



# 2017 TRIBAL SELF-GOVERNANCE ANNUAL CONSULTATION CONFERENCE

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PROGRESSIVE PARTNERSHIPS: INVESTING IN TRIBAL NATION BUILDING

## Recorder Form

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Recorder: Angela Salazar-Willeford

Date: April 25, 2017

Session Title: Developing A strategic Indian Affairs Budget

Panelists: W. Ron Allen, Darrel G. Seki, Kitcki Carroll, Dave Conner.

Summary of Issues and Items Discussed:

**Ron Allen-** Gave an overview of the Federal Budget Process, TIBC and the Budget Subcommittee and provided reasons why it is so important for tribes to advocate on their behalf and know the needs for their community. Tribes identify their budget priorities through the TIBC Budget Process. Those priorities are aggregated at the National level and then negotiated by the TIBC Budget Subcommittee before it is presented to the full TIBC Committee. After TIBC finalizes and approves the Budget it is formally presented to the AS-IA. The AS-IA receives two budget directives: one from the Tribes and one from the Administration so he essentially wears two hats. On the one hand he needs to advocate on behalf of the Tribes but he is also expected to uphold the Presidents priorities. Sometimes the priorities align and other times they don't. Congress also plays a key role in the process and when the Administration reduces or eliminates a Tribal program or service Tribes will often turn to their congressional delegation for funding to support that program or service. Tribes have many opportunities to advocate for their funding priorities through Appropriations testimony, letters, calls and visits with their congressional delegation, other members of congress and the Administration. The Chairman has served on the TIBC since its inception and recognized the importance of the committee and the role that it serves. He also stressed the importance of Tribal representation and urged Tribes who are appointed to the committees to show up and participate.

**Advocate and make sure you know the needs of your community.**

**Darrel Seki-** It is important to stress to Congress the need to uphold treaty and trust responsibilities because they are mandatory obligations even though they are funded out of the discretionary side of the budget. Tribes also need to back up their funding requests with data to support those requests. Show Congress that Tribes are more efficient and effective at managing programs and services for their communities. Tribes are also very good at leveraging the Federal investment.

**Kitcki Carroll-** Budget formulation is necessary due to BIA Trust and Treaty Obligations being addressed in a yearly discretionary manner. Inconsistently applied formulation process applied across the regions results in challenging national roll-up. BIA budgets reflect multiple issue areas, including, Tribal government, social services, economic development, transportation, housing, law enforcement, education, etc. and includes 125 line items. Prioritization in the budget process is challenging to say the least. Many Tribal leaders have expressed principled opposition to this approach. The current process is based on investment/performance v. mandatory/entitlement and grant driven methodology v. fulfillment of an obligation creating constant pressure to justify Indian country appropriations. Reporting to justify the investment runs counter to the intent of Self-Governance. Mandatory Reporting Requirements are not included in the Self-Governance regulations. Self-Governance Tribes are required to report only when it is mandated by statute or regulations that have not been waived. Many challenges exist across Indian country due to lack of sufficient funding. There is a need for a Federal report card on how Congress and the Administration are meeting their federal obligations. Indian country has two choices: push for change or accept the yearly discretionary model/process that falls short of

meeting our Trust and Treaty Obligations. Foreign Aid comprised of military and economic assistance is given to developing countries, countries of strategic importance to the US, countries recovering from war, etc. In FY2012, \$48.4 billion dollars was provided in foreign aid and in FY2013 \$50.6 billion dollars was provided. Accounting for private US contributions, the figure is well over 100 billion annually. US Commission on Civil Rights released a Report called "A Quiet Crisis: Federal Funding and Unmet Need in Indian Country, 2003." The study revealed that funding for Indian country is insufficient to address the basic and urgent needs of Indian country. He is a member of the TIBC and stressed the importance of this committee and how effective it has been. Stressed the need for Tribes to advocate with Congress.

**Dave Conner-** Advocate for Tribal priorities with the Administration. Convince Secretary Zinke that BIA should be a priority within Interior's Budget pointing out that historically it has not advanced as well as the other agencies. Sometimes the Secretary does have authority to shift more resources to the BIA and Tribes in the Annual Budget Process unless Congress restricts how funds are allocated. When sequestration hit in FY2013, Tribes and NCAI undertook several initiatives to raise the awareness of the damage that occurred from sequestration being imposed on Tribal programs and services. The strategy included efforts to get the press' attention across the country and to track those efforts, as well as, hosting a Tribal unity day in DC. The President has indicated his budget priorities are defense, homeland security and border protection to include a \$54 billion dollar increase to defense spending at the expense of discretionary programs. Tribal programs and services are funded out of the discretionary side of the budget. The President proposed a 12% budgetary reduction for Interior in FY2018. There is also a return of the Bush era "overseers" at the agency level. Other Tribal programs throughout other agencies have also been slated for budgetary reductions or complete elimination. The agency with the biggest decreases proposed is the EPA with a 45% proposed cut for FY2018. Tribes have been strategizing about the best way to advance their priorities and have been looking for ways to align their budget priorities with the Administration's stated priorities of Infrastructure, Safer Communities and Clean Air and Water. At times, Tribes take their requests to the hill if they are facing challenges trying to advance it with the Administration. During the House Appropriations Hearing on former President Obama's FY2016 Budget, which proposed a large 12% increase for the BIA, some of the Republican members said the President had put them in a bad spot because they wanted to assist Tribes but they couldn't provide such a large increase in spending. However, Congressman Cole indicated when they hear from Tribes through letters and meetings it does help justify greater increases for Tribal programs. Tribes need to be strong advocates by providing Appropriations testimony for all Tribal programs and services that exist within every agency budget: DOI, HHS, HUD, Transportation, DOJ, etc. Republicans are concerned about reducing the national deficit. Under a Republican Congress and Administration it is likely that in addition to steep cuts we may also face across the board budgetary rescissions and the underfunding of fixed costs and pay costs.

Questions from the Audience:

Mohegan Chairwoman- Make sure to advocate on a bigger scale.

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