJ except for the \$10,000 that we provide for training and travel purposes.

Lastly, what we're doing in that regard specifically with the Tribal Jurisdiction Funds are to simplify the narrative in the budget pieces to minimize what is needed for tribes to submit at the time of application. And then we also manage the Tribal Sexual Assault Services Program known as TSASP and in 2018 we awarded 10 tribes \$3.2 million. We're also relaunching the Tribal SAUSA, the Special Assistant to the U.S. Attorney's Program, which basically cross deputizes a tribal prosecutor to be able to try to prosecute cases in both tribal court and federal court and get experience in the federal court also working together with the U.S. Attorney's Office in their district. And so we've funded four tribes \$1.75 million and the plan is to continue to monitor that and increase the numbers of Tribal SAUSAs that we fund throughout Indian Country.

And then we also fund a number of tribal specific focused training and TA projects specifically for our tribal grantees. In the topic of missing and murdered I want to just make a few comments about what we're doing with that. Our Acting Director, Katie Sullivan, made it one of her priorities this year in our FY19 funding so our grantees can begin to plan for that, there are four specific new priorities to reduce violent crime against women and promote victim safety includes substance abuse professionals in a coordinated community response to the VAWA crimes and increase victim access to substance abuse services and we'll be working together with the Indian Health Service and SAMHSA in that regard as well. And increase efforts to combat stalking. Although stalking has always been one of our crimes, we feel an increased focus on that, which oftentimes is a precursor to more violent crimes, will help in prevention efforts.

In regards to missing and murdered we're increasing the response to victims of human trafficking. We funded the Minnesota Indian Women's Sexual Assault Coalition, a tribal TA award to specifically focus on sex trafficking and its link to missing and murdered Indigenous women as well, sex trafficking and missing Indigenous women and so we have funded them to focus on that, provide training in TA and that will result in also a national conference. We did have the first one in January this year in Agua Caliente and it was very, very successful, very well attended and so we plan to build upon those efforts to continue to focus.

We hear from consultation and these meetings and anytime there's a gathering of tribal leaders about the importance of focusing on the disappearance and the death of our American Indian Alaska Native women and that it may not be taken seriously enough, that we need increased awareness, we need a stronger law enforcement response because this is critical to saving lives of our men and women and children. We've receive recommendations from tribes that include establishing a national working group in this regard to address these issues and to set up an alert system to locate victims as soon as they've gone missing or as soon as they've disappeared and also develop Indian Country wide protocol for missing women and men and children.

And so we heard these directly from tribal leaders and so these are the things that we focus on in our work and what can we do together with you. I always think national working groups or advisory groups are a good example and Chairman Kee Allen had spoke to me about the potential of one coming out of our Public Safety and Justice Subcommittee presentation that we did the other day.

We also in the Department has funded through NIJ a system called the National Missing and Unidentified Person System also known as NAMUS which you may have heard about. It's a centralized depository and resource center that's available to the public. It's available for special access by our law enforcement officers and others to enter information into a national database so that we can have more ready access to information about our missing American Indian Alaska Native women and hopefully find them before it turns tragic as we've often heard so many times. And so our office has been working with the Department of Interior, with the BIA and we've also reached out to HHS with Indian Health Service. We'd like to also pull in the Bureau of Indian Education in our schools. We

know what we need to do more of in the federal agency and in my opinion anyway is we need to do more interagency collaboration between HHS, DOI and DOJ to come together and work together, pool our resources, whether that's money or people or processes or systems to really begin to address some of these issues and make some progress on them and so I try to do that as well as with our grantees.

We have many, many grantees that are working tirelessly, especially our tribal coalitions across the country in this regard. Our Tribal TA providers also are working to support establishing a permanent day to bring more knowledge and awareness to our missing and murdered Indigenous women. Each year the Senate usually establishes May 5th as that day to bring about this awareness. At a lot of our events we wear red to commemorate our missing and murdered and honor our missing and murdered and bring about awareness.

Angie: Thank you. Good morning. The Office on Violence Against Women, the tribal funds are derived as set asides from directly appropriated programs. So for an example, our Tribal Governments Program is not a direct appropriation. You won't see that in any appropriation act but it's based on the VAWA statute and several programs provide funding for our Tribal Governments Program.

We have a 10 percent set aside that comes from our STOP program, 10 percent from our Transitional Housing Program, 10 percent from our Improving Response to Justice Arrest Program, 10 percent from our Rural Program, 10 percent from Families in the Justice System, 10 percent from our Consolidated Youth Program and we have a seven percent set aside from our Legal Assistance for Victims Program and the seven percent from Legal Assistance for Victims Program and it's not 10 percent because in the Legal Assistance for Victims Program there is the three percent that would have been the 10 percent, the three percent they keep that in the LAV program.

Also for our state coalitions that's derived from set asides as well. Our tribal coalitions would be our Improving Justice Response, it was the Arrest Program a few years ago, and our STOP program supplies funding for the tribal coalitions. We also get funding directly in the appropriation for research on Violence Against Indian Women. Those are directly appropriated and general OVW in concert with NIJ, the National Institute of Justice, we provide those funding and based on the priorities and the discussions that come up is how the research agenda is determined. We have also directly appropriated a \$500,000 for Indian Country Sexual Assault Clearinghouse. That's not a program but it funds the clearinghouse. The other thing that I wanted to point out, we have that we carry forward for the last few years \$3.9 million in the tribal registry and as a result we have been working with you guys and working with Congress requesting that those funds be moved to the TAP program. It would be more efficient we believe than trying for OVW to establish an NCIC type of network, especially as a result of Adam Walsh. But for the most part, as long as our programs are funded, the Tribal Governments Program will be funded. The only other thing that I wanted to point out to you is that in addition to the specific tribal programs that we have, most of our OVW, Office on Violence Against Women programs tribes are eligible to apply to and so we wanted to point that out. You're not just limited to those tribal programs. You can apply for most of our programs. Thank you for allowing me to speak.

Eugenia Tyner Dawson: I'm speaking this morning on behalf of the Indian Alcohol and Substance Abuse. It's a coordinating committee created by the Tribal Law and Order Act of 2010. In that Act in Section 241 we were required to enter into a Memorandum of Agreement between three departments—HHS, DOI and DOJ. All three cabinet members signed that agreement and we made amendments I think three years ago and the next set of cabinet members, which were all new, signed that agreement again and updated the agreement to reflect the discussion with Indian tribal leaders at that time. There are about 10 areas of responsibility of the three departments to be carried out under the agreement, all of them pointing to assisting tribes in developing primarily tribal action plans, community driven tribal action plans to address Indian alcohol and substance abuse in your communities.

We also coordinate on detention, reentry issues, certainly prevention, intervention, treatment for Indian communities as well. We were not given additional funding. We are required to work with our limited resources but when they can be better coordinated they can be more useful to each of you. I know I participate in twice a year Tribal Action Plan Training Sessions where we invite tribes in to receive technical assistance in developing a

Tribal Action Plan. Many of you have very old tribal action plans that were authorized under the 1986 Substance Abuse Act for Prevention, Treatment and Assistance for Indian communities. But we are required under the current statute to provide that technical assistance you in implementing those plans.

There was a lady that was in our session yesterday, she was on the telephone of those of you that participated in the Public Safety Subcommittee yesterday. That was Leslie Hagan. She's been hosting a couple of the sessions for us at the National Advocacy Center in Columbia, South Carolina. That's a Department of Justice training center and we had about 13 tribes there, five participants roughly per tribe sitting down in a three day session to assist you in developing your Tribal Action Plan. We know that plan doesn't come together in three days of training so we have follow up sessions as well. So I think today the best thing I can do is promote the next session and if you are attending Department of Justice's Indian Nations Conference in December, on December 4th we have a day long session on developing a community driven tribal action plan. I hope if you're attending that conference, there are several pre-conference institutes that you can select from.

There are numerous provisions in the MOA. We are required to complete a report. SAMHSA is the principal office in developing our coordinated efforts. We have at least monthly teleconference calls. One was held just yesterday and I know that they were planning for the executive committee to come together and those are your lead principal officials of each department that come together, look at the responsibilities and activities we've carried out or completed, provide direction to all of us on developing our efforts for the following year.

There are several of the folks that you met yesterday that are on the committee including my colleague Charlie Addington, Sherri Ann Moore who just spoke, Matt Lasikowski and Trevor is responsible for the Office of Justice Programs. They're specifically mentioned in the statute to provide technical assistance from that particular area.

Comment: Thank you. I'd like to applaud DOJ for the work that they're doing and the outreach into Indian Country. It's been a long way to get to where we're at and I'd like to applaud the efforts that you're making as well as the progress in Savannah's Act. I think part of the trouble that we also face is that Indian Country goes beyond just the reservations and in the presentation of the report that just came out about the Missing and Murdered Indigenous Women and Girls that in the urban areas and the collaboration that you spoke about, one of the grants, of really impressing upon the need for collaboration between tribal law enforcement, state and local law enforcement I think will be able to go a long way to get that type of information out there because it was shocking when we found out just how many women and girls and men are impacted and yet not recorded in the data and how easy it was to obtain that data but yet the people that were doing the research were told how difficult it was and how expensive it was so I'm glad to see that moving in that direction. 116 out of 5700. It's just amazing.

But what I was wondering whether or not there was a way to condition those grants that are coming out that actually requires those state and local authorities to work with the tribes. Although a lot of times it might be in the guidelines, it's a suggestion but there's no teeth to it and the only way that we get results is when there are teeth put behind those requests that we're putting in. The other thing going back to the grants and I'm glad to hear that we're simplifying those DOJ grants 'cause they're a lot of pages and way too many conditions when they come back. The other thing is that we understand that they're written in a template form to be distributed widely but I think there needs to be some real consideration for the different relationship we have versus the states and when I say we, we as tribes as sovereign nations and templates are written in such a way that we have to go through and 'not applicable', 'not applicable', 'not applicable' but yet the people in the field or in the front line really aren't comprehending that a lot of these things do not apply to tribes in the general language so we have to make sure that that's in consideration as well because it costs us money to have our lawyers go through it.

The other thing is that where the...and I don't know when the contract is over for the delivery system that you guys use but we hate it. It is not user friendly in the least and there are way too many GAN notices and too many steps and it gets lost in the cracks. GAN notices go for months without being replied to or anything else and I think maybe if there's a simpler way to do that. We being a self-governance tribe, all these other conditions and everything else that are on there make it very difficult. We put a plan forward and we really stick with that plan. Maybe listing the totally unallowable expenses might be an easier way to do it because again, we appreciate the

funding that we get but it's never going to be enough so therefore we need to be able to be as creative and flexible as possible with the grant funding that we have.

So we need to come up with a way of creating more flexibility without having to wait a month and a half, two months to get a response on a grant notification and also because if somebody goes away or is on vacation, their accounts are not given to somebody else to back up so we wait. And as we know, when it comes to violence against women in OVW situations, waiting is not an option. But thank you very much for the work that you do.

Comment: I'd like to make a comment. It's good to have the Department of Justice and COPS grants for boots on the ground but there are so many conditions or requirements like there's a two year grant when it's over for the law enforcement officers you've got to hire them. But what I'd like to see done instead of all these grants is permanent funding to our TPA law enforcement so we can put more boots on the ground so we can battle these opiates and drugs. These grants are good for our equipment and etc. but to increase our TPA so we can hire permanent officers is needed in our reservations throughout Indian Country instead of these COPS grants to hire temporary officers. So I'd like that to be considered because we sure need help on our law enforcement budget to hire these officers. We need boots on the ground to do the battle.

Secretary-Treasurer Allen Roy, White Earth Nation. Our reservation is just located next to Red Lake so I'm from the same area and I agree with the Chairman. We need more permanent funding and I say that because my tribe, and I can say this with certainty, that we spend well over four million dollars annually out of our casino to support law enforcement services. We started doing that since we switched to CTAS back in...I think it was 2012 when you guys rolled it out. So we have spent right around \$20 million in the middle of an opioid epidemic and sure we have agreements with counties, sure we have agreements with the state but it is non-sustainable and I can say that with certainty because we've laid off about 38 employees in our tribal government and we cannot sustain the law enforcement operations that we're currently conducting. And so when I look at the CTAS formula is and who's getting awarded this stuff, I think there's some discrepancies in how it's being carried out. It's a sore spot for my nation but I would say it's a sore spot for a lot of nations across the U.S.

And, oh by the way, if you look at the land base, you look at the types of crimes being committed, you look at the overdose and opiate addiction rates, you look at the size of tribal communities, I don't think some of these factors are being weighed into how these grants are being awarded and I think there needs to be...something has to be done about it. I know we've spoken to our congressional delegation about. I'd like to hear something from the Administration if possible, Mr. Chair, if they could just comment on that. I don't think it's right that tribes are having to pay money out of their own casino...we're in a Public Law 280 state, to support law enforcement operations. We have the largest law enforcement agency in the region and looking at this time next year, if we don't make some changes within our nation, we're going to have to lay some cops off so all this progress we've made, it's going to go back. So I'd like to hear what you guys have to say about that.

DOJ Response: First I'd like to address your comments. I will go back and figure out why you are not getting responses or waiting so long for the responses. That's completely unnecessary and I want to see where that's coming from. Also with the frustration of the solicitations, we completely understand and agree. We have to write the solicitations. But I was also talking on Wednesday I was talking with Gena about if we're able to come back in April to bring back someone from our General Counsel's Office who can sort of work through these issues and explain why certain things have to be in the solicitation, why it can't...even if it doesn't seem applicable, why it has to be in there.

There's obviously statutes and regulations and procedures that we have to follow and so there's just certain things that have to be in there that aren't under our control. We're always working on trying to streamline the solicitation process. It's of course very arduous so we're going to work on that and hopefully in April we can come and bring the lawyers to address and try making it maybe more understand why certain things have to be in there and then maybe able to cooperate and put our heads together about how better to reduce the amount of red tape. To address your concerns, both of your concerns about law enforcement. It's obviously certainly an issue. We obviously deal with a limited budget. We try to get as much money out to hire police officers as possible. I

completely understand the issue and it's an issue that I've been looking into and been working on. I've only been in my capacity here since I believe July so I've been trying to think about ways in which we can handle this 'cause obviously the issue is we...money is provided to hire the police officers but then that money runs out and where are they going to get...where are you going to get more funding to keep them, especially since...so they don't leave to say a city or local police agency where they can get paid more money which is obviously an issue. I'm looking into that to see how we can better resolve that issue.

Matt: Thanks. Just briefly our say our Tribal Resources Grant Program and COPS provides three year funding for officers and we do have some flexibility in that so I will take the comments that you raised about making that perhaps a longer grant. We could go with four or five years in funding. Obviously it means we'll then not be able to make as many awards but if we can make longer sustained awards for officers if that's preferable, we can certainly explore those opportunities. We are required by the Tribal Law and Order Act to take into consideration some things around crime rates and staffing needs so we do look at things like officers per thousand people, officers per square mile and crime rates that are required under the Tribal Law and Order Act for us to take into consideration when we make our awards so we do look at those kinds of factors when we evaluate the applications.

Comment: So when we look at White Earth and Red Lake in our area, I imagine it's the same across the country, and I know I will never have this opportunity to ask this question again, Mr. Chair, so I have to ask it. I just feel like sometimes...and this is a separate question to what we were just talking about but what is the Administration going to do to help tribes with...and I feel like we're in a catch and release situation. We catch these guys coming onto our reservations, they're non-members, we can't bring them into our courts. You go up to Red Lake, it's so bad that we get these drug dealers are coming up and there isn't a thing we can do about it. Sure, we can arrest them, sure we can bring them to the border but then they're back at it again and I'd like to know, what is your position on that? I know I won't ever get this chance to ask this question again, Mr. Chair, but I would just like to know. I'm tired of catch and release.

DOJ Response: First I wanted to respond to the first question that you had brought up about law enforcement and one of the strategies in OVW that we are recommending tribal leaders consider is now that we have VOCA funds, I know they're not permanent but we did get a three percent set aside and we're proposed to get a five percent set aside in the upcoming year, we're recommending that tribes...specifically with our Tribal Governments Grant Program. Most tribes who receive that grant funding use it for victim services. You can use those funds to hire law enforcement or retain law enforcement officers. So we're recommending that you...the VOCA funds come in again which can only be used for victim services, that you move your victim services programming to the VOCA funding which will free up your Tribal Government funding to use to hire a law enforcement officer or depending on how much money you have or retain a law enforcement officer so we're making that recommendation to tribes to consider that when the VOCA funding comes in. In one of the grant programs we have, and I'm not sure if you have a Special Domestic Violence Criminal Jurisdiction award or if you're exercising or looking to exercise that jurisdiction but that allows you for certain crimes of domestic violence and protection orders, that allows a tribe to arrest...investigate, arrest and prosecute non-Indian or non-tribal defenders...offenders of certain crimes and violations of protection orders.

And so I would suggest that that's something that you look into planning and implementing. That's a provision that is outlined in the Violence Against Women Act. Virginia Davis is a subject matter expert in that area so in response to your question, that's one of the programs that we have in OVW specifically that would address that issue. And then also in regards to the special conditions, I understand that. You asked for another condition though against the state. But each year before we go through our solicitation, we have a time period where our attorney advisors take all of those special conditions and review them annually to see which ones, because we understand it is a lot, it's very cumbersome to look at which ones we can according to statute and which ones are authorized to do away with or not have apply specifically for our tribal programs.

But you did ask one in regard to something with the state. I know oftentimes for example our STOP funds are formula grants that are made to the states and then the tribes have to apply to the states for those funds and I understand with tribal sovereignty that just doesn't make any sense at all but it's because those are formula funds

that go to the STOP program which is outside of the Tribal Affairs Division, that that's how those funds are administered. And so we are working through our tribal coalitions the state coalitions and the STOP administrators to improve what they're doing in regard to consulting with tribal leaders in their states so that we can increase the number of tribes and tribal organizations that are receiving those STOP funds. That's what we can do now aside from a statutory fix to have those funds not be formula to the states.

Tribal Comment: Well, that's two pronged because with regard to the new monies that are going to be coming out and working with the coalitions of the state, tribal and local governments and conditioning their grants. We live underneath a boatload of conditions all the time as far as Indian Country but it often seems that the same measure of accountability is not applied to states and/or local governments. So by doing that in that sense would also kind of force the hand to be more collaborative in working with the tribal law enforcement agencies.

The second thing is with regard to the set asides, oftentimes we get these reports that come out and Indian Country is given so much money and yet the money is set asides that go to states. The states never communicate that the money is intended for the tribes within their state and so we never receive them, we don't know where that money goes but it certainly doesn't come to us. So with all those monies that are either set asides or intended to have collaboration and coordination with tribes should have a condition of proof that those agencies that are receiving the funds have actually fulfilled that obligation because other than that we're not seeing it. And the one thing to our Chairman from the Great Lakes Region, we don't have a tax base that we can apply to our citizens and therefore when we're getting our monies, we're actually executing the responsibilities of the federal government within our territories. And on the self-governance side, when we exercise that right and that sovereignty and that jurisdiction, we also get the funding that comes along with it because we're replacing the federal government in those instances.

There shouldn't be any reason why justice, law enforcement shouldn't be thought in the same manner so that this way we don't have to worry about a two year police force or a three year police force or anything else. We need consistent, perpetual funding for the programs and services and public safety that we provide to our community the same as anybody else would and we don't really need it on a continuing resolution 'cause nobody can conduct a government that way and certainly not ours with the jurisdictional challenges that we face. But happy to have the attorneys coming back for the next session 'cause I think there are ways to work around it and even if it is just a matter of training the front line staff and I think that's where a lot of the problem lies whereas the upper tier understand but the front line staff is not that familiar and they're not empowered to make those decisions so therefore if not empowered to do so they're reluctant to and it delays the process but thank you for listening.

Matt: Actually I wanted to address this issue about drugs. I completely understand. I'm just as frustrated as you are about the drug problem. I've worked with the White House this past year working specifically on a drug policy and what we can do better. There are two things. One is just the jurisdictional issues between the tribal lands and the states and the federal government and whatnot. Working on better cooperation with local police is something that definitely needs to be worked on. There's lots of course hairy issues around that but overall I think and which is the second point of the problem is it's a national problem. The President said it's an opioid epidemic. We've got problems...and it's just not with opioids. We have heroine, we have meth, we have cocaine pouring through our borders, through our southern borders and it's a real issue.

Every year we catch more and more of those products coming across our borders and we're like, 'Oh, that's great, we're catching more of it so there's less going out.' No, there's just more coming across the border. The increase of the products and the delivery is just increasing. We're definitely finding better ways to do that and obviously we have the issue with fentanyl which is becoming a major problem. We're just getting a handle on how to figure that out 'cause that's of course coming over from China. It so powerful, it comes in such small quantities that can be just mailed. And when you have hundreds of thousands of packages coming in from express consignment carriers into...and from the U.S. Postal Service coming into LaGuardia or to JFK, they've got...their capacity is only so large. So again, I think beyond the jurisdictional issues the answer is we just need...we need more funding and we need more resources to handle the drug problem in general and I think when we see that then obviously your problems will reduce as it'll just reduce over the whole country. But again, we talk about the drug war. The drug war's never

going to end. People have been using drugs for thousands of years. It's not going to go away, it's just how we decide to respond to it that will hopefully solve some of these problems that we're all going through. I'll actually if you have time afterwards I can speak with you offline about the sort...the boundary issues that you're dealing with.

Just quickly on that front as well, I want to also comment that next month we're going to be hosting a forum in Hinckley, Minnesota around multi-jurisdictional partnerships. I'll get with you as well to share some of that information to try and encourage participation from all of the tribal, local and state representatives there on the law enforcement side.

Question: Does your department have generally sets of norms of what you would expect to see for adequate size law enforcement for a given area?

Matt: No, we don't really make those kinds of standards or set those kind of bars for the nation or tribes at all. FBI collects data on the officers and they put out information in the Crime and U.S. Report every year about the number of officers that are in existence but we don't set any particular standard for what it should or shouldn't be. That's really a local tribal decision.

Kitcki: this is a budget space meeting. This conversation is about budget and one of the conversations that we're consistently having is adequate level of funding or lack of adequate levels of funding and it just seems to me as sophisticated as DOJ is and the FBI is, etc., that there should be some standard averages or some averages at least that you're aware of, maybe not a standard, about what you see across the country, non-tribal communities in terms of law enforcement, foot patrol based upon population, based upon geography area, that sort of thing that could give you a general idea of what the adequate level of policing justice service is for any given area. And the reason why that's relevant to us is we need that information to make our case about whether on the BIA side whether funding is adequate enough.

I'm not convinced that in this federal system that there isn't data available that speaks to the averages that you see nationwide as it relates to law enforcement and I would actually like to put a motion on the floor for consideration that I would like to see the Department of Interior, BIA working partnership with DOJ or whoever the other law enforcement entity, FBI or whatever, for our next meeting to come back with what those averages look like so then we can use that for budgetary comparison purposes to say, 'This is what you...' 'cause remember, our whole argument is are services rendered in our communities are at least supposed to be equal to what we see in our surrounding communities and that way we can back into what that number is from a budgetary standpoint for the law enforcement side of the BIA budget. Now, that's another way around the kibosh that was put on the unfunded obligations piece 'cause I'm convinced that this isn't a matter of not being able to find the information now. I think it's a matter of not wanting to know the information 'cause I think it's going to become very clear and evident once we see those averages nationwide and compare that against Indian Country, there is going to be a dramatic difference in resources, foot patrol officers just using an example, in Indian Country versus what we see in other communities. I think at least that's a starting point for us, Mr. Chairman, to have that conversation about once you have that data, then that can lead to a conversation about adequate funding that goes along with that.

Discussion:

Charlie Addington: Mr. Chairman, when we do the report for the Tribal Law and Order Act that we have to do every year that goes back to Congress, there is a formula that we have for that that gives a certain size of a police department, here's the base average of how many officers you need per thousand residents. There is not anything in the FBI UCR data that comes in that's specific to a reservation or Indian Country. In the past we've looked at the averages that come in in that data and it's been about 2.8 officers per thousand residents but there's not something for Indian Country. We believe some communities, whether it's small communities, if you look at the parity ratios are up to 3.5 and 3.7 officers per thousand residents in some of those communities where they have higher crime in rural areas. So there is some...there is not a specific number for Indian Country so we have to kind of parse through the data that comes in in rural communities out there and get something that is as close as we can get to Indian Country to use those numbers. But in the Tribal Law and Order Act, that report that we do back

to Congress on the unmet needs, it does have a formula for what we worked with the tribes to come up with for how many officers they need and it's like \$1.9 billion in public safety and unmet needs in the previous report. I think the one that's fixing to come out is like \$2.4 billion or something like that so it's going up. As the population grows and the crime rates grow, those numbers are growing. So we do have something like that in the Tribal Law and Order Act report that we do.

Kitcki: So just to make sure I heard you correctly. So you're saying that that report has identified roughly a two billion dollar shortfall in adequate funding towards law enforcement in Indian Country?

Okay. So, Mr. Chairman, just respectfully, that's one issue out of the multitude of issues that we're talking about here and that equates to two billion dollars. You multiply that times inadequate funding on every other issue that we're working on in Indian Country, that was the whole point of the unfunded obligations piece to get to that total about what that looks like. So I'm glad to hear that that exists. I don't know if it can be further refined in working partnership with other federal partners or whatever the case may be but that's the sort of information that we're going to need in order to get our way to that ultimate vision that we had for the unfunded obligations piece if there's no willingness within this body on the federal side, to do it here.

Comment: Charlie, I think some of the information that they want is that formula that you're using and what the number is per thousand outside of Indian Country so we can compare against it.

Charlie Addington: Kevin has all the information so we can get that to you guys and what we use for that report and we can actually break down like out of the FBI UCR data the staffing levels of what kind of we've used in the past looking at how many officers that we need at certain locations. When we did the high priority performance goal initiative we looked at that to determine how many officers we needed on the reservation to make the impact. So we have been using those numbers and we can get that for you.

Rick Harrison: Kitcki, does that satisfy your request?

Kicki Carroll: It does. I think, Mr. Chairman, what we need to start doing in light of kind of the position of the Administration right now within this space is...you know how we evolved from the tribal proposed, the Administration's...President's budget and then the congressionally appropriated report, I think what would be valuable to have...so just using this conversation as an example, is what is that law enforcement number as finally appropriated and then what is that actual number need to look like. So just using that two billion dollars as an example, two billion dollars against what it is all the way down the 125 line items will make our point and that's what we need to be carrying congressionally so we can say, 'BIA is at \$2.9 billion right now and really it should be \$29 billion,' and having that data based upon the very reports that they're already statutorily obligated to be providing, whether it's BIA, whether it's DOJ, whatever the case may be that sheds some light on this. Now remember, we were trying to use some of these resources as a way to get to some of the formulas that we were going to use as part of the budgetary process so if we can't do that here, then we'll figure out another way around that to get to that same information.

Because I still feel it needs to be brought back to this table in a very succinct, clear way so we're not having to go pull a million different things to get that information. So my request, just to sharpen it, is a motion to bring back whatever exists, if there is stuff that already is out there for whomever that has this information to compile it for the purposes of us seeing a succinct report about any unidentified or unfunded obligations or discrepancies that exist right now based upon available data.

Motion carried.

Budget Process Improvement Workgroup

Amber Ebarb: Chairman, I will go through the final recommendations and do an update on the implementation of our budget formulation improvement project and then that will lead us directly into some of the recommended changes to the TIBC protocol.

It shouldn't take too long but I just want to give a status update on how we're implementing the recommended changes to improve TIBC's overall work. As I mentioned yesterday in the update in tribal caucus in a short overview, all of the recommendations from our Budget Workgroup were adopted except for the ninth recommendation on the increase/decrease methodology and that will be tackled by the Budget Subcommittee which will be meeting in the next few months to finalize how we want to do the increase methodology.

The progress on the first recommendation was on improving communications. A lot of the specific recommendations are in your report so I won't get into all of them but they are in progress on improving communications between the regions and central office, updating the budget guidance on communications, creating a website and then improving outreach in communications among the tribal representatives.

The second recommendation that was adopted was on the formulation methodology and addressing the tribal workload. The recommendation was to continue to use the preferred program ranking tool process with updates that were included in the meeting in July. So we will continue using that and Jeannine will give an update on the next agenda item.

The third area of recommendations was on buy-in and participation and so we wanted to ensure that all TIBC representatives value the formulation process and a lot of recommendations were included to the protocol and the protocol changes and that's next on the agenda. Second was reducing the number of meetings to streamline and reformat the meetings that we do have. We really wanted to have quality engagement at each of the meetings and so instead of having four meetings a year we have reduced it to three meetings and consolidated the spring meetings because they were kind of back to back. Like we went to the March meeting and then we came right back for the May meeting, it seemed very close. So those are consolidated and you see in the back of your booklet you have the 'Save the Date' document. It has the calendar for the April meeting, the July meeting and the November meeting.

Second category in this buy-in and participation are a number of changes to the protocol to tighten up the work of the subcommittees so that for instance subcommittees report out only when there's a decision point to the full Tribal Interior Budget Council, making sure that we have clear goals and purposes of the non-standing subcommittees and that the marketing of TIBC to tribes is consistent and ensuring that tribes are involved in the selection of their TIBC rep and feel a part of the process.

Sometimes the regions have different methods of choosing tribal representatives so we want to make it transparent so Indian Country knows how the TIBC is formed. And then also in this section is ensuring that our federal partners are...they make the commitment to participate in TIBC and one instance of that is we're drafting a letter on participation based on this meeting and having federal partners from each of the budget programs report out. So that's added to the agenda each time. The fourth area is on protocol and management. One of the recommendations was to develop a new member orientation.

We had the first new member orientation on Wednesday at noon. We're planning to do a webinar recording so that that can be used in regional meetings or if you want to take a look or share it with any of your tribes in your region. And then a few recommendations on meeting facilitation tracking and follow up, ensuring that the role of TIBC is articulated. That's in the guidance and orientation. Identifying coordination gaps that exist between TIBC, BIA and NCAI. That's in progress. And ensuring that the process is clearly laid out for tribal reps. That's in the guidance and in the orientation.

The fifth area was on the actual budget exercise and its comprehensiveness. We wanted to have a more comprehensive process by expanding the scope of the budget consultation at DOI and an olive government sort of approach and I think you can see the changes to our comprehensiveness with the involvement of the Department

of Justice. We also included this in our OMB meeting where the tribal co-chairs met and shared the recommendations of this report on September 8th, 2018. The second on this was about the BIE being included in the ranking and this has been addressed in the guidance in the ranking tool.

The sixth area was on tracking the impact of TIBC's recommendations and so part of this is developing an outreach and briefing strategy for federal officials. That's in process. And there's a clarifying to tribes and the guidance where the information will end up. Jeannine has included that in the guidance and it's also included in the orientation pretty clearly I think and then NCAI working to facilitate heel/heel engagement for TIBC. We're in the process of developing a guide on that for the FY2020 spring appropriations cycle.

The seventh area was a large process change that was adopted pending a second approval at the April 2018 TIBC meeting and this is to move the annual TIBC budget ranking process to a biannual process. And the eighth area was a larger process change too which was to create a Secretary's Tribal Advisory Committee with TIBC as a subcommittee and this was approved on a conceptual basis and we will be working out the details on this pending the discussions with leadership on this. The current is TIBC with our subcommittees and then the new structure would be a stack and then TIBC would be a subcommittee to the stack.

On the increase scenario, we developed a recommended allocation strategy but it wasn't agreed upon at the July meeting and so that has been referred to the Budget Subcommittee which will evaluate the different options and then come to an agreement on that in the next few months for the 2021 cycle. For the decrease scenario, we did not officially refuse to engage in any decrease scenarios each year but reserve the right to make this decision each year as it comes up. So that's the summary and the status of our implementation. Hopefully we've already...and I think with a lot of the work from Jeannine and the co-chairs we've already implemented a lot of good improvements and I hope that it improves the effectiveness of TIBC's work heading into 2021. So I think that is the summary. I'm not sure if there are any questions on that. Otherwise we can move...

Ron Allen: Yeah, I think this is very helpful in terms of refreshing ourselves on the process and where it is. It's a really good update on our recommendations and how each task is being either done or being implemented. So that's very helpful.

Amber: So that leads us to the consideration of the protocol recommended changes and the changes that are in here are based on the Budget Formulation Workgroup Report to tighten up the attendance and buy-in and participation and some of the work that the subcommittees are undertaking.

Ron Allen: Yeah, I think it's a good idea to go through and explain each proposed amendment so everybody's refreshed.

Amber Ebarb: On the Tribal Representative Section D there is a small change on the second bullet point on the selection criteria. The addition of 'each region will establish a' and the addition is 'transparent process to nominate and select two tribal officials' and then an additional sentence—'each region should ensure that all tribes have an opportunity to opine on the nomination and selection process'. So it doesn't describe how the selection is made, just that all the tribes in each region should know how it happens. In TIBC Leadership there is an addition of 'if a sitting tribal co-chair is unable to continue to serve in that capacity for any reason or is unable to meet the attendance requirements of the TIBC', that's the addition and it refers down to the attendance requirement which is a little bit further down. Under Responsibilities of Tribal Leadership and Tribal Representatives, there is an additional section...paragraph, 'Tribal reps and BIA regional directors should work together to ensure that tribal reps have an opportunity to present updates to relevant inner tribal gatherings in their region at the beginning and end of the budget formulation process'.

Ron Allen: I mentioned this on our Budget Subcommittee Wednesday. I'm recommending that we go back to just two representatives. In that first paragraph notice that it says, '?? Shall be elected in a manner that's representative of direct service, self-governance and contracting tribes'. Our job as co-chairs is to facilitate. We're not advocating for one approach of exercising our sovereignty at all. That's not our job up here. So I think that we

need to...having three co-chairs is just awkward quite frankly. And so two chairs has worked fine for us in the past and rotating around so I'd like for us to consider that. And I'm willing to step down. I've been chair up here...one of the co-chairs for awhile and I can step down and Rick and A.J. can take that lead. It says we are elected...either elected or re-elected in the spring so this coming spring we'll renew the leadership but I just think we only need two co-chairs. And the only reason we had two co-chairs in the first place is if one of us has to step out we still have a tribal leader still there with the Department. So I want you to pause and think about that but the notion that we're representing three kinds of tribes I don't agree with. A.J.

Comment: Thank you, Chair Allen. Three is actually consistent with who the representation is and when you said you don't advocate, I find that not 100 percent true. Numerous times you've advocated as chair for specific. So just in all equality it is wise to have three.

Ron Allen: When I'm a co-chair, if I step away from the co-chair role and I represent the Northwest just like we do from Rocky Mountain, well, there's no reason why you can't advocate for Crow. Why is that a conflict?

AJ Not Afraid: And I don't want you to step down.

Ron Allen: Yeah. Well, actually I can work for my tribes over here with Tino just as easy. To have three co-chairs, I've never been in any organization where you have three co-chairs. Just...it's awkward. And our job is to facilitate. Now if we're advocating for a tribe or region of tribes, then we have to take that hat off, that facilitating hat off. That's my point. So I'm just encouraging streamlining our protocols.

I'm just putting it on the table for consideration. Most of these amendments that Amber's going through are coming out of our process, our formulation process. If it stays the same, fine. It's just a matter of what makes the most sense for us. I certainly agree with Darrell's point that we are representing a region of tribes. That is true. Go ahead, Amber.

Amber Ebarb: Under the Responsibilities of Tribal Reps, I already went over that first addition. The second is having... 'Indian Affairs members serving on TIBC are responsible for working with TIBC tribal reps at the beginning of the budget formulation season to secure a calendar hold on the appropriate DOI official's calendars to attend the spring TIBC meeting'. Another one. Here is the attendance requirement that is new. 'TIBC tribal representatives should make every effort to participate in all in-person and webinar phone TIBC meetings. Each representative can backfill their participation at in-person/remote TIBC meetings with their alternate rep once per budget formulation cycle except in extenuating circumstances conveyed to and approved by the TIBC co-chairs. If a tribal representative is unable to meet their attendance obligation, the TIBC co-chairs will ask the BIA regional director to consult with tribes in their region to designate a different TIBC tribal representative.

This attendance standard will ensure that representatives at each meeting are up to date and actively engaged in the work of the TIBC'. In the meeting section there's an addition of 'TIBC meeting dates/time, the addition of agenda topics, federal participants and location will be decided at previous meeting of the TIBC'. The second addition, 'TIBC meetings will be held over two or three consecutive days unless otherwise agreed and are open to the public. However, only TIBC members are eligible to vote'. And then a change to the quorum and voting would be to move from two-thirds majority of the voting tribal reps. The total is 24, three-fourths is 18 instead of 16 which is two-thirds and then the second option is three-fourths of tribal regions representing BIA regions so nine out of 12 instead of eight out of 12. And that's to encourage buy-in and participation at the TIBC meetings so that is up for consideration.

The other area of improvements to the protocol is on subcommittees. In the second B section of subcommittees there would be an addition of...on the section that 'TIBC must establish a clear mission purpose and objectives and/or tasks for the subcommittees and select' the addition is 'eight members including one chair to serve which shall be approved by the full TIBC before the subcommittee is authorized to begin its mission'. The second section is 'that subcommittee co-chairs will be responsible for working with the full TIBC to fill vacant positions on the subcommittee. The TIBC will approve any proposed changes to subcommittee membership at the next meeting.

However, proposed new members may participate in subcommittee meetings in a non-voting capacity until their official membership is approved.'

Another addition is the attendance requirement. 'TIBC tribal subcommittee members should make every effort to participate in all in-person and webinar phone subcommittee meetings' and this is the same attendance requirement. 'Each rep can backfill their participation at in-person/remote TIBC meetings with their alternate once per cycle unless extenuating circumstances. If a tribal subcommittee member is unable to meet their attendance obligation, the chair will work with the TIBC co-chairs to identify and designate a replacement member'. And it's the same rationale, 'to ensure at each meeting representatives are up to date and actively engaged in their work'. Another section under subcommittee work is that 'each subcommittee leader will designate a single individual either a technical advisor or other staff assistant to act as logistical lead responsible for' there are six points here. 'Working with the leader to 1) schedule meetings, 2) tracking meeting topics, discussion outcomes and follow up, 3) working with the leader to draft meeting agendas and circulate them to membership one week in advance, 4) tracking subcommittee membership attendance and managing a process to onboard new members, 5) working with the leader to draft talking points, meeting minutes and other documents, 6) ensuring the availability of relevant printed materials for each meeting.' And Section H, new, 'Each subcommittee will present to the full TIBC only when there are specific decision items that require consideration by the full body'.

And a few other subcommittee points. 'The TIBC may recommend a budget to support subcommittees created by the TIBC' and I think this is just moved up from further down, 'The TIBC may recommend a budget. All members of the TIBC shall receive written notice of subcommittee meetings in advance and be provided the opportunity to participate telephonically.' And those four are not new. It's just moved up from down here. So it's just approving the moving of that. So that is all of the changes except for data management. 'The Data Management Subcommittee will be chaired by one of the TIBC co-chairs or designee'. And then one small addition. 'Minutes to be approved by the full TIBC'. So Chair, those are the recommended changes to the protocol.

Rick Harrison: I have one additional change that I'd like to see under responsibilities, number one. That's putting all the responsibility on the two representatives to coordinate with the tribes in their region and I think that needs to be shared with the regional office there. So like other language that's proposed it says 'tribal representatives and BIA regional directors'. I think it should say the same thing there.

Kitcki Carroll: These recommendations are a product of the Budget Formulation Workgroup. What's the time sensitivity tied to this?

Amber Ebarb: I think it's whatever the body would like. I don't see any urgency. These are changes that we would implement. This is for improving the effectiveness of subcommittee work and the outreach to the tribes in each region.

Kitcki: I think we should take a little bit more time and address some of these other issues and have a more comprehensive amended version that we don't have to keep coming back and revisiting. Just my thought.

Ron Allen: So you're not objecting to these proposed amendments. What you're saying is there are some areas that need additional inclusion with regard to the mission and intent and the process of the TIBC forum. Is that correct? So one of the questions is we can...there is no urgency, that's true. So we can defer this to our next meeting and give people a little bit of time to look at these proposed amendments which are pretty clean for the most part. There may be some areas where we might tweak it or whatever but it'd be helpful, Kitcki, and anybody else who would like to see some additional inclusions, if there's another section. One of your questions was compensation for participation, travel compensation.

Ron Allen: Okay. So I guess, deferring back to you, Kitcki, if the will of the body is, okay, let's table it and put it back onto the next agenda and then if we have some proposed amendments, one of them was inclusiveness of the other agencies. Was that one of your points?

So what I'm hearing is that we'll defer approval of the proposed amendments to the protocols to the next meeting.

Ranking Tool

Jeannine Brooks: Most of this you guys have already seen because we really haven't moved very much since the last time we've done this whole presentation on status and the '19 we know it was an ugly submission, a very ugly submission. This is a five year comparison so you can see where we compare in our request versus what was enacted and you can see how far down we were for our '19 request. We know that our '19 request was \$2.4 billion, it was substantially down. It did include investments for infrastructure. It included investments... It did include investments for infrastructure, it maintained our energy development funding and it was there to prioritize programs that served more instead of our lesser, the pilot programs and all of that. We've all seen this one several times. On September 28th we got our Continuing Resolution. We were very hopeful we were actually going to get enacted budget this year, this did not happen. Once again we got caught up in the process. We have our CR that goes through December 7th.

It covers a period of 68 days and it gave us 18.63 percent of our funding to cover to that point. We are hopeful that a bill will be passed in December but with the changing of the guard and the push for the border and all of that, there is still...we're a little shaky on whether we're going to end up with another CR in December or a possible shutdown. We're all hoping, praying, crossing our fingers that we will get a full budget. You will notice that due to our House and Senate marks this year everybody did get their full CR funding for all of those programs, even those that were proposed to be eliminated for the year. You can see we put in the House and Senate marked table for you. I know it's probably very small but because we did have both of those marks in you can see both of them are pretty much proposing to restore everything that was processed for elimination in the proposal. So we are hopeful that this will come through. The House was slightly higher than the Senate on most of these. There's a couple items but either way they both propose restoration, just one wanted to give us an increase and the other didn't so those may still be items that they have to go over and kind of have resolution to. It's most likely that we will get funding back. The only thing that's truly in jeopardy is my shop and exec direct because Senate did not propose to restore that whereas the House did or is that the other way around?

One of the two. Yeah, Senate says give it back, House's does not so we are in jeopardy but most of the other programs look like they're going to have some kind of restoration to them. For the 2020 budget proposal, of course they continue the effort to balance the budget in line with the White House. The proposal was sent to OMB on September 10th. We're expecting pass back the week after Thanksgiving so it'll be coming up soon. And while we are still in the reduction scenario, we're doing our best to try and balance the budget. We did fare better than most of the other bureaus. That is a positive within the negative that we have to look at. That is one of the things we talk about, how do we compare to the other bureaus within Interior. We did have to take a lesser reduction in this scenario. I can't be more definitive because we can't talk about it through embargo but we did fare better than most of the other bureaus with this in the pass back so that is a positive where most is negative. And that is just your brief, brief overview on the status of the budget. This is where we talk about the formulation guidelines and how we have changed things and how I'm hoping this is going to come out better for us. Within the guidelines, which everyone has a copy of here, we have modified the way we are getting your preferred programs in.

So we are now doing our tool, instead of having just all 125 lines slapped in front of you and say, 'Pick your top 10,' we are now going to be prioritizing within categories so that our things don't get lost like Natural Resources, like Education. That is one of the big things. Education is included in here. All lines of education are included in here. We are...I was hoping to have it today but we are in the final process of getting a 'Dear Tribal Leader' letter signed that talks about the new formulation process and we actually did two separate letters. One for Education and one just for the overall tool. It is letting tribal leaders know that Education is a part of this tool and that they need to be sure to reach out to their schools to provide their input on those Education line items. Make sure they are a part of this process so that their ranking gets involved as well. So that is one of the recommendations that came out of the workgroup that we are trying to address and make sure we're all inclusive here. But what we're going to be doing with this by doing this, instead of just having your top 10, we will get the top priorities within each of these

categories and when we get that and it's rolled up, the regions will still submit whatever is the top rankings for your region, we're going to bring that data consolidated to a national level back to this group.

So in April when we come back to this session, we will not have just your little top 10 list in front of you. What we are going to have is the results...are the results of prioritization. We will have the regional prioritizations as well as the national prioritization by category. So we want to actually sit with this group and this is where we're going to make strategic decisions. We're not going to do the dog and pony shows anymore. We're not going to have the little presentations and videos and all of that. We're going to bring this to the table and this group is going to sit down and look at what rolled up by region at a national level as well and we're going to sit here and we're going to make decisions on how are we going to go forward with this information. That is where we will also bring all the other types of information you need. After hearing what you said today, I can see we should have had that here as an advance review so maybe we'll get that together and send it out in advance of the April meeting so we have that but we're trying to repackage the way we're doing this so we do have a more meaningful process here. We do intend for the April meeting to be a longer one since we're now joining it. It's not going to be a March and a May meeting. We're having an April meeting that combines both. We do intend for it to be a longer session and that is where we're going to actually sit down and work as a group to come up with the strategy going forward, looking at this, how do we go forward and package everything? We can see what's important to everybody across all of the categories as opposed to just saying, 'These are our top 10 and that's all we're going to look at.' Let's look at the budget as a whole and how do we go forward and what do we want to do with this? We're hoping that'll give us more of an interaction and more strategic budgeting as opposed to what we do now, like he said, coming up with a list and that's it. 'Here's your list of top 10.' So we're hoping it'll be a more meaningful process that way.

Question asked on April meeting.

The TIBC will happen because we are going to make the decisions at that TIBC on what direction the subcommittee needs to go with developing that budget. We can meet beforehand if we want to but the important part is going to be on the back side of that meeting 'cause that's where all the decisions are going to be made with how we want to proceed with a tribal budget.

But the 9th will be the subcommittee meetings day and then 10th and 11th is the TIBC.

Yeah. We'll still have subcommittee meeting days and then we'll move on from there. But then the Budget Subcommittee will be meeting on the tail end of that session as well. I mean, I'll leave that up to the full committee. We put in the timeline dates for them to meet but that of course is flexible with the subcommittee depending on everybody's agenda. We just put it in there because that would be on the tail end of the actual TIBC session. But at least by the third week of April we would hope to have a tribal budget that can be presented to the Assistant Secretary. We put in here that the subcommittee will have to present their full tribal budget to the full TIBC body. That is going to have to be a webinar session 'cause I don't think everyone wants to fly back in for another meeting in April but I think that's doable to present the budget that way. So that's what we proposed here in the timeline. And then it just goes on to our regular...our normal budget schedule where we deliberate. The Assistant Secretary will use that information along with all of her Central and Regional office information.

Comment. Jeannine, I just wanted to thank you again for really hearing what we're saying as far as simplifying the process. It makes a huge difference one very level so thank you. Much appreciated and we'll continue to try to work together to make it as workable as possible. But I think at the end of the day what we really should be doing is trying to work with the budget that you have and that you are required to but also take the information that we're looking to get and then put what the real need is, here's our budget, so that we can sit there and start hammering that home when we're going to the Hill and having our representatives in our own communities sit there and help us get more funding for Indian Country to help fill the obligation. Thank you.

Jeannine: Part of the next meeting is going to be the body deciding the methodology on how we apply any increases and that was detailed in part of these recommendations and so they're supposed to come up with options and we settle on one and then the subcommittee can take that methodology and just apply it.

New Business/Old Business

So under old business the only really thing there is what Amber's already outlined and that's all the recommendations coming from the workgroup and so that's what's in old business. New business, unless there's anything else, that's where we take agenda items and topics from the body that we want to see at the next meeting. So if you don't have anything right this second, think about it, send them to Amber and Jeannine so we can get that agenda out in a timely manner to everybody. The future dates for the next meetings are in the back of the packet here. The next one we just talked about April 9th to the 11th. The July one will be...we don't have a date for that yet 'cause they haven't selected the place we're going to stay but that's in Fairbanks, Alaska. And then the November meeting is the 12th through the 14th back here again. If there's nothing else, I would entertain a motion to adjourn.

Meeting adjourned.