

TIBC Data Management Subcommittee

DRAFT TLOA Report Analysis

September 30, 2020

The Tribal Law and Order Act requires BIA submit to Congress, for each fiscal year, a report that includes:

- 1) the number of full-time employees of the Bureau and tribal governments who serve in Public Safety and Justice programs;
- 2) the amount of appropriations obligated for Public Safety and Justice programs including the methodology used to determine the allocation of funds;
- 3) estimates of unmet staffing needs of law enforcement, corrections, and court personnel; and
- 4) a summary of BIA technical assistance, training, and other support provided to tribal law enforcement and corrections agencies that operate relevant programs.

The TLOA report is limited to the cost of unmet staffing needs and does not address unmet programmatic needs.

- What program data other than staffing is needed?
 - Facilities?
 - Equipment?
 - Program mission costs?
 - What does that mean for each program?
 - How are program mission costs measured?
 - Contract Support or Administrative costs?

2017 Law Enforcement, Detention/Corrections, and Tribal Courts staffing information is estimated, where the BIA staff is actual.

- What can be done to increase available Tribal data/tribal response to data collection requests?

Law Enforcement and Tribal Courts 2017 total estimated costs include P.L. 280 State funding.

- How will P.L. 280 jurisdiction data affect program reporting? How should P.L. 280 data be handled, generally?

“The full scope of unmet needs cannot be addressed without considering non-BIA sources of funding, which are not readily quantifiable. As a proxy for unmet needs the report provides an estimate of total annual costs to operate appropriate-sized, fully staffed Law Enforcement and Detention/Corrections programs as well as Tribal Courts in Indian Country.”

- How will other funding sources be addressed as part of any data collection effort?

BIA used a web-based data collection survey tool accessible to Tribes during the initial iteration of this report.

- There is precedent to collect some of this information online.

Fewer than 60 of the 567 tribes utilized the online tool or met with BIA field managers to report the requested information. The information received from tribes varied substantially in degrees of completeness and proved difficult to verify. To ensure consistency of data, this report utilized models to estimate annual program costs and FTE needs across the board.

- Why were responses so low?
 - How do we increase response rates?
- Why were responses inconsistent?
 - How do we simplify the request of tribal leaders and their staff?
- What are those models used to estimate?

“The BIA uses a Federal financial and accounting system to disburse funding to PS&J programs. The system provides reporting capabilities sufficient to meet TLOA requirements for reporting expenditures for all programs whether BIA or tribally operated, but can only meet the staffing reporting requirements for programs administered by BIA as a direct service to tribes. Therefore, the percentage of need funded by state is used to estimate tribal FTE figures.”

- How can we best address program staffing levels at tribal governments that are relied on, either actually or approximated, in funding for OIP programs?

The report uses analytical tools that are not required in statute such as pie charts, graphs, and infographics on report items.

- They’re helpful.
 - Should analytical charts comparing data be required?

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- How should data collection at IA address this issue?
- What do “appropriate-sized” and “fully staffed” each mean?
- Is there a way to make non-BIA sources of funding more readily quantifiable?

Data Type's historically collected or relied on:

- Number of Tribes per state non-280 states
- Number of Tribes per state 280 states
- Total estimated Indian Service Population by state
- Service Area
- AI/AN / Alone or in Combination with another race (AOIC) living in the Tribal Statistical Area
- AI/AN AOIC living in counties in the area
- Estimate of Federal and Tribal Full Time Employees (FTE) needed for OIP program
- Estimate of cost associated with unmet staffing needs
- Actual FTE funded in a given year
- Actual appropriations Expended in a given year
- Tribal lands
- Age demographics by state
- Gender of population by state
- Population working in civilian jobs
- population available for work but not working
- population who work for a government organization
- estimated range of the percent of tribal families whose income is below the poverty line
- Federally recognized name of Tribe
- location of tribal lands in relation to state(s)
- location of tribal lands in relation to BIA Region
- Federally recognized Tribes by Census Area
- population information from other sources