

2010 Self-Governance Conference

Session 8: Contract Support Costs

Panelists will provide an update on current appropriations and strategies for increasing CSC needs; summary of the DOI funding distributions; updates on DOI policy issues; and an update on current litigation.

Moderator: Nicholas Longley, Compact Negotiator, Northwest Field Office, Office of Self-Governance, DOI

Recorder: Jernda Lawrence, Programs Analyst, Citizen Potawatomi Nation

Panelists:

Rhonda Butcher, Self-Governance Director, Citizen Potawatomi Nation

Lloyd Miller, Partner, Sonosky, Chambers, Sachse, Miller & Munson, LLP

Bryant Rogers, Partner, VanAmberg, Rogers, Vepa, Albeita and Gomez, LLP

Unable to attend - Chris Jock, Policy & Program Analyst, BIA/Office of Indian Services

Unable to attend - Harry Rainbolt, Special Assistant to Deput Director, Indian Services, BIA

Terrance Parks, Chief, Division of Self-Determination, BIA/Office of Indian Services

Notes of Presentation:

NOTE TO ATTENDEESThere are CSC presentation material (jump drive in your packet) under the DOI session.

Lloyd Miller – Brief History of CSC Policy Development & Implementation

- 2003 BIA initiated process to develop CSC Policy (started with IHS CSC Policy)
- 2006 BIA CSC Policy was approved – Implementation has been rocky and slow—especially problems with CSC Shortfall report
- 2009 Shortfall report has not been completed. This is a big issue because of new CSC moneys that need to be distributed. Accurate CSC Shortfall report is important to distribute funds according to policy.

There may have to be a partial distribution of CSC funds before the CSC Shortfall Report is finalized – just to get some dollars out to tribes.

Rhonda Butcher – BIA Contract Support Cost Policy Implementation Update

CSC Increases 2010 = \$20,706,000

2011 = \$21,526,000

- Issues with Current Shortfall Report

Outdated rates, passthrough inconsistencies, expired rates, Direct CSC inconsistencies, multiple rates, "Choctaw Schools", multiple rates & salary only rates

- Possible part-distribution of CSC funds – CSC Workgroup is meeting this afternoon to make headway on the CSC Shortfall report so CSC dollars distribution can be made.
- Intent is to get "caught up" and get 100% funding for CSC and to receive CSC along with Direct Dollars as appropriated.

Terrance Parks

- Currently have a new draft of Shortfall Report for the Workgroup to review this afternoon – still working on getting the Choctaw Schools included within the next 2 weeks.
- Draft distribution will be prepared and presented to work group and then to tribes (Tribes will have 60 days to verify and made any changes.)
- Modifications will be made and distributions made.
- SG Tribes should go to the OSG office to get their CSC Shortfall Report information.

Bryant Rogers

- Passthrough information – Tribes must give BIA accurate information—BIA cannot accurately estimate that data.
- CSC Payments Received is problematic – Make sure payments received are only those amounts for the reporting year. Don't include payments from prior years.
- Make sure to use the most current rate for the applicable year available. For example, use the latest 2009 rate available for the 2009 Shortfall report.
- Special accommodations for Choctaw Schools are currently being worked out by CSC Workgroup

Tribes need to review their data in the CSC Shortfall report to make sure it has been enter accurately. CSC Workgroup is working with BIA to get the draft CSC Shortfall Report to tribes on a timely basis. 2009 Draft CSC Shortfall Report is available on the OSG website.

Participant Comments & Questions

- BIA needs to live up to their responsibility of providing timely, accurate CSC Shortfall data for all tribes so the CSC distribution is fair and according to their CSC Policy.
- There needs to be tribal consultation involved in National Business Center's (NBC's) policy changes. There was a suggestion to create a NBC Workgroup.