

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUDGET JUSTIFICATIONS, F. Y. 1981**

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Curt AD (Admin)
Mar 2 1980*



BUREAU OF INDIAN AFFAIRS

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUDGET JUSTIFICATIONS, F. Y. 1981**



BUREAU OF INDIAN AFFAIRS

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Budget Estimates, Fiscal Year 1981
Congressional Submission

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

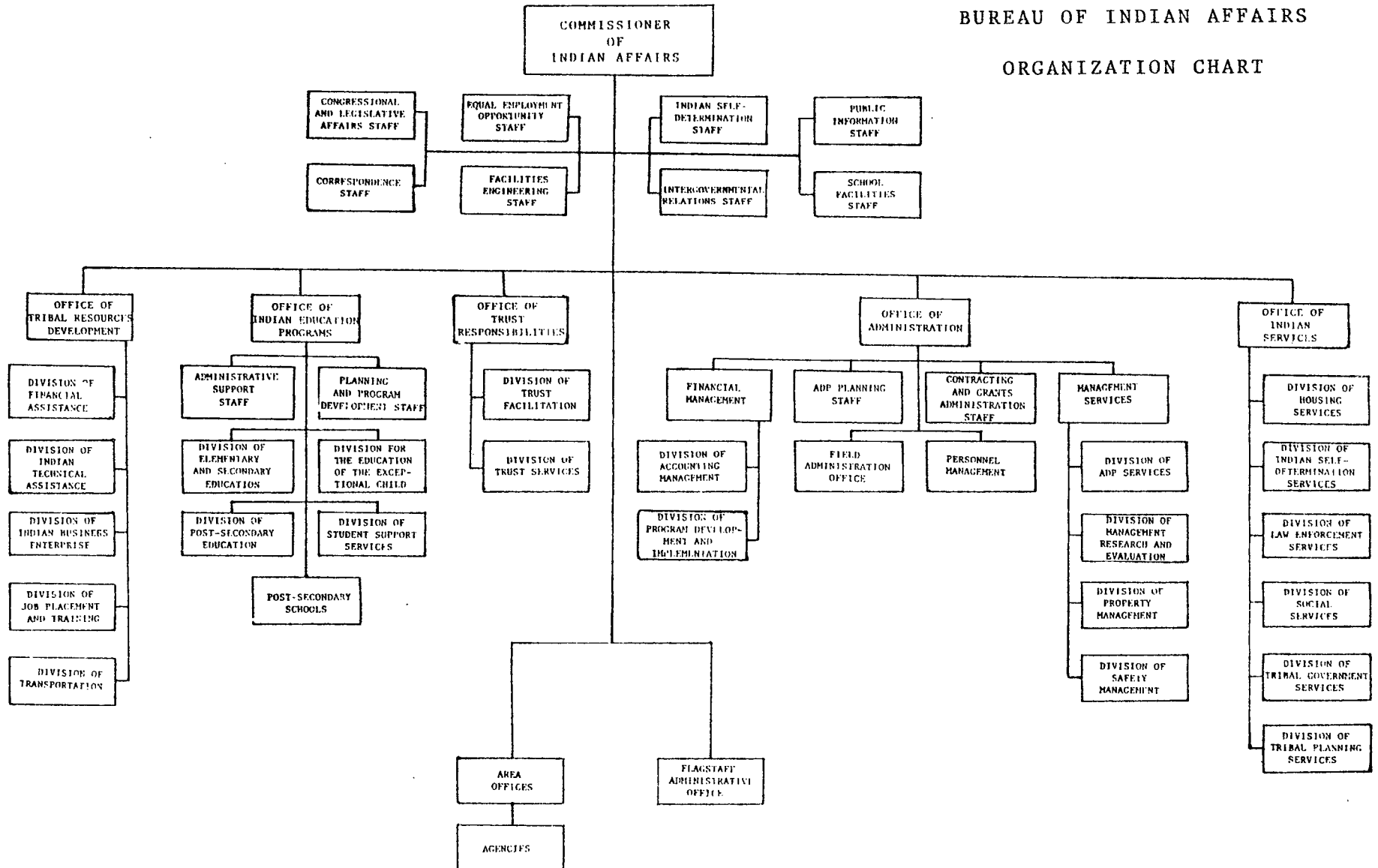
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SUMMARY

BUREAU OF INDIAN AFFAIRS
 ORGANIZATION CHART



BI-A-1

General Statement

The Bureau of Indian Affairs was created in the War Department in 1824 and in 1849 was transferred to the Department of the Interior. The history of the relationship between Indian Tribes and the U.S. Government reveals that the mission of the BIA was founded on a government-to-government relationship and the trust responsibility. The Bureau, therefore, as an agent of the U.S. Government, recognizes a fundamental responsibility to American Indian Tribes, Alaska Native groups and the Tribal form of government. The Bureau's mission is presently viewed as three-fold; (1) to recognize and preserve the inherent rights of Tribal self-government, to strengthen Tribal capacity to govern, and to provide resources for Tribal Government programs; (2) to pursue and protect the sovereignty and rights of American Indian Tribes and Alaska Native groups in dealing with other governmental entities and the private sector; and (3) to fulfill and execute the Federal Government's trust obligation to American Indian Tribes and Alaska Native groups.

The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provided substantive law for appropriations covering the activities by the Bureau of Indian Affairs. The scope and character of the authorizations contained in this Act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 948; 25 U.S.C. 461 et seq.) and by the Indian Self-Determination and Education Assistance Act of 1975 (188 Stat. 2203; 25 U.S.C. 450) and by amendments of Title XI of the Elementary and Secondary Act of 1978 (P.L. 95-561). These authorities have recently been further expanded by the Indian Child Welfare Act of 1978, (P.L. 95-608) and the Tribally Controlled Community College Assistance Act of 1978 (P.L. 95-471).

The following summary provides a comparison between 1980 appropriations enacted to date and the 1981 request:

Appropriation (\$ in 000)	1980 Approp- riation	1981 Estimate	+ or -	Perm/Empl 12/31/79
Operation of Indian Programs. (\$)	789,051	823,290	+ 34,239	
(FTP)	12,476	12,427	- 49	11,297
Construction..... (\$)	93,291	93,638	+ 347	
(FTP)	123	123	- 0	112
Road Construction..... (\$)	66,479	59,425	- 7,054	
(FTP)	370	370	0	317
Alaska Native Claims..... (\$)	30,000	30,000	0	
(FTP)	0	0	0	0
Northwest Indian Fisheries... (\$)	0	5,000	+ 5,000	
(FTP)	0	0	0	0
Total Federal Funds, BIA..... (\$)	978,821	1,011,353	+ 32,532	
(FTP)	12,969	12,920	- 49	11,726

(\$ in 000)	1980 Approp- <u>riation</u>	1981 <u>Estimate</u>	<u>+ or -</u>	Perm/Empl <u>12/31/78</u>
<u>Appropriation</u>				
<u>Trust Funds</u>				
Miscellaneous Approp..... (\$)	23,400	23,400	0	
(Indefinite Special Funds)...(FTP)	360	360	0	319
BIA Trust Funds..... (\$)	557,399	552,099	- 35,300	
(Permanent Indefinite)...(FTP)	83	83	0	66
Total..... (\$)	<u>1,559,620</u>	<u>1,556,852</u>	<u>- 2,768</u>	
	(FTP) 13,412	13,363	- 49	12,111

Highlights of 1981 Request

The purpose of this budget request is to make possible the achievement of the Bureau mission. There are new initiatives and specific objectives to enhance and strengthen existing programs consistent with the mission. The direction provided by tribal leadership and Congressional oversight is addressed by an on-going effort aimed at overall Management Improvement to provide better services to Indian Tribes and their people.

The zero based budget process has again been used as an additional technique in the refinement of the tribal priority system. This use has provided opportunities for tribal governments to participate in the Federal budget process. Tribal priorities are reflected in this budget. The input from the tribes was on both the location and function basis. Increases in the Tribe/Agency portion of this budget includes funding for new tribes, P.L. 93-638 pay costs and annualization of pay cost for Federal employees. The base funding subject to tribal priorities remains the same, but does reflect offsetting increases and decreases in various programs due to changes in priority ranking.

An analysis of our appropriation by location is reflected in the table below (in thousands of dollars).

	<u>1979 Actual</u>	<u>1980 Est.</u>	<u>1981 Est.</u>
Direct program			
Tribe/Agency Operations.....	\$ 215,236	\$ 258,481	\$ 274,088
Area Operations.....	36,149	44,376	43,680
Central Office Staff Operations....	22,901	24,611	25,010
Field Program Operations.....	<u>408,417</u>	<u>474,427</u>	<u>480,512</u>
Total direct program.....	682,703	801,895	823,290
Reimbursable program (total).....	<u>12,698</u>	<u>36,220</u>	<u>36,220</u>
Total program.....	695,401	838,115	859,510

Tribe/Agency operations are those programs in which tribes formally participate in setting funding priorities. These programs include housing, law enforcement, economic and natural resources development and other activities similar to those conducted by a State or local government.

Central and Area Office operations represent funding for program management and Executive direction.

Field program operations support those national programs, such as education, facilities management, rights protection and welfare which are the unique responsibility of the Bureau because of its special relationship to Indians and Indian Tribes.

The changes between the 1981 base and the 1981 request are highlighted below by activity.

Operation of Indian Programs:

Indian Education \$264.7 Million

In fiscal year 1981, \$264.7 million is requested for Indian Education. This is a decrease of \$9.5 million consisting of reductions of \$4.4 million in School Operations and \$5.2 million in Continuing Education including Scholarship grants, Adult Education and Post Secondary Schools. Johnson-O'Malley is increased by \$0.1 million.

Indian Services \$221.2 Million

In 1981, \$221.2 million is requested which is an overall increase of \$16.9 million over the base.

A proposed program of \$91.7 million, an increase of \$4.2 million, in Social Services programs consists principally of requirements related to the Child Welfare Act. Shown as a part of the increase is \$3.0 million which replaces savings brought forward from 1979.

The \$19.6 million Housing Program requested for FY 1981, will continue the long-range objective of the Bureau to eliminate substandard housing on Indian reservations.

The \$50.4 million Self-Determination Services program is an increase of \$2.9 million and includes \$25.9 million for tribal overhead costs associated with P.L. 93-638 contracts, \$18.2 million for Self-Determination grants and \$6.3 million for Training and Technical Assistance including the recently created Office of Technical Assistance and Training located in Brigham City, Utah.

Tribal governments will also benefit from increased funding for government functions such as Law Enforcement, Courts and General Government Operations. The budget includes an increase of \$2.9 million for Law Enforcement and \$6.8 million for Aid to Tribal Government, including Tribal Courts.

Economic Development and Employment Program \$74.6 Million

The FY 1981 request of \$74.6 million, is a decrease of \$4.1 million compared to the base.

The net decrease of \$4.1 million results from a \$1.4 million reduction in the Indian Action Program, a \$3.6 million reduction in Employment Assistance, a \$0.4 million reduction in Business Enterprise Development, and a \$1.3 million increase in Road Maintenance.

Natural Resources Development \$80.1 Million

The request of \$80.1 million for Natural Resources Development in FY 1981 is an increase of \$5.8 million over the base level. The request will fund programs in Minerals and Mining resources, Forestry, Agriculture, Irrigation and Power Operation and Maintenance, Water Resources, multi-discipline natural resource efforts, Wildlife and Parks and Fisheries Management.

Trust Responsibilities \$44.1 Million

The requested \$44.1 million for FY 1981 represents a decrease of \$0.6 million.

Strengthening the Trust Responsibilities role continues to be a goal of the Bureau. The FY 1981 request will fund programs to carry out the Federal trust responsibility. This proposal includes a reduction of \$3.4 million in Indian Rights Protection and an increase of \$2.9 million in Real Estate and Financial Trust Services and Environmental Quality Services. Included is \$1.0 million to provide improved lease and permit compliance and to adequately protect the Indian landowner and the Indian Trust Estate.

This budget request would also continue other litigation efforts, appraisals, cultural resources activities (archeological clearances), and provide funds for research and follow up work on claims filed under the Statue of Limitations.

General Management and Facilities Operation \$136.6 Million

The proposed \$136.6 million program is an increase of \$6.1 million over the 1981 base.

Included in the fiscal year 1981 request is \$48.5 million to provide for the General Management and Administration of the Bureau, a decrease of \$0.6 million. Also included is \$4.5 million (a decrease of \$0.1 million) in Program Support Services which includes Safety Management and Employee Compensation.

\$85.6 million is requested for Operation and Maintenance of Bureau-owned facilities and rentals for space provided by GSA in GSA-owned or leased facilities. This is an increase of \$6.8 million.

Construction (Buildings and Utilities) \$45.1 Million

The 1981 request for Construction of Buildings and Utilities is \$45.1 million including \$19.5 million for three new schools; Red Rock Day School, Arizona; Torreon Day School, New Mexico; and Turtle Mountain High School, North Dakota. The request also includes \$1.3 million for sewer lines at Mt. Edgecumbe, Alaska and \$21.5 million for Facility Improvements and Repair to correct unsafe and/or unsanitary conditions, to initiate high priority energy conservation projects and to correct other deficiencies in existing Bureau facilities.

Irrigation Construction \$48.6 Million

The proposed Irrigation Construction program would provide a total of \$48.6 million including \$18.0 million for continuing construction on the Navajo Indian Irrigation Project. Other irrigation projects totalling \$27.0 would be funded including the legislatively mandated projects at Ak Chin, Arizona for \$10.0 million and at Fallon, Nevada for \$3.0 million. Also included is \$5.2 million for the Grass Rope Project in South Dakota. The request also includes \$2.8 million for supervision and engineering for irrigation construction and rehabilitation work on Indian irrigation projects throughout the arid west.

Road Construction \$59.4 million

New budget authority of \$59.4 million is proposed for construction of the Indian road system. The proposed program for FY 1981 will allow the Bureau to continue its efforts to provide a transportation network upon which social, economic and educational achievements may be achieved.

Alaska Native Claims \$30.0 Million

Included in the fiscal year 1981 budget request is \$30.0 million for payment to the Alaska Native Fund for settlement of land claims of Alaska Natives as authorized by P.L. 92-203, December 18, 1971. Funding to date has been \$12.5 million in FY 1972; \$50.0 million in FY 1973; \$70.0 million in FY 1974, in FY 1975; and in FY 1976; \$40.0 million in the transition quarter and \$30.0 million each in fiscal years 1977, 1978, 1979 and 1980. The FY 1981 increment of \$30.0 million completes funding of the authorized amount of \$462.5 million.

Northwest Indian Fisheries Fund

Proposed legislation is being offered to assist treaty and non-treaty harvesters of salmon and steelhead resources in the Boldt Decision area. The legislation would establish a \$15.0 million fund for loans to assist Indian tribes or corporations in carrying out projects to modernize and develop Treaty Tribe fishing operations. The first \$5.0 million increment is requested for this fund in FY 1981.

Emphasis in 1981

The on-going Management Improvement efforts of the Bureau will be continued and enhanced. The end result will be improved accountability to the Congress and Indian people as well as greater efficiencies in the delivery of services. This program will be strengthened by establishment of measures which can be used to evaluate programs in both fiscal and programmatic terms. The major effort to decentralize and to improve staff capability and funding at the local level will be continued.

This budget proposal includes funds which will make it possible to extend full services to newly recognized tribes.

Tribal governments will benefit and be strengthened by increased funding for such programs as Law Enforcement, Aid to Tribal Government, Tribal Courts, and Self-Determination Services.

The Facilities Improvement and Repair program will continue to give emphasis to correction of unsafe and/or unsanitary conditions and the initiation of high priority energy conservation projects.

OPERATION OF
INDIAN PROGRAMS

Appropriation Summary Statement

Appropriation: Operation of Indian Programs

The Operation of Indian Programs appropriation consists of a wide range of services to provide the American Indian with the opportunity to live in prosperity, dignity and honor. Special emphasis is placed on tribal participation and involvement in attaining these goals. Activities that provide these services are:

1. Education - The Bureau of Indian Affairs provides a variety of support for the education of Indian children through direct operation of schools, support of tribally operated schools, and financial assistance to public schools serving Indian children. The number of children enrolled in Federal, tribal, and public schools is shown below:

	<u>1979</u>	<u>1980</u>	<u>1981</u>
Number of pupils:			
Federal and tribally operated schools	43,784	45,777	45,777
Public schools.....	180,000	182,000	182,000

The Bureau also assists Indian adults by providing financial assistance to students for higher education studies, by direct support of some tribally operated post-secondary institutions, and by offering continuing education programs in many communities. The number of participants in these programs is indicated in the following table:

	<u>1979</u>	<u>1980</u>	<u>1981</u>
Continuing Education participants:			
Higher education scholarships.....	21,000	22,000	23,430
Adult education enrollments.....	18,350	18,500	18,500

2. Indian Services - This activity includes municipal-type government services for Indian communities, along with assistance to tribes in self-government and self-determination projects. Also, the activities associated with the Navajo-Hopi settlement are included. Data are presented below on selected aspects of this activity.

	<u>1979 act.</u>	<u>1980 est.</u>	<u>1981 est.</u>
Social Services Caseloads:			
General assistance.....	61,500	58,100	58,100
Child Welfare.....	3,300	3,300	3,300
Families receiving services.....	15,775	15,775	15,775
Family Houses Started:			
New.....	530	445	395
Rehabilitation.....	2,890	2,360	2,600
HUD-assisted.....	4,600	5,000	5,000

3. Economic development and employment programs - This activity is designed to stimulate reservation economies, and to help Indian people participate fully in those economies.

Business enterprise development is encouraged and assisted through programs of technical and financial aid, with emphasis on enterprises owned and operated by Indian individuals and organizations. Indian tribal organizations and individuals are assisted with securing and managing loans for resource and business enterprise development, housing, public utility facilities, education, and other purposes. Individual Indians are assisted in qualifying for, finding and occupying jobs on and off the reservation consistent with their needs, capabilities, and desires. Roads are maintained to provide for the movement of people and goods as needed for the well-being of the community.

4. Natural resources development - This activity is designed to provide for the conservation, development and utilization of Indian land, water, and related resources. Resources are surveyed and inventoried, and agriculture and forestry development is assisted.

5. Trust responsibilities - Under this activity the Bureau's trust responsibilities toward the Indian people are carried out. This entails the protection of Indian rights and property, particularly those related to land and natural resources, and the management of assets held in trust for Indian tribes and individuals.

6. General management and facilities operation - This program provides for the general management functions and for the operation and maintenance of federal facilities which support the Bureau's programs. These functions include executive direction; administrative services; safety management; operation and maintenance of Bureau facilities; and provision of GSA-owned or leased facilities.

The total appropriation requested for 1981 is \$823,290,000 an increase of \$14,525,000 over the 1981 base program. Program increases include Indian Services, \$16.9 million; Natural Resources Development, \$5.8 million; Management and Administration, \$6.1 million. Decreases are proposed in Education, \$9.5 million; Economic Development and Employment Programs, \$4.2 million; and Trust Responsibilities, \$0.6 million.

BUREAU OF INDIAN AFFAIRS

Summary of Requirements
(Dollar amounts in thousands)

Appropriation: Operation of Indian Programs

<u>Summary of adjustments to base and built-in changes:</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>
Appropriation enacted to date, 1980.....			12,476	789,051
Adjustments to base and built-in changes:				
Adjustment for 1980 pay increase and related costs.....		+19,441		
Other increases.....		+994		
Other decreases.....		-721		
Subtotal, adjustments to base and built-in changes.....				+19,714
1981 Base.....			12,476	808,765

Summary of Requirements
(Dollar amounts in thousands)

<u>Comparison by activities:</u>	<u>1979 Actual</u>		<u>1980 Approp.</u> <u>Enacted to Date</u>		<u>1981 Base</u>		<u>1981 Estimate</u>		<u>Inc. (+)</u> <u>or Dec. (-)</u> <u>Over 1981 Base</u>	
	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>
Education:										
School operations.....	5,187	\$181,128	5,011	\$181,625	5,011	\$189,640	5,008	\$185,255	-3	-\$4,385
Johnson O'Malley educational assistance	-	31,675	-	29,388	-	29,388	-	29,469	-	+81
Continuing education.....	88	49,439	71	54,918	71	55,261	71	50,017	-	-5,244
Subtotal.....	5,275	262,242	5,082	265,931	5,082	274,289	5,079	264,741	-3	-9,548
Indian services:										
Tribal government services.....	195	17,619	187	16,734	187	16,781	186	23,606	-1	+6,825
Social services.....	392	84,575	384	87,024	384	87,561	384	91,700	-	+4,139
Law enforcement.....	472	26,856	455	27,317	455	27,502	462	30,386	+7	+2,884
Housing.....	101	24,438	99	19,306	99	19,472	98	19,624	-1	+152
Self-determination services.....	48	46,863	120	45,112	120	47,409	120	50,358	-	+2,949
Navajo-Hopi settlement program.....	9	4,847	29	5,485	29	5,498	29	5,498	-	-
Subtotal.....	1,217	205,198	1,274	200,978	1,274	204,223	1,279	221,172	+5	+16,949

Summary of Requirements
(Dollar amounts in thousands)

(cont'd)

Comparison by activities:	1979 Actual		1980 Approp. Enacted to Date		1981 Base		1981 Estimate		Inc. (+) or Dec. (-) Over 1981 Base	
	Perm.		Perm.		Perm.		Perm.		Perm.	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Economic development and manpower program:										
Employee development.....	390	56,543	384	51,420	384	51,899	333	46,821	-51	-5,078
Business enterprise development.....	233	9,564	224	8,502	224	8,820	223	8,448	-1	-372
Road maintenance.....	268	17,055	266	17,426	266	18,000	263	19,300	-3	+1,300
Subtotal.....	891	83,162	874	77,348	874	78,719	819	74,569	-55	-4,150
Natural resources development:										
Forestry and agriculture.....	1,118	63,115	1,088	53,707	1,088	61,484	1,096	67,253	+8	+5,769
Minerals, mining, irrigation & power...	27	12,223	27	12,772	27	12,800	27	12,845	-	+45
Subtotal.....	1,145	75,338	1,115	66,479	1,115	74,284	1,123	80,098	+8	+5,814
Trust responsibilities:										
Indian rights protection.....	98	19,827	98	25,770	98	19,845	99	16,368	+1	-3,477
Real estate and financial trust services.....	680	21,890	712	24,478	712	24,891	714	27,772	+2	+2,881
Subtotal.....	778	41,717	810	50,248	810	44,736	813	44,140	+3	-596
General Management & facilities										
Operations:										
Management and administration.....	1,628	41,098	1,646	48,022	1,646	49,128	1,639	48,511	-7	-617
Program support services.....	41	3,896	41	4,049	41	4,581	41	4,455	-	-126
Facilities management.....	1,575	77,687	1,634	75,996	1,634	78,805	1,634	85,604	-	+6,799
Subtotal.....	3,244	122,681	3,321	128,067	3,321	132,514	3,314	138,570	-7	+6,056
Increases.....									-49	+14,525
Total requirements.....	12,550	790,338	12,476	789,051	12,476	808,765	12,427	823,290		

BIA-11

Justification of Adjustments to Base and Built-in Changes
(dollar amounts in thousands)

	<u>Perm.</u>	<u>Pos.</u>	<u>Amount</u>
<u>Adjustments for 1980 pay increase and related costs</u>			
Total cost in FY 1980 of pay increase.....	--		+19,094
Less amount absorbed.....	--		-6,250
Anticipated FY 1980 pay increase supplemental.....	--		+12,844
Additional amount in FY 1981 to provide full-year cost of pay increase.....	--		<u>+6,597</u>
Total.....	--		<u>+19,441</u>

The anticipated supplemental in 1980 of \$12,844,000 includes \$10,051,000 for the general schedule pay increase effective October 1, 1979, and \$2,793,000 for wage board pay increases granted or to be granted during 1980. In addition \$6,250,000 will be absorbed.

An additional \$6,597,000 is required in 1981 to cover the full-year cost and absorption of the 1980 supplemental and includes \$5,161,000 for general schedule and \$1,436,000 for wage board.

Other Increases:

Employee Compensation Fund.....	--		+494
Rent payment to GSA (SLUC).....	--		+500
OTAT Consolidation (Self-Determination Services).....	+75		+3,007
Forestry and Agriculture.....	--		+6,126

The increase in the repayment to the Employees' Compensation Fund is the result of higher costs in 1979 than in 1978. The 1979 charges will be reimbursed to the Department of Labor, Employees' Compensation Fund in 1981 pursuant to Public Law 86-767.

The GSA conducted a Fair Annual Rental (FAR) appraisal for 1981 which resulted in increases over the 1980 rates. The FAR estimate of \$7,200,000 for 1981 rent payments to GSA was subtracted from the 1980 estimate of \$6,700,000 for rent payments to GSA for an increase of \$500,000. This increase is only base costs, and allows for no new space.

The increase in Self-Determination Services is the net result of a shift of \$3,007,000 to the Office of Technical Assistance and Training (OTAT). These funds are for functions and organizational units being consolidated into OTAT in FY 1980 which will be offset by decreases below, and are as follows:

	<u>\$M</u>	<u>Pos.</u>
School Operations.....	168	7
Continuing Education.....	308	17
Tribal Government Services.....	343	13
Law Enforcement.....	413	5
Self-Determination Services (T/TA).....	53	1
Forestry and Agriculture.....	56	2
Real Estate & Financial Trust Services..	620	18
Management and Administration.....	<u>1,046</u>	<u>12</u>
	3,007	75

The increase in Forestry and Agriculture is the net result of shifts to and from Rights Protection involving fishery operations and studies as follows (offsetting amounts are shown under decreases below):

Boldt Decision.....	+5,026
Columbia River Fishing.....	+600
Fish and Game Management.....	+1,000
Pyramid Lake Fishery Studies.....	-500
	<u>+6,126</u>

Other Decreases:

	<u>Perm.</u>	<u>Amount</u>
	<u>Pos.</u>	
OTAT Consolidation.....	-75	-3,007
Rights Protection.....	-	-6,126
Self Determination Services.....	-	-721

The decrease for OTAT is an offsetting adjustment and is explained above under "Other Increases" -- OTAT Consolidation.

The decrease under Rights Protection is an offsetting adjustment and is explained above under "Other Increases" -- Forestry and Agriculture.

The decrease in Self-Determination Services reflects transfer of funding from contract support to the Office of the Inspector General, Office of the Secretary.

Justification of Program and Performance

Activity : Education
 Subactivity: School Operations

(Dollar Amounts in Thousands)

<u>Program Categories</u>	<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Indian School Equalization Formula	\$ 152,540.5	160,244.9	153,480.6	- 6,764.3
Institutionalized Handicapped	-0-	-0-	2,436.2	+ 2,436.2
School Disaster Contingency Fund	\$ 750.0	750.0	750.0	+ -0-
School Board Training Fund	\$ 1,194.1	1,194.1	1,219.1	+ 25.0
Transportation	9,180.6	9,180.6	10,098.7	+ 918.1
Administration for Central, Area & Agency Offices	\$ 13,438.7	13,749.0	13,749.0	-0-
Interim Formula Implementation Funds	\$ <u>4,521.4</u>	<u>4,521.4</u>	<u>3,521.4</u>	- <u>1,000.0</u>
Program Total	\$ 181,625.3	189,640.0	185,255.0	- 4,385.0
	(FTP) (4,772)	(4,772)	(4,769)	(-3)

Authorization: 25 U.S.C. 13 and P.L. 95-561

Objectives: To provide for the education of Indian children through the operation of 224 schools composed of reservation day schools, reservation boarding schools, off-reservation boarding schools, and dormitories for students attending public schools.

To provide financial assistance to schools under contract to tribes which were formerly operated by the Bureau, mission groups or tribes.

Base Program: P.L. 95-561 and its implementing regulations (25 CFR 31h) have necessitated a restructuring of the school operations budget. Funding under the regulations will be allotted to each school. To this end, a new Indian School Equalization Program has been established to identify specific categories and funds for an equitable distribution of funds according to a new weighted formula. Each of these categories are separately addressed in the following text beginning with an explanation of the formula.

A. Indian School Equalization Formula (ISEF).

1. Basic Weights. The Indian School Equalization Formula distributes the major portion of BIA school operations funds for instruction, boarding and dormitory costs based on a weighted student funding approach. Student counts are weighted according to membership in the different programs. Each program has been assigned a weight which reflects its relative cost. A base amount, called the weight of 1.00, is set to show the least expensive programs. Kindergarten and grades 4 to 8 are programs that serve as the base amount. The basic program weights were established on the educational premise that more should be spent in grades 1-3 in order to give these children a good start in their educational development, and that greater resources are required to support the higher cost of many high school programs, especially vocational courses, extra-curricular events and several small class special curriculum courses. Therefore, the following weights have been assigned to the instructional program:

Basic Programs	Basic Weights
Kindergarten	1.00
Grades 1 - 3	1.20
Grades 4 - 8	1.00
Grades 9 - 12	1.30

2. Bilingual Factor. In addition to counting students in these basic programs, the formula allows for counting again some students in special programs and receiving additional dollars to cover the costs of their added special services. The weights in these areas are called add-on weights because they represent dollars that are in addition to the dollars all students generate in the basic program. For students whose primary language is not English, an add-on weight has been established for bilingual education.

Intense Bilingual	.20
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3. Exceptional Factor. Other add-on weights for the exceptional child programs are listed below. Full-time programs are for students who spend at least sixty percent of their time receiving special education services, while part-time service weights are to cover the costs of resource rooms, contract or itinerant teacher services.

<u>Full-Time Service</u>	<u>Add-On Weight</u>
Deaf	3.00
Blind	3.00
Severely Multi-handicapped	3.00
Severely & Profoundly Retarded	3.00
Students Requiring Hospital/ Homebound Instruction	3.00
Severely Emotionally Disturbed	3.00
Specific Learning Disability	1.00
Mentally Retarded	1.00

Part-Time Service

Speech Impaired	.25
Hard of Hearing	.25
Visually Handicapped	.25
Orthopedically Impaired	.25
Health Impaired	.25
Emotionally Disturbed	.50
Specific Learning Disability	.50
Mentally Retarded	.50
Multi-handicapped	.50

4. Boarding Factor. In addition to providing for extraordinary instructional costs for students with special needs, the formula provides funds for costs associated with boarding students. The following weights are applied for students who are in boarding schools or dormitories:

Residential Basic Programs

Grades 1 - 3	1.40
Grades 4 - 8	1.25
Grades 9 - 12	1.25

5. Residential Guidance Factor. An additional weighted unit is provided resident students who need special residential services due to one or more problems. The nature of the problem(s) must be documented in prior school record(s), court record(s) and/or social agency records. That program is named and weighted as follows:

Intense Residential Guidance	.50
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6. Residential Exceptional Factor. Also, the formula provides the following supplemental assistance for handicapped students who receive supplementary services in their boarding and dormitory situations:

<u>Residential Exceptional Child Programs</u>	<u>Add-On</u>
	<u>Weight</u>
<u>Full-Time Services</u>	
All full-time handicapped students	.50
<u>Part-time Service</u>	
Orthopedically Impaired	.25
Other Health Impaired	.25
Emotionally Disturbed	.25
Mentally Retarded	.25
Multi-handicapped	.25

Once a school's special need students have been identified in accordance with the Indian School Equalization Program Student Membership Guidelines and Instruction Manual, students may then be grouped by the programs identified above and each group is multiplied by the corresponding weights. This calculation produces what are called "weighted student units" (WSUs). The total number of WSUs a school earns will be the basis for determining the amount of its funding.

A breakout of the student average daily membership (ADM) for FY 1980 and projected membership for FY 1981 and the respective weighted student units (WSU) by program area follows:

Weighted Student Units by Program Area

	<u>FY 1980</u>		<u>FY 1981</u>	
	<u>FY 1980 Fall ADM</u> <u>(Unweighted)</u>	<u>FY 1980</u> <u>WSU</u>	<u>Projected</u> <u>FY 1981 ADM</u> <u>(Unweighted)</u>	<u>Projected</u> <u>FY 1981</u> <u>WSU</u>
<u>Instructional</u>				
<u>Programs</u>				
<u>Basic</u>				
Kindergarten	3,358 x 1.0 =	3,358	3,408 x 1.0 =	3,408
Grades 1-3	11,593 x 1.2 =	13,912	11,743 x 1.2 =	14,092
Grades 4-8	15,995 x 1.0 =	15,995	16,145 x 1.0 =	16,145
Grades 9-12	<u>10,580 x 1.3 =</u>	<u>13,754</u>	<u>10,630 x 1.3 =</u>	<u>13,819</u>
Subtotal		41,526	47,019	41,926
				47,464

Exceptional Child

Full Time

Deaf	6 x 3.0 =	18	8 x 3.0 =	24
Blind	1 x 3.0 =	3	2 x 3.0 =	6
Severely Multi-handicapped	76 x 3.0 =	228	86 x 3.0 =	258
Severely and Profoundly Retarded	28 x 3.0 =	84	34 x 3.0 =	102
Hospital and Homebound	13 x 3.0 =	39	21 x 3.0 =	63
Severely Emotionally Disturbed	58 x 3.0 =	174	88 x 3.0 =	264
Specific Learning Disabled	468 x 1.0 =	468	528 x 1.0 =	528
Mentally Retarded	236 x 1.0 =	236	286 x 1.0 =	286

Part Time

Emotionally Disturbed	179 x .5 =	90	210 x .5 =	105
Specific Learning Disabled	1,732 x .5 =	866	1,837 x .5 =	919
Mentally Retarded	244 x .5 =	122	269 x .5 =	135
Multihandicapped	129 x .5 =	65	137 x .5 =	69
Hard of Hearing	108 x .25 =	27	128 x .25 =	32
Visually Handicapped	32 x .25 =	8	38 x .25 =	10
Orthopedically Impaired	38 x .25 =	10	43 x .25 =	11
Other Health Impaired	52 x .25 =	13	64 x .25 =	16
Speech Impaired	<u>810 x .25 =</u>	<u>203</u>	<u>900 x .25 =</u>	<u>225</u>
Subtotal	4,210	2,654		3,053
<u>Intense Bilingual</u>	4,426 x .2 =	885	4,870 x .2 =	974

	FY 1980 ADM		Projected	
	(Unweighted)	FY 1980 WSU	(Unweighted)	Projected
				FY 1981 WSU

Residential Programs

Basic Grades

Kindergarten	252 x 1.40 =	353		-0-
Grades 1-3	3,936 x 1.40 =	5,510	3,936 x 1.40 =	5,510
Grades 4-8	7,543 x 1.25 =	9,429	7,543 x 1.25 =	9,429
Grades 9-12	<u>8,486 x 1.25 =</u>	<u>10,608</u>	<u>8,486 x 1.25 =</u>	<u>10,608</u>
Subtotal	20,217	25,900	19,965	25,547

Exceptional Child

Residential

Full Time	372 x .50 =	186	428 x .50 =	214
Part Time	290 x .25 =	73	324 x .25 =	81
Subtotal	662	259	752	295
Intensive Residential Guidance	974 x .50 =	487	974 x .50 =	487
Program WSUs Total		77,204		77,820

7. Explanations for changes in FY 1981 student projections:

a. The increase of special education service of handicapped children. When state governments have moved to a weighted pupil formula, one impact has generally been an expansion of service to high cost students. Schools have generally been more responsive to the special needs of children when their funding was guaranteed. This dynamic, in concert with an enhanced special education administrative and support staff, substantiate the projected growth in membership for FY 1981. The increase of 397 WSUs in exceptional education reflects the planned growth through current diagnosis which is moving BIA toward full compliance with P.L. 94-142.

b. The increase of services for bilingual education. Calculations of FY 1980 student count figures indicate that only ten percent of all BIA students are receiving bilingual education services. The formula has a weight of .20 for services for children who come from non-English speaking homes to assist them in making the change. Although some areas have few such children, it has been estimated that in the Navajo Area over eighty percent of the children are non-English speaking upon entering school. Therefore, it is projected that increasingly more bilingual programs will be established which would create an approximate ten percent increase for FY 1981.

c. The increase of student membership due to new schools. A survey of Area Offices indicated that there are seven tribal groups actively pursuing the establishment of new schools for FY 1981, and that one existent school is seeking to expand services to include secondary students next year. These are being reviewed by the Central Office. It is difficult, in start up situations, to project student counts so reasonable estimates have been offered in order to substantiate projected increases in the basic programs. Fifty students per school have been projected. The 400 students were apportioned among the basic programs which results in a projected growth of 445 WSUs in the basic programs for FY 1981.

d. An elimination of funding for residential kindergarten programs. The funding of kindergarten students in boarding and dormitory situations will not be continued as formula funding is implemented in accordance with Bureau policy that young children remain at home. Therefore, a reduction of 353 WSUs can be projected for FY 1981.

e. A reduction of funds due to closing two schools. Two schools are being closed before FY 1981 begins. While the students at Chilocco and Seneca can be expected to enroll in other BIA boarding schools, a substantial reduction of \$1,191,883 can be justified directly from the closing of these two schools.

8. Additional Adjustments. There are two further adjustments that may be made to a school's total WSU count. One is for schools (a) with less than 100 students and (b) for Alaskan schools. Since it costs more to operate very small schools and dormitories, extra WSUs will be generated for small schools by the following subformula:

(a) For schools of less than 100 students:

$$\frac{100 - \text{ADM}}{200} \times \text{ADM} = \text{add-on units which is projected to } 1,080 \text{ in FY 1981}$$

(b) Also, under the provision of P.L. 95-561, to compensate for the high cost of living in Alaska, schools in Alaska receive an additional twenty-five percent of their WSUs which equals 1,067 in FY 1981.

9. Calculating the Base Student Value. The base student value of 1.00 in the formula for FY 1980 is \$1,819. This figure was derived by dividing the Indian School Equalization Formula Fund by the total number of weighted student units (WSUs) generated by the schools. This total WSU count includes all of the WSUs generated directly by programs in addition to the small school adjustment and Alaskan supplementary units and has been adjusted for phase-in. In order to project a base student value for FY 1981, it is necessary to follow this same process using projected WSUs.

Program WSUs Subtotal	77,820
Small School Adjustment WSUs	1,080
Alaskan Supplement WSUs	1,067
Total WSUs	<u>79,967</u>

The FY 1981 ISEF Fund Estimate of \$153,480,600 divided by the total WSUs (79,967) produces an unadjusted base student value for FY 1981 of \$1,919. However, this amount, when adjusted for the 30 percent loss/70 percent gain FY 1981 phase-in, will be reduced by approximately \$29 to produce a projected FY 1981 base student value of \$1,890.

10. Considerations of future formula funding areas and adjustments.

Although no FY 1981 funds are involved, additional areas are included in the regulations to be considered for incorporation into the weighted student formula:

- a. A gifted and talented student program;
- b. a vocational education program;
- c. pre-kindergarten programs; and
- d. a facilities operation and maintenance program.

The feasibility of adding these programs is currently being studied and data is being collected upon which budget projections could be based. Additional adjustments which are also identified in the regulations are being considered; these include:

- e. A rural isolation adjustment;
- f. a staff cost adjustment which would compensate for experienced, higher cost staff; and
- g. additional institutional size factors.

In addition to considering proposed future student weighting options, there are two fundamental focuses in budget building when using a weighted pupil formula. The first is to determine an adequate base amount and the second is to make student membership projections by program area. The base amount provides support not only for direct costs of instructional staff but must support all school based indirect costs such as school administration, utilities, student activities and summer programs. Since all program funds are generated in relationship to the base, an adjustment of this number provides the means for keeping up with school cost changes from year to year.

11. Making student projections under formula funding. Since students generate the allotments for schools, the task of making and substantiating student projections becomes a central budget building task. Recognizing this critical need, the Bureau has made considerable improvements in the counting and tracking of students. BIA, Office of Indian Education Programs put into operation in February of FY 1980 a new student membership counting system that will be based on individual reports for each student that can be processed quickly through the use of an optical mark reading system. In addition, a student count auditing system will become operational in the spring of FY 1980 that will enhance the accuracy of school reports.

Each year in the budget justification, current student membership will be presented by program areas weighted by the Formula. As the student data base is improved and stabilized, it will be possible to discern trends and make projections.

B. Institutionalized Handicapped Child Fund.

In FY 1981, BIA Office of Indian Education Programs will have to support the educational costs of handicapped Indian children on reservations who reside in institutions. The major portion of these students are in the Navajo Area which reported 240 classified as severely multi-handicapped and 9 as severely mentally retarded. Approximately 61 similar students have been reported from other areas bringing the total to approximately 310. In order to determine a total line item amount for this fund, WSUs have been projected as follows:

	<u>Navajo</u>	<u>Projected Other</u>	<u>Total</u>	<u>Weights (Base + Program)</u>	<u>WSUs</u>
K	28	5	33	4.0	132
1-3	20	10	30	4.2	126
4-8	83	20	103	4.0	412
9-12	<u>118</u>	<u>26</u>	<u>144</u>	4.3	<u>619</u>
Total	249	61	310		1,289

The 1,289 WSUs x the base of \$1,890 = \$2,436,210. This amount has been established as a line item because it will be distributed on an approved cost reimbursement basis rather than through the formula, since the past individual student contract amounts have been negotiated with private and other institutions. Funding for the handicapped, other than the institutionalized, will amount to \$5,770,170, an increase over 1980 of \$942,544.

C. School Disaster Contingency Fund.

A limited fund of \$750,000 is established in the regulations to cover the costs of replacement of items in the event of their destruction by earthquake, fire, flood, storm, or other "acts of God," and acts of massive and catastrophic vandalism where such costs are not already covered in an insurance policy and where such destruction could not have been prevented by prudent action by school staff. The regulations set specific criteria for allowable and prohibitions of expenditures.

D. School Board Training Fund.

A limited categorical fund was established in the regulations in order to assist Indian school board members in dealing with the many new tasks and responsibilities they will assume under P.L. 95-561. An extensive identification of allowable training activities are presented in the regulations in addition to specifications regarding expenditures and accounting for funds. A sum of \$5,000 is allocated to each school with an additional 25 percent going to off-reservation boarding schools and Alaskan schools. This amount is to be reviewed annually. The School Board Training Fund is being increased by \$25,000 because seven new schools will begin operations in FY 1981 and two schools will close. The net increase of five schools at \$5,000 per school board justifies the increase.

E. Transportation.

A series of subformulas have been established in the regulations which govern the allocation of funds for student transportation to schools based on the fall (October and November) student transportation surveys. For students attending day programs the formula is:

$$180 \times (\$.85 \text{ per basic transportation mile} \\ + \$.61 \text{ per transported student})$$

The subformulas established for boarding school and dormitory students are based on differential distances from the school according to the following:

<u>Distance From School</u>	<u>\$ Per Mile</u>
1-100 miles	3.20
101-350 miles	1.60
350+ miles	.48

Those students who reside more than 350 miles for whom it is necessary to provide airplane transportation receive \$.60 per mile, except for those at Mt. Edgecumbe in Sitka, Alaska who receive \$1.05.

The transportation costs are to be reviewed each year and adjusted, if necessary, to account for increased fuel, equipment, or personnel costs. An increase of \$918,100 is projected for FY 1981.

The increase of ten percent in transportation of school children to and from their homes and school is an adjustment to a formula generated fund used only for the given purpose. A study is being conducted in order to develop more current school bus operating costs and purchased travel costs for students. The ten percent increase is a modest estimate of the amount needed to prevent schools, having extensive student transportation needs, from taking classroom funds to meet these substantially uncontrollable fixed costs.

F. Administration for Area, Agency and Central Offices.

A multifaceted interim administrative formula was established in the regulations which results in the estimated allocation of Education and Training-General to Areas as shown below:

<u>Area</u>	<u>FY 1981</u>
Aberdeen	\$ 1,410,800
Albuquerque	599,700
Anadarko	258,400
Billings	258,100
Eastern	386,400
Juneau	1,941,900

Minneapolis	215,900
Muskogee	317,700
Navajo	2,791,600
Phoenix	933,500
Portland	265,700
Sacramento	70,500
Central Office	<u>4,298,800</u>
Total	\$ 13,749,000

A portion of these funds are then distributed further to fund Agency Education staffs within the Area. An amount of \$4,298,800 will be allotted to the Central Office to fund salaries and personal services, general office overhead, and management improvement projects.

The FY 1981 total for all administration is \$13,749,000 and covers the costs of administering all Bureau Education programs, not just school operations alone. As such, this represents only five percent of program funds.

G. Interim Formula Implementation Funds.

As formula funding is phased-in, there are several outstanding commitments that require interim funding. These funds are addressed separately below.

1. Pre-Kindergarten. The regulations provide that those schools in operation having pre-kindergarten programs funded fully or in part from Bureau education funds be funded at the FY 1979 level during FY 1980 and FY 1981. Subsequently, these programs will be funded at \$1,670,000 which is the FY 1979 base.

2. P.L. 93-638 Commitments. In FY 1980, \$754,100 was committed to tribal groups through P.L. 93-638 contracts to conduct summer programs. The FY 1981 amount will remain the same.

3. Implementation Fund. The regulations establish a formula implementation fund for the purpose of adjusting particular local school entitlements which were allocated in error due to underprojections, data error, misclassifications of students and similar reporting errors, or to provide for the initial funding of new schools under the formula which were started after the spring counts that determined tentative allotments. The purpose of this fund is to stabilize funding so that school allotments would not have to be recalculated as contingencies arose.

All of the unexpended dollars in this fund are required by regulation to be allotted by the formula in the spring of the year once the possibility of fluctuation has ceased. The FY 1980 amount was set at \$2 million since this was the first year of formula implementation and the potential for errors was high. The FY 1981 request has been reduced to \$1 million to cover primarily the cost of new schools applying for formula funding.

<u>Decrease for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Decrease</u>
\$ (FTP)	189,640.0 (4,772)	185,255.0 (4,769)	-4,385.0 (-3)

The decrease of \$4,385,000 will be accomplished through the application of the Indian School Equalization Program, which will be in the second year of implementation. The closure of two schools, Chilocco and Seneca, and the reduction in the amount required for formula phase-in will enable the Bureau to absorb the reduction with no decrease in education services provided.

Object Classification Distribution

Object Class detail for the \$4,385,000 decrease for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Education Specialist	11	3	\$ - 62,000
Positions Other Than Permanent			- 399,000
Personnel Benefits			- 46,000
Printing and Reproduction			- 186,000
Other Services			-2,287,000
Supplies and Materials			- 812,000
Equipment			- 593,000
Total			\$ -4,385,000

Justification of Program and Performance

Activity: Education
Subactivity: Johnson-O'Malley Educational Assistance

(Dollar Amounts in Thousands)

	<u>1980 Appropriation Enacted to Date</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Supplementary \$ Support	29,388.0	29,388.0	29,469.0	+ 81.0

Supplementary Support

Authorization: 25 U.S.C. 13

Objectives: To meet the special and unique needs as determined by tribal governments and local parent Indian education committees for those Indian and Alaska Native students who attend public and contract schools and to provide funding to those public schools that educate Indian students who reside in federal dormitories and attend public schools away from their home district.

Base Program: This program is administered at the local level through contracts with tribal organizations, public school districts, Indian corporations, State Departments of Education, colleges and universities.

Public Law 93-638, the Indian Self-Determination and Education Assistance Act, mandates maximum participation of Indian and Alaska Native parents in the development, approval, implementation, and evaluation of programs contracted under this activity. In FY 1980, this program is providing services to 176,053 students in 26 States with over 870 local Indian education parental committees determining the local needs and how the program would best serve these needs. In FY 1981, it is estimated that this program will serve 180,000 eligible students. This program also provides funding to those public schools that educate Indian students who, by necessity or choice, reside in federal dormitories and attend public schools. Since these students are not residents of the educating school district, tuition up to the per pupil cost must be provided.

The types of services provided as determined by the local parent committees include such programs as special tutoring, gifted and talented home-school coordinators, teacher aides, cultural and multicultural programs, home-start, early childhood programs, summer education and activity programs, educational field trips and parental costs.

The amount of funds appropriated and the number of students served from FY 1975-1980 follows:

<u>FY</u>	<u>Funds</u>	<u>No. of Students</u>	<u>Average Per Pupil Cost</u>
1975	\$22,751.7	115,384	197.18
1976	25,496.7	120,497	211.59
1977	26,966.8	147,862	182.37
1978	28,591.9	163,325	175.06
1979	30,975.0	171,290	180.83
1980	*30,051.4	176,053	170.69
1981	29,469.0 (Est.)	180,000 (Est.)	163.71 (Est.)

* Appropriation is \$29,388. Available FY 1979 carryover funds from basic support program amounting to \$663.4 was added. Public Law 95-561 mandated that the supplementary funds for FY 1980 be distributed by a formula that the majority of eligible Indian tribes who voted and Alaska Native villages determined to be most equitable. The formula selected is the same formula that has been in effect since 1976. The formula computation is:

1. For every State above the national average, divide the State average per pupil cost by the national average per pupil cost. This will provide the weighting factor for those States above the national average per pupil cost.
2. Multiply the weighting factor times the number of students for those States above the national average.
3. Add the total of the weighted students for those States above the national average to the total number of students in those States below the national average. This will provide the total number of students.
4. Divide this total number of students into the total available allocation. This will provide the base amount per pupil for those States below the national average. Multiply the number of students times the base amount per State.
5. For those States above the national average, multiply the per pupil base times the number of weighted students for each State.

The Johnson O'Malley distributions by State for FY 1979 and FY 1980 are shown in the next two tables.

JOM Formula Distribution
(FY 1979)

<u>State</u>	<u>State Per Pupil Expenditure</u>	<u>State Weighting Factor</u>	<u>No. of Students Served</u>	<u>State Per Student Amount</u>	<u>State Allocation</u>
Alaska	3,226.72	2.07	22,775	\$321.38	\$7,319,469
New York	2,413.92	1.55	2,025	240.66	487,354
Oregon	1,811.97	1.17	1,701	181.63	308,963
Michigan	1,737.06	1.12	1,368	173.87	237,855
Minnesota	1,735.43	1.12	5,562	173.87	967,100
Wisconsin	1,717.52	1.11	4,337	172.33	747,411
Wyoming	1,691.79	1.09	1,315	169.18	222,484
Montana	1,684.85	1.08	8,236	167.68	1,381,017
Iowa	1,616.71	1.04	284	161.27	45,801
Colorado	1,595.30	1.03	845	159.85	135,074
Washington	1,594.73	1.02	6,819	158.35	1,079,817
California	1,591.89	1.02			
Sacramento			8,774	158.35	1,389,401
Phoenix			650	158.35	102,936
Nebraska	1,547.01	1.00	848	155.25	131,659
Arizona	1,497.29	1.00			
Navajo			18,249	155.25	2,833,298
Phoenix			17,500	155.25	2,717,010
Kansas	1,494.56	1.00	362	155.25	56,203
Nevada	1,396.58	1.00	3,810	155.25	591,532
North Dakota	1,342.94	1.00	3,260	155.25	506,140
Florida	1,329.02	1.00	337	155.25	52,322
New Mexico	1,321.71	1.00			
Navajo			15,165	155.25	2,354,483
Albuquerque			8,853	155.25	1,374,497
Oklahoma	1,246.48	1.00			
Anadarka			8,916	155.25	1,384,278
Muskogee			16,520	155.25	2,564,857
South Dakota	1,244.79	1.00	7,426	155.25	1,152,944
Maine	1,236.52	1.00	457	155.25	70,953
Utah	1,219.37	1.00			
Navajo			1,736	155.25	269,527
Phoenix			850	155.25	131,969
Louisiana	1,183.83	1.00	72	155.25	11,179
Idaho	1,109.06	1.00	2,137	155.25	331,786
Mississippi	989.10	1.00	101	155.25	15,681
Total			171,290		\$30,975,000

National Average Per Pupil Cost: \$1,560.99 (Statistics obtained from the National Center for Educational Statistics).

JOM Formula Distribution
(FY 1980)

<u>State</u>	<u>State Per Pupil Expenditure</u>	<u>State Weighting Factor</u>	<u>No. of Students Served</u>	<u>State Per Student Amount</u>	<u>State Allocation</u>
Alaska	\$ 3,389	2.06	23,572	\$297.64	\$ 7,016,145
New York	2,496	1.52	2,076	219.59	455,866
Oregon	1,920	1.17	1,733	169.00	292,881
Michigan	1,814	1.10	1,501	158.92	238,553
Minnesota	1,805	1.10	5,358	158.91	851,480
Wyoming	1,784	1.08	1,390	156.04	216,879
Montana	1,784	1.08	8,693	156.04	1,356,472
Wisconsin	1,776	1.08	4,643	156.03	724,473
Washington	1,679	1.02	7,128	147.38	1,050,442
Iowa	1,677	1.02	420	146.90	61,698
Aberdeen			(190)		(27,887)
Minneapolis			(230)		(33,811)
California	1,668	1.01	8,962	145.92	1,307,779
Sacramento			(8,374)		(1,221,952)
Phoenix			(588)		(85,827)
Colorado	1,653	1.01	863	145.83	125,851
Nebraska	1,614	1.00	869	144.49	125,562
Arizona	1,572	1.00	36,453	144.49	5,267,094
Navajo			(19,057)		(2,753,546)
Phoenix			(17,396)		(2,513,548)
Kansas	1,541	1.00	500	144.49	72,245
North Dakota	1,453	1.00	3,364	144.49	486,064
Nevada	1,449	1.00	3,809	144.49	550,362
New Mexico	1,415	1.00	24,479	144.49	3,536,971
Navajo			(15,837)		(2,288,288)
Albuquerque			(8,642)		(1,248,683)
Florida	1,390	1.00	330	144.49	47,682
South Dakota	1,334	1.00	7,657	144.49	1,106,360
Oklahoma	1,321	1.00	27,077	144.49	3,912,356
Anadarko			(10,878)		(1,571,762)
Muskogee			(16,199)		(2,340,594)
Maine	1,305	1.00	406	144.49	58,663
Utah	1,286	1.00	2,703	144.49	390,557
Navajo			(1,781)		(257,337)
Phoenix			(922)		(133,220)
Louisiana	1,285	1.00	73	144.49	10,548
Idaho	1,180	1.00	1,944	144.49	280,889
Mississippi	1,128	1.00	50	144.49	7,225
Total			176,053		\$29,551,097
Federal Dormitory Student Tuition					<u>500,303</u>
Total					\$30,051,400
National Average Per Pupil Cost: \$1,638.00:					

A FY 1981 distribution formula table is not included because current State Per Pupil Expenditures are not available from the National Center for Educational Statistics.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	29,388.0	29,469.0	+ 81.0

The number of eligible students served by this program increased by 4,763 in FY 1980. We anticipate an increase of approximately 3,000 to 3,500 additional students in FY 1981. This increase is due to additional tribes and students becoming eligible for Johnson O'Malley services. The average amount per pupil in FY 1980 is \$167.85. We estimate the average per pupil expenditure for FY 1981 will be approximately \$162.00.

In FY 1980, this program was administered through contracts with 174 tribal organizations, 76 public school districts, and 6 State Departments of Education. The the increase of tribal contractors from FY 1976 through FY 1980 follows:

<u>Type of Contractor</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>Est. 1981</u>
Tribal	44	121	146	152	174	165
District	83	105	92	90	76	84
State	9	7	6	6	6	5

Object Classification Distribution

The Object Class detail for the \$81,000 increase for the subactivity is as follows:

Other Services	\$ +81,000
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Justification of Program and Performance

Activity: Education
 Subactivity: Continuing Education

(Dollars in Thousands)

	<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Higher Education Student Grants	\$ 27,476.9	27,476.9	26,987.9	- 489.0
Special Higher Education Programs	\$ 1,888.1	1,888.1	1,888.1	
Adult Education	\$ 5,150.0 (FTP) (71)	4,945.0 (71)	4,716.0 (71)	- 229.0 (-)
Post-Secondary Schools	\$ 8,191.0 (FTP) (239)	8,739.0 (239)	8,098.0 (239)	- 641.0 (-)
Tribally Controlled Community College	\$ <u>12,212.0</u>	<u>12,212.0</u>	<u>8,327.0</u>	<u>-3,885.0</u>
Program Total	\$ 54,918.0 (FTP) (310)	55,261.0 (310)	50,017.0 (310)	-5,244.0 (-)

Number of Continuing Education Students Served

	<u>FY 1980</u>	<u>FY 1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Higher Education Student Grants	20,000	20,000	--
Special Higher Education Programs	351	391	+ 40
Adult Education	18,500	18,500	--
Post Secondary Schools	1,500	1,550	+ 50
Tribally Controlled Community Colleges	<u>2,000 (Est.)</u>	<u>2,000 (Est.)</u>	
Total	42,351	42,441	+ 90

Higher Education Student Grants

Authorizations: 25 U.S.C. 13

Objectives: To provide funds to Indian young people and adults to attend post-secondary educational institutions.

Base Program: The Student Grant Program makes it financially possible for Indian youth and adults to attend college. Eligibility is contingent upon an applicant being: (1) admitted for enrollment in an accredited college, university, or post-secondary institution; (2) at least one fourth degree Indian; (3) of a federally recognized tribe; and (4) in financial need as determined by the institution's financial aids office.

By special arrangement with the U.S. Office of Education, Department of Health, Education, and Welfare (CFR 45 176.15, "Coordination with BIA Grants"), the Bureau's role in funding Indian students is to first address the unmet financial need and may replace loan portions and work study aid of the financial aids package. By this arrangement, the Bureau's average scholarship grant is less than \$1600 per student and takes care of the immediate funding needs, without which many Indian students would not be able to attend college. Grants vary with financial situations and may range from \$200 to as much as \$4,000 for poverty level married students in high cost areas. The majority of students receiving Bureau grants are also recipients of BEOG (Basic Education Opportunity Grants) and other USOE funds available to all citizens based on need. These are included in the financial aids package arranged by the institutions.

Of an estimated 25,000 applicants, 20,000 were eligible for grants during FY 1980. The remaining applicants are not funded for one or more of the following reasons: less than 1/4 degree Indian applicants; seeking to attend non-accredited colleges; pursuing less than degree objectives; exhibiting no demonstrated financial need; pursuing only part time program; requesting readmittance following academic probationary period and submitting incomplete application or failing to meet deadlines. Most of these unfunded applicants will be referred to other sources such as Bureau and Tribally Controlled Colleges, or special programs.

<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	27,476.9	26,987.9	- 489.0

The decrease of \$489,000 results from a change in program emphasis. The same number of students will be served but at a lower average grant amount from Bureau funds.

Special Higher Education Programs

Authorization: 25 U.S.C. 13

Objectives: To provide funds for the training of Indian students in specific professions such as law, medicine, forestry, engineering, and business administration.

Base Program: Graduate student grant assistance is provided to students who are pursuing concentrated courses of study in the specific professional fields with an emphasis on the five critical professions (Law, Medicine, Engineering, Business and Forestry). The amount for this item will be distributed equitably to Bureau Area and Agency Offices for advanced degree applicants to permit more consistency in funding advanced degree students. Approximately 250 students will receive awards from this program. Grants may vary with need and other factors and average about \$3,200 per year.

The Indian law program is administered by contract with the American Indian Law Center, Albuquerque, New Mexico. A total of 151 students are funded with 35 receiving their advanced law degrees annually. The American Indian Law Center arranges for stipends for the students enrolled in 38 well recognized schools of law. The stipends vary with financial need and college costs and average about \$5,500 per student per year.

An evaluation project for the two advanced degree programs is planned to assess effectiveness as well as to plan for new program direction. An amount of \$8,100 is programmed for this project.

Programs funded during FY 1980 with funding plans for FY 1981 include:

(Dollar Amounts in Thousands)

<u>Course of Study</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>Change</u>
Graduate Student Grants	800.0	800.0	--
Indian Law Program (N.M.)	1,080.0	1,080.0	--
Other--Evaluation	8.1	8.1	--
Total	1,888.1	1,888.1	--

<u>Funds for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease/Increase</u>
\$	1,888.1	1,888.1	--
No change			

Adult Education

Authorization: 25 U.S.C. 13

Objectives: To provide opportunities for adult Indians to (1) complete high school graduation requirements and (2) gain new skills and knowledge for their own self-enhancement as parents, citizens, consumers and employees.

Base Program: Adult education programs are provided in the areas of basic academic and personal skills. Indian adults who have not obtained high school diplomas may complete their education through the high school level, either by regular high school courses or General Education Development (GED) courses.

In FY 1980, 18,000 adult Indians benefited from these programs, 5,900 in basic education courses; 4,800 in GED courses; and 7,300 in basic course offerings. As a result of this training, over 2,000 received GED certificates; approximately 600 were able to find employment or realize promotions in their jobs; 550 entered college and the remainder realized some educational enrichment. Training is carried out at education centers and at other locations convenient to the students. Many of the programs are administered under cooperative arrangements with states, tribes and through other federal funding sources.

Courses are also provided to improve competitiveness in seeking employment which encompass personal finance, developing personal history statements, job applications and self improvement to enhance upward mobility. Techniques of teaching take into account and utilize cultural background and Indian studies as a basis for developing pride and confidence.

<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	4,945.0	4,716.0	- 229.0
(FTP)	(71)	(71)	(-)

The decrease of \$229,000 in the funding requested for Adult Education reflects a change in program emphasis. Adult Education courses are increasingly reflected in the curricula of Tribally Controlled Colleges.

Post Secondary Schools

Authorization: 25 U.S.C 13

Objectives: Haskell Junior College: To provide for the operation of a general education program including the courses customarily available in Junior Colleges or the first two years of four-year colleges.

Southwestern Indian Polytechnic Institute (SIPI): To provide a vocational-technical program in the open-entry, open-exit mode so that Indian young adults are able to enter at the time that they experience a need for vocational training, and leave to get jobs when they reach their educational goal.

Institute of American Indian Arts (IAIA): To provide an opportunity for growth in Indian cultural awareness and training in graphic arts, sculpture, jewelry-making, museum management and the performing arts to Indian students with talent or strong interest in these fields.

Base Program: The average daily membership in the three post-secondary schools during the 1979-1980 school year was about 1,500. Of this number, approximately 63 percent attended Haskell, 27 percent SIPI, and 10 percent IAIA.

Haskell is primarily a Junior College with academic emphasis, although a vocational program is also offered. About a third of the students choose vocational courses. Haskell awards Associate of Arts and Associate of Applied Sciences degrees and has accreditation status.

SIPI serves the vocational needs of Indian students by means of a variety of certificate programs of different lengths and levels of difficulty. Through a needs-interests-aptitude assessment, students are guided into fields where they can expect to become employable immediately upon completion of a program. Placement and occupational counseling services are provided. SIPI is accredited under vocational schools in New Mexico.

IAIA concentrates upon the artistic and cultural background of the American Indian, helping students to build upon their ethnic heritage through the medium of the fine arts. The major goal is to develop the creative individual as an artist, but an important secondary goal is to increase Indian ethnic pride and self-awareness. IAIA has been recognized for accreditation and is making progress toward candidacy status.

<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	8,739.0	8,098.0	- 641.0
(FTP)	(239)	(239)	-

The decrease will be applied to the Post-Secondary Schools as follows:

<u>School</u>	<u>FY 1980</u> <u>Enroll- ment</u>	<u>Pupil</u> <u>Costs</u>	<u>1981</u> <u>Base</u>	<u>FY 1981</u> <u>Enroll- ment</u>	<u>Pupil</u> <u>Costs</u>	<u>1981</u> <u>Est.</u>	<u>Decrease</u>
Haskell	950	4,931	4,657.9	1,000	4,657	4,657.9	-
SIPI	400	6,423	2,569.3	400	5,889	2,355.6	-213.7
IAIA	150	10,786	1,511.8	150	7,230	1,084.5	-427.3
Total	1,500		\$8,739.0	1,550		\$8,098.0	-641.0

The decrease will not result in lower enrollments or curtail basic programs. It will continue the Bureau's effort toward more cost effective operations and begin to bring the per pupil cost more in line with the funding formula under P.L. 95-471 of \$4,000 per FTE.

Tribally Controlled Community Colleges

Authorization: 25 U.S.C. 13 and P.L. 95-471 - The Tribally Controlled College Assistance Act of 1978.

Objectives: To provide financial assistance to Tribally Controlled Community Colleges so that Indian students may further their education in their local communities.

Base Program: The number of Tribally Controlled Community Colleges has grown in recent years. The amount of financial assistance to be provided to colleges qualifying under P.L. 95-471 will be based on \$4,000 per full time equivalent (FTE) or a prorated smaller amount if appropriations are not adequate. The amount appropriated in FY 1980 is \$12,212,000, comprised of \$7,212,000 under authority of the Snyder Act for the continued operation of four tribally controlled colleges and \$5,000,000, including \$600,000 for technical assistance and \$400,000 for feasibility studies. In FY 1981, it is expected that P.L. 95-471 will be the major funding authority for these colleges. The amount requested for this program for FY 1981 is \$8,327,000.

Section 105 of P.L. 95-471 refers to feasibility studies. A positive feasibility study is required before operational grants may be awarded. As many as 21 colleges may request feasibility studies; to date, 11 requests have been received.

Sections 104 and 109 of P.L. 95-471 refers to technical assistance and the amount appropriated for this service. In FY 1981, \$600,000 is budgeted to serve an estimated 11 colleges.

Under the regulations, colleges must meet the eligibility criteria for operating grants before technical assistance awards may be granted.

The institutions and amounts of assistance in FY 1980 and planned for FY 1981 are shown below:

(Dollar Amounts in Thousands)

<u>Institution</u>	<u>FY 1980 (Est.)</u>	<u>FY 1981 (Est.)</u>
Navajo Community College	\$6,405.0	\$2,496.0
Sinte Gleska	358.0	
Oglala Sioux	355.0	
Turtle Mountain	<u>94.0</u>	
Total	7,212.0	
Operational Grants	4,000.0	4,831.0
Feasibility Studies	400.0	400.0
Technical Assistance	<u>600.0</u>	<u>600.0</u>
Total	\$12,212.0	\$8,327.0

The amount for Navajo Community College for FY 1981 was established on the basis of a special audit conducted at the college in December of 1979. The audit established 624 FTE (Full Time Equivalent Students). The calculation is \$4,000 x 624 = \$2,496.0

Funds for operational grants for FY 1980 and FY 1981 will be allocated to colleges based on feasibility studies and their eligibility under P.L. 95-471. Current requests for feasibility studies include the following tribes and colleges: (Hopi - College of Ganado; Oglala Sioux - Oglala Sioux Community College; Rosebud Sioux - Sinte Gleska Community College; Blackfeet - Blackfeet Community College; Turtle Mountain Chippewa - Turtle Mountain Community College; Ft. Peck Tribes - (Assiniboine and Sioux) - Ft. Peck Community College; Cheyenne Arapaho - Cheyenne Arapaho Community College; Cheyenne River Sioux - Cheyenne River Community College; Winnebago - Nebraska Indian College.

<u>Decrease for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
	\$12,212.0	\$8,327.0	- 3,885.0

The decrease is largely the difference in funding level for Navajo Community College between FY 1980 and FY 1981. The larger budget in FY 1980 for Navajo Community College was attributed to tribal priorities funding under the Snyder Act.

Object Classification Distribution

The Object Class detail for the \$5,244,000 decrease for the subactivity is as follows:

Other Services	\$ -4,755,000
Grants	- 489,000
Total	<u>\$ -5,244,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Tribal Government Services

	(Dollar amounts in thousands)			
	<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>
Aid to Tribal Government: (\$)	12,726.0	12,773.0	16,597.0	+ 3,824.0
(FTP)	(160)	(160)	(159)	(-1)
Tribal Courts: (\$)	4,008.0	4,008.0	7,009.0	+ 3,001.0
(FTP)	(7)	(7)	(7)	--
Program Total: (\$)	<u>16,734.0</u>	<u>16,781.0</u>	<u>23,606.0</u>	<u>6,825.0</u>
(FTP)	(167)	(167)	(166)	(-1)

Aid to Tribal Government

Authorization: 25 U.S.C. 13

Objectives: Within the framework of the government to government relationship between the United States and Indian Tribes, including Alaska Native Villages, the Aid to Tribal Government Program endeavors to:

1. Help tribes improve their governmental operations to better serve their members. Financial and technical assistance is provided to Indian tribes in the areas of improving their governmental organization, processing changes to tribal organic documents, assisting in improving the capability of tribes to provide services to their membership, conducting elections, preparing membership rolls, assuring the integrity of the separate branches of government and in the general conduct of tribal government business. By helping tribes to develop governments which are well operated they can take full advantage of other types of governmental assistance available under the Indian Self-Determination Act (P.L. 93-638).
2. Carry out statutory, regulatory and court-ordered responsibilities pertaining to judgment awards and subsequent payment rolls, and the recognition of new tribes;
3. Enhance tribal use of cooperative extension services for the benefit of Indian families.

Base Program:

The Aid to Tribal Government Program provides both technical and financial assistance to 496 federally recognized Indian Tribes with respect to their basic governmental functions. This includes development consultation on and improvement of tribal constitutions, by-laws, codes and ordinances, membership rolls, and the conduct of elections; management of tribal attorney contracts; and related assistance to tribal government activities in general. This program should not be confused with the Self-Determination program which provides assistance to tribes to improve their managerial capacity with primary emphasis on the ability to contract the operation of federal programs and to initiate other programs to serve the particular needs of their members. For example, the Tribal Government Services staff would work with a tribe in drafting an amendment to a constitution to permit tribal contracting and then assist if necessary in the process of tribal adoption of the amendment. This would enable the tribe to take advantage of the Self-Determination Act. Bureau staff provides basic research concerning beneficiaries of judgment awards and processes detailed plans for use of judgment funds in compliance with the Indian Judgment Fund Act. They prepare descendancy rolls of judgment award beneficiaries and perform requisite actions on several thousand individual enrollment appeals each year. Bureau Tribal Government Services staff is responsible for the detailed research and processing of petitions for the federal acknowledgment of Indian groups not currently recognized by the Bureau. In conjunction with this recognition project, the Aid to Tribal Government program provides the initial funding based on tribal size and need for those tribes newly recognized through this special project.

This program also provides funding which assures Indian people the maximum benefit of cooperative extension programs for agriculture extension, 4-H and home extension services. The Aid to Tribal Government program will also provide operational direction for special youth programs including 16 Young Adult Conservation Corps camps and 65 Youth Conservation Corps camps located on Indian Reservations. Tribal governments also operate a \$500,000 program of Community Fire Protection through Aid to Tribal Government.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	12,773.0	16,597.0	+ 3,824.0
(FTP)	(160)	(159)	(-1)

The FY 1981 funding increase will enable the Aid to Tribal Government Program to:

1. Process several recent large judgment awards, each award involving numerous potential beneficiaries, and an increased number of enrollment appeals flowing from such awards. Provide additional assistance to enable tribes to develop more effective governmental structures through increased emphasis on determining and keeping

tribal membership rolls up to date. The number of rolls worked on is expected to increase by 23 in FY 1981. Appeals by individuals as to rolls decisions will increase by 1,800 over FY 1980. Assist tribes revising government documents to cope with areas and functions not previously covered such as environmental concerns, energy, water related areas, employment conditions, etc. This increased workload requirement will increase FY 1981 costs by \$479,000. In addition, for the contracted portion (36%) of the Aid to Tribal Government Program, the P.L. 93-638 employees should receive a pay raise totalling \$190,000. The Pascua-Yauqui and the Hoopa Yurok tribes will require \$255,000 for their tribal government activities as they work to become fully functioning tribes.

Federally mandated regulations providing guidelines for the Secretary of the Interior to acknowledge Indian groups as tribes eligible for the Bureau services are in effect. Bureau staff has located 270 unacknowledged groups which are potential petitioners for federal acknowledgment. They represent a total Indian population of about 135,000 people. Out of this total about 150 groups will actually petition for acknowledgment with about 30 groups eventually succeeding in gaining federal recognition. This would increase the Bureau's service population by about 15,000 at a minimum.

Experience with tribes such as the Pascua-Yauqui, Hoopa-Yurok, etc., has shown that newly established or recognized tribes require about \$1,000 per person for overall Bureau services. Based on this cost factor and an estimate of the tribal population of tribes which will have gained acknowledgement by FY 1981 this budget proposes \$2,900,000 to be carried in Aid to Tribal Governments for their initial programs. This figure has been derived from past experience and from the current work of the project staff on the 58 petitions which have been formally submitted.

Workload indicators for Aid to Tribal Government are:

	<u>1980</u>	<u>1981</u>
Preparation of payment and membership rolls	145	168
Enrollment Appeals	6200	8000
Federal Acknowledgment Cases	12	20
Judgment Awards	39	43
Governmental Document Processed	150	150

Tribal Courts

Authorization: 25 U.S.C. 13

Objective: Strengthen the governmental capabilities of Indian Tribes by supporting and improving Tribal Courts.

Base Program: This program:

1. Supports the personnel and administrative costs of 106 tribal courts and 28 courts operated on reservation under the authority of 25 CFR 11.
2. Provides Technical and financial assistance to aid tribes in establishing and maintaining Indian courts in a manner which assures due process and equal protection to individuals appearing before them. This includes reviewing tribal ordinances and helping tribes to upgrade law and order codes, as well as evaluating court systems and recommending improvements.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	4,008.0	7,009.0	+ 3,001.0
(FTP)	(7)	(7)	(-)

The funding increase requested for FY 1981 will provide funding for 14 new tribal courts. These courts are in jurisdictions which have only recently received authority to begin the exercise of the full range of their sovereign powers among which is judicial power. This authority for these tribes has been derived from a variety of sources including federal legislation, State Supreme Court decisions, Federal District Court decisions and decisions of the United States Supreme Court. These decisions restoring and reaffirming the sovereign authority of these tribes require the tribes to develop judicial systems for their respective memberships where none were needed previously.

The 14 additional court systems need \$1,050,000 in order to provide effective judicial services be provided is \$1,050,000. With this amount, these court systems would be able to staff their individual courts and provide services to their membership in conformity with the standards set out in Indian Courts and the Future. Funding in this amount for these courts would insure that they have a Chief Judge and 2 Associate Judges (at least part-time), a Clerk of Court, a prosecutor, a defender on at least a shared basis, a probation/parole officer and funds available to conduct jury trials. The new tribal court jurisdictions, set out by state and with anticipated costs are:

<u>Location</u>	<u>No.</u>	<u>Cost</u>
Oklahoma	4	\$ 425,000
Maine	2	150,000
Kansas	2	100,000
Florida	2	100,000
North Carolina	1	75,000
Alaska	1	75,000
Louisiana	1	75,000
Oregon	1	50,000
Total	<u>14</u>	<u>\$1,050,000</u>

There is an urgent and compelling need that prosecutors be placed in all tribal courts as well as defenders provided on at least a regional or shared basis. Wounded Knee v. Andera, has held that tribal court judges are prohibited from assuming a dual role - prosecutorial and judicial - in judicial proceedings as this would constitute a denial of due process of law and violate the Indian Civil Rights Act (25 U.S.C. 1302). Few Indian court systems now have prosecutors to fulfill this traditional role. In fact, it is estimated that only between 15-20% of the tribes have full-time or even part-time prosecutors. The percentage is significantly less where defenders in tribal court systems are concerned. Even though the availability of defense counsel is not mandated by any current law or court decision, the dictates of due process and equal protection of the 5th and 14th Amendments to the United States Constitution and of the Indian Civil Rights Act would seem to require that they be made available. Another compelling reason for funding prosecutors, defenders, and other court support personnel is the need for tribal court systems to be viewed as credible entities capable of providing a full range of court services to all concerned. Another equally compelling reason that prosecutors and defenders and other court support personnel be made available to tribal courts is the Indian Child Welfare Act. Because of the anticipated caseload increase in this new area for many tribal courts, and because of the importance placed upon fair proceedings in regards to juvenile-type cases, it is important that the courts have persons trained in the law to assist the court in insuring that fairness is a fact. The roles played by prosecutors and defenders in child welfare proceedings in tribal court would closely track the roles played by their counterparts in State courts. The prosecutor is used to insure that the interests of the State, here the Tribe, are maintained and defenders are available to represent either the child or the parents as the case may be. To provide this additional necessary staffing would help insure the proper and fair adjudication of all cases brought before tribal tribunals in conformity with existing legislation and case law.

The FY 1981 proposal would require \$1,800,00 to implement this improved staffing for tribal courts.

Most of the tribal court personnel are not prepared in terms of training and experience to carry out their heavy responsibilities. Special training for

court personnel should be provided. Such training would be continuing in nature. Although not intended to be a substitute for a formal law school education, the training contemplated here would enable all court personnel to function in a mode comparable to their State and Federal court counterparts and as contemplated by the standards recommended in a special study of tribal courts called Indian Courts and the Future.

The heaviest training concentration would be for judges and would include civil, and family law as well as procedural training. A minimal training program will require \$151,000 in FY 1981.

The cost summary of the proposed increase for Tribal Courts is:

New Jurisdictions	\$1,050,000
Improved Staffing/Operations	1,800,000
Training	151,000
	<u>\$3,001,000</u>

The workload estimate for tribal courts is:

	<u>1980</u>	<u>1981</u>
Tribal Court Cases	120,000	125,000
Tribal Courts Evaluated	22	22
Tribal Codes Reviewed	13	15

OBJECT CLASS DISTRIBUTION

The object class detail for the \$6,825,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Tribal Relations Specialist	7	-1	\$-13,925
Personnel Benefits			- 1,375
			<u>-15,300</u>
Other Services (contracts)			6,231,000
Grants, Subsidies, and Contributions			609,300
			<u>6,825,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Social Services

(Dollar amounts in thousands)					
		1980 Appropriation Enacted to Date	FY 1981 Base	FY 1981 Estimate	Inc.(+) or Dec.(-)
Welfare Grants	(\$)	74,450.0	74,450.0	77,305.0	+ 2,855.0
All Other Social Services	(\$)	12,574.0	13,111.0	14,395.0	+ 1,284.0
	(FTP)	(384)	(384)	(384)	(- -)
<hr/>					
Program Total:		87,024.0	87,561.0	91,700.0	+ 4,139.0
	(FTP)	(384)	(384)	(384)	(-)

WELFARE GRANTS

Authorization: 25 U.S.C. 13; 25 U.S.C. 1901

Objective: Assist tribal governments in addressing the well-being of their members by providing:

1. General assistance grants to eligible adult Indians and Indian families; and
2. Child welfare assistance for Indian children in need of care outside their own homes;
3. Child welfare grants to Indian tribes and Indian organizations for service programs.

Base Program: Welfare assistance is provided to tribal members living on or near reservations and in tribal jurisdictions in Alaska and Oklahoma. Assistance is only available if the recipient establishes need and cannot obtain assistance from state or local public welfare agencies. Grants are also available to Indian tribes and off-reservation Indian organizations to establish and operate Indian child and family services programs, as authorized by P.L. 95-608.

Four types of grants are available to tribes and tribal members. They are:

- A. General Assistance--Consists of (1) direct financial assistance to families and individuals to pay living expenses for those whose income is below state standards, (2) non-medical institutional or custodial care for incapacitated adults, (3) contracts with tribes to run Tribal Work Experience Programs (TWEF). General assistance recipients who work on tribal projects under this program receive \$45 per month work related cost over their welfare entitlement.
- B. Child Welfare--Pays the expense of caring for children who are abandoned, neglected or handicapped. Most of the funding is for foster home care but institutional care is also extended to children requiring it;
- C. Miscellaneous Assistance--Pays for the burial expenses of Indians who die indigent or whose survivors cannot afford funeral expenses. This fund is also used to help tribes meet storage and distribution costs associated with federal food programs. It is also available to help tribes in disaster emergencies; and
- D. Child Welfare Grants - As authorized by P.L. 95-608, provides funds to Indian tribes and off-reservation Indian organizations, to establish and operate Indian Child and family services programs such as: a system of licensing or regulating Indian foster and adoptive homes; facilities for the counseling and treatment of Indian families and temporary custody of Indian children; homemaker services; day care; afterschool care, recreational activities, employment & training of tribal court personnel; adoptive subsidies; legal representation and other such projects.

The FY 1980 BIA appropriations included: (1) \$3.8 million for the Congressionally mandated on-going child welfare program. This program is administered through contracts with Indian tribes; (2) \$2.5 million for the newly authorized (P.L. 95-608) Indian child and family services programs; and (3) carryover authority of \$3.0 million in FY 1979 tribal contract surplus funds into FY 1980. These three items resulted in a total program effort of \$9.3 million for FY 1980. In FY 1981 the tribes have been advised that the Bureau is proposing to consolidate the on-going child welfare funding with the Indian child and family services program funding. The respective program authorities are very similar, namely to provide services for Indian children and families. Therefore, the proposed \$3.0 million increase in funding for FY 1981 merely replaces the FY 1979 \$3.0 million which was a carryover into FY 1980, thus holding the proposed funding for the Indian Child Welfare Act grants level at \$9.3 million, the same total which was available in FY 1980.

<u>Increase for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	74,450.0	77,305.0	+2,855.0

The assistance estimate for FY 1981 is based on projections of caseload and unit costs. These estimates are provided by BIA field staff who carefully analyze the current trends in caseload eligibility and state standards for individual welfare budgets. Indications are that this caseload will remain constant as compared to 1980. Unit costs which represent the budgets, under state standards, for which the recipients are eligible are expected to increase and this accounts for the projected increase in general assistance.

The cost and caseload data associated with the welfare grants program are shown in the following table. To compute the annual cost for all particular categories of assistance except burials, multiply the unit cost for that type of assistance by the caseload. That result times 12 gives the annual cost.

A. Caseload: Shows the projected average number of persons the Bureau will be required to serve each month by the type of service.

	<u>FY 1980</u>	<u>FY 1981</u>	<u>Change</u>
		(\$000)	
GA-Persons per month	57,750	57,750	-
TWEP-Participants per month	4,300	4,300	-
CW-Children per month	3,300	3,300	-
Misc.-Burials per year	1,325	1,325	-

B. Unit Costs: Shows average monthly cost by type of assistance for each person in the projected caseload.

	<u>FY 1980</u>	<u>FY 1981</u>	<u>Change</u>
GA-\$ per person per month	73.74	76.99	+3.25
TWEP- \$ per participant per month	45.00	45.00	-0-
CW- \$ per child per month	343.18	282.57	-60.61
Misc.- \$ per burial per annum	585.00	585.00	-0-

C. Welfare Grants: Shows total cost by type of assistance for FY 1980 and FY 1981.

		(S000)		
	FY 1980	FY 1981		Change
General Assistance (GA)	51,101.0	53,356.0	+	2,255.0
Tribal Work Experience (TWEPE)	2,322.0	2,322.0		-0-
Child Welfare Assistance (CW)	13,590.0	11,190.0	-	2,400.0*
Misc. Assistance **	1,137.0	1,137.0		-0-
On-going Child Welfare	3,800.0	-	-	3,800.0
Child Welfare Grants (FY 1979 Carryover for Child Welfare Also Available)	(3,000.0)	9,300.0	+	6,800.0
Sub-Total	<u>74,450.0</u>	<u>77,305.0</u>	+	<u>2,855.0</u>

*Reduction due to assumption by Education of \$2.4 million in educational costs of the handicapped.

** In addition to burial costs, this category of assistance also helps tribes to meet storage and distribution costs associated with participation in federal food programs.

Reasons for Change

General Assistance: The Bureau over-estimated the FY 1979 caseload. This was due to an underestimate of CETA funding levels. The FY 1981 caseload estimates are based on the actual \$54,000,000 (25 percent), reduction in CETA funding level for FY 1980. The direct inter-relationship of these respective programs makes estimating caseloads very difficult without the final knowledge of each program's funding level. Therefore, projected caseloads for FY 1980 and 1981, reflect only the impact of the reduced CETA funding for FY 1980. The projected increase in costs for General Assistance is due solely to expected increases in state standards for assistance which will result in higher unit costs.

Tribal Work Experience Program: Tribes have not indicated a capacity to increase participation in this program. Therefore, it is estimated to remain level for FY 1981 with an estimated 4,300 participants at a work related cost of \$45.00 per month each.

Child Welfare Assistance: The child welfare caseload has remained relatively constant for the past few years, and there is no projected caseload increase for FY 1981. The Bureau has now divided the financing of costs of institutionalized child care costs, with social services paying for child care costs and the education program paying for institutional educational

costs as mandated by P.L. 94-142. The effect of this decision is to reduce the cost to the welfare program by \$2,400,000 which results in a one-time reduction in child welfare assistance.

Miscellaneous Assistance: In FY 1981 the Bureau will need to meet the burial costs of an estimated 1,325 deceased indigent persons. There is no projected increase in the burial assistance caseload. The average cost per burial is \$585.00. The total burial cost is estimated at \$775,000, in FY 1981. The Bureau must also be prepared to assist tribes to meet costs associated with food programs and also with unanticipated disaster emergency assistance needs. These food programs costs are \$166,000 and the set aside for disaster emergencies will be \$196,000. The combined burial and food and disaster emergency miscellaneous assistance costs for FY 1981 are estimated to be \$1,137,000.

All other Social Services

Authorization: 25 U.S.C 13

Objectives: 1) Administer the welfare assistance and grants program; 2) Provide professional counselling services to Indian individuals and families; and 3) Assist tribes in development of social services programs.

Base Program: The base program consists of the BIA and tribal staff which does the casework and administers the welfare grants provided to eligible recipients. The staff also provides counselling services to individuals and families. It offers professional expertise to Indian tribes and Indian organizations in development of tribal social services. Indian organizations are also assisted in the development of Indian child and family service grant programs.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	13,111.0	14,395.0	+1,284.0
(FTP)	(384)	(384)	—

The proposed increase for social services will be used to:

- (1) Increase the amount of Social Services funding for the Maine tribes by \$375,000 in FY 1981 to meet total need on a full year basis.
- (2) Provide a pay increase totalling \$437,000 to tribal employees working under P.L. 93-638 Social Services contracts; and
- (3) Meet cost increases totalling an estimated \$472,000 resulting from the increased administration and monitoring of tribal contracting related to the newly authorized Indian Child and family services programs.

The caseload for non-financial assistance such as counselling is expected to remain at an average of 15,775 persons per month in FY 1981.

Object Class Distribution

The object class detail for the \$4,139,000 increase for the subactivity is as follows:

Other Services (contracting)	\$+ 649,100
Grants subsidies & contributions	+3,489,900
Total	<u>\$+4,139,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Law Enforcement

(Dollar amounts in thousands)

	<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>
Law Enforcement \$	27,317.0	27,502.0	30,386.0	+2,884.0
(FTP)	(455)	(455)	(462)	(+7)

LAW ENFORCEMENT SERVICES

Authorization: 25 U.S.C. 13 and 18 U.S.C. 3055

Objective: To help Indian tribes (1) to provide continuing law enforcement services aimed at the protection of lives and property on reservations; and (2) to plan and implement a program on each reservation served designed to reduce the crime rate 25% over the next five years.

Base Program: The BIA and Indian tribes provide law enforcement and detention services where tribal governments have the authority to adopt and enforce a tribal civil and criminal code. There are 23 States with 145 reservations where there is Federal/Tribal civil and criminal jurisdiction. To carry out this responsibility, there are currently 375 BIA police officers and 980 tribal police officers patrolling approximately 105,000 square miles of territory in 712 patrol cars, each of which averages 22,500 miles of patrol a year. The detention program utilizes 19 Bureau and 45 tribal jails and 78 contract facilities to hold prisoners.

This police force and the communities it protects are faced with a situation which finds that the rate of major crimes on reservations is about 2,100 per 100,000 population compared to a rate of 2,000 per 100,000 in rural areas as a whole. The incidence of homicide (non-negligent) is nearly nine times higher than that of small cities (population under 10,000), eight times higher than cities of 10,000 to 25,000, and four times higher than the rural portion of the United States.

Positive steps are being taken to reverse the crime trend. Tribal governments have completed detailed criminal justice plans for each reservation under a planning program funded by the Bureau. This planning effort involved community leaders and local law enforcement officials in the consideration of local problems and in setting priorities concerning law enforcement.

In addition, the Bureau now adheres to a code of professional conduct comparable to that of other Federal law enforcement agencies. Detailed program standards have also been developed and implemented for tribal police and detention programs operated by tribes under the authority of P.L. 93-638. Mandatory training requirements have been instituted and are being enforced. An Inspection/Evaluation Unit visits reservations to assure compliance with the code of conduct and the program standards.

<u>Increase for 1981</u>	1981 <u>Base</u>	1981 <u>Estimate</u>	<u>Inc.(+)</u> <u>or Dec.(-)</u>
Law Enforcement	\$ 27,502.0 (FTP) (455)	30,386.0 (462)	+ 2,884.0 (+7)

The workload of the law enforcement program is increasing. New jurisdictions are constantly being added to the jurisdictions currently entitled to services. These expanded jurisdictions will cost an estimated \$1,000,000 additional for law enforcement services in FY 1981. Newly recognized tribes also represent another type of jurisdictional expansion. Provision of law enforcement services to the tribes of Maine and the Hoopa-Yurok will require an additional \$326,000 in FY 1981.

The law enforcement program is about 48% contracted to tribes under P.L. 93-638. The tribal employees who work under these contracts are estimated to be entitled to a \$585,000 comparability pay raise in FY 1981. Overall activity rates in existing law enforcement programs, both BIA & tribally operated, are going up. Complaints investigated are expected to rise about 5% to a level of 220,000 in FY 1981 while non-enforcement responses which represent the bulk of the police workload will increase 10% to 561,000 for the year. The increased costs associated with the increased activity levels is \$973,000 for the year. The following table compares workload indicators for FY 1980 and FY 1981.

	<u>FY 1980</u>	<u>FY 1981</u>
Complaints investigated	209,000	220,000
Non-Enforcement responses	561,000	617,000
Prisoners detained per day	650	650

Object Class Distribution

The object class detail for the \$2,884,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Police Officer	GS-5	+7	\$ 78,700
Personnel Benefits			7,900
			<u>86,600</u>
Travel			37,000
Other services (contracting)			2,560,400
Equipment			200,000
			<u>\$ 2,884,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Housing

(Dollar amounts in thousands)

		<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>
Housing	(\$)	19,306.0	19,472.0	19,624.0	+152.0
	(FTP)	(99)	(99)	(98)	(-1)

Housing Services

Authorization: 25 U.S.C. 13

Objectives: The overall objective of Federal housing programs which benefit Indian communities is to eliminate substandard housing on Indian reservations. Within this context the Bureau housing program is intended to provide tribes with:

1. New homes or repairs to existing homes for tribal members who cannot qualify for other housing programs;
2. A source of training and counselling for both tribal housing staff and tenants so that maximum benefit is derived from the housing acquired by tribal members; and
3. Expert assistance in obtaining federal funded housing from HUD and EmHA.

Base Program: The Bureau Housing Improvement Program (HIP) pays for:

1. Repairs which bring substandard housing up to standard;
2. New home construction for those tribal members who cannot obtain housing from other sources; and
3. Minor repairs to substandard housing which cannot be repaired to standard and which will eventually be replaced by new housing.

The Bureau's housing program also includes a development component under which BIA housing staff assist Indian tribes in working with other federal agencies (HUD, IHS, EmHA) involved in producing Indian housing. Assistance is provided in site review, selection and development so as to facilitate

provision of water, sewer, access roads, and streets as well as actual application for and scheduling of housing construction.

Training and counselling is provided for owners and tenants of federally funded housing. This is an important element in helping families to adjust to new living conditions and also to protect the Federal investment. Local community members are trained to provide this type of training and counselling services.

The housing program is based on an estimate of housing need determined by an annual housing survey. The 1978 survey shows:

Service population (families)	160,600
Less:	
Existing dwellings in standard condition.....	69,000
Families in need of housing assistance.....	91,600
Houses suitable for renovation to standard.....	31,000
New Homes required.....	60,600

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>
\$ (FTP)	19,472.0 (99)	19,624.0 (98)	+152.0 (-1)

Explanation of Increase

The BIA housing program is about 40% contracted by dollar volume. A pay raise totaling \$121,000 is proposed in FY 1981 for the employees of these P.L. 93-638 housing contracts.

In FY 1980 the Pascua-Yaqui tribe was provided initial funding of \$150,000 for housing. This should be increased by \$75,000 for a total of \$225,000 in FY 1981 based on the housing need for the Pascua-Yaqui tribe. As a partial offset to these increases BIA operating expenses will be reduced \$44,000 during FY 1981.

The housing program accomplishments are expected to be:

	<u>1980</u>	<u>1981</u>
New house starts (HIP).....	445	400
Renovations (HIP).....	2360	2100

These reductions basically reflect the increased cost of housing materials which are the main cost component of HIP housing.

Object Class Distribution

The object class detail for the \$152,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Plumber	9	1	\$ -17,035
Personnel Benefits			- 1,715
			<u>-18,750</u>
Other Services			+95,750
Grants, Subsidies and Contributions			+75,000
	Total		<u>152,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Self-Determination Services */

(Dollar amounts in thousands)				
	1980 Appropriation <u>Enacted to Date</u>	FY 1981 <u>Base</u>	FY 1981 <u>Estimate</u>	Inc.(+) or Dec.(-)
Grants	\$ 17,569.0	17,569.0	18,215.0	+ 646.0
Training & Technical Assistance	\$ 3,773.0 (FTP)	3,784.0 (45)	3,263.0 (45)	- 521.0 (-)
Contract				
Support	\$ 23,770.0	23,049.0	25,873.0	+2,824.0
Program Total	\$ 45,112.0 (FTP)	44,402.0 (45)	47,351.0 (45)	+2,949.0 (-)

* Excludes funding for Office of Technical Assistance and Training (OTAT) which is displayed separately.

GRANTS

Authorization: 25 U.S.C. 450, et seq. Title I, Sec. 104, P.L. 93-638; 25 U.S.C. 13.

Objective: Provide financial assistance to tribal governments so that they can improve their capacity to: (1) plan, conduct and administer federal programs with special emphasis on improving their ability to contract; and (2) put special emphasis on strengthening and improving tribal governments, with respect to their fiscal and managerial capabilities. This special program emphasis is intended to compliment the Aid to Tribal Government program which is intended to assist tribes in managing and improving the instruments of government such as elections, constitutions, memberships and tribal status.

Base Program: Section 104 of P.L. 93-638 authorized grants to tribal governments for the purpose of increasing tribal ability to operate Federal programs under contract and also to enhance the overall quality and effectiveness of tribal government. Over 490 tribes are eligible for grants to be used to improve their managerial and technical capacity. The grants are made to tribes based upon application. In applying for grants the tribes state the purpose of the grant, how the purpose is to be accomplished and the cost of the project. Generally, the grant projects fall into two main categories:

1. Projects which establish or improve the tribes capability to operate federal programs under contract; and
2. Projects which are designed to establish, maintain, or improve a tribe's governmental capacity and its ability to act effectively on behalf of its members.

To date tribes have undertaken projects to design, implement and maintain the components of tribal management such as personnel, finance and property management. Tribes have also used the grants to increase individual participation in tribal government through community meetings and seminars and have expanded the availability of services by opening branch tribal offices.

In addition tribes have also undertaken general orientation and training of tribal management and administrative staff using self-determination grants.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Increase</u>
(\$)	17,569.0	18,215.0	+ 646.0

The increase provided will be used to provide additional grants to the Pascua-Yaqui and the Maine tribes and to provide additional grants to cover growth in eligible population among other tribes.

TRAINING AND TECHNICAL ASSISTANCE

Authorization: 25 U.S.C. 13

- Objectives:
1. To provide technical assistance to tribes to enable them to overcome or prevent declination issues related to contracting and to resolve other problems threatening the tribe's ability to perform their responsibilities under contract or grant arrangements; and
 2. Provide the BIA staff necessary to administer the self-determination program at the field and Central Office levels.

Base Program: Training and technical assistance is provided to participating tribes directly by Bureau staff or outside sources.

In the technical assistance area, the highest priority for use of funds is to address urgent, one-time needs involving various phases of the contract and grant process. However, some funds are used to help tribes resolve broader managerial problems.

Examples of training and technical assistance offered to tribes include: Orientation and training seminars for tribal and Bureau staff in the procedures and requirements of contracting under P.L. 93-638; training of tribal staff in such management areas as personnel, bookkeeping, property management and like areas; training of tribal personnel in tribal planning; orientation of newly elected tribal officers in P.L. 93-638.

The training and technical assistance program provides the BIA staff responsible for coordination of the Self-Determination program including the self-determination grants and contract support as well as the T/TA aspects of the program.

<u>Decrease for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	3,784.0	3,263.0	-521.0
(FTP)	(45)	(45)	(--)

The decrease reflects the completion during FY 1980 of field level training and technical assistance projects.

CONTRACT SUPPORT

Authorization: 25 U.S.C. 13

- Objectives:
1. Assist tribes and/or tribal organizations in meeting additional tribal administrative costs incurred as a result of their contracting to operate Bureau programs; and
 2. Provide funding for costs such as severance pay and lump sum leave payments related to the displacement of federal employees because of contracting with Indian tribes and/or tribal organizations.

Base Program: The principal functions of contract support is to pay tribes for the overhead costs they incur as a result of entering into P.L. 93-638 contracts. Once a tribe has established an overhead rate which have been verified by independend audit it is entitled to have this rate added to the program amount in P.L. 93-638 contracts it operates.

In addition to paying overhead rates, Contract support also pays severance and relocation costs of federal employees displaced by tribal contract.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Increase</u>
\$	23,049.00	25,873.00	+ 2,824.00

Explanation of Increase

The 1981 request will provide funding to meet overhead costs of P.L. 93-638 contracts amounting to about \$195,000,000 to \$200,000,000. This represents an increase over the FY 1980 contracting level of about \$25,000,000.

OBJECT CLASS DISTRIBUTION

The object class detail of the \$2,949,000 increase for the subactivity is as follows:

Other services (contracts)	\$ + 2,303,000
Grants, subsidies, and contributions	+ 646,000
Total	<u>2,949,000</u>

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Indian Services
 Subactivity: Self-Determination Services
 Element: Technical Assistance and Training (OTAT)

(Dollar Amount in Thousands)

		1980 1/ Approp. Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
Technical Assistance and Training (OTAT)	\$ (FTP)	(2,920.0) (75)	3,007.0 (75)	3,007.0 (75)	-0- (0)
Total Requirements	\$ (FTP)	(2,920.0) (75)	3,007.0 (75)	3,007.0 (75)	-0- (0)

1/ 1980 amount is non-add, most funds are appropriated under other activities; amount shown does not include \$1,500,000 appropriated under Construction for renovation of facilities, the Indian Technical Assistance Center Staff (ITAC), and funds for Facility O&M.

Technical Assistance and Training (TA & T)

Authorization: 25, U.S.C. 13

Objective: To improve, strengthen, and enhance tribal government capacity building of Alaska Natives and Indians in support of Indian self-determination and to provide training support for Bureau programs as needed.

Base Program: Encompassed in this program are technical assistance and training activities which were previously provided by different Bureau offices, and which now have been consolidated for more effective coordination and management under central supervision by the Office of Technical Assistance and Training (OTAT) in Brigham City, Utah. Consequently, the FY 1981 funding request of \$3,007,000 for this program is made up of elements transferred to OTAT from other BIA units. They include: the Tribal Administrative and Accounting Services in Denver and Washington, D.C. (\$620,000), the Police Academy in Brigham City (\$413,000), the Planning Support Group in Billings (\$343,000), the National Indian Training Center in Brigham City (\$308,000), the Audio-Visual Services unit in Brigham City (\$168,000), the Continental Divide Training Center in New Mexico (\$106,000), the Cartographic Laboratory in Concho (\$56,000), part of the Self-Determination Office in Washington, D.C. (\$53,000), and the Management and Administration add-on of \$940,000 (the \$160,000 balance of the add-on is included in the Facilities Management subactivity).

While continuation of services provided by these elements is one of the major functions of OTAT the organization offers many additional activities to its clients---the Alaska Natives, federally recognized Indian tribes, Indian

organizations, tribal groups, and BIA programs. These activities involve among others:

- (1) Research services necessary to needs assessments for tribal government capacity building and program management systems including surveys and research pertaining to specific projects on technical assistance issues and with pertinent data collection for developing training materials.
- (2) Developmental services that utilize research information to produce specific training curricula and to tailor special programs for tribes.
- (3) Training services with emphasis on development of managerial and administrative capabilities of tribal officials and their staffs, particularly in such fields as accounting, bookkeeping, personnel management, property accountability, contract and grants administration, etc.
- (4) On-the-job technical assistance in project planning, design and implementation as well as accounting and administrative services technical support.
- (5) Assistance to tribal groups in utilizing services of the non-Federal sector including colleges and universities, consultants, private firms, private foundations, and general contractors.
- (6) Auxiliary services related to audio-visual services, graphics layout, video productions, library services and reproduction of all types.

OTAT is under the supervision of a Director who is supported by an administrative staff and five line Divisions. The FY 1981 funding and staffing request continues the FY 1980 level of activity for OTAT.

It is believed that when fully operational OTAT will provide a clearly visible and organized thrust to individual and collective capacity building of Alaska Natives and Indian tribal governments. To this end the development of OTAT is consistent with the desires of the Indian people and a step toward ultimately shifting program administration from federal to tribal management and control.

Jusitification of Program and Performance

Activity: Indian Services

Subactivity: Navajo-Hopi Settlement Program

(Dollar amounts in thousands)

	<u>1980 Appropriation Enacted to Date</u>	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>
Navajo-Hopi Settlement Program \$ (FTP)	5,485.0 (29)	5,498.0 (29)	5,498.0 (29)	(-) (-)

Navajo-Hopi Settlement Program

Authorization: P.L. 93-531, 88 Stat. 1712

Objective: To carry out provisions of the Act of December 22, 1974, P.L. 93-531 88 Stat. 1712 which requires the Secretary of the Interior to reduce stock and restore the range capacity of lands lying within the former Navajo-Hopi Joint Use Area.

Base Program: The Navajo-Hopi Settlement Program will be continued as required by P.L. 93-531 which was enacted in 1974. The initial stock reduction program of 160,000 sheep units has been completed. However, in order to keep the number of animals within the grazing capacity of the land it has been necessary to impound about 10,000 units each year which result from herd growth and in-migration. This type of impoundment will continue in FY 1981.

Since completion of the voluntary stock reduction program emphasis has been on range restoration. This has required the provision of water developments, building of fences and treatment of range lands to restore vegetation. By the end of FY 1980 the program will have completed all 287 miles of required boundary fencing; 765 miles of the required 820 miles of interior fencing; and 66,000 of the projected 90,000 acres of restoration will have been completed. In conjunction with this range restoration, 78 water sources will have been developed out of a total need of 120.

In addition to the range restoration program, law enforcement and court programs are provided to insure compliance with the grazing regulations and a small road maintenance program augments the regular program available through the Navajo and Phoenix Area Offices.

These programs serve approximately 11,000 residents of this area including 2,600 who are livestock owners. The law enforcement program responds to about 400 calls per year related to grazing regulations.

<u>Program for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Increase</u>
\$	5,498.0	5,498.0	(-)
(FTP)	(29)	(29)	(-)

This level of funding will permit the impoundment of 10,000 sheep units to keep the herd within the grazing limits. The final 55 miles of boundary fencing will be put in place and the remaining 24,000 acres will be restored along with completion of the last 42 water developments. With the completion of the initial voluntary stock reduction program and of the range restoration work, the program will concentrate on maintaining the range in its restored state and holding grazing stock numbers within the range capacity.

The program cost breakdown for FY 1981 is:

	<u>Number</u>	<u>Cost</u> <u>(\$000)</u>
Stock Reduction (sheep units)	10,000	\$1,095
Fencing (miles)	55	275
Acres Restored	24,000	2,000
Water Developments	42	600
Maintenance of restored acreage		300
Program Management & Law Enforcement		1,228
		<u>\$5,498</u>

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Economic Development and Employment Programs
Subactivity: Employment Development

(Dollar Amount in Thousands)

		1980			
		Approp. Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
Employment Assistance	\$	30,738.0	31,217.0	27,544.0	- 3,673.0
	(FTP)	(358)	(358)	(307)	(-51)
Indian Action Program	\$	20,682.0	20,682.0	19,277.0	- 1,405.0
	(FTP)	(26)	(26)	(26)	(0)
<hr/> Program Total	\$	51,420.0	51,899.0	46,821.0	- 5,078.0
	(FTP)	(384)	(384)	(333)	(-51)

Employment Assistance

Authorization: Adult Vocational Training - P.L. 84-959, (70 Stat. 986) as amended by P.L. 88-230 (77 Stat. 471; 25 USC 309).

Direct Employment - 42 Stat. 208; 25 USC 13.

Objective: To provide adult vocational training and job placement assistance to Indians and Alaska Natives in order to promote economic self-sufficiency for tribal and Alaska Native people and their governments.

Base Program: Employment Assistance has two base programs:

1. Adult Vocational Training, which provides:
 - a. The clients' total costs for up to two years training in a vocational education program, three years training in a registered nurses' training program, and client cost related to apprenticeship programs;
 - b. Assistance for advanced skills training and paraprofessional training; and
 - c. Related services such as testing, counseling, and training program packaging.

2. Direct Employment, which provides:

- a. Financial assistance for client costs related to direct employment such as transportation, tools, subsistence until the first paycheck, and emergency needs; and
- b. Counseling, testing, referral services, job and employment search opportunities.

Efforts will be made in this program to identify basic skills needed to complement enterprise development and financing programs on the reservations.

The following workload factors are indicated for the Employment Assistance Program:

	<u>1979</u>	<u>1980</u>	<u>1981</u>
Adult Vocational Training (No.)			
In Training at Start of Year	2,817	2,469	2,492
New Entries During Year	4,210	4,101	3,800
Total Number in Training	7,027	6,570	6,292
Completions	2,415	2,307	2,202
Discontinued from Training	2,143	1,771	1,699
Carryover into Next F.Y.	2,469	2,492	2,391
Average Cost Per Trainee	(\$ 4,195)	(\$4,105)	(\$4,094)
Direct Employment (No.)	9,678	8,974	5,409
Average Cost Per Client	(\$ 1,467)	(\$1,556)	(\$2,204)
<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	31,217.0	27,544.0	-3,673.0
(FTP)	(358)	(307)	(-51)

The decrease of \$3,673,000 represents the closing of 14 Field Employment Assistance Offices (includes 51 positions) located in urban areas and a reduction in grants and subsidies provided by the Employment Assistance program at the reservation level. The direction of the Employment Assistance program of providing training and employment on or near their own reservation has significantly reduced the need for relocation offices located in the large urban cities.

Indian Action Program

Authorization: 25 USC 13

Objectives: To provide financial resources, guidance, and technical assistance to tribes and/or tribal organizations in order to assist

them in their effort to develop community and related economic projects with which tribes may improve the standard of living in Indian communities and increase the level of skills and professional competence among Indian people living on reservations.

Base Program: The Indian Action Program has been in existence for eight years. It provides funding and technical assistance to some 84 Indian contractors who in turn provide employment, business management, planning and construction and conservation and development of natural resources to some 150 federally recognized tribes.

A summary of base program activities and workload measures are provided as follows:

Employment: Approximately 950,000 manhours will be produced by an estimated 900 individuals who are economically disadvantaged, unemployed prior to their participating in the Indian Action Program or not in the labor force. This employment activity may be classified using the total manhours as follows:

- .7 million public service employment
- .1 million vocational rehabilitation
- .1 million program support employment

Construction: Approximately \$8.1 million are programmed annually for community-oriented construction projects. These projects are as follows:

- 40% housing construction or maintenance projects
- 37% road construction or maintenance projects
- 23% tribal or public facility construction or maintenance projects

Conservation and Development of Natural Resources: Approximately \$.7 million are programmed annually for the conservation and development of natural resources. These efforts may be classified as follows:

- 95% Conservation of Natural Resources
- 5% Extraction of Natural Resources

Management: The Indian Action Program requires that satisfactory management systems or methods be developed by the tribal contractor to not only implement, but also attain program objectives. This requires the development of administrative systems such as finance, personnel, property, procurement, etc., to improve program efficiency and effectiveness. It is estimated that an average of one of these systems per contract is developed annually or a total of 90 new systems are established. These systems or methods may be classified as follows:

- 45 financial management systems
- 27 property management systems

- 5 procurement systems
- 10 personnel management systems
- 3 other (program planning, monitoring and evaluation)

Training: Approximately 1.8 million manhours are produced annually by some 1,350 individuals. These manhours are produced primarily by OJT and may be classified into the following major training approaches or workload measures:

- 1.1 million on-the-job training
- .4 million work experience
- .3 million institutional training outside the normal education process

Business Development: Approximately \$1.6 million are programmed annually for business development. These efforts may be classified as follows for the estimated 90 business entities which are helped within the tribal community:

- 56% product oriented
- 44% service oriented

<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Decrease</u>
\$	20,682.0	19,277.0	1,405.0
(FTP)	(26)	(26)	(0)

The decrease of \$1,405,000 is because of a one-time F.Y. 1980 program increase (\$1,129,000) not carried forward into F.Y. 1981 and a decrease (\$276,000) in contractual services.

Object Classification Distribution

The object class detail for the \$5,078,000 decrease for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Vocational Development Officer	GS-14	1	\$ - 40,498
Vocational Development Officer	GS-13	1	- 34,270
Vocational Development Officer	GS-12	6	- 172,908
Vocational Development Specialist	GS-11	10	- 233,590
Vocational Development Specialist	GS- 9	12	- 231,684
Vocational Development Specialist	GS- 7	3	- 47,343
Vocational Development Technician	Gs- 5	3	- 38,229
Clerk-Stenographer	GS- 5	5	- 63,715
Clerk-Typist	GS- 4	8	- 91,112
Clerk-Typist	GS- 3	2	- 20,288
Total Compensation		<u>51</u>	<u>- 973,637</u>
Personnel Benefits			- 97,364
Other Services			- 1,270,999
Grants, Subsidies			- 1,331,000
Contractual Services (ITAC)			<u>- 1,405,000</u>
	TOTAL		\$ - 5,078,000

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Economic Development and Employment Programs
Subactivity: Business Enterprise Development 1/

(Dollar Amount in Thousands)

		1980 Approp. Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
Enterprise Development	\$	2,701.0	2,756.0	2,726.0	- 30.0
	(FTP)	(29)	(29)	(29)	(0)
Credit & Financing	\$	5,167.0	5,405.0	5,063.0	-342.0
	(FTP)	(177)	(177)	(176)	(-1)
<hr/>					
Program Total	\$	7,868.0	8,161.0	7,789.0	-372.0
	(FTP)	(206)	(206)	(205)	(-1)

1/ Excludes Indian Arts & Crafts Board which is displayed separately.

Enterprise Development

Authorization: 25 USC 13

Objective: To promote economic self-sufficiency of tribal and Alaska Native governments and their people by providing business management assistance to Indian and Alaska Native owned industrial and tribal enterprises.

Base Program: This program provides evaluation and assistance in developing new or improving present enterprise management systems. The most significant aspect is business planning, which includes exploring alternative methods of operation. Marketing assistance will be provided in conjunction with business planning.

Technical assistance constitutes an important facet of economic development programs. Feasibility studies will serve to locate business development possibilities, plan their formulation and implementation, and determine if the proposed ventures can become viable, self-sustaining operations offering Indian people the benefits of income, better jobs, and increasing management responsibilities through entrepreneurship of their own establishments.

For the base program the following work load factors are indicated:

	<u>1979</u>	<u>1980 Estimate</u>	<u>1981 Estimate</u>
Commercial/Industrial Entities Assisted (No.)	1,281	1,350	1,390
Indian Individuals Assisted (No.)	3,150	3,225	3,300
<u>Decrease for 1981</u> \$(000) (FTP)	<u>1980 Base</u> 2,756.0 (29)	<u>1981 Estimate</u> 2,726.0 (29)	<u>Decrease</u> - 30.0 (0)

The \$30,000 decrease is a net amount resulting from the non-funding of the American Indian Travel Commission for \$150,000, and a \$120,000 increase in technical assistance to develop economic opportunities and income levels on Indian reservations.

Credit and Financing

Authorization: 25 USC 13

Objective: To assist Indian tribes, individual Indians, and Alaskan Natives in obtaining financing to develop and utilize their own resources for economic improvement and development.

Base Program: This program involves furnishing technical services to assist in evaluating proposed investment ventures; working with banks and other financial institutions to develop loans guaranteed or insured under the Loan Guaranty and Insurance Fund (P.L. 93-262); assisting Indians in obtaining credit from other Federal and private sources; administering the Indian Revolving Loan Fund; and providing technical services to Indian borrowers and grantees. These efforts will be coordinated with the Enterprise Development program.

The Indian Financing Act work load is estimated to include technical assistance and administrative services for approximately 137 guaranteed and insured loans with a face value of over \$76 million; and technical assistance and services on outstanding loans totaling \$87 million made from the Indian Revolving Fund. Work load factors by fiscal year are indicated in Table I.

<u>Decrease for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Decrease</u>
\$ (FTP)	5,405.0 (177)	5,063.0 (176)	-342.0 (-1)

The \$342,000 decrease represents a net amount resulting from decreases at the Agency level and Area Office level. The decrease includes a reduction of one permanent position and associated staff costs at the Agency level.

Object Classification Distribution

The object class detail for the \$372,000 decrease for the subactivity is:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Loan Specialist Gen.	12	1	\$ -28,818
Personnel Benefits			- 2,882
Total Compensation			<u>-31,700</u>
Other Services			-340,300
Total			<u>\$-372,000</u>

TABLE I. WORKLOAD FACTORS - CREDIT & FINANCING
ECONOMIC DEVELOPMENT & EMPLOYMENT PROGRAMS

(\$ in Millions)

	FY 1979 (Tentative)		FY 1980 Estimate		FY 1981 Estimate	
	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>
BIA supervised direct loans - New <u>1/</u>	4,545	24.9	5,600	30.2	5,800	32.5
BIA supervised direct loans - outstanding (EOY) <u>1/</u>	12,287	158.8	12,200	130.0	12,500	145.0
BIA assisted Commerical loans - new	1,865	44.3	2,150	30.0	1,975	31.1
Assisted other Federal loans - new	1,106	42.7	800	34.0	975	37.0
Guaranteed and Insured Loans	5	1.6	15	36.2	5	2.5

1/ Includes direct loans from the resources of the Indian Revolving Loan Fund and direct loans under tribal relending programs financed from tribal trust funds.

Justification of Program and Performance

Activity: Economic Development and Employment Programs
Subactivity: Business Enterprise Development
Element: Indian Arts and Crafts Board

(Dollar Amounts in Thousands)

	1980 Appro- piation Enacted To Date	FY 1981 Base	FY 1981 Estimate	Inc. (+) or Dec. (-)
Indian Arts and Crafts Board	\$ 634 (FTP) (18)	659 (18)	659 (18)	-- --
Total Requirements	\$ 634 (FTP) (18)	659 (18)	659 (18)	-- --

Indian Arts and Crafts Board

Authorization: P.L. 74-355

Objective: To promote the development of Native American arts and crafts--the creative work of Indian, Eskimo, and Aleut people--so as to improve the economic status of Native Americans and ensure the continuing vitality of a valuable American heritage.

Base Program: The Board is a unique arts agency whose activities are not duplicated either in the federal or private sectors; it is the only federal agency that is consistently and exclusively concerned about responding to the cultural needs of the Native people. The Board's policies are determined by its five Commissioners, who serve without compensation, and they employ a professional staff to carry out their responsibilities. For administrative convenience, funds for the Board are carried in the Bureau of Indian Affairs portion of the Appropriations Act.

The Board provides business and personal professional advice, information, and promotion to Native American artists and craftsmen and their organizations and, as an integral part of its professional services, the Board operates a coordinated system of three regional museums, located in reservation areas. The museums are cultural focal points for residents of the area; are primary vehicles for the delivery of services; and function as staging points for regional and national promotion.

Annual sales of Native American arts and handcrafts total several hundred million dollars, but Native American interests currently control only a small portion of this market. To support and expand those interests, the Board will promote Native American arts and crafts largely:

- through over 150 Native-owned and operated marketing enterprises (an increase of 50% during the past four years);
- through approximately 20 one-person sales exhibitions in the Board's museums;
- through concentrated management advice to some 100 developing Native museums (over 40% of which are less than five years old).

The Board concentrates its efforts on those activities that benefit Native American artists and craftsmen most directly, however it will continue to assist the National Endowment for the Arts, the Institute of Museum Services, the International Communications Agency, other government agencies, and the general public as substantial ancillary beneficiaries of the Board's information and museum activities. The Board answers over 10,000 written and telephone inquiries annually from the public.

Justification of Program and Performance

Activity: Economic Development and Employment Programs
 Subactivity: Road Maintenance

(Dollar Amounts in Thousands)

	1980 Appro- priation Enacted <u>To Date</u>	FY 1981 <u>Base</u>	FY 1981 <u>Estimate</u>	Inc.(+) or Dec.(-)
Road Maintenance \$ (FTP)	17,426.0 (266)	18,000.0 (266)	19,300.0 (263)	+ 1,300.0 (-3)

Road Maintenance

Authorization: 25 USC 318a

Objective: To maintain and repair road systems on Indian reservations open for community traffic.

Base Program: The road maintenance program provides for the maintenance and repair of approximately 26,000 miles of BIA roads on 180 reservations and seven airstrips. This program is largely carried out by Indian employment. The FY 1981 base program will provide for the following maintenance activities.

<u>Road by Surface Type</u>	<u>Unit of Measure</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Earth	Miles	14,852	14,325	14,280
Gravel	Miles	3,175	3,340	3,210
Paved	Miles	3,826	3,494	3,674
Bridges	Lin. Ft.	38,462	38,335	38,735
<u>Increase for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase or Decrease</u>	
\$ (FTP)	18,000.0 (266)	19,300.0 (263)	+ 1,300.0	(-3)

The net increase of \$1,300,000 is for seasonal employment for an increased level of maintenance of the Indian Road System and replacement of road maintenance equipment which is beyond economical repair.

Object Classification Distribution

The object class detail for the \$1,300,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Heavy Equipment Servicers	WG/6	2	- \$31,000
Laborer	WG/3	<u>1</u>	- <u>13,000</u>
Permanent Positions		3	- 44,000
Personnel Benefits			- 4,400
Temporary seasonal personnel		30	+ 310,000
Personnel Benefits			+ 31,000
Other Services			+ 200,000
Equipment purchases			+ 300,000
Materials and supplies			+ <u>507,400</u>
	Total		\$ 1,300,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Forestry and Agriculture

(Dollar amounts in thousands)

		1980 Appro- piation Enacted <u>To Date</u>	1981 <u>Base</u>	1981 <u>Request</u>	Inc. (+) Dec. (-)
Natural Resources, General	(\$) (FTP)	771.0 (13)	801.0 (13)	919.0 (13)	+118.0 (-)
Agriculture	(\$) (FTP)	21,497.0 (505)	22,123.0 (505)	22,263.0 (504)	+140.0 (-1)
Forestry	(\$) (FTP)	23,570.0 (570)	24,565.0 (570)	24,812.0 (570)	+247.0 (-)
Water Resources	(\$) (FTP)	3,060.0 (-)	3,060.0 (-)	6,539.0 (9)	+3,479.0 (+9)
Wildlife & Parks	(\$) (FTP)	4,009.0 (4)	10,135.0 (4)	11,920.0 (4)	+1,785.0 (-)
Fire Suppression & Emergency Rehabilitation	(\$)	800.0	800.0	800.0	-
Program Total	(\$) (FTP)	<u>53,707.0</u> (1,092)	<u>61,484.0</u> (1,092)	<u>67,253.0</u> (1,100)	<u>+5,769.0</u> (+8)

Natural Resources, General

Authorization: 25 U.S.C. 13

Objectives: To provide effective managerial direction and support for those operations which span more than one natural resource activity in protecting, inventorying, and developing Indian natural resources.

Base Program: This program is involved in those areas where agriculture, range, irrigation, environmental protection, leases/rights-of-way, compliance come together, and provides the overall direction, supervision and assistance to those combined activities. Specific program elements include: agriculture/range, soil, and biological activities; environmental reviews in connection with range and agricultural activities; participation with appropriate Agency/Area Office branches in formulating guidelines for range/agricultural uses; and for maintenance of multi-purpose range water developments for agricultural/range programs.

Increase for 1981:

	<u>1981 Base</u>	<u>1981 Request</u>	<u>Increase</u>
\$ (000) (FTP)	801.0 (13)	919.0 (13)	+ 118.0 (-)

Funds are budgeted in this account to provide for staff and contract activities of a multi-discipline nature at the Central Office, area and agency levels; and for coordinated supervision and support to the overall natural resource program. The increase reflects the greater interest placed on combined Natural Resource activities at the agency and area office levels and will be used primarily for multi-purpose inventories and surveys, weed control, conservation practices, and natural resource development surveys and plans. The request reflects an increase of \$121,000 at the field level for resource inventories and a \$3,000 decrease in Central Office funding for supplies and materials.

Agriculture

Authorization: 25 U.S.C. 13

Objectives: The protection and conservation of Indian agricultural and range resources, the enhancement of their value, oversight of their use by Indian operators or lessees; providing technical assistance to land owners or users; assuring the widest possible application of programs and activities provided by other instrumentalities of government for which Indian lands are eligible.

Base Program: Prepare and maintain inventories of soil, range and water resources; provide technical assistance to Indian farm/ranch operators in developing their holdings and to realize maximum economic return from them consistent with sound conservation practices; prepare lease stipulations and farm plans and inspect leases for compliance. Maximize Indian participation by assisting Indians to secure low interest loans and other types of financial assistance to improve the quality of their farm operations; to develop economically sound plans of operations; and to develop and maximize conservation measures for ground and surface water resources. Maintain liaison with the Soil Conservation Service, the Agricultural Stabilization and Conservation Service, and other appropriate federal and local agricultural programs.

Selected Workload Factors

	<u>Accomplished</u> <u>FY 1979</u>	<u>Estimate</u> <u>FY 1980</u>	<u>Estimate</u> <u>FY 1981</u>
Farm & Ranch Management Contacts	90,000	90,000	90,000
Farmers & Ranchers Served	25,000	25,000	25,000
Range Inventories (M Acres)	3,150	3,500	3,350
Soil Inventories (M Acres)	3,100	3,000	3,000
Farm & Ranch Plans Prepared	7,215	7,300	7,300
Conservation Measures - Agricultural Lands (\$M Total cost)	24,000	26,000	28,000
Conservation Measures - Range Lands (\$M Total cost)	5,000	6,400	6,700

Farm Lease Supportive Actions	9,000	9,000	9,000
Range Permits/Modifications Actions	1,870	1,850	1,850
Compliance Actions-Leases & Permits	21,000	21,000	21,000

The selected workload factors are representative of the Agricultural Activity but are not all-encompassing. Efforts of staff time expended on environmental concerns with tribes, individuals, and development companies, for example, are reported under Environmental Quality.

The BIA dollar cost per unit of output varies widely. Cost of surveys vary by terrain and intensity of survey, as well as distance of the survey site from the agency. A specific farm plan, or lease supporting action may require a few minutes or several days of staff time. Therefore, output cost on a quantitative basis is difficult to determine on a BIA-wide per unit basis.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Req.</u>	<u>Increase</u>
\$ (000)	22,123	22,263	+140
(FTP)	(505)	(504)	(-1)

Funding at the requested level reflects the abolishment of one full time position at the Central Office. The increase at the Agency level is for the enhancement of soil, range, and water conservation measures on Indian lands.

Forestry and Fire Suppression & Emergency Rehabilitation

Authorization: 25 U.S.C. 13

Objectives: To upgrade the quality of forest management by eliminating the backlog of reforestation and timber stand improvement work and keeping current with annual forest development accruals. To harvest the full annual allowable cut in accordance with principles of sustained yield. To assist tribes in the establishment of forest products industries, to utilize tribal resources and provide employment and entrepreneur opportunities for Indian people. To continually upgrade forest protection programs to keep current in employing modern, more effective techniques to suppress wildfires and control insect and disease outbreaks.

Base Program: The Forestry program, through the harvesting and processing of Indian timber and accomplishment of forest development work, provides valuable income and employment to Indian owners. Employment is also generated by labor intensive forestry operations such as forest inventory and survey work and forest protection. Besides the direct income and employment benefits to individual tribal members, revenues generated from the Indian forest resource provide indirect economic and social benefits to all reservation Indian people by providing funds to Tribal governments.

Two new initiatives for intensive forest management were commenced in fiscal years 1977 and 1978 when Congress provided additional funding for a ten-year forest development program and a major increase in forestry program staff. As a result of the expanded forest development program, reforestation accomplishments have increased from 5,367 acres in FY 1977 to over 23,000 acres in FY 1979. Acres thinned have increased from 31,872 in FY 1977 to nearly 44,000 acres in FY 1979. In addition to carrying out the Congressional mandate of eliminating past backlogs of forest improvement work, this increased forest development activity has provided the capability to keep current with the annual accrual of 40,000 acres of reforestation and thinning work. Recruitment actions to fill 262 new forestry positions should be completed this year. When this additional staff becomes fully functional, the Bureau's forestry program will have the capability to better perform its role and responsibility in managing Indian forest lands. This increased capability should enable harvesting of the 1.05 billion board foot annual allowable cut and a significant improvement in forest management as directed by Congress.

Forestry is responsible for fire protection on 59 million acres of Indian forest and range and other lands, and provides funds to pay the cost of suppressing wildfires and emergency rehabilitation of lands burned over by wildfires. Approximately 2,500 wildfires that burn over 50,000 acres are suppressed on these lands each year. Comprehensive fire management programs also include activities of wildfire prevention, controlled use of fire for fuels management and habitat improvement, and training of personnel to meet interagency fire qualification standards. There is also an increasing need for active participation in cooperative fire management activities with other governmental and private fire protection agencies.

A token appropriation is provided each year for the suppression of wildfires and emergency rehabilitation of lands burned over by wildfires where natural rehabilitation cannot or will not occur soon enough to prevent detrimental impacts to the land base. Additional funds needed are requested by the supplemental appropriation process.

The following workload factors are indicated in the forestry program:

	<u>Actual FY 1979</u>	<u>Estimate FY 1980</u>	<u>Estimate FY 1981</u>
Annual allowable cut (MMBM)	1,050	1,050	1,050
Volume of timber harvested (MBM) (est)	909,700	979,000	1,003,000
Value of timber harvested (est)	\$116,903,500	132,385,633	144,319,612
Reforestation completed (acres)	23,027	25,000	26,000

Timber stand improvement completed (acres)	43,512	50,300	55,500
Total employment generated (MY)	9,320	10,090	10,330
Total employment income generated	\$130,480,000	\$141,260,000	\$144,620,000
Timber sales volume offered (MBM)	860,000	880,000	900,000
Timber sales contracts supervised (No.)	349	355	365
Forest products permits issued (No.)	10,030	10,100	10,200
Forest inventories completed/maintained (No.)	296	300	325
Forest and range area protected (acres)	59,014,795	59,014,795	59,014,795
Number of fires suppressed (Calendar year figures)	2,499	2,500	2,500
Acres burned - Forest	2,184		
- Non-forest	77,668	50,000	50,000
<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Inc. (+) or Dec. (-)</u>
M\$	25,365	25,612	+247
(FTP)	(570)	(570)	(0)

It is not possible to assign costs to the individual outputs since several of them: annual allowable cut, total harvest, total employment generated, etc., are the results of a combination of all forestry activities: inventory, protection, reforestation, etc. The following table shows proposed cost breakdowns for the various major forestry activities:

	1980 <u>Appropriation Enacted to date</u>	1981 <u>Base</u>	1981 <u>Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Forest Inventory and Plans	\$1,947.7	\$2,360.6	\$2,570.8	+ \$210.2
Forest Development	7,519.0	7,689.8	7,705.6	+ 15.8

Forest Protection	3,970.0	4,015.6	4,020.2	+ 4.6
Timber Sales Administration	9,050.5	9,376.0	9,388.8	+12.8
Forest Products Permits	960.8	980.5	984.1	+ 3.6
Tribal Enterprises	121.5	142.5	142.5	-
Fire Suppression	<u>800.0</u>	<u>800.0</u>	<u>800.0</u>	<u>-</u>
Total Requirements	\$24,369.5	\$25,365.0	\$25,612.0	+\$247.0

The increase in funding will allow the forestry program at the agency level to maintain its planned increases in forest development activities and to increase contracting activities in forest inventory and forest management areas where we are still lacking in-house capability.

Inventories and Plans (\$210,200). On major timbered reservations, continuous forest inventory (CFI) programs have been established. These CFI programs, utilizing automatic data processing methods, provide an overall picture of the forest resource and productivity of the forest land base. A portion of the above increase will be used to install new forest inventories on reservations where inventory information is lacking or deficient. The level of inventory information will also be intensified on some reservations with established CFI systems by conducting detailed compartment examinations and stand reconnaissance and securing updated, improved aerial photos and forest resource maps. The remainder of the increase will be utilized to initiate preparation of new forest management plans and support ongoing management planning efforts. The Bureau must rely on contracts with other government agencies and private firms to provide complete forest inventory and management planning information to timber owning tribes. The present Bureau policy and procedures are based on work already being accomplished by the U.S. Forest Service and private industry.

Other increases listed above. The small increases in the other activities will be used to help maintain the present level of services.

Water Resources

Authorization: 25 U.S.C. 13

Objectives: To implement the 10 year plan for review of Indian water entitlements developed as a part of the implementation process of the President's Water Policy Message of June 6, 1978 and his subsequent directives of July 12, 1978.

To assist Indians in conserving, developing and using their water resources, with particular reference to water resource problems and uses of a special nature.

Base Program: Providing assistance in identifying, conserving and developing water resources. The types of work provided by this program include: range water developments such as wells, storage tanks, pipelines, ponds and deep-pit charcos, potential irrigable land studies and research pertaining to special applications of water rights.

Also, a new initiative to provide comprehensive water resource development plans for each Indian reservation was commenced in 1978 in response to the President's Water Policy Message of June 6, 1978 and his subsequent directives of July 12, 1978. In these messages, President Carter directed that negotiated settlements to Indian water claims were to be emphasized wherever possible and that ways to increase Indian water development were to be found. A plan to prepare each tribe for negotiated water claim settlements and to guide future development efforts was completed in December, 1979. Initial funding for implementation was provided in FY 1980.

This new initiative will provide the following for each reservation:

1. An examination of the historical perspectives affecting the water rights of the reservation.
2. Identification and inventory of available resources.
3. Identification and inventory of existing water uses.
4. Identification of future water needs and development potentials.

In addition to activities funded by the Water Resources program, the Bureau will of course continue to develop through the Rights Protection activity, evidence in the cases which have actually reached litigation.

The following workload factors are indicated in the water resources program:

	<u>Action FY 1979</u>	<u>Estimated FY 1980</u>	<u>Estimated FY 1981</u>
Assistance in range water developments (reservations)	12	12	11
Examination of historical perspectives (reservations)	-	10	19
Inventory of resources (reservations)	-	5	20
Inventory of existing water uses (reservations)	-	2	21
Identification of future water needs (reservations)	-	1	2
<u>Increase for 1981</u>		<u>1981 Base</u>	<u>1981 Estimate</u>
\$ M		3,060	6,539
FTP		(0)	(9)
			<u>Increase</u>
			+3,479
			(+9)

To conduct the plan for review of Indian water entitlements, there is a great need for the Bureau to increase its technical capability in the water resources area and to apply improved techniques uniformly across the nation. A technical staff would concentrate on these reviews and not be subjected to other priorities, therefore providing uniformity in water resources studies from reservation to reservation.

The increase represents a \$3,550,000 increase for implementation of the Plan to Review Indian Water Claims (for a total of \$5,550.0) and a \$71,000 decrease in range water development. The \$3,550,000 increase will allow the water claim review process to be expanded as indicated in the workload factors. This will allow two reservations to be fully prepared for negotiation and pursuit of future water development alternatives. In addition, it will bring 20 additional reservations to the final phase of the water claim review process. These reservations are located in areas of the country where water entitlements are most hotly disputed. The establishment of negotiations in these areas could lead to a reduction in water rights litigation and assist tribes in stopping the erosion of their water rights.

In addition, this expansion is necessary to facilitate completion of the Indian water claim review process called for by the President in his Water Policy Message of June 6, 1978. Staffing level increases are necessary to provide the technical capability to apply recently developed standards and criteria uniformly to all reservations and to provide liaison between tribes and contractors during this process.

Wildlife and Parks and Fisheries

Authorization: 25 U.S.C. 13

Objectives:

1. Wildlife and Parks: To enhance recreation-related programs for carrying out the trust responsibilities to Indian entities who have many and varied resources that are capable of development and improvement, and to assure compliance with the Endangered Species Act of 1973, as amended in 1978.
2. Fishery Operations: Continue fish hatchery operations in critical-need areas; to develop information for scientific efforts to mitigate threats to natural fisheries, and to provide support for the continuation of regional economies that are dependent upon fishery operations.
3. Columbia River Fishing Rights: To enable the Yakima, Umatilla, Warm Springs, and Nez Perce Tribes with treaty rights on the Columbia River to fulfill their responsibilities and obligations in the management and enforcement of tribal fisheries, and in the management, protection and development of the Columbia River fisheries generally, with three states and the Department of the Interior.

4. Boldt Decision: To enable the treaty fishing tribes of Western Washington to fulfill their obligations and responsibilities in the management of treaty salmon, steelhead and herring fisheries, and in the coordinated (state/inter-tribal) enhancement, and protection of the salmonoid resources originating in waters on--and near--their reservations.

5. Fish and Game Management: To ensure the preservation and sound management of fish and game resources and to promote better understanding between Indian and non-Indian users of common fish and game resources.

6. Klamath River, California: To regulate the anadromous fishery on the Klamath River in California. Federal monitoring and enforcement activities are necessary, pending resolution of the tribal conflict between the Hoopa and Yurok until the tribes are in a position to become self-regulating, and to provide for ecological studies necessary to promote proper management.

Base Program:

The Wildlife and Parks, Fishery Operations, and Endangered Species programs will provide overall planning of programs and projects for the conservation and use of recreational lands; to assist in the completion of fish, wildlife and recreation inventories on Indian trust land; provide technical services and financial assistance to Indian entities for habitat improvement, fish and wildlife management and park development, fish hatchery operation and maintenance, and the identification and location of endangered or threatened species of fish and wildlife.

The Columbia River Fishing Rights, Boldt Decision, and Fish and Game Management programs will establish the appropriate role of the Nation's Indian Tribes in our federalist system and enable them to discharge the responsibilities which accompany the rights secured to them by treaty or statute.

This will promote the orderly development and cooperative management of Indian fisheries resources which are not possible now because of outstanding disputes regarding the rights, immunities, and prerogatives of the Indian tribes. Following are major programs included (\$000):

Wildlife and Parks (\$1,244.0): This program provides assistance in the completion of fish, wildlife and recreation inventories on Indian trust lands; technical and financial assistance to Indian entities for habitat improvement; and assistance in overall fish and wildlife management and park development. Federal assistance is also provided to Indian entities in the identification and location of endangered or threatened species of fish and wildlife, and coordination with the U.S. Fish and Wildlife Service in the implementation of the Endangered Species Act of 1973, as amended in 1978.

Fishery Operations (\$2,020.0): Provides assistance in fish hatchery operation and maintenance to the Pyramid Lake, Tamgass Creek, Tulalip, Quinault, Lower Elwha, Skokomish, Port Gamble, Nisqually, and Lummi Reservations. In addition, assistance is provided for maintenance and protection of government-owned facilities at Wildhorse Reservoir.

Columbia River Fishing Rights (\$700.0): The fishing rights of the Yakima, Umatilla, Warm Springs, and Nez Perce Tribes were adjudicated in the federal courts in the case of United States v. Oregon and Washington. This activity will enable these four tribes with treaty fishing rights on the Columbia River to fulfill their responsibilities and obligations in the management and enforcement of tribal fisheries, and in the management, protection and development of the Columbia River fisheries generally, with three states and the Department of the Interior. Some aspects of the tribal and state management responsibilities are the subject of the Five Year Management Plan agreed to by the state and tribal parties and decreed by the court. Other aspects of fishing rights are embodied in other multiparty agreements, such as the Columbia River Agreement for Management and Preservation of the Fisheries of the Columbia River System (signed by the four tribes, Washington, Oregon, Idaho, Bonneville Power Administration and the Department of the Interior). Their responsibilities and rights have also prompted their substantive participation in close cooperation with the States, Bonneville Power, and other Columbia River user groups, in the Pacific Fishery Management Council, Columbia River Fisheries Council, Columbia Fishery Technical Committee, and Columbia River Basin Fisheries Alliance, among others.

For purposes of representation and efficiency in administration of policy and technical management responsibilities, the four tribes have formed the Columbia River Inter-Tribal Fisheries Commission. The BIA contracts with this entity to carry out this activity for the four tribes.

These funds will enable the Columbia River Inter-Tribal Fisheries Commission to continue its active policy and technical roles in the management of the Columbia River System. Substantial co-management of the fisheries resource is required by Federal Court order and Federal law, and subsequent Federal laws through a multi-state, inter-tribal and Federal agency network. Specific activities include: (1) establishment of stream flow criteria, in a cooperative project with three states, two Federal fisheries agencies, and Bonneville Power Administration, (2) coordination of private and tribal sector analysis of the impact of the Bumping Lake Improvement Project, and Yakima rehabilitation project, on fisheries of the Columbia and Yakima Rivers, (3) technical work in the development of an EIS to evaluate irrigation withdrawals and power peaking problems on the river system, (4) other technical studies relating to irrigation withdrawals, screening, and obstructions to salmon migration, (5) analysis and discussion of environmental concerns, fisheries development and other measures designed to mitigate the losses due to power development, (6) assimilation and analysis of ocean and in river harvest data with tribes, states, and Federal agencies, and (7) coordination of fish hatchery production programs with state, Federal, and tribes to ensure comprehensive management of fish runs.

The Columbia River Inter-Tribal Fisheries Commission is also involved in efforts to reach a settlement of the issues involved in the litigation entitled Idaho v. Oregon and Washington. This a proceeding brought in the Supreme Court regarding the claims of the State of Idaho to salmon originating in Idaho, but migrating through the Columbia Basin. A mutually acceptable resolution of these issues, reached through negotiation involving all the interested parties, is believed preferable to prosecution to final

judgment of the lawsuit. The Columbia River Inter-Tribal Fisheries Commission is working with the special master appointed by the court to develop recommendations for resolution of these issues.

Boldt Decision (\$5,500.0): Tribal responsibilities for regulation and other management activities related to treaty Indian fisheries were articulated in 1974 by the federal courts. United States v. Washington, 384 F. Supp. 312 (W.D. Wash., 1974) aff'd, 520 F. 2d 676 (9th Cir., 1975), cert. den. 423 U.S. 1086 (1976). This activity enables the treaty fishing tribes of Western Washington to fulfill their obligations and responsibilities in the management of treaty salmon, steelhead and herring fisheries, and in the coordinated (state/inter-tribal) enhancement, and protection of the salmonoid resources originating in waters on--and near--their reservations.

Since 1974, the tribes have developed their fisheries management capabilities and initiated a cooperative working relationship with state management agencies at the technical level. Since 1975 federal funds have been appropriated annually to assist the tribes in the development of their fisheries management expertise, in discharging their responsibilities for off-reservation fisheries under the court decision, and for management of the on-reservation fisheries which had received inadequate attention during the preceding decades of conflict over Indian fishing rights.

These appropriations are used for Fisheries Management, Law Enforcement, and Aid to Tribal Government. Funds are designated for the Northwest Indian Fisheries Commission, to carry out its role in tribal fisheries management communication and information-sharing and coordination between the tribes, the State, the federal agencies, and others. The balance will be distributed among the tribes to carry out their responsibilities in all three areas.

Boldt implementation funds under the three categories described are designated exclusively for purposes of fisheries management and enforcement, communication and dissemination of related information, and identification of treaty Indian fishers. The case-area tribes directly conduct management and enhancement activities on some 45 stream systems in Puget Sound and on the Washington Coast, benefitting both treaty and non-treaty fishers. The tribes regulate the fishing activities of some 1500 treaty fishers in fresh and marine waters within their usual and accustomed fishing areas. These tribal activities, studies, data collections, and analyses, as well as tribal management plans and regulations, are coordinated with the complementary management activities of the State agencies.

The significant role of the tribes in the development of stream-specific information is particularly important to the management and coordination of tribal fisheries, and to the monitoring and control of prior intercepting fisheries, in the effort to provide for fish passage to tribal terminal area fisheries and for spawning escapement.

At this time the maintenance of all aspects of tribal fisheries programs provides the tribes and the State with the capability to manage and regulate Indian and non-Indian fisheries within the State and to provide for fish passage to subsequent marine and terminal areas (critical to tribes with

fisheries). Excellent State and Tribal cooperation in management exists now at the technical level. Disruption of the tribal capability to participate with the State as a co-manager of the resource would leave a serious gap in both management and regulation which neither the federal nor state agencies have the ability to fill. Supreme Court review of U.S. v. Washington did not affect the existing management system. The decision of the Supreme Court upheld the lower Court's decision with the exception that in the 50/50 allocation of harvestable fish, the Indians share is to include fish that are allocated for subsistence and ceremonial purposes.

Fish and Game Management (\$1,000.0): This program seeks to promote better understanding between Indian and non-Indian users of common fish and game resources. Funding for fish and game management will permit a major effort to negotiate agreements between tribes and states, and will ensure that the tribes have the capacity responsibly to enforce their laws and regulations against their own members. Ten tribes are expected to have concluded fish and game agreements with state governments by the end of 1980. This major objective is to ensure the preservation and sound management of fish and game resources and to forestall lengthy and bitterly contested litigation which has grown out of previous inattention to this problem area.

Klamath River (\$1,050.0): This program proposes to develop a viable anadromous fishery on the Klamath River capable of supporting an Indian subsistence and commercial fishery as well as a sport fishery; to institute a management system that will provide for adequate spawning escapement necessary to perpetuate the fishery; to provide for self-regulation by the tribes and to provide them with the managerial and technical capability to enable them to assume the management of the fishery at an early date. Biological studies are being conducted to determine run size and escapement needs, and condition of the fishery stocks.

	<u>FY 1981 Base</u>	<u>FY 1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Increase for 1981:			
\$	10,135.0	11,920.0	+1,785.0
(FTP)	(4)	(4)	(-)
	(In thousands of dollars)		
	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Inc. (+)</u>
Wildlife and Parks	1,095.0	1,244.0	+149.0
Fishery Operations	1,693.0	2,020.0	+327.0
Columbia River Fishery	600.0	700.0	+100.0
Boldt Decision	5,026.0	5,500.0	+474.0
Fish and Game Management	1,000.0	1,000.0	0
Klamath River, California	315.0	1,050.0	+735.0
Lummi Aquaculture	375.0	375.0	0
Central Office Operations	31.0	31.0	0
Total	<u>10,135.0</u>	<u>11,920.0</u>	<u>+1,785.0</u>

Of the total increase, \$7,000 is attributed to additional operating and maintenance funds for the Annette Island hatchery as a result of Phase III of the construction of the hatchery; \$300,000 is for the new Tulalip hatchery operations; and \$20,000 for the maintenance and protection of government-owned facilities at Wildhorse Reservoir.

An increase in the amount of \$149,000 has been banded by tribes and agencies to provide overall planning of programs and projects for the conservation and use of recreational lands; conduct appropriate inventories; and provide technical and financial assistance necessary for habitat improvement, wild-life management, and park development.

An increase in the amount of \$235,000 for the Hoopa-Yurok will provide for catch escapement monitoring and information for determination of numbers of fish available for harvest and spawning. A \$500,000 increase for Klamath River will be used for biological management, salmon enhancement and field office operations. This increase does not include funds required for law enforcement, court of Indian offenses, etc.

Additional funding in the amount of \$100,000 for the Columbia River Inter-Tribal Fisheries Commission will help provide biological, law enforcement, and judicial services to the Columbia River Tribes through the jointly sponsored program administration. The tribes are working cooperatively with the States of Washington, Oregon, and Idaho on a 5-year comprehensive plan for managing the anadromous fishery stocks originating on the Columbia River and its tributaries. Included in this increase is \$65,000 for the Commission to provide additional technical data on in river harvest, assistance in analysis and interpretation of tribal, state and Federal fishing regulations, development of comprehensive fisheries management plans, and compilation and analysis of in river environmental data. Three technical fisheries positions will be added to the Commission to accomplish these projects. The remaining \$35,000 increase is to be used for Bureau of Indian Affairs support.

A \$474,000 increase for Boldt Decision funds is to continue the present level of Indian participation in the management and enforcement activities of the Pacific Northwest Fishery during the 1981 season.

Boldt Decision: FY 1981 distribution of \$5,500.0, by tribe and by category is:

<u>Tribe</u>	(In thousands of dollars)			<u>Total</u>
	<u>Fisheries Management</u>	<u>Enforcement</u>	<u>Aid to Tribal Government</u>	
Hoh	\$155.4	\$10.9	\$ 3.2	\$169.5
Lummi	290.1	55.7	21.8	367.6
Makah	224.3	109.5	21.8	355.6
Muckleshoot	155.3	37.3	4.3	196.9
Nisqually	202.4	61.3	4.3	268.0
Nooksack	108.5	16.4	10.9	135.8
Puyallup	145.7	33.9	32.8	212.4
Quileut	279.0	55.8	4.3	339.1

Quinault	686.1	93.0	21.7	800.8
Squaxin Island	214.4	102.9	5.4	322.7
Suquamish	143.5	33.9	13.1	190.5
Tulalip	224.5	41.5	17.5	283.5
Stillaguamish	61.3	16.5	4.3	82.1
NW Indian Fish Commission	676.1	-	-	676.1
Point-No-Point	457.8	86.5	13.7	558.0
Skagit System Coop	<u>254.2</u>	<u>129.8</u>	<u>42.7</u>	<u>426.7</u>
Total Tribal	\$4,278.6	\$884.9	\$221.8	\$5,385.3
Bureau Field Support (operation of Olympia Field Office)				<u>114.7</u>
Grand Total				\$5,500.0

The increase is also distributed as follows:

	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Management	3,975.7	4,350.7	+375.0
Law Enforcement	817.6	894.7	+ 77.1
Aid to Tribal Government	<u>232.7</u>	<u>254.6</u>	<u>+ 21.9</u>
Total	5,026.0	5,500.0	+474.0

The following workload factors are reflected in the overall Wildlife and Parks and Fisheries programs:

	<u>Unit</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Wildlife inventories	No.	160	172	179
Recreation and related resource inventories	MAC	540	528	643
Wildlife management plans	No.	52	65	63
Fishery management plans	No.	50	56	54
Outdoor recreation plans	No.	75	86	88
Endangered species surveys	No.	120	138	133

Projects - Wildlife and Parks	\$M	406.0	435.2	507.0
Eggs hatched	MM	88.0	88.0	93.0
Fish released	MM	46.6	46.6	46.6
Other fish stocking	MM	50.6	50.6	66.2
Fish hatchery training	M/Y	46.0	46.0	51.5
<u>Columbia River</u>				
Tribal regulations issued and enforced	No.	3	3	3
Salmon run predictions shared with State	No.	7	7	7
Research projects directed	No.	3	3	3
<u>Boldt Decision</u>				
Tribal identification programs maintained	No.	22	22	22
Inter-tribal organizations involved in joint-management studies	No.	4	4	4
<u>Fish and Game Management</u>				
Agreements negotiated	No.	0	7	6
Enforcement programs established	No.	0	6	12

Object Classification Distribution

The object class detail for the \$5,769,000 increase for the sub-activity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Secretary	5	-1	- 11,243
Water Planning Officer	14	+1	+ 34,713
Water Planning Specialist	13	+5	+146,875
Contracting Specialist	13	+1	+ 29,375
Clerk Typist	4	+2	+ 20,098
Total Permanent Positions		+8	+219,818

Personnel Benefits	<u>21,982</u>
Total Compensation	\$241,800
Travel	30,000
Printing and Reproduction	5,000
Other Services - primarily contracts	5,458,833
Supplies and Materials	30,367
Equipment	<u>3,000</u>
TOTAL	+ \$5,769,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Minerals and Mining; Irrigation & Power Operation and Maintenance

(Dollar amounts in thousands)

		1980 Appro- piation Enacted <u>To Date</u>	1981 <u>Base</u>	1981 <u>Estimate</u>	Inc.(+) or <u>Decr. (-)</u>
Minerals & Mining	\$	7,949	7,964	7,083	-881
	FTP	(16)	(16)	(16)	(-)
Irrigation O & M	\$	4,823	4,836	5,762	+926
	FTP	(11)	(11)	(11)	(-)
Program Total	\$	<u>12,772</u>	<u>12,800</u>	<u>12,845</u>	<u>+ 45</u>
	FTP	(27)	(27)	(27)	(-)

Minerals and Mining

Authorization: 25 U.S.C. 13

Objectives: To provide technical, economic, and land-use data and advice to Bureau and Department personnel and Indian mineral owners seeking to develop their mineral resources, and to manage energy and minerals development, conservation, and royalty accounting.

Base Program: Inventory of resources; organization of minerals information; coordination with land use planning and reclamation groups; management and oversight, including economic analyses of leases and other contracts involving Indian mineral resources; a concurrent responsibility with USGS to ascertain correct amount and account for royalty income from Indian leases; protection of the resources.

Additional duties arise from our trust obligation to advise tribes and secure maximum input from them while assisting in the management of their resources. These duties include: detailed economic advice to tribes; technical assistance during negotiations; and maximization of benefits - not necessarily income alone - from Indian mineral development.

Benefits of Indian mineral development may include increased employment, income, and overall economic development of the reservation by direct participation in the specific production activity, or by providing goods and services to the project employees.

The base program also includes the Mineral Inventory Program, consisting primarily of work done under interagency agreements with the Bureau of Mines and the U.S. Geological Survey, with a smaller amount of funding diverted to individual tribes for special studies.

The inventory program is composed of three phases as follows:

- Phase I - Collecting and summarizing existing data, either published or unpublished. Reports from this Phase also include recommendations for additional studies, if warranted.
- Phase II - Generating new data through work performed on the ground at specific locations using limited exploration techniques to confirm findings and recommendations resulting from Phase I reports.
- Phase III - Studies relating to mineral development including assessment of the amount and quality, recovery potential, and marketing feasibility. These studies may or may not be the result of recommendations from Phase II Studies.

By October 1980, the mineral inventory program will have completed Phase I studies on 212 reservations, covering more than 32 million acres of Indian land held in trust by the Federal Government. In addition, Phase II studies investigating leads furnished by Phase I efforts will be either completed or in progress on 28 reservations or reservation areas. Eight intensive Phase III examinations, which are investigations needed to prove the existence of commercial quantities will be either completed or in progress by that date. About 10-15 reservations still require Phase I studies. These will be completed in FY 1981, and will end that phase of this program.

Plans for FY '81 include the following Reservations:

<u>Phase I</u>	<u>Phase I - In Progress</u>		<u>Phase II - New Projects</u>
Estimated 15 reports	Alamo Colville Jicarilla Mescalero	Zuni Great Lakes Reservations Navajo	Estimated 7 reservations not yet determined

<u>Phase III - In Progress</u>	<u>Phase III - New Projects</u>
Uintah and Ouray Wind River Great Lakes Reservations Colville	Estimated five reservations not yet determined

<u>Decrease for FY 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
\$ FTP	7,964 (16)	7,083 (16)	-881 (0)

The base program can be maintained after absorbing the decrease due to the "winding down" of the Phase I segment of the Inventory Program and the lack of necessity for funding several "one time" tribal projects.

Irrigation Operation and Maintenance

Authorization: 25 U.S.C. 13

Objectives: To operate and maintain irrigation water delivery systems.

Base Program: Irrigation O&M appropriated funds are used to pay into the collection account, on behalf of Indian landowners, funds for the operation and maintenance of irrigation systems operated by the Bureau in accord with the categories shown below. The program provides funds to pay the O&M assessments for those Indians who are financially unable to pay their assessments, and Indian owners not required to pay O&M either because of law, court decree or because the irrigated areas are subsistence garden tracts. Indian leased lands with certain minor exceptions are required to pay the full per acre O&M costs, as are non-Indians, when receiving water deliveries from Indian irrigation systems.

Collections are deposited in the O&M receipt account and are available for operating and maintaining the respective projects pursuant to the provisions of the Act of August 7, 1946 (60 Stat. 895). These collections include payments by Indian and non-Indian waterusers and appropriated funds here requested.

Indian irrigation projects and systems fall into the following categories:

(1) Projects which are economically feasible on the basis that there is a sufficient quantity of water to supply the assessable area. The lands have characteristics which will produce crops under sustained irrigation and have repayment capabilities which will permit landowners and water users as a whole to pay the full annual cost of the operation and maintenance of the system.

The assessment rates on those projects are fixed to return the full operation and maintenance costs. Any unpaid assessment becomes a lien against the land for which we pay the assessment.

Funds requested for payment of assessments under this category will be used when necessary to pay into the Collection Account that part of the uncollectible current annual per acre assessment against Indian-owned lands. Funds so paid into the Collection Account to cover such unpaid assessments become reimbursable debts due the U.S.

(2) Projects where the repayment capabilities of the land will not permit payment of the full annual operation and maintenance costs. Assessment rates for Indian water users on these projects are based on the ability of the Indian to pay and therefore, do not cover the full cost of operation and maintenance. All or any part of any unpaid assessment becomes a lien against the land for which such assessment is not paid. Funds requested for payment of costs under this category will be used when necessary to pay into the Collection Account that part of the annual operation and maintenance cost on Indian-owned land in excess of the annual assessment and any part of the uncollectible annual per acre assessment against Indian-owned lands. Funds

so paid into the Collection Account to cover these costs become reimbursable debts to the U. S. when used to pay all or any part of the annual costs included in the assessment rate. Costs in excess of the assessment rate are non-reimbursable.

(3) Irrigated areas, such as subsistence garden tracts and tracts of a few acres which do not represent economical units, but provide Indian landowners with a means of supplementing their livelihood. Because of the low income of the Indian landowners and water users on these irrigated areas and tracts, it is not feasible from an economic standpoint to assess these lands. Accordingly, the operation and maintenance costs are non-reimbursable and do not become a lien against the land benefitted. Funds requested for payment of costs under this category will be used when necessary to pay into the Collection Account the total cost for operation and maintenance of these subsistence garden tracts and irrigated areas, or if no Collection Account has been established, and it is not desirable or proper to establish such an account, the funds will be expended when necessary directly from the appropriation account.

(4) Irrigation systems and reservoirs serving Indian-owned lands located within and operated by various private and public irrigation districts and water user associations. Assessments for operation and maintenance of these irrigation systems and reservoirs are made by the irrigation district or water users association embracing and serving such Indian-owned lands.

(5) Projects that are operated by the Bureau at no cost to the Indian landowners and water users, as provided for under legislation. Funds requested for payment of assessments under this category will be used when necessary to pay into the Collection Account appropriated funds for irrigation projects operated by the Bureau at no cost to the Indian water users, as provided by legislation.

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Increase</u>
\$ (000)	4,836	5,762	+926
FTP	(11)	(11)	(-)

The 1981 estimate of \$5,762,000 includes \$1,797,000 for NIIP. The increase of \$926,000 reflects inflationary growth along with the need to operate irrigation projects at maximum possible benefits to the users and to properly maintain the system with timely repair and replacement programs.

Object Classification Distribution

The object class detail for the \$45,000 increase is as follows:

<u>Object Class</u>	<u>Estimate Amount</u>
Other Services	<u>+\$45.0</u>
Total	<u>+\$45.0</u>

Justification of Program and Performance

Activity: Trust Responsibilities

Subactivity: Indian Rights Protection

(Dollar Amounts in Thousands)

		1980 Appro- piation Enacted To Date	FY 1981 Base	FY 1981 Estimate	Inc. (+) or Dec. (-)
Environmental Quality	(\$) (FTP)	1,242.0 (12)	1,242.0 (12)	1,242.0 (12)	- (-)
Rights Protection	(\$) (FTP)	24,528.0 (86)	18,603.0 (86)	15,126.0 (87)	-3,477.0 (+1)
Program Total	(\$) (FTP)	<u>25,770.0</u> (98)	<u>19,845.0</u> (98)	<u>16,368.0</u> (99)	<u>-3,477.0</u> (+1)

Environmental Quality Service

Authorization: 25 U.S.C. 13 & 42 U.S.C. 4321

Objectives: To comply with the National Environmental Policy Act of 1969 (NEPA) when proposed actions affect or impact Indian trust lands.

Base Program: NEPA and various other acts require the examination of proposed actions on Indian lands to determine if they affect or impact the quality of the human environment. When the examination or assessment indicates an impact, then an environmental impact statement will be prepared to insure that the Indian people are aware of impacts on the environment, the resources, their cultural heritage and social welfare. The Environmental Quality Program includes the coordination of activities concerned with environmental concerns, cultural resources, Clean Water Act, Clean Air Act, Endangered Species Act, Toxic Substances Control Act and other laws or regulations concerning the environment.

An important part of this program is the review, commenting, and dissemination of environmental impact statements prepared by other agencies to insure that the Indian people are aware of the proposed actions and the impacts that may affect them.

The program funds are expended for personnel and support services for staff at the area level and the Central Office, and where staff are not available, contracting for resource investigations leading to reports, preparation of assessments, reports and statements necessary to attain the objectives and goals of the program.

Selected Workload Factors

	<u>1979</u>	<u>1980</u>	<u>1981</u>
Environmental examinations	48,000	48,000	47,500
Environmental assessments	720	700	720
Environmental impact statements	8	6	5
Environmental reviews	430	420	400

Rights Protection

Authorization: 25 U.S.C. 13

Objectives: To preserve the resources and protect the rights which the United States has guaranteed Indian tribes through treaty, statute, or Executive order, and to meet all challenges and initiate whatever action that might be necessary to clarify and to make more firm, the nature of a protected right to ensure the continued viability of that right; to establish tribal financial ability to become involved in those issues, regardless of how many, properly identified as rights protection issues; to fund all those activities required to fulfill obligations to the tribes and mandated by trust responsibilities; to address all unresolved rights issues in the shortest possible time; to accomplish all water inventories still pending. To bring potentially contesting parties together on a broad scale to consider Indian rights issues in a national setting, and to seek and explore areas of common interest and goals.

Base Program: The rights protection activity provides the Bureau of Indian Affairs with problem-solving staff and technical support services for the administration of the multi-billion dollar estate which the United States administers on behalf of the Nation's Indian tribes. This includes support to meet challenges to tribal rights and interests that are protected by treaty, statute, or Executive order, as well as the initiation of those actions required of a prudent trustee to clarify the nature of and to ensure the continued viability of those rights. This activity funds those studies and actions needed to preserve and protect Indian water rights, including water inventories necessary to support litigation. While Indian water rights are vested and protected by the 5th Amendment to the Constitution, these rights are largely unquantified.

This activity further serves as the focal point for Federal efforts to bring together tribes, state and local governments, and other interests such as industry, for the purpose of resolving differences and conflicts in ways other than protracted, expensive litigation.

Where negotiated agreements are not possible, this activity provides the historical, technical, scientific, and other professional expertise necessary for the government to litigate challenges to Indian rights which the United States has guaranteed through treaty or statute.

It is incumbent upon the Federal government, by virtue of its fiduciary responsibility to see to it that Indian rights are not abrogated, lost, or infringed upon. The majority of the tribes are not financially able to undertake the programs necessary to protect their rights and resources. As pressures mount on scarce resources, especially water, program efforts must be expanded to assure that Indian rights are effectively protected.

Following are major programs included in this activity (\$000):

Statute of Limitations (\$1,000.0): To discharge the fiduciary obligations of the United States, this program was initiated to identify, research, prepare, and file those claims against third parties for money damages which the United States had to file before April 1, 1980, or be barred by the Statute of Limitations contained in 28 U.S.C. 2415. Failure to prosecute these claims could subject the government to liability. Approximately 9700 potential cases were identified.

Because of the volume of cases, we are presenting the United States Justice Department with "prima facie" cases. These are essentially protective suits whereby we make sufficient showing justifying a suit, but we will need additional evidentiary studies to support technological facts as well as mere operative facts; i.e., identifying heirs, title searches, etc.

ANCSA Site Surveys (\$1,820.0): Cemetery sites and historical places will be investigated for eligibility for transfer as provided by the Alaska Native Claims Settlement Act, and eligible sites will be conveyed to the Native Regional Corporations. These sites must be accurately located, and additional information gathered and verified. For historical places, especially, it must be determined if the activity claimed for the area was probable, to the extent that requirements of regulations are met. Sites are photographed, corners posted, identification tags provided, and metes and bounds descriptions determined. Field reports are prepared with maps, field sketches, photos, and signed statements. The reports are referred to the Area Director with recommendations for certification.

Litigation Support (\$2658.0): This activity provides the information and evidence gathering capability required by the United States to successfully defend the Government's position in litigation involving Indian issues, including water resource inventories necessary in water rights litigations. Much of the activity conducted in support of litigation is actually directed toward negotiated settlement of lawsuits to which the United States is a party. In some instances the United States is suing in actions brought on its own behalf or on behalf of Indian tribes; in others is a named defendant in actions brought by third parties; and in others a named defendant in actions brought against the United States by Indian tribes.

Attorney Fees (\$1000.0): Decisions of the Comptroller General and the Court of Appeals for the 10th Circuit have ruled that it is appropriate to expend appropriated funds to enable tribes to retain independent counsel in situations in which the United States cannot afford them representation as contemplated by 25 U.S.C. 175; i.e., when a conflict of interest exists.

Following are the policy guidelines that determine priority classification of eligibility for attorney fee funding:

(a) In the event that a tribe is sued directly and must defend its immunity from suit as well as on the merits and the Attorney General declines to defend the tribe, these facts will constitute the Bureau's first-funding priority of a tribe's attorney's fees.

(b) In the event that the United States is sued and a tribe's (or tribes') rights and interests (e.g., Winters right) are challenged by the action and, in addition, other identified interests of the United States (BuRec, BLM, etc.) or the rights and interests of another tribe conflict with those of the affected tribe, such facts will constitute the Bureau's second-priority funding of a tribe's attorney's fees.

(c) In the event that the actions (or inactions) of another party detrimentally affect the rights and interests of a tribe, and the Attorney General declines to bring suit to enjoin such action, thus forcing the affected tribe to bring suit to protect its rights and interests, such facts will constitute the Bureau's third-priority funding of a tribe's attorney's fees.

Hunting and Fishing Rights Support (\$1,500.0): This activity continues the program to develop the information necessary to provide the United States and Indian tribes with the scientific information which is necessary to determine the extent to which treaty hunting and fishing rights may be asserted without damaging the fish and game resources. This includes establishment of herd sizes, stocking rates, harvest quotas, and analysis of environmental, development, and other impacts on fish and game resources.

Unresolved Indian Rights Issues (\$700.0): This activity continues the effort to address systematically the backlog of hundreds of unresolved issues which have been identified. These issues range from land reversion claims and disputes with minerals entry on acquired or withdrawn lands, to issues regarding pollution abatement from industrial sources and hazards posed by unsafe or marginally safe dams operated by private companies upstream from reservation lands. A system to identify, track, and expedite resolution of Indian rights issues has been established. Resolution, either administratively, judicially, or legislatively, is pursued at the Agency, Area, or Central Office levels. Emphasis is to seek resolution at the lowest possible level.

Pyramid Lake (\$225.0): This activity develops the technical and biological information required to restore the Pyramid Lake fishery as mandated by the Washoe Reclamation Act (P.L. 84-858) (1956). The principal purpose of these funds is to continue the studies for determining the effects of various levels

of toxic dissolved solids on the food chain of the cui ui, an endangered species and the Lahontan trout. This information will be critical in the Department's establishment of operating criteria for the Newlands Project and in coordinating the federal role in attempts to manage the Truckee-Carson river systems in a manner consistent with the preservation of the fishery of Pyramid Lake.

Rights Protection General (\$766.0): This element provides the Bureau of Indian Affairs with the professional technicians for the above rights protection activities and the funds to conduct the research, monitor the contracts, and give executive and administrative direction to this effort at the national level.

<u>Decrease for 1981</u>	<u>FY81 Base</u>	<u>FY81 Est.</u>	<u>Decrease</u>
\$ (000)	18,603.0	15,126.0	-3,477.0
(FTP)	(86)	(87)	(+1)

The decrease for Rights Protection is as follows:

	<u>1981 Base</u>	<u>1981 Request</u>	<u>Inc.(+) or Dec. (-)</u>
Statute of Limitations	6,000.0	1,000.0	-5,000.0
ANCSA	1,300.0	1,820.0	+520.0
Litigation Support	1,907.0	2,658.0	+751.0
Hunting & Fishing Rights	1,500.0	1,500.0	-
Attorney Fees	1,000.0	1,000.0	-
Unresolved Indian Rights Issues	500.0	700.0	+200.0
Pyramid Lake	<u>500.0</u>	<u>225.0</u>	<u>-275.0</u>
Subtotal	<u>12,707.0</u>	<u>8,903.0</u>	<u>-3,804.0</u>
Rights Protection General	<u>782.0</u>	<u>766.0</u>	<u>-16.0</u>
Agencies & Areas	<u>5,114.0</u>	<u>5,457.0</u>	<u>+343.0</u>
Total	18,603.0	15,126.0	-3,477.0

Agencies and Areas (+\$343.0): This increase is offset by decreases in other programs, and reflects tribal input in the budget process. Operations at this level reflect the continuing effort to develop a rights protection capability at the field level where conflict and issue resolution can be most effectively carried out. This focusing of staff and resources at the local level will greatly reduce the administrative costs and the time involved in addressing these issues, and will concentrate the activity at the level where the most detailed knowledge of facts and local conditions exists, namely, at the reservation level.

Statute of Limitations (-\$5,000.0): Because of the deadline of April 1, 1980, for filing cases, the main thrust of this activity will be to conduct needed studies and surveys, and to research historical data, as indicated by the attorneys, to support cases filed in court prior to the deadline. Since activities will be geared to known viable cases, the extensive research and funds necessary to identify possible new claims, and the verification of those which are valid, will not be necessary. Accordingly, it is our estimate that the funds requested will be sufficient to carry out the program.

Alaska Native Claims Settlement Act (+\$520.0): It was originally estimated that there were 4,000 historical and cemetery sites that would have to be investigated for certification for transfer to the Native Regional Corporations under the Alaska Native Claims Settlement Act. Upon preliminary screening, about three out of four applications for reserves are being rejected. On the basis of this, it is now estimated that 1200 to 1400 sites will need to be surveyed. To date 387 sites have been investigated. As the survey crews become more knowledgeable and proficient in their work, their productivity goes up. In some cases, it is necessary to go back and redo some of the surveys either because there was no BIA representative present during the survey, or because the survey was not done satisfactorily. The deficiencies are being corrected and it is anticipated that an additional 185 will be accomplished in FY 1981. Based upon present progress, it is estimated that this effort will be finished in five years.

Litigation Support (+\$751.0): The increase in litigation support is needed to provide the necessary information and evidence-gathering capability to defend the United States' position in litigation involving Indian issues. At the present time there are 60 cases filed with the courts in which the U.S. is involved either as a named defendant or on behalf of Indian tribes. These cases are concerned with water rights, trespass, zoning ordinances, condemnation of trust lands, establishment of ownership of riverbeds, adjudication of water, right-of-ways and trespass, and title reversion of right-of-ways of abandoned railroads.

Unresolved Indian Rights Issues (+\$200.0): The increase of this item is to provide for resolutions of issues that surfaced when research was being conducted to seek out and identify potential claims under the Statute of Limitations program which were not subject to the Statute. Resolution is sought preferably at the Agency/Tribal level. Issues that are surfacing include sale of land without full consent; uncollected, ignored, or refusal to pay lease rentals, and use of individual Indian Account funds to satisfy state regulations in order for individual Indians to qualify for old age assistance.

Pyramid Lake (-\$275.0): It is anticipated that the programmed amount of \$225,000 will be sufficient to carry out the biological investigation necessary to support the cases presently in court, which seek to restore the fishery to its former level.

Rights Protection General (-\$16.0): This reduction is the result of reduction of one position and of operating costs such as supplies and materials at the Central Office.

Object Classification Distribution

The object class detail for the \$3,477.00 decrease for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Clerk	GS-5	-1	\$ -11,273
Realty Specialist	GS-11	+2	<u>41,222</u>
Permanent Positions			29,949
Positions other than Permanent			<u>-386,243</u>
Total Compensation			-356,294
Personnel Benefits			-36,304
Travel			-109,750
Printing and Reproduction			38,200
Other Services			-3,082,752
Supplies and Materials			<u>69,900</u>
Total			\$-3,477,000

Justification of Program and Performance

Activity: Trust Responsibilities

Subactivity: Real Estate and Financial Trust Services

(Dollar amounts in thousands)

		1980 Appro- piation Enacted To Date	1981 Base	1981 Estimate	Inc. (+) or Dec. (-)
Trust Services, General	(\$) (FTP)	894.0 (13)	951.0 (13)	914.0 (12)	-37.0 (-1)
Real Estate Services	(\$) (FTP)	20,130.0 (582)	20,918.0 (582)	23,597.0 (586)	+2679.0 (+4)
Financial Trust Services	(\$) (FTP)	3,454.0 (117)	3,022.0 (117)	3,261.0 (116)	+239.0 (-1)
Program Total	(\$) (FTP)	<u>24,478.0</u> (712)	<u>24,891.0</u> (712)	<u>27,772.0</u> (714)	<u>+2,881.0</u> (+2)

Trust Services, General

Authorization: 25 U.S.C. 13

Objectives: To provide consistent, quality and timely direction and assistance in technical operations of all trust responsibilities programs; to direct, formulate and coordinate program planning, development and execution, and to provide managerial assistance in the execution of trust services.

Base Program: Provides executive and managerial direction and support in the Central and field offices to trust activities, which may include all or some of the following: environmental quality, rights protection, real estate services, appraisals, land use planning, land records improvement, financial trust services, agriculture, range, soil and moisture conservation, forestry, fire suppression, minerals & mining, water resources, wildlife and parks, irrigation construction & operation and maintenance, fish and game management, water policy implementation, cultural resources, archeological clearances, and others.

<u>Decrease for 1981:</u>	81	81	
	<u>Base</u>	<u>Estimate</u>	<u>Decrease</u>
\$ (000)	951.0	914.0	-37.0
FTP	(13)	(12)	(-1)

The net decrease consists of small increases at two areas, decreases at four and a decrease at the Central Office. Net decreases at the field level total \$29,000; Central Office \$8,000.

Real Estate Services

Authorization: 25 U.S.C. 13

Objectives: To protect and enhance the corpus of the Indian trust estate by providing individual Indian landowners and Indian tribes the professional, technical, administrative and protective services required of the United States in its role as trustee of real property.

Base Program: To provide counseling, management, appraisal and land use planning services to the Indian tribes and individuals who own beneficial interests in trust lands or resources. These services are provided throughout the decision making processes involved in the utilization, development, or other disposition of Indian trust lands. Program activities include all aspects of real property management, e.g.,

- surface and sub-surface leasing;
- archaeological clearances;
- granting of rights-of-way
- acquisitions of land;
- disposals of land;
- partitions and exchanges of interests in lands
- maintenance of systematic land titles and ownership records;
- maintenance of family histories and estate inventories for probate;
- monitoring of lease and contract compliance;
- appraisal or evaluation services;
- land use planning;
- economic feasibility studies;
- boundary surveys

In addition to the responsibility under 25 U.S.C. 13 to provide general administration of Indian property, additional real estate services are mandated by other codes, statutes and court decisions. Among these requirements are: approve all contracts related to services on Indian lands (25 U.S.C. 176); consent to the alienation of tribal lands (25 U.S.C. 81 and 177); grant or approve rights-of-way 25 U.S.C. 311-328); extend periods of trust and regulate descent and partition of kinship's interests (25 U.S.C. 398). Under *Seminole Nation v. United States* (316 U.S.C. 286 (1942)), the Federal Government is charged to exercise its trust responsibilities by using the "most exacting fiduciary standards." More recent federal statutes with which real estate services interact are NEPA, Historic Preservation Act, Archeological Antiquities Act, and the Archaeological Resources Protection Act of 1979.

The following major workload factors are indicated in the Real Estate Services Program:

	<u>FY 1979</u>	<u>FY 1980</u>	<u>FY 1981</u>
Boundary Surveys Completed by BLM (mi)	600	435	780
Land Acquisitions/Disposals Completed (#)	12,535	14,000	15,965
Surface Lease and Modification Actions (#)	22,849	23,000	23,753
Subsurface Lease and Modification Actions (#)	9,217	10,585	10,969
Land Title Changes Processed (#)	25,000	35,000	37,500
Land Records Provided & Examined (#)	49,000	65,000	70,000
Appraisals (#)	16,000	16,250	16,250
Land Use Plans in Preparation (#)	2,300	2,300	2,300
Land Use Plans Completed (#)	2,200	2,200	2,200
Archeological Clearances (#)	2,000	2,000	2,000
Lease Compliance Actions (#)	6,446	12,000	13,800
Realty Counseling (#)	318,109	320,000	320,000
Probates (#)	4,250	4,300	5,100

<u>Increase for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$ (000)	20,918.0	23,597.0	+2,679.0
FTP	(582)	(586)	(+4)

This increase is summarized as follows:

Land Records	\$ +200.0
Lease Compliance	+1,000.0
Boundary Surveys	+680.0
Tribal	+813.0
Central Office	-14.0
Net Increase	2,679.0

LAND RECORDS Funding of \$1.2 million (an increase of \$200,000) will provide for the continued leasing of the on-line computer capability, systems maintenance, on-going training in the land records management and the acceleration of the title examination effort. The increased funding of \$200,000 in this activity is for perfecting data for on-line capability to the field. The five new positions are required for the continuance of an accelerated program of title examinations. This is required in order to provide Bureau-wide operations the necessary base data to improve program activities and meet the Bureau's fundamental requirement in real property management which is the preservation of a current chain of title to the lands held in trust.

Limited staff resources, sheer volume of work, lack of central control and the complexities of the spiralling heirship problem have contributed to the existing backlog of unexamined titles. The accelerated program is aimed at reducing this backlog and will provide title information on trust lands in a more timely manner and result in more prompt services to Indian trust landowners and for field program operations. The additional staffing of 5 persons will facilitate this effort by providing title examination review capability to support the contracted services. Contracted service is an effective tool and has been used to the degree that the examination process can be contracted; nevertheless, the end product (title reports) must be reviewed and certified by a qualified Bureau examiner.

LEASE COMPLIANCE Funding of \$2.5 million (which represents a \$1.0 million increase over FY 80 funding) will enable a total of approximately 13,800 leases and permits to be closely monitored for strict adherence to the terms and conditions of the contracts. The increase will be devoted to contracting, with a significant portion going to Indian contractors. It is estimated that this will result in an additional 1,800 inspections. Such inspections are crucial for the preservation of the integrity of the trust lands which constitute the economic base of both individual Indian and tribal owners. Lacking these inspections, lands are often returned to the owner in a condition far inferior to that of its original pre-lease condition. Examples of this include fence deterioration, water pollution, overgrazing, erosion, soil depletion, etc. Such contracting will be especially useful in ensuring compliance with contracts which are seasonally sensitive--e.g., crop production--and which have an inspection workload which can be performed only at certain times of the year. Additionally, the monitoring of business, industrial and development leases will result in the proper payment to tribes of the monies owed them at various stages of development. Contracting with auditors to inspect the books of on-going business leases will constitute a large part of this effort, but much will be done with generalists who will periodically inspect the developmental leases to insure that improvements are accomplished on schedule and that adjusted rentals follow in a timely manner.

The relatively small increase in the number of inspections at this funding level--vis-a-vis last year's level--is a natural outgrowth of the new initiative. Last year, we addressed those situations or cases which were most easily susceptible to solution and which could show early results. The more complex or difficult situations will be addressed in 1981 as the number of less complicated cases declines. Many, if not most, of the 1,800 additional inspections which

will be performed at this funding level will involve difficult cases of compliance. Especially complex are the inspections which involve the environmental aspects of the land reclamation efforts associated with the drilling and mineral leases on trust lands. Also, the monitoring of developmental and industrial leases demands a concentrated, recurring effort on the part of inspectors to assure the proper payment to tribes of monies owed them at the various stages of development.

BOUNDARY SURVEYS (\$1.4 million) The boundary survey program is increased by \$680,000. This increase will purchase an additional 345 miles of surveys and will bring the total expected miles of survey to 780 for this year. Benefits realized from increased activity at this level of funding will provide surveys for resolution of existing trespass cases and enable field resources managers to properly identify Indian owned lands and delineate lease/permit perimeters resulting in improved resource management and development.

STAFF OPERATIONS (\$784.0) Central Office staff operations have been decreased by \$14,000 and one position. This decrease reflects a continuing effort to concentrate available resources at the field level.

FIELD (\$17,213.0) The increase of \$813,000 in field funding will be used to increase the overall real estate activities at the field level that provides support services for activities such as statute of limitations, training, contracting, etc., needed to enhance the delivery of real estate services to the Tribes and individual landowners. This increased funding level will provide for a 12% increase in the land acquisition/disposal caseload; 3% increase in surface and subsurface leasing activities; 7% increase in land records provided and examined; 13% increase in lease compliance actions and a 15% increase in probate actions.

CULTURAL RESOURCES (\$300.0 - no increase) Under present arrangements, these funds will be transferred to the National Park Service for archaeological clearance services.

APPRAISALS (\$200.0 - no increase) These funds continue a special effort to increase production of appraisal reports contracting, control for land use plans and economic studies to support agency offices and tribal efforts at viable economic development on the reservation.

Financial Trust Services

Authorization: 25 U.S.C. 13

Objectives: To provide individual Indians and Indian tribes the same or equivalent technical, administrative and protective services that are expected and duly rendered to a beneficiary under any lawful trust created or imposed to protect, maintain or enhance the corpus of the trust estate.

Base Program: Accounting for and disbursing of tribal and individual Indian monies deriving from the sale or lease of tribal resources such as land, timber, minerals and water; and the disbursement of per capita payments, judgments,

awards and claims; providing for trust fund histories, research projects involving special fiscal problems, special financial reports for use in litigation cases, trust fund data for legislative acts and recommendations for the execution of the acts; investing the various revenues so as to maximize returns while still protecting the funds one hundred percent as to security and providing through an automated accounting system, monthly reports for the appropriate tribe and individual.

The following workload factors are indicated in these activities:

	<u>As of 9/30/78</u>	<u>As of 9/30/79</u>
Total invested	\$791.0 million	\$935.0 million
Per Annum Earnings	\$ 58.0 million	\$ 88.8 million
Tribes Services (#)	222	225
IIM Accounts (#)	221,000	212,000

<u>Increase for FY 1981</u>	1981 <u>Base</u>	1981 <u>Estimate</u>	Inc. (+) or <u>Dec. (-)</u>
\$ (000)	3,022.0	3,261.0	+239.0
FTP	(117)	(116)	(-1)

There is a decrease for a Washington Office position reduction, an increase for Bureau-wide investment operations and a \$120,000 field office increase.

The function of our I.S.S.D.A. field personnel is to collect and disburse funds for lands, minerals and property held in Trust on behalf of Indian Tribes and Indian individuals, to fulfill the Secretary of Interior's trust responsibilities. In doing so, we have a fiduciary obligation to collect and disburse those funds in the most expeditious method possible while maintaining a creditable files and records system.

The total number of I.I.M. accounts increases each year, and this in turn leads to a marked increase in the number of transactions involved. Since we are under employment ceiling constraints, the only alternative is to automate our system to allow more postings to be done per person.

The bulk of this increase will go for a mini-computer at the Billings Area Office with input terminals at various agencies; Fort Belknap and Fort Peck Agencies are being used as pilot projects to input and abstract financial data at this time.

The increase will also allow establishment of a pooling concept for the investment of tribal funds.

Presently, we invest on a "pool" basis on all ISSDA, IMPL and Contributed Funds. We do not do so with tribal funds. If we did, it is estimated that an additional \$2 million dollars in interest earnings could be realized each year. This increase will allow us to initiate and maintain this concept.

OBJECT CLASSIFICATION DISTRIBUTION

The object class detail for the \$2,881,000 increase is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Appraiser	GS-12	-1	-27,172
Conveyance Examiners	GS-11	+5	+113,360
Clerks	GS-5	-2	-23,643
Less Lapse			(19,000)
Permanent Positions			43,545
Positions Other Than Permanent			401,850
Personnel Benefits			44,013
Total Compensation			489,408
Travel			27,000
Printing and Reproduction			49,600
Other Services			2,113,352
Supplies and materials			111,200
Equipment			90,440
		NET INCREASE	+ \$2,881,000

Justification of Program and Performance

Activity General Management and Facilities Operation
 Subactivity: Management and Administration

(Dollar amounts in thousands)

		1980 Approp- riation Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
Executive Direction & EEO	\$	8,330.0	8,803.0	8,525.0	- 278.0
	(FTP)	(303)	(297)	(290)	(-7)
Administrative Services	\$	34,904.0	35,537.0	35,798.0	+ 261.0
	(FTP)	(1,218)	(1,242)	(1,242)	(0)
ADP Services	\$	4,788.0	4,788.0	4,188.0	- 600.0
	(FTP)	(107)	(107)	(107)	(0)
Total Requirements	\$	<u>48,022.0</u>	<u>49,128.0</u>	<u>48,511.0</u>	<u>- 617.0</u>
	(FTP)	(1,628)	(1,646)	(1,639)	(-7)

Executive Direction & EEO

Authorization: 25 U.S.C. 13

Objective: To develop, guide and oversee the implementation of policy for the Bureau of Indian Affairs to ensure the fulfillment of the Bureau's mission.

Base Program: Provides policy leadership and line management control over all Bureau programs at all organizational levels. The program's activities at the Central Office level include the Office of the Commissioner of Indian Affairs and his immediate staff offices, Public Information, Equal Employment Opportunity, Congressional and Legislative Affairs, and Bureau Controlled Correspondence. Field activities provide funds for line managers at the Area and Agency Office levels, including their deputies and direct support personnel. The Bureau has field locations at 12 areas, 84 agencies and several other independent locations, such as irrigation and power projects and off-reservation boarding schools.

<u>Decrease for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	8,803.0	8,525.0	-278.0
(FTP)	(279)	(290)	(-7)

The proposed decrease of \$278,000 in this element will bring about the following changes:

- (a) reduction of 7 positions from the Commissioner's staff offices (-\$214,000);

- (b) annualization of the FY 1980 congressional add-on for the recently recognized Pasqua Yaqui tribe of Arizona (+\$13,000); and
- (c) reduction of \$77,000 in the Executive Direction program at the field level resulting from programmatic shifts in the Agency and Area Offices (-\$77,000).

The reduction of the seven positions in the Commissioner's staff offices referred to in item (a) above will be accomplished in FY 1981. Since the Commissioner has been recently appointed, the specific positions to be reduced have not yet been identified, but will be after the Commissioner has organized his staff offices in FY 1980.

The amount shown in item (b) represents the annualized cost for the general management program of the Pasqua Yaqui tribe of Arizona for which funds were provided by the FY 1980 Congressional add-on.

In item (c) the -\$77,000 is a net figure encompassing increases and decreases involving program changes made during the priority setting process at the Agency/Area levels. To be more specific, the Agency programs have been held almost even, while the Area Offices excluding Navajo show collectively a small increase of approximately \$45,000 to cover inflationary costs for supplies, materials, and related expenses. At the Navajo Area the Tribe opted to cut the Executive Direction program by \$122,000, reducing their staff costs such as supplies, materials, other contractual services, etc. Reviews of the Area Offices nationwide carried out under the Management Improvement Program have identified opportunities to upgrade direct service to the Agencies from the Areas so that overall levels of service to the reservation level will be improved.

Administrative Services

Authorization: 25 U.S.C 13

Objectives: To provide general administrative support to the programs which carry out the mission of the Bureau.

Base Program: Provides funds for general administrative staff which support the operating programs of the Bureau. The functions performed include general administration; property management; procurement of supplies, services and materials; contract and grant negotiation and administration; personnel management; financial management; management research; records management; and mail services. Also provided are funds for Bureau-wide intra-governmental assessments for services such as FTS, Postage and other Departmental Assessments. As a part of the budget process, this program provides assistance in the development of program and financial plans including funding, staffing and work accomplishment data for all Bureau activities. It also provides for the collection and development of demographic profiles for the use of tribes in obtaining funds from various sources and to fulfill reporting requirements of the Bureau. The significant workload factors used in this program are shown in Table I.

TABLE I. WORKLOAD FACTORS - ADMINISTRATIVE SERVICES

<u>WORKLOAD FACTOR</u>	<u>U/M</u>	<u>FY 1979</u>	<u>FY 1980 (Estimate)</u>	<u>FY 1981 (Estimate)</u>
Fiscal Transactions Processed <u>1/</u>	No.	8,345,750	8,350,000	8,350,000
Procurement Actions Completed <u>2/</u>	No.	64,089	70,234	74,000
Contracts Negotiated:				
Program Contracts - P.L. 93-638	No.	1,509	1,554	1,600
Service Contracts <u>3/</u>	No.	2,824	2,900	3,000
Grants Administered:				
P.L. 93-638	No.	620	620	620
Child Welfare Act	No.	-	60	60
Personnel Actions Completed <u>4/</u>	No.	47,500	46,000	45,000
Property Inventory Items Maintained <u>5/</u>	No.	169,611	175,000	175,000
Volume of Records Maintained <u>6/</u>	Cu. ft.	123,926	124,529	125,000
Pieces of Franked Mail Dispatched <u>7/</u>	No.	4,743,482	5,000,000	5,500,000

- 1/ Includes all types of transactions processed during the year such as allotments, allocations, obligations, disbursements, collections, refunds, etc. intra- and inter-Bureau.
- 2/ This number takes into account procurement requests for acquisition of supplies, materials, property, utilities, space and other similar services used in the conduct of Bureau operated programs.
- 3/ Includes consultant software, construction contracts & other program performance & service contracts.
- 4/ Processing of personnel actions such as accessions, promotions, separations, etc., requiring completion of SF-50.
- 5/ Includes only personal property items which are maintained on the property management inventory system and are accountable to an organization element.
- 6/ Figure represents total volume on hand include volume created during the year, less volume transferred to Record Center or destroyed.
- 7/ Based on semi-annual sampling data.

The Bureau's administrative services staff requirements are vital to the proper performance of functions required by federal laws and regulations. Additional administrative workload was created by increased program contracting and grant administration as authorized by P.L. 93-638; expanded personnel management activities as a result of Civil Service Commission personnel reviews and the need of trained Indian applicants for professional jobs which have been difficult to fill; and improved financial reporting capabilities to aid program managers and inform tribes as to status of available Bureau funds. We anticipate that a portion of the increased workload will be accommodated by administrative savings through reforms under the Management Improvement Program.

The need of trained Indian applicants to fill the available professional jobs in the Bureau is being partially satisfied by the Indian Intake and Development Program (IIDP), which has been specifically established to provide opportunities for Indian candidates that will enable them to qualify and compete for journeyman level positions in occupations where there are few qualified Indians. These occupations consist of Personnel Management Specialists, Administrative Officers, Budget Analysts, Accountants, Realty Specialists, Contract Specialists, Loan Specialists, Real Estate Appraisers, Tribal Operations Specialists, Foresters, Engineers, Soil Conservationists, and Range Conservationists. Applicants for the program are recruited from new graduates of colleges and universities and some come from nonprofessional jobs within the Bureau. The program was initiated in FY 1979 at a cost of some \$381,000 with 31 employees participating. In FY 1980 the number of participants will increase to 46, with a cost estimated to total \$767,200. Of this amount \$400,000 will be paid from the administrative services program to fund 22 participants with other operating programs contributing to the remaining 24. All of these funds are used to provide for salary, travel and other related expenses.

The acquisition of timely and accurate current year financial data by program managers has been made possible through the Financial and Accounting System Teleprocessing Output Remote (FASTOR). A new information system for financial management is being brought on line during FY 1980 as part of the Management Improvement Program effort. The new system will be a new edition of the FASTOR system. It provides detailed financial data to program managers using terminals to access a centralized commercial time sharing system using simplified language.

<u>Increase for 1981:</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$	35,537.0	35,798.0	+ 261.0
(FTP)	(1,242)	(1,242)	(0)

The net increase for Administrative Services functions is detailed as follows:

	(dollars in thousands)		
	1981 Base	1981 Estimate	(+) or (-)
Field Staff (Area/Agency)	22,082.0	22,043.0	-39.0
Indian Intake & Dev. Program	400.0	700.0	+300.0
Central Office Staff	8,965.0	8,965.0	(0)
Intra-governmental Assessments	4,090.0	4,090.0	(0)
Total, Administrative Services	35,537.0	35,798.0	+261.0

The reduction of \$39,000 for field staff operations represents anticipated savings from the decentralization of certain administrative processes from Central Office field operations in Albuquerque, New Mexico. The Bureau's Management Improvement Program efforts in voucher processing, procurements of supplies and materials, and personnel management are directed toward decentralization of administrative authorities and processing input where possible to eliminate unnecessary and duplicative processes and to maximize use of the ADP system now being developed. An additional sum of \$300,000 is requested for the Indian Intake and Development Program. These funds will in FY 1981 enable this account to take over full funding of 12 more participants increasing their number to 34 out of a total of 46 participating in the entire program.

The funding level of \$8,965,000 for the Central Office Staff remains the same as in FY 1980. It is expected that the staff though limited in numbers will continue to maintain an effective operation of administering its Federal programs to Indian people.

There is also no change in the funding level for the payment of Intra-governmental Assessments from the previous year which remains at \$4,090,000. The Intra-governmental Assessments referred to include:

	<u>1981 Estimate</u>
Postage	\$1,080,000
FIS - General	1,980,000
FIS - Domestic	110,000
FIS - Overseas	160,000
GSA Refile	270,000
Departmental Assessments	490,000
Total	<u>\$4,090,000</u>

ADP Services

Authorization: 25 U.S.C. 13

Objective: To modernize the Bureau's capability to process information in support of operational programs and management decision-making.

Base Program: The funds (\$4,788,000) included in the base program represent a continuation of the FY 1979 program, and relate to (1) the preparation for and installation of area computing capability; (2) the implementation of an overall management information systems for use on modern computing equipment; and (3) the operation of an augmented ADP management and policy staff.

The major portion of the base (\$3,600,000) was appropriated to the Bureau to prepare for, and to lease and install computers and computer terminals at all area and agency offices. In addition, a small central computer will be leased for use by central office programmers and analysts to provide ADP development assistance, testing and certification of programs for use Bureau-wide and to extract, summarize and report management data from the field network.

The establishment of the above network is expected to meet all of the needs of the operating levels of the Bureau. It will also be compatible with a central facility to provide the national information needs of the Bureau. The entire network will therefore provide management information to all levels of the organization.

This network concept is compatible with the recommendations of the House Investigative Staff Report (House Committee on Appropriations) and will build upon the "model" that has been tested in the Billings area for the past five years.

The computer design specification and programming for the overall information system is underway (\$500,000) and is planned for installation in FY 1981. These computer programs primarily are intended to extract information from the operating level systems for reporting to management. New systems required for information and decision-making will also be developed, particularly for administrative requirements.

Funds appropriated in FY 1980 (\$600,000) will be used to complete the conversion of all existing centralized programs from the Bureau's obsolete and unreliable computer in Albuquerque, New Mexico to a contracted facility under the Teleprocessing Services Program (TSP). This conversion is expected to provide expanded and more efficient computer operations. The cost does not recur in FY 1981.

In addition, the base funds provide for some central ADP staff for managing the Bureau's ADP program and determination of information policies (\$88,000).

The costs of operating existing ADP systems are borne directly by each user. To cover these costs, funds are included within each user's regular operating program. The user pays only for ADP services actually received and may use inhouse hardware to the extent available or commercial ADP services either through Teleprocessing Services Program (TSP) contracts managed by the central ADP Services organization or specially cleared service contracts. ADP users of the Bureau also make some limited use of several systems maintained by other Federal agencies, including the Bureau of Mines in Denver, Colorado. The ADP user charge system was installed at the beginning of FY 1979 and will continue to be used in FY 1980 and FY 1981.

<u>Decrease for 1981</u>	<u>1981 Base</u>	<u>1981 Est.</u>	<u>Decrease</u>
\$	4,788.0	4,188.0	- 600.0
(FTP)	(107)	(107)	(0)

The net decrease of \$600,000 is the result of completing the conversion of all systems from the Bureau's computer in Albuquerque to commercial TSP operation.

The request includes funds for the ADP policy staff at the Central Office (3 FTP; \$88,000) at the same level as FY 1980. The other 104 FTP included here are for the Bureau's other ADP Services. The funds to finance these positions are borne by users through work orders established each year as part of the Bureau's ADP user charge system.

Object Classification Distribution

The object class detail for the \$617,000 decrease for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Staff Specialist*	14	-1	\$ -34,700
Staff Specialist*	13	-2	-58,800
Staff Specialist*	12	-1	-24,700
Staff Specialist*	11	-2	-41,200
Staff Specialist*	7	-1	-13,900
Indian Intake Participants**	(av 9)	(12)	+243,200
Permanent Positions		-7	+70,000
Positions other than Permanent			+72,700
Total Compensation			+142,700
Personnel Benefits			+14,300
Travel			+15,400
Rent, Communications and Utilities			-3,000
Other Services			-675,000
Supplies and Materials			-111,400
Total			<u>\$-617,000</u>

* These position titles will be specifically identified during FY 1980 organization of staff by the new Commissioner.

** These positions are not new, having been established and funded in other accounts in FY 1979 and FY 1980. They are proposed to be funded under this subactivity in FY 1981.

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: General Management and Facilities Operation
 Subactivity: Program Support Services

(Dollar Amount in Thousands)

		1980			
		Approp. Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
Safety Management	\$	1,109.0	1,147.0	1,021.0	-126.0
	(FTP)	(41)	(41)	(41)	(0)
Employee Compensation	\$	2,940.0	3,434.0	3,434.0	-0-
	(FTP)	(0)	(0)	(0)	(0)
Total Requirements	\$	4,049.0	4,581.0	4,455.0	-126.0
	(FTP)	(41)	(41)	(41)	(0)

Safety Management

Authorizations: P.L. 91-596; 5 USC 7902; 25 USC 13; P.L. 93-416; 5 USC 8101; Federal Property and Administrative Services Act; 40 USC 471; 28 USC 14 et. seq.; Tort Claims Act; Military Personnel and Civilian Employees Claims Act.

Objective: To ensure that a safe and healthful work environment is established and maintained in the execution of the Bureau's mission.

Base Program: The Bureau Safety Management program consists of seven program activities. The Occupational Safety and Health Program is consistent with the Federal Occupation Safety and Health Program as regulated by 29 CFR 1960 and Executive Order 11807. The Loss Compensation Program assures that all accidents and incidents will be thoroughly investigated and documented and will aid in the prompt settlement of claims. The Employee Injury Compensation Program assists and informs all employees of their rights and benefits provided by the Federal Employees' Compensation Act, as amended, assuring that employee claims are processed accurately and promptly. The Emergency Preparedness Program provides that in times of emergencies and crises, all essential functions vital to government operations and community services are maintained, assistance and resources are rendered within reasonable capability to protect life and property. The Motorized Equipment Safety Program expresses and extends Congressional policy to provide for an economical and efficient system for the transportation of government personnel and property; and promotes the safety of operators of government and private vehicles on official business. This policy includes aircraft, watercraft, heavy equipment operation, and the transportation of school students. The Indian Highway Safety Program is administered for the purpose of furnishing assistance to tribes so they may benefit from programs authorized by the eighteen highway safety standards. The Technical Assistance Program furnishes assistance to Indian tribes, tribal groups and tribal contractors, Bureau field offices, and other government agencies in all matters

pertaining to Occupational Safety and Health, Loss Compensation, Injury Compensation, Emergency Preparedness, Motorized Equipment Safety, and the Indian Highway Safety Program.

The overall management of the Safety Program is conducted at the Central and Area Office levels. The Central Office Safety Management staff coordinates the Bureau's responsibilities, deals with other Federal Agencies and evaluates performance by the field. The specific functions and responsibilities include: (1) developing and recommending Bureau-wide policies and objectives; (2) developing Safety Management portion of the Bureau of Indian Affairs Manual (25 BIAM), Supplements and handbooks; (3) monitoring development of program plans; (4) providing management guidance and technical assistance; (5) evaluating field level performance; (6) assuring compliance with Federal Regulations affecting air, water and other forms of pollution emanating from Bureau facilities; (7) participating in the ongoing Bureau-wide Boiler Inspection Program; (8) coordinating safety training programs for all Bureau employees; (9) developing and managing the Bureau-wide Fire Protection Program for the purpose of maintaining and lowering the insurance services office rating; (10) providing Industrial Hygiene guidance and technical assistance; (11) providing Safety Engineering Services; and (12) providing Safety Management Information System Services.

The Area Safety Managers are responsible for the major functions of program management and training. Some of their major functions are:

- (1) Accident Investigations. All accidents and incidents are reported and any of a serious nature are thoroughly investigated and documented.
- (2) Injury Compensation. Assure the prompt flow of all accident and incident reports and assist employee supervisors in the completion of claims forms and review for completeness and accuracy. Act as the Office of Workers' Compensation Programs (OWCP) agent with responsibility for follow-up action on claims and for general liaison with appropriate OWCP offices.
- (3) Motor Vehicle Operation. Administer the motor vehicle operators program for the Area. Train and direct road test examiners located at all field installations, issue instructions, make periodic inspections of the driver testing program, issue Operator's Identification Cards (SF-46).
- (4) Emergency Preparedness. Administer the program for each Area and are solely responsible for emergency procedures to be implemented, serve as chief liaison with Federal, State, County, and City disaster officials and other participating agencies.
- (5) Tort Claims. Responsible for Tort Claims Investigation Reports. Work closely with Regional Solicitors in providing a complete investigative report in all cases where a possible tort claim may arise from damage to property and/or injury to non-governmental personnel. Prepare investigative reports of accidents where recovery of damages from a third-party is warranted for the U.S. Government.

(6) Program Management. Plan and execute all safety programs within the Areas, having full responsibility for comprehensive programs necessary for the prevention of accidents which may result in injury to employees, students, tribal members, the general public and/or damage to Government property. Normally act in a staff capacity except when life, limb or property is in immediate jeopardy; then full line authority is exercised, which may include suspension of operations, work, and/or evacuation of buildings or facilities.

(7) Inspections. Develop, prepare and coordinate reports to advise staff and line officials about the degree of risk involved to persons and property. Conduct surveys and inspections of plant areas, schools, dormitories, facilities, shop machinery, mechanical processes, power and electrical installations, hoists, pressure vessels, transportation equipment for the purpose of (a) insuring conformance with OSHA and established safety rules and regulations; (b) detecting safety hazards and undesirable operating conditions; (c) originating and recommending corrective actions; and (d) increasing the effectiveness of such safety features as mechanical safeguards, processes, and protective clothing currently in use.

The following workload factors are indicated for this program:

<u>WORKLOAD FACTOR</u>	<u>U/M</u>	<u>1978</u>	<u>1979</u>	<u>1980</u> <u>(est.)</u>	<u>1981</u> <u>(est.)</u>
Accidents reported	Nb.	1,565	1,310	1,600	1,700
Serious accidents investigated	Nb.	19	14	15	17
Safety program evaluations	Nb.	2	3	3	4
Safety inspections made	Nb.	174	698	1,760	2,300
Operator 's Licenses (SF-46) issued	Nb.	19,200	19,700	19,000	19,000
Emergency Preparedness Plans	Nb.	12	12	52	82
Claims processed:					
Workmen 's compensation	Nb.	806	680	900	1,000
Tort and other	Nb.	178	86	100	120

<u>Decrease for FY 1981</u>	<u>1981 Base</u>	<u>1981 Estimate</u>	<u>Decrease</u>
\$	1,147.0	1,021.0	-126.0
(FTP)	(41)	(41)	-0-

The reduction of \$126,000 represents a net figure derived from program decreases at the Agency (-\$26,000) and Area Office (-\$115,000) levels, and an increase of \$15,000 at Navajo.

In most cases the cuts involve small amounts ranging from \$1,300 to \$33,700 and reflect programmatic shifts resulting from the priority setting process at the Agency and Area Office levels.

Employee Compensation

Authorization: P.L. 86-767

Objective: To provide for repayment of charges to the Department of Labor, Employees' Compensation Fund.

Base Program: The base program includes funds to fully reimburse the Department of Labor for FY 1979 charges to the Employees' Compensation Fund. Justification of the \$494,000 increase over FY 1978 appears in the "Justification of Adjustments to Base and Built-in Changes" section. The increase in cost is the result of higher medical and incident costs, and increase in salaries of Federal employees.

About 20% of the costs to the Fund are the result of claims filed by the Menominee Tribe for tribal employees engaged in tribal timber operations on their Reservation. These charges have continued to accrue to the Bureau because of differences in interpretation of law between the Departments of the Interior and Labor. Legislative review and resolution of this issue is needed.

Object Classification Distribution

<u>Object Title</u>	<u>Amount</u>
Other Services	- <u>\$126,000</u>

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: General Management and Facilities Operation

Subactivity: Facilities Management

		(Dollar Amount in Thousands)			
		1980			
		Approp. Enacted to Date	FY 1981 Base	FY 1981 Estimate	Increase (+) or Decrease (-)
GSA Rentals	\$	6,727.0	7,200.0	7,200.0	-0-
	(FTP)	(0)	(0)	(0)	(0)
Facility Operation	\$	69,269.0	71,605.0	78,404.0	+6,799.0
& Maintenance	(FTP)	<u>(1,634)</u>	<u>(1,634)</u>	<u>(1,634)</u>	<u>(0)</u>
Total Requirements	\$	75,996.0	78,805.0	85,604.0	+6,799.0
	(FTP)	<u>(1,634)</u>	<u>(1,634)</u>	<u>(1,634)</u>	<u>(0)</u>

GSA Rentals

Authorization: Public Buildings Amendments Act of 1972 (P.L. 92-313)

Objective: To provide adequate space and physical facilities for effective operation of Bureau programs at locations with inadequate Bureau-owned facilities.

Base Program: The base program includes funds for 1,201,000 square feet of GSA provided space serving Bureau programs throughout the country. The total cost of this space is estimated to be \$7,200,000 in FY 1981. These funds include \$500,000 to cover estimated rate increases with no additional space requested. The justification of the increase appears in the section "Justification of Adjustments to Base and Built-in Changes".

Facilities Operation and Maintenance

Authority: 25 U.S.C. 13

Objective: To operate and maintain Bureau-owned physical facilities for the programs of the Bureau.

Base Program: This program provides operations and maintenance service for approximately 8,620 buildings containing about 27,960,000 square feet of floor area located at some 400 sites throughout the United States. Utility systems are operated and maintained at most locations and in many cases these systems are quite extensive. Necessary utilities and services such as heating, cooling, electric, water, sewage and refuse disposal, fuel and fuel storage, communications, janitorial and protection services are provided. Costs include personal services, materials, equipment, supplies, fuel and

contractual services to operate, maintain, make minor repairs, and perform preventive maintenance for all facilities. These include quarters, dormitories, offices, academic buildings, shops, kitchen/dining, recreation, law enforcement facilities, grounds and streets.

The Central Office Facility Management staff coordinates the Bureau's Facility Management responsibilities, deals with other Federal Agencies, and evaluates performance by the field. The functions and responsibilities range from policy development to direct assistance in implementation at the field level, and include: (1) developing and recommending Bureau-wide policies and objectives; (2) developing Bureau-wide Facility Management portion of the Bureau of Indian Affairs Manual (46 BIAM), Supplementals and handbooks; (3) monitoring Bureau-wide development of Facility Management program plans; (4) providing management guidance and technical assistance; (5) evaluating Area and Agency level performance; (6) assuring compliance with Federal Regulations affecting air, water and other forms of pollution emanating from Bureau facilities; (7) participating in a Bureau-wide Boiler Inspection Program; (8) coordinating training programs for craftsmen, operators, servicemen, and maintenance men; (9) managing the Bureau's two-way radio communications frequency management program; (10) establishing standards for the operation and maintenance of facilities; (11) performing engineering feasibility studies; and (12) coordinating utility conservation and energy reduction programs.

The Area Office Facility Management staffs are responsible for the major functions of program management and engineering. In the Program Management phase the specific functions include:

- (1) Program Development. Develop the Facility Improvement and Repair Programs from information submitted by the Agencies. Provide overall guidance, coordination, and technical assistance in a staff capacity to carry out the Facility Operation and Maintenance Program;
- (2) Distribution of Available Funds. Reviews, analyzes, and evaluates operation, maintenance and repair costs within the Area to assure proper execution and conformance with financial plans;
- (3) Technical Guidance and Assistance. Provides technical guidance and assistance to Agencies in the improvement, operation, maintenance and repair of physical plant facilities. Furnishes technical guidance and assistance to Indian tribes, groups and individuals as requested;
- (4) Inspection and Evaluation. Conducts periodic inspections of Agency facilities and evaluates the performance of the Agency Facility Operation and Maintenance program; and
- (5) Energy Conservation & Environmental Protection. Manages field level activities to conserve energy and protect the environment.

In the Engineering phase of the specific Area Office functions are:

- (1) Engineering Surveys. Conducts engineering surveys and/or studies to determine the feasibility of proposed work;
- (2) Architectural-Engineering Services. Provides various architectural and engineering services for planning, cost estimates, working drawings and specifications.
- (3) Construction Management. Provides technical assistance to the Contracting Officer to ensure compliance with contract requirements. Provides technical assistance for Force Account Construction.

The Area Offices also provide Direct Support to the execution of the Agency level facility program. These Direct Support activities include: (1) supervision and inspection of major repair and improvement projects; (2) inspection and evaluation of specialty systems such as, boilers, water and waste water treatment, and control systems for heating and cooling plants, alarms and communications; (3) trouble diagnosis in electrical and mechanical systems; and (4) identification and development of project need, scope and cost.

<u>Increase for 1981:</u>		<u>1981 Base</u>	<u>1981 Est.</u>	<u>Increase</u>
\$		71,605.0	78,404.0	+6,799.0
(FTP)		(1,634)	(1,634)	(0)

The increase for the Facility Operation and Maintenance functions is detailed as follows:

	(dollars in thousands)		
	1981 <u>Base</u>	1981 <u>Estimate</u>	Increase (+) Decrease (-)
Field Facility O&M	\$65,172.0	\$72,488.0	\$ +7,316.0
Area Office Operations	5,994.0	5,477.0	- 517.0
Central Office Staff	439.0	439.0	-0-
Total, Facility O&M	<u>\$71,605.0</u>	<u>\$78,404.0</u>	<u>\$ +6,799.0</u>

With the requested increase of \$7,316,000 shown for Field Facility Operation and Maintenance, the program will be continued at a funding level of about 11% greater than the current year (1980). This program is operated at Agencies and schools. At a unit cost estimated to be \$2.59 per square foot in FY 1981, the increased funds will be used to meet the higher cost of energy (utilities), construction materials, building supplies, etc. and will provide O&M services to 16 new facilities which will come on line in FY 1981. A list of these new facilities and their locations is furnished on Table I.

The increase consists of the following increments: \$6,770,000 to cover increased utility costs of existing facilities; \$385,000 for O&M of the new facilities; \$61,000 for new GSA rentals at the Phoenix Area Office and the Osage and Talihina Agencies in Oklahoma; \$25,000 for new direct rentals at

the Winnebago and Mescalero Agencies; and \$75,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec. 106(h) of P.L. 93-638.

The decrease of \$517,000 indicated for the Area Offices Operations represents funds that were formerly retained at the Area Office levels as a reserve for centralized emergency purchasing of fuel and other supplies. This arrangement will no longer be practiced as funds for this purpose will now be available at the agency level.

There is no change in the funding level of the Central Office Staff.

Object Classification Distribution

<u>Object Title</u>	<u>Amount</u>
Rents, Communications and Utilities	\$ + 2,303,000
Other Services	+ 4,290,000
Supplies and Materials	+ 206,000
Total	<u>\$ + 6,799,000</u>

FACILITIES MANAGEMENT

TABLE I. NEW FACILITIES OPERATION AND MAINTENANCE - FY 1981:

<u>AREA/NAME OF INSTALLATION</u>	<u>AGENCY/LOCATION</u>
<u>ABERDEEN</u>	
Little Wound Secondary School	Pine Ridge - Kyle, South Dakota
Law & Order Holding Facility	Pine Ridge - Loneman, South Dakota
Law & Order Holding Facility	Pine Ridge - Porcupine, South Dakota
Law & Order Holding Facility	Pine Ridge - Wanblee, South Dakota
<u>ALBUQUERQUE</u>	
Ramah Navajo Community Building	Ramah - Ramah, New Mexico
San Felipe Day School	Southern Pueblos - San Felipe, NM
San Ildefonso Day School Kitchen	Northern Pueblos - San Ildefonso, NM
San Juan Day School Kindergarten	Northern Pueblos - San Juan, NM
Santa Clara Day School Kindergarten	Northern Pueblos - Santa Clara, NM
Forestry Warehouse	Ute Mountain Ute - Towaoc, Colorado
Community Building	Ute Mountain Ute - White Mesa, Utah
Home Economics Building	Jicarilla - Dulce, New Mexico
Juvenile Detention Building	Mescalero - Mescalero, New Mexico
Warehouse	Mescalero - Mescalero, New Mexico
<u>NAVAJO</u>	
Administration Building	Western Navajo - Tuba City, Arizona
<u>PHOENIX</u>	
Kohatka Kindergarten	Papago - Kohatka, Arizona

Summary of Requirements by Object Class
(dollar amounts in thousands)

Appropriation: Operation of Indian Programs

Object Class:	1981 Base			1981 Estimate			Inc. (+) or Dec. (-)		
	Pos.	Avg. No.	Amount	Pos.	Avg. No.	Amount	Pos.	Avg. No.	Amount
<u>11 Personnel compensation:</u>									
11.1 Permanent positions <u>1/</u>	12,476	11,730	218,320	12,427	11,681	217,623	-49	-49	-697
11.3 Positions other than permanent.....	-	4 500	51,229	-	4,500	51,229	-	-	-
11.5 Other personnel compensation.....	-	220	9,939	-	220	9,939	-	-	-
Total personnel compensation.....	12,476	16,450	279,488	12,427	16,401	278,791	-49	-49	-697
<u>Other Objects:</u>									
12.1 Personnel benefits.....			30,494			30,424			-70
21.0 Travel and transportation of persons.....			10,402			10,402			-
22.0 Transportation of things.....			7,092			7,092			-
23.1 Standard level users charge.....			6,000			6,000			-
23.2 Communications, utilities, and other rent			23,000			25,300			+2,300
24.0 Printing and reproduction.....			1,093			1,000			-93
25.0 Other services.....			277,610			287,695			+10,085
26.0 Supplies and materials.....			51,000			51,000			-
31.0 Equipment.....			12,500			12,500			-
32.0 Lands and structures.....			6,000			6,000			-
41.0 Grants, subsidies, and contributions.....			104,086			107,086			+3,000
Total requirements.....			808,765			823,290			+14,525

1/ The total 12,476 base positions were lapsed based on an annual 6 percent average. The net decrease of 49 positions is composed of a decrease of 75 positions and an increase of 26. The decrease of 75 carries a lapse rate of approximately 10.7%, while the new positions are estimated to have a lapse rate of 30%. Therefore, workyears for the decreased positions will be 67 while workyears for the new positions will be 18, making a total of 49 decrease.

RTA-128

APPROPRIATION LANGUAGE

OPERATION OF INDIAN PROGRAMS

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order and payment of rewards for information or evidence concerning violations of law on Indian reservation lands or treaty fishing rights tribal use areas; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian art and crafts, as authorized by law; and for the general administration of the Bureau of Indian Affairs, including such expenses in field offices. [\$789,051,000] \$823,290,000 of which not to exceed [\$58,753,000] \$58,344,600 for higher education scholarships and assistance to public schools under the Act of April 16, 1934, shall remain available for obligation until September 30, [1981] 1982, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450) shall remain available until September 30, [1981] 1982: Provided, That this carry-over authority does not extend to programs directly operated by the Bureau of Indian Affairs; and includes expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531, \$5,498,000, to remain available until expended: Provided further, That none of these funds shall be expended as matching funds for programs funded under section 103(a)(1)(B)(iii) of the Vocational Education Act of 1963 as amended by the Act of June 3, 1977 (Public Law 95-40): Provided further, That, notwithstanding the provisions of section 6 of the Act of April 16, 1934 (48 Stat. 596), as added by section 202 of the Indian Education Assistance Act (88 Stat. 2213, 2214; 25 U.S.C. 457), funds appropriated pursuant to this or any other Act for fiscal years ending September 30 of [1979] 1980 and [1980] 1981 may be utilized to reimburse school districts for up to the full per capita cost of educating Indian students (1) who are normally residents of the State in which such school districts are located but do not normally reside in such districts, and (2) who are residing in Federal boarding facilities for the purpose of attending public schools within such districts. (7 U.S.C. 1651-1656; 16 U.S.C. 583, 590a-590f, 594; 25 U.S.C. 13, 305-309, 309a, 318a, 381, 385, 631-640, 1481-1498; 48 U.S.C. 169, 250-250f; 29 Stat. 321; 33 Stat. 189, 595, 1048; 34 Stat. 1015; 34 Stat. 70, 558; 36 Stat. 269, 855; 38 Stat. 582; 45 Stat. 1562, 1639; 48 Stat. 362; 49 Stat. 887; 52 Stat. 80; 54 Stat. 707; 88 Stat. 2203; 92 Stat. 1325, 2143, 3069; Public Law 96-126, making appropriations for the Department of the Interior and related agencies, 1980.)

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS - OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)			
Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Program by activity:			
Direct program			
1. Education:			
(a) School operations.....	168,045	187,035	185,255
(b) Johnson O'Malley educational assistance.....	25,246	29,388	29,469
(c) Continuing education.....	38,533	55,348	50,017
2. Indian Services:			
(a) Aid to tribal government....	13,561	16,971	23,606
(b) Social services.....	66,186	87,401	91,700
(c) Law enforcement.....	21,750	27,712	30,386
(d) Housing.....	19,876	19,416	19,624
(e) Self-determination services.	37,875	45,155	50,358
(f) Navajo-Hopi settlement prog.	2,578	5,493	5,498
3. Economic Development & Employment Program:			
(a) Employment development.....	43,000	51,737	46,821
(b) Business enterprise development.....	7,304	8,713	8,448
(c) Road maintenance.....	12,996	17,803	19,300
4. Natural Resources Development:			
(a) Forestry & agriculture.....	58,653	54,835	67,253
(b) Minerals, mining, irrigation and power.....	12,680	12,790	12,845
5. Trust Responsibilities:			
(a) Indian rights protection....	15,184	25,940	15,668
(b) Real estate & financial trust services.....	16,860	25,124	28,472
6. General management & facilities operation:			
(a) Management & administration.	40,792	49,447	48,511
(b) Program support services....	3,814	4,074	4,455
(c) Facilities management.....	77,770	77,513	85,604
Total, direct program.....	682,703	801,895	823,290

Program and Financing (in thousands of dollars)

Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Reimbursable program:			
1. Education.....	4,526	30,000	30,000
2. Indian Services.....	525	1,220	1,220
3. Economic development & employment program.....	186	800	800
4. Natural resources development...	349	800	800
5. Trust responsibilities.....	293	400	400
6. General management & facilities operation.....	6,819	3,000	3,000
Total, reimbursable program	12,698	36,220	36,220
Total program costs, funded 1/..	695,401	838,115	859,510
Change in selected resources (undelivered orders).....	105,897	-	-
10.00 Total obligations.....	801,298	838,115	859,510
Offsetting collections from:			
11.00 Federal funds.....	-7,890	-31,220	-31,220
14.00 Non-Federal funds.....	-4,808	-5,000	-5,000
21.40 Unobligated balance available, start of year.....	-5,420	-2,940	-2,940
24.40 Unobligated balance available, end of year.....	2,940	2,940	2,940
25.00 Unobligated balance lapsing... Budget authority.....	4,217	-	-
	790,338	801,895	823,290
Budget authority:			
40.00 Appropriation.....	792,052	789,051	823,290
41.00 Transferred to other accounts.	-1,714	-	-
43.00 Appropriation (Adjusted).....	790,338	789,051	823,290
44.10 Supplemental for wage-board pay raises.....	-	2,794	-
44.20 Supplemental requested for civilian pay raises.....	-	10,050	-
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	788,600	801,895	823,290
72.40 Obligated balance, start of year.....	205,087	292,274	395,108
74.40 Obligated balance end of year.	-292,274	-395,108	-489,896
77.00 Adjustments in expired accounts.....	-9,855	-	-
90.00 Outlays, excluding pay raise supplemental.....	691,559	686,479	728,245

Program and Financing (in thousands of dollars)

Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Reimbursable program:			
91.10 Outlays from wage board pay supplemental.....	-	2,738	56
91.20 Outlays from civilian pay raise supplemental.....	-	9,849	201

1/ Includes capital outlays as follows: 1979, \$24,893 thousand; 1980, \$18,500 thousand; 1981, \$18,500 thousand.

Bureau of Indian Affairs

Operation of Indian Programs

OBJECT CLASSIFICATION (in thousands of dollars)			
Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Personnel compensation:			
11.1 Permanent positions.....	197,577	216,069	217,623
11.3 Positions other than permanent..	45,925	49,109	51,229
11.5 Other personnel compensation....	8,781	9,939	9,939
11.8 Special personnel svcs. payments.	2,016	-	-
Total personnel compensation....	<u>254,299</u>	<u>275,117</u>	<u>278,791</u>
Personnel benefits:			
12.1 Civilian.....	28,164	29,790	30,424
13.0 Benefits for former personnel...	198	-	-
21.0 Travel and transportation of persons.....	11,269	10,402	10,402
22.0 Transportation of things.....	7,716	7,092	7,092
23.1 Standard level users charge.....	5,664	6,000	6,000
23.2 Communications, utilities, & other rent.....	20,327	23,000	25,300
24.0 Printing and reproduction.....	1,006	1,000	1,000
25.0 Other services.....	292,420	275,908	287,695
26.0 Supplies and materials.....	60,876	51,000	51,000
31.0 Equipment.....	18,846	12,500	12,500
32.0 Lands and structures.....	6,047	6,000	6,000
33.0 Investments and loans.....	29	-	-
41.0 Grants, subsidies, and contributions.....	81,601	104,086	107,086
42.0 Insurance claims and indemnities	132	-	-
44.0 Refunds.....	6	-	-
Total, Direct Costs, Funded, Obligations.....	<u>788,600</u>	<u>801,895</u>	<u>823,290</u>
Reimbursable Obligations:			
Personnel compensation:			
11.3 Positions other than permanent..	-	10,237	10,884
11.5 Other personnel compensation....	-	100	100
Total personnel compensation....	-	<u>10,337</u>	<u>10,984</u>

OBJECT CLASSIFICATION (in thousands of dollars)

Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Personnel benefits:			
12.1 Civilian.....	-	1,081	1,149
21.0 Travel and transportation of persons.....	-	711	711
22.0 Transportation of things.....	-	89	89
23.2 Communications, Utilities & other rent.....	-	80	80
24.0 Printing and reproduction.....	-	30	30
25.0 Other services.....	10,823	17,592	16,877
26.0 Supplies and materials.....	1,875	4,000	4,000
31.0 Equipment.....	-	300	300
41.0 Grants, subsidies & contribution	-	2,000	2,000
Total reimbursable obligations..	12,698	36,220	36,220
99.0 Total obligations.....	801,298	838,115	859,510

PERSONNEL SUMMARY (in thousands of dollars)

Identification code	1979	1980	1981
14-2100-0-1-999	Actual	Estimate	Estimate
Direct:			
Total number of permanent positions..	12,550	12,476	12,427
Total compensable workyears.....	16,065	16,274	16,401
Full-time equivalent of other positions.....	(4,156)	(4,350)	(4,500)
Full-time equivalent of overtime and holiday hours.....	(200)	(220)	(220)
Average ES salary.....	\$46,248	\$49,131	\$49,622
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded positions.	\$15,979	\$17,269	\$17,442
Reimbursable:			
Total number of permanent positions..	-	0	0
Total compensable workyears.....	-	956	1,006
Full-time equivalent of other positions.....	-	(950)	(1,000)
Full-time equivalent of overtime and holiday hours.....	-	(6)	(6)
Average ES salary.....	-	\$49,131	\$49,622
Average GS grade.....	-	7.90	7.94
Average GS salary.....	-	\$16,245	\$16,407
Average salary of ungraded positions.	-	\$17,269	\$17,442

CONSTRUCTION

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Appropriation 1980.....	\$ 93,291,000
Unobligated balance from prior year.....	<u>72,725,333</u>
Total available for obligation.....	166,016,333

Decreases:

Buildings and utilities.....	\$85,007,483	
Irrigation systems.....	57,770,409	
Land acquisition.....	<u>6,638,441</u>	<u>149,416,333</u>
Subtotal (Unobligated Balance).....		16,600,000

Increases:

Buildings and utilities.....	45,053,000	
Irrigation systems.....	<u>48,585,000</u>	
Total Available, Budget estimate, 1981.....		<u>\$110,238,000</u>

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Analysis by Activities

Activity	Appropriation 1979	Appropriation 1980	Nb. of Perm. Pos.	1981 Budget Estimate	Nb. of Perm. Pos.	Budget Estimate 1981 Comp. w/ Approp. 1980	Nb. of Perm. Pos.	Page Ref.
1. Buildings & utilities								
Appropriation.....	\$81,165,000	\$44,725,000	42	\$45,053,000	42	\$ +328,000	—	
Unoblig. bal. br 't fwd...	22,313,982	52,282,483		12,000,000		-40,282,483		
Obligation program.....	51,196,499	85,007,483		49,053,000		-35,954,483		
Unoblig. bal. carried fwd	52,282,483	12,000,000		8,000,000		-4,000,000		
2. Irrigation systems								
Appropriation.....	46,939,000	43,449,000	81	48,585,000	81	+5,136,000	—	
Unoblig. bal. br 't fwd...	16,198,407	18,521,409		4,200,000		-14,321,409		
Obligation program.....	44,615,998	57,770,409		50,085,000		-7,685,409		
Unoblig. bal. carried fwd	18,521,409	4,200,000		2,700,000		-1,500,000		
3. Land Acquisition								
Appropriation.....	---	5,117,000*	---	---	---	-5,117,000	---	None
Unoblig. bal. br 't fwd...	2,669,396	1,921,441		400,000		-1,521,441		
Obligation program.....	747,955	6,638,441		100,000		-6,538,441		
Unoblig. bal. carried fwd	1,921,441	400,000		300,000		-100,000		
Total Appropriation.....	128,104,000	93,291,000	123	93,638,000	123	+347,000	---	
Total Unobligated br 't fwd...	41,181,785	72,725,333		16,600,000		-56,125,333		
Net Obligation program.....	96,560,452	149,416,333		99,238,000		-50,178,333		
Total Unobligated carried fwd	72,725,333	16,600,000		11,000,000		-5,600,000		

*Includes Salt River Pima-Maricopa Settlement

BIA-136

BUREAU OF INDIAN AFFAIRS
 Construction of Facilities
 FY 1981

1. Buildings and Utilities \$45,053.0

Construction of Facilities

This program provides funds for construction of educational and non-educational facilities; facility improvement and repairs; and program management. The selection of the education construction projects was made in accordance with the BIA School Construction Priority System transmitted to the Chairman of the Subcommittees on Interior and Related Agencies Appropriations by letters dated November 30, 1978.

A summary of projects and justification for each follows:

Buildings and Utilities Construction Program, FY 1981

<u>Projects</u>	<u>Estimated Cost (\$M)</u>
<u>School Construction (New):</u>	<u>\$19,477.0</u>
Turtle Mountain High School, North Dakota	\$11,229.0
Red Rock Day School, Arizona	\$ 3,534.0
Torreon Day School, New Mexico	\$ 4,714.0
<u>Planning and Design (New):</u>	<u>\$ 523.0</u>
Various School Projects on Priority Listing	\$ 523.0
<u>Non-Education Construction:</u>	<u>\$ 1,300.0</u>
Mt. Edgcumbe, Sewage Collection Lines, Alaska	\$ 1,300.0
<u>Facility Improvement and Repair:</u>	<u>\$21,500.0</u>
Projects	\$16,500.0
Emergency Repairs	\$ 1,500.0
Boiler Repairs	\$ 1,000.0
Planning and Design	\$ 2,500.0
<u>Program Management:</u>	<u>\$ 2,253.0</u>
 <u>TOTAL CONSTRUCTION</u>	 <u>\$45,053.0</u>

BUREAU OF INDIAN AFFAIRS
Construction Projects
FY 1981

North Dakota
Turtle Mountain Agency
Aberdeen Area
Turtle Mountain, North Dakota

Project Title: Turtle Mountain High School Construction \$11,229.0
(9-12 550 pupils)

Need:

The Turtle Mountain Reservation has experienced considerable growth during the past decade. The school is operated jointly by the Bureau and Belcourt Public School. The school population increase has forced the school administration to add many temporary buildings to accommodate the enrollment. The high school building designed for 400 pupils in 1962 provides no music room and only minimal space for a library, gym, locker and shower facilities. It is also lacking in shop space. Arts and craft space is very inadequate. When high school enrollment increased, temporary buildings were added and the junior high school program expanded into the existing facility. The high school ADM at the end of the 1978-79 school year was 512 students. Enrollment is expected to increase to 550 within 5 years. Fifty-two professional staff members are now employed by the high school. When the new school is completed, this number will increase to approximately 75 including non-professional personnel. A four year high school program is planned for 550 students and a site has been selected for it. Indications are that the population will soon stabilize and that the high school as planned and designed will meet the present and future needs of the Reservation. Enrollment verifications have reduced initial estimates from 850 to 550, therefore, redesign of the high school facility will be required.

Description:

A 550 pupil four year high school will be redesigned using \$570,000 appropriated in FY 1980. The complete project will include general classrooms, art, lab, music room, science labs, shop, home economics lab, office space, library/resource center, and gymnasium. These facilities will require 88,000 square feet.

Total Construction cost @ \$102.00 per sq. ft.	\$8,976.0
Site and Utilities	1,050.0
Supervision and Contingencies	<u>1,203.0</u>
	\$11,229.0

Benefits:

If the facility is constructed Turtle Mountain students will have an adequate modern facility rather than make-shift temporary classroom units. It will not affect any other school since the students all live in the Belcourt community and attend school there.

If the school is not constructed the temporary facilities will have to be expanded to accommodate more students. Some of these units are already reaching the end of their life expectancy.

Cost to Complete:

A future year request for equipment estimated at \$900,000 will be required. Additional staff quarters may be required but will not be requested until the current quarters are further evaluated and determined inadequate.

BUREAU OF INDIAN AFFAIRS
Construction Projects
FY 1981

Arizona
Shiprock Agency
Navajo Area
Red Rock, Arizona

Project Title: Red Rock Day School Construction (K-8 225 pupils) \$3,534.0

Need:

The present K-6 program is housed in old stone buildings and quonset huts that are totally inadequate for any education program. Since roads in the area have been improved it is now possible to bus additional children in to attend school on a day basis. Cove School, nearby, will send its 7th and 8th grade pupils to Red Rock also. By adding two more grades the new facility will be required to accommodate 225 pupils in grades K-8.

Description:

The new facility will provide:

- 1 Kindergarten Room
- 5 General Classrooms
- 1 Science Lab (General)
- 1 Home Economics Room
- 1 Shop/Arts/Crafts Room
- 1 Music Room
- 1 Library/Resource Center
- 1 Administrative Unit
- 1 Kitchen/Dining Room
- 1 Gymnasium

These facilities will require 29,250 sq. ft.

Total Construction cost @ \$99.00 per sq. ft.	\$2,896.0
Supervision and Contingencies	348.0
Equipment	290.0
Total	\$3,534.0

Benefits:

The new school will allow the children to attend grades K-8 on a day basis near their homes in a facility that will adequately house the educational program.

Cost to Complete:

No additional funding requests for new construction are anticipated.

BUREAU OF INDIAN AFFAIRS
Construction Projects
FY 1981

New Mexico
Eastern Navajo Agency
Navajo Area
Torreon, New Mexico

Project Title: Torreon Day School Construction (K-8 300 pupils) \$4,714.0

Need:

The Torreon Day School presently operates a program for 140 pupils (ADM 12/11/79) in grades K-4. The facility consists of a two classroom building, a kitchen/dining facility, and office space (originally built for the principal's quarters in 1935). The facility contains 5 841 sq. ft. In 1956 a 3,279 sq. ft. building was constructed for a dormitory but is now used for a two classroom building. A quonset hut was added later for a library.

The community has requested that the new facility provide for 300 pupils in grades K-8 so that Torreon children will not be forced to attend a boarding school or endure long bus rides into Cuba, New Mexico.

Since all existing facilities must be replaced because they cannot be brought up to code, a new modern facility is being planned for the expanded program and enrollment.

The planning and design phases will be completed in FY 1980 so that construction can begin in FY 1981.

Description:

The new facility will provide:

- 2 Kindergarten Classrooms
- 7 General Classrooms
- 1 Special Education Room
- 1 Math/Science Lab
- 1 Shop/Arts/Crafts Room
- 1 Home Economics Lab
- 1 Music Room
- 1 Gymnasium
- 1 Library/Resource Center
- 1 Kitchen/Dining Room
- Administrative Offices

These facilities will require 39,000 sq. ft.

Total Construction cost @ \$99.00 per sq. ft.	\$3,861.0
Supervision and Contingencies	463.0
Equipment	390.0
Total	<u>\$4,714.0</u>

Benefits:

The new school will provide safe, adequate facilities for additional children to attend school on a day basis. It will also enable Torreon children to reach school without long bus rides into Cuba, New Mexico.

Cost to Complete:

No additional funding requests for new construction are anticipated.

BUREAU OF INDIAN AFFAIRS
Construction Projects
FY 1981

Alaska
Juneau Area
Sitka, Alaska

Project Title: Mt. Edgcumbe Sewage Collection Lines \$1,300.0

Need:

Mt. Edgcumbe is the location for a Bureau Boarding High School, Sitka Municipal Airport, a Public Health Service Hospital and the U.S. Coast Guard Station. Raw sewage is dumped directly into the ocean on the shore above low tide. The system violates all applicable regulatory requirements. There are no available options if the Bureau school is to remain in operation. Federal requirements mandate that such facilities meet all regulatory requirements.

In FY 1976 the Congress appropriated \$1,525,000 for correction of the sewage treatment facilities. Total cost of the treatment facilities is estimated at \$11,261,000 of which the Bureau's share was \$1,525,000. The City of Sitka is the coordinator of the treatment project, for which construction is scheduled for completion during the summer of 1981. In FY 1977 the Congress appropriated \$1,200,000 for construction of sewage collection lines and appurtenances and sewage pumping stations to get the sewage to the treatment plant. Because of the delay in completing the treatment plant, the Bureau requested \$675,000 of the funds be reprogrammed for development of the Program Implementation Master Plan, with the understanding that a re-request would be made in a subsequent year. The updated estimated total cost of \$1,825,000 for this project will provide for construction of the sewage collection lines and appurtenances, sewage pumping stations, job supervision, and contingencies.

Description:

The FY 1981 request of \$1,300,000 combined with the current available balance of \$525,000 for a total funding level of \$1,825,000 will complete the project which will provide a complete sewage treatment facility for Mt. Edgcumbe School, hospital, Sitka Airport and the U.S. Coast Guard installation. The sewage collection lines and appurtenances and sewage pumping stations prepared for funding herein are a part of the total project.

Construction cost	\$1,550.0
Contingencies	200.0
Supervision	75.0
Total	\$1,825.0

Benefits:

The new sewage system will improve the quality of the environment in the area and will conform to the regulatory requirements of EPA.

Cost to Complete:

No further funding request is anticipated.

BUREAU OF INDIAN AFFAIRS
Planning and Design (New Construction)
FY 1981

BUREAU-WIDE

Project Title: Planning and Design (New)

\$523.0

Need:

The Bureau of Indian Affairs is responsible for providing the necessary planning, design and engineering leading to the development of technical working drawings and specifications to meet the programmatic and operational needs of those projects identified on the BIA School Construction ranking list, as published for FY 1981 in the Federal Register, and for other non-education construction projects.

Description:

These funds are required for planning, design and engineering fees for the required architectural-engineering services.

Benefits:

Completed project working drawings and specifications in advance of the proposed construction fiscal year will be provided. This will improve the obligation rate for the construction fiscal year, as construction contract capability will be available in the first or second quarter. Also, the unobligated balance of the current fiscal year will be reduced, as design and construction funding will not occur in the same fiscal year.

Cost to Complete:

This is an on-going program, and cost will vary from year to year, based on specific projects selected from the BIA ranking list, and will continue until all projects on the ranking lists are complete and programmatic needs are satisfied.

NOTE: The current FY 1981 School Construction priority ranking lists are provided herein.

BIA School Construction Ranking

FY 1981

<u>School</u>	<u>State</u>	<u>Area</u>	<u>% Unhoused</u>	<u>Miles*</u>	<u>Funded or Requested</u>	<u>Year or Rank</u>
Fort Totten HS	ND	Aberdeen	100		\$14,812,000	FY 1980
Turtle Mtn. HS	ND	Aberdeen	100	270	11,229,000	FY 1981
Havasupai	Ariz.	Phoenix	100	125	2,800,000	FY 1980
American Horse	SD	Aberdeen	100	45	4,565,000	FY 1980
Red Rock Day, Design	Ariz.	Navajo	100	40	150,000	FY 1980
Red Rock Day, Constr.	Ariz.	Navajo	100	40	3,534,000	FY 1981
Torreon Day, Design	NM	Navajo	100	30	200,000	FY 1980
Torreon Day, Constr.	NM	Navajo	100	30	4,714,000	FY 1981

* * * * *

Hopi Junior/Sr.	Ariz.	Phoenix	100	70	---	1
Navajo Mountain	Utah	Navajo	100	50	---	2
Choctaw Middle	Miss.	Eastern	100	12	---	3
Moencopi	Ariz.	Phoenix	100	3	---	4
Nenahnezad	NM	Navajo	94		---	5
San Simon	Ariz.	Phoenix	93		---	6
Wingate Elementary	NM	Navajo	90		---	7
Taos	NM	Albuq.	88		---	8
Kinlichee	Ariz.	Navajo	83		---	9
Laguna	NM	Albuq.	82		---	10
Stewart	Nev.	Phoenix	81		---	11
Low Mountain	Ariz.	Navajo	80		---	12
Pinon	Ariz.	Navajo	73		---	13
Alamo	NM	Navajo	72		---	14
Albuquerque Ind. Sch.	NM	Albuq.	71.3		---	15
San Juan	NM	Albuq.	70		---	16
Santa Clara	NM	Albuq.	66		---	17
Standing Pine	Miss.	Eastern	63.6		---	18
Ahfachkee	Fla.	Eastern	57.9		---	19
Tucker	Miss.	Eastern	51		---	20
Canoncito	NM	Navajo	44		---	21
Tuba City	Ariz.	Navajo	42.9		---	22
Red Lake	Ariz.	Navajo	42.7		---	23
Lake Valley	Ariz.	Navajo	42		---	24
Huerfano Dorm	NM	Navajo	38.7		---	25
Wahpeton	ND	Aberdeen	32		---	26
Cove	Ariz.	Navajo	28		---	27
Rocky Ridge	Ariz.	Navajo	27.6		---	28
Kayenta	Ariz.	Navajo	27		---	29
Fort Thompson	SD	Aberdeen	9.9		---	30
Many Farms HS	Ariz.	Navajo	7		---	31

* Mileage only shown in case of tie.

(BIA School Construction Ranking Continued)

Unranked School Locations

<u>School</u>	<u>State</u>	<u>Area</u>
Bridger	SD	Aberdeen
Eek	Alaska	Juneau
Oscarville	Alaska	Juneau
Mt. Edgecumbe	Alaska	Juneau
Pilot Station	Alaska	Juneau
Chilocco	Okla.	Anadarko
Tesuque	NM	Albuq.
Pine Springs	Ariz.	Navajo
Sac & Fox	Iowa	Minn.
Pierre Learning Ctr.	SD	Aberdeen
San Ildefonso	NM	Albuq.
Oglala Community Sch.	SD	Aberdeen
Bullhead	SD	Aberdeen
Little Eagle	SD	Aberdeen
Ft. Yates Elem.	SD	Aberdeen
Northern Cheyenne	Mont.	Billings
Salt River	Ariz.	Phoenix

BIA Previously Private School Construction Ranking^{1/}

FY 1981

<u>School</u>	<u>State</u>	<u>Area</u>	<u>% Unhoused</u>	<u>Miles*</u>	<u>Funded</u>	<u>Year or Rank</u>
St. Stephens Ind. Sch.	Wyom.	Billings	100	1,100	\$4,200,000	FY 1980

Ft. Hall Ind. Sch.	Idaho	Portland	100	470	---	1
Bug-O-Nay-Ge-Shig	Minn.	Minn.	100	350	---	2
Rough Rock Middle Sch.	Ariz.	Navajo	100	15	---	3
Coeur d'Alene Tribal School	Idaho	Portland	75		---	4
Paschal Sherman Indian School	Wash.	Portland	62		---	5
Marty Ind. HS.	SD	Aberdeen	57		---	6
Ojibway Ind. Sch.	ND	Aberdeen	54.5		---	7
Wyoming Ind. HS	Wyom.	Billings	50		---	8
Ramah Navajo Sch.	NM	Navajo	29		---	9
St. Francis Ind. Sch.	SD	Aberdeen	23		---	10

1/ All unfunded schools need planning prior to funding for design or constr.
* Mileage only shown in case of tie.

(BIA Previously Private School Construction Ranking Continued)

FY 1981

Unranked School Locations

<u>School</u>	<u>State</u>	<u>Area</u>	<u>Reason Unranked</u>
Rosebud Elementary	SD	Aberdeen	No Facility Evaluation
Okreek Elementary (Sioux)	SD	Aberdeen	No Facility Evaluation
Spring Creek Elementary	SD	Aberdeen	No Facility Evaluation
Quileute	Wash.	Portland	Funded for operation after on-site visit. No facility evaluation or verification of available public schools.
Wah-he-lute (Puyallup)	Wash.	Portland	No Facility Evaluation
Ne-Mee-Pum-Himtakt (Nez Perce)	Idaho	Portland	No Facility Evaluation

BUREAU OF INDIAN AFFAIRS
Facility Improvement and Repair Program
FY 1981

BUREAU-WIDE

Project Title: Facility Improvement & Repair Program \$21,500.0

Need:

In addition to accomplishing needed repair and improvements, correcting functional deficiencies and modernization to meet today's standards, there are requirements for compliance with the specially mandated programs concerning safety, environmental protection, energy conservation and the handicapped. The need for Facility Improvement and Repair projects will continue to increase until facilities can be repaired and improved to an acceptable level of condition where they can be maintained under a normal program, facilities which are antiquated can be replaced, and a significant reduction in the accumulation of backlog projects can be achieved.

Projects were selected from the completed inventory survey at sites with critical safety violations. An annual boiler inspection program has been implemented and funds are necessary for safe operation.

Description:

Projects: \$16,500.0

Functional Deficiencies	\$6,039.0
Requirements for the Handicapped	2,227.5
Energy Conservation Program	3,448.5
Safety	4,521.0
Environmental Protection	264.0

Emergency Repair \$ 1,500.0

Boiler Repairs \$ 1,000.0

Planning and Design \$ 2,500.0
\$21,500.0

Benefits:

The program provides needed repair, reduces the inadequacies of the facilities, corrects unsafe and unsanitary conditions, and reduces the level of energy consumption. Technical assistance to meet Bureau and tribal needs is provided to the extent of available resources. Primary concern will continue to be the correction of deficiencies in educational facilities.

Future Needs:

Additional projects to replace old and obsolete facilities to bring existing facilities to an acceptable level of repair, and to reduce the backlog of projects will be requested in future years. In this manner, Bureau facilities can be repaired and improved to an acceptable level of condition whereby they can be maintained at that level under a regular and normal repair and maintenance program.

BUREAU OF INDIAN AFFAIRS
Construction Projects
FY 1981

BUREAU-WIDE

Project Title: Program Management

\$2,253.0

Need:

The Bureau of Indian Affairs is responsible for providing program management, architectural, engineering and related technical services for the design and construction of new facilities and the major repair, rehabilitation and improvement of existing buildings and utilities.

Description:

These funds are required for costs of program administration and project management in connection with the Bureau's design and new construction program and the repair, rehabilitation and improvement of existing buildings and utilities.

Benefits:

Provides adequate facilities for educating Indian children, assists in minimizing and eliminating safety hazards, provides technical, architectural and engineering assistance to Indian tribes and individual Indians, provides technical services to the field to resolve various architectural and engineering problems at the location, agency and area level, and monitors on-going field programs as a part of the central office management function.

Cost to Complete:

This is an on-going cost so long as the Bureau is responsible for providing these services.

2. Irrigation Systems \$48,585,000
Fiscal Year 1980, \$43,449,000; Fiscal Year 1981, \$48,585,000, increase
of \$5,136,000.

Program Summary

The budget estimate of \$48,585,000 will provide a program of \$18,000,000 for the Navajo Indian Irrigation Project being constructed by the Water and Power Resources Service (formerly the Bureau of Reclamation) and a program of \$30,585,000 for the improvement, rehabilitation, betterment, and extension of other Indian irrigation projects and the initiation of construction of new water resource developments on Indian Reservations.

Program Goals

The primary goal is to develop as quickly as possible water supplies and the distribution systems needed to irrigate all acreages of Indian lands that are practicably irrigable. This involves the construction of new irrigation systems and the extension and/or rehabilitation of existing irrigation systems in order that Indian lands in the arid and semi-arid west can be developed to their ultimate productive capacity. By doing so, this program will provide a means by which the Indians can put to beneficial use much of their valuable water, a considerable quantity of which is now flowing off the reservation and is presently used or planned for use by off-reservation developments.

Justification

On many Indian reservations, irrigated farming is the basic economic activity, and in some areas, the only one available to the Indians. On those reservations where land and water are the primary and basic resources, early and full development for irrigated farming is necessary and urgent if the Indians are to realize any benefits from those resources. Moreover, because of the acute competition for water adjacent to Indian reservations, there is great danger of the loss of water by the Indians, unless these water supplies are put to beneficial use. On many of the Indian reservations, the use of water for irrigation is now and will continue to be the highest and best use.

The President, in his water policy message of June 1978, pledged to increase Indian water development in conjunction with the emphasis on quantification of Indian rights to the use of water. To implement that policy the FY 1981 request contains about \$14.0 million earmarked for "new" water resource projects or distinct units which can be completed in 1-2 years and where the total federal investment on each will not exceed \$10-15 million.

In addition funding is requested to implement two projects mandated by legislation (Ak Chin and Fallon). The level of funding for the Navajo Indian Irrigation Project will provide funds to complete Block 6. Funding to begin construction of Block 7 has not been requested pending completion of current studies related to project scope, water requirements and management improvements. These studies are scheduled for completion during FY 1980.

The funding priority system had limited applicability in the FY 1981 budget formulation because of the above described funding commitments. It has been applied to field submittals and is being refined for better adaptation to the wide-ranging situations for use in future budget cycles.

The Cost to Complete amounts shown in the individual project justifications that follow are estimated and may require upward indexing based upon price levels at the time of construction.

SUMMARY OF IRRIGATION CONSTRUCTION PROJECTS

<u>PROJECT TITLE</u>	<u>1981 REQUEST</u>
<u>(a) Irrigation and Power Construction and Rehabilitation</u>	
<u>Arizona</u>	
Ak Chin	\$10,000,000
Colorado River (Headgate Rock Hydro Unit)	780,000
White Mountain Apache (North Fork White River Unit)	5,000,000
<u>Montana</u>	
Rocky Boy's	375,000
<u>Nebraska</u>	
Omaha (Blackbird Bend Unit)	525,000
<u>Nevada</u>	
Fallon	3,000,000
<u>New Mexico</u>	
Navajo Indian Irrigation Project	18,000,000
<u>North Dakota</u>	
Standing Rock Sioux (Fort Yates Unit)	2,000,000
<u>South Dakota</u>	
Cheyenne River Sioux (Moreau River Unit)	500,000
Lower Brule Sioux (Grass Rope Unit)	5,200,000
<u>Washington</u>	
Yakima Nation (Satus Creek Unit)	400,000
Total Projects	<u>\$45,780,000</u>
<u>(b) Engineering and Supervision</u>	1,686,000
<u>(c) Surveys and Investigations</u>	1,119,000
Total Request	<u>\$48,585,000</u>

BUREAU OF INDIAN AFFAIRS
Irrigation Construction Projects
Fiscal Year 1981

The detailed project justifications for the irrigation projects for which funds are requested are as follows:

Arizona:

Project: Ak Chin \$10,000,000

Need:

Public Law 95-328 (92 Stat. 409) of July 28, 1978 specified a rigorous implementation schedule for the Ak Chin Water Settlement Act following a determination that the anticipated water supply underneath nearby Federal lands existed. That determination has been made. A four year construction schedule was prescribed for the project estimated to cost \$42.5 million. The Act was passed to fulfill the historic and legal obligation of the United States toward the Ak Chin Indian Community.

Description:

Wells and pumps	\$ 7,500,000
Power System	500,000
Conveyance System	<u>2,000,000</u>
	<u>\$10,000,000</u>

Benefits:

Beyond the historical and legal obligations, the Ak Chin Community faces an emergency due to the rapidly declining ground water level beneath the Reservation. The Community relies for its economic sustenance on irrigated farming and it has been so successful that they have required no appreciable welfare or social assistance benefits. In addition, the legislative settlement was made to avoid the costly social and economic disruption of litigation upon both Indian and some 200 potential defendant non-Indians in the vicinity of the Reservation.

Cost to Complete:

The total estimated cost of construction is \$42.5 million at 1977 cost levels scheduled as follows:

FY 1981	\$10.0 million
FY 1982	\$15.0 million
FY 1983	\$15.0 million
FY 1984	\$ 2.5 million

Project: Colorado River (Headgate Rock Hydro Plant)

\$780,000

Need:

Energy requirements on the Colorado River Indian Reservation have expanded rapidly in recent years largely as a result of the expansion of irrigated agriculture. Additional energy must be obtained. The proposed installation of electrical generating units in the existing irrigation diversion dam is responsive to national goals on energy and will provide an excellent demonstration of low-head hydro development. The energy produced would be utilized on the Reservation. Advanced planning including preparation of an environmental assessment is being conducted in Fiscal Year 1980 with the \$500,000 add-on. Construction can then commence in FY 1981.

Description:

Modifications to spillway gate sections
and initiation of power house construction

\$780,000

Benefits:

The Headgate Rock Hydro unit has a favorable benefit/cost ratio of 1.3 to 1 using Water and Power Resources Services January 1979 total estimated cost of \$21,000,000. Twelve potential hydroelectric project proposals in the region were evaluated by the then Bureau of Reclamation in its Western Energy Expansion Study of 1976 and Headgate Rock ranked No. 1.

Cost to Complete:

The estimated cost of \$21,000,000 would be spread over five construction years as follows:

FY 1980	\$ 500,000
FY 1981	\$ 780,000
FY 1982	\$5,120,000
FY 1983	\$8,400,000
FY 1984	\$6,200,000

Project: White Mountain Apache (North Fork White River Unit)

\$5,000,000

Need:

The North Fork White River Unit is the major step in White Mountain Apache Tribal development strategy directed toward self-sufficiency in energy and agricultural production on the Fort Apache Indian Reservation. The current deepening energy crisis lends great urgency to the initiation of the program.

Description:

McNary Dam

\$5,000,000

Benefits:

This multi-purpose development unit will promote economic development by providing revenue from hydropower, irrigated agriculture and reservoir-related recreation. Quality of the environment will be enhanced by flood control and the maintenance of in-stream flows for the fishery. Initially, 4,000 of the 6,000 acres of irrigable land in the Canyon Day Flat area of the Reservation are planned for development. This acreage will produce an annual revenue in excess of \$1.5 million in livestock feed crops and increase the livestock carrying capacity of the Reservation.

Cost to Complete:

Cost of Phase I of the North Fork development plan is \$14.0 million - \$12.8 million for McNary Dam and \$1.2 million for the hydro plant. The remaining Phase I funding of \$9.0 million is scheduled for FY 1982 to be followed by Phase II for irrigation facilities costing \$6.0 million in FY 1983.

Montana:

Project: Rocky Boy's

\$375,000

Need:

Irrigable lands adjacent to Box Elder and Big Sandy Creeks on the Rocky Boy's Indian Reservation have never been developed to their productive capability. Reservoir and diversion modifications together with sprinkler distribution systems will provide effective and efficient irrigation units thus enabling the Tribe to utilize their valuable Winters Doctrine rights to the use of water.

Description:

Bonneau Reservoir Modification	\$ 50,000
Diversion structure	100,000
Big Sandy Sprinkler System	<u>225,000</u>
	<u>\$375,000</u>

Benefits:

Alfalfa would be the base crop grown along with other feed crops produced by the tribal farm enterprise with a water conserving system. Supplemental winter feed is a premium farm product in northern Montana. Tribal stock owners will benefit from the locally grown feed.

Cost to Complete:

The requested \$375,000, in combination with EDA funding, will complete the units.

Nebraska:

Project: Omaha (Blackbird Bend Unit) \$525,000

Need:

On January 15, 1980 the Eighth Circuit Court of Appeals (on remand from the Supreme Court) settled title in the Omaha Indian Tribe of Nebraska to some 2,000 acres of rich Missouri River bottom farm land. Approximately ½ of the area (1,000 acres) has only one inhibitory factor to raising bumper crops of corn and soybeans - that is, the sandy soil profile of the river-deposited alluvium has a low water holding capacity. Application of irrigation water (which is readily available in abundance) is vital to attainment of the lands' productive potential.

Description:

Shallow wells	\$105,000
Sprinkler distribution system	420,000
	<u>\$525,000</u>

Benefits:

Availability of irrigation water on an as-needed basis will quadruple the corn yields from 50 bushels per acre to 200 bushels per acre thus providing stable, long-lasting economic development to the Omaha Tribe utilizing their land and water resources.

Cost to Complete: This funding will provide facilities to serve 600 acres of the critical portion of the Blackbird Bend Unit leaving 400 acres costing an estimated \$350,000 scheduled to complete the unit in FY 1982.

Nevada:

Project: Fallon \$3,000,000

Need:

In Public Law 95-337 (92 Stat. 455) the Secretary was authorized and directed to make as his first priority, construction of works to serve the additional land added to the Fallon Indian Reservation by the Act and improvements to the existing irrigation system. During Fiscal Year 1980 the designs, plans and specifications will be completed so that construction can commence to carry out the mandate in the Act and fulfill the agreement made between the United States and the Tribe in 1906.

Description:

Distribution System (canals, laterals and structures) - \$3,000,000

Benefits:

Implementation of the Act will provide facilities to enable Fallon Paiute-Shoshone Indians to utilize their irrigable lands with an efficient and water conserving system.

Cost to Complete:

The total completion cost is now estimated to be \$7.0 million over a period of 2 years as follows:

FY 1981	\$3.0 million
FY 1982	\$4.0 million

New Mexico

Project: Navajo Indian Irrigation Project \$18,000,000

Work Proposed

Gallegos Dam and Reservoir, \$700,000. Collection of field design data will be completed and design work started.

Pumping Plants, \$5,150,000. Construction of Kutz Pumping Plant will be completed. Contracts will be awarded for construction of the Gallegos, Relift No. 1, and Gallegos Dam Pumping Plants and for furnishing and installing pumps and prime movers for the pumping plants.

Canals, \$1,800,000. Automation of the canal system and canal lining repair and modifications will be completed. Installation of miscellaneous equipment will continue.

Laterals, \$7,725,000. Construction of the closed pressure pipe distribution system and pumping plants for water delivery to Block 5 will be completed and be continued for Block 6. Contract specifications will be prepared for construction of facilities to serve Block 7. Various contracts for relocation and modification of oil and natural gas pipelines crossing right-of-way, installation of miscellaneous equipment, and collection of field design and data will continue.

Drains, \$675,000. Construction of Block 3 drains will be completed. Relocation of various oil and natural gas pipelines, construction of drain culverts, and collection of field design data will continue.

Navajo Dam Powerplant, \$40,000. Studies will be continued.

Power Transmission System, \$830,000. Construction will be completed on the Kutz Switchyard, the 34.5-kV distribution line to serve Blocks 2, 3, 5, 6 and 7, and Gallegos Substation. Installation of miscellaneous equipment and collection of field design data will continue.

Other Project, Costs \$1,080,000. Represents continued funding of the overall liaison office requirements, archeological surveys, environmental studies, and for the consumptive water use study.

North Dakota

Project: Standing Rock Sioux - Fort Yates Unit \$2,000,000

Need:

A 1,200 acre block of practicably irrigable Indian owned land is located adjacent to the west edge of Lake Oahe formed by the Oahe Dam on the Missouri River just upstream from Pierre. Water would be pumped from that reservoir to serve 940 irrigated acres with center pivot sprinkler systems. Livestock feed crops are critically needed by tribal stockowners to supplement grazing.

Description:

Pumps and motors (2) and power line	\$ 440,000
Pipelines	760,000
Sprinkler equipment	575,000
On-farm	225,000
	<u>\$2,000,000</u>

Benefits:

Will enable the Tribe to utilize some of its water resource for tribal benefit. The Pick-Sloan Missouri River Basin Plan authorized in the 1944 Flood Control Act identified substantial acreages feasible for irrigation within the Standing Rock Indian Reservation. To this date, development assistance has not been provided.

Cost to Complete:

The funding requested will complete the development of the Fort Yates Unit.

South Dakota:

Project: Cheyenne River Sioux (Moreau River Unit) \$500,000

Need:

The Pick-Sloan Missouri River Basin Plan authorized in the Flood Control Act of 1944 designated potentially irrigable lands along the Moreau River, a tributary to the Missouri River. The Cheyenne River Sioux Tribe desperately needs production of livestock feed crops to supplement their grazing resource. A small block of 200 acres is proposed as an initial pilot project to prove the viability of units to utilize the undeveloped water resources of the Tribe.

Description:

Small Off-stream storage Reservoir	\$300,000
Sprinkler Distribution System	200,000
	<u>\$500,000</u>

Benefits:

Will enhance the economic base of the Cheyenne River Sioux Tribe and provide livestock feed locally thus saving exorbitant haulage costs.

Cost to Complete:

Funding requested will complete the Moreau River Pilot Unit.

Project: Lower Brule Sioux (Grass Rope Unit) \$5,200,000

Need:

The Grass Rope Unit (originally known as the Big Bend Unit) was authorized by the Flood Control Act of 1944 and will provide irrigation water for 3,500 acres of Indian land on the Lower Brule Indian Reservation. The Lower Brule Sioux Tribe has been vigorously seeking funding to expand their tribal farm enterprise which has a very successful performance record on 1,600 acres of irrigated land adjacent to the proposed area. Construction and specifications are in process.

Description:

Main Pumping Plant	\$2,000,000
Pipe Distribution System	2,700,000
On-farm Pipe Laterals	500,000
	<u>\$5,200,000</u>

Benefits:

The Bureau of Reclamation (now the Water and Power Resources Service) prepared the feasibility report on this unit, utilizing their standard procedures, and found the benefit/cost ratio to be 1.1 to 1.

Cost to Complete:

The total construction cost for the Unit (including all on-farm costs) is estimated to be \$9,460,000 at January, 1978 prices. Reprogramming of \$500,000 provided funding to prepare designs, plans and specifications during FY 1980. The remaining cost to complete - estimated to be \$3,760,000 - is scheduled for funding in FY 1982.

Washington:

Project: Yakima (Satus Creek Unit) \$400,000

Need:

Irrigable lands lie undeveloped adjacent to Satus Creek on the Yakima Indian Reservation. Development of those lands for irrigated agriculture production has been postponed for years while

study after study of upstream multi-purpose reservoir projects have been conducted. Approximately 260 acres can be developed to its productive potential now and such development would be incorporated into a Mabton storage project when and if constructed at a later date. The water supply would come from the underflow of Satus Creek and the Yakima River.

Description:

Shallow production wells	\$150,000
Pipe and Sprinkler distribution system	<u>250,000</u>
	\$400,000

Benefits:

The benefit/cost ratio for the unit is 1.9 to 1. In addition to the direct benefits to the acreage served, other nearby lands will indirectly benefit from a lowering of the existing high water table by the irrigation pumping.

Cost to Complete:

The \$400,000 requested will complete this Satus Creek Unit.

APPROPRIATION LANGUAGE

Construction

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in land; preparation of lands for farming; and architectural and engineering services by contract, [including a \$5,000,000 interest free loan to the Confederated Tribes of the Warm Springs Reservation of Oregon to be repaid to the Revolving Fund for Loans established in the Bureau of Indian Affairs at the end of a 20-year period after the effective date of this Act, \$89,374,000] \$93,638,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation. 1/

[Salt River Pima-Maricopa Settlement]

[For settlement of the Salt River Pima-Maricopa Indian Reservation boundary dispute, pursuant to Public Law 95-399, \$1,965,000 to be paid to the Salt River Pima-Maricopa Indian Community and \$1,952,000 to be paid in accordance with the second sentence of section 5(b)(2): Provided, That notwithstanding any other provision of law, the payments provided herein shall constitute a complete release and satisfaction of any claim which any person may have against the United States, the Salt River Pima-Maricopa Indian Community, or holder of any interest with respect to any right, title, or interest in any portion of the parcels of land described in paragraphs 1 through 9 of section 3(b) and/or subparagraphs (A), (B), or (C) of section 3(a)(2) of Public Law 95-399 which are located north of the boundary line referred in section 3(a)(2) of Public Law 95-399,] (Public Law 96-126, making appropriations for the Department of the Interior and related agencies, 1980.)

1/ "Bureau of Reclamation" should read "Water and Power Resources Service".

ITEMIZATION OF ESTIMATE

DEPARTMENT OF THE INTERIOR

APPROPRIATION TITLE: Construction---Bureau of Indian Affairs

	Actual 1979	Estimate 1980	Estimate 1981	Increase (+) Decrease (-)
<u>Program and Financing:</u>				
Obligations, Net.....	\$96,560,452	\$149,416,333	\$99,238,000	-\$50,178,333
Unob. balance available, start of year.....	-41,181,785	-72,725,333	-16,600,000	+56,125,333
Unob. balance available, end of year.....	72,725,333	16,600,000	11,000,000	-5,600,000
Appropriation.....	\$128,104,000	93,291,000	93,638,000	+347,000

	Actual 1979	Estimate 1980	Estimate 1981	Increase (+) Decrease (-)
<u>Obligations by object:</u>				
<u>BUREAU OF INDIAN AFFAIRS</u>				
11.0 Personnel compensation..	\$3,678,452	\$4,325,333	\$4,563,000	+237,667
12.1 Personnel benefits.....	317,000	368,000	382,000	+14,000
21.0 Travel & transportation of persons.....	398,000	274,000	274,000	---
22.0 Transportation of things	139,000	69,000	69,000	---
23.2 Other rent, communica- tions & utilities.....	320,000	400,000	400,000	---
24.0 Printing and reproduction.....	89,000	100,000	100,000	---
25.0 Other services.....	17,989,000	20,000,000	20,000,000	---
26.0 Supplies & materials....	3,676,000	4,000,000	4,000,000	---
31.0 Equipment.....	3,579,000	500,000	500,000	---
32.0 Lands and structures....	37,314,000	91,149,000	50,950,000	-40,199,000
41.0 Grants, subsidies and contributions.....	591,000	---	---	---
Total, Bureau of Indian Affairs.....	68,090,452	121,185,333	81,238,000	-39,947,333
<u>ALLOCATION ACCOUNTS (WATER & POWER RESOURCES SERVICE)</u>				
11.0 Personnel compensation..	\$2,538,000	\$2,909,000	\$2,973,000	+\$64,000
12.1 Personnel benefits.....	239,000	286,000	311,000	+25,000
21.0 Travel and transporta- tion of persons.....	53,000	58,000	58,000	---
22.0 Transportation of things things.....	80,000	127,000	127,000	---
23.1 Standard level user charges.....	140,000	158,000	158,000	---
23.2 Other rent, communica- tions, & utilities....	53,000	95,000	89,000	-6,000
24.0 Printing and reproduction.....	37,000	15,000	15,000	---
25.0 Other services.....	1,898,000	1,941,000	2,221,000	+280,000
26.0 Supplies & materials....	79,000	127,000	131,000	+4,000
31.0 Equipment.....	55,000	75,000	77,000	+2,000
32.0 Lands & structures.....	23,298,000	22,440,000	11,840,000	-10,600,000
Allocation Accounts.....	28,470,000	28,231,000	18,000,000	-10,231,000
99.0 Total Obligations (NET).	96,560,452	149,416,333	99,238,000	-50,178,333

Personnel Summary
Construction

	1979 Actual	1980 Estimate	1981 Estimate
BUREAU OF INDIAN AFFAIRS			
Total number of permanent positions.....	123	123	123
Total compensable workyears.....	172	186	197
Full-time equivalent of other positions	(56)	(70)	(81)
Full-time equivalent of overtime and holiday hours.....	(4)	(4)	(4)
Average ES salary.....	\$46,248	\$49,131	\$49,622
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded positions.....	\$15,979	\$17,269	\$17,442
	1979 Actual	1980 Estimate	1981 Estimate
ALLOCATION ACCOUNTS (WATER & POWER RESOURCES SERVICE)			
Total number of permanent positions.....	122	136	137
Total compensable work years.....	134	145	148
Full-time equivalent of other positions	(9)	(9)	(9)
Full-time equivalent of overtime and holiday hours.....	(3)	(4)	(5)
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded positions.....	\$15,979	\$17,269	\$17,442

ROAD CONSTRUCTION

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

ROAD CONSTRUCTION

Appropriation, 1980..... \$66,479,000

Decreases:

Indian road system..... 66,479,000

Subtotal..... - - -

Increases:

Indian road system..... 59,425,000

Budget estimate, 1981..... 59,425,000

BUREAU OF INDIAN AFFAIRS

ROAD CONSTRUCTION

Analysis by Activities

Activity	Appropriation 1979	Appropriation 1980	No. of Perm. Pos.	1981 Budget Estimate	No. of Perm. Pos.	Budget Estimate 1981 Compared w/ Appropriation 1980	No. of Perm. Pos.	Page Ref.
Indian Road System	\$79,253,000	\$66,479,000	370	\$59,425,000	370	-\$7,054,000	-	-

BIA-165

Justification

Road Construction: Fiscal Year 1980, \$66,479,000; Fiscal Year 1981, \$59,425,000; decrease of \$7,054,000.

Program Objective

Construction and improvement of reservation highways, community streets and local roads for the movement of people, as well as basic goods and services.

Program Description

The Bureau is responsible for improvement and construction of about 26,000 miles of road and 730 bridges on, or providing access to, Indian reservations. Virtually every route has deficiencies. Determining Indian road and bridge needs, based on engineering standards and design criteria, is a function of the BIA Road Engineers.

The \$59,425,000 will be distributed to the Areas under a formula based on 1/3 population, 1/3 trust land, and 1/3 Indian road mileage, and to the agencies under the same formula. The funds then are committed to road and bridge construction projects designated highest priority by the tribes.

Tentative distribution to Areas will be as follows:

Aberdeen	\$ 7,000,000
Albuquerque	5,300,000
Anadarko	800,000
Billings	5,900,000
Eastern	900,000
Juneau	2,500,000
Minneapolis	2,100,000
Muskogee	2,300,000
Navajo	14,400,000
Phoenix	9,800,000
Portland	5,500,000
Sacramento	1,300,000
	<u>57,800,000</u>
Program Administration	1,625,000
	<u>\$ 59,425,000</u>

Major Program Changes:

- \$ 7,054,000

The decrease is primarily due to Congressional add-ons in FY 1980 which are not carried forward into FY 1981, (Four Corners Area, New Mexico, \$5,000,000; Mexican Water-Bluff, Utah, Road \$2,000,000; Inchelium Ferry, Colville Reservation, \$1,100,000).

The following table provides selected accomplishment data for the road construction program:

	<u>Unit of Measure</u>	<u>FY 79 Actual</u>	<u>FY 80 Est.</u>	<u>FY 81 Est.</u>
Investigation and Planning	Miles	466	400	400
Grading and draining	Miles	345	296	270
Surfacing - Gravel	Miles	55	46	50
Surfacing - Paved	Miles	430	357	320
Bridge Construction & Replacement	Lin.Ft.	1,226	1,909	1,500

The proposed program for fiscal year 1981 includes the following work items and costs:

	<u>Length</u>	<u>Av. Cost (\$000s)</u>	<u>Total \$s (\$000s)</u>
Investigation and Planning	400 miles	\$ 10.9	\$ 4,363
Grade and Drain	270 miles	85.2	22,995
Gravel Surfacing	50 miles	24.1	1,205
Paved Surfacing	320 miles	65.1	20,820
Bridge Construction & Replacement	1,500 ln.ft.	2.1	3,205
Program Management	--	--	6,837
Total			\$ 59,425

APPROPRIATION LANGUAGE

ROAD CONSTRUCTION

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, and 25 U.S.C. 13, 318a, [\$66,479,000] \$59,425,000, to remain available until expended. (Public Law No. 96-126, making appropriations for the Department of the Interior and Related Agencies, 1980.)

Personnel Summary

Road Construction

	1979 Actual	1980 Estimate	1981 Estimate
<u>BUREAU OF INDIAN AFFAIRS</u>			
Total number of permanent positions.....	370	370	370
Total compensable workyears.....	862	877	877
Full-time equivalent of other positions.....	(485)	(500)	(500)
Full-time equivalent of overtime and holiday hours.	(40)	(40)	(40)
Average ES salary.....	\$46,109	\$49,131	\$49,622
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded positions.....	\$15,979	\$17,269	\$17,442
<u>ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION</u> <u>DEPARTMENT OF TRANSPORTATION</u>			
	1979 Actual	1980 Estimate	1981 Estimate
Total number of permanent positions.....	4	4	4
Total compensable workyears.....	5	6	6
Full-time equivalent of other positions.....	(2)	(2)	(2)
Full-time equivalent of overtime and holiday hours.	(0)	(0)	(0)

ITEMIZATION OF ESTIMATE

DEPARTMENT OF THE INTERIOR

APPROPRIATION TITLE: Road Construction - Bureau of Indian Affairs

	Actual 1979	Estimate 1980	Estimate 1981	Increase (+) Decrease (-)
<u>Program and Financing:</u>				
Total obligations.....	\$77,164,844	\$74,733,936	\$59,425,000	-15,308,936
Unob. balance available, start of year.....	-6,166,780	-8,254,936	- - -	+8,254,936
Unob. balance available, end of year.....	<u>8,254,936</u>	<u>- - -</u>	<u>- - -</u>	<u>- - -</u>
Appropriation.....	<u>79,253,000</u>	<u>66,479,000</u>	<u>59,425,000</u>	<u>-7,054,000</u>
<u>Obligations by object:</u>				
BUREAU OF INDIAN AFFAIRS				
11.0 Personnel compensation.....	13,609,844	14,874,936	15,022,000	+147,064
12.1 Personnel benefits.....	1,118,000	1,205,000	1,217,000	+12,000
13.0 Benefits for former personnel.....	4,000	- - -	- - -	- - -
21.0 Travel and transpor- tation of persons...	532,000	500,000	500,000	- - -
22.0 Transportation of things.....	1,009,000	700,000	700,000	- - -
23.2 Communications, util- ities & other rent..	1,038,000	900,000	900,000	- - -
24.0 Printing and reproduction.....	51,000	50,000	50,000	- - -
25.0 Other services.....	28,520,000	33,457,000	22,236,000	-11,221,000
26.0 Supplies and materials.....	9,131,000	6,000,000	6,000,000	- - -
31.0 Equipment.....	1,975,000	1,800,000	1,800,000	- - -

	Actual 1979	Estimate 1980	Estimate 1981	Increase (+) Decrease (-)
32.0 Lands and structures.	9,222,000	10,000,000	10,000,000	- - -
41.0 Grants, subsidies and contributions...	12,000	- - -	- - -	- - -
42.0 Insurance claims and indemnities.....	2,000	- - -	- - -	- - -
43.0 Interest and dividends.....	<u>1,000</u>	<u>- - -</u>	<u>- - -</u>	<u>- - -</u>
Total, Bureau of Indian Affairs.....	<u>66,224,844</u>	<u>69,486,936</u>	<u>58,425,000</u>	<u>-11,061,936</u>

ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION
DEPARTMENT OF TRANSPORTATION

11.0 Personnel compensation.....	142,000	155,000	160,000	+5,000
12.1 Personnel benefits...	14,000	16,000	16,000	- - -
21.0 Travel and transport- ation of persons....	47,000	51,000	55,000	+4,000
22.0 Transportation of things.....	6,000	7,000	8,000	+1,000
23.2 Communications, util- ities & other rent..	2,000	2,000	3,000	+1,000
24.0 Printing and reproduction.....	7,000	8,000	9,000	+1,000
25.0 Other services.....	81,000	88,000	95,000	+7,000
26.0 Supplies and materials	4,000	4,000	5,000	+1,000
32.0 Lands and structures.	<u>10,638,000</u>	<u>4,917,000</u>	<u>649,000</u>	<u>-4,268,000</u>
Total obligations, Federal Highway Administration....	<u>10,941,000</u>	<u>5,248,000</u>	<u>1,000,000</u>	<u>-4,248,000</u>
Total obligations.....	<u>77,165,844</u>	<u>74,734,936</u>	<u>59,425,000</u>	<u>-15,309,936</u>

ADMINISTRATIVE
PROVISIONS

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed [225] 115 motor vehicles of which [122] 75 shall be for replacement only, which may be used for the transportation of Indians; advance payments for service (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452, the Act of August 3, 1956 (70 Stat. 986), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions. (Department of the Interior and Related Agencies Appropriation Act, 1980).

Motor Vehicles

Appropriation: Operation of Indian Programs

Activity: Indian Services

Subactivity: Law Enforcement

Vehicles: Type 3 sedans fully equipped for police work, 50 replacements at \$5,000 and 40 new at \$5,500, total cost \$470,000. Needed to carry out Law Enforcement throughout the Bureau.

Activity: Education

Vehicles: School busses-various sizes, 25 replacements, cost \$400,000. Purchase necessary in the Aberdeen Area where GSA motor pool is not available

Recap

	<u>Replacement</u>	<u>New</u>		<u>Total</u>
Police Vehicles	50	40	=	90
School Busses	<u>25</u>	<u>0</u>	=	<u>25</u>
	75	40		115

MISCELLANEOUS
APPROPRIATIONS

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
FY 1981

Project Title: Miscellaneous Appropriations

\$52,700

Description:

1. Alaska Native Claims - \$30,000,000.

These funds will be used for the settlement of land claims of Alaska Natives. This settlement will be accomplished in conformity with the real economic and social needs of Natives, with maximum participation by Natives in decisions affecting their rights and property, without litigation, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges, or to the legislation establishing special relationships between the United States Government and the State of Alaska, as provided by Public Law 92-203 (85 Stat. 688), approved December 18, 1971. Pursuant to the Act of January 2, 1976 (Public Law 94-204) which amends the "Alaska Native Claims Settlement Act," funds which are appropriated herein are to be transferred to and held in trust status until distributed in accordance with the "Alaska Native Claims Settlement Act." This is the final payment authorized to be appropriated under Section 6(a)(1) of Public Law 93-203 (\$462,500,000).

2. Claims and treaty obligations - \$200,000.

A. Fulfilling treaties with the Senecas of New York - \$6,000.

This money is to be paid in equal shares to members of the Seneca Nation as provided by the Act of February 19, 1831 (4 Stat. 442).

B. Fulfilling treaties with Six Nations of New York - \$4,500.

The Six Nations comprise the Senecas, Tonawanda Band of Senecas, Tuscarora, Onondaga, Oneida and Cayuga Tribes. This money is allocated as follows: \$2,700 to the New York Indians for the purchase of dress goods and \$1,800 is distributed per capita to the Oneida Indians under the jurisdiction of the Great Lakes Agency, Wisconsin, as provided by the Act of November 11, 1794.

C. Fulfilling treaties with the Pawnees, Oklahoma - \$30,000.

This money is distributed per capita to the Pawnees as provided by Article 2 as amended of the treaty of September 24, 1857.

D. Payments to Indians of Sioux Reservation - \$159,500.

This is an annual charge against the general fund of the Treasury, the amount being indefinite until Individual applications for payments are made and approved. The legal authority for these payments is found in the Act of March 2, 1889, section 17 (25 Stat. 894); Act of June 10, 1896 (29 Stat. 334); and the Act of June 21, 1906 (34 Stat. 326).

3. Operation and maintenance, Indian irrigation systems - \$10,600,000.

Funds are obtained from the collection of assessments against water-users on the various projects and are deposited in the Treasury to the credit of the respective projects. Funds are used for such purposes as annual cleaning of canals and laterals to remove silt, moss and weed growth; repair and replacement of water control structures; operation and maintenance of reservoirs, dams and pumping plants, including the purchase of electrical energy; payment to other irrigation systems on Indian lands included and benefited; repair of flood damage; etc. The various projects located on Indian reservations are thus maintained in good operation, permitting the facilities constructed by the Government to be utilized by the Indian and non-Indian landowners within the project who depend upon proper operation and maintenance of the projects for irrigation farming and subsistence. The policy in administration of Indian irrigation projects is to base the assessments rates for the various projects on actual costs.

4. Power system, Indian irrigation projects - \$12,600,000.

Funds are obtained from earned revenue deposited in the Treasury to the credit of the respective projects. Funds are used for the operation and maintenance of two hydrogenerating plants; a diesel power generating plant; transmission lines; distribution systems and pumping plants for the use of the project irrigation system; the purchase of power for resale and for all necessary expenses for operation of power systems. The project power systems serve their primary purpose of furnishing electrical energy to the projects for irrigation and drainage pumping and also furnish energy to mining and milling properties, public utilities and domestic consumers on the project proper, in nearby towns and villages, and in outlying farming areas. The energy supplied by these projects (San Carlos, Colorado River and Flathead Indian Reservations) in many instances is the only source of electrical energy available to the customers. The approximately 444 million kilowatt-hours which are transmitted over all project transmission and distributary systems annually serve approximately 24,000 domestic and commercial customers.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Miscellaneous Appropriations
(Alaska Native Claims)

Appropriation, 1979.....	\$30,000,000
Appropriation, 1980.....	30,000,000
<u>Decreases:</u>	
Alaska Native Claims.....	...
<u>Increases:</u>	
Alaska Native Claims.....	...
Budget estimate 1981.....	<u>\$30,000,000</u>

Miscellaneous Appropriations
(Alaska Native Claims)

	Amount Available 1980	FY 1981 Budget Estimate	Total Available 1981 compared to total available 1980
Alaska Native Claims	\$30,000,000	\$30,000,000	...

The Alaska Native Claims will be used for the settlement of land claims of Alaska Natives. This settlement will be accomplished in conformity with the real economic and social needs of Natives, with maximum participation by Natives in decisions affecting their rights and property, without litigation, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges, or to the legislation establishing special relationships between the United States Government and the State of Alaska, as provided by Public Law 92-203 (85 Stat. 688), approved December 18, 1971. However, pursuant to the Act of January 2, 1976 (Public Law 94-204) which amends the "Alaska Native Claims Settlement Act," funds which are appropriated herein are to be transferred to and held in trust status until distributed in accordance with the "Alaska Native Claims Settlement Act."

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Analysis by Activities

Miscellaneous Appropriations

	FY 1979 Actual	FY 1980 Estimate	FY 1981 Estimate
Alaska Native Fund	\$30,000,000	\$30,000,000	\$30,000,000

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Miscellaneous Appropriations

Alaska Native Fund

For transfer to the Alaska Native Fund, in the fourth quarter of fiscal year 1981, to provide for settlement of certain land claims by Natives and Native groups of Alaska, and for other purposes, based on aboriginal land claims, as authorized by the Act of December 19, 1971 (Public Law 92-203), \$30,000,000.

(Department of the Interior and Related Agencies Appropriation Act, 1980.)

MISCELLANEOUS APPROPRIATIONS
Program and Financing (in thousands of dollars)

Identification Code 14-9925-0-2-999	1979 act.	1980 est.	1981 est.
Program by activities:			
1. Alaska Native fund.....	30,000	30,000	30,000
2. Claims and treaty obligations.....	747	200	200
3. Operation and maintenance, Indian irrigation systems.....	8,850	10,300	10,300
4. Power systems, Indian irrigation projects.....	10,076	12,200	12,200
5. Indian arts and crafts fund.....	---	---	---
Total program costs.....	<u>49,673</u>	<u>52,700</u>	<u>52,700</u>
Change in selected resources (undelivered orders).....	+494	---	---
10.00 Total obligations.....	<u>50,167</u>	<u>52,700</u>	<u>52,700</u>
Financing:			
21.40 Unobligated balance available, start of year.....	-8,214	-10,542	-11,242
24.40 Unobligated balance available, end of year.....	<u>10,542</u>	<u>11,242</u>	<u>11,942</u>
Budget Authority.....	<u>52,495</u>	<u>53,400</u>	<u>53,400</u>
Budget Authority:			
Current:			
40.00 Appropriation.....	30,000	30,000	30,000
Permanent:			
60.00 Appropriation (indefinite).....	22,495	23,400	23,400
Distribution of budget authority by account:			
1. Alaska Native fund.....	30,000	30,000	30,000
2. Claims and treaty obligations.....	742	200	200
3. Operation and maintenance, Indian Irrigation systems.....	10,347	10,600	10,600
4. Power systems, Indian irrigation projects.....	11,400	12,600	12,600
5. Indian arts and crafts fund.....	6	---	---
Total.....	<u>52,495</u>	<u>53,400</u>	<u>53,400</u>
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	50,167	52,700	52,700
72.40 Obligated balance, start of year....	2,123	3,171	3,571
74.40 Obligated balance, end of year.....	<u>-3,171</u>	<u>-3,571</u>	<u>-3,971</u>
90.00 Outlays.....	<u>49,119</u>	<u>52,300</u>	<u>52,300</u>

MISCELLANEOUS APPROPRIATIONS

Program and Financing (in thousands of dollars) (Continued)

Identification code 14-9925-0-2-999	1979 act.	1980 est.	1981 est.
Distribution of outlays by account:			
1. Alaska Native fund.....	30,000	30,000	30,000
2. Claims and treaty obligations.....	747	200	200
3. Acquisition of lands and loans to Indians in Oklahoma, act of June 1936	5	---	---
4. Operation and maintenance, Indian Irrigation systems.....	8,758	10,000	10,000
5. Power systems, Indian irrigation projects.....	9,609	12,100	12,100
Total.....	49,119	52,300	52,300

Object Classification (in thousands of dollars)

Personal compensation:			
11.1 Permanent positions.....	5,528	6,066	6,133
11.3 Positions other than permanent.....	2,312	2,397	2,420
11.5 Other personnel compensation.....	247	320	320
Total Personnel compensation.....	8,087	8,783	8,873
12.1 Personnel Benefits: Civilian.....	715	767	775
21.0 Travel and trans. of persons.....	94	61	61
22.0 Transportation of things.....	262	261	261
23.2 Communications, utilities, & other rent	6,141	6,300	6,300
24.0 Printing and reproduction.....	23	20	20
25.0 Other services.....	673	2,808	2,710
26.0 Supplies and materials.....	2,920	3,000	3,000
31.0 Equipment.....	468	500	500
32.0 Lands and structures.....	16	---	---
41.0 Grants, subsidies and contributions....	30,745	30,200	30,200
42.0 Insurance claims & indemnities.....	23	---	---
99.0 Total obligations.....	50,167	52,700	52,700

Personnel Summary

Total number of permanent positions.....	360	360	360
Total compensable work years.....	541	541	541
Full-time equivalent of other positions.....	(189)	(189)	(189)
Full-time equiv. of overtime & holiday hrs..	(11)	(11)	(11)
Average ES salary.....	\$46,248	\$49,131	\$49,622
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded positions.....	\$15,979	\$17,269	\$17,442

MISCELLANEOUS
REVOLVING FUNDS

BUREAU OF INDIAN AFFAIRS

REVOLVING FUND FOR LOANS

	Budget Authority			Change ----- 1981 Compared with 1980
	FY 1979 Available	FY 1980 Available	FY 1981 Estimate	
Revolving Fund for Loans	-0-	-0-	-0-	-0-

Revolving Fund for Loans: FY 1980, -0-; FY 1981, -0-; no change, no positions.

No new funds were requested in fiscal year 1980 and none are requested in 1981. Of the additional \$50 million authorized by the Indian Financing Act of 1974 (PL 93-262) for this fund, \$9 million remains to be appropriated. It is anticipated that the FY 1981 loan program will amount to \$12.7 million which will be funded from the unobligated fund balance available at the start of the 1981 fiscal year and from collections into the fund during the year.

PROGRAM DESCRIPTION

The Indian Revolving Loan Fund was established as three separate funds by the Indian Reorganization Act and other related acts with periodic appropriations of \$26.5 million over a period of years. The Indian Financing Act of 1974 (PL 93-262) combined these funds into one fund and authorized an additional appropriation of \$50 million for the fund, bringing to \$77 million the total authorization of the fund.

The FY 1981 program will provide direct loans to Indian tribes, Alaskan Natives and other organizations and loans to tribes for relending to tribal members through relending programs. In addition, the program will include funding for loans for expert assistance to assist tribes in the preparation and trial of claims pending before the Court of Claims.

A Summary of Program and Funding Data for FY 1980 and FY 1981

	(\$ in Million)	
	FY 1980 Estimates	FY 1981 Estimates
<u>Funds Available for Lending:</u>		
Cash Balances, Start of Year.....	18.7	16.0
Anticipated Appropriations.....	-	-
Anticipated Collections.....	<u>8.0</u>	<u>8.3</u>
Total Available.....	26.7	24.3
Loan Program-Total Loans.....	<u>10.7</u>	<u>12.7</u>
Cash balance, end of year.....	16.0	11.6

REVOLVING LOAN FUND
ACTIVITY SINCE INDIAN FINANCING ACT
AS OF SEPTEMBER 30, 1979

	LOAN	
	<u>No.</u>	<u>Amount</u>
RELENDING AND DIRECT LOANS TO INDIVIDUALS	150	21,882,927
CREDIT ASSOCIATIONS	9	1,710,000
TRIBAL ENTERPRISES	103	26,907,548
	262	50,500,475
EXPERT ASSISTANCE	99	1,228,082
	361	51,728,557

SUMMARY OF ACTIVITY - REVOLVING FUND FOR LOANS

BUREAU OF INDIAN AFFAIRS
THROUGH SEPTEMBER 30, 1979

	<u>Collections</u>			<u>Loans</u>	
	<u>Loaned</u>	<u>Principal</u>	<u>Interest</u>	<u>Cancelled</u>	<u>Outstanding</u>
Through Sept 30, 1978	122,273,582	55,208,071	18,058,768	2,831,921	64,233,590
FY 1979	5,376,457	4,071,302	2,835,417	228,498	
Through Sept. 30, 1979	127,650,039	59,279,373	20,894,185	3,060,419	65,310,247
Closing Cash Balance					

	<u>General Fund</u>	<u>Exp. Asst.</u>	<u>Total</u>
Through Sept. 30, 1978	15,744,303	1,461,324	17,205,627
Through Sept. 30, 1979	16,921,770	1,743,272	18,665,042

LOAN GURANTY

BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

Activity	FY 1979 Available	FY 1980 Available	1981 Estimate	Change---- 1981 Compared with 1980
Loan Guaranty and Insurance Programs	-0-	-0-	-0-	-0-

Loan Guaranty and
Insurance Program: Fiscal Year 1980, -0-; Fiscal Year 1981, -0-; no change,
no positions.

Proposal: Under current legislation, appropriations to the fund were authorized through fiscal year 1977. For fiscal year 1981, collections made during 1981 will be used to provide funds for interest subsidies, reserves for losses, cost associated with defaulted loans, and for technical assistance. Collections during fiscal year 1981 are estimated at \$400,000 from premiums on guaranteed loans, and \$1,000,000 on sale of assets acquired in liquidation, making an estimated \$1,400,000 available for programming. This, in addition to carryover funds from the previous year, will support a guaranteed loan program of \$2,500,000 for fiscal year 1981.

PROGRAM DESCRIPTION

The fund was established pursuant to the Indian Financing Act 1974. The purpose of the fund is to support a program for guaranteeing or insuring loans made by commercial lending institutions to Indians, tribes and other Indian organizations for economic development purposes. An interest subsidy is paid from the fund on loans guaranteed or insured to reduce the Indian borrower's rate of interest to the rate charged on direct loans from the revolving fund for loans. The purpose of this program is to provide an incentive to the private lending sector to make loans to Indians which would not otherwise be made.

The first loan guaranty under the program was approved in August 1975. As of September 30, 1979, guarantees were approved on 117 loans totaling \$61.1 million. Of the total loans, 34 were to Indian tribes, 28 to Indian-owned corporations, and 55 to Indian individuals. To date, 145 lenders have been approved for participation in the program.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

Summary of Program and Funding Data
(\$ in million)

<u>Funds Available for Reserves and Costs:</u>	FY 1979	FY 1980 Estimated	FY 1981 Estimated
Balance, start of year	27.1	25.1	1.7
Appropriation	-	-	-
Collections	.2	.3	.4
Liquidation of assets	-	.3	1.0
Total Available	<u>27.3</u>	<u>25.7</u>	<u>3.1</u>
Less needs for reserve and costs	-2.2	-24.0	-1.7
Balance, end of year	<u>25.1</u>	<u>1.7</u>	<u>1.4</u>
<u>Guaranteed Loans:</u>			
Outstanding, start of year	52.7	49.5	75.9
New loans during year	1.6	36.2	2.5
Defaults during year	-2.5	-3.2	-2.3
Repayments during year	-2.3	-6.6	-7.3
Outstanding, end of year	<u>49.5</u>	<u>75.9</u>	<u>68.8</u>
<u>Reserves and Costs (during year):</u>			
Net Reserves for loan losses	-.4	2.5	-1.0
Reserves for interest subsidies	-.1	18.2	.6
Mgmt & tech assistance cost (outlays)	.1	.4	.2
Defaulted loan costs (outlays)	.2	.4	.4
Purchase of default loans (outlays)	2.4	2.5	1.5
Total for reserves and costs	<u>2.2</u>	<u>24.0</u>	<u>1.7</u>
<u>Status of Reserves and Obligations:</u>			
<u>For Interest Subsidies:</u>			
Obligated balance, start of year	7.3	6.7	22.3
Obligated during year	-.1	18.2	.6
Outlays (cost)	-.5	-2.6	-2.9
Obligated balance, end of year	<u>6.7</u>	<u>22.3</u>	<u>20.0</u>
<u>For Defaults (Administrative commitments):</u>			
Balance, start of year	7.1	6.7	9.2
Reserved during year	.2	4.8	.3
Reduction to the reserve during year	-.6	-2.3	-1.3
Balance, end of year	<u>6.7</u>	<u>9.2</u>	<u>8.2</u>
<u>Total Program Outlay</u>			
Total Program Costs	3.1	5.9	5.0
Less collections and liquidation of assets	-0.2	-0.6	-1.4
Net Outlays	<u>2.9</u>	<u>5.3</u>	<u>3.6</u>

Loan Guaranty and Insurance Fund

ITEMIZATION OF ESTIMATE

DEPARTMENT OF THE INTERIOR
 APPROPRIATION

TITLE: Indian Loan Guaranty & Insurance Fund---Bureau of Indian Affairs

	1979 Actual	1980 Estimate	1981 Estimate	Increase or Decrease 1981 over 1980
<u>Program and Financing</u>				
Total obligations.....	\$2,890,803	\$21,500,016	\$2,700,000	\$-18,800,016
Advances to the Public...	-850			
Receipts & reimbursements from non-Federal sources	-192,697	-600,000	-1,400,000	-800,000
Unobligated balance avail- able start of year.....	-34,179,272	-31,482,016	-10,582,000	20,900,016
Unobligated balance avail- able end of year.....	31,482,016	10,582,000	9,282,000	-1,300,000
Appropriation.....	---	---	---	---
<u>Obligations by object</u>				
25.0 Other services.....	\$86,000	\$400,000	\$200,000	\$-200,000
33.0 Investments & loans	2,599,000	3,200,000	2,900,000	-300,000
41.0 Grants subsidies & contributions....	199,803	17,900,016	-400,000	-18,300,016
42.0 Insurance Claims & Indemnities.....	6,000	-	-	-
99.0 Total obligations	<u>\$2,890,803</u>	<u>\$21,500,016</u>	<u>\$2,700,000</u>	<u>\$-18,800,016</u>

MISCELLANEOUS
TRUST FUNDS

TRUST FUNDS

Highlight Statement

A. Tribal Funds:

Tribal funds are deposited into the U.S. Treasury pursuant to various acts of Congress to be made available for expenditure for the use and benefit of the respective tribal groups. About 300 Indian tribes, bands or identifiable groups have some 700 accounts which are maintained separately by the Bureau of Indian Affairs, and in a consolidated account in the U. S. Treasury, which are used for the conduct of tribal financial programs, enterprises, businesses, per capita payments and other tribal affairs. Approximately 40 percent of tribal income is derived from judgments or awards made pursuant to either general or specific acts of Congress. The balance of such income is derived from Federal management of tribal real properties, the title to which is held in trust by the United States for the tribes.

Tribal funds are available for various purposes, under various acts of Congress and are also subject to the provisions of tribal constitutions, bylaws, charters, and resolutions of the various tribes, bands, or groups.

The Act of October 19, 1973 (87 Stat. 466) provides general authority for the distribution of funds appropriated in satisfaction of judgments of the Indian Claims Commission and the Court of Claims, subject to certain conditions, including the development of a plan for the use of the funds. Funds derived from the management of tribal trust properties are available for tribal use in accordance with approved budgets under annual, indefinite, or permanent authorizations.

Funds programmed under annual definite are not otherwise available for expenditure without Congressional action and the \$3 million requested for fiscal year 1981 is to provide the Secretary of the Interior with expenditure authority for the implementation of programs for those tribes which are not sufficiently organized to be represented by a reorganized governing body, or to permit disbursements through a Regional Disbursing Office when no other legislative authority exists. Expenditures made under this authority are individually made through the Treasury Regional Disbursing Offices, subject to the same regulations and procedures as appropriations from the general fund of the Treasury.

The annual indefinite authorization in the Appropriation Act, under the heading Tribal Funds, provides the necessary authority, on an annual basis, for the Secretary of the Interior to withdraw from tribal accounts in the treasury, funds needed to carry out programs designated by a particular tribe and approved by the Secretary for the conduct of tribal operations, including but not limited to: management of tribal resources and other programs designed to improve the situation of the general membership. These funds are advanced to tribes for disbursement by Indian Service Special Disbursing Agents or by bonded tribal treasurers under plans of operation.

Funds programmed under permanent authorization are made available under legislation which gives the Secretary of the Interior continuing authority to carry out the provisions of specific acts, and can be disbursed either through the Indian Service Special Disbursing Agents' accounts or advanced to tribes for disbursement by their bonded tribal treasurers under approved plans of operation. These funds do not require annual approval by Congress but are reported annually in the budget schedules to give the Congress an opportunity to review the activity conducted under the authorities extended to the Secretary of the Interior.

B. Other Trust Funds:

Included in this category are miscellaneous revenues derived from agencies and schools, which are not required to be used for other purposes, but are used to support schools and agency functions. It also includes contributions, donations, gifts, etc., to be used and/or invested with the income to be used for the relief of American Indians.

C. Alaska Native Fund:

This fund includes appropriations from the U.S. Treasury made in satisfaction of Sec. 6(a)(1) of the "Alaska Native Claims Settlement Act" (P.L. 92-203, December 18, 1971) and income deposited pursuant to Sec. 6(a)(3) and Sec. 9 of the same Act.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Summary of Trust Fund Budget Authority

	<u>1979 Actual</u>	<u>1980 Estimate</u>	<u>1981 Estimate</u>
A. Tribal Funds:			
1. Annual Definite Authorization	\$ 1,548,520	\$ 3,000,000	\$ 3,000,000
2. Annual Indefinite Authorization	38,451,000	23,000,000	23,000,000
3. Permanent Authorization	281,208,035	355,700,000	315,100,000
B. Other Trust Funds (Permanent Indefinite):	9,999,555	9,799,000	9,799,000
C. Alaska Native Fund:			
1. Permanent Definite	30,000,000	30,000,000	30,000,000
2. Permanent Indefinite	<u>58,804,979</u>	<u>135,900,000</u>	<u>141,200,000</u>
TOTAL	<u>\$420,012,089</u>	<u>\$557,399,000</u>	<u>\$522,099,000</u>

Tribal Funds--Annual Definite: Fiscal Year 1980, \$3,000,000; fiscal year 1981, \$3,000,000; no change.

STATUS OF PROGRAMS

Funds programmed under the annual definite authorization as shown on the following tabulation are to be used for various education and welfare programs, resources management, construction and land acquisition and general tribal affairs, including taxes and attorneys' fees. All amounts in the estimate have been requested properly by the Indians except the sum of \$1,789,487 for miscellaneous tribes. The amount under miscellaneous tribes is requested to provide for additional tribal requests that can be anticipated during the fiscal year.

COMPARATIVE STATEMENT OF ANNUAL DEFINITE AUTHORIZATION BY TRIBE

<u>STATE-AGENCY TRIBE</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Arizona	10,000	10,000	10,000
San Carlos	10,000	10,000	10,000
California	98,287	147,071	147,071
Agua Caliente	96,381	144,571	144,571
Colusa	710	700	700
Santa Rose Rancherio	650	1,300	1,300
Torrez Martinez	546	500	500
Florida	14,881	15,000	15,000
Seminole	14,881	15,000	15,000
Idaho	80,000	70,000	70,000
Nez Perce	80,000	70,000	70,000
Minnesota	24,000	116,352	116,352
Red Lake	24,000	116,352	116,352
Montana	82,075	80,000	80,000
Crow	82,075	80,000	80,000
Oklahoma	231,057	223,752	223,752
Choctaw	144,604	137,296	137,296
Creek	64,597	64,600	64,600
Osage	21,856	21,856	21,856
Oregon	15,604	17,500	17,500
Coeur d'Alene	15,604	17,500	17,500
Washington	491,252	490,838	490,838
Colville	235,252	240,838	240,838
Spokane	10,000	10,000	10,000
Yakima	246,000	240,000	240,000

(Continued)

<u>STATE-AGENCY TRIBE</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Wyoming	501,364	40,000	40,000
Arapaho	250,682	20,000	20,000
Shoshone	250,682	20,000	20,000
Miscellaneous Tribes	0	1,789,487	1,789,487
Grand Total	1,548,520	3,000,000	3,000,000

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

TRUST FUNDS

MISCELLANEOUS TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed \$3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights, compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391) including cash grants: Provided, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary.

(25 U.S.C. 123; Department of the Interior and Related Agencies Appropriation Act, 1980.)

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 TRUST FUNDS
 14-9973-0-7-999

Analysis of Changes in Requirements
 (in thousands of dollars)

	<u>Budget Authority</u>	<u>Outlays</u>
1979 Total.....	420,013	292,865
<u>Decreases</u>		
Program decreases:		
Advance to Indian Tribes.....	-15,451	-17,297
Other Trust.....	-201	-127
<u>Increases</u>		
Program increases:		
Direct Program.....	1,451	1,451
Miscellaneous Permanent (Tribal).....	74,492	105,525
Alaska Native Fund.....	<u>77,095</u>	<u>65,683</u>
1980 Total.....	557,399	448,100
<u>Decreases</u>		
Program decreases:		
Miscellaneous Permanent (Tribal).....	-40,600	0
<u>Increases</u>		
Program increases:		
Miscellaneous Permanent (Tribal).....	0	1,800
Alaska Native Fund.....	<u>5,300</u>	<u>5,300</u>
1981 Total.....	<u>522,099</u>	<u>455,200</u>

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 ANNUAL DEFINITE AUTHORIZATION---TRIBAL FUNDS

Statement Relating to 1979, 1980, & 1981 Programs

1979 Appropriation.....	\$3,000,000
1980 Budget Estimate.....	3,000,000
Total Appropriation for 1980.....	3,000,000
Deduction: (None).....	-0-
Additions: (None).....	-0-
Total Estimate for 1981.....	<u>\$3,000,000</u>

Analysis of Annual Definite Authorization, Tribal Trust Funds, by Activity:

ACTIVITY/SUBACTIVITY	ACTUAL 1979	APPRO- PRIATION 1980	1981 Budget Estimate	Increase(+) or Decrease(-) 1980 Compared w/1981
1. Education & Welfare Services	\$ 34,500	\$ 44,500	\$ 44,500	-0-
2. Resources Management	305,962	342,536	342,536	-0-
3. Construction & Land Acquisition	583,439	100,000	100,000	-0-
4. General Tribal Affairs	<u>624,619</u>	<u>2,512,964</u>	<u>2,512,964</u>	-0-
Total	<u>\$1,548,520</u>	<u>3,000,000</u>	<u>3,000,000</u>	

TRUST FUNDS
Program and Financing (in thousands of dollars)

Identification code 14-9973-0-7-999	1979 act.	1980 est.	1981 est.
Program by activities:			
1. Direct program (limitation).....	1,549	3,000	3,000
2. Advances to Indian tribes (indefinite authorization).....	42,927	25,000	25,000
3. Miscellaneous permanent.....	142,908	250,881	250,938
4. Other trust funds.....	6,332	6,200	6,200
5. Alaska Native fund.....	100,214	165,900	171,200
Total program costs.....	<u>293,930</u>	<u>450,981</u>	<u>456,338</u>
Change in selected resources (unpaid undelivered orders).....	818	---	---
10.00 Total obligations.....	<u>294,748</u>	<u>450,981</u>	<u>456,338</u>
Financing:			
21.00 Unobligated balance available, start of period:			
Treasury balance.....	-513,399	-639,221	-745,639
U.S. securities (par).....	-12,062	-11,505	-11,505
24.00 Unobligated balance available, start of period:			
Treasury balance.....	639,221	745,639	811,400
U.S. securities (par).....	11,505	11,505	11,505
Budget authority.....	<u>420,013</u>	<u>557,399</u>	<u>522,099</u>
Budget authority:			
Current:			
40.00 Appropriation.....	1,549	3,000	3,000
Appropriation (indefinite).....	38,451	23,000	23,000
Permanent:			
60.00 Appropriation (Alaska Native fund).....	30,000	30,000	30,000
Appropriation (Alaska Native fund--indefinite).....	58,805	135,900	141,200
Appropriation (indefinite).....	291,208	365,499	324,899
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	294,748	450,981	456,338
72.00 Obl. balance, start of period..	6,352	8,235	11,116
74.00 Obl. balance, end of period....	- 8,235	-11,116	-12,254
90.00 Outlays.....	<u>292,865</u>	<u>448,100</u>	<u>455,200</u>

1/ Includes capital outlays as follows: 1979, \$1,292 thousand; 1980, \$600 thousand; and 1981, \$600 thousand.

TRUST FUNDS

Object Classification (in thousands of dollars)

Identification code 14-9973-0-7-999	1979 act.	1980 est.	1981 est.
Personal compensation:			
11.1 Permanent positions.....	1,170	1,300	1,316
11.3 Positions other than permanent	933	975	985
11.5 Other personnel compensation..	567	636	636
11.8 Special pers. svcs. payments...	362	400	400
Total Pers. compensation....	<u>3,032</u>	<u>3,311</u>	<u>3,337</u>
12.1 Personnel Benefits: Civilian..	228	245	247
21.0 Travel and trans. of persons..	461	240	240
22.0 Transportation of things.....	125	186	186
23.2 Communications, utilities, and other rent.....	341	360	380
24.0 Printing and reproduction.....	53	56	59
25.0 Other services.....	18,673	20,000	20,000
26.0 Supplies and materials.....	2,051	2,100	2,100
31.0 Equipment.....	210	200	200
32.0 Lands and structures.....	1,082	400	400
44.0 Refunds.....	<u>268,492</u>	<u>423,883</u>	<u>429,189</u>
95.0 Total direct costs, funded, obligatons.....	294,748	450,981	456,338

Personnel Summary

Total number of permanent positions.	83	83	83
Total compensable workyears.....	164	164	164
Full-time equivalent of other pos.	(60)	(60)	(60)
Full-time equivalent of overtime and holiday hours.....	(28)	(28)	(28)
Average ES salary.....	\$46,248	\$49,131	\$49,622
Average GS grade.....	7.88	7.90	7.94
Average GS salary.....	\$15,032	\$16,245	\$16,407
Average salary of ungraded pos.....	\$15,979	\$17,269	\$17,442

Assignments in budget formulation typically involve developing detailed estimates of the funding needed to support important national programs and projects, and written narrative justification for the funds requested.

Budget execution involves planning for the timely acquisition and use of funds through time-phased apportionments, allotments, and transfers of capital funds. The work also requires adjusting long range budget forecasts and monitoring the execution of budgets for assigned substantive programs by analyzing costs, benefits, and trends in ratio of obligation and expenditure of funds to assure that funds are being effectively used to accomplish stated program objectives.

Employees responsible for programs of this scope also make recommendations on ways to improve the utilization of funds which will result in cost savings to the agency and effective accomplishment of mission and program objectives.

Recommendations and technical interpretations affect the amount and availability of funds for the conduct of major, substantive or administrative programs and services (e.g., development of strategic weapons which are part of larger systems, construction of housing, delivery of health care services to the public, research grants, payment of benefits, conduct of a regulatory and enforcement program within a region or comparable area of the nation, or the operations of other Federal agencies, States, public organizations, large universities, or private industrial concerns such as DOD contractors).

Programs and projects budgeted for typically cut across component lines within the employing agency, and may also affect the budgets, programs and interests of other Federal agencies, public organizations, and/or private industrial firms.

Examples of work situations characteristic of this level include:

1. The employee serves as a regulatory expert responsible for interpreting and resolving conflicts in budgetary guidance and regulations issued by the employing agency or department for application to the budgets and programs of agency components and activities. Work includes the development of regulatory, supplemental, procedural, and similar guidance in one or more phases of budgeting for use in subordinate echelons and components of the employing agency in field or headquarters location (e.g., civilian bureaus and services, regions, or military commands and installations).
2. The assignment which involves responsibility for all aspects of the formulation, execution, and review of the administrative budget (i.e., personnel salaries and related expenses, travel, and office supplies and equipment) for a Federal agency engaged in regulatory or enforcement activities, with subordinate organizational segments in field or headquarters location, most of which have their own budget staffs which independently accomplish the formulation and execution of the administrative budget for annual operations.

Work done by the employee improves the accuracy and facilitates the delivery of further budgetary and administrative services which rely upon budgetary information (e.g., personnel staffing, vehicle maintenance, and payroll processing).

Level 5-3 -- 150 points - Work involves the application of a wide range of standardized, widely-accepted budgetary regulations, practices, and procedures typical of one or more complete phases of the annual budget process (e.g., budget formulation and execution) for assigned organizations, object classes, locally-based substantive programs, or support activities. Usually, the organizations, programs, or activities budgeted for are further subdivided into (or administered through) branches, sections, or units in field or headquarters locations.

Work products, advice and services rendered, and clearances issued affect the amount and timely availability of money to pay for personnel salaries and expenses, equipment, routine maintenance services, and similar administrative and support activities in appropriated or industrially funded organizations.

Advice affects the accuracy of budget forecasts and/or compliance with legal and regulatory guides, such as the Anti-Deficiency Act. Work involves the application of specific budgetary rules, regulations, principles, and procedures associated with the phases of budget formulation and budget execution which constitute segments of the budget for assigned support activities (e.g., family housing, stock fund supply, building maintenance, and troop support) and related object classes and line items. Budgeting is also performed in support of the substantive missions, functions and operations of locally based segments (e.g., offices, laboratories, or branches) of activities characteristic of the next higher level (level 5-4) which are engaged in widespread substantive program operations.

Typically, organizations budgeted for are engaged in substantive program operations at the lowest operating level in the agency, and such operations are funded on a short-term basis (i.e., one-year or less). Characteristic of this level are benefit payments, equipment testing, health care, investigations, and regulatory activities.

Level 5-4 -- 225 points - The purpose of the work is to formulate and monitor the execution of long-range (i.e., three-to-five year) detailed budget forecasts and plans to fund the implementation of substantive programs and projects of the employing component or agency. Work involves establishing financial and budgetary goals, timetables, milestones, and other criteria against which the relative costs and benefits of program achievements can be measured (e.g., production and distribution of goods, construction, or delivery of services to the public), and assessing the cost-effectiveness in meeting these goals.

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Factor 1, Knowledge Required by the Position - Level 1-6 -- 950 points

- Knowledge of, and skill in applying the principles and practices of budget formulation to review, edit, and consolidate budget estimates from support units at the installation (e.g., supply and maintenance), and to adjust data in related forms and schedules.
- Knowledge of, and skill in applying the principles, practices, and methods of budget execution to determine whether obligations, expenditures, and requested allotments are within funding limitations in the approved budget.
- Knowledge of budgetary and financial relationships with workloads of organizational components to determine whether funds are being obligated and expended in accordance with goals and objectives of the installation's annual work plan.
- Practical knowledge of the organizational structure, programs and work methods of components budgeted for to determine whether estimates of funding needs and requests for allotments are in line with program plans and work methods.
- Skill in identifying, categorizing, and analyzing quantitative data in order to relate the effects of changes in funding levels to installation equipment purchases, personnel staffing levels, travel, and maintenance.

Factor 2, Supervisory Controls - Level 2-3 -- 275 points

Works under the general supervision of the installation budget officer who assigns work in terms of continuing responsibility for the budget of specific organizational segments and/or programs, general budgetary objectives, and specific deadlines for completion of actions. The employee is expected to plan and carry out assignments independently in accordance with office standard operating procedures and accepted agency practices for accomplishing work in each phase of budgeting. The supervisor or a higher-graded co-worker provides advice and assistance on problems or conditions of an unusual nature which are not covered by regulations and guides. Work is spot-checked in progress and upon completion for technical accuracy, clarity, timeliness, and attainment of well-defined budgetary objectives.

Factor 3, Guidelines - Level 3-3 -- 275 points

A large number of agency, command, and installation policies, regulations, and directives are available which provide guidance and instructions on the various phases and processes of budgeting. The employee must use judgment in locating, interpreting, and applying the intent of provisions in the guides to budgetary situations which are not specifically covered (e.g., administrative controls over the amount and timing of allotments and suballotments of funds to line managers, or reprogramming actions subject to reporting requirements of higher headquarters).

The incumbent interprets general funding requirements in terms of local needs, plans, and policies, and informs managers of those requirements which affect their programs and budgetary resources.

Factor 4, Complexity - Level 4-3 -- 150 points

Work involves comparing and contrasting current and historical budget and workload data for the same or closely related programs and activities (e.g., supply and maintenance) to discern trends in spending and anticipate needs for funds or reprogramming actions.

Budget Formulation Phase

Reviews, verifies, and analyzes data submitted for consistency with financial and program objectives, and adherence to instructions. Considers information on current and past costs in financial statements and reports. Recommends alternative courses of action to be taken by operating offices in adjusting estimates of funding needs. Provides activity directors and their representatives with procedural and regulatory guidance concerning availability of or limitations on the use of funds for supplies, travel, equipment, contracts, and related expenditures. Consolidates estimates into unified decision packages in Zero Base Budget format for submission to installation Program Budget Advisory Committee and/or higher headquarters. Reviews, organizes, and edits narrative justification for estimates submitted by program activities. The work requires identifying, considering, and analyzing the relationships between costs and scheduling of program activities (e.g., supply purchases and overtime work), and the amount and timing of needed funding.

Budget Execution Phase

Monitors, reviews, and checks requests for allotments of funds from approved operating budgets to assure that funds are being spent for proper purposes in accordance with annual work plans and budget schedules. Certifies the availability of funds and notifies other offices. Relates expenditures (e.g., accounting, data processing, and contracting) as necessary to program accomplishments, and identifies spending trends. Prepares regular and recurring reports on budget execution based upon analysis and consideration of program and budget variables (e.g., changes in workload and changes in funding levels). Difficulty is encountered in discerning trends in spending and in relating trends to changes in program funding needs and work accomplishments.

Factor 5, Scope and Effect - Level 5-3 -- 150 points

The purpose of the work is to budget for the annual operations of organizational and functional areas and accounts that are relatively stable (e.g., programs, services, and numbers of personnel in supply and maintenance areas do not change significantly with the passage of time). Activities budgeted for present few problems in either budget formulation and execution. Advice and recommendations facilitate the conduct of the