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UNITED STATES DEPARTMENT OF THE INTERIOR BUDGET JUSTIFICATIONS, F.Y. 1991



BUREAU OF INDIAN AFFAIRS

NOTICE: These budget justifications are prepared for the Interior and Related Agencies Appropriations Subcommittees. Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Budget Justification, Fiscal Year 1991
Congressional Submission

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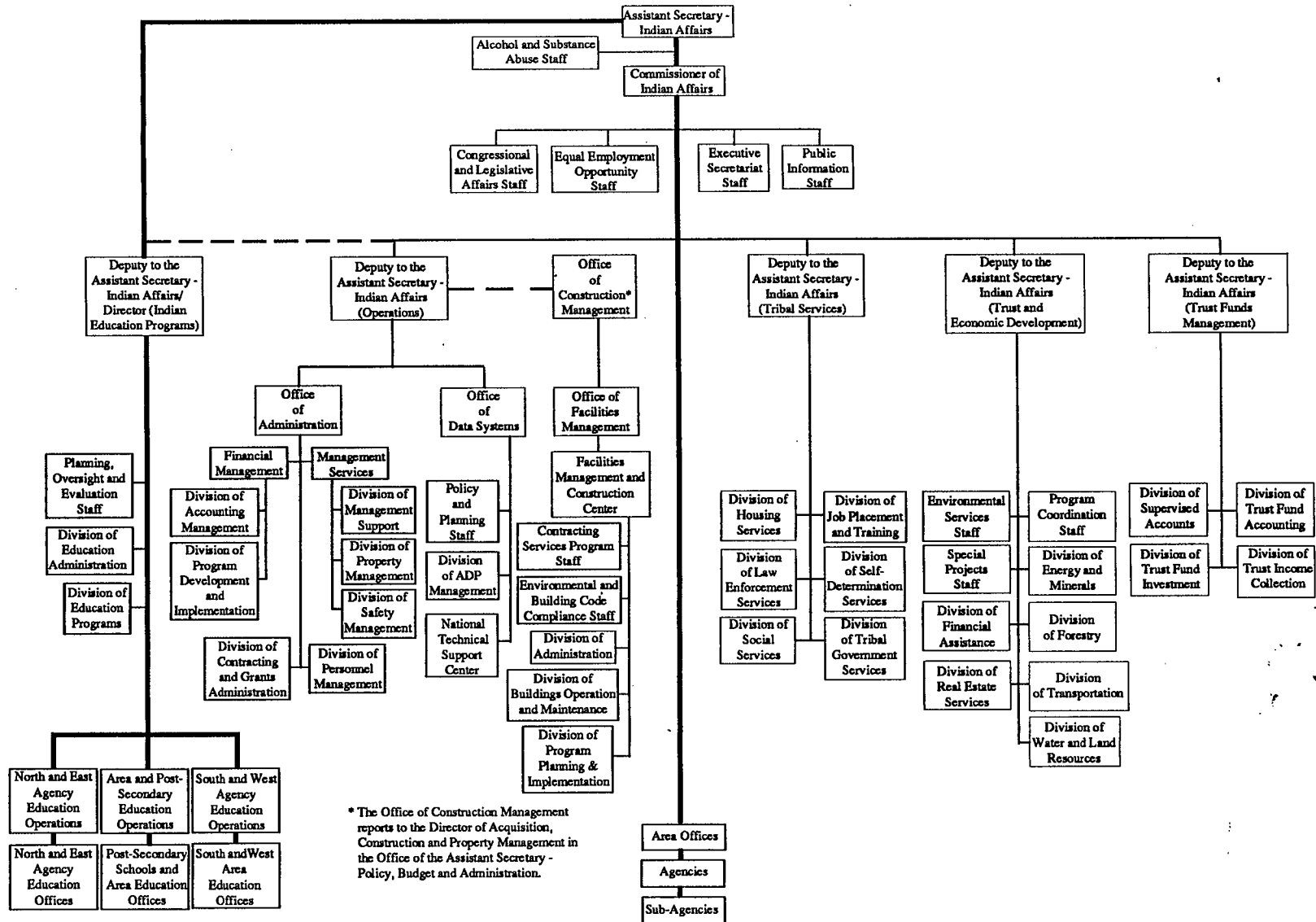
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Bureau of Indian Affairs

GENERAL STATEMENT

The Bureau of Indian Affairs, created in the War Department in 1824, was transferred to the Department of the Interior in 1849. 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 a trust responsibility emanating from treaties and other agreements with Native groups. 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 to: (1) recognize and preserve the inherent rights of tribal self-government; (2) strengthen tribal capacity for self-government; (3) provide resources for tribal government programs; (4) protect the rights of Indian people in dealing with other governmental entities and the private sector; and (5) fulfill and execute the Federal Government's responsibility for trust resources and property.

The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provides substantive law for appropriations covering the activities of 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 (45 Stat. 984; 25 U.S.C. 461 et seq.); by the Indian Financing Act of 1974, as amended (88 Stat. 77; 25 U.S.C. 1451 et seq.); by the Indian Self-Determination and Education Assistance Act of 1975, as amended (88 Stat. 2203; 25 U.S.C. 450); by Title XI of the Elementary and Secondary Education Amendments Act of 1978, as amended (92 Stat. 2316; 25 U.S.C. 2001 et seq.); by the Indian Child Welfare Act of 1978 (92 Stat. 3069; 25 U.S.C. 1901 et seq.); by the Tribally Controlled Community College Assistance Act of 1978, as amended (85 Stat. 646; 25 U.S.C. 640a); and by the Anti-Drug Abuse Act of 1986, as amended (25 U.S.C. 2401 et seq.).

The Central Office of the Bureau of Indian Affairs is located in Washington, D.C., but the majority of headquarters staff work in Albuquerque, New Mexico with smaller staff contingents located in other western states. The Bureau has 12 area offices, 83 agencies, 3 sub-agencies, 6 field stations, 3 irrigation project offices, 2 post-secondary institutions, 111 day schools, 57 boarding schools, and 14 dormitories. These totals include 78 schools which are funded by the bureau and operated by tribes under contract pursuant to P.L. 93-638 or under grants pursuant to P.L. 100-297.

The bureau provides services directly or through contract to 949,000 Indians, Eskimos, and Aleuts who reside in 31 states. The bureau carries out the government-to-government functions for the Federal Government with 310 Indian tribes in the "lower 48 states" and with 197 Alaskan Native organizations. The bureau administers 42,385,031 acres of tribally-owned land and 10,226,180 acres of individually-owned land which is held in trust status. It also administers 442,755 acres of federally-owned land.

The following pages provide a comparison between the appropriations enacted for FY 1990, the adjustments pursuant to the Deficit Reduction Act, the FY 1991 base, and the FY 1991 request.

SUMMARY TABLE

(Dollars in thousands)

	Appropriation Currently Available 1990	FY 1991 Estimate	(+)(-) From Enacted
<u>Appropriation:</u>			
<u>Federal Funds</u>			
Operation of Indian Program.....\$	1,021,488	1,018,185	-3,303
(FTE)	(11,204)	(11,224)	(+20)
Construction.....\$	136,850	103,099	-33,751
(FTE)	(654)	(649)	(-5)
(FTE Allocation to BOR.....)	(5)	(0)	(-5)
(Non-add FTE Allocation from FHWA)	[573]	[573]	[--]
Miscellaneous Payments to Indians.....\$	191,864	52,407	-139,457
(FTE)	(19)	(19)	(--)
Revolving Fund for Loans.....\$	--	--	--
Indian Loan Guaranty & Insurance Fund.\$	4,718	11,487	+6,769
Navajo Rehabilitation Trust Fund.....\$	800	--	-800
Subtotal, Appropriations Requested....\$	1,355,720	1,185,178	-170,542
(FTE)	(11,882)	(11,892)	(+10)
<u>Permanent and Trust Funds:</u>			
Miscellaneous Permanents.....\$	55,071	68,141	+13,070
(FTE)	(473)	(483)	(+10)
Trust Funds.....\$	395,319	377,214	-18,105
Cooperative Fund (Papago).....\$	1,054	868	-186
Quarters Operation & Maintenance.....\$	6,330	6,330	--
(FTE)	(123)	(123)	(--)
Non-add FTE Firefighting Allocation from BLM.....(FTE)	[445]	[445]	[--]
Budget Authority, Total BIA\$	1,813,494	1,637,731	-175,763
(FTE)	(12,478)	(12,498)	(+20)

Highlights of the FY 1991 BIA Funding Request

The FY 1991 budget request for the Bureau of Indian Affairs proposes to reverse a decade-long trend of reducing resources available to carry out the numerous programs for the benefit of Indians which are administered by the Department of the Interior through the Bureau of Indian Affairs. Over the past twenty years the service population of the BIA has doubled, while funding for the Operation of Indian Program has remained essentially level. The FY 1991 budget for the Operation of Indian Programs includes an increase of over \$30 million above the FY 1991 base level which will substantially strengthen program activities in almost every area.

Coupled with the growth in the service population, legislative actions have also increased demands on the budget in the areas of education, drug abuse prevention and law enforcement programs, and self-determination services. The proposed budget addresses many of the recently-enacted legislative initiatives; recognizes long-standing issues of internal control problems raised by the Office of the Inspector General and through internal control reviews; and provides increased funding for programs carried out at the agency level either directly by the bureau or through contracts with tribes and tribal organizations.

Comprehensive summary tables displaying funding and staffing levels are included with this request. The significant increases and decreases are as follows:

Education

An increase of \$16,038,000 above the FY 1991 base is requested for School Operations. The budget includes funds (+\$8.8 million) for the second increment of a phased increase in salaries for teachers and counselors to better enable the bureau to effectively compete for the recruitment and retention of skilled professionals. The FY 1991 budget retains the FY 1990 Congressional increase of \$3.2 million for the Gifted and Talented program, for a total resource level of \$3.6 million.

To provide opportunities to upgrade the skills of existing education staff and to orient approximately 500 new employees, \$1 million is requested to provide training in areas such as effective school management, leadership skills, methods for fostering parental involvement in the education of their children, and teaching techniques which have proven successful in raising the achievement of Indian children. The bureau will also initiate a demonstration program at 10 schools using the nationally recognized "Parents as Teachers" program which will emphasize early childhood education and enhance parental and community involvement in the educational process.

A total of \$20 million is requested to cover the administrative costs of tribal contractors and grantees who operate bureau-funded schools. This represents an increase of \$6 million above the FY 1991 base.

The request for the Johnson-O'Malley Education Assistance programs of \$20,548,000 represents a reduction of \$3.1 million below the FY 1991 base. The bureau's first priority for improving educational attainment of Indian children is to strengthen those schools funded by the bureau. The Johnson-O'Malley program provides funds for supplementary programs for students enrolled in public schools.

In continuing education, the budget includes \$16 million for operating grants and endowment funds for 22 community colleges which are operated by tribes or tribal organizations.

Tribal Services

An increase of \$12.1 million is requested for Tribal Services programs. A program of technical assistance grants to tribes, as authorized by the Self-Determination Amendments, P.L. 100-472, is proposed to be funded at a level of \$4.4 million. Included in this grant request is a continuation of the small tribe core management grant program.

A total of \$93.1 million is requested for social services programs, which includes \$82.1 million for welfare assistance grants and \$8.9 million for Indian Child Welfare Act grants.

Increases in tribe/agency social service programs include \$3.5 million to staff and operate the emergency shelters constructed under the authority of the Anti-Drug Abuse Act; \$2 million to expand child protection efforts on reservations; \$4 million to support enhanced law enforcement efforts bureauwide.

Natural Resources Development

To improve and enhance the productivity of Indian lands, \$2 million is requested for eradication of noxious weeds on agricultural and range lands and \$1 million is proposed to continue the prairie dog control program. An increase of \$2 million, for a total program level of \$10.2 million is requested to expand the forest development program. These funds will continue the reforestation backlog reduction effort and provide silviculture treatment for those lands previously reforested. An increase is also requested for forest management inventories and plans which will allow the bureau to address the needs of additional forested lands which have been newly acquired by tribes.

A net reduction of \$4.8 million is proposed for Wildlife and Parks. Of the decreases, \$2.3 million is taken against rights protection implementation in Western Washington,; \$300,000 against Columbia River fisheries programs; and \$873,000 against funding for the Voight Case fisheries.

Trust Responsibilities

To protect trust property and financial assets held in trust for Indian tribes and individuals, a net increase of \$6.4 million is requested for trust programs. This includes an increase of \$2.5 million to clean up hazardous waste sites; an increase of \$2.3 million to improve operations of the land title and records offices; an increase of \$1 million to address the large backlog of Indian estates awaiting probate action; and \$2.8 million for financial trust services. The increase for financial trust services will support additional audits by third parties of funds held in trust by the bureau for tribes and individual Indians and will support needed organizational improvements which have been identified by the Office of the Inspector General and by outside auditors as essential if the bureau is to adequately fulfill its fiduciary responsibility.

General Administration

To address the numerous internal control problems which have been found through internal reviews and external audits, the bureau is requesting \$1 million to establish an office of audit and evaluation. This office will be charged with conducting programmatic and financial reviews, working with the Office of the Inspector General and the General Accounting Office in audits conducted by these organizations; and ensuring that necessary corrective actions are institutionalized within the bureau.

To replace outdated automatic data processing equipment and to improve services to the field, an increase of \$2.3 million is requested for the Office of Data Systems. Virtually every aspect of program service delivery and federal accountability is dependent upon computer systems, and the bureau lags far behind in acquiring state-of-the-art technology.

An increase of \$1 million for education program management will be used to expand the participation of volunteers in the bureau-funded educational system; to develop research instruments for the conduct of longitudinal studies on student progress; and to support monitoring and evaluation teams who will conduct on-site, in-depth reviews of 45 bureau-funded schools annually.

To move toward the Department's goal of significantly improving the presence of women and minorities in the management levels of the organization, an increase of \$200,000 is requested for the consolidated training program. The bureau will undertake a multi-faceted training and career awareness program in cooperation with the Equal Employment Opportunity staff.

War on Drugs

Interior has an important role as part of the President's War on Drugs. Interior bureaus are involved in stopping narcotics at the border, eliminating marijuana growth and trafficking on public and Indian lands, and educating everyone, especially our youth, about the danger of drug use. The Secretary issued a statement this year outlining the three areas in which the Department of the Interior can make significant contributions to the National Drug Control Strategy -- eradication, interdiction, and education. (A fourth area -- the drug free workplace -- is presented as a base adjustment in this justification.)

For the Bureau of Indian Affairs a total of \$16.8 million is being proposed for the war on drugs effort, an increase of \$4.3 million over the base. The types of activities carried out by the bureau include: substance abuse counseling in bureau-funded schools, which will be supplemented in FY 1991 by the introduction of the nationally-recognized Drug Abuse Resistance Education (DARE) program which is funded through law enforcement; training for law enforcement and judicial services personnel; construction of juvenile detention facilities; staffing and operation of emergency shelters and juvenile detention facilities; eradication of marijuana plants; and investigation, interdiction and prevention activities by bureau and tribal law enforcement staff.

Irrigation Construction

Following a report issued by the Office of the Inspector General on the bureau's management of the Safety of Dams program and in order to facilitate timely corrective action, responsibility for this activity has been transferred to the Bureau of Reclamation where funds are budgeted for work on bureau dams in need of repair. Associated with this transfer of function is a reduction of 10 FTE and the associated staff costs.

Buildings and Utilities

For construction of new facilities and repair and renovation of existing buildings, \$35.3 million is requested. These funds will provide for the completion of the Pine Ridge High School, construction of Dunseith Elementary School; begin a program of repairs and renovation for law enforcement facilities; and continue the on-going effort of facilities improvement and repairs which focuses mainly on schools.

Road Construction and Road Maintenance

This program is budgeted at \$37.3 million which will provide \$26.4 million for scheduled road maintenance and emergency repairs and \$10.9 million for sealing roads constructed with funds from the Highway Trust Fund. Direct appropriations to the bureau are supplemented by \$80 million annually from the Department of Transportation.

Construction Contract Support

To meet the overhead costs of tribal contractors associated with the administration of bureau-funded construction projects, \$7 million is requested.

Miscellaneous Payments to Indians

The request for Miscellaneous Payments to Indians totals \$52.4 million. Included within this amount is \$12.3 million for implementation of the remaining unfunded portions of the Aleutian-Pribilof Settlement Act; \$1.3 million to continue work under the White Earth Land Settlement Act and the Old Age Assistance Act; and \$38.8 million to meet the FY 1991 costs of water rights settlements which were enacted in 1988.

Indian Loan Guaranty and Insurance Fund

Funds are requested in FY 1991 to implement the Supplemental Surety Bond program which was authorized under amendments to the Indian Financing Act. Also included in the request is \$2.9 million to increase the reserve for losses and \$3.3 million for payment of interest subsidies on guaranteed loans.

Permanent Appropriations and Trust Funds

In addition to those activities financed annually by direct appropriations, operation of Indian irrigation and power systems, the Alaska Resupply operation, and federal employees' quarters operation and maintenance activities are supported by collections from users.

The bureau holds in trust approximately \$1.7 billion of funds belonging to Indian tribes and individual Indians. These funds represent awards from court cases, income from trust land, and special appropriations provided by Congress. The income from the investment of these funds, which is estimated to be \$377 million in FY 1991 is available through a permanent appropriation.

Summary

The total budget estimate for the Bureau of Indian Affairs for FY 1991 is \$1.6 billion which includes \$1.2 billion in direct federal appropriations and \$453 million in permanent and trust funds. This represents a decrease of \$186 million in direct appropriations below the FY 1990 enacted level. The decrease, however, is essentially the result of funding projects with one-time costs in FY 1990 such as conversion of tribal contracts to calendar year funding (\$54 million) and non-recurring payments for Indian settlements (\$136 million).

The request for direct appropriations represents a net increase of \$185 million over the FY 1991 base which is divided as follows: Operation of Indian Programs (+\$30.4 million); Construction (+\$97.6 million); Miscellaneous Payments to Indians (+\$51.1 million); Indian Loan Guaranty and Insurance Fund (\$6.7 million); and the Navajo Rehabilitation Trust Fund (-\$.8 million).

BUREAU OF INDIAN AFFAIRS
Authorizing Statutes

General Authorizations:

- 25 U.S.C. 13 (The Snyder Act of November 2, 1921), P.L. 67-85
- 25 U.S.C. 461 et seq. (The Indian Reorganization Act of 1934), P.L. 73-383
- 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act),
P.L. 93-638, as amended by P.L. 100-472

In addition to the general authorizations listed above, the following programs have specific authorizing legislation as shown below:

EDUCATION

- School Operations 25 U.S.C. 2001-2019 (The Education Amendments of 1978),
P.L. 95-561, as amended 1979, 1984, 1985, 1988 and 1989
- 25 U.S.C. 2008 (The Quarter Blood Amendment), P.L. 99-228
- 25 U.S.C. 2401 et seq., Part 4 of the Anti-Drug Abuse Act
of 1986, Subtitle C (The Indian Alcohol and Substance
Abuse Prevention and Treatment Act of 1986), P.L. 99-570,
as amended
- Johnson-O'Malley 25 U.S.C. 452 (The Johnson-O'Malley Act of April 16, 1934)
P.L. 73-167
- Continuing Education 25 U.S.C. 1801 et seq. (The Tribally Controlled Community
College Assistance Act), P.L. 95-471, as amended

TRIBAL SERVICES

- Aid to Tribal 25 U.S.C. 1721 et seq. (The Maine Indian Claims Settlement
Government Act of 1980), P.L. 96-420
- 25 U.S.C. 1401 et seq. (The Indian Judgment Funds
Distribution Act of 1973
- Tribal Courts 25 U.S.C. 1721 et seq. (The Maine Indian Claims Settlement
Act of 1980), P.L. 96-420
- Social Services 25 U.S.C. 1901 et seq. (Indian Child Welfare Act),
P.L. 95-608
- (Welfare Reform Act), P.L. 100-485
- Law Enforcement 18 U.S.C. 3055 (Act of June 25, 1948), P.L. 80-772
- 25 U.S.C. 2401 et seq., Part 4 of the Anti-Drug Abuse Act
of 1986, Subtitle C (The Indian Alcohol and Substance
Abuse Prevention and Treatment Act of 1986), P.L. 99-570,
as amended
- Employment 25 U.S.C. 309 (Vocational Training), P.L. 84-959, as
Development amended

NAVAJO-HOPI SETTLEMENT

25 U.S.C. 640 et seq (The Navajo-Hopi Settlement Act of December 22, 1974), P.L. 93-531, as amended

ECONOMIC DEVELOPMENT

Economic Development 25 U.S.C. 1523 (The Indian Financing Act of 1974),
P.L. 93-262, as amended

Indian Arts and 25 U.S.C. 305 (The Act of August 27, 1935), P.L. 74-355
Crafts Board

TRUST RESPONSIBILITIES

Indian Rights 28 U.S.C. 2415 (Statute of Limitations; The Indian Claims
Protection Limitation Act of 1982), P.L. 97-394

16 U.S.C. 3101 (The Alaska National Interest Lands
Conservation Act), P.L. 96-487

43 U.S.C. 1601 (The Alaska Native Claims Settlement Act),
P.L. 92-203

Real Estate Services 25 U.S.C. 176 (Reorganization Plan No. 3 of 1946),
60 Stat. 1100

25 U.S.C. 311 (The Act of March 3, 1901) P.L. 56-832,
31 Stat. 1084

25 U.S.C. 393 (The Act of March 3, 1921), P.L. 66-359,
41 Stat. 1232

25 U.S.C. 2201-2211 (Indian Land Consolidation Act),
P.L. 97-459, as amended by P.L. 98-608

Financial Trust 25 U.S.C. 162a (The Act of June 24, 1938), P.L. 75-714
Services

NATURAL RESOURCES

Forestry 25 U.S.C. 406 & 407 (The Act of June 25, 1910),
36 Stat. 857

18 U.S.C. 1853, 1855, and 1856, 62 Stat. 787 and 788

Wildlife and Parks 16 U.S.C. 3631 (The U.S./Canada Pacific Salmon Treaty Act
of 1985), P.L. 99-5, 99 Stat. 7

16 U.S.C. 3101 (The Alaska National Interest Lands
Conservation Act of 1980), P.L. 96-487, 94 Stat. 2371

42 U.S.C. 1996 (The American Indian Religious Freedom
Act of 1978), P.L. 95-341, 92 Stat. 469

Minerals and Mining P.L. 100-557, Umatilla Basin Project Act

CONSTRUCTION

Buildings and Utilities	25 U.S.C. 631(2)(12)(14) (The Act of April 19, 1950), 64 Stat. 44 as amended by P.L. 85-740
	25 U.S.C. 465 (The Act of June 18, 1934), 48 Stat. 985
	25 U.S.C. 318a (The Act of May 26, 1928), P.L. 70-520, 45 Stat. 750
Roads	23 U.S.C. 104(b)(5)(A) (The Surface Transportation and Uniform Relocation Assistance Act of April 2, 1987), P.L. 100-17, 101 Stat. 145
Land Acquisition	25 U.S.C. 465, (An Act to Settle Indian Land Claims in the Town of Gay Head, MA), P.L. 100-95

MISCELLANEOUS PAYMENTS TO INDIANS

Eastern Indian Land Claims Settlement Fund	25 U.S.C. 1701 (The Act of September 30, 1978), P.L. 95-395, 92 Stat. 813
White Earth Reservation Claims Settlement Act	25 U.S.C. 331 (The Act of March 24, 1986), P.L. 99-264, 100 Stat. 61
Old Age Assistance Claims Settlement Act	25 U.S.C. 2301 (The Act of October 19, 1984), P.L. 98-500, 98 Stat. 2317
Gila Bend Indian Res. Lands Replacement Act	43 U.S.C. 1521, et seq. (The Act of October 20, 1986), P.L. 99-503, 100 Stat. 1798
Hoopa-Yurok	25 U.S.C. 1300i (Hoopa-Yurok Settlement Act) P.L. 100-580
San Luis Rey Water Rights Settlement	P.L. 100-675 (San Luis Rey Indian Water Rights Settlement Act)
Colorado Ute Water Rights Settlement	P.L. 100-585 (Colorado Ute Indian Water Rights Settlement Act of 1988), 102 Stat 2973
Salt River (Pima-Maricopa)	P.L. 100-512 (Salt River Pima-Maricopa Indian Community Water Rights Settlement Act of 1988), 102 Stat 2549
Aleutian & Pribilof Islands Restitution	P.L. 100-383 (The Aleutian and Pribilof Islands Restitution Act), 102 Stat 910
Puyallup Settlement	25 U.S.C. 1773 (Puyallup Tribe of Indians Settlement Act of 1989), P.L. 101-41, 103 Stat 83

MISCELLANEOUS PERMANENT APPROPRIATIONS & TRUST FUNDS

Claims and Treaty Obligations	Act of February 19, 1831 Treaty of November 11, 1794 Treaty of September 24, 1857 Acts of March 2, 1889; June 10, 1896; June 21, 1906
O & M, Indian Irrigation Systems	25 U.S.C. 162a (The Act of November 4, 1983, P.L. 98-146, 60 Stat. 895
Power Systems, Indian Irrigation Projects	25 U.S.C. 162a (The Act of November 4, 1983, P.L. 98-146, 60 Stat. 895, 65 Stat. 254
Lummi Diking Project	25 U.S.C. 386a (The Act of September 17, 1965), P.L. 89-190, 79 Stat. 821
Cooperative Fund, Papago	25 U.S.C. 386a (Section 313, Southern Arizona Water-Rights Settlement Act), P.L. 97-293, 96 Stat. 1274-1285
Miscellaneous Trust Funds	25 U.S.C. 123 et seq. (The Act of May 18, 1916), P.L. 64-80, 39 Stat. 158

OPERATION AND MAINTENANCE OF QUARTERS

5 U.S.C. 5911 (Federal Employees Quarters and Facilities Act of August 20, 1964), P.L. 88-459, as amended by P.L. 98-473 and P.L. 100-446

INDIAN LOAN GUARANTY AND INSURANCE PROGRAM

25 U.S.C. 1451 et seq. (The Indian Financing Act of April 12, 1974), P.L. 93-262, as amended by P.L. 98-449 and P.L. 100-442

Appropriation Summary Statement

BUREAU OF INDIAN AFFAIRS

Appropriation: Operation of Indian Programs

The Operation of Indian Programs appropriation consists of a wide range of services provided to Indian tribes, Alaskan Native groups, and individual Native Americans. Special emphasis is placed on tribal participation and involvement. Activities that support these services are:

1. Education - This activity provides funding for the operation of bureau, and tribal grant or contract elementary and secondary schools. Through the continuing education component, financial assistance is provided to Indian students to pursue post-secondary education opportunities. Funds are also made available to support community adult education programs and for the operation of tribally-controlled community colleges.
2. Tribal Services - This activity provides support for many local government activities such as law enforcement, tribal courts, welfare assistance, and employment development programs.
3. Navajo-Hopi Settlement Program - This activity funds range restoration and fencing on the lands partitioned to the two tribes as part of the Settlement Act.
4. Economic Development - This activity provides technical assistance and grants to assist individual Indians and tribes to secure financing to improve economic conditions on the reservations.
5. Natural Resources Development - This activity provides for the conservation, rehabilitation, development, enhancement, and use of Indian land, water, mineral, and other resources.
6. Trust Responsibilities - This activity provides for the protection of Indian rights and property, and for the management of assets held in trust for Indian tribes and individuals.
7. Facilities Management - This activity provides for the maintenance and operation of bureau facilities and for payments to the General Services Administration for bureau-leased space.
8. General Administration - This activity includes executive direction, administrative services, safety management, automatic data processing services, employee compensation payments, construction management, and education program management.
9. Tribe/Agency Operations - This is a major subactivity in each of the above activities (with the exception of Facilities Management). Funds support agency staff and tribal contracts to carry out the full range of bureau responsibilities at the local level. Funding priorities for all of the programs included in Tribe/Agency Operations are determined by the local agency superintendent in consultation with tribal officials.

Reimbursable Programs - These programs include reimbursement from states for school lunches for Indian children; funds granted to the bureau by other federal agencies to carry out special service programs for Indians; and for miscellaneous goods and services provided to others.

Appropriations Language

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Operation of Indian Programs

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment 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; 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 arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including expenses in field offices, [\$1,035,534,000, including \$54,000,000 for conversion of tribal contracts and agreements to a calendar year basis as authorized by section 204(d) (1) of Public Law 100-472 (100 Stat. 2291), and] \$1,018,185,000, of which not to exceed [\$71,393,000] \$66,224,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, [1991 and of which \$2,180,000 for litigation support shall remain available for obligation until expended] 1992, 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 et seq.) shall remain available until September 30, [1991] 1992: Provided, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs unless the tribe(s) and the Bureau of Indian Affairs enter into a cooperative agreement for consolidated services; and for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640(d)18 (a)), [\$1,002,000] \$1,027,000, to remain available until expended: Provided further, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b) (2) of the Carl D. Perkins [: Provided further, That \$200,000 of the funds made available in this Act shall be available for cyclical maintenance of tribally owned fish hatcheries and related facilities: Provided further, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for such tribe or individual have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the tribe or individual has been provided with an accounting of such funds: Provided further, That \$250,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation: Provided further, That if the actual amounts required in this account for costs of the Federal Employee Retirement System in fiscal year 1990 are less than amounts estimated in 1991 budget documents, such excess funds may be transferred to "Construction" and "Miscellaneous Payments to Indians" to cover the costs of the retirement system in those accounts: Provided further, That for the purpose of enabling Indian reservation residents in Arizona who are eligible for General Assistance and who have dependent children to participate and succeed in Job Corps training, the Bureau shall pay the full State AFDC A-2 grant level]. (Department of the Interior and Related Agencies Appropriations Act, 1990.)

Justification of Proposed Language Changes

BUREAU OF INDIAN AFFAIRS

Operation of Indian Programs

1. Deletion: ", including \$54,000,000 for conversion of tribal contracts and agreements to a calendar year basis as authorized by section 204(d) (1) of Public Law 100-472 (100 Stat. 2291), and"

This language is proposed for deletion as the conversion from fiscal year to calendar year contracting for self-determination contractors will occur in fiscal year 1991.

2. Deletion: "and of which \$2,180,000 for litigation support shall remain available for obligation until expended"

This language is proposed for deletion as the Bureau will be able to obligate the full amount requested for litigation support during the 1991 fiscal year.

3. Deletion: ": Provided further, That \$200,000 of the funds made available in this Act shall be available for cyclical maintenance of tribally owned fish hatcheries and related facilities"

This language is proposed for deletion as no funds are requested for cyclical maintenance of fish hatcheries.

4. Deletion: ": Provided further, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for such tribe or individual have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the tribe or individual has been provided with an accounting of such funds"

This language is proposed for deletion as the Bureau of Indian Affairs will begin the required audits in FY 1990 and will continue such audits during FY 1991. The bureau will transfer only those funds which have been audited to the contractor.

5. Deletion: ": Provided further, That \$250,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation"

This language is proposed for deletion as no funds are requested in the budget for a grant to the Close Up Foundation.

6. Deletion: ": Provided further, That if the actual amounts required in this account for costs of the Federal Employee Retirement System in fiscal year 1990 are less than amounts estimated in 1991 budget documents, such excess funds may be transferred to "Construction" and "Miscellaneous Payments to Indians" to cover the costs of the retirement system in those accounts"

This language is proposed for deletion as the funds for the Federal Employees Retirement System are included in all of the program activities in the FY 1991 budget request.

7. Deletion: " : Provided further, That for the purpose of enabling Indian reservation residents in Arizona who are eligible for General Assistance and who have dependent children to participate and succeed in Job Corps training, the Bureau shall pay the full State AFDC A-2 grant level"

This language is proposed for deletion as it provides special treatment for a small number of Indian clients which is not available to other households eligible for general assistance payments.

Appropriation Language Citations

BUREAU OF INDIAN AFFAIRS

Appropriations: Operation of Indian Programs

1. For operation of Indian programs by direct expenditure, contracts, cooperative agreements and grants

25 U.S.C. 13
25 U.S.C. 450f(a) and 450h(a)
31 U.S.C. Chapter 63

25 U.S.C. 13 provides for direct operation of various federal programs for Indians throughout the United States.

25 U.S.C. 450f(a) directs the Secretary, upon the request of any Indian tribe, to enter into a contract or contracts to plan, conduct, and administer programs which the Secretary is otherwise authorized to administer.

31 U.S.C. Chapter 63 provides procedures to be followed in the preparation of federal contracts, grants, and cooperative agreements.

2. including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions or schools; grants and other assistance to needy Indians

25 U.S.C. 309 and 309a
25 U.S.C. 452-457
25 U.S.C. 640b
25 U.S.C. 1801-1815
25 U.S.C. 2001-2020
25 U.S.C. 2401-2416
25 U.S.C. 2431-2434

25 U.S.C. 309 and 309a authorizes vocational training and counseling programs and appropriations therefor.

25 U.S.C. 452-457 authorizes contracts for educational and welfare services.

25 U.S.C. 640b authorizes grants to the Navajo Community College.

25 U.S.C. 1801-1815 authorizes the award of grants to Tribally-Controlled Community Colleges.

25 U.S.C. 2001-2020 provides for the operation of elementary and secondary schools, either directly or by contract.

25 U.S.C. 2401-2416 authorizes coordinated efforts to address alcohol and substance abuse problems.

25 U.S.C. 2431-2434 authorizes special alcohol and substance abuse programs targeted for Indian youth.

3. maintenance of law and order

25 U.S.C. 13
25 U.S.C. 2441-2442
25 U.S.C. 2451-2455

25 U.S.C. 13 authorizes the employment of Indian police and judges for the suppression of trafficking in intoxicating liquor and deleterious drugs.

25 U.S.C. 2441-2442 authorizes the control of illegal narcotics traffic on the Papago reservation and authorizes the eradication of marijuana plants on Indian lands.

25 U.S.C. 2451-2455 authorizes law enforcement training, the operation of juvenile detention centers, and the development of a model Indian juvenile code.

4. management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs

7 U.S.C. 1651-1656
16 U.S.C. 583, 590a, 590f, and 594
25 U.S.C. 13
25 U.S.C. 372
25 U.S.C. 500

7 U.S.C. 1651-1656 provides for the protection of the livestock industry from losses caused by the poisonous weed Halogeton Glomeratus.

16 U.S.C. 583, 590a, 590f, and 594 provides for forest management, soil and moisture conservation, and for the protection of lands from fire, disease or insects.

25 U.S.C. 13 provides for the management, development, improvement, and protection of Indian lands and resources.

25 U.S.C. 372 provides for determination of heirs, sale and disposition of allotments of deceased Indians, and for leasing of allotments.

25 U.S.C. 500 provides for acquisition and organization of a reindeer industry for Alaskan Natives.

5. including payment of irrigation assessments and charges, acquisition of water rights

25 U.S.C. 13, 381, 385
49 Stat. 887
52 Stat. 80
54 Stat. 707

25 U.S.C. 13 provides for the extension, improvement, operation, and maintenance of existing Indian irrigation systems and for the development of water supplies.

25 U.S.C. 381 provides for the use of water and distribution thereof.

25 U.S.C. 385 provides for the establishment of maintenance charges and further provides that federal expenditures shall be reimbursable where

Indians have adequate funds to repay the government.

49 Stat. 887 authorizes the Secretary to enter into an agreement with Middle Rio Grande Conservancy District for maintenance and operation costs on reclaimed Pueblo Indian lands.

52 Stat. 80 amends the rate of payments of irrigation construction costs of the Wahpeto Irrigation Project.

54 Stat. 707 provides for payment of costs of providing additional water for the Wahpeto Irrigation Project.

6. advances for Indian industrial and business enterprises

25 U.S.C. 13
25 U.S.C. 1451-1543

25 U.S.C. 13 authorizes industrial assistance and advancement to be provided by the Bureau of Indian Affairs.

25 U.S.C. 1451-1543 authorizes technical assistance, direct loans, interest subsidies, guaranteed loans, and grants to Indian tribes and individuals.

7. operation of Indian arts and craft shops and museums; development of Indian arts and crafts, as authorized by law

25 U.S.C. 305-305c

25 U.S.C. 305-305c established the Indian Arts and Crafts Board to promote the economic welfare of Indian tribes and individuals through the development of arts and crafts and through the expansion of the market for such products.

8. for the general administration of the Bureau of Indian Affairs, including such expenses in field offices

25 U.S.C. 13

25 U.S.C. 13 authorizes general and incidental expenses in connection with the administration of Indian Affairs.

9. \$1,018,185,000, of which not to exceed \$66,224,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1992

25 U.S.C. 13a

25 U.S.C. 13a authorizes the carryover of funds which were not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such sums were appropriated.

10. and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975, as amended (88 Stat. 2203; 25 U.S.C. 450 et seq.) shall remain available until September 30, 1992: Provided, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs unless the tribe(s) and the Bureau of Indian Affairs enter into a cooperative

agreement for consolidated services

25 U.S.C. 13a

25 U.S.C. 13a authorizes the carryover of funds which were not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such sums were appropriated.

12. and for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)), \$1,027,000, to remain available until expended

25 U.S.C. 640(d)-18(a)

25 U.S.C. 640(d)-18(a) authorizes the Secretary to reduce livestock in the former joint use area and to institute conservation practices to improve the grazing potential of the area.

13. Provided further, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act

This limitation prevents duplication of funding for vocational educational programs which are funded under separate authority.

BUREAU OF INDIAN AFFAIRS
Summary of Requirements
(Dollar Amounts in Thousands)

Appropriation: Operation of Indian Programs

	FTE	Amount	FTE	Amount
Appropriation enacted, 1990.....			11,253	\$1,035,534
Reduction pursuant to P.L. 99-177.....			-49	- 14,046
Adjusted appropriation, 1990.....			11,204	\$1,021,488

Adjustments to base:

Adjustment for 1990 impact of P.L. 99-177.....	+49	+14,046		
Adjustment for one additional paid day in 1991.....		+ 1,254		
Adjustment for rental payment to GSA.....		+ 819		
Adjustment for Federal Financial System.....		+ 2,860		
Adjustment for postal services.....		- 1,300		
Adjustment for Federal Telecommunications Services.....		+ 350		
Adjustment for Departmental billings.....		- 34		
Adjustment for Workers Compensation payments...		+ 689		
Adjustment for Federal Employees Retirement System.....		+ 2,237		
Adjustment for improved administrative efficiency.....		- 2,862		
Adjustment for staffing efficiency.....	-49	- 2,559		
Adjustment for calendar year contracting.....		-54,000		
Adjustment for the 1991 costs of the 1991 pay raise.....		+ 4,811		
Adjustment for the Alaska Resupply program.....	-10			

Transfers:

Transfer from Student Transportation to the Indian School Equalization Program.....	+151	+12,649		
Transfer from Institutionalized Handicapped to Welfare Assistance Grants.....		+ 2,000		
Transfer from Contract Support to Education Administrative Cost Grants.....		+13,000		
Transfer from Tribal Government Services to Self-Determination Services.....	+ 7	+ 351		
Transfer from New Tribes to Management and Administration (Tribe/Agency).....		+ 175		
Transfer from Social Services (Area Office) to Social Services (Tribe/Agency).....		+ 222		
Within Self-Determination Services, transfer from Small Tribe Core Management Grants to Technical Assistance Grants.....		+ 1,750		
Transfer from Central Office to Area Office for Credit and Financing.....	+ 1	+ 30		
Transfer from Agriculture (Area Office) to Agriculture (Tribe/Agency).....		+ 366		
Transfer from Forestry (Tribe/Agency) to Menominee Forestry.....		+ 500		

	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
Transfer within Wildlife and Parks from tribal management to rights protection.....	+	291		
Transfer within Wildlife and Parks from tribal management to Michigan Settlement.....	+	100		
Transfer within Wildlife and Parks from tribal development to hatchery operations.....	+	176		
Within Minerals and Mining, transfer of Linowes Positions to Area Offices.....	+10	+	360	
Transfer from Linowes Positions to Minerals and Mining (Tribe/Agency).....	+	122		
Within Facilities Management, transfer from Operations and Maintenance to GSA and Direct Rentals.....	+	108		
Within Facilities Management, transfer from New Facilities to Existing Facilities.....	+	192		
Within Management and Administration, transfer from Payroll/Personnel Services to Intra-Governmental billings.....	+	2,618		
Subtotal, adjustments to base and transfers....		<hr/>	- 10	- 47,435
1991 Base Budget.....			11,194	987,799
Program Changes (Changes to base budget).....			<u>+ 30</u>	<u>+ 30,386</u>
Total Requirements (1991 Estimate).....			11,224	\$1,018,185

Justification of Adjustments to Base

	\$000	FTE
<u>Adjustment for 1990 Impact of P.L. 99-177</u>	+14,046	+49
<p>The Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), as amended, required a reduction in non-exempt programs in FY 1990. Since the reduction applies to FY 1990 only, this adjustment is made to allow a more reasonable comparable basis for showing program changes from FY 1990 to FY 1991.</p>		
<u>One More Paid Day in FY 1991</u>	+ 1,300	
<p>The increase in personnel compensation results from there being one more paid day in FY 1991 than in FY 1990.</p>		
<u>Rental Payments to GSA</u>	+ 819	
<p>The adjustment is for increased costs payable to GSA resulting from higher rates for office and non-office space.</p>		
<u>Federal Financial System</u>	+ 2,860	
<p>The adjustment is for the incremental costs of operating the Department's standard administrative accounting system, the Federal Financial System (FFS).</p>		
<u>Payments to the United States Postal Service</u>	- 1,300	
<p>The adjustment is for the decrease in postal costs due to the installation of postage meters in almost all bureau locations.</p>		
<u>Federal Telecommunications System</u>	+ 350	
<p>The adjustment is for higher costs of the Federal Telecommunications System resulting from increased GSA charges.</p>		
<u>Departmental Working Capital Fund</u>	- 34	
<p>The adjustment reflects the decreased costs assigned to the bureau for administrative services provided on a Department-wide basis. In FY 1991, costs for the Washington Interagency Telecommunications System (WITS), the GSA-provided computerized telephone system for the Interior Complex and the Department's in-house data interface/transport system, will decrease. Major acquisition and start-up costs for WITS will occur in FY 1990, with reduced costs in 1991 related primarily to maintenance. This reduction will be partially offset by adjustments for safety management and printing.</p>		
<u>Workers Compensation Payments</u>	+ 689	
<p>The adjustment is for increased costs for compensation to injured employees to be paid to the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b), as amended by Public Law 94-273.</p>		

FERS Retirement Costs..... + 2,237

The adjustment is for the increase in estimated retirement costs resulting from the continuing growth in the relative proportion of FERS employees in the bureau work force.

Adjustment for Administrative Efficiency..... - 2,862

The Department is proposing to decrease spending for consultants, travel, overtime, supplies, and equipment by about 5 percent to improve administrative efficiency and place greater priority on 1991 program initiatives. Specific reductions are proposed in the following areas:

Consultants.....	-\$ 18,000
Travel.....	- 981,000
Overtime.....	- 316,000
Supplies.....	- 917,000
Equipment.....	- 630,000
Total.....	-\$2,862,000

Adjustment for Staffing Efficiency..... - 2,559 - 49

Savings are proposed from a planned reduction in the average grade achieved by filling vacant positions at an average of one grade lower than previously filled and from taking into account an expected additional lapse of 30 days before filling positions that become vacant in 1991. Specific reductions follow:

Average Grade.....	-\$1,136,000
Lapse.....	- 1,423,000
Total.....	-\$2,559,000

Adjustment for Calendar Year Contracting..... -54,000

Conversion of existing self-determination contracts from a fiscal year to a calendar year basis will occur during 1990 and funds are not required for 1991.

Additional Cost in 1991 of the 1991 Pay Increase..... + 4,811

This adjustment is for 40 percent of the additional amount needed in 1991 to cover the cost of the anticipated 3.5 percent pay raise effective in January 1991. Of this amount, \$3,591,000 is for federal pay costs and \$1,220,000 is for tribal contractors' pay costs. The remaining 60 percent will be absorbed in FY 1991.

Adjustment for the Alaska Resupply Program..... - 10

The Alaska Resupply program is funded entirely from user charges. This adjustment transfers the activity from the Operation of Indian Program account to Miscellaneous Permanent Appropriations.

Internal Transfers

Education..... +12,649 +151

Transfer from Student Transportation to the Indian School Equalization Program to effect the provision of law which requires that transportation funding be provided by formula.

Education..... + 2,000

Transfer from Education (Institutionalized Handicapped) to Welfare Assistance Grants the portion of the funds used to provide social services to institutionalized children. This action reverses the internal transfer made in FY 1990. Upon further review it was determined that Education did not have the staff resources necessary to assume this additional responsibility.

Education..... +13,000

Transfer from Contract Support to Administrative Cost Grants to effect the provision of law requiring that schools operated under contracts or grants receive indirect costs based on a formula rather than on the basis of indirect cost rates or lump sum agreements.

Tribal Services..... + 351 + 7

Transfer from Tribal Government Services to Self Determination Services to restore positions and funding for Central Office operations which were proposed to be consolidated in FY 1990.

Tribal Services..... + 175

Transfer from New Tribes to Management and Administration (Tribe/Agency) for the operation of the Klamath field office.

Tribal Services..... + 222

Transfer from Social Services (Area Office) to Social Services (Tribe/Agency) to move funds from the Navajo Area Office to agency locations within the Navajo Area.

Tribal Services..... + 1,750

Within Self-Determination Services, transfer from Small Tribe Core Management Grants to Technical Assistance Grants to combine these funds with the additional amounts requested to implement provisions of the Indian Self-Determination Amendments of 1988.

Economic Development..... + 30 + 1

Transfer from Central Office to Area Office for Credit and Financing to establish a credit position at the Muskogee Area Office.

	<u>\$000s</u>	<u>FTE</u>	
<u>Natural Resources</u>	+	366	
Transfer from Agriculture (Area Office) to Agriculture (Tribe/ Agency) to move funds from the Navajo Area Office to agency locations within the Navajo Area.			
<u>Natural Resources</u>	+	500	
Transfer from Natural Resources (Tribe/Agency) to Forestry in order to more clearly display the funding provided pursuant to the Menominee Restoration Act.			
<u>Natural Resources</u>	+	219	
Transfer within Wildlife and Parks from tribal management to rights protection to continue funding for Boldt case tribes.			
<u>Natural Resources</u>	+	100	
Transfer within Wildlife and Parks from tribal management to Michigan Settlement to consolidate funding associated with this Settlement.			
<u>Natural Resources</u>	+	176	
Transfer within Wildlife and Parks from tribal development to hatchery operations to more accurately display the purpose of the funds.			
<u>Natural Resources</u>	+	360	+ 10
Within Minerals and Mining, transfer of Linowes Positions to Area Offices to display the funding where the obligations are incurred.			
<u>Natural Resources</u>	+	122	
Transfer from Linowes Positions to Minerals and Mining (Tribe/ Agency) to display the funding where the obligations are made.			
<u>Facilities Management</u>	+	108	
Within Facilities Management, transfer from Operations and Maintenance to GSA and Direct Rentals to more accurately reflect the purpose for which the funds are spent.			
<u>Facilities Management</u>	+	192	
Within Facilities Management, transfer from New Facilities to Existing Facilities for the second and subsequent years of operations.			
<u>Management and Administration</u>	+	2,618	
Within Management and Administration, transfer from Payroll/ Personnel Services to Intra-Governmental billings to display those costs assessed by the Department or its bureaus in one place.			

SUMMARY OF REQUIREMENTS

Activity/ Subactivity	FY 1989 Actual Enacted		FY 1990 Enacted to Date		P.L. 99-177 Reduction Amount	FY 1990 Adjusted Approp. Amount	FY 1991 Base		FY 1991 Estimate		Inc(+)/Dec(-) from FY 1990 Enacted Appropriation		Inc(+)/Dec(-) from FY 1990 Adjusted Appropriation		Inc(+)/Dec (-) from FY 1991 base	
	FTE/T	Amount	FTE/T	Amount			FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount
Education:																
School Operations	3,749	186,643	3,818	200,790	-2,723	198,067	3,818	215,910	3,764	231,948	-54	31,158	33,881	-54	16,038	
Johnson O'Malley	0	23,000	0	23,572	-320	23,252	0	23,648	0	20,548	0	-3,024	-2,704	0	-3,100	
Continuing Education	273	26,314	270	30,880	-419	30,461	270	31,195	270	29,672	0	-1,208	-789	0	-1,523	
Tribe/Agency Operations	23	32,546	19	32,142	-436	31,706	19	32,220	19	31,122	0	-1,020	-584	0	-1,098	
Subtotal, Education	4,045	268,503	4,107	287,384	-3,898	283,486	4,107	302,973	4,053	313,290	-54	25,906	29,804	-54	10,317	
Tribal Services:																
Tribal Government Services	83	8,786	87	7,226	-98	7,128	87	6,791	97	7,847	10	621	719	10	1,056	
Social Services	37	93,222	38	92,588	-1,256	91,332	38	94,428	41	93,128	3	540	1,796	3	-1,300	
Law Enforcement	46	4,016	51	4,880	-66	4,814	51	4,931	55	5,373	4	493	559	4	442	
Self-Determination Services	18	57,644	19	58,626	-796	57,830	19	45,979	7	49,366	-12	-9,260	-8,464	-12	3,387	
Employment Development	6	2,685	6	3,059	-41	3,018	6	3,076	6	2,116	0	-943	-902	0	-960	
Tribe/Agency Operations	943	124,812	1,015	132,785	-1,802	130,983	1,015	134,832	1,007	144,351	-8	11,566	13,368	-8	9,519	
Subtotal, Tribal Services	1,133	291,165	1,216	299,164	-4,059	295,105	1,216	290,037	1,213	302,181	-3	3,017	7,076	-3	12,144	
Navajo/Hopi Settlement Program	47	1,985	47	1,002	-14	988	47	1,027	47	1,027	0	25	39	0	0	
Economic Development																
Business Enterprise Development	46	10,801	49	10,748	-146	10,602	49	10,773	47	10,866	-2	118	264	-2	93	
Road Maintenance	411	30,975	0	0	0	0	0	0	0	0	0	0	0	0	0	
Tribe/Agency Operations	59	3,523	59	3,542	-48	3,494	59	3,587	54	3,678	-5	136	184	-5	91	
Subtotal, Economic Development	516	45,299	108	14,290	-194	14,096	108	14,360	101	14,544	-7	254	448	-7	184	
Natural Resources Development																
Forestry & Agriculture	675	115,817	274	65,871	-893	64,978	274	66,281	274	61,311	0	-4,560	-3,667	0	-4,970	
Minerals & Mining	57	15,572	32	5,386	-73	5,313	32	5,314	32	4,557	0	-829	-756	0	-757	
Tribe/Agency Operations	893	50,307	893	54,462	-739	53,723	893	55,195	906	53,963	13	-499	240	13	-1,232	
Subtotal, Natural Resources Dev.	1,625	181,696	1,199	125,719	-1,705	124,014	1,199	126,790	1,212	119,831	13	-5,888	-4,183	13	-6,959	
Trust Responsibilities																
Indian Rights Protection	103	16,041	111	16,743	-228	16,515	111	16,905	112	17,560	1	817	1,045	1	655	
Real Estate/Financial Trust Services	366	19,262	373	20,112	-273	19,839	373	20,380	385	26,248	12	6,136	6,409	12	5,868	
Tribe/Agency Operations	505	23,495	521	23,930	-324	23,606	521	24,420	559	24,281	38	351	675	38	-139	
Subtotal, Trust Responsibilities	974	58,798	1,005	60,785	-825	59,960	1,005	61,705	1,056	68,089	51	7,304	8,129	51	6,384	
Facilities Management	1,073	81,453	1,074	85,792	-1,164	84,628	1,074	87,403	1,074	87,161	0	1,369	2,533	0	-242	
General Administration																
Management & Administration	774	38,151	774	42,106	-572	41,534	774	44,564	798	48,096	24	5,990	6,562	24	3,532	
ADP Services	124	17,650	166	18,203	-247	17,956	166	18,313	173	20,663	7	2,460	2,707	7	2,350	
Employee Compensation Payments	0	14,962	0	18,481	-251	18,230	0	11,449	0	11,449	0	-7,032	-6,781	0	0	
Program Management	100	6,016	109	6,931	-94	6,837	109	6,955	109	7,755	0	824	918	0	800	
Consolidated Training Programs	0	840	0	840	-11	829	0	840	0	1,040	0	200	211	0	200	
Tribe/Agency Operations	500	19,843	530	20,837	-283	20,554	530	21,383	551	23,059	21	2,222	2,505	21	1,676	
Subtotal, General Administration	1,498	97,462	1,579	107,398	-1,458	105,940	1,579	103,504	1,631	112,062	52	4,664	6,122	52	8,558	
Calendar Year Contracting	0	0	0	54,000	-729	53,271	0	0	0	0	0	-54,000	-53,271	0	0	
Subtotal, Direct Program	10,911	1,026,361	10,335	1,035,534	-14,046	1,021,488	10,335	987,799	10,387	1,018,185	-52	-17,349	-3,303	52	30,386	
Reimbursable Program	807	0	869	0	0	0	859	0	837	0	-32	0	0	-22	0	
TOTAL, APPROPRIATION	11,718	1,026,361	11,204	1,035,534	-14,046	1,021,488	11,194	987,799	11,224	1,018,185	20	-17,349	-3,303	30	30,386	

Activity Summary

(Dollar amounts in thousands)

Activity: Education

<u>Subactivity</u>	<u>FY 1989 Actual Approp.</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Incr.(+) Decr.(-) From Base</u>
School Operations	186,643	200,790	198,067	215,910	231,948	+16,038
Johnson-O'Malley	23,000	23,572	23,252	23,648	20,548	-3,100
Continuing Education	26,314	30,880	30,461	31,195	29,672	-1,523
Tribe/Agency Operations	<u>32,546</u>	<u>32,142</u>	<u>31,706</u>	<u>32,220</u>	<u>31,122</u>	<u>-1,098</u>
Total	268,503	287,384	283,486	302,973	313,290	+10,317

Justification of Program and Performance

Activity: Education
 Subactivity: School Operations

Program Elements		FY 1990 Enacted to Date	(Dollar amounts in thousands)			Inc. (+) Dec. (-) From Base
			FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	
A. Indian School Equalization Program (ISEP):						
1. ISEP Formula	\$	173,058	170,711	189,733	196,552	+6,819
	(FTE)	(3,460)		(3,619)	(3,585)	(-34)
2. Indian School Program Adjustments	\$	1,911	1,885	1,911	4,930	+3,019
B. Institutionalized Handicapped						
	\$	3,428	3,382	1,428	2,228	+800
C. Student Transportation						
	\$	12,661	12,489	--	--	--
	(FTE)	(159)		(--)	(--)	(--)
D. Solo Parent Program						
	\$	133	131	133	133	--
E. Technical Support:						
1. Agency & Area Offices	\$	6,762	6,670	6,862	6,862	--
	(FTE)	(175)		(175)	(155)	(-20)
2. Education MIS	\$	324	320	324	324	--
	(FTE)	(4)		(4)	(4)	(--)
F. Substance/Alcohol Abuse Counselors						
	\$	2,413	2,380	2,419	1,919	-500
	(FTE)	(20)		(20)	(20)	(--)
G. Tribal Departments of Education						
	\$	100	99	100	--	-100
H. Administrative Cost Grants						
	\$	--	--	13,000	19,000	+6,000
Total Requirements						
	\$	200,790	198,067	215,910	231,948	+16,038
	(FTE)	(3,818)		(3,818)	(3,764)	(-54)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
School Operations	200,790	-2,723	198,067

The value of a Weighted Student Unit (WSU) will be reduced by \$34, and the payment for Student Transportation will be decreased by about 2 cents per mile. Each school location will determine from its individual budget how the reduction can be managed. The reduction in WSU value could cause serious problems at the school level since bureau-operated schools are required to begin the phase-in of the higher DOD salary schedule during the 1989/90 school year.

Objective: The long range goal of the bureau's education program is to raise the educational achievement of Indian students in BIA-funded schools to levels that meet or exceed national norms by the year 2000. In working towards this goal, the bureau will continue the initiative begun in FY 1989 to use the Effective School's Model which places strong emphasis on establishing a clear school mission, developing a quality curriculum, training of teachers and other educational staff, and most importantly on educational leadership.

The bureau proposes to begin moving towards this goal with the following objectives:

1. Increasing parental involvement in the education process.

The bureau proposes to start a pilot early childhood and parent development program for children from birth through the age of five to maximize children's overall development by laying a foundation for later learning and school success. Such programs as "Parents as Teachers" (PAT) and Parent and Child Education (PACE) will be used.

2. Improving teacher performance.

In FY 1990, the bureau began a three year process to increase teacher salaries to the rates paid by the Department of Defense, as authorized by P.L. 100-297. It is expected that student performance will be enhanced to the extent that BIA-funded schools are able to recruit and retain highly motivated and capable teachers.

In FY 1991, the BIA also proposes to implement an orientation training program for new teachers, counselors, and selected administrative staff as well as retraining programs for existing staff.

3. Establishing high expectations for student success.

School staff will receive specialized training in educational methods which educational research has proven to be important in establishing high expectations for students. Instructional methods that are effective with Indian students will be emphasized.

Other ongoing programs which foster this objective include: the recognition of Exemplary Schools and matching them with schools needing assistance; the Sharing Excellence Network which is a cooperative effort for exchange of information between schools and is sponsored jointly by the Bureau of Indian Affairs, the Department of Education and the Gould Foundation; and the Gifted and Talented Program.

In FY 1991, the Office of Indian Education Programs (OIEP) which is funded under the General Administration component of this budget will also strive to improve its accountability to parents, school boards and tribes. Staff efforts will be strengthened in oversight of the standards compliance program, student testing, and collection of data such as dropout rates and attendance figures. As part of this effort, review teams will conduct a comprehensive assessment of each school once every four years. (Refer to the General Administration component of this budget for more details of this effort.)

The school operations program (1) provides basic educational and residential programs to Indian students not served by public or sectarian schools; (2) provides residential care for Indian students attending public schools; (3) meets the needs of Indian students and addresses those problems intensified among Indian children because of their situation, such as bilingual needs, counseling, and guidance; (4) provides operational funding to elementary and secondary schools under contract or grant to tribes; and (5) enhances local control of school operations.

The bureau also administers programs funded by the Department of Education such as (figures are for FY 1990):

° Handicapped Programs

Education of the Handicapped, P.L. 94-142 (\$17,675,765): These funds provide supplemental services to handicapped children from birth to 20 who require special education and related services.

Infants and Toddlers (\$819,000): P.L. 99-457 authorized funding to bureau schools for children ranging from birth to 2 years of age. Funds for the first two years will be used for inter-agency agreements to plan a service delivery system.

Training (\$103,000): The bureau received a competitive grant from the Department of Education to train 70 para-professionals. Forty will be trained in speech therapy and thirty in physical therapy and will serve as providers.

° Math and Science (\$686,700): These funds support summer institutes where teachers are trained in the new techniques of teaching math and science concepts.

° Chapter I, Education Consolidation & Improvement Act (\$25,217,025): These funds provide supplemental financial assistance to schools for remedial programs designed to raise the academic level of targeted Indian children in the areas of math, reading and language.

° Drug Free Schools & Communities Act (\$3,475,000): These funds provide the schools with curriculum, materials, and organized activities for students who exhibit alcohol and substance abuse problems.

° Title V (\$2,576,368): The Indian Education Act, P.L. 100-297, authorized grants to bureau-operated schools for a variety of educational activities. These grants were formerly referred to as Title IV and only contract-operated schools were eligible. Schools apply directly to the Department of Education.

° Title VII - Bilingual Education Program (\$1,137,000): Bureau-funded schools may apply directly to the Department of Education for funds to support instructional curriculum relating to the study of history and culture associated with the native language.

A. Indian School Equalization Program

Base Program (\$189,733,000; FTE 3,619): According to data provided by the U.S. Department of Education, approximately 82% of Indian students are served by state-operated public schools and 7% are served by private and parochial schools. The remaining 11% of all Indian children in school are provided an education in schools funded by the Bureau of Indian Affairs and operated by the bureau or by tribes under contract or grant. Approximately 51% of the average daily membership (ADM) in bureau-funded schools in FY 1990 is in residential schools either because the students live farther than a 1-1/2 mile walk from public or federal day schools' bus routes or because of special social or academic factors such as poverty, family difficulties, or problems encountered in other school systems.

In an effort to meet the basic and special educational needs of Indian students, bureau and contract schools incorporate the following activities into their educational programs:

KINDERGARTEN AND ELEMENTARY EDUCATION (K-8) - Basic educational programs for children utilizing specialized staff in small groups, including school health, nutrition, counseling, and the relevance of education to the child's culture.

SECONDARY EDUCATION (9-12) - Basic educational curricula at grades 9-12, extra-curricular activities and special curricula including vocational courses.

BILINGUAL EDUCATION - Special programs to help children of limited English proficiency to improve their ability to read, write, speak, and understand English.

EXCEPTIONAL CHILD PROGRAMS - Individualized Education Plans (IEPs) outline the special education and related services requirements to meet the needs of individual handicapped students. In most cases, the services include, but are not limited to, physical therapy, psychological counseling, and specific instructional activities. This includes classroom instruction, instruction in physical education, home tutoring, instruction in hospitals and institutions, and related service programs.

GIFTED AND TALENTED - This program provides additional services or activities for those children who are identified as having high performance capability in areas such as intellectual, creative, artistic or leadership capacity, or in specific academic fields.

RESIDENTIAL PROGRAMS - These programs provide for the housing and care of students, including room and board, recreation, libraries, tutoring and other programs required in residential situations. Supplementary services are provided to handicapped children in residential care programs as identified in ISEPs. Students who are in the residential setting as a result of social placements may be identified as needing special counseling and be placed in the Intensive Residential Guidance Program.

SUMMER PROGRAMS - At the option of school boards, available funds may be expended to support summer programs, particularly for remedial instruction.

In FY 1990, the bureau will fund 166 elementary and secondary schools and 14 dormitories to carry out its educational responsibilities. These federally-operated and contracted schools served 39,791 students in 23 states in FY 1990.

This figure includes 38,105 students in the basic instructional programs and 1,686 students in the dormitory program for students who attend public schools. The types of educational facilities include:

Day Schools which provide basic elementary and secondary education programs to children who reside at home;

On-Reservation Boarding Schools which are located within the boundaries of an Indian reservation and provide residential care in addition to the education program;

Off-Reservation Boarding Schools (ORBS) which are located outside the boundaries of an Indian reservation and provide residential care in addition to the education program;

Dormitories which provide residential care for students attending public schools; and

Contract or Grant Schools (day and boarding) which are funded by the bureau and operated by the tribes under contract with the Bureau of Indian Affairs pursuant to P.L. 93-638 or under the grant school provisions of P.L. 100-297.

The major portion of bureau school operating funds for instruction, boarding, and dormitory costs is distributed directly to bureau-operated and contract schools by a formula using a weighted student funding approach called the Indian School Equalization Program (ISEP) Formula. Monies used to fund other educational support and administrative school services are provided apart from the formula.

SUMMARY OF FISCAL YEAR 1990 ISEP FORMULA FUNDING

<u>TYPE OF SCHOOL</u>	<u>Total ADM</u>	<u>Instructional WSU</u>	<u>Residential WSU</u>	<u>Gifted and Talented WSU</u>	<u>Total Formula Funds</u>
<u>Day Schools</u>					<u>\$68,497,800</u>
Bureau Operated (49)	10,079	13,466	--	444	
Contracted (60)	9,523	13,137	--	547	
<u>On-Reservation Boarding Schools</u>					<u>82,042,200</u>
Bureau Operated (39)	12,830	16,562	8,395	309	
Contracted (11)	3,563	4,970	2,555	193	
<u>Off-Reservation Boarding Schools</u>					<u>15,109,800</u>
Bureau Operated (6)	1,913	2,645	2,837	85	
Contracted (1)	197	272	235	--	
<u>Dormitories</u>					<u>5,838,900</u>
Bureau Operated (8)	873	--	1,143	--	
Contracted (6)	813	--	1,201	--	
<u>Grand Total (180)</u>	<u>39,791</u>	<u>51,052</u>	<u>16,366</u>	<u>1,578</u>	<u>\$171,488,700</u>
=====					
Total includes WSUs calculated for small school adjustment		(472)	(250)		

In FY 1991, Student Transportation was merged into the ISEP formula to provide maximum flexibility at the local level when the Bureau converts to the new Federal Financial System (FFS). Currently, schools have flexibility to use transportation dollars for educational purposes or vice versa depending on their local needs. Since the new financial system contains edits which would constrain this spending flexibility, the decision was made to distribute the funds together. However, the calculation of transportation funding will be accomplished in the same manner as in the past.

Student transportation funding includes personal services costs for vehicle operators, GSA vehicle rental, vehicle supplies and equipment, vehicle maintenance and repair, and other transportation support costs. Because adverse road conditions increase transportation costs, miles driven on unimproved roads, particularly on the Navajo Reservation, are weighted by a factor of 1.2 before multiplying by the established rate.

Funds are allocated to day schools that provide transportation between the students' residences (or other traditional pickup points on the reservation) and the school site based on the average number of bus miles on one day x 180 days of school x the established rate per mile. Transportation funds are allocated to boarding schools to provide for boarding students' arrival at school in the fall, a round-trip home mid-year, and their return home at the end of school. If chartered bus, airlines, or other commercial transportation modes are used to transport students, the bureau reimburses the actual cost of four trips.

Calculating the Base Student Value - Under the Indian School Equalization Program Formula, different educational activities conducted by bureau-operated and contract schools, such as elementary and secondary education, bilingual education, residential programs, gifted and talented programs, and programs for different types of handicapped students, are assigned weights (using a base amount of 1.00) which reflect the relative costs associated with the various activities. P. L. 100-297 added an additional weight of .2 for students in grades 7 and 8 and also increased the weight to 2.0 for gifted and talented students. The relative weight factors were determined on the basis of the best practice and experience of state school systems which have developed equalization funding formulae. The number of students a school has participating in the various educational activities is identified, totalled by activity, and multiplied by the weight factor for each activity to arrive at the number of weighted student units (WSU) at each school. The dollar value of a WSU is determined by the division of the total number of all schools' WSUs into the total available funding. The WSU dollar value is multiplied by the number of each school's WSUs to arrive at each school's amount of funding.

The total WSU figure includes all of the WSUs generated directly by instructional and residential programs, the Small School Adjustment, plus the Gifted and Talented program. The Small School Adjustment is provided for schools with less than 50 students, since it costs more per capita to operate very small schools and dormitories. An explanation of the FY 1990 formula distribution is presented on the next page.

P.L. 100-297, the Education Amendments of 1988, provides for 1% of the ISEP appropriation to be used as a contingency fund by the Office of Indian Education Programs to meet unanticipated requirements at bureau-funded schools, and for .133% to be used for national school board training. These amounts are deducted before the WSU value is calculated.

Summary of Weighted Student Units by Program

		<u>Actual FY 1990</u>	
		<u>ADM</u>	<u>WSUs</u>
I. <u>Instructional Programs</u>			
A.	Basic	38,105 a/	43,901
B.	Exceptional Child	6,308	4,049
C.	Bilingual	12,907	2,581
D.	Gifted and Talented	1,907	1,578
Total Instructional WSUs.....			52,109
II. <u>Residential Programs</u>			
A. <u>Boarding Schools</u>			
1.	Basic	9,925	12,683
2.	Exceptional Child Residential	282	137
3.	Intensive Residential Guidance	2,220	1,110
B. <u>Dormitories</u>			
1.	Basic	1,686 a/	1,992
2.	Intensive Residential Guidance	351	176
3.	Exceptional Child Residential	13	7
Total Residential WSUs.....			16,105
Total Formula Program WSUs.....			68,214
Small School Adjustment.....			722
School Board Supplement for small schools.....			60
GRAND TOTAL.....			68,996

a/ The "Basic" student ADM numbers for Instructional and Dormitories are added together to obtain the total unduplicated, unweighted ADM (39,791 for FY 1990).

The following table provides a funding history of the Indian School Equalization Program (ISEP) Formula from FY 1982 through FY 1991.

	<u>Number of Schools</u>	<u>ADM</u>	<u>WSU</u>	<u>\$ per WSU</u>
FY 1982	227	42,930	76,204	\$ 1,965
FY 1983	210	42,535	75,644	\$ 2,014
FY 1984	206	42,825	75,407	\$ 2,027
FY 1985	193	41,991	74,356	\$ 2,066
FY 1986	180	40,280	69,899	\$ 2,103
FY 1987	181	39,911	68,055	\$ 2,230
FY 1988	182	39,592	67,266	\$ 2,399
FY 1989	182	39,381	66,607	\$ 2,408
FY 1990	180	39,791	68,996	
			1,578	\$ 2,250 (post sequester)
			67,418	\$ 2,491 (post sequester)
FY 1991 (Est)	179	39,400	68,320	\$ 2,670 (transportation funding will be additional)

Indian School Program Adjustments

Base Program (\$1,911,000; FTE 0): Program adjustments include special programs, new activities, and other costs not considered in the ISEP formula. Any savings throughout the year in these items will be added to the amount available for ISEP and distributed to the schools by formula. Base funding for FY 1990 includes the following:

Start-up Costs for New or Expanded Programs.....50,000
Western Cheyenne River Consolidated School opened for school year 1990 and received funding for start up costs.

Declining Enrollment Adjustment.....400,000
Schools which experience greater than a 10% decline in enrollment from one year to the next are allowed to average the enrollment of the two years for funding purposes. This transition year funding allows the school to adjust staffing and other costs to reflect the lower enrollment. Although there was an increase in total enrollment, 82 schools experienced a decline for enrollment in FY 1990.

Law Enforcement - Chemawa.....80,000
Law enforcement activities at Chemawa are complex, because the school is located on federal land over which local, county and state officials have no jurisdiction. Although GSA normally provides protection for federal properties, it has no legal responsibility to provide security for bureau schools and has declined to provide the required protective services. There is no adjustment factor within ISEP for such a situation. Chemawa, in addition to its normal security staff, employs one criminal investigator and two law enforcement officers at an annual cost of \$80,000.

Law Enforcement - Riverside.....25,000
Law enforcement services at Riverside Indian School are needed particularly in the evening. Bureau law enforcement authority extends only to tribal lands, and Anadarko authorities have no jurisdiction over the school since it is outside the city limits. The county does not maintain the manpower to provide timely and adequate services to the school. In an agreement with the Area Director at Anadarko, Riverside has two positions, one of which is funded from education funds in the amount of \$25,000.

Recognition of Exemplary Schools.....450,000
In FY 1990, ten schools were recognized as having exemplary programs using the criteria developed during FY 1988. Each of the ten schools "adopted" a school which had need of technical assistance in areas such as curriculum development and appropriate teaching techniques.

The selected schools were geographically dispersed so that they provided technical assistance to a variety of programs. Staff at the exemplary schools helped their colleagues in surrounding bureau schools by conducting on-site in-service training, sharing materials, demonstrating new methodologies, or "loaning" their principal to a school needing instructional leadership. In FY 1990, increased emphasis was placed on raising student achievement.

In FY 1989, the bureau established a Sharing Excellence Network which is a combined effort by the Bureau of Indian Affairs, the Department of Education's National Diffusion Network (NDN) and the Gould Foundation. This effort will continue in FY 1990 with twenty-six schools being members of the network. The purpose of the network is to establish a pilot educator's network which will create opportunities to share and exchange information about programs, policies and strategies that work in bureau-funded schools; to establish a formal process to identify and promote adoption of these programs, practices, and strategies; to use the network as a vehicle for discussing concerns and needs affecting the schools; and to continue to strengthen and increase involvement of bureau-funded schools with NDN and other national exemplary programs. Forty-eight competitive mini-grant awards have been distributed to the network schools in order to fund programs for staff development, student participation, parent/ community training programs, and development of school based professional libraries.

Furniture Repair Program.....150,000

In FY 1990, the furniture repair program will concentrate on schools in North and South Dakota. The funding also covers the cost of shipping the furniture. The furniture repair program generally takes place during the summer months when school is not in session. Since this program began, 50 schools with over 13,000 students have received refurbished chairs, couches, chests of drawers, cabinets, beds, bookcases, desks and mattresses. The funds support two agencies each year on a cyclical basis. Generally, the Federal Prison Industries has provided the services to repair furniture.

Staff Development and Training.....500,000

In FY 1988, the bureau adopted the Effective Schools Movement which has had significant success in public schools. At the beginning of FY 1989, nineteen schools were selected to participate in the pilot phase of the program. Thirty principals and line officers received commitment training; fifty-seven principals, faculty members, and school board representatives attended the leadership training phase of the program. The nineteen schools also developed the School Improvement Plans (SIPs) which are blueprints used to address each school's specific needs. During FY 1989, the bureau also provided training to fifty-three additional schools which indicated an interest in school improvement efforts. By late FY 1989, twelve additional schools had been selected and provided with readiness training so they they would be in the cycle for participation in the 1990 program. In FY 1990, the original schools received funding to enter the implementation phase of the effective schools process. The additional twelve schools began the commitment training which called for the establishment of the School Effectiveness Team (SET) training phase of the process, and completed their needs assessments. In FY 1991, the originally selected Effective Schools will undergo an intensive evaluation of the Effective Schools model by looking at student achievement scores, behavioral and attitudinal changes of students, morale of school staff, and increased level of parental and community involvement in the school operation.

Writer's Workbench.....256,000

The Writer's Workbench (WWB) program was developed in 1978 as a joint venture between AT&T and Bell Laboratories to improve communication

packages for voice synthesis products. Basically, the computer program aids the student in concentrating on those writing tasks and responsibilities that are not mechanical. Students using the computer program have more time to devote to writing tasks such as research, revision, proofreading, and establishing a style and purpose since the program can readily detect spelling errors, check the grammar, and correct punctuation and vocabulary. Six school sites and approximately 2,850 students will participate in this one-time demonstration program in FY 1990.

Total, Indian School Program Adjustments.....\$1,911,000

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Indian School Equalization Program (ISEP) Formula	\$ (FTE)	189,733 (3,619)	196,552 (3,585)	+6,819 (-34)
Indian School Program Adjustments:		<u>1,911</u>	<u>4,930</u>	<u>+3,019</u>
Start-Up Costs		50	--	-50
Declining Enrollment		400	600	+200
Law Enforcement-Chemawa		80	80	--
Law Enforcement-Riverside		25	25	--
Recognition of Exemplary Schools		450	450	--
Furniture Repair Program		150	150	--
Staff Development and Training		500	1,000	+500
Writer's Workbench Demonstration Project		256	--	-256
Junior/Senior High Equipment Program		--	625	+625
Parental and Community Involvement		--	2,000	+2,000

Indian School Equalization Program (ISEP) Formula (+\$6,819,000; FTE -34): This net increase is composed of the following adjustments:

+\$8,800,000 for the second year of the phase-in of the DOD teacher pay scale as required by P.L. 100-297.

-\$800,000 since FY 1990 Congressional add-on for transportation was not continued when transportation was melded into the ISEP formula; and

-\$1,181,000 based on the historical declining trend in the total enrollment in bureau-funded schools. In FY 1990, the total enrollment increased slightly for the first time in ten years, yet 82 schools still experienced a decline in their enrollment.

Indian School Program Adjustments (+\$3,019,000); FTE 0):

Start-up Costs (-\$50,000): Since no new schools will be started in FY 1991, no funds are requested.

Declining Enrollment (+\$200,000): The increase is based on historical experience that declining enrollment exceeds the funds budgeted. In FY 1990, nineteen schools were funded for declining enrollment at a cost of \$641,000 despite a slight increase in total enrollment.

Staff Development and Training (+\$500,000): In FY 1991, the bureau plans to implement a two week training institute for all new principals, Agency Superintendents for Education, Area Education Programs Administrators, and their assistants to teach the methods and procedures of operating an effective school. Supplemental training courses will be offered during the school year. Specifically, the training will include familiarizing the new staff with the bureau financial system, leadership skills, the effective schools process, the cultural and educational differences of the respective tribes, and the methods and technologies used in bureau schools. An orientation program will also be conducted during the summer for newly hired teachers and guidance counselors. The bureau experiences a turnover rate in teachers and related staff of about 30% or 500 individuals each year. Such topics as creating an effective school climate, techniques and methodologies for teaching Indian children, cultural differences, methods for fostering parental involvement, techniques in operating a boarding facility and home-living processes will be covered during that time. The bureau will also invest funds in re-training current teachers and counselors for a two week summer session. This training will emphasize whole language skills and math skills using learning styles which have proven effective with Indian children. More specifically, the teachers and counselors will be trained to recognize the students' need for concrete examples, relevant material, oral language practice, and visual materials; to promote natural creativity; and to use whole language skills and real life math skills in the classroom. In bureau schools where whole language skills are being taught, students have demonstrated a marked improvement in achievement test scores.

The bureau plans to use both contractors and its own personnel as trainers and consultants for this purpose. All training programs will require payment of salaries and related expenses such as per diem and travel of staff during the training period.

Writer's Workbench Demonstration Project (-\$256,000): The FY 1990 Congressional add-on for the Writer's Workbench pilot project is not continued in FY 1991.

Junior/Senior High School Equipment Program (+\$625,000): In FY 1991, bureau-funded junior high schools which have departmentalized and developed a differentiated curriculum of the major disciplines can apply for equipment purchase for practical arts, home economics, science and computer literacy. Schools must demonstrate that there is need for such equipment and explain in their application why they cannot provide the items using the ISEP funds. Senior high schools may also apply for funding on a matching basis, much like the textbook funding in FY 1989. Priority will be given to practical arts and home economics which are requirements for graduation. The third priority will be computers for computer laboratories.

Parental and Community Involvement (+\$2,000,000): In FY 1991, the bureau will implement pilot programs to encourage parental and community involvement in the education program and to increase student achievement. The effort will use such programs as "Parents as Teachers" (PAT) and Parent and Child Education (PACE).

The "Parents as Teachers" (PAT) program will emphasize early childhood education from birth to 5 years old. Funds will be used to provide parent educators, ancillary personnel, instructors, support staff, training, curriculum materials, equipment and other support services. Schools will apply for participation in this program and selection will be made on the following basis:

--school must perform a needs assessment;

- there must a comprehensive implementation plan including budget, description of community involvement, consistent selection criteria, hiring policies and practices;
- there must be available facilities;
- coordination with existing available services must be part of the project;
- an extensive evaluation plan must be described including identification of instruments or measures to be used in determining the success of the project.

Through encouragement and training, the Parents as Teachers program will enable parents to help teach their children during different stages of the child's development. A parent educator will visit the home of the identified participants on a monthly basis and teach the parents various skills in observation, reading-readiness, story telling, and critical thinking. Other skills which will be taught include practical life, communication and motor development. The parent educator will teach techniques to help the child progress and also give the parent the self-confidence to know they are doing a good job in parenting. Group meetings will be held with the parents and members of the community. The bureau anticipates using other available resources in the implementation of this program such as Indian Health Services, bureau social services personnel, Headstart programs, Child Protection Teams, and project staff.

PACE (Parent and Child Education) is a program for 3 to 4 year olds. In this program, parents attend classes with their children. They receive training in adult education, the GED, and parenting skills while the children attend preschool activities. The bureau will coordinate this program with the Adult Education Program at the tribal level.

B. Institutionalized Handicapped Program

Base Program (\$1,428,000; FTE 0): The Office of Indian Education Programs (OIEP) is mandated by the Education for All Handicapped Children Act, P.L. 94-142, to provide financial support for the educational costs of handicapped Indian children who are placed in institutions. The institutionalized handicapped program serves the special education and related service needs of handicapped Indian children in state-operated institutions, approved private non-profit facilities, and facilities operated by Navajo tribal organizations. The program typically provides education and related services to severely handicapped children between the ages of 3-21 years. Some of the direct services include: instruction by special education teachers and aides; services by physical and occupational therapists; adapted physical education; medical related services; psychological services; special vocational services and speech therapy. Some of the indirect services affecting costs include: assessment of handicapping conditions and service needs; admissions and appropriate placement; individual education program development; inservice training for professionals and aides; supplies and materials; transportation; food services; facility operation; and program administration. The total costs for special education and related services vary greatly and depend upon a number of factors: (a) high cost educational/custodial placements; (b) different handicapping conditions; (c) length of placement; (d) fixed cost rates vs. variable cost rates; (e) placements requiring extensive medical, social, and educational/training intervention; and (f) when appropriate, living care costs associated with the severity of the handicapping condition. Costs for handicapped Indian children placed in state-approved facilities are set by state Departments

of Mental Retardation or their equivalents. The costs are based on a fixed daily rate which may be adjusted by contract auditing for actual cost determination. On average, approximately 200 children are served in about 25 facilities. In no instance are placements made without the approval of bureau special education staff at agency offices. All possible alternative placements are examined to determine the least restrictive appropriate environment. Referral, identification, evaluation, and placement services are in compliance with P.L. 94-142, the Indian School Equalization Program, and appropriate sections of the U.S. Department of Education's General Administration Regulations (EDGAR).

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Institutionalized Handicapped Program	1,428	2,228	+800

Institutionalized Handicapped Program (+\$800,000): The increase will fund a growing population of institutionalized handicapped students in areas other than the Navajo reservation. The population is increasing because of the rise in children born to mothers who are chronic abusers of drugs or alcohol. They are now of school age and must in some cases be institutionalized. P.L. 99-457 also opened up the potential care of 0-5 year old children, and over 12,000 children on 63 reservations have been identified for services. The bureau anticipates that some of these children will need institutional care. Costs for institutionalized care have risen and the bureau has continued to provide minimal care, largely on the Navajo Reservation, since they have the largest population of handicapped students, by holding the contractors at the same daily rate for the past three years. The ages of the institutionalized children are increasing and the bureau is having to depend on private institutions to provide educational opportunities for the children.

C. Student Transportation

Student transportation funds were transferred to the ISEP formula.

D. Solo Parent Program

Base Program (\$133,000; FTE 0): The Solo Parent Program, operated at Sherman Indian School and Flandreau Indian School, provides single parents the opportunity to complete their high school education while living at the school with their children. The parents are provided instruction in home management, child development and child care, in addition to the regular school curriculum. Day care is provided for the children, and medical services are provided by the Indian Health Service. The schools also receive ISEP funding for these students to cover their basic instructional and boarding costs.

E. Technical Support - Area and Agency Offices

Base Program (\$7,186,000; FTE 179): Technical support includes educational Management Information Systems (MIS) activities; field level staff assistance to the Director, Office of Indian Education Programs (OIEP); and broad technical assistance and leadership for all education programs to local school boards, other tribal members, parents and other Indian citizens.

Area and Agency Offices (\$6,862,000; FTE 175): A field education office typically provides technical support and program supervision for all of the following education programs: (1) post-secondary education programs; (2) peripheral dormitories; (3) off-reservation boarding schools; (4) tribal contract and grant schools; (5) federal title programs; (6) elementary and secondary programs; (7) higher education and adult education programs; (8) exceptional education programs; (9) student support services; and (10) bilingual programs. Program management and direction responsibilities of field operations include providing line direction to and supervision over the operation of all bureau education programs within their jurisdiction; implementing policies and procedures applicable to the jurisdiction; directing, supervising and facilitating program execution; monitoring and evaluating program services and systems for compliance to the standards; formulating budgets and financial programs; providing technical assistance and advice to subordinate programs and organizations; and taking responsibility with local school boards and tribal contractors for school operations.

Management Information Systems (\$324,000; FTE 4): During FY 1989, the Office of Indian Education Programs in its on-going evaluation of system needs, developed a priority list which was coordinated with the bureau's Office of Data Systems. As a result, the major initiatives of the Management Information Systems (MIS) Program in FY 1990 are continued in FY 1991 and include: (1) developing education's personnel system; (2) developing the curriculum information system; (3) developing the continuing education system; (4) implementing a nation-wide electronic mail and file transfer system; and (5) further enhancement to the student enrollment and attendance system (SEAS).

In FY 1991, the OIEP will continue to provide ADP services for all education locations and for other bureau offices. These ADP services include the printing of financial, payroll, FTE, personnel, facilities, and other special reports generated through the bureau's ADP system.

The following is the estimated breakdown of the MIS FY 1991 budget:

	<u>FY 1989</u>	<u>FY 1990</u>	<u>FY 1991</u>
System Development.....	\$ 70,000	\$ 10,000	\$ 10,000
ADP Services.....	97,000	97,000	97,000
MIS salaries, materials and supplies, data communication line, travel, equipment maintenance and repair.....	<u>217,000</u>	<u>217,000</u>	<u>217,000</u>
Total	\$384,000	\$324,000	\$324,000

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Area and Agency Offices	\$ 6,862 (FTE) (175)	6,862 (155)	-- (-20)

Area and Agency Offices (\$0; FTE -20): In FY 1989, the Bureau began assessing and evaluating the technical support staffing at agencies and areas and established standards with respect to ratios of employees to the number of schools supervised, tribes served, and programs monitored. In FY 1990, the bureau began to implement management initiatives to streamline delivery systems and increase efficiency of

program operations. The funding decrease in FY 1990 as a result of these efficiency initiatives will result in decreased staffing levels in FY 1991. To a large extent, the decrease in FTE will be accomplished through attrition.

F. Substance/Alcohol Abuse Education Programs

Objective: The objective of education programs in substance and alcohol abuse is to provide bureau-funded schools with curriculum materials and technical assistance in developing and implementing alcohol and substance abuse programs in the areas of prevention, assessment, identification, and crisis intervention through the use of referrals and additional counselors at the schools.

Base Program (\$2,419,000; FTE 20): Section 1121 of P.L. 99-570, the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, requires all schools funded by the Bureau of Indian Affairs to include within the curriculum a program of instruction relating to alcohol and substance abuse prevention and treatment. These funds are used to hire certified counseling personnel to provide counseling, treatment, prevention, intervention and follow up for students in grades K-12. In FY 1989, the bureau expanded this program with other substance abuse programs from the Department of Education to include a program in Health Promotion and Disease Prevention (HPDP) and a program in AIDS. Training, technical assistance and dissemination of information were provided to schools.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Substance/Alcohol Abuse Counselors	\$	2,419 (20)	1,919 (20)	-500 (--)

Substance/Alcohol Abuse Counselors (-\$500,000; FTE 0): The bureau continues to experience difficulty in hiring certified credentialed counselors for substance abuse programs. As an alternative approach to the substance abuse problem, the bureau has trained and will continue to use existing counselors, teachers, home living specialists, and dormitory managers to provide counseling and instruction. These positions are already funded under the ISEP formula.

G. Tribal Departments of Education

Objective: P.L. 100-297 authorizes the bureau to provide grants and technical assistance to tribes for the development and operation of tribal departments of education.

Base Program (\$100,000; FTE 0): P.L. 100-297 authorized tribes to establish Tribal Departments of Education. The Congress funded this pilot at the request of the Choctaw Tribe. The tribe will coordinate and control all matters relating to the education of Indian children and provide for the development of educational programs including all preschool, elementary, secondary, and higher or vocational educational programs funded by the tribe.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Tribal Departments of Education	\$	100	--	-100

Tribal Departments of Education (-\$100,000; FTE 0): The FY 1990 Congressional add-on for the Choctaw Tribal Education Department pilot project is not continued in FY 1991. The bureau supports the concept of tribal departments of education as a means of providing coordination of education programs at the local level. Most tribes already have some education organization in place, though they range widely in activity, involvement, responsibility and size. P.L. 100-297 attempted to formalize these entities and perhaps expand their role. A tribe wishing to establish a Department of Education may do so as part of its tribal administrative organization which is supported from indirect cost funding.

H. Administrative Cost Grants

Objective: P.L. 100-297 directs that each tribe or tribal organization operating a school shall receive an Administrative Cost Grant in lieu of contract support funds based on negotiated indirect cost rates or lump sum agreements. The amount of the grant is determined by the following Administrative Cost Formula which is authorized in the law:

$$\frac{(\text{Tribe direct}) \times (\text{minimum}) + (\text{standard}) \times (\text{maximum})}{(\text{cost base}) \quad (\text{base rate}) \quad (\text{direct cost}) \quad (\text{base rate}) \quad (\text{base})}$$

Tribe's direct cost base + standard direct cost base

Base Program (\$13,000,000; FTE 0): In FY 1990, 78 schools will be operated either by contract or grant and will be eligible to receive a grant under the Administrative Cost Formula. P.L. 100-297 provides for this formula to be phased in over a three-year period to avoid the impact of major increases or decreases on an individual school. This base funding level results from a base transfer from Self-Determination Services which previously paid indirect costs for all contracted programs.

In FY 1990, the bureau will be contracting with a nationally reputable management and accounting firm to study the relevant factors that affect administrative costs for contract and grant schools and to determine the amounts necessary to assure that adequate but not excessive administrative grants are provided. This study is mandated by P.L. 100-297.

<u>Change from FY 1991 Base:</u>	<u>(Dollar amounts in thousands)</u>		
	<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Administrative Cost Grants	\$ 13,000	19,000	+6,000

Administrative Cost Grants (+\$6,000,000; FTE 0): The requested funding of \$19 million for the formula was calculated using the FY 1988 direct program costs as a base.

Object Class Distribution - School Operations Subactivity

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation (FTE).....	-54	+6,968,000
Personnel Benefits.....		+975,000
Travel.....		-800,000
Other Services.....		+2,000,000
Supplies and materials.....		-730,000
Grants.....		+7,000,000
Equipment.....		+625,000
Total.....	-54	+\$16,038,000

Justification of Program and Performance

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

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Johnson-O'Malley Educational Assistance \$	23,572	23,252	23,648	20,548	-3,100
Total Requirements \$	23,572	23,252	23,648	20,548	-3,100

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Johnson-O'Malley Educational Assistance	23,572	-320	23,252

The Johnson-O'Malley funds are distributed by formula based on a student count, and the reduction results in a decrease of \$1.12 per student. Each contracted program will determine locally how to absorb the reduction.

Johnson-O'Malley Educational Assistance Program

Objective: The Johnson-O'Malley Educational Assistance program provides funding for supplemental educational programs for eligible Indian students in public schools and programs for three and four-year-old children to meet their special needs as determined by contractors and local Indian education committees.

Base Program (\$23,648,000): Indian children attending public schools sometimes have special educational needs resulting from disadvantaged economic and social backgrounds, or from different cultural backgrounds. The Federal Government under the authority of the Johnson-O'Malley Act of 1934, as amended, provides financial assistance through the bureau to contractors for eligible students attending public schools to supplement the regular school programs and address these problems. The types of supplemental activities provided by the JOM program relate to educational needs, teacher support, and parental costs. The most popular programs are home-school coordinators and academic remediation. The home-school coordinators are effective in working with students and parents on an individual basis to encourage and motivate students to remain in school and to further develop their potential by attending post-secondary schools. Academic remediation is usually carried out during the school year, in or out of the school setting, by certified teachers, teacher aides and occasionally by peer students from junior high or high school.

In FY 1990, the JOM program funded 217,414 students in 32 states and operated under 325 contracts.

<u>Type of Contractor</u>	<u>1989</u>	<u>1990</u>
Tribes	163	173
Tribal Organizations	54	53
Public School Districts	83	93
State Departments of Education	6	6
Total Contracts	306	325

In FY 1988, the bureau reviewed various methods of equitable fund distribution and recommended a new formula which was approved by Congress in P.L. 100-446, the FY 1989 Interior and Related Agencies Appropriation Act. The three-year phase-in of the new minimum weight factor began in FY 1989 with all states receiving a minimum weight of 1.1. In FY 1990, the minimum will be 1.2; and in FY 1991 it will be 1.3. The following chart shows the estimated distribution by state during the phase-in period. The FY 1991 distributions are calculated on the basis of FY 1990 enrollment figures.

HISTORICAL JOM DISTRIBUTION BY STATE

STATE	FY 1988 ACTUAL	FY 1989 ACTUAL	FY 1990 ACTUAL	FY 1991 ESTIMATE
ALABAMA	\$	\$ 43,700	\$ 43,500	\$ 39,100
ALASKA	4,626,100	4,940,700	4,503,900 *	3,735,100 *
ARIZONA	3,622,900	4,313,900	4,110,700	3,693,300
CALIFORNIA	324,700	399,400	423,100	380,100
COLORADO	68,800	68,500	84,100	75,600
CONNECTICUT		3,900	3,700 *	3,100
FLORIDA	39,100	51,800	47,300	42,500
IDAHO	156,500	183,500	187,500	168,500
IOWA	46,400	53,400	56,900	51,100
KANSAS	65,300	53,100	61,300	55,100
LOUISIANA	8,800	11,300	11,400	10,200
MAINE	21,500	20,400	22,400	20,200
MICHIGAN	261,000	301,400	343,100	308,300
MINNESOTA	469,300	634,700	773,300	694,800
MISSISSIPPI	35,300	48,000	45,600	41,000
MISSOURI		1,200	900	800
MONTANA	807,100	856,900	900,600	809,200
NEBRASKA	152,100	172,400	205,600	184,700
NEVADA	300,800	331,200	320,100	287,600
NEW MEXICO	2,623,900	2,929,700	3,171,500	2,849,400
NEW YORK	282,200	302,400	279,400 *	231,700 *
NORTH CAROLINA			28,700	25,700
NORTH DAKOTA	264,800	313,500	311,800	280,100
OKLAHOMA	3,578,200	4,098,900	4,348,500	3,907,000
OREGON	229,400	246,900	240,300	215,900
RHODE ISLAND	40,600	58,800	39,400	34,300
SOUTH DAKOTA	852,400	958,000	1,069,000	960,500
TEXAS	21,500	26,300	38,100	34,300
UTAH	269,800	294,000	292,200	262,600
WASHINGTON	561,900	618,400	643,600	578,300
WISCONSIN	471,800	508,500	498,500	447,900
WYOMING	148,800	155,200	144,700 *	120,000 *
TOTALS	\$20,351,000	\$23,000,000	\$23,250,700	\$20,548,000

* These states have a weight factor in excess of the 1.2 minimum in FY 1990 and the 1.3 minimum for FY 1991.

FY 1990 JOM DISTRIBUTION BY STATE

	(1) a/	(2) b/	(3)	(4)	(5) b/	(6)
STATE	STATE AVG. PER PUPIL COST	STATE WEIGHTING FACTOR	NUMBER OF STUDENTS SERVED	WEIGHTED STUDENT UNIT (2) X (3)	STATE JOM PER STUDENT AMOUNT (2) X \$80.93	STATE ALLOCATION (5) X (3)
ALABAMA	\$2,565	1.20	448	538	\$ 97.12	\$ 43,500
ALASKA	8,253	2.20	25,296	55,651	178.05	4,503,900
ARIZONA	3,093	1.20	42,326	50,791	97.12	4,110,700
CALIFORNIA	3,543	1.20	4,356	5,227	97.12	423,100
COLORADO	3,975	1.20	866	1,039	97.12	84,100
CONNECTICUT	4,743	1.26	36	45	101.97	3,700
FLORIDA	3,529	1.20	487	584	97.12	47,300
IDAHO	2,484	1.20	1,930	2,316	97.12	187,500
IOWA	3,619	1.20	586	703	97.12	56,900
KANSAS	3,829	1.20	631	757	97.12	61,300
LOUISIANA	3,187	1.20	117	140	97.12	11,400
MAINE	3,472	1.20	231	277	97.12	22,400
MICHIGAN	4,176	1.20	3,533	4,240	97.12	343,100
MINNESOTA	3,941	1.20	7,963	9,556	97.12	773,300
MISSISSIPPI	2,362	1.20	470	564	97.12	45,600
MISSOURI	3,189	1.20	9	11	97.12	900
MONTANA	4,091	1.20	9,273	11,128	97.12	900,600
NEBRASKA	3,634	1.20	2,117	2,540	97.12	205,600
NEVADA	3,440	1.20	3,296	3,955	97.12	320,100
NEW MEXICO	3,195	1.20	32,655	39,186	97.12	3,171,500
NEW YORK	6,011	1.60	2,158	3,453	129.49	279,400
NORTH CAROLINA	2,982	1.20	295	354	97.12	28,700
NORTH DAKOTA	3,481	1.20	3,210	3,852	97.12	311,800
OKLAHOMA	3,146	1.20	44,775	53,730	97.12	4,348,500
OREGON	4,141	1.20	2,474	2,969	97.12	240,300
RHODE ISLAND	4,667	1.24	393	487	100.35	39,400
SOUTH DAKOTA	3,051	1.20	11,006	13,207	97.12	1,069,000
TEXAS	3,298	1.20	393	472	97.12	38,100
UTAH	2,390	1.20	3,009	3,611	97.12	292,200
WASHINGTON	3,881	1.20	6,627	7,952	97.12	643,600
WISCONSIN	4,168	1.20	5,133	6,160	97.12	498,500
WYOMING	5,114	1.36	1,315	1,788	110.06	144,700
TOTALS			217,414	287,283		\$23,250,700
				Reserve for adjustments		
				after completion of audits		1,300
				FY 1990 Adjusted Approp.		\$23,252,000

a/ State average Per Pupil Cost is provided by the Digest of Education Statistics, "Average Daily Attendance, Current Expenditures, and Exclusions for P.L. 97-35 Purposes, 50 States and District of Columbia." National Average Per Pupil Cost is \$1,647.

b/ Columns 2 and 5 are rounded and displayed in two digits, but calculations actually use figures to 12 decimal points. Column 2 reflects the second phase-in period of the distribution formula enacted in Public Law 100-446. The authorized minimum weight factor for FY 1990 was 1.20.

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Johnson-O'Malley Educational Assistance	\$ 23,648	20,548	-3,100

Johnson-O'Malley Educational Assistance (-\$3,100,000): The FY 1990 Congressional add-on for this program is not continued in FY 1991. While the Bureau supports the JOM Program, basic elementary and secondary education programs are a higher priority. This decrease is offset by increased funding per student on the part of states.

Object Class Distribution - Johnson-O'Malley Subactivity

	<u>FTE</u>	<u>Amount</u>
Other Services.....	--	-\$3,100,000
Total.....	--	-\$3,100,000

Justification of Program and Performance

Activity: Education
 Subactivity: Continuing Education

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc.(+) Dec.(-) From Base</u>
A. Post-Secondary Schools	\$ (FTE)	12,277 (270)	12,110 (--)	12,592 (270)	11,829 (270)	-763 (--)
B. Special Higher Education Scholarships	\$	2,160	2,131	2,160	1,800	-360
C. Tribally Controlled Community Colleges:						
Operating Grants	\$	15,543	15,332	15,543	15,543	--
Endowments	\$	500	493	500	500	--
D. Demonstration Project	\$	400	395	400	--	-400
Total Requirements	\$ (FTE)	30,880 (270)	30,461 (--)	31,195 (270)	29,672 (270)	-1,523 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Continuing Education	30,880	-419	30,461

The two post-secondary schools and the tribally controlled community colleges will be funded at 1.4% below their appropriated level, and each school will determine its own program adjustments. The contracts for the Special Higher Education Scholarship Program and the Summer Law Program will be reduced by 1.4% and the adjustment will be made in number of recipients or size of grant awards.

A. Post-Secondary Schools

Objective: The objective of the two post-secondary schools, Haskell Indian Junior College (HIJC) and the Southwestern Indian Polytechnic Institute (SIPI), is to provide a variety of educational opportunities for Indian and Alaska Native students at the junior college level to prepare them to enter four-year colleges and universities or to find employment.

Base Program (\$12,592,000; FTE 270): The base program includes educational costs to operate the two schools as well as the costs for maintaining the facilities. Some Indians and Alaska Natives have difficulty in competing in higher education because of restricted academic backgrounds, low income, living in isolated areas, and a lack of college orientation programs. Special consideration in designing curriculum best suited to the needs of Indians and Alaska Natives is a major concern which is strongly stressed and provided in bureau post-secondary schools.

The post-secondary schools' dormitories continue to be filled to capacity, and the number of day students is limited since neither school is located near large populations of Indians. Table 1 shows data on the number of students enrolled by semester. Tribal funds, Department of Education financial aid, the Higher Education Grant Program, and Adult Vocational Training funds are used to assist married students living off campus since dormitories are only for single residents.

Haskell Indian Junior College (HIJC) (\$8,067,000; FTE 182): Haskell is located in Lawrence, Kansas, and has operated as a junior college since 1970. The college provides both an academic and a residential program for Indian students from across the country and operates the usual student services such as a dining hall, a health clinic (through the Indian Health Service), a financial aid office, a counseling center and an activities office.

Haskell is accredited by the North Central Association of Colleges and Schools and awards Associate of Arts degrees and Associate of Applied Science degrees. These degrees, as well as selected certificates, are awarded in the program areas of liberal arts, business education, and vocational-technical education. The Associate of Arts degree program provides the basic college coursework needed by students who intend to transfer to four-year colleges to pursue a baccalaureate degree. The business and vocational-technical education programs are primarily designed to prepare students for immediate employment.

In FY 1989, Haskell placed a total of 56 students in a Forest Service summer program. As a result of the program, the BIA Division of Forestry and the Forest Service assisted Haskell in initiating a pre-professional natural resources program which will prepare Haskell graduates for entering four-year colleges and completing professional level degrees in natural resource fields. In FY 1988, Haskell formalized agreements with the Forestry Departments at Colorado State University, Montana State University, University of Montana, University of Idaho, University of Minnesota and Northern Arizona University in a cooperative effort to assist in securing financial assistance for students who transfer to the forest management courses from Haskell. Agreements with other universities are also being considered. FY 1989 is the first year for the Haskell students to attend universities in this program.

The summer programs of the BIA and the Forest Service provide the potential for employment of a greater number of Native Americans in these agencies. Such programs will relieve some of the unemployment on reservations and provide almost \$250,000 in summer employment earnings for students. In FY 1989, Haskell extended its cooperative education agreements to include the National Park Service, Soil Conservation Service, and the Forest Service. Two students participated in the Soil Conservation program. Private corporations also look to Haskell for promising Native American college students. Bell Laboratories continue to work with Haskell and have hired three Haskell employees for the summer to broaden their experience so that Haskell is able to offer the latest technology in electronics. Five full-time students now work at Bell Laboratories. Starting salaries for those graduates who are now working for the laboratories start at \$40,000 per year.

Southwestern Indian Polytechnic Institute (SIPI) \$4,525,000; FTE 88): Southwestern Indian Polytechnic Institute is located in Albuquerque, New Mexico, and opened in September of 1971 to provide Indian students with post-secondary educational programs in vocational and technical fields that are in high demand. The Institute provides both an academic and residential program for Indian students from more than 30 Indian tribes and offers a certificate program in 32 occupational areas.

Fully accredited by the North Central Association of Colleges and Schools, SIPI provides instruction in a variety of careers. The industrial training programs include architectural and electronic drafting, surveying, electronics, graphic arts, offset printing, and optical technology. The business department offers training in secretarial and clerical skills, accounting, data processing, marketing and distribution. Students entering SIPI's food preparation program may specialize in institutional cooking, chef's training or fast food management. One of SIPI's most successful programs is optical technology, which trains students in the design, manufacture and dispensing of prescription eye glasses and contact lenses. Over ninety percent of the students graduating from this program are placed in jobs with national firms.

In FY 1989, a newly developed General Educational Development (GED)/Adult Basic Education (ABE) program was offered and 25 students completed the course. This program is being funded by a grant from the State of New Mexico. This approach to GED/ABE training is designed to provide adult students with academic preparation necessary to successfully pass each section of the new GED test battery. The program features computer assisted instruction and one-on-one tutoring for all students. With the completion of the GED certification, opportunities for formal training and advanced degrees are open to students.

In FY 1990, SIPI has continued the new broadcast systems component of the electronics program which prepares students to enter the field of television broadcasting. SIPI has entered into a cooperative agreement with the three major television stations in the Albuquerque area whereby all students in this course receive extensive on-the-job training.

SIPI continues to place over 74 percent of its graduates in jobs or higher education. The job placement demand continues to be high for administrative/office occupations, optical technicians, engineering technicians, accounting technicians, and food managers.

TABLE 1 - NUMBER OF STUDENTS ENROLLED

	Dorm Capacity	FY 1989 Actual		FY 1990 Actual		FY 1991 Estimate	
		Fall 1987	Spring 1988	Fall 1988	Spring 1989	Fall 1989	Spring 1990
Haskell	708	756	689	842	725	827	700
SIPI	512	465	480	422	432	522	550
Total	1,220	1,221	1,169	1,264	1,157	1,349	1,250

The number of Indian and Alaska Native students awarded Associate Degrees or certificates of completion from the schools is shown in Table 2.

TABLE 2 - NUMBER OF GRADUATES

	FY 1988 Actual		FY 1989 Actual		FY 1990 Estimate	
	Fall 1987	Spring 1988	Fall 1988	Spring 1989	Fall 1989	Spring 1990
Haskell	35	82	38	93	40	125
SIPI	58	71	68	65	50	80
Total	93	153	106	158	90	205

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Haskell Indian Junior College	\$	8,067	7,673	-394
	(FTE)	(182)	(182)	(--)
Southwestern Indian Polytechnic Institute	\$	4,525	4,156	-369
	(FTE)	(88)	(88)	(--)
Total, Post-Secondary Schools	\$	12,592	11,829	-763
	(FTE)	(270)	(270)	(--)

Post-Secondary Schools (-\$763,000; 0 FTE): The portions of the FY 1990 Congressional add-ons for Haskell (+\$544,000) and SIPI (+\$519,000) which supported one-time projects such as equipment purchases, development costs for new programs, and investigation of interest in summer school programs are not continued in FY 1991. However, the request includes \$150,000 for each school to continue operation of the Natural Resources curriculums, which the bureau considers a high priority.

B. Special Higher Education Scholarships

Objective: This program provides financial assistance to Indian students for graduate level study with special emphasis on students pursuing the professions of law, education, medicine, natural resources, engineering, business administration and social work.

Base Program (\$2,160,000; FTE 0): To qualify for assistance under the current program, the applicant must meet all the basic requirements of the bureau's general scholarship program (see Scholarship justification in Tribe/Agency Operations), have earned an undergraduate degree, and be officially admitted to a graduate studies program. Pre-law students, or those requiring graduate studies to qualify to enter professional career fields, may also be assisted from this program.

Table 1 reports the number of applicants and the number of scholarships awarded for the summer of 1989 and academic year 1988-89, and estimated for FY 1990.

Table 1
Applicants and Scholarships

Applicants Funded by Field of study:	Academic Year 1988-89		Summer School 1989/1990		Academic Year 1989/1990	
	Applicants*/Awards		Actual		Estimate	
	Applicants*/Awards	Applicants*/Awards	Applicants*/Awards	Applicants*/Awards	Applicants*/Awards	Applicants*/Awards
Law	152	101	32	27	150	96
Education	129	62	21	11	123	70
Business	59	29	4	1	39	25
Health Professions	138	82	28	21	138	82
Engineering	7	7	--	--	12	7
Natural Resources	2	1	--	1	--	--
Other Fields	74	3	3	0	69	36
Total Students Funded	561	285	88	61	531	316

*These figures represent total applicants and do not necessarily reflect that all were deemed eligible.

Historically, students receiving Special Higher Education Scholarship grants have been required to apply for all available financial aid offered at the graduate level.

Students generally seek educational loans as well as grant funds. The individual's budget is then submitted by the college financial aid officer to the Special Higher Education Program (SHEP) with "unmet need" recommendations. The maximum dollar amount available under this program is \$10,000 per academic year; however, no individual grant may exceed the calculated "unmet need" recommendation submitted by the college financial aid office. If the "unmet need" exceeds the maximum allowance, the student must then apply for additional loans. Using the maximum allowance criteria, approximately 30 to 35 percent of the SHEP grant budget has been available to fund students in other than the six priority fields.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Special Higher Education Scholarships	\$	2,160	1,800	-360

Special Higher Education Scholarships (-\$360,000): Law is a priority item in the Special High Education program and represents over 30% of total scholarships awarded. Therefore, the bureau did not continue the FY 1990 Congressional add-on of \$160,000 for the summer law programs. The further decrease of \$200,000 reflects the bureau's decision to fund only students who are studying in priority fields. This change will maximize the available dollars in support of the priority fields and also lighten the financial burden on individual students. There will be no reduction of the amount of grants for priority field students.

C. TRIBALLY CONTROLLED COMMUNITY COLLEGES

		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc.(+) Dec.(-) From Base</u>
Title I	\$	10,614	10,470	10,614	10,614	--
Title II (NCC)	\$	4,813	4,748	4,813	4,813	--
Technical Assistance	\$	116	114	116	116	--
Operating Grants	\$	15,543	15,332	15,543	15,543	--
Endowments	\$	500	493	500	500	--
	\$	16,043	15,825	16,043	16,043	--

Objective: The objective of the program is to provide financial assistance to Tribally Controlled Community Colleges (TCCC) so that Indian and Alaska Native students may further their education in a supportive environment close to the Indian reservations.

Base Program (\$16,043,000; FTE 0): Community colleges are governed by a local board of regents, a majority of whom are Indian. This enables the sponsoring tribes to pursue educational goals which are compatible with the needs and assessments of the tribes. Title I of the Tribally Controlled Community College Assistance Act, as amended, authorizes grants to the Tribally Controlled Community

Colleges to defray expenditures for academic, educational, and administrative purposes and for the operation and maintenance of all TCCCs except Navajo Community College (NCC). Grant funds are distributed to eligible Title I colleges on the basis of the calculated Indian student count (ISC). All credit hours (for full-time, part-time, and summer students) are added together and divided by 12 to arrive at the ISC for each school.

There will be 21 Title I Colleges in FY 1990. Fond du Lac was approved in FY 1988 and was funded for the first time in FY 1989. Bay Mills was approved in FY 1989 and will be funded for the first time in FY 1990.

Table 2 shows the list of Title I Tribally Controlled Community Colleges and the comparative data on the Indian Student Count (ISC), number of graduates, accreditation status, and the types of degrees and certificates awarded by each college for fiscal years 1989 and estimates for 1990.

A Title II grant is authorized for NCC for an amount necessary for operating and maintaining the College, including, but not limited to, administrative, academic, and operation and maintenance costs. Table 1 shows enrollment statistics for NCC.

Technical assistance funds in the amount of \$116,000 are provided to assist the tribal colleges in gaining full accreditation and maintaining quality programs.

The FY 1991 funding request for TCCCs is a substantial increase over prior Administration funding requests, and will continue support for these programs at a level slightly above that provided in 1990.

TABLE 1 - Navajo Community College (Title II)

	<u>Fall Semester Enrollment</u>		<u>Spring Semester Enrollment</u>		<u>Summer School Enrollment</u>	
	<u>Full Time</u>	<u>Part-time</u>	<u>Full Time</u>	<u>Part-time</u>	<u>Full Time</u>	<u>Part-Time</u>
<u>FY 1988</u>						
<u>SY 87-88</u>	490	1,236	541	1,264	396	388
<u>FY 1989</u>						
<u>SY 88-89</u>	546	859	537	986	410	220
<u>FY 1990</u>						
<u>SY 89-90</u>	446	893	471 *	918 *	326	550

* = Estimates

SY = School Year

The enrollment figures were provided by Navajo Community College.

TABLE 2 - Title I Colleges - Indian Student Count (ISC)

Tribal College	Actual FY 1989 ISC	Est. FY 1990 ISC a/	Accred-b/ itation	Degrees or Certificate Offered c/	FY 1989 Graduates
Bay Mills	65	120	Accred	AA, AAS, Voc.Cert.	39
Blackfeet	315	291	Accred	AA, AAS, Voc.Cert.	29
Cheyenne River	75	45	Cand	AA, AS, Voc.Cert.	7
D-Q University	127	98	Accred	AA, AS	23
Dull Knife	155	130	NA	AA, AAS	20
Fond du Lac	115	175	Accred	AA, AAS	3
Fort Belknap	123	98	Cand	AA	42
Fort Berthold	120	125	Cand	AA, Voc.Cert.	21
Fort Peck	176	206	Cand	AA, AAS, Voc.Cert.	21
Lac Courtes Oreilles Ojibwa	150	156	Cand	AA	1
Little Big Horn	100	200	Cand	AA, Voc. Cert.	20
Little Hoop	100	126	Cand	AAS, Voc.Cert.	25
Northwest Indian Community College	421	546	Cand	AS	14
Nebraska	88	164	Accred	AA, AS, AAS, Voc.Cert.	25
Oglala Lakota	701	631	Accred	AA, BS, Voc.Cert.	79
Salish Kootenai	353	411	Accred	AA, AAS, Voc.Cert.	34
Sinte Gleska	373	327	Accred	AS, AAS, BS, MA, Voc.Cert.	32
Sisseton-Wahpeton	105	107	Cand	AA, Voc.Cert.	12
Standing Rock	271	253	Accred	AA, AAS, AS, Voc. Cert.	31
Stone Child	135	151	NA	AA, AAS	21
Turtle Mountain	338	399	Accred	AA, AAS	70
TITLE I Totals	4,406	4,759			569
	=====	=====			===

a/ The estimated ISC figures for 1990 were provided by the individual colleges.

b/ Accred - Fully accredited by a recognized accrediting association.

Cand - Candidate status towards accreditation.

NA - Not accredited but meets the three institutional certification requirements of Public Law 95-471 as amended.

c/ Degrees Awarded by TCCC:

ASN - Associate of Science Nursing (R.N. and L.P.N.)

AA - Associate of Arts

AS - Associate of Science

AAS - Associate of Applied Science

BS - Bachelor of Science

MA - Master of Arts

Voc.Cert. - Vocational Certificate

Endowments (\$500,000): P.L. 99-428 authorized the Secretary to establish a program for making endowment grants to the Tribally Controlled Community Colleges. The endowment program was initiated in FY 1988 and was implemented under Federal Register Notice since regulations on the Tribally Controlled Community Colleges had not been finalized. In FY 1989, the colleges voted to share equally in the endowment program, and the average grant was \$11,904. The endowment grants are based on a dollar for dollar match if a college was unable to generate sufficient contributions, their share was available for other colleges. Funds must be placed in a federally insured banking or savings institution, and the interest earned can be used to defray expenditures associated with the operation of the college. The following colleges received endowment grants in FY 1988 and FY 1989. Funds have not been distributed in FY 1990.

<u>Colleges</u>	<u>FY 1988 Actuals</u>	<u>FY 1989 Actuals.</u>
Blackfeet Community College	\$ 8,867	\$ 4,580
Cheyenne River Community College	--	2,000
D-Q University	8,867	21,535
Dull Knife Memorial College	70,939	21,534
Fort Belknap Community College	--	2,000
Fort Berthold Community College	3,547	11,904
Fort Peck Community College	8,867	11,904
Lac Courte Oreilles Ojibwa College	3,547	11,904
Little Big Horn College	8,867	--
Little Hoop Community College	--	3,500
Northwest Indian Community College	124,143	21,534
Nebraska Indian Community College	--	7,968
Oglala Lakota College	46,110	21,535
Salish Kootenai College	21,282	11,904
Sinte Gleska College	36,947	21,535
Sisseton-Wahpeton Community College	1,775	4,860
Standing Rock College	20,572	11,904
Stone Child Community College	2,660	7,500
Turtle Mountain College	8,867	28,865
Navajo Community College	<u>124,143</u>	<u>21,534</u>
Total	\$500,000	\$250,000

D. Demonstration Project

Objective: The stated objective of the Demonstration Project is to develop a satellite instructional network to provide exchange of televised classroom instruction between rural Western schools and colleges and Eastern schools and colleges.

Base Program (\$400,000; FTE 0): In FY 1990, Congress added funding for Tribally Controlled Community Colleges to work with staff at the National Teleteaching Research and Development Center located at Mansfield University of Pennsylvania on a demonstration project to develop a satellite instructional network. The project includes 80 participating sites and staff will be trained in self-management of their own local and regional networks and will be able to import training and/or instruction from other schools in other states. The bureau provided the funds to Standing Rock Community College which will subcontract the funds to Mansfield University and coordinate the efforts of the tribal colleges.

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Demonstration Project	\$ 400	--	-400

Demonstration Project (-\$400,000; FTE 0): The \$400,000 Congressional add-on for the Demonstration Project is not continued. It is inappropriate for the bureau to support the full cost of this project when there are 80 participating sites. Since the tribal colleges are not bureau operated, we have no control over their participation in such a project.

Object Class Distribution - Continuing Education Subactivity

	<u>FTE</u>	<u>Amount</u>
Other Services.....		-460,000
Travel.....		-40,000
Supplies and Materials.....		-323,000
Equipment.....		-300,000
Grants, Subsidies and Contributions.....		-400,000
		<hr/>
Total	--	-\$1,523,000

Justification of Program and Performance

Activity: Education
 Subactivity: Tribe/Agency Operations

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Scholarships	\$	28,015	27,635	28,053	26,960	-1,093
B. TCCC's Snyder Act Supplement	\$	916	904	923	923	--
C. Adult Education	\$	3,211	3,167	3,244	3,239	-5
	(FTE)	(19)		(19)	(19)	(--)
Total Requirements	\$	32,142	31,706	32,220	31,122	-1,098
	(FTE)	(19)		(19)	(19)	(--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Tribe/Agency Operations	32,142	-436	31,706

The sequestration will be applied equitably against each location which has funding in this program. Necessary reductions will be determined at the local level or by the tribal contractors.

Base Program (\$32,220,000; FTE 19): The base funding to support the tribe/agency operations for educational programs provides services to Indians whose tribes have neither the resources nor governmental capabilities to provide such services.

A. Scholarships

Base Program (\$28,053,000; FTE 0): The Higher Education Program provides financial aid to eligible Indian and Alaska Native students to attend accredited post-secondary institutions which will enable them to meet their educational goals, develop leadership abilities, and increase their employment opportunities in professional fields so that they may contribute to the economic and social goals and objectives of the various tribes.

The program provides for grants to Indians, Eskimos, or Aleut students who are members of a tribe which is federally recognized and who are admitted for enrollment in an accredited college or university program leading primarily to a baccalaureate degree. A Certificate of Degree of Indian Blood or other proof of Indian blood certified by the tribal enrollment office of the bureau must be a part of the student's application. Financial need is determined by the institution's financial aid officer. Education staff at the area and agency offices provide supervision for this program. Table 1 provides statistical and historical data for selected years (1949, 1960, and 1970) and for 1979 through 1991.

The financial aid package, completed and certified by the institution's financial aid officer, serves as the principal basis for determining the bureau grant amount. The bureau grant award, combined with the package of any other assistance, cannot exceed the institution's determination of the student's need as stated in 43 CFR 674.15 and 676.15, "Coordination with Bureau of Indian Affairs Grants-in-Aid."

The bureau contribution is approximately 25 percent of the total assistance required by students. They supplement their scholarship grant with college-based awards such as Pell Grants, Supplementary Education Opportunity Grants, National Direct Student Loans, and College Work Study; other public sources such as Veterans Administration, Welfare, State Grants, Social Security, Tribal Awards, Vocational Rehabilitation; tuition waivers from the college; and parental and personal contributions.

Workload Data:

TABLE 1 - HIGHER EDUCATION GRANT PROGRAM

Fiscal Year	Appropriation	Number of Students Assisted	Average Grant Size a/	Number of Graduates	Number of Tribal Contracts	Tribal Contracts Program	
						Direction Costs (\$)	and as % Appropriation
1949 b/	\$ 9,390	78	\$ 120	1	0	\$ --	
1960	250,000	612	408	65	0	--	
1970	3,848,000	4,271	873	286	6	120,000	(3.1%)
1979	26,575,600	14,904	1,695	1,965	32	1,310,000	(4.9%)
1980	27,398,000	15,895	1,626	1,420	38	1,556,000	(5.7%)
1981	26,918,000	15,724	1,587	1,290	48	1,964,640	(7.3%)
1982	27,371,000	16,100	1,569	1,289	57	2,110,364	(12.4%)
1983	26,357,000	14,946	1,546	1,295	88	3,256,000	(13.0%)
1984	26,197,000	15,600	1,461	1,310	91	3,404,000	(13.0%)
1985	26,868,000	16,000	1,461	1,380	96	3,500,000	(13.0%)
1986	29,203,000 d/	14,500	1,676	1,450	96	3,645,000	(13.0%)
1987	31,168,000 d/	15,214 c/	1,800	1,102	98	3,817,000	(12.2%)
1988	28,770,000	17,800 c/	1,402	1,600	100	3,817,000	(13.3%)
1989	28,476,000	17,800	1,385	1,500	100	3,817,000	(13.4%)
1990	27,635,000	14,200	1,678	1,400	100	3,900,000	(14.1%)
1991 est.	26,960,000	13,704	1,680	1,225	100	3,900,000	(14.5%)

a/ Calculated by subtracting program direction costs from "Appropriation" and dividing by "No. of Students Assisted".

b/ First year of the Higher Education Grant Program.

c/ Increase resulted from the Zarr vs. Barlow case which removed the requirement of 1/4 degree of Indian blood for eligibility.

d/ Both direct costs and contract support funds were included in these numbers for FY 1986 and FY 1987.

B. Tribally Controlled Community Colleges Supplement

Base Program (\$923,000; FTE 0): Under the authority of the Tribally Controlled Community College Assistance Amendments Act (P.L. 98-192), the bureau provides grants to 22 tribal colleges for academic and administrative purposes and for the operation and maintenance of the colleges. These community colleges are governed by a local board of regents, a majority of whom are Indian. This enables the

sponsoring tribes to pursue educational goals which are compatible with the needs of their people. Funding charts and student participation data are provided under Continuing Education, Tribally Controlled Community Colleges.

Some tribes choose to supplement the bureau grants with funds available through the Indian Priority System. The following table compares the FY 1990 and FY 1991 supplemental funding provided to the listed colleges in addition to their grant from Education.

	<u>Tribal College</u>	<u>FY 1990 Request</u>	<u>FY 1991 Estimate</u>
<u>Aberdeen Area:</u>			
Rosebud Agency	Sinte Gleska Community College	\$143,000	\$144,000
Pine Ridge Agency	Oglala Lakota Community College	313,900	314,900
Turtle Mountain Agency	Turtle Mountain Community College	75,700	75,700
Fort Berthold Agency	Fort Berthold Community College	49,400	50,400
<u>Billings Area:</u>			
Northern Cheyenne Agency	Dull Knife Memorial College	<u>334,000</u>	<u>338,000</u>
		\$916,000	\$923,000

C. Adult Education

Base Program (\$3,244,000; FTE 19): The Adult Education program provides educational opportunities and learning experiences to enable adult Indian and Alaska Natives to complete high school graduation requirements, acquire basic literacy skills, and gain new skills and knowledge to improve their functioning as individuals and as members of the community.

Typical of the courses offered are: Adult Basic Education (ABE); preparation for the General Educational Development Test (GED); life-coping skills courses such as budgeting, filling out applications, drivers' training, and consumer awareness; instructional information services from federal, state, and tribal programs (e.g., Medicare, Social Security, filing of federal and state taxes, entitlements, real estate, and trust services); continuing education courses designed to update the knowledge and skills of the participants (e.g., typing, shorthand, computer literacy); and community education classes of personal interest. This education program also encompasses special programs for the elderly.

Program staff members conduct needs assessment surveys, recruit participants, teach some of the courses, provide guidance and counseling with regard to educational, career, and employment opportunities, and coordinate the bureau adult education program with other existing federal and non-federal programs and activities to develop occupational and related skills for Indian adults to enable them to become more employable and productive.

Workload Data: In FY 1989, 75 tribes will administer the Adult Education Program under P.L. 93-638 contracts; 13 programs will be administered by bureau agency offices.

TABLE 1 - Appropriations, Number of Adult Education Programs and Participants, and Average Cost/Participant

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Number of Adult Educ. Programs</u>	<u>Number of Adult Participants</u>	<u>Average Cost per Participant</u>
1982	\$ 4,659,000	77	13,859	\$ 336
1983	3,697,000	68	12,899	287
1984	3,747,100	88	14,607	257
1985	3,474,000	88	13,520	257
1986	3,391,000 <u>a/</u>	88	12,800	265
1987	3,496,000 <u>a/</u>	88	13,000	269
1988	3,141,000	88	12,000	262
1989	3,138,000	88	12,500	251
1990	3,181,000	88	12,500	255
1991 estimate	3,239,000	92	12,500	259

a/ Included contract support funds.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Scholarships	\$	28,053	26,960	-1,093
Adult Education	\$	3,244	3,239	-5
	(FTE)	(19)	(19)	(--)
Total Requirements	\$	31,297	30,199	-1,098
	(FTE)	(19)	(19)	(--)

Scholarships (-\$1,093,000): The change in scholarships results from the application of the Indian Priority System at the tribe/agency locations shown below.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Aberdeen Area	3,216,700	3,220,000	+3,300
Anadarko Area	2,361,900	1,801,700	-560,200
Billings Area	1,898,000	2,005,000	+107,000
Juneau Area	3,175,800	3,218,400	+42,600
Minneapolis Area	2,569,900	2,484,200	-85,700
Muskogee Area	1,469,700	1,467,500	-2,200
Sacramento Area	440,000	353,000	-87,000
Phoenix Area	2,399,600	2,177,100	-222,500
Albuquerque Area	1,600,600	1,339,000	-261,600
Navajo Area	6,046,000	6,046,000	--
Portland Area	2,095,400	2,052,100	-43,300
Eastern Area	741,400	758,000	+16,600
TOTAL TRIBAL PRIORITIES	\$28,015,000	\$26,922,000	\$-1,093,000
ADJUSTMENT:			
FY 1991 Federal Pay Adjustments		<u>+38,000</u>	
FY 1991 REQUEST.....		\$26,960,000	

Adult Education (-\$5,000): The change in adult education results from the application of the Indian Priority System at the tribe agency locations shown below.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Aberdeen Area	\$ 349,300	\$ 338,800	\$-10,500
Andarko Area	367,100	440,600	+73,500
Juneau Area	236,200	206,900	-29,300
Minneapolis Area	62,100	61,100	-1,000
Muskogee Area	142,300	141,000	-1,300
Phoenix Area	80,400	93,600	+13,200
Sacramento Area	202,000	207,000	+5,000
Albuquerque Area	352,400	317,000	-35,400
Navajo Area	482,000	489,800	+7,800
Portland Area	502,600	485,300	-17,300
Eastern Area	434,600	424,900	-9,700
TOTAL TRIBAL PRIORITIES	\$3,211,000	\$3,206,000	\$ -5,000
ADJUSTMENTS			
One additional workday		+3,000	
Adjustment for Administrative and Staffing Efficiencies		-12,000	
FY 1991 Federal Pay Adjustments		+10,000	
P.L. 93-638 Pay Adjustment		+13,000	
Federal Employees Retirement System (FERS)		<u>+19,000</u>	
FY 1991 REQUEST.....		\$3,239,000	\$ -5,000

Object Class Distribution - Education Tribe/Agency Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	--	\$+19,000
Personnel Benefits.....		+2,700
Grants, Subsidies and Contributions.....		<u>-1,119,700</u>
Total.....	--	<u><u>\$-1,098,000</u></u>

Activity Summary

(Dollar amounts in thousands)

Activity: Tribal Services

<u>Subactivity</u>	<u>FY 1989 Actual Approp.</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1990 Base</u>	<u>FY 1989 Estimate</u>	<u>+/- From Base</u>
Tribal Government Services	8,786	7,226	7,128	6,791	7,847	+1,056
Social Services	93,222	92,588	91,332	94,428	93,128	-1,300
Law Enforcement	4,016	4,880	4,814	4,931	5,373	+442
Self-Determination Services	57,644	58,626	57,830	45,979	49,366	+3,387
Employment Development	2,685	3,059	3,018	3,076	2,116	-960
Tribe/Agency Operations	<u>124,812</u>	<u>132,785</u>	<u>130,983</u>	<u>134,832</u>	<u>144,351</u>	<u>+9,519</u>
Total	\$291,165	299,164	295,105	290,037	302,181	+12,144
Calendar Year Contracting	---	54,000	53,271	---	---	---

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Tribal Government Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Aid to Tribal Government	\$ (FTE)	5,001 (84)	4,933	4,563 (84)	5,619 (94)	+1,056 (+10)
B. Tribal Courts	\$ (FTE)	2,225 (3)	2,195	2,228 (3)	2,228 (3)	-- (--)
Total Requirements	\$ (FTE)	7,226 (87)	7,128	6,791 (87)	7,847 (97)	+1,056 (+10)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Tribal Government Services	7,226	-98	7,128

The reduction of \$98,000 will be accomplished by reducing employee travel and postponing the filling of vacant positions.

A. Aid to Tribal Government

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
<u>Community Services, General:</u>						
Area Office Operations	\$ (FTE)	141 (4)	139	142 (4)	367 (5)	+225 (+1)
Central Office Operations	\$ (FTE)	303 (7)	299	304 (7)	354 (8)	+50 (+1)
<u>Substance Abuse Coord. Office</u>	\$ (FTE)	251 (3)	248	255 (3)	255 (3)	-- (--)

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
<u>All Other Aid to Tribal Government:</u>						
Area Office Operations	\$ (FTE)	1,294 (42)	1,276	1,306 (42)	1,454 (42)	+148 (--)
Central Office Operations	\$ (FTE)	2,012 (28)	1,985	1,731 (28)	2,364 (36)	+633 (+8)
<u>New Tribes - Undistributed</u>	\$	<u>1,000</u>	<u>986</u>	<u>825</u>	<u>825</u>	<u>--</u>
Total	\$ (FTE)	5,001 (84)	4,933	4,563 (84)	5,619 (94)	+1,056 (+10)

Objective: The objectives of this program are to: (1) improve tribal governments' operational capabilities through the provision of technical and financial assistance so they can better serve tribal members and communities; (2) ensure the timely submission of judgment plans ensuring, to the greatest extent practicable, that tribal plans for utilization of the money are adopted; and (3) ensure the timely processing of petitions from non-federally recognized Indian tribes or groups to determine their proper relationship with the federal government.

Base Program (\$4,563,000; FTE 84): The Aid to Tribal Government program contains a number of separate and distinct program elements providing technical and financial assistance to Indian tribes.

Community Services, General (\$446,000; FTE 11):

Area Office Operations (\$142,000; FTE 4): This program provides staff specialists and program advisors to the area directors on all matters related to the Tribal Services program.

Central Office Operations (\$304,000; FTE 7): This program provides staff specialists and program and policy advisors to the Assistant Secretary-Indian Affairs on all matters related to the Tribal Services program.

Substance Abuse Coordination Office (\$255,000; FTE 3): This office was established in compliance with Public Law 99-570, the "Anti-Drug Abuse Act of 1986". The primary focus of the office is coordination and oversight of all bureau programs which concern the use and abuse of alcohol and drugs, including construction activities. The major bureau prevention activities include identification, crisis intervention, referral, and followup. The office also provides oversight of activities concerned with trafficking, interdiction, and eradication of addictive substances. Additionally, the office works very closely with the Indian Health Service through a Memorandum of Agreement to coordinate all programs and resources available to tribes.

All Other Aid to Tribal Government (\$3,037,000; FTE 70)

Area Office Operations (\$1,306,000; FTE 42): The majority of the area office funding is used to provide technical assistance to approximately 311 federally recognized Indian tribes in the lower 48 states and 301 Alaska Native groups. The area staff assists the tribes and groups in developing, improving or amending tribal constitutions, bylaws, codes and ordinances and membership rolls; conducting elections; reviewing and approving tribal attorney contracts; ensuring the integrity of the separate branches of government; resolving issues involving intratribal disputes, membership, recall and removal; and providing related assistance to tribal governments. In addition, the area office staff provides technical assistance in developing proposals for the use of judgment funds and conducts the Hearings of Record. Once a distribution plan becomes effective, the area staff implements the plan and has the responsibility of performing the enrollment work necessary for making a per capita distribution. When the Secretary has been directed to prepare a payment roll (e.g., when the award is to be distributed on a descendancy basis), applications for enrollment are usually filed with a bureau area director. The enrollment staff is also responsible for certifying enrollment as a member of a federally recognized tribe and/or the possession of federally recognized Indian blood for the purposes of qualifying individuals for federal service and benefits available to Indian people.

Central Office Operations (\$1,731,000; FTE 28): In addition to providing overall program management, the central office staff provides technical assistance in the areas of tribal claims, tribal enrollment, tribal government, and federal acknowledgement of tribal entities not currently recognized by the bureau. Tribal claims involve the central office in two ways:

--providing technical assistance to tribes and their claims attorneys on the prerequisites for obtaining Secretarial approval of compromise settlements of claims pending before the U.S. Claims Court, many of which are multimillion dollar settlements, and auditing attorney fees and expense vouchers after judgments are awarded.

--performing the ethnohistorical research for beneficiaries of judgment awards and processing detailed plans or preparing legislation for tribal use of the judgment funds, in compliance with the Indian Judgment Fund Distribution Act. The type of work performed includes the identification of modern-day tribal beneficiaries and often involves complex determinations where more than one tribe is involved. In those instances where funds are to be distributed to descendants of historical tribes, the staff develops the eligibility criteria which will govern an individual's right to participate in the judgment fund distribution. Once the beneficiaries have been identified and the area offices have held a Hearing of Record, the central office staff develops the Judgment Fund Distribution Plan or proposed legislation for submission to the Congress.

The Tribal Enrollment program provides technical assistance to area, agency and tribal staffs concerning development or maintenance of membership criteria or procedures, preparation and maintenance of tribal membership and tribal payment rolls, and certification or computation of degree of Indian blood. As required by law or provided for in tribal governing documents, the enrollment program staff reviews appeals arising from the rejection of applications for membership or enrollment at the tribal and/or area level. It also reviews cases where individuals have questioned the degree of Indian blood shown for

them or their ancestors in the official records affecting their eligibility for membership and/or for services and benefits.

The Tribal Relations program provides technical assistance to area, agency and tribal staff concerning the development and amendment of tribal constitutions, ordinances and other governmental documents. Efforts in this area are ongoing and reflect a commitment to modernize tribal governing documents; foster stable tribal governments; and equip tribes with the mechanisms to manage and regulate the affairs of the tribe, its members and other reservation residents. The program processes petitions from tribal members for Secretarial action, such as calling an election to adopt a constitution, and processes appeals from administrative actions relating to tribal government. Intratribal disputes are closely monitored for possible program involvement requiring mediating resolution efforts, or when resolution efforts fail, recommending specific action to bureau line officials.

The Acknowledgment and Research program is responsible for researching and processing petitions for the federal acknowledgment of Indian groups not currently recognized by the bureau. The bureau has established criteria in 25 CFR 83 which are used to evaluate these petitions. There are approximately 200 unrecognized groups in the nation, of which 115 have formally petitioned the bureau. Of the 115 formal petitions received by the bureau, 76 cannot be processed without additional supporting material from petitioning groups; one was withdrawn by the petitioning group; 24 have been reviewed; and 14 are backlogged, with 4 being reviewed, 3 awaiting active consideration, and 7 awaiting deficiency review. Acknowledgement establishes a inter-governmental relationship with those tribes that can meet the criteria, entitling them to special Indian services of the bureau and other federal, state, local, and private agencies.

The Judicial Services program is responsible for training and bureauwide technical assistance to field personnel and tribal judicial systems on organization and management, civil and criminal jurisdiction, judicial codes and procedures, and court standards; the development, establishment and improvement of tribal judicial systems in conjunction with tribal authorities, the Interior Department's Solicitor, the Department of Justice, and the federal courts; the development and implementation of model codes and systems and their modification to meet local tribal needs; the review of tribal liquor ordinances for compliance with 18 U.S.C. 1161 and their preparation for publication in the Federal Register; the development or review of regulations, legislative proposals, and policies involving tribal judicial systems; and the coordination of bureau interaction with other federal agencies, national Indian judicial associations, and professional organizations to foster greater exchange of information and pooling of resources in the development of tribal judicial systems. Judicial Services utilizes the Judicial Services Center and Special Tribal Courts funding to assist in the implementation of these functions.

New Tribes - Undistributed (\$825,000; FTE 0): The New Tribes program provides the initial source of funding for newly acknowledged tribes and enables them to begin federally-funded operations. New tribes are expected to assess their needs, design or propose operational programs to meet their needs, and submit proposed budgets to implement their programs.

The base funding will provide services to the Coquille Tribe (Oregon) which has a service population of 550 and the Lac Vieux Desert Band of Chippewa Indians

(Michigan) which has a service population of 201. Based on the conference report language accompanying the FY 1990 appropriation, the base funding was equally divided between these two tribes at \$412,500 each.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	+/- Difference
<u>Community Services General</u>				
Area Office	\$	142	367	+225
Operations	(FTE)	(4)	(5)	(+1)
Central Office	\$	304	354	+50
Operations	(FTE)	(7)	(8)	(+1)
<u>All Other Aid to Tribal Government</u>				
Area Office				
Operations	\$	1,306	1,454	+148
Central Office	\$	1,731	2,364	+633
Operations	(FTE)	(28)	(36)	(+8)
Total	\$	3,483	4,539	+1,056
	(FTE)	(39)	(49)	(+10)

Community Services, Area Office Operations (+\$225,000; FTE +1): This increase is the result of priorities established at the following area offices:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Juneau Area	\$ ---	\$ 125,000	\$+125,000
Phoenix Area	---	100,000	+100,000
Sacramento Area	53,000	53,000	---
Eastern Area	88,000	88,000	---
TOTAL AREA PRIORITIES	\$141,000	\$ 366,000	\$+225,000

ADJUSTMENTS:

One additional workday		+ 1,000	
Adjustment for Administrative and Staffing Efficiencies		- 3,000	
FY 1991 Federal Pay Adjustments		+ 2,000	
Federal Employees Retirement System (FERS)		+ 1,000	
FY 1991 REQUEST.....	\$ 367,000		\$+225,000

Community Services, Central Office Operations (+\$50,000; FTE +1): The increase of \$50,000 at the Central Office will enable the bureau to hire a Deputy to the Deputy to the Assistant Secretary for Tribal Services. The deputy would provide program management and oversight for tribal services programs.

All Other Aid to Tribal Government, Area Office Operations (+\$148,000; FTE 0):

This increase is the result of priorities established at the following area offices and a \$105,000 increase for support costs of the Eastern Area Office to offset costs of servicing newly recognized tribes which the area office has been required to absorb.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$ 249,000	\$ 262,000	\$ +13,000
Anadarko Area	149,000	149,000	--
Billings Area	75,000	50,000	-25,000
Juneau Area	120,000	120,000	--
Minneapolis Area	133,000	133,000	--
Muskogee Area	84,000	49,000	-35,000
Phoenix Area	61,000	61,000	--
Sacramento Area	107,000	172,000	+65,000
Albuquerque Area	84,000	109,000	+25,000
Navajo Area	82,000	82,000	--
Portland Area	150,000	150,000	--
 TOTAL AREA PRIORITIES	 \$1,294,000	 \$ 1,337,000	 \$ +43,000
 ADJUSTMENTS:			
One additional workday		+ 4,000	
Adjustment for Administrative and Staffing Efficiencies		- 23,000	
FY 1991 Federal Pay Adjustment		+ 18,000	
Federal Employees Retirement System (FERS)		+ 13,000	
 PROGRAM ADJUSTMENTS:			
Eastern Area to provide support to New Tribes		<u>+105,000</u>	<u>+105,000</u>
 FY 1991 REQUEST.....		 \$ 1,454,000	 \$ +148,000

All Other Aid to Tribal Government, Central Office Operations (+\$633,000; FTE +8):

Within this increase \$500,000 will fund two additional review teams for the Branch of Acknowledgment and Research to accelerate the final determinations process for recognizing new tribal groups. Each team will consist of one anthropologist, one historian, and one genealogist. Additional genealogical research will be performed under contract, and two positions will be added to Enrollment. The remaining \$133,000 will fund the implementation of the settlement roll and electoral provisions of the Hoopa Yurok Settlement Act, P.L. 100-580, which provides that the Secretary shall prepare a settlement roll, provide for an appeals process, and make a final determination of eligibility. Upon the completion of the roll and attendant determination of tribal membership, the Secretary must hold an election to determine the Interim Council of the Yurok Tribe, consult with tribal entities on the draft constitution, and hold an election for the adoption of the constitution.

B. Tribal Courts

(Dollar amounts in thousands)

<u>Program Elements</u>		FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
Special Tribal Courts	\$	1,565	1,544	1,568	1,568	--
Judicial Services Center	\$ (FTE)	660 (3)	651	660 (3)	660 (3)	-- (--)
Total Requirements	\$ (FTE)	2,225 (3)	2,195	2,228 (3)	2,228 (3)	-- (--)

Objective: The objective of this program is to improve and maintain the judicial capabilities of Indian tribes so as to ensure the speedy and impartial adjudication of violations of tribal law and the resolution of civil disputes.

Base Program (\$2,228,000; FTE 3):

Special Tribal Courts (\$1,568,000; FTE 0): The Special Tribal Courts funding enables the bureau to provide directly to tribal courts the ability to make needed improvements as well as to provide funding for training, technical assistance and evaluation services for tribal judicial systems and personnel on a nationwide basis. In FY 1989, emphasis was placed on increasing the capabilities of existing tribal court systems in case management improvement, child abuse, Indian Youth and Family Law, and drug abuse. In addition, three intertribal appellate court systems were established: the Wyoming-Montana system in the Billings Area; the Northwest system in the Portland Area; and the Southwest system in the Albuquerque Area. The bureau has provided an average of 13 training sessions each year. Formal coursework training has covered subjects such as: Civil Rights in Indian Country, Basic and Advanced Criminal Law and Procedures, Basic Civil Law and Procedures, Legal Research and Analysis, Indian Youth and Family Law, Alcohol and Substance Abuse, Child Abuse and Neglect, Tribal Court Management, Indian Housing Law, Child Sexual Abuse, and Evidence and Legal Writing. The turnover rate for all judicial personnel is high, and it is essential that training sessions be held on a regular basis.

Judicial Services Center (\$660,000; FTE 3): The program provides the training and technical assistance activities of the Branch of Judicial Services through the design, development and provision of training for tribal court personnel, including on-site training services, evaluation of tribal court systems and operations. The Center also provides technical assistance for the development and improvement of tribal judicial systems. The staff works closely with the Department of the Interior Solicitor's Office, the federal court systems, and the Department of Justice in developing, establishing, and maintaining tribal judicial systems which are in full accord with constitutional and other legal guarantees. The staff reviews tribal liquor ordinances for compliance with 18 U.S.C. 1161 and processes these ordinances for publication in the Federal Register, as required by law.

Through contractual and other arrangements, the program also provides training for court personnel on substance abuse issues, such as appropriate court orders for treatment and placement and recognition of mitigating factors in sentencing.

Workload Data:

	<u>Actual</u> <u>1989</u>	<u>Estimate</u> <u>1990</u>	<u>Estimate</u> <u>1991</u>
<u>Special Tribal Courts Training</u>			
Training Sessions (in-house)	2	3	3
Training Sessions (contract)	13	13	13
Trainees	700	720	720
Judges	(476)	(540)	(540)
Other Court Personnel	(224)	(180)	(180)

Object Class Distribution - Tribal Government Services Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	+10	+\$ 357,000
Personnel Benefits.....		+ 50,000
Other Services.....		+ 649,000
Total.....	+10	+\$1,056,000

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Social Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. All Other Social Services	\$ (FTE)	2,267 (38)	2,236	2,107 (38)	2,107 (41)	-- (+3)
B. Welfare Assistance Grants	\$	90,321	89,096	92,321	91,021	-1,300
Total Requirements	\$ (FTE)	92,588 (38)	91,332	94,428 (38)	93,128 (41)	-1,300 (+3)

Impact of Public Law 99-177

		<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Social Services	\$	92,588	-1,256	91,332

The most significant impact will be on the general assistance program where we are likely to experience a shortfall. It may be necessary to reprogram funds late in the fiscal year.

A. All Other Social Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$ (FTE)	1,169 (29)	1,153	981 (29)	981 (32)	-- (+3)
Quality Control	\$	242	239	242	242	--
Central Office Operations	\$ (FTE)	856 (9)	844	884 (9)	884 (9)	-- (--)
Total	\$ (FTE)	2,267 (38)	2,236	2,107 (38)	2,107 (41)	-- (+3)

Objective: The objective of this program is to provide bureauwide direction and control of the Social Services program by establishing or revising policies and procedures that will result in comprehensive and quality programs that provide protective, financial, and counseling services, as well as home or institutional care for eligible Indian adults and children.

Base Program (\$2,107,000; FTE 38): The central office and area offices are responsible for providing direction on all aspects of the social services program, including technical assistance to both bureau and tribally operated social services programs.

Area Office Operations (\$981,000; FTE 29): The area offices have responsibility for technical supervision of the social services programs within their geographic jurisdictions, including: development and operation of the area social services program; areawide provision of technical assistance and consultation to social services staff, tribes, and Indian organizations with respect to Indian Child Welfare Act (ICWA) programs; coordination of social services policies, programs, and procedures with those of other federal, state, and local agencies; performance of field visits for program reviews and training purposes; making recommendations regarding the social services budget, including staffing, operations, and grant funds; assistance to bureau and tribal staff in improving professional competence; and supervision of area ICWA programs. Other projects that have been initiated and that will impose additional workload include (1) joint BIA-IHS initiatives in child welfare, drug and alcohol abuse, pregnancy prevention, and placement of the mentally ill; and (2) increased involvement in protective services for children.

Quality Control (\$242,000; FTE 0): While the area offices have the responsibility for monitoring and evaluating social services programs, there is the need for periodic and independent program audits for fiscal and programmatic compliance. The Quality Control Office performs these functions bureau-wide and provides followup to ensure that actions are carried out by the areas. The Quality Control staff is located in the Central Office Division of Social Services and the FTE are included below.

Central Office Operations (\$884,000; FTE 9): The central office exercises programmatic direction for all functions and systems of the social services activity. Responsibilities include policy analysis, formulation, and implementation; management systems development, implementation, and evaluation; program planning, oversight, and evaluation; justification for appropriated funds; needs analysis to determine proper distribution of all grant funds; and coordination of the social services program with other bureau and federal agency programs.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	+/- Difference
Area Office	\$	981	981	--
Operations	(FTE)	(29)	(32)	(+3)

Social Services, Area Office Operations (\$0; FTE +3): The foregoing reflects:

--an increase of \$54,000 at the Portland Area Office to support the newly authorized programs in Oregon and Washington.

--a net decrease of \$54,000 as a result of priorities established at the following area offices:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$ 166,000	\$ 172,000	\$ +6,000
Anadarko Area	49,000	49,000	---
Billings Area	77,000	77,000	---
Juneau Area	78,000	78,000	---
Minneapolis Area	57,000	57,000	---
Muskogee Area	79,000	87,000	+8,000
Phoenix Area	192,000	144,000	-48,000
Albuquerque Area	131,000	80,000	-51,000
Navajo Area	260,000	291,000	+31,000
Portland Area	<u>80,000</u>	<u>80,000</u>	---
TOTAL AREA PRIORITIES	\$1,169,000	\$1,115,000	\$-54,000
ADJUSTMENTS:			
One additional workday		+3,000	
Adjustment for Administrative and Staffing Efficiencies		-16,000	
FY 1991 Federal Pay Adjustments		+12,000	
Federal Employees Retirement System (FERS)		+35,000	
Navajo Area Transfer to Tribe/Agency Social Services		-222,000	
PROGRAM INCREASES:			
Portland Area to support new programs in Oregon and Washington		<u>+54,000</u>	<u>+54,000</u>
FY 1991 REQUEST		\$ 981,000	---

B. Welfare Assistance Grants

(Dollar amounts in thousands)

	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Welfare Assistance Grants (Regular)	\$ 79,421	78,344	81,421	82,121	+700
EARN Demonstration	\$ 2,000	1,973	2,000	--	-2,000
Indian Child Welfare Act (ICWA)	\$ <u>8,900</u>	<u>8,779</u>	<u>8,900</u>	<u>8,900</u>	<u>--</u>
Total Requirements	\$ 90,321	89,096	92,321	91,021	-1,300

Objective: This program provides welfare assistance and child welfare assistance to eligible Indians who cannot obtain such assistance from states or local governments; and provides Indian Child Welfare Act, Title II, grants to Indian tribes for family and child services programs designed to maintain the integrity of Indian family life and to reunite Indian children with their own families in situations where they had previously been separated.

Base Program (\$92,321,000; FTE 0): The Bureau of Indian Affairs provides General Assistance (G.A.) payments to eligible Indians when such assistance is not available through the state or local public agencies. In other instances, federal legislation requires the bureau to provide social services to specific tribes. For example, Public Law 97-429 requires the bureau to serve the Texas Band of Kickapoos in Maverick County, Texas. The bureau also provides foster home payments for Indian children and provides grants to Indian tribes and organizations through the Indian Child Welfare Act.

Welfare Assistance Grants-Regular (\$81,421,000; FTE 0): The following types of assistance are available to tribes and tribal members under the welfare assistance grants program.

- a. General Assistance: This program provides direct financial assistance to pay basic living expenses for those Indian individuals and families whose income is below current state standards. The bureau provides services only in those states not having a general assistance program available to meet the needs of Indians as defined in 25 CFR 20.21. Assistance is currently provided in 21 states.
- b. Non-Medical Institutional or Custodial Care of Adults: This assistance is provided to disabled adults who are not eligible for care from Indian Health Service, Title XIX, SSI or any other county, state, or federal program. The vast majority of this assistance has been provided in Arizona since that state did not administer a Title XIX Medicaid program until FY 1989.
- c. Tribal Work Experience Program (TWEP): Tribal members who receive general assistance and work on tribal projects under TWEP receive \$55 per month, in addition to their general assistance payments, for work related costs. Examples of work projects include: road repair, building maintenance, facility construction, and housing construction and repairs.
- d. Miscellaneous Assistance: This program pays the burial expenses of deceased indigent Indians whose estates do not have resources available to meet funeral expenses. Other emergency assistance is also provided by this program.
- e. Child Welfare Assistance: This program provides for the care of abandoned or neglected children in foster homes, private or tribal group day care homes, or in residential settings designed to provide special care. These payments are made directly or through contract to the provider in states where the bureau is authorized under 25 CFR 20.22(c) to administer a program. These children are not eligible for care under any other county, state, or federal programs. In FY 1990, the cost of residential assistance for school-aged handicapped children was combined with their educational costs which are shown in the Education activity.

Workload Data: Estimates of caseloads and unit costs provided below are based on data provided by agencies. In compiling these estimates, they consider such factors as past, current and projected caseload and unit cost trends. The monthly caseloads vary significantly based on weather conditions, fire season, and other outside factors. The caseloads and costs shown below reflect national averages.

<u>I. CASELOAD</u>	1989 <u>Actual</u>	1990 <u>Estimate</u>	1991 <u>Estimate</u>
a. <u>General Assistance</u> (persons per month).....	48,875	49,400	50,000
b. <u>Non-Medical Institutional or Custodial Care of Adults</u> (persons per month).....	1,035	944	915
c. <u>Tribal Work Experience Program (TWEPI)</u>	1,800	1,515	1,515
d. <u>Miscellaneous Assistance:</u>			
(1) <u>Burial Assistance</u> (burials per year).....	2,412	2,400	2,400
(2) <u>Emergency Assistance</u> (cases per month).....	72	75	83
e. <u>Child Welfare Assistance</u> (persons per month):			
(1) <u>Foster home care</u> (including family and small group care).....	2,903	2,663	2,814
(2) <u>Residential care for handicapped children...</u>	449	230	460
<u>II. AVERAGE BENEFITS (\$)</u>			
a. <u>General Assistance</u> (\$ per person per month).....	87	88	89
b. <u>Non-Medical Institutional or Custodial Care of Adults</u> (\$ per person per month).....	894	900	910
c. <u>Tribal Work Experience Program (TWEPI)</u> (\$ per participant per month).....	55	55	55
d. <u>Miscellaneous Assistance:</u>			
(1) <u>Burial Assistance</u> (\$ per burial).....	400	425	425
(2) <u>Emergency Assistance</u> (\$ per case per month)..	110	111	115
e. <u>Child Welfare Assistance</u> (\$ per child per month)			
(1) <u>Foster Home Care</u>	400	387	403
(2) <u>Residential Care for handicapped children...</u>	530	540	540
<u>III. TOTAL WELFARE GRANT COSTS BY TYPE (\$000)</u>			
a. <u>General Assistance</u>	\$51,025	\$52,166	\$53,400
b. <u>Non-Medical Institutional or Custodial Care of Adults</u>	11,104	10,200	10,000
c. <u>Tribal Work Experience Program (TWEPI)</u>	1,188	1,000	1,000
d. <u>Miscellaneous Assistance:</u>			
(1) <u>Burial Assistance</u>	965	1,020	1,020
(2) <u>Emergency Assistance</u>	95	100	115
e. <u>Child Welfare Assistance</u>			
(1) <u>Foster Home Care</u>	13,934	12,368	13,605
(2) <u>Residential Care for handicapped children.</u>	2,858	1,490	2,981
Total.....	\$81,169*	\$78,344	\$82,121

* The FY 1989 appropriation of \$80,206,000 was supplemented by reprogrammings of \$963,000 to fund the Welfare Assistance Program at the level shown.

Employment Assistance Readiness Net (EARN) (\$2,000,000; FTE 0): Many general assistance recipients lack the most basic skills and work habits that would make them likely candidates for successful, long-term employment. Although largely untapped, potential reservation workforces are among the greatest of tribal resources. It is the vocational development and social support of that workforce that is the focus of this program.

The Employment Assistance Readiness Net (EARN) was established in FY 1988 as a three-year, community-based demonstration project designed to enable Indian individuals who receive general assistance to achieve sustained and meaningful work and to develop skills. Under EARN, six tribal projects have been selected for funding over a three-year period. These six projects will give the tribes the opportunity to create local public assistance systems that suit their own community needs. These local demonstration projects will produce data that can be used in developing a national framework for the modification and operation of local public assistance systems. Each project will have a built-in evaluation process and will participate in a national independent research evaluation system selected by the bureau for the purpose of measuring efficiency and effectiveness. Since these projects were initiated on a demonstration basis, the bureau has not revised its regulations or manuals but has waived certain requirements in order to implement this demonstration project.

Indian Child Welfare Act Grants (ICWA) (\$8,900,000; FTE 0): P.L. 95-608 authorizes discretionary grants to Indian tribes and organizations in conjunction with other state or tribal funding to establish and operate Indian child and family services programs. These grants are designed to maintain the integrity of Indian family life and thus avoid the unwarranted placement for adoption or foster care of Indian children. In prior years, 100-160 tribes and Indian organizations operated such programs, including:

Systems to license and regulate Indian foster homes and adoptive homes;

Facilities for counseling and treating Indian families and providing temporary custody of Indian children;

Programs to train parents on how to care for children in danger of neglect or abuse, and provide respite for parents in stressful situations;

Day care facilities;

Programs of after-school care for high-risk children which emphasize the cultural, academic, and social needs of children;

Programs to provide recreational activities;

Programs to provide training of tribal court personnel in the legalities of the Act and in provision of quality, court-related, child welfare services;

Adoptive subsidies which provide financial assistance to families for the maintenance or special care of an adoptive child, or for the completion of the adoption process; and

Legal representation which includes providing counseling to families and consultation with tribes.

Workload Data: Most of the Title II Indian Child Welfare Act grant programs are multifaceted social services delivery systems. In FY 1991, an estimated 130 grants will be provided for a variety of different services. Because these grants differ in size and purpose, they cannot be realistically categorized by a standard unit cost or servicing format. The summary historical data follows:

	<u>1989</u> <u>Actual</u>	<u>1990</u> <u>Est.</u>	<u>1991</u> <u>Est.</u>
Number of Grants.....	119	121	130
Total Dollars (\$000).....	8,878.0	8,779.0	8,900.0

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY</u> <u>1991</u> <u>Base</u>	<u>FY</u> <u>1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Welfare Assistance Grants (Regular)	\$ 81,421	82,121	+700
EARN Demonstration	\$ <u>2,000</u>	---	<u>-2,000</u>
Total Requirements	\$ 83,421	82,121	-1,300

Welfare Assistance Grants-Regular (+\$700,000; FTE 0): This increase will support growing general assistance programs in the states of Washington and Oregon. FY 1990 data in these two states should provide a more accurate basis for future budget estimates.

EARN (-\$2,000,000; FTE 0): The decrease reflects the completion of the EARN demonstration project in FY 1990. During FY 1991, the results of the project will be reviewed and evaluated.

Object Class Distribution - Social Services Subactivity

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation.....	+3	+\$ 119,000
Personnel Benefits.....		+ 17,000
Travel.....		- 30,000
Supplies and Materials.....		- 50,000
Equipment.....		- 56,000
Other services.....		- 2,000,000
Grants, Subsidies, Contributions.....		<u>+ 700,000</u>
Total.....	+3	<u>-\$1,300,000</u>

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Law Enforcement

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Law Enforcement	\$	3,545	3,497	3,574	4,016	+442
	(FTE)	(41)		(41)	(45)	(+4)
B. Substance Abuse	\$	1,335	1,317	1,357	1,357	--
	(FTE)	(10)		(10)	(10)	(--)
Total Requirements	\$	4,880	4,814	4,931	5,373	+442
	(FTE)	(51)		(51)	(55)	(+4)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Law Enforcement	4,880	-66	4,814

The reduction of \$66,000 from the Law Enforcement Program will be accomplished through reductions in training-related travel and the postponement of support personnel hirings and equipment purchases.

A. Law Enforcement

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$	583	575	589	640	+51
	(FTE)	(14)		(14)	(14)	(--)
Central Office Operations	\$	1,350	1,332	1,372	1,613	+241
	(FTE)	(20)		(20)	(24)	(+4)
Police Academy	\$	1,001	987	1,006	1,156	+150
	(FTE)	(7)		(7)	(7)	(--)
Special Law Enforcement	\$	611	603	607	607	--
Total	\$	3,545	3,497	3,574	4,016	+442
	(FTE)	(41)		(41)	(45)	(+4)

Objective: The Law Enforcement program provides, or assists in providing, law enforcement services for the protection of life and property; the reduction of the incidence of crime; the development of methods and expertise for successful conflict resolution and criminal investigation; the implementation of legally

sanctioned remedial action and rehabilitation; the reduction of recidivism and adverse social effects; the development of preventive and outreach programs to enhance public perception of law enforcement responsibilities; the development of attendant public service skills; the assessment and evaluation of individual program accomplishments; and the development and provision of training.

Base Program (\$3,574,000; FTE 41)

Area Office Operations (\$589,000; FTE 14): The area office law enforcement staff functions are to: (1) assist the area director in the management of law enforcement and detention programs on reservations within the jurisdiction of the area office; (2) investigate offenses on reservations in support or in lieu of the responsible federal agency or tribal law enforcement program; and (3) perform on-going program review of bureau and tribally operated law enforcement programs within the area office's jurisdiction.

Central Office Operations (\$1,372,000; FTE 20)

Central Office Staff (\$470,000; 5 FTE): The central office staff provides overall program management, including staff advice and analysis as required by bureau line officers, regarding operations and policy for law enforcement and detention programs. In addition, the office is responsible for the management and operation of the Integrated Police/Law Enforcement Management System (IPLEMS). This computer system provides law enforcement programs with information on modern trends, new techniques, legislation, court decisions and other information, and provides reports and data system training. Data management and operational reports are processed on a monthly and annual basis. Special reports are also prepared and processed. The central office staff also provides general supervision and direction over two field operations: the Law Enforcement Services Unit and the Branch of Training (Indian Police Academy).

Law Enforcement Services Unit (\$902,000; 15 FTE): This special unit of criminal investigators and staff experts is located in Albuquerque, New Mexico and assists various bureau and federal agencies when there are exceptionally high rates of criminal violations of the Indian Major Crimes Act, 18 U.S.C. 1152 and 1153. The organization includes two functional law enforcement branches: the Special Investigations Unit and the Police Operations Branch.

Special Investigations Unit (\$532,000; 10 FTE): This branch is responsible for the development of major criminal cases involving narcotic violations, (i.e. production, distribution, and sale), sexual abuse, and child abuse or exploitation cases which will be prosecuted by the various U.S. Attorneys' offices. The members of this branch are specially trained and may be assigned to supervise and train other law enforcement officers to develop and present criminal cases with professionalism and expertise, consistent with prosecutorial criteria and guidelines, so as to increase the number and percentage of successful prosecutions in Indian Country.

Police Operations Branch (\$370,000; 5 FTE): This branch is responsible for oversight of all bureau police and detention operations to ensure compliance with established policy and standards. It monitors tribal and contracted police and detention operations to determine effectiveness with respect to overall law enforcement programs; develops and recommends policy, procedures, standards and techniques for the

operation of bureau police and detention facilities; and contracts with tribes for law enforcement programs. The branch is responsible for ensuring, on short notice, the availability of trained law enforcement officers to respond to emergency situations nationwide which may threaten the safety of lives, property, or tranquility on Indian reservations. The branch is responsible for the bureau's firearms policies and standards including accountability for firearms and ammunition. It conducts inspections and evaluations of bureau law enforcement programs and recommends corrective actions on program deficiencies, establishes guidelines for self-inspection to assist tribal police organizations in evaluating program performance and ensures that they are adequately administered.

Police Academy (\$1,006,000; FTE 7): The training branch is located at the Indian Police Academy, Federal Law Enforcement Training Center (Marana Operations), Pinal Air Park in Marana, Arizona. The branch is responsible for providing on-site and outreach training in basic courses for bureau and tribal police recruits, and specialized advanced training courses (i.e. drug law enforcement; eradication techniques; undercover operations; sexual and child abuse investigations; jail and command management; and tactical police training) for bureau and tribal law enforcement officers.

Special Law Enforcement (\$607,000; FTE 0): These funds are used to improve the quality of the law enforcement program and to meet unexpected law enforcement needs such as:

- judicial decisions which expand federal jurisdiction;
- states returning law enforcement jurisdiction to the Secretary;
- tribes retroceding law enforcement contracts;
- conditions which require additional law enforcement personnel and equipment because of confrontational or disruptive activities; or
- purchase and maintenance of specialized equipment for undercover operations.

Such situations are often unforeseen and cannot be included in the normal planning cycles. Some are critical and life threatening in nature, while others may be budgetary in nature as when funding is inadequate due to retrocession of contracts, withdrawal of supplemental law enforcement funding by a tribe, or unique requirements such as operational support and workload increases placed on law enforcement officers by neighboring jurisdictions.

For example, special law enforcement funds were used to detail police officers to the Navajo Reservation to assist tribal enforcement officers in reacting to violent demonstrations and the attempted take-over of tribal and BIA facilities. Investigators were detailed to the Navajo Reservation to conduct investigations into the assault of Navajo police officers and the death of two demonstrators. Funding was made available to hire an additional investigator in one area until area funding became available. Vehicles and firearms were provided to programs because of emergency needs.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	+/- Difference
Area Office Operations	\$	589	640	+51
Central Office Operations	\$	1,372	1,613	+241
	(FTE)	(20)	(24)	(+4)
Police Academy	\$	1,006	1,156	+150
Total	\$	2,967	3,409	+442
	(FTE)	(20)	(24)	(+4)

Area Office Operations (+\$51,000; FTE 0): The increase of \$51,000 is the net of a \$49,000 decrease based on the priorities established at the following area offices, and a \$100,000 increase to initiate tribal law enforcement in Eastern Oklahoma in accordance with recent court rulings. The increase would support staff and attendant support costs in the Muskogee Area Office.

<u>Area Office</u>	FY 1990 <u>Enacted</u>	FY 1991 <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$ 83,000	\$ 83,000	\$ ---
Billings Area	65,000	65,000	---
Minneapolis Area	55,000	55,000	---
Phoenix Area	98,000	88,000	-10,000
Albuquerque Area	114,000	100,000	-14,000
Navajo Area	113,000	88,000	-25,000
Portland Area	55,000	55,000	---
TOTAL AREA PRIORITIES	\$ 583,000	\$ 534,000	\$ -49,000

ADJUSTMENTS:

One additional workday	+2,000
Adjustment for Administrative and Staffing Efficiencies	-7,000
FY 1991 Federal Pay Adjustments	+6,000
Federal Employees Retirement System (FERS)	+5,000

PROGRAM ADJUSTMENTS:

Eastern Oklahoma Law Enforcement	<u>+100,000</u>	<u>+100,000</u>
FY 1991 REQUEST	\$ 640,000	\$+51,000

Central Office Operations (+\$241,000; FTE +4): The Special Investigations Unit (SIU) of the Central Office's Division of Law Enforcement Services began operations in 1988 to address the specific problems of drug and child abuse in Indian country.

Since 1988, SIU has received 120 child abuse referrals which resulted in the opening of 42 cases, some involving multiple victims. Seven (7) of these cases have been closed with arrests and convictions and the remaining cases are still open.

The SIU, in cooperation with federal, state, and local law enforcement agencies, has initiated more than 90 drug investigations which resulted in 19 arrests and the seizure of vehicles, weapons and large quantities of controlled substances with an estimated street value of \$9 million, and the dismantling of several illegal drug operations which provided narcotics to communities both on and off Indian reservations. One recent case investigated by SIU involved 4 months of undercover work and resulted in the arrest of three individuals who were allegedly the major suppliers of illegal narcotics to Indian reservations in three states.

The uniqueness of Indian communities restricts the use of traditional law enforcement practices and thus constrains drug-related investigative options. The lack of investigators with the specialized abilities and knowledge of Indian customs further complicates the investigative process. The proposed increase would enable the bureau to better address this problem, and to more adequately respond to requests for assistance in the field.

Specifically, the \$241,000 increase, would enable the bureau to hire, train and equip four additional investigators and thus provide for greater response to requests for assistance from Indian country law enforcement programs.

Police Academy (+\$150,000; FTE 0): The additional funding will allow the academy to provide specialized training in child abuse and illegal narcotic investigations for the Criminal Investigation Unit located in Albuquerque, New Mexico. The academy would provide Drug Abuse Resistance Education (DARE) training to bureau and tribal police officers who would, in turn, train students in bureau and tribal schools. The DARE program has proven to be highly beneficial. Law enforcement agencies nationwide consider that drug abuse resistance education begun at the elementary school level is one of the most effective deterrents to drug abuse. Other new courses include BIA certification courses for officers attending state academies and for instructors of the physical efficiency battery.

B. Substance Abuse

(Dollar amounts in thousands)

	FY 1990 Enacted to Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
Substance Abuse	\$ 1,335	1,317	1,357	1,357	--
(FTE)	(10)		(10)	(10)	(--)

Objective: This activity develops and implements programs to eliminate cultivation and distribution of marijuana and other illegal and controlled substances on Indian reservations.

Base Program (\$1,357,000; FTE 10): These funds are used to conduct operations to reduce the supply of narcotics, marijuana, and other illegal substances on Indian reservations, and to continue training for law enforcement officers in the detection, investigation, and eradication of illegal cultivation of marijuana.

Object Class Distribution - Law Enforcement Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	+4	+\$159,000
Personnel Benefits.....		+ 22,000
Other Services.....		+200,000
Equipment.....		+ 61,000
	<hr/>	<hr/>
Total.....	+4	+\$442,000
	<u>=====</u>	<u>=====</u>

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Self-Determination Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Training, Technical Assistance, and General Operations	\$ (FTE)	490 (19)	483	2,593 (19)	4,980 (7)	+2,387 (-12)
B. Contract Support	\$	56,386	55,621	43,386	44,386	+1,000
Small Tribes Core Management Grants	\$	<u>1,750</u>	<u>1,726</u>	<u>--</u>	<u>--</u>	<u>--</u>
Total Requirements	\$ (FTE)	58,626 (19)	57,830	45,979 (19)	49,366 (7)	+3,387 (-12)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Self-Determination Services	58,626	-796	57,830

The majority of this reduction is in contract support which is distributed to tribes based on their level of direct program funds. Since programs were sequestered at the same rate, there should be no impact on paying tribes at their negotiated indirect cost rate. The reduction in Small Tribes Core Management grants will be accomplished by reducing the size of each grant.

A. Training, Technical Assistance, and General Operations

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$ (FTE)	490 (12)	483	490 (12)	-- (--)	-490 (-12)
Central Office Operations	\$ (FTE)	-- (7)	--	353 (7)	553 (7)	+200 (--)
Technical Assistance Grants	\$	<u>--</u>	<u>--</u>	<u>1,750</u>	<u>4,427</u>	<u>+2,677</u>
Total	\$ (FTE)	490 (19)	483	2,593 (19)	4,980 (7)	+2,387 (-12)

Objective: The objective of this program is to provide overall policy guidance, coordination, direction and cohesion for bureau and tribal initiatives involving contracts, grants, training and technical assistance for tribes assuming management of bureau programs, services and functions.

Specifically, technical assistance is provided to (1) enable tribes to avoid or overcome declination issues related to contract applications; (2) ensure satisfactory performance of contract or grant requirements; and (3) prevent suspension, termination or reassumption by the bureau of contract programs or grants. Technical assistance is also provided to address urgent, one-time operational needs or problems of tribes. Program funding supports bureau staff salaries and expenses necessary to administer the self-determination program at the field and central office levels.

Training is provided to tribal staff in such areas as financial management, personnel management, property control and other management systems. Training and orientation are also provided to newly elected tribal officials regarding tribal responsibilities and the procedures for contracting under P.L. 93-638, as amended by P.L. 100-472. In addition, bureau staff receive training and orientation concerning the purpose of the governing statutes and relevant regulatory provisions to ensure proper administration and oversight of contracts and grants.

Base Program (\$2,593,000; FTE 19): Training and technical assistance are provided primarily by bureau P.L. 93-638 coordinators. Assistance may also be provided under cooperative agreements by other federal and non-federal staff such as the Office of Personnel Management, the Department of Agriculture and private sector consulting firms which are expert in the areas of accounting, management, planning and program operations. Training and technical assistance opportunities may also be purchased from commercial sources using grants to tribes.

Area Office Operations (\$490,000; FTE 12): In the past, area offices have provided assistance to tribes in the preparation of contract and grant proposals and during the negotiation and award period; to address contract and grant performance requirements and to meet special one-time tribal requirements such as the award of special contracts to Certified Public Accounting firms for the purpose of auditing various tribally contracted programs. Technical assistance and training previously provided hereunder will be provided through technical assistance grants in FY 1991.

Central Office Operations (\$353,000; FTE 7): The central office provides policy guidance, direction and coordination for tribal and bureau initiatives associated with P.L. 93-638, as amended by P.L. 100-472. This policy group serves as an advocate within the bureau by promoting innovative tribal approaches for achieving greater tribal control and through such tribal efforts as the redesign of bureau programs to meet local needs. Staff provides the interpretive analysis of bureau policies and procedures as a means of encouraging tribal assumption of bureau programs through the contract mode and/or through the exercise of other programming options available in P.L. 93-638, as amended. Staff also develops, implements revisions to, and provides for the consistent application of laws, regulations and policies relative to current and future P.L. 93-638 programming and policy directions for Indian affairs. Staff receives appeals on behalf of the bureau and tribes; recommends final decisions in cases where discretionary authorities may be applied; or processes appeals for the cognizant adjudication forum. Staff provides training and technical assistance as needed on new laws, regulations, policies, and initiatives to Area Office staffs and tribal groups, and coordinates the consultation process at the

bureau level. Staff assists in arranging technical assistance for tribes through commercial and other sources to assist tribal contractors in overcoming any deficiencies in their administrative systems found in A-128 audits or independent A-123 reviews. The central office serves as the focal point for all self-determination services functions to be coordinated at the bureau level, including self-governance grants under Title III of P.L. 100-472, specialized training and technical assistance grants, contract support funding and liability insurance issues and funding.

Technical Assistance Grants (\$1,750,000; FTE 0): The amendments to the Indian Self-Determination and Education Assistance Act, P.L. 100-472, require the Secretary to provide technical assistance to tribes in overcoming potential declination issues for contracting. Further, the tribes may seek such assistance from other private or public sector groups or consultants. These funds would either be granted to the tribes based on an application process, or, if the tribe wishes to use bureau staff, the funds would be used to pay for the travel and per diem costs of staff providing assistance to the tribes. These technical assistance grants will replace the small tribes core management grants, the specialized technical assistance grants, and the self-determination grants.

The technical assistance will be tailored to meet the specific needs of individual tribes and allow tribes to meet legislative and regulatory requirements. Grants will be competitively awarded to tribes with mature contract status, self-governance demonstration tribes, and tribes with no material, outstanding audit deficiencies. Technical assistance grants to tribes will be for the purposes of:

-- comprehensive reservation development, e.g., integrated program planning for centralized administration of tribal programs.

-- Grants may be awarded based on a demonstrated need, as indicated, for example, by A-128 audits, A-123 reviews of tribal programs, and monitoring reports; e.g., grants for preparing responses to delinquent audits, for contract or grant closeout activities, and for the development and implementation of corrective actions per the Single Audit Act and A-128 audit resolution policies. Tribes awarded these grants must make a written commitment to resolve problems, meet needs, or improve program operations as indicated through audit/program review processes. In cooperation with the bureau's staff, these tribes must develop a technical assistance utilization plan for inclusion in the tribes' grant proposals.

-- Grants may also be awarded to small tribes for contracting assistance, i.e., preparation of small tribes for contractual operation of federal programs, including the development of sound administrative and funds management systems, personnel systems, and property and procurement systems. The applicant tribes must recognize needs, or problems, and make a written commitment to utilize funds solely for the purpose of resolving problems or meeting needs.

The technical assistance grant program will be complemented by the results of the bureau's monitoring function which may aid both the tribe and the bureau in the establishment or documentation of a tribe's need for a technical assistance grant. Training can also be provided, at the request of the tribes, in such areas as the use of OMB Circulars A-102 and A-87, and in subjects related to basic office management, financial management, forms preparation, personnel systems management, and property management.

Workload Data: The self-determination staff acts as the focal point in assisting tribal contractors in the P.L. 93-638 contracting/grant process to deal with the varied procedures involved in the application, review, negotiation, award and implementation of P.L. 93-638 contracts and grants. They provide a substantial part of the training and assistance requested by tribes in the interpretation and understanding of P.L. 93-638 regulations and assist tribes in addressing technical problems involved in program implementation. They also aid the tribes in identifying and securing assistance needed to overcome operational difficulties. When the technical assistance requested is beyond the scope of bureau staff capabilities, they aid the tribes in securing the needed assistance from other sources.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	+/- Difference
Area Office Operations	\$	490	--	-490
	(FTE)	(12)	(--)	(-12)
Central Office Operations	\$	353	553	+200
Technical Assistance Grants	\$	<u>1,750</u>	<u>4,427</u>	<u>+2,677</u>
Total	\$	2,593	4,980	+2,387
	(FTE)	(12)	(--)	(-12)

Area Office Operations (-\$490,000; FTE -12): P.L. 100-472 prohibits the withholding of program operating funds for contract monitoring purposes and expands the bureau's role in providing assistance to contracting tribes. To better utilize existing staff in an expanding technical assistance mode, the functions formerly associated with area office operations have been included under the training and technical assistance programs described above. The areas which had funded self-determination training and technical assistance moved the funding to other line items during the FY 1991 planning process to fund program operations.

<u>Area Office</u>	FY 1990 <u>Enacted</u>	FY 1991 <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$ 63,000	--	\$ -63,000
Juneau Area	259,000	--	-259,000
Muskogee Area	73,000	--	-73,000
Sacramento Area	65,000	--	-65,000
Portland Area	<u>30,000</u>	<u>--</u>	<u>-30,000</u>
TOTAL AREA PRIORITIES	\$490,000	--	\$-490,000

Central Office Operations (+\$200,000; FTE 0): In the FY 1990 justification to Congress, the bureau proposed to eliminate this office and consolidate the staff and functions within the tribal government services office. After further evaluations of workload, the bureau has determined that this unit would continue to function more effectively as a separate unit. The increase would enable the office to function at the FY 1989 services level.

Technical Assistance Grants (+\$2,677,000; FTE 0): The total request of \$4,427,000 for technical assistance grants will provide a level of technical assistance support for tribes to replace the area office functions, the small tribes core management grants, and the former self-determination grants authorized by Section 104 of P.L. 93-638.

B. Contract Support

(Dollar amounts in thousands)

		FY 1990 Enacted to Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
Indirect Costs	\$	55,946	55,187	42,946	43,946	+1,000
Employee Displacement Costs	\$	440	434	440	440	--
Total Requirements	\$	56,386	55,621	43,386	44,386	+1,000

Objective: This activity funds tribes and tribal organizations for overhead or administrative costs incurred as a result of contracting for operation of bureau programs and funds severance pay and lump sum leave payments to Federal employees who are displaced because of contracting with Indian tribes and tribal organizations. Base Program (\$43,386,000; FTE 0): The bureau utilizes P.L. 93-638 contractor indirect cost rates negotiated by the Office of the Inspector General to determine amounts needed by contractors to meet overhead or administrative costs for contracts other than education. The FY 1991 base funding reflects a base transfer of \$13.0 million to fund administrative cost grants in the Office of Indian Education Programs (OIEP). This transfer is in accordance with the provisions of the Education Amendments of 1988, P.L. 100-297, which requires OIEP to pay the indirect costs of school operations and auxiliary education programs as computed utilizing a statutorily determined formula rather than by negotiated indirect cost rates or lump sum agreements. The payment of indirect costs for construction programs was authorized in P.L. 100-472, and funding is requested in the Construction Appropriation.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	+/- Difference
Indirect Costs	\$	42,946	43,946	+1,000

Indirect Costs (+\$1,000,000; FTE 0): Since tribes may elect to contract at any point in the year, and indirect cost rates are not finalized until later in the fiscal year, contract support funding needs are difficult to predict. In FY 1989, actual indirect costs totalled \$54,783,598 and the bureau had to reprogram funds from unobligated balances in other programs to fully fund negotiated indirect cost rates and lump sum agreements. The increase of \$1.0 million to the base should ensure that indirect costs for non-educational, non-construction program contracts are fully reimbursed in accordance with P.L. 100-472.

Object Class Distribution - Self-Determination Services Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	-12	\$ -305,000
Personnel Benefits.....		- 42,000
Other Services.....		+1,057,000
Grants.....		+2,677,000
Total.....	-12	<u>\$+3,387,000</u>

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Employment Development

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Direct Employment \$ (FTE)	243 (3)	240	245 (3)	245 (3)	-- (--)
B. Adult Vocational \$ Training (FTE)	2,816 (3)	2,778	2,831 (3)	1,871 (3)	-960 (--)
Total Requirements \$ (FTE)	3,059 (6)	3,018	3,076 (6)	2,116 (6)	-960 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Employment Development	3,059	-41	3,018

This reduction will be accomplished by deferring the filling of a position vacated in FY 1990, deferring program reviews at some Area Office locations, and postponing planned equipment purchases at the Central Office level. Allocations to United Sioux Tribes Development Corporation, Crownpoint Institute, United Tribes Technical College and the National Ironworkers Training Program will be reduced by 1.4%.

A. Direct Employment

<u>Program Elements</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Central Office \$ Operations (FTE)	143 (3)	141	144 (3)	144 (3)	-- (--)
United Sioux Tribes Development Corp. \$	100	99	101	101	--
Total Requirements \$ (FTE)	243 (3)	240	245 (3)	245 (3)	-- (--)

Objective: This program provides job placement assistance to individual Indians and Alaska Natives in order to promote their economic self-sufficiency.

Base Program (\$245,000; FTE 3): Job placement services are provided to members of federally-recognized Indian tribes who have employable skills and need assistance to find suitable permanent employment based on their level of skills.

Program funds are used for staff and support services at the area and central office levels and for services performed under contract.

Central Office Operations (\$144,000; FTE 3): The central office staff provides overall planning, technical supervision, and evaluation of the Direct Employment and Adult Vocational Training programs. It is responsible for establishing program direction, policy, regulations, and administrative procedures for bureauwide operations. The central office provides advice and assistance to the bureau's top administrators and other central office staff, and provides liaison with other agencies.

United Sioux Tribes Development Corporation (USTDC) (\$101,000; FTE 0): Under a contract with the bureau, USTDC provides services consisting of job development, counseling, and guidance in community adjustment. It also provides followup services after job placement, including job counseling to enhance the client's capacity for continued employment.

B. Adult Vocational Training

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$ (FTE)	171 (3)	169	173 (3)	173 (3)	-- (--)
United Tribes Technical College	\$	1,708	1,685	1,721	1,261	-460
Crownpoint Institute of Technology	\$	500	493	500	--	-500
National Ironworkers Training Program	\$	<u>437</u>	<u>431</u>	<u>437</u>	<u>437</u>	<u>--</u>
Total Requirements	\$ (FTE)	2,816 (3)	2,778	2,831 (3)	1,871 (3)	-960 (--)

Objective: This program offers adult vocational training to Indians and Alaska Natives in a field where they can obtain the necessary skills to become employable.

Base Program (\$2,831,000; FTE 3): The adult vocational training program provides vocational counseling, institutional training in any recognized vocation or trade, apprenticeships, and on-the-job training.

Area Office Operations (\$173,000; FTE 3): The area offices are responsible for the development and operation of the adult vocational training program and work closely with the agencies and tribes in the actual placement of program participants in training and in employment upon completion of training.

United Tribes Technical College (\$1,721,000; FTE 0): The United Tribes Technical College, under contract with the bureau, provides Indian applicants an opportunity for training in one of ten vocational skills, plus job placement assistance upon completion of training. Through counseling and testing, the College assists applicants in making career choices which, in most instances, are in line with the workforce needs of the applicant tribe's economy.

Crownpoint Institute of Technology (\$500,000; FTE 0): The Crownpoint Institute of Technology is a residential vocational institution that offers 13 programs in vocational training to disadvantaged Indian students living on or near the Navajo reservation. The institute also provides job placement assistance upon successful completion of training.

National Ironworkers Training Programs (\$437,000; FTE 0): This program provides an opportunity for Indian participants to learn the ironwork trade. The program conducts three 14 week classes each year, with approximately 30 trainees in each class. Trainees receive classroom and shop instruction. Each graduate trainee is credited with one year of work experience toward the required three years of apprenticeship training.

Workload Data:

<u>Vocational Training Program</u>	<u>AVT Completions 1987 - 1988</u>	<u>% Placed in Employment</u>	<u>% Retained on-the-job After 1 Year</u>
National Ironworkers Training Program	275	95	80
United Tribes Technical College	552	75	70

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
United Tribes Technical College	1,721	1,261	-460
Crownpoint Institute of Technology	500	--	-500
	<u>2,221</u>	<u>1,261</u>	<u>-960</u>

United Tribes Technical College (-\$460,000; FTE 0): The FY 1990 Congressional add-on of \$460,000 for the United Tribes Technical College is not continued in FY 1991. This is consistent with guidance provided by the Congress that the college should seek other sources of funding for operating costs.

Crownpoint Institute of Technology (-\$500,000; FTE 0): The one-time FY 1990 Congressional add-on of \$500,000 for the Crownpoint Institute of Technology is not continued in FY 1991. The Conference Report on the FY 1990 Appropriations stated that the \$500,000 provided in FY 1990 would be the last time funding would be provided unless authorizing legislation were enacted. The institute should continue to seek other sources of funding to support operating costs.

Object Class Distribution - Employment Development Subactivity

	<u>FTE</u>	<u>Amount</u>
Personnel Services.....	--	\$ +6,000
Personnel Benefits.....	--	+800
Other Services.....	--	<u>-966,800</u>
Total.....	--	\$ -960,000

Justification of Program and Performance

Activity: Tribal Services
 Subactivity: Tribe/Agency Operations

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Adult Vocational Training	\$ (FTE)	17,646 (59)	17,407	17,688 (59)	16,916 (54)	-772 (-5)
B. Other Employment Assistance	\$ (FTE)	2,992 (8)	2,951	3,009 (8)	2,267 (8)	-742 (--)
C. Community Services-General	\$ (FTE)	1,594 (4)	1,572	1,622 (4)	2,108 (8)	+486 (+4)
D. Community Fire Protection	\$ (FTE)	1,140 (1)	1,125	1,148 (1)	1,095 (1)	-53 (--)
E. Tribal Courts	\$ (FTE)	10,527 (16)	10,384	10,643 (16)	10,692 (16)	+49 (--)
F. Other Aid to Tribal Government	\$ (FTE)	20,007 (107)	19,735	20,169 (107)	15,835 (101)	-4,334 (-6)
G. Social Services	\$ (FTE)	24,488 (194)	24,156	24,954 (194)	29,922 (218)	+4,968 (+24)
H. Law Enforcement	\$ (FTE)	51,004 (601)	50,312	52,177 (601)	56,266 (601)	+4,089 (--)
I. Self-Determination Training and Technical Assistance	\$ (FTE)	2,187 (25)	2,157	2,187 (25)	-- (--)	-2,187 (-25)
J. Consolidated Tribal Government Program	\$	--	--	35	9,250	+9,215
K. Self-Governance Grants	\$	1,200	1,184	1,200	--	-1,200
Total Requirements	\$ (FTE)	132,785 (1,015)	130,983	134,832 (1,015)	144,351 (1,007)	+9,519 (-8)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Tribe/Agency Operations	132,785	-1,802	130,983

The sequestration will be applied equitably against each location which has funding in these programs. Necessary reductions will be determined at the local level or by the tribal contractors.

Base Program (\$134,832,000; FTE 1,015): The base funding to support the tribe/agency operations for Tribal Services programs provides services to Indians whose tribes have neither the resources nor governmental capabilities to provide such services. The base program funding and description of Tribal Services programs under tribe/agency operations are as follows:

A. Adult Vocational Training

Base Program (\$17,688,000; FTE 59): To meet the basic and special training needs of Indian applicants, the Secretary is authorized to undertake a vocational program that provides for counseling, guidance, institutional training in any recognized vocation or trade, apprenticeships, and on-the-job training. Approximately 400 training institutions with a recognized reputation in the field of vocational training and an established record of successfully placing their students in suitable employment upon graduation are used. These schools offer courses to the Indian trainee in areas such as welding, auto mechanics, computer programming, secretarial skills, registered nursing, cosmetology, and x-ray technology. The period of training is for a maximum of 24 months except for the registered nurse training which cannot exceed 36 months. The program is available to adult Indians, 18-35 years of age, who are members of a federally recognized tribe and reside on or near an Indian reservation. Applicants are assisted in the selection of their training program through personal counseling and interpretation of aptitude skills test results. This is to ensure that all applicants are trained in a field where they can attain the necessary skills to become employable. Employment is provided primarily by the tribes, and the private and public sectors.

In FY 1990, approximately \$11.6 million will be contracted by the tribes and the remaining \$6 million will be used for bureau operations at agency levels.

Workload Data:

It is anticipated that the average cost for FY 1990 will be \$5,200 per trainee. Cost per trainee fluctuates from area to area due to variations in the cost of living, tuition, and other training expenses.

	<u>FY 1990</u> <u>Estimate</u>	<u>FY 1991</u> <u>Estimate</u>
Total Number of Trainees.....	3,394	3,245
Total Completions.....	1,598	1,620
Total Job Placements.....	1,435	1,474

The bureau anticipates that, with stricter rules on repeat services, the number of completions will increase by an estimated 3.1 percent, and the number of job placements will increase. Furthermore, the bureau is placing greater emphasis on job development and job placement.

B. Other Employment Assistance

Base Program (\$3,009,000; FTE 8): Job placement services are provided to members of federally recognized Indian tribes. This program assists Indians who need work and have an employable skill to find and retain suitable employment. The applicant's skills are identified from information submitted on the application form and through personal counseling. Applicants are then placed in a job that meets their skill level.

Staff in this program are vocational development specialists who place emphasis on job placement. They maintain contact with employers in the private sector through state and private employment offices and personal contacts. Screening applicants to be employed is done in accordance with hiring policies of the prospective employer. In most cases, the staff is acquainted with those hiring policies. Applicants are placed in those fields where jobs are available and where they are qualified for employment.

Workload Data:

It is anticipated that the average cost for FY 1991 will be \$2,700 per participant. The average cost per trainee fluctuates from area to area due to the mobility of trainees, e.g., in Arizona and Oklahoma travel is less difficult than in Alaska or other isolated areas.

	<u>FY 1989</u> <u>Actual</u>	<u>FY 1990</u> <u>Estimate</u>	<u>FY 1991</u> <u>Estimate</u>
Total Number of Participants	1,072	1,060	1,108
Average Cost Per Participant	\$2,600	\$2,650	\$2,700

C. Community Services, General

Base Program (\$1,622,000; FTE 4): At some agencies, this program provides oversight for Tribal Services programs. Some agency funding is used for consolidated human resource programs that are operated by tribes under P.L. 93-638 contracts.

D. Community Fire Protection

Base Program (\$1,148,000; FTE 1): This program is necessary for those tribes which do not receive fire protection services from state or local governments. During FY 1989, tribes under 34 agencies received funds ranging from \$600 to \$147,000 for this program. The larger community fire protection programs provided funds to train volunteer firefighters, repair existing firefighting equipment, purchase additional equipment, and meet personnel costs. Funds are used to purchase basic equipment such as smoke detectors, fire extinguishers, fire escapes and emergency lights for public buildings.

E. Tribal Courts

Base Program (\$10,643,000; FTE 16): This program pays the personnel and administrative costs for the operation of 130 tribal courts and 18 courts of Indian offenses (courts established and operating pursuant to 25 CFR Part 11). These courts enforce and adjudicate the criminal provisions of tribal law and order codes and, as is the case with courts of Indian offenses, the criminal provisions found in 25 CFR Part 11. They also adjudicate civil disputes based upon the same authorities cited above. The criminal and civil adjudication provisions enforced by Indian courts vary considerably in their coverage, sophistication and procedures. The main efforts to upgrade these tribal codes are assumed by the tribes themselves, with assistance provided by bureau staff primarily at the area and central office program levels.

The courts of Indian offenses differ from tribal courts only with respect to their jurisdictional authority for existence. Whereas the authority for the establishment and existence of tribal courts is generally found in tribal constitutions, courts of Indian offenses have no such authorization. They have been established

by the Bureau of Indian Affairs primarily based upon a determination that a tribe has, or must, exercise civil and criminal jurisdiction over its members and a further finding that the traditional agencies for the enforcement of tribal law and customs have become inoperative, and no adequate substitute has been provided for them under federal or state law. In instances where there has been such a declaration and finding, a ready-made set of laws and procedures has been provided for use until such time as the tribe itself adopts a tribal law and order code and begins enforcing that law. At the tribal level these funds are provided to pay for judges, prosecutors, defenders, clerks of court, probation officers, juvenile officers and a variety of other court-support personnel. Additionally, the program pays for the administrative operational expenses incurred in running a court system.

<u>Workload Data:</u>	<u>FY 1989</u> <u>Actual</u>	<u>FY 1990</u> <u>Estimate</u>	<u>FY 1991</u> <u>Estimate</u>
Tribal Court Cases	275,679	280,000	290,000
Courts Evaluated	9	15	20
Tribal Codes Revised	3	10	10

F. Other Aid to Tribal Government

Base Program (\$20,169,000; FTE 107): Approximately 75 percent of this funding is contracted to tribes. During FY 1989 approximately 120 tribes and Alaska Native villages contracted with the bureau in the following areas: comprehensive planning; tribal enrollment; general tribal administration; and work/learn programs.

The comprehensive planning program is aimed at assisting tribal governments to prepare or revise a plan that outlines a program of priorities and action for the development of all sectors of the community or reservation. The tribal enrollment program enables tribes to maintain and update tribal enrollment records for the purpose of making tribal per capita or dividend distributions, to hold secretarial and tribal elections, and to identify tribal members for the purpose of exercising off-reservation treaty rights. The general tribal administration program enables tribes to develop and update tribal government documents, develop policy, legislation and regulations in administrative support. The work/learn program's objective is to clean up property in and around Indian villages. In addition to cleaner villages, the program provides work opportunities and experience to Indian youth who are enrolled in high school and between 13 and 20 years old. For programs operating during the summer, students who have completed the 8th through the 12th grades are eligible.

<u>Workload Data:</u>	<u>Actual FY 1989</u>	<u>Estimated FY 1990</u>	<u>Estimated FY 1991</u>
Judgment Fund Distribution Plans/ Legislation	5	21	17
Payment rolls	53	52	58
Tribal rolls	98	112	119
Certificates of Degree of Indian Blood (Indian Preference, Title IV)	59,780	76,682	103,315
Total Constitutions	65	76	82
Constitutional Development Training (Number of Trainees)	225	150	150

G. Social Services

Base Program (\$24,954,000; FTE 194): The base program provides funds for 194 full-time equivalent bureau employees as well as for 76 tribal social services contract programs. The breakdown of the bureau staff FTE is as follows:

Social Workers	177
Clerical	<u>17</u>
Total	194

The tribal contract employee positions are not fixed in number and vary according to changes in contracts. The program also funds general operational expenses incurred for administering the entire bureau-operated program and the tribal contract programs. These expenses include: staff development and training; travel; equipment; and office operations.

Bureau and tribal staff include trained social workers; para-professional social workers, and clerical personnel. Their duties include receiving applications for assistance, determining eligibility, computing grant amounts, providing social casework counseling and other services including case review and follow-up. They also refer clientele with specific needs to non-bureau programs.

The same staff who administer the overall program also provide counseling and other social casework services and technical assistance and professional expertise to tribal entities in developing tribal social services programs. Since their duties are multifaceted and encompass all program functions, no distinction is made between costs incurred for counseling and costs incurred for administration.

Workload Data: The monthly caseload for counseling is:

<u>Fiscal Year</u>	<u>Number of Persons Counseled</u>
1983 Actual	15,726
1984 Actual	15,775
1985 Actual	15,755
1986 Actual	16,000
1987 Actual	16,250
1988 Actual	16,250
1989 Actual	17,600
1990 Estimate	21,500
1991 Estimate	23,000

H. Law Enforcement

Base Program (\$52,177,000; FTE 601): Individual treaties with Indian tribes, legislation, and federal court decisions have created a unique criminal justice requirement on reservations where state and local units of governments do not have executive, civil and criminal jurisdiction over offenses committed by persons of Indian descent, and for the enforcement of violations of federal law. The development and operation of criminal justice systems by the federal government and tribal governments in providing police, detention and judicial services result from the lack of services by local units of state, county, and city governments. There are 28 states with 224 reservations where the bureau and tribal governments provide these services to varying degrees.

The bureau uses criminal justice personnel to staff and operate the overall program. Staff includes criminal investigators, uniformed officers, detention officers and radio dispatchers/clerks. The combined federal/tribal law enforcement staff serves an estimated Indian population of 862,000 and patrols approximately 100,000 square miles of Indian Country, as well as a number of off-reservation independent Indian communities.

Criminal investigators are responsible for investigating violations of various criminal statutes in combination with the FBI, tribal police, county sheriffs, and state police; and arresting and assisting in the prosecution of federal law violators. About 1,080 uniformed officers (including 800 tribal officers) provide patrol and public safety services within Indian Country. Federal conservation officers concentrate primarily on enforcement aspects relating to federal laws, treaty rights and tribal ordinances regarding hunting, fishing, and trapping within Indian Country and within designated off-reservation areas. Conservation officers are funded through the Trust Responsibilities program with the exception of the Umatilla and Hoopa Reservations where they are funded under the law enforcement program.

Approximately 75 percent of the operating costs at the tribe/agency level are for salaries and benefits of criminal justice staff. The remaining 25 percent is to be used for automotive operations and repair, bureau-operated or contracted detention services, travel and per diem, evidence purchases, equipment rental, individual training and communications and supplies.

Workload Data: The estimates below are provided as workload data for FY 1989, FY 1990, and FY 1991. As a result of increased patrols, reduced response time, and additional police resources, the number of arrests and investigations has increased over the FY 1989 level.

	<u>FY 1989</u>	<u>FY 1990</u>	<u>FY 1991</u>
Complaints Investigated	193,000	203,000	213,000
Public Safety Duties Performed	741,000	778,000	817,000
Arrests	115,000	121,000	127,000
Traffic Violation Warnings	40,000	42,000	44,000
Daily Detention Average	1,100	1,200	1,300
Crime Index Rate	2,300	2,500	2,600

I. Self-Determination - Training and Technical Assistance (T/TA)

Base Program (\$2,187,000; FTE 25): In order to provide assistance in accounting, management, planning, and program operations, training and technical assistance (T/TA) are provided by bureau contract officer and/or grant officer representatives (COR/GOR) as well as by other federal and non-federal staff from such organizations as the Office of Personnel Management, Department of Agriculture and private consulting firms. Assistance is provided by agency personnel to tribes in the preparation of contract and grant proposals and during the negotiation and award period. Assistance is also provided to address contract and grant performance needs and to meet special one-time tribal requirements. Technical assistance is tailored to meet the specific unique needs of individual tribes and is provided to allow tribes to meet the requirements of basic legislation and pertinent regulations.

J. Consolidated Tribal Government Program

Base program (\$35,000; FTE 0): In FY 1982, the Consolidated Tribal Government Program (CTGP) was initiated to allow tribes to pool programs with similar and compatible objectives or benefits and to administer such programs as one unit rather than as separate, distinct programmatic activities. As separate program activities, such programs usually did not share common administrative practices and processes. Each had its own administrative component. Combining program activities also allowed for the pooling of common administrative components, thereby reducing overall costs to the contractor and providing a greater degree of benefits to Indian people. This was known as the CTGP Prototype Project Plan, and was non-banded. In order to effectively achieve commonality of programs, tribes had to request the reprogramming of funds after distribution by the Bureau.

K. Self-Governance Grants

Base Program (\$1,200,000; FTE 0): As a result of outside witness hearings on the President's budget, the Congress added appropriations to the bureau to allow interested tribes to plan to consolidate, redesign or otherwise direct the operation of bureau programs at the reservation level. In FY 1989, nine of the ten original grant recipients received additional planning grants based on the merits of their re-applications to continue to study and plan for the consolidation or redesign of tribal programmatic and fiscal priorities. In addition, seven other tribes received initial planning grants. These planning grants, and the demonstration projects expected as a result, relate to Title III of P.L. 100-472, the 1988 amendments to P.L. 93-638.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY</u> <u>1991</u> <u>Base</u>	<u>FY</u> <u>1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Adult Vocational Training	\$ (FTE)	17,688 (59)	16,916 (54)	-772 (-5)
Other Employment Assistance	\$	3,009	2,267	-742
Community Services, General	\$ (FTE)	1,622 (4)	2,108 (8)	+486 (+4)
Community Fire Protection	\$	1,148	1,095	-53
Tribal Courts	\$	10,643	10,692	+49
Other Aid to Tribal Government	\$ (FTE)	20,169 (107)	15,835 (101)	-4,334 (-6)
Social Services	\$ (FTE)	24,954 (194)	29,922 (218)	+4,968 (+24)
Law Enforcement	\$	52,177	56,266	+4,089
Self-Determination Training and Technical Assistance	\$ (FTE)	2,187 (25)	-- (--)	-2,187 (-25)
Consolidated Tribal Government Program	\$	35	9,250	+9,215
Self-Governance Grants	\$	1,200	--	-1,200
Total	\$ (FTE)	134,832 (389)	144,351 (381)	+9,519 (-8)

Adult Vocational Training (-\$772,000; FTE -5): The following changes result from the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$1,532,000	\$1,494,200	\$-37,800
Anadarko Area	693,400	546,300	-147,100
Billings Area	661,000	558,000	-103,000
Juneau Area	2,808,000	2,809,300	+1,300
Minneapolis Area	1,509,000	1,871,200	+362,200
Muskogee Area	940,000	933,200	-6,800
Phoenix Area	2,238,000	1,786,500	-451,500
Sacramento Area	950,500	908,000	-42,500
Albuquerque Area	682,000	514,800	-167,200
Navajo Area	2,714,000	2,581,300	-132,700
Portland Area	2,054,100	2,052,600	-1,500
Eastern Area	864,000	818,600	-45,400
TOTAL TRIBAL PRIORITIES	\$17,646,000	\$16,874,000	\$-772,000
ADJUSTMENTS:			
One additional workday		+8,000	
Adjustment for Administrative and Staffing Efficiencies		-32,000	
FY 1991 Federal Pay Adjustments		+25,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+21,000	
Federal Employees Retirement System (FERS)		+20,000	
FY 1991 REQUEST.....		\$16,916,000	\$-722,000

Other Employment Assistance (-\$742,000; FTE 0): The following changes result from the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$464,200	\$454,200	\$ -10,000
Anadarko Area	166,200	109,500	-56,700
Billings Area	40,000	---	-40,000
Juneau Area	828,100	674,400	-153,700
Minneapolis Area	502,100	155,100	-347,000
Muskogee Area	162,300	140,100	-22,200
Phoenix Area	334,100	221,600	-112,500
Albuquerque Area	156,200	156,000	-200
Portland Area	192,400	193,400	+1,000
Eastern Area	146,400	145,700	-700
TOTAL TRIBAL PRIORITIES	\$2,992,000	\$2,250,000	-\$742,000
ADJUSTMENTS:			
One additional workday		+2,000	
Adjustment for Administrative and Staffing Efficiencies		-4,000	
FY 1991 Federal Pay Adjustments		+4,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+6,000	
Federal Employees Retirement System (FERS)		+9,000	
FY 1991 REQUEST.....		\$2,267,000	-\$742,000

Community Services, General (+\$486,000; FTE +4): The following changes result from the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Billings Area	\$56,000	\$70,000	\$+14,000
Juneau Area	---	292,000	+292,000
Minneapolis Area	20,000	30,000	+10,000
Muskogee Area	397,100	382,500	-14,600
Phoenix Area	---	95,000	+95,000
Albuquerque Area	229,200	204,000	-25,200
Portland Area	176,200	299,700	+123,500
Eastern Area	<u>715,500</u>	<u>706,800</u>	<u>-8,700</u>
TOTAL TRIBAL PRIORITIES	\$1,594,000	\$2,080,000	\$+486,000
ADJUSTMENTS:			
One additional workday		+1,000	
Adjustment for Administrative and Staffing Efficiencies		-1,000	
FY 1991 Federal Pay Adjustments		+1,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+13,000	
Federal Employees Retirement System (FERS)		<u>+14,000</u>	
FY 1991 REQUEST.....		\$2,108,000	\$+486,000

Community Fire Protection (-\$53,000; FTE 0): The decrease of \$53,000 includes:

--a decrease of \$50,000 for the Penobscot Tribe. The Congressional add-on in FY 1990 was to enable the tribe to purchase a 1,250 gallon Class-A pumper so that their volunteer fire department can fight structural fires. The reservation is within the jurisdiction of the fire department of Old Town, Maine and previously received protection from that fire department. The tribe elected to sever that relationship and establish their own volunteer fire department.

--a net decrease of \$3,000 based on the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$43,100	\$40,400	\$ -2,700
Anadarko Area	73,500	69,500	-4,000
Minneapolis Area	136,000	136,000	---
Phoenix Area	231,500	248,900	+17,400
Sacramento Area	188,200	191,100	+2,900
Albuquerque Area	115,000	73,000	-42,000
Portland Area	43,200	33,200	-10,000
Eastern Area	<u>199,500</u>	<u>234,900</u>	<u>+35,400</u>
TOTAL TRIBAL PRIORITIES	\$1,030,000	\$1,027,000	\$ -3,000
CONGRESSIONAL ADD-ONS:			
Penobscot	+50,000		-50,000
Pascua Yaqui	<u>+60,000</u>	+60,000	
FY 1990 ENACTED TO DATE	\$1,140,000		
ADJUSTMENTS:			
FY 1991 Federal Pay Adjustments		+1,000	
P.L. 93-638 Contractor Pay			
Cost Adjustments		+2,000	
Federal Employees Retirement System (FERS)		<u>+5,000</u>	
FY 1991 REQUEST.....		\$1,095,000	\$-53,000

Tribal Courts (+\$49,000; FTE 0): The increase of \$49,000 is the net of:

--an increase of \$500,000 for Eastern Oklahoma proposed concurrently with the extension of BIA law enforcement to that area in accordance with court rulings; and

--a net decrease of \$451,000 based on the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$2,014,900	\$ 2,002,600	\$-12,300
Anadarko Area	441,400	427,000	-14,400
Billings Area	682,700	602,700	-80,000
Juneau Area	1,000	---	-1,000
Minneapolis Area	1,074,200	1,064,900	-9,300
Muskogee Area	9,000	9,000	---
Phoenix Area	1,907,600	1,746,000	-161,600
Sacramento Area	---	15,000	+15,000
Albuquerque Area	1,003,700	786,500	-217,200
Navajo Area	656,300	656,000	-300
Portland Area	1,284,800	1,324,900	+40,100
Eastern Area	<u>466,400</u>	<u>456,400</u>	<u>-10,000</u>
TOTAL TRIBAL PRIORITIES	\$9,542,000	\$ 9,091,000	\$-451,000

CONGRESSIONAL ADD-ONS:

Cheyenne River	300,000	300,000
Sault St. Marie	50,000	50,000
Penobscot	60,000	60,000
NW Intertribal Court	200,000	200,000
Quileute	25,000	25,000
Pascua Yaqui	150,000	150,000
Lummi	50,000	50,000
Quinault	50,000	50,000
Standing Rock Sioux	50,000	50,000
St. Regis Mohawk	<u>50,000</u>	<u>50,000</u>

FY 1990 ENACTED TO DATE \$10,527,000

ADJUSTMENTS:

One additional workday	+4,000
Adjustment for Administrative and Staffing Efficiencies	-9,000
FY 1991 Federal Pay Adjustments	+7,000
P.L. 93-638 Contractor Pay Cost Adjustments	+69,000
Federal Employees Retirement System (FERS)	+45,000

PROGRAM ADJUSTMENTS:

Eastern Oklahoma Tribal Courts	<u>+500,000</u>	<u>+500,000</u>
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FY 1991 REQUEST.....	\$10,692,000	\$+49,000
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Other Aid to Tribal Government (-\$4,334,000; FTE -6): The decrease of \$4,334,000 includes:

--a decrease of \$380,000 for the Navajo Government Reform Task Force which was one time funding to match the tribe's contribution;

--an increase of \$62,000 for the Chitimacha Tribe over the amount added by Congress in FY 1990 to conform to the FY 1989 Congressional increase for the tribe; and

--a net decrease of \$4,016,000 at the following locations based on the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$2,451,300	\$948,800	\$-1,502,500
Anadarko Area	1,215,800	986,100	-229,700
Billings Area	445,000	480,000	+35,000
Juneau Area	1,992,900	2,121,800	+128,900
Minneapolis Area	925,900	896,600	-29,300
Muskogee Area	3,705,000	1,467,900	-2,237,100
Phoenix Area	2,009,400	1,676,600	-332,800
Sacramento Area	1,998,300	2,450,800	+452,500
Albuquerque Area	1,832,200	1,513,900	-318,300
Navajo Area	382,000	292,000	-90,000
Portland Area	1,752,000	1,821,300	+69,300
Eastern Area	793,200	831,200	+38,000
TOTAL TRIBAL PRIORITIES	\$19,503,000	\$15,487,000	\$-4,016,000
CONGRESSIONAL ADD-ONS:			
Navajo	+380,000		-380,000
Chitimacha	+124,000	+186,000	+ 62,000
FY 1990 ENACTED TO DATE	\$20,007,000		
ADJUSTMENTS:			
One additional workday.		+15,000	
Adjustment for Administrative and Staffing Efficiencies		-58,000	
FY 1991 Federal Pay Adjustments		+45,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+76,000	
Federal Employees Retirement System (FERS)		+84,000	
FY 1991 REQUEST.....		\$15,835,000	\$-4,334,000

Social Services (+\$4,968,000; FTE +24): The increase is the net of:

--an increase of \$3,500,000 to continue the multi-year incremental effort to staff and operate the emergency shelters and halfway houses;

--an increase of \$2,000,000 to continue the multi-year expansion of child protection efforts by increasing staff resources available to the bureau and tribally contracted social services programs to investigate and refer child abuse cases for treatment;

--a net decrease of \$532,000 at the following areas based on the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$2,664,400	\$2,687,600	+\$23,200
Anadarko Area	750,200	791,800	+41,600
Billings Area	1,214,000	1,202,400	-11,600
Juneau Area	1,214,000	1,246,700	+32,700
Minneapolis Area	771,400	767,800	-3,600
Muskogee Area	904,100	891,100	-13,000
Phoenix Area	3,941,800	3,497,500	-444,300
Sacramento Area	34,500	34,500	---
Albuquerque Area	1,584,200	1,494,800	-89,400
Navajo Area	3,301,300	3,303,700	+2,400
Portland Area	2,052,100	1,972,600	-79,500
Eastern Area	<u>1,056,000</u>	<u>1,065,500</u>	<u>+9,500</u>
TOTAL TRIBAL PRIORITIES	\$19,488,000	\$18,956,000	\$-532,000
PROGRAM ADJUSTMENTS:			
Staff & operate Emergency Shelters	+1,000,000	+4,500,000	+3,500,000
Expand Child Protection Efforts	<u>+4,000,000</u>	+6,000,000	+2,000,000
FY 1990 ENACTED TO DATE	\$24,488,000		
ADJUSTMENTS:			
One additional workday		+22,000	
Adjustment for Administrative and Staffing Efficiencies		-88,000	
FY 1991 Federal Pay Adjustments		+69,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+97,000	
Federal Employees Retirement System (FERS)		+144,000	
Navajo Area Transfer from Area Direct Operations		<u>+222,000</u>	
FY 1991 REQUEST.....		\$29,922,000	\$+4,968,000

Law Enforcement (+\$4,089,000; FTE 0): The increase of \$4,089,000 is the net of:

--an increase of \$1,000,000 to extend BIA law enforcement to Eastern Oklahoma in accordance with recent court rulings;

--an increase of \$1,500,000 to continue to staff, operate, and equip the juvenile detention facilities for which construction funding was appropriated in FY 1987 and FY 1990;

--an increase of \$802,000 for pay and uniforms for Bureau operated law enforcement programs. In FY 1989, new position descriptions and grade structures were approved for uniformed police officers which resulted in the upgrading of police officers and supervisors by at least one grade. Because of the timing, no funding was added to the tribe/agency base for FY 1990 or FY 1991. The bureau has approximately 275 uniformed officers and the grade increase is estimated to be \$2,550 which equals a shortfall of \$702,000 in salaries. This will comply with proposed legislation pending in Congress (H.R. 498) which requires comparability in pay for BIA law enforcement officers. In addition, H.R. 498 contains a provision for a uniform allowance of up to \$400 per year. The estimated cost of this requirement is \$100,000.

--an increase of \$1,655,000 to continue the FY 1989 Congressional add-on of a general increase for law enforcement. These funds were distributed pro rata to all locations which funded law enforcement programs.

--a net decrease of \$868,000 at the following areas based on the application of the Indian Priority System at the tribe/agency level.

(See table on next page)

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$ 7,022,600	\$ 6,991,100	\$ -31,500
Anadarko Area	1,056,000	981,300	-74,700
Billings Area	3,976,800	3,946,400	-30,400
Minneapolis Area	2,584,400	2,615,600	+31,200
Muskogee Area	---	32,000	+32,000
Phoenix Area	10,315,600	10,509,300	+193,700
Sacramento Area	607,000	629,000	+22,000
Albuquerque Area	4,204,000	3,212,400	-991,600
Navajo Area	9,814,400	9,829,000	+14,600
Portland Area	5,254,200	5,234,800	-19,400
Eastern Area	2,174,000	2,160,100	-13,900
TOTAL TRIBAL PRIORITIES	\$47,009,000	\$46,141,000	\$-868,000
CONGRESSIONAL ADD-ONS:			
Quinault	175,000	175,000	
Standing Rock	100,000	100,000	
Sault Ste. Marie	150,000	150,000	
Cheyenne River	300,000	300,000	
Lummi	100,000	100,000	
Rosebud	200,000	200,000	
Tohono O'Odham	250,000	250,000	
St. Regis Mohawk	150,000	150,000	
Miccosukee	100,000	100,000	
Pojoaque Pueblo	95,000	95,000	
Omaha	150,000	150,000	
Lower Elwah	50,000	50,000	
Suquamish	200,000	200,000	
Penobscot	50,000	50,000	
Colorado River Tribes	175,000	175,000	
Ramah Navajo	100,000	100,000	
Uintah and Ouray	50,000	50,000	
San Carlos Apache	100,000	100,000	
ADJUSTMENTS:			
One additional workday		+68,000	
Adjustment for Administrative and Staffing Efficiencies		-299,000	
FY 1991 Federal Pay Adjustments		+233,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+206,000	
Federal Employees Retirement System (FERS)		+965,000	
PROGRAM ADJUSTMENTS:			
Staff & Operate Juvenile Detention Facilities	1,500,000	+3,000,000	+1,500,000
Eastern Oklahoma Law Enforcement Bureau-Operated Law Enforcement Programs		+1,000,000	+1,000,000
General Increase		+802,000	+802,000
		<u>+1,655,000</u>	<u>+1,655,000</u>
FY 1990 ENACTED TO DATE	\$51,004,000		
FY 1991 REQUEST.....		\$56,266,000	\$+4,089,000

Self-Determination Training and Technical Assistance (-\$2,187,000; FTE -25): As a result of the Indian Self-Determination and Education Assistance Act Amendments of 1988, P.L. 100-472, technical assistance grants have superseded funding for this line item. Accordingly, tribes which had funded training and technical assistance moved this funding to other line items during the FY 1991 Indian Priority System planning cycle.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Anadarko Area	\$ 197,000	--	\$ -197,000
Billings Area	35,000	--	-35,000
Juneau Area	688,000	--	-688,000
Minneapolis Area	114,000	--	-114,000
Muskogee Area	105,000	--	-105,000
Phoenix Area	521,000	--	-521,000
Sacramento Area	342,000	--	-342,000
Portland Area	44,000	--	-44,000
Eastern Area	<u>141,000</u>	<u>--</u>	<u>-141,000</u>
TOTAL TRIBAL PRIORITIES	\$2,187,000	--	\$-2,187,000
FY 1991 REQUEST.....		--	<u>\$-2,187,000</u>

Consolidated Tribal Government Program (CTGP)(+\$9,215,000; FTE 0): The initial consolidated tribal government program, established in 1982, was known as the CTGP Prototype Project Plan. The initiative has enabled tribes to conjoin programs that have similar objectives or benefits, and to administer them as a consolidated unit. These programs have been clustered based on compatibility. Tribes have been able to combine existing contracts of a similar or compatible nature under a single consolidated tribal government contract, and to add new programs or services on the same basis. Previously, the CTGP contracts were achieved through reprogramming after the funds were distributed. Since the CTGP Prototype Project has shown the viability of this program, the bureau has established a new line item for it within the Indian Priority System. The entire increase is a result of the application of the Indian Priority System at the tribe/agency level.

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	--	\$1,609,900	\$+1,609,900
Anadarko Area	--	1,401,700	+1,401,700
Muskogee Area	--	2,230,000	+2,230,000
Phoenix Area	--	1,502,500	+1,502,500
Albuquerque Area	<u>--</u>	<u>2,470,900</u>	<u>+2,470,900</u>
TOTAL TRIBAL PRIORITIES	--	\$9,215,000	\$+9,215,000
ADJUSTMENTS:			
P.L. 93-638 Contractor Pay			
Cost Adjustments		<u>+35,000</u>	
FY 1991 REQUEST.....		\$9,250,000	\$+9,215,000

Self-Governance Grants (\$-1,200,000; FTE 0): In FY 1990, Congress added \$1,200,000 to continue, based on need, second-year planning funds for the tribes who were part of the second self-governance demonstration grant program and third year grants to the original grant recipients to negotiate Title III Self-Governance Demonstration Projects. The bureau has received progress reports on the grants from participating tribes but has yet to receive an application for a self-governance project. At this time, no further funding is requested.

Object Class Distribution - Tribal Services - Tribe/Agency Operations

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation (FTE).....	-8	\$ +799,000
Personnel Benefits.....		+112,000
Other Services.....		<u>+8,608,000</u>
Total.....	-8	\$+9,519,000
	=====	=====

Justification of Program and Performance

Activity: Navajo-Hopi Settlement Program
 Subactivity: Navajo-Hopi Settlement Program

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Appropri.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Navajo-Hopi Settlement Program	\$ 1,002 (FTE) (47)	988 (--)	1,027 (47)	1,027 (47)	-- (--)
Total Requirements	\$ 1,002 (FTE) (47)	988 (--)	1,027 (47)	1,027 (47)	-- (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted to Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Appropri.</u>
Navajo-Hopi Settlement Program	1,002	-14	988

The reduction will be accomplished through reduced travel and delays in hiring.

Objective: This program implements the provisions of the Navajo-Hopi Settlement Act of 1974, as amended, which requires the Secretary of the Interior to protect the rights of relocatees, to reduce stock to carrying capacity, and to restore the grazing capacity of rangelands lying within the former Navajo/Hopi Joint Use Area.

Base Program (\$1,027,000; FTE 47): The initial stock reduction program of 180,000 sheep units has been completed on both the Navajo and Hopi Partitioned Lands. Almost all of the excess livestock now on Hopi Partitioned Lands (HPL) consists of livestock belonging to Navajo relocatees and trespass animals from outside the HPL. To keep the number of animals within the authorized carrying capacity, herd growth is limited. Trespass action is required on all livestock migrating or driven into the area. Livestock control will continue in FY 1991. As a result of livestock reduction and range restoration of several areas on Hopi Partitioned Lands, the stocking rate has increased 145 percent over the 1973 stocking rate. Range restoration and development were initiated at a later date on Navajo Partitioned Lands (NPL). FY 1991 plans will continue to emphasize range restoration, development of range management units, implementation of grazing permits for all livestock, and continued fencing of the interior management unit boundaries.

The statute required that all relocation activity be completed by July 6, 1986, however, there are still Navajo Indians to be relocated from Hopi land. There are presently no Hopi Indians located on Navajo land. While the FY 1986 appropriation language did not extend the July 6, 1986, deadline to relocate Navajos, there was a stipulation that Navajos living on Hopi land cannot be relocated until new housing is available. Development of water and construction of housing and roads for all potential relocatees is proceeding; however, a completion date for all eligible relocatees is not known at this time. As necessary, grazing

permits issued to eligible Navajo relocatees will be extended until all Navajos residing on lands partitioned to the Hopi Tribe are relocated. The rangeland restoration effort for Navajo and Hopi Partitioned Lands is 60 and 90 percent respectively completed.

Restoration of Hopi Partitioned Lands was originally scheduled for completion in FY 1988-89. However, with the delay, in relocation of Navajo families, and restoration of areas formerly occupied by them, the restoration of all lands (NPL and HPL) will not be completed until FY 1991. On NPL, new grazing regulations have been published in the Federal Register, however, they have not been approved by the Navajo Tribe. Approval of these regulations will determine the approach for conducting range restoration on the NPL.

The Navajo Partitioned Land Office in Flagstaff, Arizona, has been closed, and the remaining staff has moved to the Window Rock, Tuba City or the Gallup offices.

Activity Summary

(Dollar amounts in thousands)

Activity: Economic Development Programs

	FY 1989 Actual <u>Approp.</u>	FY 1990 Enacted to Date	FY 1990 Adjusted <u>Approp.</u>	FY 1991 <u>Base</u>	FY 1991 <u>Estimate</u>	Inc.(+) Dec.(-) From <u>Base</u>
<u>Subactivity:</u>						
Business Enterprise Development	10,801	10,748	10,602	10,773	10,866	+93
Road Maintenance	30,975	---	---	---	---	---
Tribe/Agency Operations	<u>3,523</u>	<u>3,542</u>	<u>3,494</u>	<u>3,587</u>	<u>3,678</u>	<u>+91</u>
Total	45,299	14,290	14,096	14,360	14,544	+184

Justification of Program and Performance

Activity: Economic Development Programs
 Subactivity: Business Enterprise Development
 Element: Credit and Financing

<u>Program Element</u>	(Dollar amounts in thousands)					Inc. (+) Dec. (-) From Base
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate		
Credit and Financing	\$ 2,823	2,785	2,834	2,947	+113	
(FTE)	(33)		(33)	(31)	(-2)	
Total Requirements	\$ 2,823	2,785	2,834	2,947	+113	
(FTE)	(33)		(33)	(31)	(-2)	

Distribution:

Area Office Operations	\$ 933	920	971	914	-57
(FTE)	(22)	(--)	(22)	(20)	(-2)
Central Office Operations	\$ 615	607	587	1,087	+500
(FTE)	(11)	(--)	(11)	(11)	(--)
Technical Assistance	\$ 975	962	976	946	-30
Grant to Michigan Tribes	\$ 300	296	300	---	-300
Total	\$ 2,823	2,785	2,834	2,947	+113
(FTE)	(33)	(--)	(33)	(31)	(-2)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reductions Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Credit and Financing	2,823	-38	2,785

This reduction will be accomplished by deferring hiring, reducing travel to provide assistance to clientele, and reducing the number of technical assistance contracts awarded on behalf of loan and grant clients. The grant to Michigan tribes was reduced by \$4,000.

Objective: The credit and financing program assists federally-recognized Indian tribes, Indian organizations, Alaska Natives and individual Indians in developing and using their resources to improve their economies through: (1) direct loans from the Revolving Fund for Loans Program; (2) guaranteed loans from the Loan Guaranty and Insurance Fund Program; (3) grants from the Indian Business Development Program; (4) issuance of guaranteed taxable bonds and supplemental surety bonds; and (5) funds from other government and private sources.

Base Program (\$2,834,000; FTE 33): The majority of Indian reservations are economically depressed, resulting in unemployment and lack of business. Indian reservations have not enjoyed the same opportunities for economic development as some of the surrounding communities. Since Indian land is held in trust by the United States Government, Indian tribes cannot mortgage trust land as security for loans. To help alleviate this situation, legislation has been enacted to provide financial assistance to Indian tribes, Indian-owned businesses and corporations, Alaska Natives, and individual Indians. Even though individually-owned

trust land may be mortgaged under the provisions of the Act of March 29, 1956, private lenders are hesitant to make loans on reservations because of the lack of state jurisdiction over most reservations, and problems encountered with tribal court systems.

The 1934 Indian Reorganization Act was the earliest legislation enacted for the establishment of a credit system for Indians. It also provided for Indian tribes to be organized as tribal governments and federally-chartered business corporations. The Indian Financing Act (IFA) of 1974 consolidated earlier loan programs established under separate legislation into a single revolving loan fund and established a new loan guaranty and insurance program and grant program for the acquisition, establishment, or expansion of businesses. The 1988 amendments to the IFA authorized a new program allowing the issuance of guaranteed taxable bonds and the guaranteeing of surety bonds, in conjunction with the Small Business Administration (SBA). The SBA will guarantee up to 90 percent of losses sustained by a surety company as a result of the issuance of a bid, and/or performance bond to an Indian small business concern. The bureau will guarantee the remaining portion of the bond for a total guarantee of 100 percent. Other programs authorized by Congress which are used by both tribes and individual Indians are those administered by the SBA, Veterans Administration, Department of Housing and Urban Development, Department of Commerce, Department of Defense, Department of Transportation, and the Farmers Home Administration.

Area Office Operations (\$971,000; FTE 22): The area offices, in coordination with the central office, oversee the general operations of the Revolving Fund for Loans, the Loan Guaranty and Insurance Fund, the Indian Business Development Grant Program, and Guaranteed Bond Program. Agency offices make, monitor, and collect the loans and grants under these programs. Where an agency does not have a credit staff, the area office performs the functions of the agency office. Direct loans to tribes and loans to individuals up to \$350,000 may be approved at the area office level if funds have been distributed. Guaranteed loans for tribes, corporations, and individuals may be approved at the area office level if a loan guaranty ceiling is available. Area office credit personnel are also responsible for monitoring P.L. 93-638 credit programs which have been contracted at the agency level; providing oversight, guidance, and assistance in policy implementation; and performing program evaluations of those agencies with bureau operated credit programs.

Central Office Operations (\$587,000; FTE 11): The central office provides overall policy guidance, coordination, supervision, monitoring, and evaluation of the Revolving Fund for Loans, the Loan Guaranty and Insurance Fund, the Indian Business Development Grant Program, and Guaranteed Bond Program, administered under the IFA, as amended. The central office provides technical assistance to aid Indians in obtaining adequate capital for resource development, and provides program evaluation of field operations and policy information on overall goals of the program. In FY 1990, an office will be established in Albuquerque, New Mexico, to centralize all direct loan and loan guarantee collections, and recording of such payments to the bureau's financial system and credit system. With the enactment of the 1988 amendments to the IFA, regulations are in process to implement a taxable bond and supplemental surety bond guarantee program.

Further information on the operation of programs is contained in other portions of the budget discussing the Revolving Fund for Loans and the Loan Guaranty and Insurance Fund.

Technical Assistance (\$976,000; FTE 0): Funds are available under this program to provide assistance to tribes and individuals in developing business ventures under the Indian Financing Act, as amended. The management and technical assistance is furnished to: (1) assist potential and previously approved businesses in assessing their business proposals; (2) finance travel relating to technical assistance to business projects; and (3) procure private sector assistance for businesses previously funded through loans or grants whose operations are in need of such assistance.

Grant to Michigan Tribes (\$300,000; FTE 0): In FY 1990, Congress added \$300,000 for the Michigan tribes for activities included in the proposal of the American Indian Business Development Consortium with the State of Michigan.

<u>Change from FY 1991 Base:</u>		(Dollar amounts in thousands)		
		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Area Office Operations	(\$)	971	914	-57
	(FTE)	(22)	(20)	(-2)
Central Office Operations	(\$)	587	1,087	+500
	(FTE)	(11)	(11)	(--)
Technical Assistance	(\$)	976	946	-30
Grant to Michigan Tribes	(\$)	300	---	-300
TOTAL	(\$)	2,834	2,947	+113
	(FTE)	(33)	(31)	(-2)

Area Office Operations (-\$57,000; FTE -2): The decrease of \$57,000 is a result from the application of the Indian Priority System at the Area level. Changes by area are as follows:

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$150,000	\$169,000	+\$19,000
Billings Area	61,000	26,000	-35,000
Juneau Area	113,000	113,000	-0-
Minneapolis Area	90,000	90,000	-0-
Muskogee Area	79,000	103,000	+24,000
Phoenix Area	115,000	115,000	-0-
Sacramento Area	40,000	40,000	-0-
Albuquerque Area	113,000	44,000	-69,000
Navajo Area	49,000	53,000	+4,000
Portland Area	123,000	123,000	-0-
TOTAL AREA PRIORITIES	\$933,000	\$876,000	-\$57,000

<u>(Continued)</u>	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
ADJUSTMENTS:			
One additional workday		+3,000	
Adjustment for Administrative & Staffing Efficiencies		-12,000	
FY 1991 Federal Pay Adjustments		+9,000	
Federal Employees Retirement System (FERS)		+8,000	
Increase for Muskogee Area Office		<u>+30,000</u>	
FY 1991 REQUEST		\$914,000	\$-57,000

Central Office Operations (+\$500,000; FTE 0): The increase will be used to undertake a portfolio valuation of all direct loans under the Revolving Fund for Loans, and all loans guaranteed under the Loan Guaranty and Insurance Fund. As of the end of FY 1989, loans in these two programs exceed \$300 million. These loans will be evaluated by an independent party as to viability, salability, and completeness of bureau review. Loans that have defaulted, or are delinquent, will be reviewed for cause, and recommendations made as to actions that can be taken that may prevent future defaults. A credit management review will also be made, with recommendations as to staffing, contracting of programs, handling of funds, computerization, and other aspects of managing the loan programs.

Technical Assistance (-\$30,000); FTE 0): In FY 1990 Congress added \$30,000 for a feasibility study on potential land transfer involving the Kootenai Tribe and the Forest Service. This one-time add-on will be discontinued in FY 1991.

Grant to Michigan Tribes (-\$300,000; FTE 0): In FY 1989 Congress added \$425,000 for a one year grant to the Michigan Tribes to fund American Indian Business Development Consortium, Inc. in conjunction with the State of Michigan. In FY 1990 Congress continued funding for this program at a reduced level of \$300,000 and added language that this was the final year of funding for this program. The Tribes may apply for grants under the Indian Business Development Program.

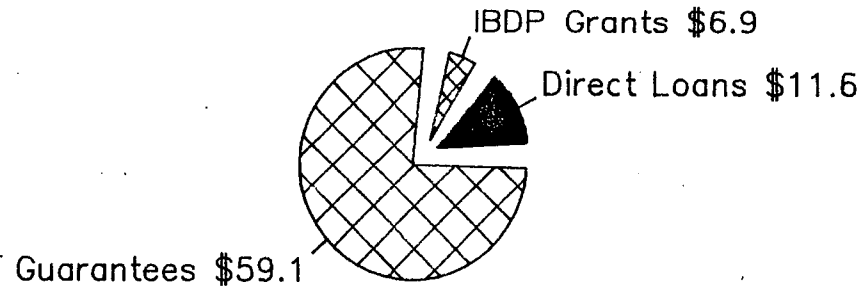
Object Class Distribution - Credit and Financing

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....	-2	\$ -21,000
Personnel benefits.....		-2,940
Other services.....		+436,940
Grants, subsidies, and contributions.....		<u>-300,000</u>
		<u>\$+113,000</u>

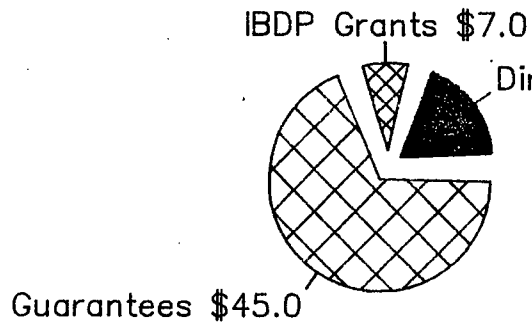
ECONOMIC DEVELOPMENT PROGRAMS

BUSINESS ENTERPRISE DEVELOPMENT

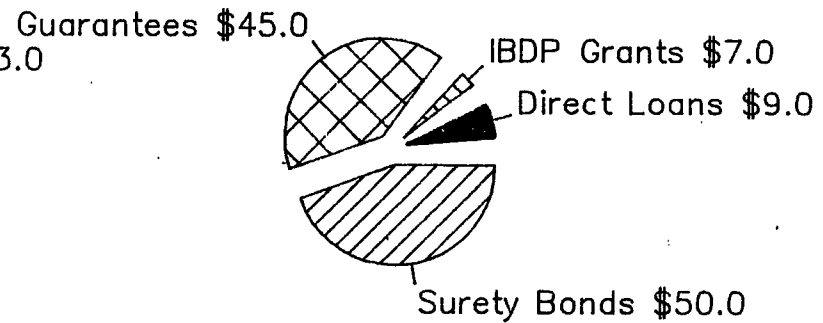
CREDIT AND FINANCING



FY 1989
Actual \$77.6 Million



FY 1990
Est. \$65.0 Million



FY 1991
Est. \$111.0 Million

Justification of Program and Performance

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

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Indian Arts and Crafts Board	\$	925	912	939	919	-20
	(FTE)	(16)		(16)	(16)	(--)
Total Requirements	\$	925	912	939	919	-20
	(FTE)	(16)		(16)	(16)	(--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reductions Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Business Enterprise Development	925	-13	912

This reduction will be accomplished by deferral in filling one vacant position within the board's museum program.

Objective: The Indian Arts and Crafts Board was created to promote the development of Native American arts and crafts--the creative work of Indian, Eskimo, and Aleut people--in order to: (1) improve the economic status of Native Americans; (2) ensure the continuing vitality of a valuable American heritage; (3) increase Native American participation and control in the growing Native American fine arts and handicrafts business; (4) enable Native Americans to realize their full potential for employment and income from the demand for their creative work; and (5) assist Native American cultural leaders who are developing an institutional framework to support the preservation and evolution of tribal cultural activities.

Base Program (\$939,000; FTE 16): The board's activities are not duplicated in either the federal or the private sector. It is the only federal agency that is consistently and exclusively concerned with the economic benefits of Native American cultural development. The board's policies are determined by its five commissioners, who serve without compensation. A professional staff is employed to carry out board responsibilities. For administrative convenience, funds for board expenses and staff are included in the Bureau of Indian Affairs' budget. The board provides business and personal professional advice, information, fund-raising assistance, and promotion to Native American artists and craftsmen and cultural organizations.

As an integral part of its professional services, the board operates a coordinated system of three regional museums located in reservation areas. These three museums are the Southern Plains Indian Museum, Anadarko, Oklahoma; the Sioux Indian Museum, Rapid City, South Dakota; and the Museum of the Plains Indian, Browning, Montana. The museums are cultural focal points for residents of the area, primary vehicles for the delivery of services, and staging points for regional and national promotions.

Annual sales of Native American arts and handicrafts total several hundred million dollars, but Native American interests currently control only a small portion of this market. To support and expand those interests in FY 1991, the board will promote Native American arts and crafts primarily through:

- over 260 Native-owned and operated craft marketing enterprises
- a consumer directory that is an established marketing link between these Native craft enterprises and the more than 40,000 consumers annually who consult it;
- approximately 20 one-person sales exhibitions in the board's museums, which include an illustrated promotional brochure;
- several group sales exhibitions of outstanding contemporary Native art work presented in the board's museums and at other institutions through cooperative arrangements; and
- concentrated management advice to some 100 developing Native museums.

The board focuses its efforts on those activities that most directly benefit Native American artists and craftsmen; however, it will continue to assist the Institute of American Indian and Alaska Native Culture and Arts Development, the National Endowment for the Arts, the Institute of Museum Services, the U.S. Information Agency, other government agencies, and the general public, who are substantial ancillary beneficiaries of the board's information and museum activities. Annually, the board answers over 10,000 written and telephone inquiries from the public.

Changes from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Indian Arts and Crafts Board	(\$)	939	919	-20
	(FTE)	<u>(16)</u>	<u>(16)</u>	<u>(--)</u>
Total	(\$)	939	919	-20
	(FTE)	(16)	(16)	(--)

Indian Arts and Crafts Board (-\$20,000; FTE 0): This amount was provided in FY 1990 as a one-time add-on to enable the Blackfeet Tribe to contract for the operation of the Museum of the Plains Indians, and is not being continued. Substantial progress has not been made in negotiating the contract with the Blackfeet Tribe.

Object Class Distribution - Indian Arts & Craft Board

	<u>Amount</u>
Other services.....	\$-20,000

Justification of Program and Performance

Activity: Economic Development Programs
 Subactivity: Business Enterprise Development
 Element: Indian Business Development Grant Program

<u>Program Element</u>	(Dollar amounts in thousands)				
	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Indian Business Development Grant Program \$	7,000	6,905	7,000	7,000	---

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reductions Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Business Enterprise Development	7,000	-95	6,905

This reduction will be accomplished by making three to four fewer grants to Indian individuals.

Objective: To provide conditional grants to Indian tribes and Indian individuals for the purpose of: (1) initiating business development of tribal resources; (2) encouraging non-Federal investment; (3) promoting sound business principles; (4) reducing tribal dependence on the Federal Government; and (5) promoting private sector development on reservations.

Base Program (\$7,000,000; FTE 0): The 1984 Indian Financing Act Amendments reauthorized the original Indian Business Development Program.

The major purposes of the Indian Business Development Program grants have been to: (1) provide equity capital for the establishment or expansion of locally chosen economic enterprises which generate income and employment opportunities for participating tribes and individuals; (2) serve as an inducement, when combined with applicants' financial and other resources, to attract private sector investment capital for the development of viable economic enterprises; and (3) reduce tribal dependence on the Federal Government over the long term through economic development projects which contribute to a stable private sector reservation economy.

As stated previously, the present program is being operated under the authority of the Indian Financing Act of 1974, as amended. The 1984 Amendments raised the maximum grant levels from \$50,000 for any applicant to \$100,000 for individuals and \$250,000 for tribes. Grants may be used to cover up to 25 percent of the cost of the economic enterprise, providing the applicant can obtain the necessary financing for the balance from other sources (excluding funds from the Bureau's direct loan and guaranteed loan programs).

The role of Indian tribes in this program activity is: (1) to decide whether to seek development of their tribal resources and to determine the nature of the economic development suitable for their individual reservations; (2) to provide the basic services of local government; and (3) to foster an atmosphere of governmental stability that promotes confidence and attracts private sector capital.

Individual Indians receiving grants are expected to create a positive influence on the economy of the reservation in terms of jobs created or sustained, outside financing invested, and turnover of funds within the Indian community. Credit and financing personnel handle the day-to-day oversight responsibility for approved grants. Agency credit officers are responsible for initial grant application review, with guidance, support and assistance provided by area credit offices. Agency superintendents monitor the program. Area office credit personnel administer and monitor individual projects in their respective areas. Area directors are authorized to approve all grants. Fund control and reporting at the central office level is administered through the Division of Financial Assistance in the Office of Trust and Economic Development.

<u>Workload Data:</u>	FY 1989 Grants <u>(Actual)</u>	FY 1990 Grants <u>(Estimate)</u>	FY 1991 Grants <u>(Estimate)</u>
Number of applications received.	307	350	350
Amount requested.....	\$13,435,095	\$14,000,000	\$14,000,000
Total project amounts.....	\$62,318,240	\$75,000,000	\$75,000,000
Number of applications funded...	188	225	225
Total amount awarded.....	\$ 6,907,159	\$ 7,000,000	\$ 7,000,000
Total project amounts.....	\$37,399,168	\$45,000,000	\$45,000,000

In FY 1991 the bureau anticipates the following activities:

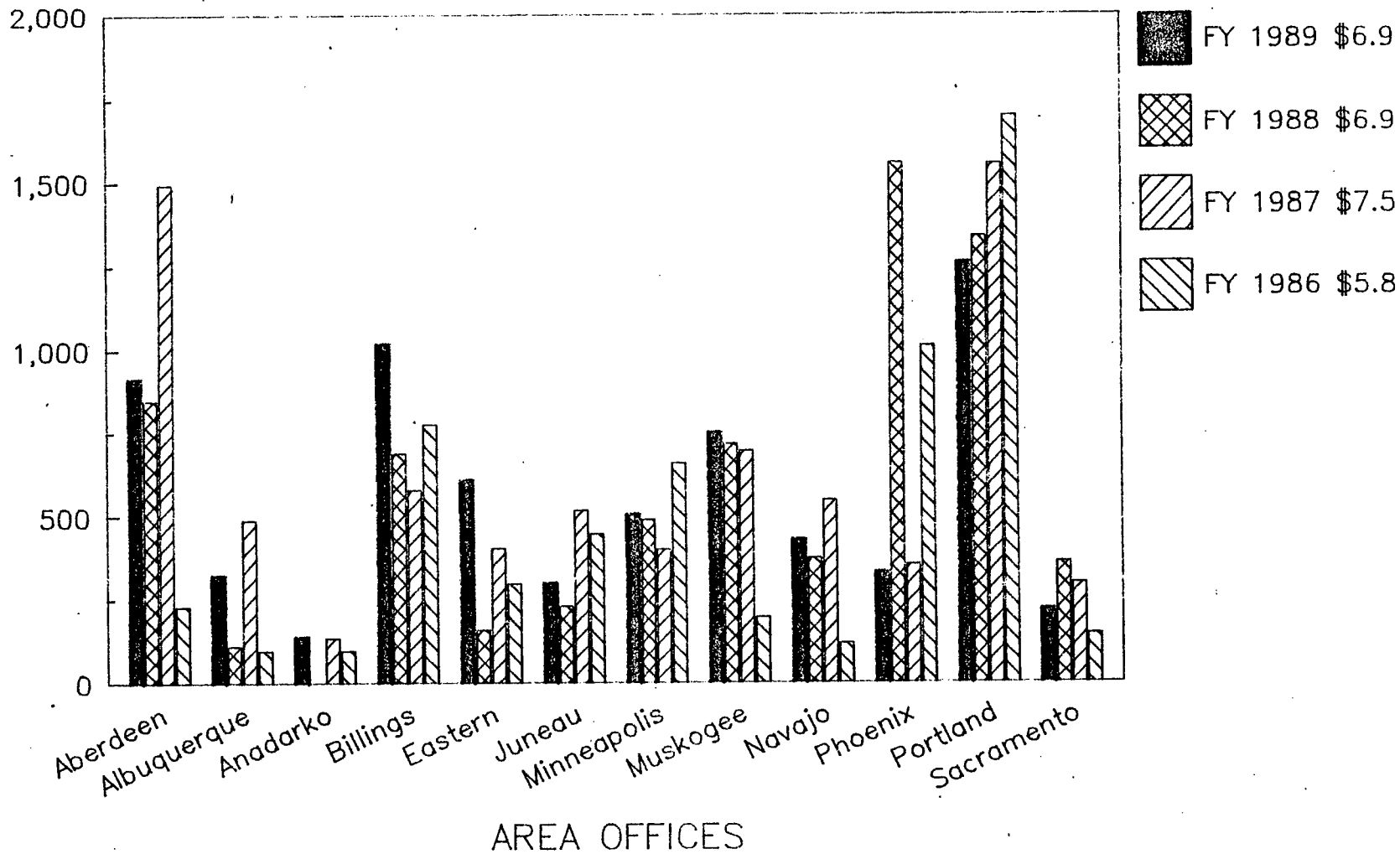
	<u>Number of:</u>		Average \$ <u>Amount</u>	<u>Total</u>
	<u>Applications Received</u>	<u>Grants Awarded</u>		
Tribal	50	30	\$110,000	\$3,300,000
Individual	300	195	19,000	3,700,000
TOTAL	<u>350</u>	<u>225</u>		<u>\$7,000,000</u>

Based on the amount of private sector financing attracted by present projects, the bureau anticipates that the \$7.0 million program should result in an additional \$30-35 million in private capital investment in Indian economies.

INDIAN BUSINESS DEVELOPMENT PROGRAM GRANTS

FY 1986 THROUGH FY 1989

\$ THOUSANDS



BIA-125

Justification of Program and Performance

Activity: Economic Development Programs
 Subactivity: Business Enterprise Development
 Element: Tribe/Agency Operations

		(Dollar amounts in thousands)				
		FY 1990	FY 1990	FY	FY	Inc. (+)
		Enacted	Adjusted	1991	1991	Dec. (-)
		To Date	Approp.	Base	Estimate	From Base
<u>Program Elements</u>						
Credit and Financing	\$ (FTE)	3,542 (59)	3,494	3,587 (59)	3,678 (54)	+91 (-5)
Total Requirements	\$ (FTE)	3,542 (59)	3,494	3,542 (59)	3,678 (54)	+91 (-5)

Impact of Public Law 99-177

	FY 1990	Reductions	FY 1990
	Enacted	Pursuant to	Adjusted
	To Date	P.L. 99-177	Approp.
Business Enterprise Development	3,542	-48	3,494

This reduction will be accomplished by deferring hiring.

Credit and Financing

Base Program (\$3,587,000; FTE: 59): Credit personnel at the agencies assist federally-recognized Indian tribes, Indian organizations, Alaska Natives and individual Indians with developing and utilizing resources to improve the economies. The programs available are: (1) direct loans from the Revolving Fund for Loans; (2) guaranteed loans from the Loan Guaranty and Insurance Fund; (3) grants from the Indian Business Development Program; and (4) assistance in obtaining financing from other governmental and private sources.

The base program includes support for salaries, travel, and operational expenses for bureau employees who monitor and collect the loans made under the direct loan program and the guaranteed loan program, and who administer the grant program. Available funds also cover the operating costs of credit programs which are operated by tribes under contract with the bureau.

Most loans and grants are not approved at the agency level. The area office has the authority to approve all loans and grants based on a ceiling allocated to that area, and in some cases has delegated to the superintendent some, or all, of the authority on a discretionary basis. However, the agency credit officer is responsible for reviewing all loan and grant applications, assisting the client in correct application preparation where necessary, and making recommendations to the superintendent on whether the proposal should be approved.

It is the agency credit officer's responsibility to review the accounting records maintained by tribes or other Indian organizations covering activities financed by the United States Government, or with tribal funds used under Secretarial regulations. This is done in order to observe and report on adherence to accepted business practices and procedures, sound credit policies and practices, and regulations.

In addition to responsibilities for loans and grants made by the bureau, the credit officer assists tribes and individual Indians in obtaining loans from banks

and other private sector financial lending sources and works with other federal funding sources in developing economic enterprises on Indian reservations. These federal sources include the Small Business Administration, Veterans Administration, Housing and Urban Development, Economic Development Administration, Department of Defense, Department of Transportation, and Farmers Home Administration.

Workload Data:

(\$ in millions)
FY 1989

BIA - direct loans - outstanding	\$106.5
BIA - direct loans - new	11.6
Guaranteed and Insured loans - outstanding	218.7
Guaranteed and Insured loans - new	59.1
Indian Business Development grants - new	7.0

Changes from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Credit and Financing	(\$)	3,587	3,678	+91
	(FTE)	<u>(59)</u>	<u>(54)</u>	<u>(-5)</u>
Total	(\$)	3,587	3,678	+91
	(FTE)	(59)	(54)	(-5)

Credit and Financing (+\$91,000; FTE -5): The changes result from the application of the Indian Priority System at the tribe/agency level. Changes by area are as follows:

	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$487,000	\$463,200	\$-23,800
Anadarko Area	183,000	128,400	-54,600
Billings Area	383,000	446,900	+63,900
Juneau Area	372,000	373,000	+1,000
Minneapolis Area	203,000	224,400	+21,400
Muskogee Area	352,000	335,000	-17,000
Phoenix Area	406,000	375,000	-31,000
Albuquerque Area	103,000	207,500	+104,500
Navajo Area	156,000	167,000	+11,000
Portland Area	508,000	487,100	-20,900
Eastern Area	<u>389,000</u>	<u>425,500</u>	<u>+36,500</u>
TOTAL TRIBAL PRIORITIES	\$3,542,000	\$3,633,000	\$+91,000
ADJUSTMENTS			
One additional workday		+8,000	
Adjustment for Administrative & Staffing Efficiencies		-32,000	
FY 1991 Federal Pay Adjustments		+25,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+10,000	
Federal Employees Retirement System (FERS)		<u>+34,000</u>	
FY 1991 REQUEST.....		\$3,678,000	\$+91,000

Object Class Distribution - Tribe/Agency Operations

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation.....	-5	\$+76,000
Personnel Benefits.....		+10,640
Other Services.....	—	+4,360
Total.....	-5	\$+91,000

Activity Summary

(Dollar amounts in thousands)

Activity: 3800 - Natural Resources

<u>SUBACTIVITY</u>	<u>FY 1989 Actual Approp.</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Incr. (+) Decr. (-) From Base</u>
Natural Resources, General	2,267	2,818	2,779	2,827	3,159	+332
Agriculture	5,886	12,185 <u>b/</u>	12,019	11,870	11,770	-100
Forestry	70,866 <u>a/</u>	12,903	12,727	13,471	15,207	+1,736
Water Resources	10,067	10,107	9,971	10,145	7,693	-2,452
Wildlife and Parks	26,731	27,858	27,482	27,968	23,482	-4,486
Minerals and Mining	15,572	5,386 <u>b/</u>	5,313	5,314	4,557	-757
Tribe/Agency	<u>50,307</u>	<u>54,462</u>	<u>53,723</u>	<u>55,195</u>	<u>53,963</u>	<u>-1,232</u>
TOTAL	181,696	125,719	124,014	126,790	119,831	-6,959

a/ Includes \$58,594 for Fire Suppression which is funded in the Bureau of Land Management beginning in FY 1990.

b/ Irrigation O & M was transferred from Minerals and Mining to Agriculture in FY 1990.

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Natural Resources, General

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Program Management	\$	847	835	856	1,188	+332
	(FTE)	(13)		(13)	(17)	(+4)
B. Indian Integrated Resources Information Program	\$	<u>1,971</u>	<u>1,944</u>	<u>1,971</u>	<u>1,971</u>	<u>--</u>
Total Requirement	\$	2,818	2,779	2,827	3,159	+332
	(FTE)	(13)		(13)	(17)	(+4)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Natural Resources, General	2,818	-39	2,779

The impact of this action will be an overall reduction in travel, supplies, and office equipment and a reduction in total data base development. In terms of production, 20 less 1:24,000 quadrangle equivalents will be digitized for basic theme data during the fiscal year.

Objective: This program provides direction and support in the planning and management of the 53 million acres of Indian renewable natural resources under jurisdiction of the Bureau of Indian Affairs where operations crosscut multi-resource disciplines to inventory, manage, protect and develop those resources through a systems approach by using remote sensing, spatial data analysis and automated cartography.

A. Program Management

		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$	727	717	737	826	+89
	(FTE)	(9)		(9)	(11)	(+2)
Central Office Operations	\$	<u>120</u>	<u>118</u>	<u>119</u>	<u>362</u>	<u>+243</u>
	(FTE)	<u>(4)</u>	<u>---</u>	<u>(4)</u>	<u>(6)</u>	<u>(+2)</u>
Total	\$	847	835	856	1,188	+332
	(FTE)	(13)		(13)	(17)	(+4)

Base Program (\$856,000; FTE 13):

Area Office Operations (\$737,000; FTE 9): This program provides oversight, supervision, direction and support to the program areas of Wildlife and Parks, Water Resources, Agriculture, Range, Irrigation and Forestry for the planning and management of the renewable natural resources. This includes the coordination of these program functions and information systems with local governments and with other federal, state, tribal and private organizations in the application of spatial data technology and automated cartography to the natural resource and transportation program areas.

Workload Data: For area office operations, results of actions supported by funding from Natural Resources, General, are included under the specific sub-activity, i.e., Agriculture, Forestry, Water Resources, Wildlife and Parks or Irrigation.

Workload includes assistance in establishing bureau policy, regulations, and procedures; budget formulation and implementation; providing advice and counsel to agency offices and tribes; monitoring and conducting program evaluations; supporting, directing and overseeing administrative matters affecting natural resource programs; and coordination and implementation of information systems technology.

Central Office Operations (\$119,000; FTE 4): This program develops policy and provides oversight and technical support to the national Indian Integrated Resources Information Program (IIRIP). This includes the management of the technical support center responsible for the implementation of the information systems and the remote sensing technology within the bureau which are vital components of the Integrated Resources Management Planning interface.

B. Indian Integrated Resources Information Program (IIRIP)

Base Program (\$1,971,000; FTE 0): The Bureau of Indian Affairs is responsible for the multiple use management of the natural resources on 53 million acres of trust lands. An integral feature of this responsibility includes planning for the development, management and protection of the resources associated with these lands. Water, lands, wildlife, fisheries, agriculture, forests, range and energy minerals are typical of the resources which must be managed. Using advanced spatial data management technologies, the Office of Trust and Economic Development is moving to streamline and improve its management of the aforementioned resources on behalf of Indians. State-of-the-art computer technology is utilized to conduct complex management analysis and planning of resources by incorporating the geographic data which characterizes these resources into digital data bases. The Indian Integrated Resources Information Program (IIRIP) utilizes advanced and highly technical information systems, automated cartography and remote sensing technologies to refine and enhance its resource management capabilities. In short, IIRIP provides for the design, development, implementation, and continuing technical support of advanced, digital spatial data management technologies in BIA.

Funding for this program is directed into several critical categories:

- (1) development of digital data bases on all reservations;
- (2) acquisition and implementation of GIS hardware and software which provides the analytical medium for the program;
- (3) development and implementation of training programs which are essential to program success; and
- (4) provision of GIS coordination and technical support services for the utilization of the technology.

These four categories support the area and agency offices, as well as tribal organizations. Efforts to date have resulted in the creation and utilization of data bases for 135 reservations, and over 165 data layers (themes) have been incorporated. A typical data base consists of 9 basic themes plus several other resource specific themes. At Fort Apache Agency for example, themes may be primarily oriented toward forest and wildlife applications, while Fort Peck Agency would have a range and energy development orientation. These data are utilized on a regular basis for integrated resource management and planning.

The increasing complexity and demands which characterize today's resource management planning mandate the incorporation of highly responsive and accurate systems. The spatial data systems approach adopted by BIA combines the sophistication of information systems, automated cartography, and remote sensing technologies into an integrated resource data management and analysis program. This systematic approach to natural resource management of trust lands results in benefits to Indians, such as improved management of natural resources which potentially results in increased income and employment.

Current uses of the program include: forest management, fisheries management, range management, irrigation, wildfire management, total reservation planning, nationwide transportation road atlas updating, road planning and maintenance, support of water negotiations, wildlife habitat mapping, forest clearcutting, resource conflict resolution, automated real estate appraisals, automated storage and updating of real estate plat drawings, and support for the BIA emergency response system. All offices have begun to incorporate this program into their operations. Numerous issues can be addressed within the context of IIRIP. Examples include, but are not limited to:

- 1) Mapping of Grizzly Bear range and habitat on the Blackfeet Indian Reservation;
- 2) The development of integrated resource management plans for the Isleta and Acoma Pueblo, Fort Belknap, Yakima, Warm Springs, San Carlos, Fort Apache and other reservations.
- 3) The development of a long term forest development and management plan for the Colville Indian Reservation;
- 4) A long term forest development plan for the Lac du Flambeau Indian Reservation;
- 5) Pre-suppression planning for reservations under the jurisdiction of the Albuquerque Area Office;
- 6) Timber harvest planning for the Yakima Indian Reservation; and
- 7) Mapping of actual versus proposed land use on the Crow Indian Reservation.

Remotely sensed data are used to support, update and expand the program data base. Pertinent applications include habitat typing for wildlife management, insect infestation, change detection, general land cover mapping, orthophoto image generation, mapping and monitoring of surface disturbance associated with mineral exploration and development, fire fuels mapping, and many others.

IIRIP supports range management, woodland inventory, and mapping of resources potential. The variety and accessibility of services that this program can provide to all resource programs of the bureau impact on improving trustee management to the benefit of all bureau offices and all tribes.

In addition to its own advanced and highly capable program staff, the bureau currently cooperates with other government organizations to accomplish: 1) GIS and remote sensing activities with FWS, USGS, and BLM: 2) onsite support services: 3) contracting; and 4) participation with other DOI agencies and committees to assure a unified and standardized system as a mechanism for data transfer. The program provides bureauwide assistance in the protection and management of Indian natural resources and encourages greater opportunity for tribes to develop their reservation economies.

Workload Data: The IIRIP provides bureau and tribal resources managers with accurate and timely information on the extent, distribution and quality of natural resources to use in making realistic and effective resource management decisions. The program provides a working tool on a day-to-day basis for coordination of land productivity, capability, and ecological status and can be used to solve a single resource management problem or to develop a total reservation plan. It provides a data base common to all resource managers, allowing them to integrate a variety of data from different sources. GIS is a cost effective and accurate manner of accomplishing Integrated Resource Management Plans (IRMPs).

Change from 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Area Office Operations	\$	737	826	+89
	FTE	(9)	(11)	(+2)
Central Office Operations	\$	119	362	+243
	FTE	<u>(4)</u>	<u>(6)</u>	<u>(+2)</u>
Total	\$	856	1,188	+332
	FTE	(13)	(17)	(+4)

Area Office Operations (+89,000; FTE +2): This increase is the result of priorities established at the following area offices:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Aberdeen Area	\$20,000	\$33,000	\$+13,000
Anadarko Area	40,000	40,000	---
Billings Area	83,000	83,000	---
Juneau Area	75,000	---	-75,000
Minneapolis Area	40,000	40,000	---
Phoenix Area	164,000	145,000	-19,000
Sacramento Area	120,000	120,000	---
Albuquerque Area	40,000	110,000	+70,000
Navajo Area	105,000	205,000	+100,000
Portland Area	<u>40,000</u>	<u>40,000</u>	<u>---</u>
TOTAL AREA PRIORITIES	\$727,000	\$816,000	\$ +89,000
ADJUSTMENTS:			
One additional workday		+1,000	
FY 1991 Federal Pay			
Adjustments		+4,000	
Federal Employees Retirement System (FERS)		<u>+5,000</u>	
FY 1991 REQUEST		\$826,000	\$ +89,000

Central Office Operations (+243,000; FTE +2): Of the increase, \$100,000 will be used to establish a cooperative education program to attract and motivate Native American students to pursue a curriculum leading to a Bachelor of Science degree in natural resources and attract college students to the Federal service. This program will provide a course of study during the school year at Haskell Indian Junior College and Southwestern Indian Polytechnic Institute (SIPI) and work experience during the summer at agency offices. Upon completion of the two-year curriculum, the students can take advantage of matriculation agreements with four-year colleges to complete their Bachelor of Science degrees in the natural resource field. These funds will be used to provide for tuition expenses of approximately 15 students, special education classes in natural resources, instructors for workshops and symposia to advise students on career paths, options and alternatives in the field of natural resources.

In addition, \$143,000 will be used to support the management staff who administer and direct the bureau-wide activities of agriculture, range, wildlife and parks, water resources and irrigation program areas. These positions were previously funded from the central office water resources and agriculture programs, but this alignment of funding and staffing more accurately reflects the roles and responsibilities of these positions and places them in the subactivity.

Object Class Distribution - Natural Resources, General Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.	+4	\$ +121,000
Personnel Benefits.		+17,000
Other Services.		+125,000
Supplies and Materials.		<u>+69,000</u>
Total.....	<u>+4</u>	<u>\$ +332,000</u>

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Agriculture

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Program Management	\$	1,523	1,502	1,186	1,032	-154
	(FTE)	(35)		(35)	(22)	(-13)
B. Prairie Dog Control Program	\$	500	493	500	1,000	+500
C. Noxious Weed Eradication	\$	730	720	730	2,000	+1,270
D. Special Agriculture Programs	\$	1,716	1,693	1,716	--	-1,716
E. Irrigation, Operations and Maintenance	\$	7,716	7,611	7,738	7,738	--
	(FTE)	(18)		(18)	(18)	(--)
Total Requirements	\$	12,185	12,019	11,870	11,770	-100
	(FTE)	(53)		(53)	(40)	(-13)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Agriculture	12,185	-166	12,019

The sequestration will diminish program oversight and evaluation for all programs in the Agriculture sub-activity, and will reduce the number of acres of noxious weed and prairie dogs which will be controlled by 400 and 600 acres, respectively.

Objective: The Agriculture program's objectives are to protect, conserve, restore, improve and enhance the agronomic and range resource values of Indian lands; to preserve the land in a perpetually productive state to ensure continuous production; to develop the renewable resources to provide Indian self-sufficiency; to regulate water runoff and minimize soil erosion; to preserve and develop other values, such as wildlife and recreation; to provide technical assistance to Indian farmers and ranchers; to assist Indian landowners in leasing their farmland and rangeland for the maximum economic return, consistent with the objectives of sustained yield management and conservation of the resource; and to financially assist Indian water users, through supplementing water user collections, in order to conserve water and to properly operate and maintain the irrigation water delivery systems on 71 Indian irrigation projects in a safe, economical, beneficial and equitable manner.

Base Program (\$11,870,000; FTE 53): The agriculture and range program provides technical assistance to encourage and motivate increased use of agricultural resources by Indians and to bring about improved management activities incorporating tribal goals and objectives. Multiple-use, integrated resource planning and technical assistance are designed to: inventory and protect the renewable natural resources against erosion and soil deterioration; restore eroded and depleted areas; stabilize runoff and minimize sediment on land areas; improve cover with adapted crop species on farmland, forest, pasture and rangeland; retain water for farm and ranch use; and provide operation and maintenance of 71 Indian irrigation projects. These activities will be accomplished through the reduction of the inventory backlog and the implementation of current state-of-the-art and management techniques designed to interpret and determine potential for present and future use of the resources. Within the bureau, management of agronomic and range resources is decentralized, with professional staff located at 11 area offices and 76 agency offices in 26 states providing technical assistance to 303 Indian reservations encompassing over 46 million acres. In many cases, agriculture and range personnel also provide technical assistance, support and resources to develop and implement the wildlife and parks program on the reservations. They initiate environmental reviews for trust lands, except forested land, and review environmental assessments completed by other agencies.

A. Program Management

(Dollar amounts in thousands)

<u>Program Element</u>		FY 1990 Enacted to Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
Area Office	\$	1,219	1,202	881	727	-154
Operations	(FTE)	(29)		(29)	(16)	(-13)
Central Office	\$	304	300	305	305	--
Operations	(FTE)	(6)		(6)	(6)	(--)
Total	\$	1,523	1,502	1,186	1,032	-154
	(FTE)	(35)		(35)	(22)	(-13)

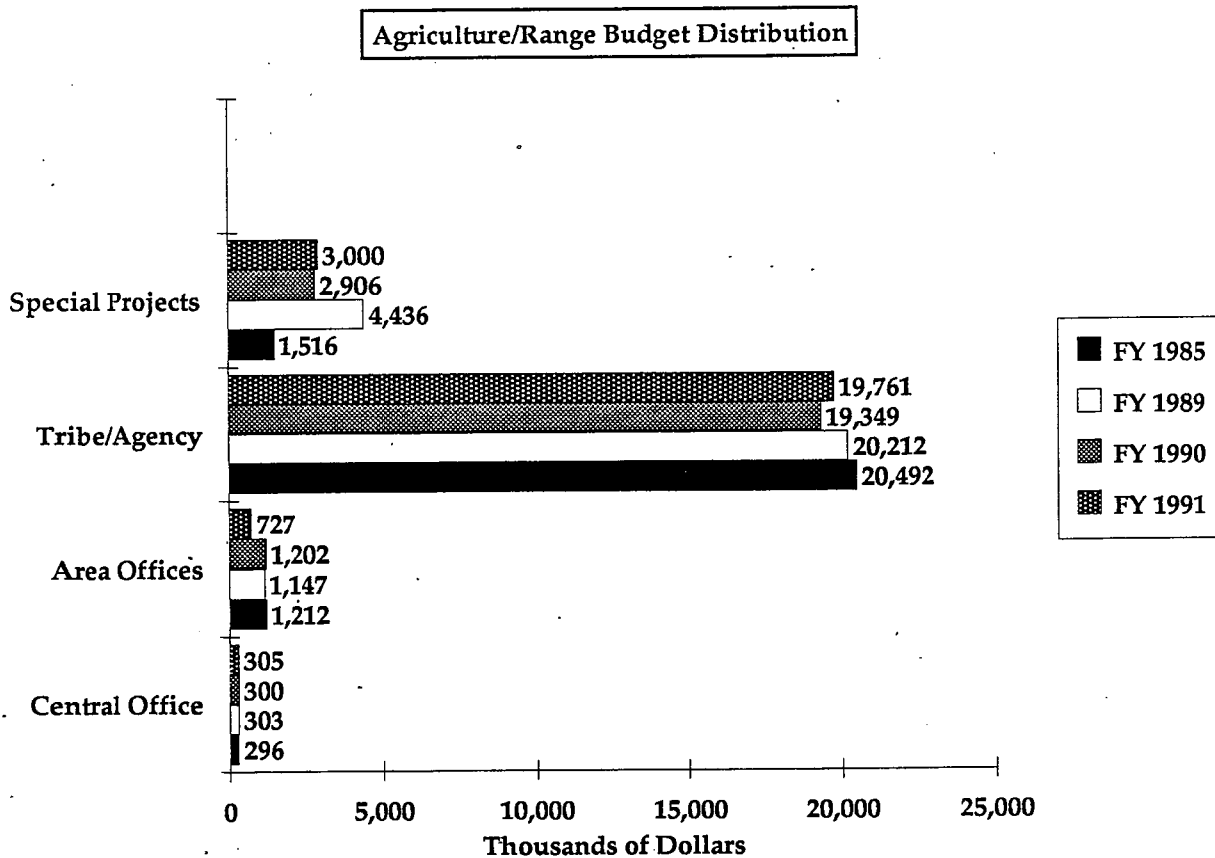
Area Office Operations (\$881,000; FTE 29): The area offices are responsible for implementing bureau policy and procedures, monitoring and conducting evaluations of the agency agriculture, range and hazardous waste programs. The program staff provides assistance and advice to the area director and agency superintendents on matters relating to planning, management, conservation, development and utilization of Indian soil, water and rangeland resources; administers pesticide, herbicide, animal damage control and hazardous waste programs on Indian lands; and directs the flood plains management program. Technical assistance is provided for establishing and monitoring P.L. 93-638 grants and contracts.

Central Office Operations (\$305,000; FTE 6): The central office provides staff assistance and advice to the Deputy to the Assistant Secretary-Indian Affairs (Trust & Economic Development) on matters relating to establishment of program standards, policy and procedures for the bureauwide agriculture and range programs which include agriculture, range, soil and moisture conservation, hazardous waste and the application of pesticides. This staff develops procedures and policy in the development and utilization of the trusts' soil, water, and rangeland resources based upon national tribal goals and objectives; provides

direction of the bureau's flood plains management program; and administrative assistance to the bureau's pesticide, herbicide and animal damage control program on Indian lands. The staff maintains liaison and close working relations with other federal agencies, area offices and agency officials on matters affecting Indian renewable natural resources; performs the budget planning and development responsibilities for these activities; and provides assistance to area office staff in carrying out the oversight and program review functions for the Assistant Secretary - Indian Affairs.

The central office also provides technical assistance and coordination to the Inter-Tribal Agriculture Council, disseminates information to tribes on agriculture related matters through the issuance of information bulletins, and coordinates and administers the Agriculture Student Cooperative Program in conjunction with the Haskell Indian Junior College and the Southwestern Indian Polytechnical Institute.

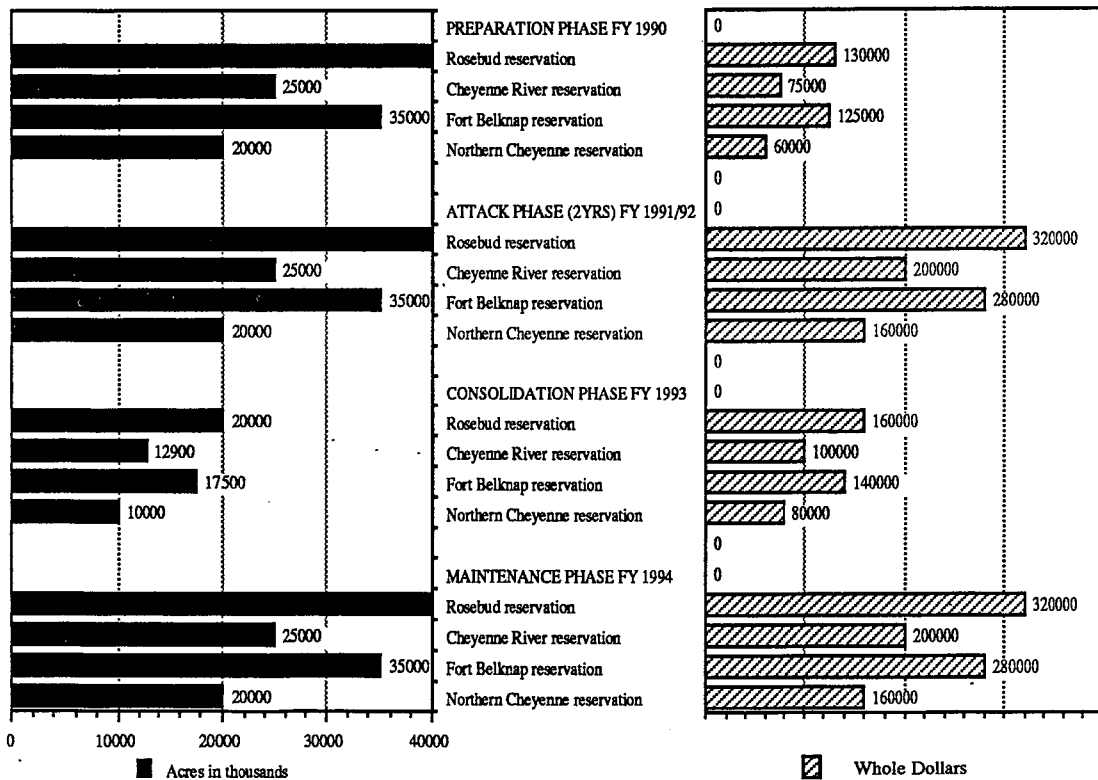
The FY 1991 budget also includes \$19,761,000 for Agriculture programs in Tribe/Agency Operations. The table below compares funding for Areas, Central Office, and Tribe/Agency and special projects which include noxious weeds, Prairie Dogs, and tribal specific appropriations.



B. Prairie Dog Control Program

Base Program (\$500,000; FTE 0): A new five year plan for the prairie dog control program has been developed in cooperation with the Aberdeen and Billings Area Offices for fiscal years 1990 through 1994. This five year program will cover two reservations in the Aberdeen Area (Rosebud and Cheyenne River) and two in the Billings Area (Fort Belknap and Northern Cheyenne). The total number of acres infested with prairie dogs on these reservations is approximately 120,000. The total cost of treatment over the five year period would be approximately \$4,000,000. The following chart provides detailing of the five year program.

**PRAIRIE DOG CONTROL PROGRAM
FIVE - YEAR PLAN**



The elements of the prairie dog control program are described below:

(1) Preparation Phase (FY 1990): This phase involves carrying out a reconnaissance survey of infested areas, mapping prairie dog towns, determining the priority control areas, delineating the zone structure, training field personnel, preparing an action plan for each year, and each zone, and carrying out the consultation with U.S. Fish and Wildlife Service the required under Section 7 of the Endangered Species Act. This will require each Agency to perform a blackfooted ferret survey to assure protection of the ferret habitat as an endangered species. Inter-border coordination with neighboring jurisdictions and private land owners and leasees will also be carried out during this phase.

(2) Attack Phase (FY's 1991 and 1992): This phase will involve fall treatment with Zinc Phosphide baited oats during the driest period of the season and Aluminum Phosphide for mop-up in the spring season. This two-year treatment on a total coverage basis is targeted to control 95% of the infestation on the four reservations.

(3) Consolidation Phase (FY 1993): Similar treatment as in the attack phase but at reduced acreage level will be required to control the remaining pockets of prairie dogs and those that have invaded the reservation from neighboring dog towns. Cooperative control efforts will also be established with jurisdictions across the border area by effective barriers.

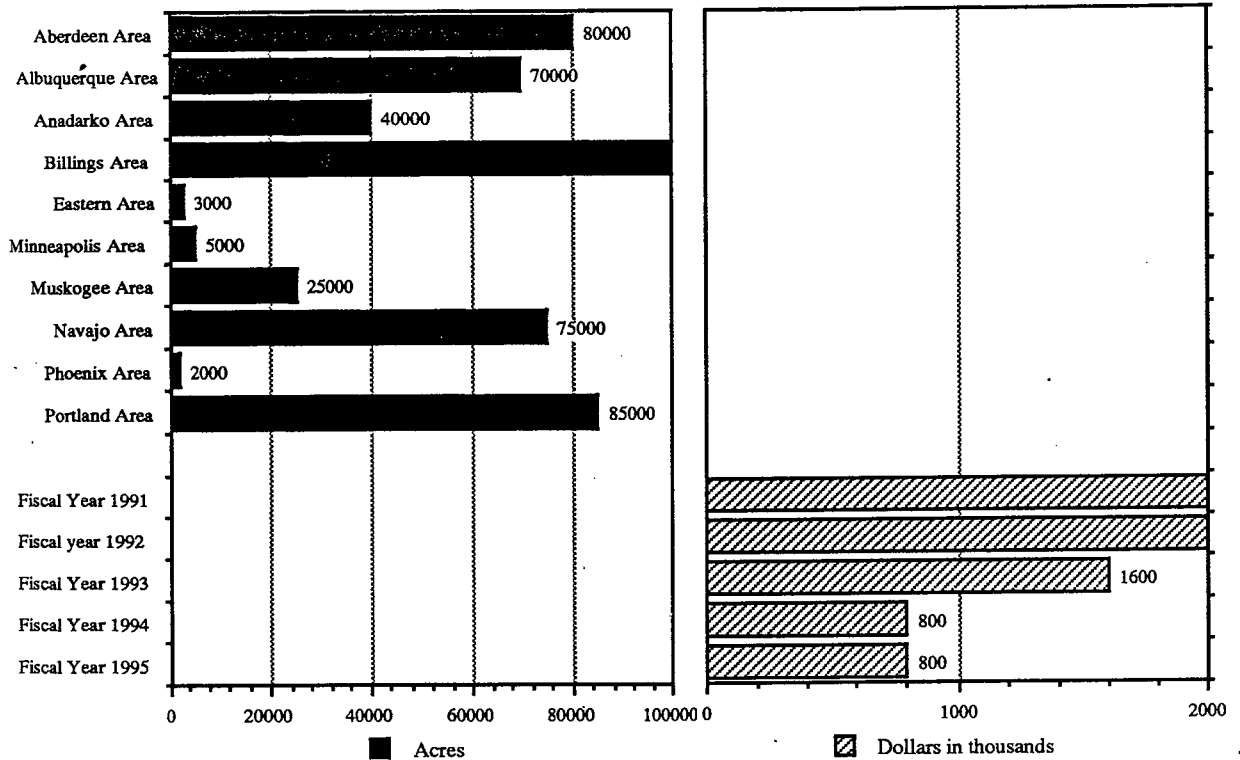
(4) Maintenance Phase (FY 1994): This is the range restoration and rehabilitation phase, during which fencing and water resource dugouts and wells are constructed to distribute livestock throughout the leaseable range units in accordance with the carrying capacity of reservation grazing land. This phase may be extended as part of the regular operation and maintenance program of the reservation, once the major range units are restored.

The FY 1990 preparation phase is being implemented on the four reservations at a cost of \$500,000. An action plan for each reservation program will be submitted to initiate the five-year plan. Subsequent fiscal year funding will be required to assure continuation of the five-year control work. The Aberdeen and Billings Area Offices will oversee the implementation of the plan and assist the Agencies and tribes in coordinating prairie dog control work with other Federal and State agencies and private landowners.

C. Noxious Weed Eradication

Base Program (\$730,000; FTE 0): These funds will be used to manage and control noxious weeds on selected Indian reservations. An appropriate management strategy to control noxious weeds will be developed through a survey of the most serious noxious weed infestations; identification of troublesome weed species; and determination of priority range units to be treated. Major focus will be placed on areas actually in production (ranch and farm operations) and land suitable for future leasing including irrigable land, to return these parcels to productivity after noxious weeds are controlled. Chemical, mechanical, cultural and biological control methods will be used. Funds will be distributed to areas and agencies with existing noxious weed control programs who have secured cost-sharing with other jurisdictions and non-Indian entities within and outside the Indian reservations. This funding will allow the control of approximately 30,000 acres based on a cost-shared funding of \$25 per acre.

NOXIOUS WEED CONTROL PROGRAM FIVE - YEAR PLAN



D. Special Agriculture Programs

Base Program (\$1,716,000; FTE 0):

Gila River Farms (\$1,411,000; FTE 0): The proposed plan for the development of the Gila River Farms-Sacaton Ranch project includes the establishment and maintenance of new crops as part of the crop diversification program. The funds appropriated in FY 1990 will be used by the Gila River Indian Community to establish specialized crops, such as citrus and grapes, to diversify the cropping patterns which will enable the Farms to generate revenue and reduce their dependency on crops supported through the Department of Agriculture crop deficiency program.

Nez Perce (\$55,000; FTE 0): The soil fertility project on the Nez Perce Indian Reservation includes the collection of base line soil fertility data; an evaluation of the quantity and quality of limestone resources on the reservation for possible commercial development of agriculture lime; and an investigation of the need for lime application on reservation farm lands to improve crop yields and reduce the soil erodability.

Intertribal Agriculture Council (\$250,000 FTE 0): The Intertribal Agriculture Council provides a forum for Native American and Alaskan Natives to exchange ideas and share information on the management, protection and development of agriculture, range and water resources; promotes and recommends changes in Federal and tribal policies to encourage self-determination and self-sufficiency through improved management opportunities by local governments; encourages training and development in agriculture and natural resource disciplines; assists in the exploration of agricultural marketing opportunities; and disseminates information to member entities concerning legislation and Federal policies affecting Native American and Alaska Native agriculture and natural resources. These funds will

be used by the Intertribal Agriculture Council to publish a quarterly newsletter for dissemination to all members; provide information on proposed legislation affecting agriculture and water resources; provide information on upcoming activities; and sponsor an annual symposium for member groups and Federal agencies to exchange information.

E. Irrigation Operation and Maintenance

Base Program (\$7,738,000; FTE 18): The Irrigation O & M program provides funds to pay the operation and maintenance assessment for those Indians who are financially unable to pay their assessments and where the United States is required to provide these services at no cost to the Indian users. There are approximately 61 irrigation systems designated for this program, ranging in size from tracts of a few acres such as subsistence garden tracts to major projects of over 50,000 acres. Paying these assessments assures operation and maintenance service for all users, Indians and non-Indians alike, who have paid their assessments. Non-Indian users of the Indian irrigation systems pay the full assessment in advance, as do Indians who are able to pay the full assessment. Irrigation O & M funds are essential to maintain the delivery system for all users, to avoid costly crop failures for Indians and non-Indians, and to minimize and/or avoid unnecessary major rehabilitation costs to the government. The bureau plans to undertake a review of its irrigation system program during FY 1990.

All collections from water users are deposited in the operation and maintenance 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). Collections from Indian water users for prior year assessments which have previously been paid from reimbursable appropriated funds are deposited directly into the Treasury, as Miscellaneous Receipts, for repayment of reimbursable indebtedness.

Indian irrigation systems and projects fall into the following categories:

1) Projects where the repayment capabilities of the land will permit land-owners and water users as a whole to pay the full annual cost of the operation and maintenance of the system. The lands have characteristics to produce crops under sustained irrigation. Assessment rates on these projects are fixed to return the full operation and maintenance costs. Any unpaid assessment becomes a lien against the land for which the assessment is paid.

No funds are requested for payment of assessments under this category.

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 user to pay and 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 lands in excess of the annual assessment and any part of the uncollectable annual per acre assessment against Indian owned lands. Funds so paid into the Collection Account to cover these costs become reimbursable debts due 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 lands 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. 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 the irrigation systems and reservoirs serving these Indian-owned lands are made by the irrigation district or water users association serving such Indian owned lands.

Funds requested for payment of assessments under this category will be used, when necessary, to pay into the Collection Account for payment to private and public irrigation districts and water users associations for operation and maintenance costs assessed for Indian-owned lands included within such irrigation districts and water users associations. Funds used for payment of assessments covering these costs are reimbursable and become debts due the U.S., except for those payments that are nonreimbursable by legislation.

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

Following is a summary of irrigation project acreage and estimated value of crops grown. Data for the 1988 crop year is the latest available.

<u>Land Ownership in Projects</u>	<u>Acreage</u>	<u>Gross Crop Value (\$ Millions)</u>
<u>Indian Owned Land</u>	<u>996,766</u>	<u>\$ 256.05</u>
Indian Farmed	472,425	90.85
Non-Indian Farmed	385,508	165.20
Idle	138,833	-0-
<u>Non-Indian Owned/Farmed</u>	<u>149,000</u>	<u>62.30</u>
Grand Total	1,145,766	\$ 318.35

The 71 Indian irrigation projects are distributed throughout the west as follows:

<u>BIA Area Office</u>	<u>No. of Projects</u>
Albuquerque	23
Billings	6
Navajo	1
Phoenix	29
Portland	7
Sacramento	<u>5</u>
Total	71

The Appropriations Act for FY 1984, P.L. 98-146, authorized the Secretary of the Interior to invest irrigation and power operation and maintenance collections. The initial investments were made on November 10, 1983. For the period September 30, 1988 through September 30, 1989, the total interest earned from the investments was \$4,900,000. The irrigation portion was \$2,000,000 and the power portion was \$2,900,000. The interest earnings are having a very small impact in terms of O & M requirements on a project-by-project basis. On March 31 and September 30 of each year, the interest earnings are apportioned to each participating project in direct proportion to the amount of investment by each project.

The estimated distribution of funds by category for FY 1990 and FY 1991 is as follows:

(Dollar amounts in thousands)

<u>Category</u>	<u>No. of Projects</u>	<u>Estimate FY 1990</u>	<u>Estimate FY 1991</u>
1)	9	\$ -0-	\$ -0-
2)	8	310	310
3)	43	925	925
4)	5	317	317
5)	5	2,950	2,950
NIIP)	<u>1</u>	<u>3,214</u>	<u>3,214</u>
Total	71	\$7,716	\$7,716

Change from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991 Base</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Program Management:	\$ 881	727	-154
Area Office Operations	FTE (29)	(16)	(-13)
Prairie Dog Control Program	\$ 500	1,000	+500
Noxious Weed Eradication	\$ 730	2,000	+1,270
Special Agriculture Programs	\$ <u>1,716</u>	<u>--</u>	<u>-1,716</u>
Total	\$ 3,827	3,727	-100
	FTE (29)	(16)	(-13)

Area Office Operations (-\$154,000; FTE -13): This decrease is the result of priorities established at the following area offices:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>+/- Difference</u>
Aberdeen Area	\$231,000	\$187,000	\$-44,000
Minneapolis Area	33,000	33,000	--
Muskogee Area	71,000	79,000	+8,000
Phoenix Area	101,000	111,000	+10,000
Navajo Area	659,000	531,000	-128,000
Portland Area	<u>124,000</u>	<u>124,000</u>	<u>--</u>
TOTAL TRIBAL PRIORITIES	\$1,219,000	\$1,065,000	\$-154,000
ADJUSTMENTS:			
One additional workday		+3,000	
Adjustment for Administrative and Staffing Efficiencies		-16,000	
FY 1991 Federal Pay Adjustments		+13,000	
Federal Employees Retirement System (FERS)		+28,000	
Navajo Area Transfer to Tribe/Agency		<u>-366,000</u>	
FY 1991 REQUEST.....		\$727,000	\$-154,000

Prairie Dog Control (+\$500,000; FTE 0): The increase will enable the bureau to intensify prairie dog control measures by implementing a total coverage fall treatment with zinc phosphide bait followed by a spring treatment with phostoxin as a mop-up for 120,000 acres. It will also allow additional range rehabilitation and restoration measures such as cattle water dug-outs, fencing and dams in accordance with the Five-Year Plan of Operation to increase the carrying capacity of rangeland in the four reservations of Fort Belknap, Northern Cheyenne, Rosebud and Cheyenne River. Total acres to be restored would be approximately 100,000.

Noxious Weed Eradication (+\$1,270,000; FTE 0): The increase will enable the bureau to launch the Five-Year Noxious Weeds Management Plan. The objective of this plan is to control and manage 50% of the identified weeds within fiscal years 1991 and 1992 with a total treatment of approximately 120,000 acres. A total of 750,000 acres are targetted for control during the five-year program. This increase will assist the bureau in organizing the logistics of the first year of the attack phase and implementing the five-year plan in cooperation with the tribes concerned, private land owners, land users, and local county, state and federal jurisdictions. A noxious weed coordination meeting of tribal and BIA weed coordinators will be held early in FY 1990 to establish the top priority infested areas to be controlled in FY 1991. The priority on rangeland will be those units on which the carrying capacity has been reduced as a result of invasion of noxious or troublesome weeds.

Special Agriculture Programs (-\$1,716,000; FTE 0):

Gila River Farms (\$-1,411,000): Gila River Farms has received Congressional add-ons of \$650,000 in FY 1988, \$1,710,000 in FY 1989 and \$1,411,000 in FY 1990. The

Bureau feels this is sufficient Federal support for a project which was to have become profitable in 1989 and has not requested funding for the project.

Nez Perce Soil Fertility (-\$55,000): The Congressional add-on for this project in FY 1990 was the third and final year of funding to evaluate the change in soil erodability and the effects on crop yield, and further funding is not required.

Intertribal Agriculture Council (-\$250,000): The Council should be funded by dues from individual members and groups who receive services from the Council.

Object Class Distribution - Natural Resources. General Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.	-13	\$ -298,000
Personnel Benefits.		-42,000
Other Services.		<u>+240,000</u>
Total.	-13	\$ -100,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Forestry

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Program Management	\$	2,639	2,603	2,692	2,588	-104
	(FTE)	(60)		(60)	(54)	(-6)
B. Forest Development	\$	8,161	8,050	8,172	10,212	+2,040
	(FTE)	(87)		(87)	(110)	(+23)
C. Forest Products Marketing Assis- tance	\$	338	333	338	338	--
	(FTE)	(6)		(6)	(6)	(--)
D. Forest Management Inventories and Plans	\$	1,200	1,184	1,204	1,504	+300
	(FTE)	(10)		(10)	(10)	(--)
E. Woodland Management	\$	500	493	500	--	-500
	(FTE)	(6)		(6)	--	(-6)
F. Aviation Management	\$	65	64	65	65	--
	(FTE)	(1)		(1)	(1)	(--)
G. Menominee Forestry	\$	--	--	500	500	--
	(FTE)	(--)		(--)	(--)	(--)
Total Requirements	\$	12,903	12,727	13,471	15,207	+1,736
	(FTE)	(170)		(170)	(181)	(+11)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Forestry	12,903	-176	12,727

This reduction will be spread to all the program segments listed above, with the result that fewer forest development backlog acres will receive treatments, not as many forest segments will be inventoried, fewer forest plans will be completed, fewer aviation safety inspections will be completed, and less marketing assistance will be provided.

Objective: The principal objective of the forestry program is to maintain, protect, enhance and develop Indian forest resources through the application of sound forest management principles. State-of-the-art forest management practices are applied to the forest resource to produce, in perpetuity, economic forest products, employment opportunities, and other values deriving from the forest estate for the use and benefit of the Indian owners.

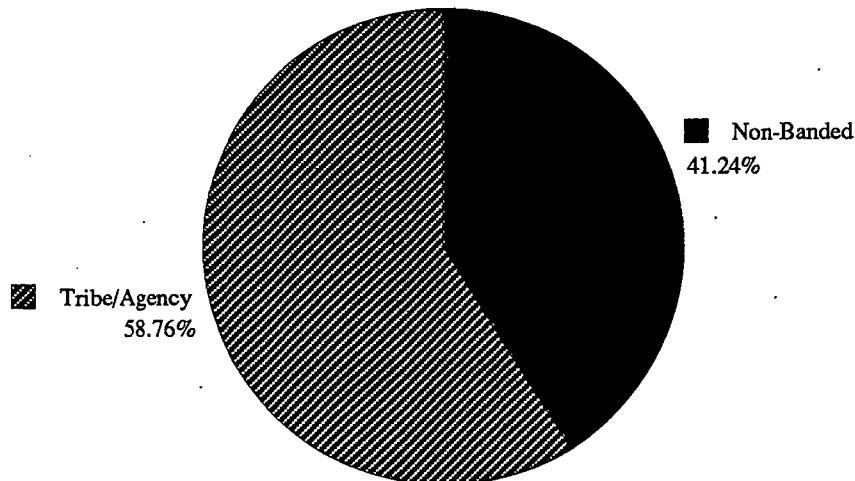
Total Forestry Program: The total FY 1991 request for the forestry program is \$36,873,000 which includes \$21,666,000 in Tribe/Agency Operations based on tribal priorities established in the Indian Priority System (IPS) plus \$15,207,000 in this portion of the budget. There is an inter-relationship among these forestry program activities, and workload cannot be precisely delineated. The following table and charts depict the total appropriated Forestry Program. Refer to the Tribe/Agency - Natural Resources section of the budget for narrative detail on the IPS forestry budget.

In addition to appropriated funds, up to 10% of the gross timber sale receipts are deposited in a special account at the agency level and are available for tribal forestry activities. These funds amount to \$5-7 million per year.

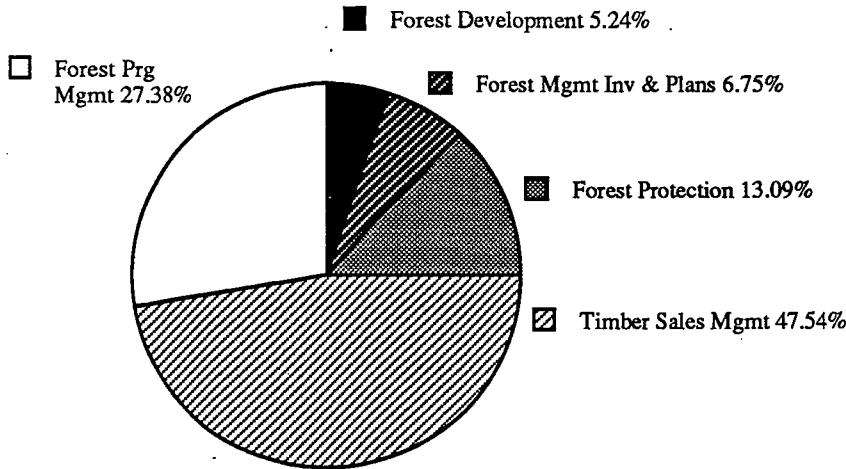
Total Forestry Program

	<u>FY 1991 Request</u>	
	<u>Tribe/Agency</u>	<u>Non-Banded</u>
Area Office Operations	\$	\$ 1,111,000
Central Office Operations		1,477,000
Forest Development	1,135,000	10,212,000
Forest Management Inventories & Planning	1,462,000	1,504,000
Forest Protection	2,836,000	
Forest Products Marketing Assistance		338,000
Timber Sales Management	10,301,000	
Forest Program Management	5,932,000	
Aviation Management		65,000
Menominee Forestry Program		500,000
Total Forestry	\$21,666,000	\$15,207,000

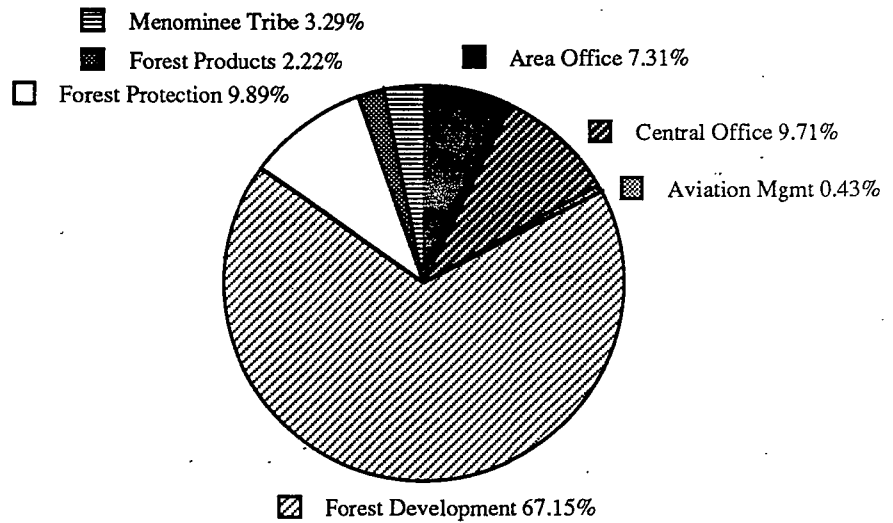
FORESTRY BUDGET
FY 1990 BUDGET



FY 1990 TRIBE/AGENCY



FY 1990 NON-BANDED



A. Program Management

(Dollar amounts in thousands)

		<u>FY 1990</u> <u>Enacted</u> <u>to Date</u>	<u>FY 1990</u> <u>Adjusted</u> <u>Approp.</u>	<u>FY</u> <u>1991</u> <u>Base</u>	<u>FY</u> <u>1991</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
Area Office Operations	\$ (FTE)	1,167 (39)	1,151	1,215 (39)	1,111 (33)	-104 (-6)
Central Office Operations	\$ (FTE)	1,472 (21)	1,452	1,477 (21)	1,477 (21)	-- (--)
Total	\$ (FTE)	2,639 (60)	2,603	2,692 (60)	2,588 (54)	-104 (-6)

Base Program (\$2,692,000; FTE 60):

Area Office Operations (\$1,215,000; FTE 39): Execution of the forestry program involves: (1) the planning and scheduling of areawide forestry activities, and (2) the exercise of program oversight to ensure that regulatory and policy requirements are followed and that technical standards of sound forest management are upheld. In carrying out the technical and administrative activities of the forestry program, active working relationships are maintained with other governmental and private organizations concerned with forestry problems of mutual interest.

Technical functions include the formulation and implementation of policies for the activities of appraisal and sale of timber, preparation and revision of multi-use management plans for the forest land base, forest inventories and subsequent analysis of inventory data, forest improvement projects and forest protection.

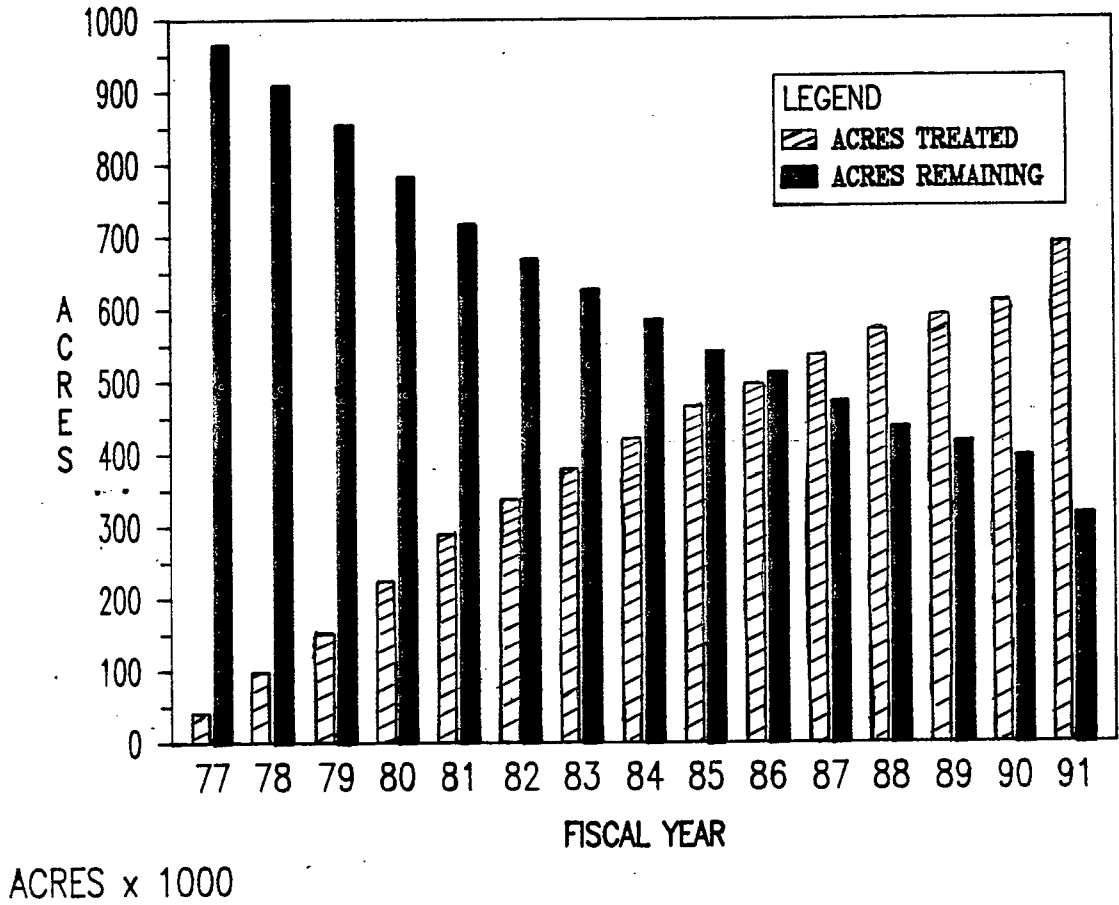
Central Office Operations (\$1,477,000; FTE 21): The function and role of the forestry program is to protect and develop the forest resources of Indian trust property. The central office provides program administration for the bureau's forestry operations through the review and development of procedures and manual directives. Delegations of authority are kept current, legislation is prepared and reports on legislation are drafted to facilitate management of Indian forest resources. Staff assistance is provided in preparing budget justifications and backup information for Congressional appropriations and other hearings.

In carrying out the technical and administrative activities of the forestry program, active working relationships are maintained with other governmental and private organizations concerned with forestry problems of mutual interest. These funds include support for the Forester Intern Program, oversight and management of the bureau's aviation program, and forest and range fire protection and suppression efforts.

B. Forest Development

Base Program (\$8,172,000; FTE 87): This special forest development program continues the initiative begun in FY 1977 to eliminate the backlog of commercial forest acres requiring silvicultural treatment(s) to bring them up to full productive capacity. Projects are principally reforestation and timber stand improvement. Through intensive forest development practices, allowable annual cuts may be increased, and improved forest products presented for sale, bringing higher profits to the individual Indian and tribal forest landowners.

FOREST DEVELOPMENT ACCOMPLISHMENTS



C. Forest Products Marketing Assistance

Base Program (\$338,000; FTE 6): Prior to FY 1988, the bureau's assistance in marketing of forest products was limited to inventory and appraisal for local markets. To help Indian tribes expand their market for forest products, the bureau began to provide marketing assistance by establishing marketing positions, and by contracting with tribal organizations and private industry. Expanded markets are expected to produce greater profits and more employment for timber tribes. In addition, the expanded market and forest products business development will enhance the reservation economies through increased revenues and expanded employment opportunity.

D. Forest Management Inventories and Plans

Base Program (\$1,204,000; FTE 10): The Forest Management Inventories and Plans (FMI&P) program includes all the activities necessary to compile and maintain modern forest management plans for trust forested reservations or properties having a commercial forest land base. Funds are expended on FMI&P projects in accordance with the 12-year schedule (FY 1984-1995) established in the December 31, 1983, "Report on Status of Inventories and Needs Assessment." That report, and subsequent periodic revisions, includes a schedule for completion of forest inventory and planning segments which, when combined with social, economic and other considerations of the Indian owners, provides the framework for developing the reservation forest management plan. As of September 30, 1988, approximately 40 of the 87 forested reservations or properties have current forest management or operating plans. This equates to approximately 64 percent of the total commercial forest land base of 5,592,409 acres having plans. The remaining locations continue to operate with outdated plans. These numbers will vary from year to year as new inventories refine commercial forest acreage, and the status of management planning on a reservation changes because of the need to periodically update and/or revise existing plans.

E. Woodland Management

Base Program (\$500,000; FTE 6): The Woodland Management Program has been established to bring the woodland resources under formal forest management practices, thereby assuring sustained and continuous woodlands resources and uses. New Forestry positions will be established, principally in the western United States. This program establishes active forest management on commercial woodlands acres. The programs' first objectives are: 1) to establish a permanent woodlands resources inventory; 2) to incorporate woodlands resources data into reservation Integrated Resource Management Plans, as appropriate; and 3) to increase economic returns to the Indian landowners from their woodland resource.

F. Aviation Management

Base Program (\$65,000; FTE 1): The Bureau of Indian Affairs annually spends over \$2,500,000 for aviation activities. Almost all of these expenditures can be attributed to Emergency Fire Suppression activities. Responsibility for oversight and program direction was assigned to the forestry program which has also borne the total cost of the program. Because of the expanding use of aircraft services, the Department's increased emphasis on air safety, and the annual reporting requirement to the General Services Administration, a distinct Aviation Management Program became necessary.

G. Menominee Forestry

Base Program (\$+500,000; FTE 0): The Menominee Tribe of Wisconsin practices and promotes the sustained yield principle for their forest. Through the continued endorsement of this principle, the Tribe has promoted the development of the finest contiguous blocks of high quality hardwoods and pine in the Lake States. The Menominee forest, consisting of over 220,000 acres, has become the mainstay for the Tribe. Income from their forest virtually supports all community services. The Menominee Tribe's trust relationship with the Federal Government was terminated in 1961 and restored in 1973. Along with restoration, Congress acknowledged that the Menominee Tribe did not need or desire daily federal supervision and provided for maximum self-determination by authorizing a Trust and Management Agreement between the Secretary of the Interior and the Menominee Tribe. Along with the restored trust relationship came funding restoration. (Funding in this portion of the budget is supplemented by funding in the Tribe/Agency section of the budget).

Total Forestry Program Workload Summary:

	<u>Unit</u>	<u>Actual FY 1989</u>	<u>Estimate FY 1990</u>	<u>Estimate FY 1991</u>
<u>Forest Development:</u>				
-Reforestation	Acres	11,727	10,000	12,000
-Timber Stand Improvement	Acres	30,871	30,000	38,000
<u>Forest Protection:</u>				
-Forest & Range Land Protected	Acres	60,873,000	60,873,000	60,873,000
-Number of Fires Suppressed	CY	3,163	3,000	3,000
-Acreage burned		199,235	100,000	100,000
<u>Timber Sale Management:</u>				
-Allowable Annual Cut	MBM	1,005,700	1,005,700	1,005,700
-Volume of Timber Harvested	MBM	757,000	850,000	850,000
-Value of Timber Harvested	\$	82,026,000	85,000,000	85,000,000
<u>Forest Management Inventories & Plans:</u>				
-Aerial Photography	# of Reserv.	<u>1/</u> 1	<u>2/</u> 15	<u>2/</u> 10
-Mapping	# of Reserv.	4	15	6
-Field Inventory	# of Reserv.	1	11	8
-Inventory Analysis	# of Reserv.	3	9	13
-Management Plan	# of Reserv.	3	15	12
<u>Forest Program Management:</u>				
-Program Reviews		10	25	25
-Quality Control Reviews		5	4	4
-Site Visits		29	50	50

1/ SOURCE: Status of Forest Management Inventories and Planning, 9/30/89.
2/ SOURCE: Status of Forest Management Inventories and Planning, 9/30/88.

The 1988 survey of Annual Economic Benefits Derived from Indian Forest Resources showed that the BIA forestry program generated direct or indirect employment of 14,747 and income of \$395.7 million.

Change from 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Program Management	\$	1,215	1,111	-104
Area Office Operations	FTE	(39)	(33)	(-6)
Forest Development	\$	8,172	10,212	+2,040
	FTE	(87)	(110)	(+23)
Forest Management Inventories & Plans	\$	1,204	1,504	+300
Woodland Management	\$	500	--	-500
	FTE	(6)	--	(-6)
Total	\$	11,091	12,827	+1,736
	FTE	(132)	(143)	(+11)

Area Office Operations (-\$104,000; FTE -6): The decrease is the result of priorities established at the following area offices:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Billings Area	\$ 35,000	\$ 35,000	\$ --
Juneau Area	173,000	173,000	--
Minneapolis Area	242,000	242,000	--
Phoenix Area	182,000	182,000	--
Sacramento Area	120,000	120,000	--
Albuquerque Area	104,000	--	-104,000
Navajo Area	146,000	146,000	--
Portland Area	105,000	105,000	--
Eastern Area	<u>60,000</u>	<u>60,000</u>	<u>--</u>
TOTAL AREA PRIORITIES	\$1,167,000	\$1,063,000	\$-104,000

ADJUSTMENTS:

One additional workday	+3,000	
Adjustment for Administrative and Staffing Efficiencies	-21,000	
FY 1991 Federal Pay Adjustment	+16,000	
Federal Employees Retirement System (FERS)	<u>+50,000</u>	
FY 1991 REQUEST	\$1,111,000	\$-104,000

Forest Development (+\$2,040,000; FTE +23): Congress enacted the Special Forest Development program in 1977 to eliminate the backlog of reforestation and thinning work on Indian forest lands identified at that time as requiring silvicultural treatment to bring the lands to full productive capacity. Funds have been provided each year for this purpose, but the following factors have prevented total elimination of the backlog: (1) higher project unit costs, (2) higher energy costs, (3) increased labor costs, and (4) the remoteness of remaining project sites. Over 50% of the backlog acres had been treated by the end of FY 1989, and the backlog was down to approximately 500,000 acres. Because forests are constantly changing in character and structure, silvicultural treatments must be applied periodically to maintain the forest at its full productive capacity and to maintain optimum forest growth rates.

The increased funding will hasten the completion of the backlog treatments and also allow the bureau to initiate secondary treatment of the originally treated acres.

Forest Management Inventories and Plans (+\$300,000; FTE 0): Over the past several years, a substantial acreage has been added to the trust forest land base through restoration by Congress or purchase by tribes. The additional funds will be used to install forest inventories and develop forest management plans for these new lands and those lands already in the base that are scheduled for forest management inventory and planning updates.

Woodland Management (-\$500,000; FTE -6): The Congress, through the efforts of the Intertribal Timber Council, appropriated a one time add-on of \$500,000 to implement a forest Woodlands Management Program in the Phoenix, Albuquerque, Aberdeen and Navajo areas. The bureau has implemented efforts to evaluate woodland and marketing development projects for use of resources from tribally-owned commercial woodlands and no additional funding is requested at this time.

Object Class Distribution - Forestry Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	+11	\$+467,000
Personnel Benefits.....		+65,000
Other Services.....	--	<u>+1,204,000</u>
Total.....	+11	\$+1,736,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Water Resources

(Dollar amounts in thousands)

		FY 1990 Enacted <u>to Date</u>	FY 1990 Adjusted <u>Approp.</u>	FY 1991 <u>Base</u>	FY 1991 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
A. Program Management	\$	469	463	482	430	-52
	(FTE)	(8)		(8)	(6)	(-2)
B. Water Management, Planning and Pre- Development	\$	9,238	9,113	9,263	6,863	-2,400
	(FTE)	(5)		(5)	(5)	(--)
C. Irrigation Drainage	\$	<u>400</u>	<u>395</u>	<u>400</u>	<u>400</u>	<u>--</u>
Total Requirements	\$	10,107	9,971	10,145	7,693	-2,452
	(FTE)	(13)		(13)	(11)	(-2)

Impact of Public Law 99-177

		FY 1990 Enacted <u>To Date</u>	Reduction Pursuant to <u>P.L. 99-177</u>	FY 1990 Adjusted <u>Approp.</u>
Water Resources	\$	10,107	-136	9,971

This reduction will be accomplished by reducing program management operating costs such as travel, supplies, and office equipment; the reductions for water resources and irrigation drainage projects and studies will not compromise the ability to perform these tasks, but will be absorbed through reduced travel and related project expenditures.

Objectives: The objectives of this program are to: (1) assist tribes in management, planning and pre-development of their water resources in a manner consistent with sound economic and conservation principles; (2) assist tribes in developing and sustaining an administrative environment which assures that tribal water resource programs are conducted in a manner consistent with applicable laws, regulations, court decisions, and negotiated settlements of water rights claims; and (3) increase tribal training opportunities and involvement in all aspects of water resource management to achieve full tribal capability in these matters.

A. Program Management

Base Program (\$482,000; FTE 8):

Central Office Operations (\$482,000; FTE 8): The central office provides the bureau, the department, and tribes with analyses and evaluations of water resources management, planning and pre-development proposals which are addressed by court actions, legislation, and regulations affecting tribal water rights and uses. The central office formulates and implements policy initiatives, recommends funding

allocations, develops reporting systems, conducts program evaluations of area office operations, maintains liaison and coordination with other federal agencies, and proposes regulations and procedures for program operations including contracts and grants.

B. Water Management, Planning and Pre-Development

Base Program (\$9,263,000; FTE 5): The program supports tribal water resources management, planning and pre-development activities within the scope of the President's Plan for Review of Indian Water Rights Claims, August 1980, which will be updated during FY 1990.

Water Resources Management funding will enable the bureau to support tribal water offices. Applications for these funds will be reviewed by bureau program officials who will verify that the applications meet the following criteria for funding: (1) the applicant tribe must have passed a resolution calling for the development of a comprehensive water resources plan; and (2) the plan to be developed must be consistent with the intent of the 10-year plan.

Continued support for established tribal water offices will be re-evaluated at the end of each fiscal year as to progress made on water resources management activities by the tribal staff, and scheduled activities for the coming fiscal year. In addition, a determination will be made as to when recipient tribes should be able to sustain tribal water offices with income derived from reservation natural resources development. The term of program funding for a tribal water office will not exceed three years.

The development of funding criteria and institution of annual evaluations is believed to be essential to assure that program resources will continue to be used in an effective manner for meaningful purposes. In addition, evaluations will constitute oversight which will enable assessment of progress made under the 10-Year Plan.

Water Resources Planning will enable tribes to achieve comprehensive water resources planning under the 10-Year Plan. Ten categories of study are to be addressed: soils/vegetation; water supply; hydrology; domestic, municipal, industrial uses; livestock uses; wildlife uses; instream flow; other water uses including recreation; cultural and religious significance of water resources; and history of water use on the reservation. Applications for study projects will be reviewed by bureau program personnel and prioritized for funding, provided; (1) that the applicant tribe has passed a resolution calling for the development of a comprehensive water resources plan; and 2) that the comprehensive water resources plan to be developed is consistent with the intent of the 10-Year Plan. Program funds will not be used to support studies for the negotiation or litigation of Indian water rights in the absence of direct tribal water resources management benefits, since such study projects are to be funded from the Rights Protection, Water Rights Negotiation/Litigation portion of the bureau's budget. Therefore, planning studies supported by this program will be at the appraisal level.

Water Resources Pre-Development will enable the bureau to fund tribal water resources pre-development studies, including engineering and economics, as well as the upgrading of requisite Water Resources Planning studies to the feasibility level. In the context of this program, "pre-development" means tribal projects which are focused on the production of design specifications and benefit/cost analysis for water storage and distribution facilities. As such, development projects do not involve expenditures for actual construction of storage and distribution facilities. Indian irrigation project delivery system design and analysis are funded from the Irrigation and Power portion of the bureau's budget.

On-farm irrigation design and analysis are funded from the Agriculture portion of the bureau's budget. Pre-development activities with respect to domestic, municipal, and rural water systems will be referred to the Indian Health Service, the Department of Health and Human Services or the Department of Housing and Urban Development. Applications for pre-development study projects will be considered for funding, provided the following criteria are met:

- (1) the applicant tribe must have passed a resolution calling for the development of a comprehensive water resources plan;
- (2) the plan to be developed is consistent with the intent of the 10-Year Plan;
- (3) the specific water development to be studied is consistent with current tribal comprehensive water resources planning; and
- (4) requisite supporting Water Resources Planning studies must have been completed at the appraisal level.

Bureau program personnel will prioritize accepted applications using the following criteria:

- (1) anticipated economic benefits of development are likely to exceed both costs for construction and operation and maintenance costs over a reasonable period of time;
- (2) anticipated economic benefits of development are likely to be equal to both costs for construction and operation and maintenance costs over a reasonable period of time;
- (3) anticipated subsistence/income supplementary benefits of development will be realized; and/or
- (4) anticipated religious, cultural, habitat, aesthetic, or other benefits will be realized.

C. Irrigation Drainage

Objectives: The Irrigation Drainage program is a special scientific research program which identifies, evaluates and responds to water contamination problems related to irrigation drainage on western Indian reservations where irrigated farming has occurred for many years. Program activities are scheduled under the auspices of the Department of the Interior's Irrigation Drainage Study Team, pursuant to a Memorandum of Understanding between the Assistant Secretary Indian Affairs and the Assistant Secretary - Water and Science.

Base Program (\$400,000; FTE 0): These funds represent the bureau's contribution to the Department-wide budget for the Irrigation Drainage Program. The balance of the budget for the program is provided by the Geological Survey, Fish and Wildlife Service, and the Bureau of Reclamation. Study teams comprised of scientists from the contributing agencies are addressing irrigation drainage-related water quality problems in the vicinity of irrigation projects constructed or managed by the Department of the Interior. Study teams have or are addressing potential problems in the following areas that affect Indian reservations:

<u>Area</u>	<u>Reservations Affected</u>	<u>Fiscal Years of Study</u>
Lower Colorado/ Gila River, AZ	Chemehuevi; Colorado River; Fort Yuma; Gila Bend; Gila River	1986-1987
Salton Sea, CA	Torres; Martinez	1986-1991
Tulare Lake, CA	Santa Rosa Rancheria; Tule River	1986-1990
Upper Sacramento, CA	Cortina Rancheria, Colusa Rancheria	1988-1989
Pine River, CO	Southern Ute	1989-1990
American Falls, ID	Fort Hall	1988-1989
Milk River, MT	Fort Belknap	1988-1989
Stillwater, NV	Fallon	1986-1991
Angostura, SD	Pine Ridge	1989-1990
Middle Green, UT	Uintah and Ouray	1986-1991
Riverton, WY	Wind River	1988-1989

In FY 1990, the following reconnaissance studies will be initiated:

Navajo, Fruitland, Hammond, Hogback, NM	Navajo	1990-1991
Dolores, Ute Mountain, CO	Ute Mountain	1990-1991
Humboldt, NV	Fallon	1990-1991

The program involves the following elements:

- 1) Site identification - identifies sites requiring investigation under the scope of the management strategy;
- 2) Reconnaissance investigations - determines from existing information and filed screening studies, whether irrigation drainage has caused or has the potential to cause harmful effects on human health, fish, wildlife, or their water uses;
- 3) Detailed studies - conducts intensive studies to determine the extent, magnitude, impacts, and causes of contamination problems if existing information and screening studies indicate a high potential for harmful effects;
- 4) Planning - develops a coordinated plan of action with appropriate federal, state, and local agencies to address identified problems; and
- 5) Remediation - implements corrective actions after plans have been developed and remediation authorized for those areas and activities in which the Department of the Interior has authority and resources.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u>	<u>FY 1991</u>	<u>+/-</u>
		<u>Base</u>	<u>Request</u>	<u>Difference</u>
Program Management:	\$	482	430	-52
Central Office	(FTE)	(8)	(6)	(-2)
Water Management, Planning and Pre-Development	\$	<u>9,263</u>	<u>6,863</u>	<u>-2,400</u>
Total	\$	9,745	7,293	-2,452
	(FTE)	(8)	(6)	(-2)

Program Management (\$-52,000; FTE -2): This decrease is the result of transferring funding and staffing in the central office so that management and coordination of all water and land resources (except Forestry) are centralized in Natural Resources, General.

Water Management, Planning and Pre-Development (\$-2,400,000; FTE 0): The FY 1990 Congressional funding for ongoing tribal water operations of three tribes (Flathead, Miccosukee and Seminole) in Tribe/Agency Operations is continued in the FY 1991 request. Therefore, the \$900,000 which would have been funded by this program will be covered by the IPS program in FY 1991.

An additional \$1.5 million in tribal water operation costs are expected to be met from direct funding from other federal agencies to tribes for water resources management, planning and pre-development activities, such as tribal rural water system planning costs by the Bureau of Reclamation, tribal water management grants from the Administration for Native Americans, and water quality management and planning grants from the Environmental Protection Agency. Such direct funding reduces the projected need for this program by another \$1.5 million.

Object Class Distribution - Water Resources

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	-2	\$ -41,000
Personnel Benefits.....		-6,000
Other Services.....		<u>-2,405,000</u>
Total.....	-2	\$ -2,452,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Wildlife and Parks

(Dollar amounts in thousands)

<u>Program Element</u>	FY 1990 Enacted to Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
A. Program Management	\$ 549 (FTE) (7)	542	563 (7)	563 (7)	-- (--)
B. Unresolved Hunting and Fishing Rights	\$ 150	148	150	50	-100
C. Rights Protection Implementation Programs	\$ 18,722	18,469	19,184	15,491	-3,693
D. Fish Hatchery Operations	\$ 4,013 (FTE) (18)	3,959	4,213 (18)	3,920 (18)	-293 (--)
E. Fish Hatchery Maintenance	\$ 200	197	200	--	-200
F. Formerly Fish and Wildlife Service Technical Assistance	\$ 236	233	237	237	--
G. Tribal Management/ Development Programs	\$ 3,988	3,934	3,421	3,221	-200
Total Requirements	\$ 27,858 (FTE) (25)	27,482	27,968 (25)	23,482 (25)	-4,486 (--)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Wildlife and Parks	27,858	-376	27,482

The reductions will impact program implementation, review, and oversight for all programs in the Wildlife and Parks subactivity. Area contracting officers administering 638 contracts have reduced all contracts by 1.4%, and the individual tribes will decide which program components would be affected. The reductions could delay the procurement of essential supplies and equipment resulting in lower production levels and decreasing tribal employment.

Objectives: Wildlife and Parks funds are used to fulfill and execute the Federal Government's trust and rights protection responsibilities relating to fish, wildlife and recreational resources that are important to the sustenance, cultural enrichment and economic support of Indians, and to promote the conservation, development and utilization of these resources for the maximum benefit of Indians, now, and in the future. This goal is addressed by focusing program resources in three primary areas:

- ° Protection against the loss, infringement or abrogation of hunting, fishing, and gathering rights guaranteed to federally-recognized tribes by the United States through treaty, statute or Executive Order, including support for fulfilling tribal co-management responsibilities associated with the exercise of such rights.
- ° Development of full tribal capability and multi-disciplinary competence in the management of fish, wildlife and recreational resource programs through tribal contracting.
- ° Development and maintenance of a dynamic administrative environment which assures that fish, wildlife and recreational resource programs are conducted effectively, efficiently, and in compliance with established objectives, laws, regulations, court decisions, and other directives.

Base Program (\$27,968,000; FTE 25): Generations of American Indians have developed lifestyles, cultures, religious beliefs and customs around their relationships with fish and wildlife. Historically, these resources provided food, shelter, clothing and tools, and were traded for a variety of goods. Fish, wildlife and outdoor recreation resources continue to provide a base of sustenance, cultural enrichment and economic development for many tribes, and help maintain tribal social structure and stability by permitting gainful employment in traditional and desirable occupations. Revenues generated through commercial fishing and recreational resource development programs help support numerous tribal governments.

Roles and responsibilities of American Indians in managing fish, wildlife and outdoor recreation resources, and the use of Indian hunting and fishing rights as tools in protecting these resources, are not widely recognized or understood. Since the mid-1970's, tribes have emerged as co-managers of nationally and internationally significant fish and wildlife resources. In this capacity, tribes work closely with state, Federal, regional and international authorities in fulfilling joint management responsibilities assigned through court orders, statutes and other legal instruments. Tribal programs on reservations contribute significantly toward meeting the growing national demand for outdoor recreation, accounting for millions of use days annually of hunting, fishing, camping, boating, and numerous and diverse other activities. Tribal fish hatcheries annually produce tens of millions of salmon, steelhead trout, walleye and other species. Tribal efforts also result in the protection of many millions of acres of habitat necessary for the conservation of nationally significant fish and game populations, including several listed as threatened and endangered.

Wildlife and Parks funds are contracted to tribes for population assessment, harvest management, habitat restoration, and other programs. Hundreds of tribal biologists, statisticians, hydrologists, enforcement officers, administrative personnel and other professionals participate in these efforts. Many tribes are directing substantial amounts of their own resources to support program activities and salaries.

A. Program Management

	FY 1990 Enacted <u>to Date</u>	FY 1990 Adjusted <u>Approp.</u>	FY 1991 <u>Base</u>	FY 1991 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
Area Office Operations	\$ 150 (FTE) (4)	148	155 (4)	155 (4)	-- (--)
Central Office Operations	\$ 399 (FTE) (3)	394	408 (3)	408 (3)	-- (--)
Total	\$ 549 (FTE) (7)	542	563 (7)	563 (7)	-- (--)

Area Office Operations (\$155,000; FTE 4): These funds support Area Biologists located at the Minneapolis, Aberdeen and Albuquerque area offices. Qualified professionals classified as fish and/or wildlife biologists oversee Wildlife and Parks programs and expenditures, and advise and assist the bureau's contracting officials in the monitoring and evaluating of associated P.L. 93-638 contracts. Area Biologists also serve as liaisons between officials responsible for Wildlife and Parks program operations and budgets at the central office and agency levels, serve in an oversight capacity, and provide technical fish and wildlife assistance to tribes.

Central Office Operations (\$408,000; FTE 3): Professional personnel in the central office are responsible for establishing program goals, objectives, policies, strategies, and procedures necessary for effective and efficient program administration. Central Office staff coordinates program planning, assists in budget formulation and execution processes, proposes systems for the effective delivery of program services, establishes procedures and conducts program evaluations and serves in a program oversight capacity. The staff also coordinates program responsibilities among area offices, agencies, tribes and inter-tribal organizations; analyze policy and legislation; prepares briefings and issue papers; responds to information inquiries; conducts special projects; performs internal control reviews for potential waste, fraud and abuse; and provides expertise and advice to the bureau's executive managers. Central Office staff also provides liaison with other federal and state agencies, participates in national and international meetings and negotiations, and assists in the overall management of trust responsibilities.

B. Unresolved Hunting and Fishing Rights

Base Program (\$150,000; FTE 0): This activity supports tribes engaged in or anticipating litigation to define or clarify the scope of their hunting and fishing rights. Tribal participation in negotiations with other co-management interests in lieu of further litigation is also supported from this activity. Direction received from the courts and settlements negotiated with other co-management entities provide the basis for determining the nature and extent to which Indian hunting and fishing rights may be exercised in the context of overall resource allocation and conservation. The United States and the tribes require information to determine the extent to which treaty hunting and fishing rights may be asserted or exercised, including stock recruitment data, population abundance information, and data needed for the establishment of total allowable catch levels. Such information provides a basis for tribal management, by demonstrating to the satisfaction of the states and the courts that the tribes have the capacity to regulate their members' exercise of treaty hunting and fishing rights in a manner which assures appropriate conservation of the resources. Once these situations go beyond the

litigation or negotiation phase to the implementation phase, support is provided through Rights Protection Implementation Programs to carry out the court rulings, settlements, and agreements.

C. Rights Protection Implementation Programs

	<u>FY 1990</u> <u>Enacted</u> <u>to Date</u>	<u>FY 1990</u> <u>Adjusted</u> <u>Approp.</u>	<u>FY</u> <u>1991</u> <u>Base</u>	<u>FY</u> <u>1991</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
Western Washington (Boldt) \$	9,364	9,237	9,701	7,341	-2,360
Columbia River Fisheries Management \$	1,701	1,678	1,710	1,410	-300
Voigt Case Area \$	2,903	2,864	2,906	2,033	-873
Michigan Fisheries Settlement \$	1,639	1,617	1,744	1,494	-250
Klamath Conservation \$	523	516	526	316	-210
US/Canada Pacific Salmon Treaty \$	2,592	2,557	2,597	2,597	--
Lake Roosevelt Management \$	<u>--</u>	<u>--</u>	<u>--</u>	<u>300</u>	<u>+300</u>
Total, Rights Protection Implementation \$	18,722	18,469	19,184	15,491	-3,693

Base Program (\$19,184,000; FTE 0): Tribes require resources to implement programs needed to monitor and regulate Indian hunting and fishing activity, and to carry out biological investigations aimed at conserving associated populations upon which the meaningful exercise of the related rights depend. Court rulings reaffirming Indian treaty hunting and fishing rights have prompted increased attention to nationally significant fish and wildlife resources in ceded off-reservation areas which fall under the jurisdiction of a variety of tribal, state, regional, federal and international management entities. Under standards prescribed by the courts and by statute, these resources are protected, and tribal roles and responsibilities in managing them are assured through complex, interjurisdictional programs. Failure to maintain an effective tribal role in such programs could lead to increased state control of Indian hunting and fishing activity.

This program assists four inter-tribal organizations, their member tribes and other tribes in carrying out associated resource management roles and responsibilities. The inter-tribal bodies represent effective and efficient mechanisms for serving member tribes in treaty rights negotiations and implementation programs involving complex interjurisdictional resources.

1. Western Washington Fisheries Management (\$9,701,000): The Boldt Decision of 1974 (U.S. v. Washington) reaffirmed that Stevens Treaty tribes in the State of Washington hold a valid treaty right to fish in usual and accustomed places, and upheld the position that the affected tribal governments must participate in the management of the resources involved. This decision prompted the establishment of the Northwest Indian Fisheries Commission (NWIFC) in 1975 by the treaty fishing tribes of western Washington. The

NWIFC serves as spokesman for the member tribes on fishing issues and has the authority to represent them before state and federal agencies. It also conducts extensive coded-wire tagging efforts, and coordinates the efforts of tribal biologists and managers in formulating harvest management, population assessment, stock enhancement, and data gathering programs.

Of this amount, \$1,111,000 is contracted to the NWIFC to coordinate inter-tribal efforts in fulfilling tribal resource management responsibilities, to facilitate coordination with other management jurisdictions, to operate a fish health lab, and to develop shellfish plans. An additional \$2,000,000 has been available for the Timber-Fish-Wildlife initiative added by Congress in FY 1988, FY 1989, and FY 1990; and \$360,000 has been added for tribal fisheries: of the Lummi (\$150,000), Quinault (\$110,000), Suquamish (\$50,000), and Stillaguamish (\$50,000). The following amounts are contracted directly to the following member tribes:

Chehalis	\$ 56,000	Puyallup	\$ 268,000
Hoh	202,000	Quileute	426,000
Lummi	537,000	Quinault	939,000
Makah	410,000	Skagit	524,000
Muckleshoot	240,000	Squaxin Island	374,000
Nisqually	326,000	Stillaguamish	161,000
Nooksack	163,000	Suquamish	224,000
Point No Point	777,000	Tulalip	<u>603,000</u>

Total.....\$6,230,000

- Columbia River Fisheries Management (\$1,710,000): Decisions in U.S. v. Oregon reaffirmed the rights of the four Columbia River Basin treaty tribes (Yakima, Umatilla, Warm Springs and Nez Perce) to a fair share of the fisheries resources. The Columbia River Inter-tribal Fish Commission (CRITFC) serves as the coordinating body for these tribes. Appropriated funds are contracted to the CRITFC to coordinate inter-tribal efforts in fulfilling tribal resource management responsibilities and to facilitate coordination with other management jurisdictions. Substantial co-management of the fisheries resources is required by court order and federal law through a multi-state, inter-tribal and federal agency network. Maintenance of tribal fishery programs allows the tribes and states to jointly manage and regulate Indian and non-Indian fisheries within the Columbia River Basin. Extensive efforts are also directed toward rebuilding upriver runs that have been depleted by over-harvest, habitat degradation and hydropower development. Of this amount, \$300,000 is provided for the Upper Columbia United Tribes Fisheries Center.
- Voigt Case Area Management (\$2,906,000): In 1983, the Seventh Circuit Court of Appeals reaffirmed the reserved rights of several Bands of Lake Superior Chippewas to hunt, fish, trap and gather on public lands and waters ceded to the United States under the Treaties of 1837 and 1842 (Lac Courte Oreilles v. Voigt, 1983). These bands formed the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) in 1984 to serve as an inter-tribal mechanism for implementing the Voigt decision through the securing of technical biological expertise, the development of sound natural resource management plans, the development of hunting and fishing regulations, and the strengthening of the tribal enforcement capability and court system. The GLIFWC also affords member tribes the opportunity to negotiate, as a unified entity, with the states of Michigan, Minnesota and Wisconsin in co-managing fish and wildlife resources. Appropriated funds are contracted to the GLIFWC to coordinate inter-tribal efforts in fulfilling tribal resource management responsibilities, and to facilitate coordination with other management jurisdictions.

4. Michigan Fisheries Settlement (\$1,744,000): In 1981, the fishing rights of Michigan tribes covered by the Treaty of 1836 were affirmed in federal court. Also in 1981, these tribes established the Chippewa/Ottawa Treaty Fishery Management Authority (COTFMA) to provide uniform joint regulations governing tribal fishing activities, to coordinate conservation enforcement activities, to coordinate initiatives regarding enhancement of the fishery, and to provide a forum for resolving policy issues. The inter-tribal fisheries staff performs stock assessment and research studies; recommends harvest quotas; prepares data for negotiations and litigation; and works with other tribal, state, federal and academic biologists throughout the Upper Great Lakes area. The tribes also participate on technical committees of the Great Lakes Fishery Commission, an international body established by treaty between the United States and Canada.

In 1985, a negotiated fisheries agreement that was signed by all parties to the U.S. v. Michigan litigation was formalized through federal court action. The agreement provides for fisheries zonation plans for Lakes Superior, Michigan and Huron, a fisheries enhancement program, further development of cooperative management measures, expanded conservation enforcement programs, a tribal economic development program, and a comprehensive lake trout management program. Appropriated funds are used to implement this agreement, to coordinate inter-tribal efforts in fulfilling tribal resource management responsibilities, and to facilitate coordination with other management jurisdictions.

5. Klamath Conservation Program (\$526,000): The Klamath Tribe of Oregon retains hunting, fishing and gathering rights under the Treaty of 1864. A 1981 consent decree and order (Civil No. 73-155) identifies tribal responsibilities for the conservation and management of fish and wildlife resources through an agreement between the tribe, the state of Oregon and the United States. A 1985 decision by the Supreme Court in Oregon Department of Fish and Wildlife v. Klamath Indian Tribe held that tribal conservation and enforcement efforts are required on approximately 1.1 million acres of a former reservation. The Klamath Indian Game Commission participates in the planning, coordination and implementation of biological, conservation enforcement, and other related programs, and carries out its responsibilities in cooperation with state and federal resource management authorities.
6. US/Canada Pacific Salmon Treaty (\$2,597,000): Through representation on the Pacific Salmon Commission and panels created by the United States/Canada Pacific Salmon Treaty and its implementing legislation, the Northwest treaty tribes apply their management expertise in assessing and rebuilding salmon stocks of mutual concern to both countries. The treaty commits each country to prevent over-fishing, provides for optimum production, and creates a national and international forum through which cooperative management of salmon stocks occurs. The United States' obligation to implement the treaty includes providing support in the areas of management, administration, information collection/analysis and enhancement. Funds are contracted to the Columbia River Inter-Tribal Fish Commission and the Northwest Indian Fisheries Commission to carry out the programs developed by the Pacific Salmon Commission. Limited support has also been made available to the Metlakatla tribe which, though not a participant in the Pacific Salmon Commission, is impacted by Commission decisions.

D. Fish Hatchery Operations

Base Program (\$4,213,000; FTE 18): Throughout the country, tribal fish hatcheries are engaged in a variety of production, rearing and stocking programs. Salmon and steelhead trout releases from tribal hatcheries in the Pacific Northwest benefit Indian and non-Indian commercial and sport fisheries in the United States and Canada. Returning spawners help satisfy subsistence and ceremonial needs and are frequently distributed to the elderly and poor. Throughout the rest of the country, recreational opportunities created by the stocking of catchable trout, walleye and other species attract numerous sport fishermen to Indian reservations. Revenues generated through the sale of fishing and camping permits help support hatchery operations and salaries of tribal biologists and conservation enforcement personnel.

In FY 1990, Congress provided increases of \$150,000 for Lummi, \$50,000 for Stillaguamish and \$93,000 for the Makah Tribe. In addition, funds will be applied to support fish hatchery operations conducted by the following tribes:

<u>Tribe</u>	<u>Amount</u>	<u>Tribe</u>	<u>Amount</u>
Cherokee	\$ 75,000	Nisqually	119,000
Bad River	46,000	Nooksack	28,000
Lacdu Flambeau	274,000	Point No Point	303,000
Léech Lake	101,000	Puyallup	54,000
Red Lake	46,000	Quileute	45,000
Pyramid Lake	996,000	Quinault	242,000
Hoh	22,000	Skagit	55,000
Lummi	406,000	Squaxin Island	74,000
Makah	36,000	Stillaguamish	54,000
Metlakatla	341,000	Suquamish	200,000
Muckleshoot	101,000	Tulalip	<u>302,000</u>
		Total.....	3,920,000

E. Fish Hatchery Maintenance

Base Program (\$200,000; FTE 0): Since FY 1988, Congress has provided funds for the maintenance of tribal fish hatcheries and related facilities. Criteria and procedures were developed to rank proposed maintenance projects submitted by the tribes, and funds were distributed to meet the highest priority needs. Maintenance has been defined as work that is required at periodic intervals (painting, paving, re-roofing, equipment servicing, etc.) to prolong the life of facility components and associated equipment, and to prevent the need for premature replacement and repair. Criteria established for ranking maintenance project proposals submitted by the tribes are as follows: (1) health, safety and security factors; (2) water quality compliance; (3) economic benefits and values; (4) rights protection and co-management responsibility fulfillment; and (5) resource enhancement and restoration.

F. Formerly Fish and Wildlife Service Technical Assistance

Base Program (\$237,000; FTE 0): Formerly, funds were provided to the Fish and Wildlife Service (FWS) on a reimbursable basis for designated fish stocking services and technical assistance requested by tribes. In response to direction received from the Congress most of these funds were redirected to the FWS budget,

and this remaining amount is distributed to the following tribes in support of related tribal resource management programs and staffs:

White Mountain Apache	\$ 65,000
San Carlos Apache	65,000
Colorado River Tribes	58,000
Ute Tribe of the Uintah and Ouray Reservation	30,000
Rosebud Sioux Tribe	<u>19,000</u>
Total	\$237,000

G. Tribal Management/Development Programs

Base Program (\$3,421,000; FTE 0): Through P.L. 93-638 contracts executed by the bureau, numerous tribes have assembled professional staffs and developed comprehensive programs for conserving, managing and developing Indian fish and wildlife resources, and for interfacing with a host of state, regional and international jurisdictions in addressing the challenges of resource management. Funds will be applied to further develop the multi-disciplinary competence and the professional expertise of tribes and inter-tribal fish and wildlife organizations in expanding reservation economies, to create income-generating and job-producing programs through the development of fish, wildlife and outdoor recreational resources, and to reduce reliance on federal technical assistance programs. Of this amount, \$200,000 will support the Columbia River Tribes in their participation in Wild and Scenic Rivers Act follow-up activities, \$135,000 will be used to support the Native American Fish and Wildlife Society, \$27,000 will assist the Forest County Potawatomi, Sokaogon and Menominee tribes, and \$3,059,000 will be used to support the following tribal fish and wildlife resource management programs and staffs:

<u>Tribe</u>	<u>Amount</u>	<u>Tribe</u>	<u>Amount</u>
Penobscot	\$ 80,000	Crow	49,000
Bad River	35,000	Fort Belknap	50,000
Fon du Lac	50,000	Fort Peck	25,000
Grand Portage	35,000	Northern Cheyenne	49,000
Keeweenaw Bay	70,000	Rocky Boys	25,000
Lac Court Oreilles	90,000	Shoshone-Arappahoe	100,000
Mille Lacs	30,000	Ute Mountain Ute	60,000
Oneida	60,000	Zuni	80,000
Red Cliff	235,000	Navajo	90,000
Red Lake	100,000	Summit Lake	84,000
St. Croix	35,000	Colville	107,000
Stockbridge-Munsee	25,000	Fort Hall	178,000
White Earth	120,000	Metlakatla	159,000
Crow Creek	49,000	Nez Perce	260,000
Devil's Lake	49,000	Umatilla	50,000
Lower Brule	70,000	Yakima	<u>340,000</u>
Blackfeet	220,000		
		Total.....	\$3,059,000

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Unresolved Hunting and Fishing Rights	\$	150	50	-100
Rights Protection Implementation Programs:				
Western Washington (Boldt)	\$	9,701	7,341	-2,360
Columbia River Fisheries Mgmt	\$	1,710	1,410	-300
Voigt Case Area	\$	2,906	2,033	-873
Michigan Fisheries Settlement	\$	1,744	1,494	-250
Klamath Conservation	\$	526	316	-210
Lake Roosevelt Management	\$	--	300	+300
Fish Hatchery Operations	\$	4,213	3,920	-293
Fish Hatchery Maintenance	\$	200	--	-200
Tribal Management/ Development Program	\$	<u>3,421</u>	<u>3,221</u>	<u>-200</u>
Total	\$	24,571	20,085	-4,486

Unresolved Hunting and Fishing Rights (\$-100,000; FTE 0): The one-time Congressional add-on in FY 1990 for unresolved treaty hunting and fishing rights issues in western Washington is not continued in FY 1991.

Rights Protection Implementation Programs (\$-3,693,000; FTE 0)

Western Washington (\$-2,360,000; FTE 0): The \$2,000,000 add-on for the Timber-Fish/Wildlife initiative is not continued. Future funds to support this initiative should come from the State of Washington and the timber harvesting companies who bear responsibility for the adverse fisheries impacts resulting from past forest practices. FY 1990 Congressional add-ons provided for Lummi tribal fisheries (\$150,000), Quinault tribal fisheries (\$110,000), Suquamish tribal fisheries (\$50,000), and Stillaguamish tribal fisheries (\$50,000) are also not continued.

Columbia River Fisheries Management (\$-300,000; FTE 0): Congressional add-ons provided for the Upper Columbia United Tribes Fisheries Center since FY 1988 are not continued since Congress directed the center to seek other sources of operating funds.

Voigt Case Area (\$-873,000; FTE 0): This portion of the FY 1990 Congressional add-on of \$1,508,000 is not continued. The funding requested for the Great Lakes Indian Fish and Wildlife Commission in FY 1991 is adequate to provide for

the delivery of basic biological, enforcement and judicial services to member tribes.

Michigan Fisheries Settlement (\$-250,000; FTE 0): This amount was provided in FY 1990 for the one-time implementation of a fish marketing program by the Chippewa Ottawa Treaty Fishery Management Authority (COTFMA) in accordance with the 1985 Consent Decree and Agreement negotiated by the Department of the Interior, State of Michigan, treaty fishing tribes and others to resolve litigation in U.S. v. Michigan.

Klamath Conservation Program (\$-210,000; FTE 0): Congressional add-ons provided for the restoration of depleted sucker species in Klamath Lake since FY 1988 are not continued. Unlike the U.S. Fish and Wildlife Service, the Bureau does not receive appropriated funds for work on species of fish and wildlife threatened with extinction. The sucker populations should be dealt with under the broad authorities of the Endangered Species Act.

Lake Roosevelt Management (\$+300,000; FTE 0): This amount is requested for the implementation of an outdoor recreational resource management program by the Confederated Colville and Spokane tribes in the Lake Roosevelt Recreation Area above Grand Coulee Dam in eastern Washington. The program will be conducted in accordance with understandings reached with the Bureau of Reclamation, Bureau of Indian Affairs and National Park Service, which also have resource management roles and responsibilities in the area.

Fish Hatchery Operations (\$-293,000; FTE 0): FY 1990 Congressional add-ons for the Lummi (\$150,000) Sillaguamish (\$50,000) and Makah (\$93,000) are not continued in FY 1991. The base funding for these hatcheries is considered an adequate federal contribution.

Fish Hatchery Maintenance (\$-200,000; FTE 0): Fish hatchery maintenance funds provided since FY 1988 have been applied to address the highest priority project proposals received from tribes throughout the country. The Bureau does not request funding in FY 1990 since the remaining projects are lower priority.

Tribal Management/Development Programs (\$-200,000; FTE 0): The one-time Congressional add-on in FY 1990 for the Columbia River tribes to support their participation in Wild and Scenic Rivers Act follow-up activities is not continued.

Object Class Distribution - Wildlife and Parks Subactivity

	<u>FTE</u>	<u>Amount</u>
Personal Services	--	+25,000
Personal Benefits		+4,000
Other Services		<u>\$-4,515,000</u>
Total	--	\$-4,486,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Minerals and Mining

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Program Management	\$	788	777	1,174	1,249	+75
	(FTE)	(22)		(32)	(32)	(--)
B. Mineral Assessments	\$	3,000	2,959	3,000	2,550	-450
Linowes Positions	\$	468	462	--	--	--
C. Special Projects	\$	1,130	1,115	1,140	758	-382
	(FTE)	(10)		(--)	(--)	(--)
Total Requirements	\$	5,386	5,313	5,314	4,557	-757
	(FTE)	(32)		(32)	(32)	(--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Minerals and Mining	5,386	-73	5,313

The decrease will result in less funds available for mineral studies for resource development on Indian lands.

Objective: The minerals and mining program provides technical, economic, and land-use data and advice to Indian landowners, and to bureau and other federal agency personnel who are assisting Indian owners to manage and develop their mineral resources. Funds support cooperation in the planning, management and development of mineral resources with tribes, other agencies, councils and commissions and assist tribes in achieving the maximum income and employment return from utilization of their mineral resources.

Base Program (\$5,314,000; FTE 32): The bureau is responsible for protecting the interests of Indian owners in the development of Indian minerals resources, including oil and gas and solid minerals. The bureau assists the tribes and individual Indians in attaining the maximum benefits which can be derived from resource development. The bureau's function is to provide technical assistance and guidance; the final decision on whether to develop resources is made by the tribes and individual Indian landowners.

The bureau will actively and aggressively pursue development of Indian minerals with emphasis on mineral commodities with economic viability in the world market and commodities for which a local market exists or can be developed, such as industrial minerals. Mineral development will result in financial independence for some tribes and individual tribal members. For others, it will provide a substantial contribution toward meeting their economic needs.

A. Program Management

<u>Program Element</u>		<u>FY 1990 Enacted to Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office	\$	--	--	360	360	--
	(FTE)	(--)		(10)	(10)	(--)
Central Office Operations	\$	788	777	814	889	+75
	(FTE)	<u>(22)</u>	<u> </u>	<u>(22)</u>	<u>(22)</u>	<u>(--)</u>
Total	\$	788	777	1,174	1,249	+75
	(FTE)	(22)		(32)	(32)	(--)

Base Program (\$1,174,000; FTE 32):

Area Office (\$360,000; FTE 10): This program will implement the recommendations of the Linowes Commission to assure the proper accountability of the royalties paid on minerals removed from Indian lands by way of direct support to the tribal mineral programs under jurisdiction of area offices. Although the responsibilities of the Linowes positions vary due to the different type of minerals located in the different area jurisdictions, some of these responsibilities include conducting inspections for site security, providing technical expertise in the negotiations of mineral agreements between the tribes and private industry, responding to Congressional inquiries, as well as requests from the Central Office, other federal agencies, private industry, and the general public.

Central Office (\$814,000; FTE 22): The central office Division of Minerals and Mining has responsibility for developing policy and performing oversight, review and evaluation of the activities to protect, assess, explore and develop Indian mineral resources (including oil and gas and solid minerals). The staff conducts cyclic evaluations of area office operations as part of the Office of Trust and Economic Development interdisciplinary program evaluation policy. This evaluation process ensures compliance with established policies and standards for quality improvement purposes. Emphasis is placed on the identification of program strengths and weaknesses so that improvement actions can be taken to eliminate service delivery weaknesses and successes can be used as models across bureau programs.

Increased emphasis is being placed on oversight of operations management conducted by the Bureau of Land Management and the Minerals Management Service; specifically, inspection and enforcement of oil and gas operations, reservoir management, which includes unitization, communitization and drainage which are part of the intensified concern being directed to problems identified during Senate investigations.

This office consists of staff located in Washington, D.C. and Lakewood, Colorado, who are responsible for:

- (1) coordinating bureau activities involving Indian mineral resources with other Interior bureaus involved with mineral assessments and royalty management activities;
- (2) developing regulations and procedures for application by area and agency offices;
- (3) providing advice to bureau management on mineral related technical issues;

(4) monitoring of interagency agreements to establish and maintain data bases of tribal mineral resources identified in Phase I literature search, seismic data processing, geotechnical data analysis and data transfer, and geophysical exploration and interpretation functions;

(5) conducting economic analyses of mineral development potential; and

(6) providing technical assistance to tribes in the development of proposals and applications for mineral assessments.

B. Mineral Assessments

Base Program (\$3,000,000; FTE 0): The Mineral Assessments program began in FY 1975 and consists of work performed under interagency agreements with the Bureau of Mines and the U.S. Geological Survey where multiple tribes are involved or by direct contracting with tribes under P.L. 93-638. The general structure of the program under the interagency agreements consists of three phases:

Phase I is a literature search to collect available data specific to a reservation for compilation into a single information volume.

Phase II efforts are undertaken if favorable conditions for significant mineral development have been identified on a reservation but require additional onsite data collection for validation and assessment. This new data is acquired by application of modern exploration techniques, such as geological mapping, geochemical analysis, assays, geophysical studies, drilling, exploratory excavations or other techniques.

Phase III applies more sophisticated procedures to quantify the economically valuable resource, establish value of the resource in place, determine the viability of economic production, perform market and economic analysis and possibly provide operational and design recommendations.

Phase I studies have been completed for all reservations. If warranted, Phase II and III programs are performed on those reservations where tribes request these levels of mineral assessments for use in development of their mineral resources. Funding is based on tribal application which includes (1) a tribal resolution requesting mineral assessments and the identification of how the tribe prefers to conduct the assessment; (2) agency and area office recommended approval; (3) a written statement declaring their willingness for development of potential resources discovered; and (4) a detailed work plan and budget. The information in the application is critiqued and a numerical rating assigned based on the following three factors: mineral potential, commodity marketing, and the tribe's willingness to develop the commodity.

Presently, 68 reservations, including over 43 million acres and representing approximately 80% of the trust land base, have had or are currently undergoing a Phase II or Phase III mineral assessment. If less than 50% of the resources delineated in these studies are mineable with a reasonable profit over the cost of mining, it would represent a potential income of several billion dollars to developers and the Indian minerals owners over a period of many years. There is an increased interest in mineral resources on Indian lands, and several tribes are presently being approached by mining companies for possible development of specific minerals on the reservations. The mineral industry's interest is attributed directly to availability of geologic information generated by the bureau's mineral assessment program.

The Energy and Mineral Resources Division performs complex computer program economic evaluations on existing and proposed mineral leases, profit sharing agreements, and other types of contracts. The purpose of this assistance is to provide the tribes with a higher level of economic information concerning mineral agreements, thereby enhancing their development negotiating position. The work consists of computer-generated discounted cash flow returns on investment, and analyses of the economics of mineral recovery operations. The Division also provides selected information on current oil and gas activity. This work consists of data compilation by the geographic information systems and remote sensing on oil and gas drilling activities, well completions, and the generation of maps to portray current oil and gas activities. Summary reports are prepared at the request of the tribes. Information contained in the reports is not made public without the tribe's written permission.

The Council of Energy Resource Tribes (CERT) is also funded in this element and provides the tribes with economic analysis, feasibility studies, market studies, development plans, management structuring, mineral assessments, negotiations, etc., primarily related to mineral development.

Workload Data

The following table displays the historical funding of the various phases of the Mineral Assessment Program.

<u>MINERAL ASSESSMENT PROGRAM FUNDING (\$000)</u>									
	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990*</u>	<u>1991*</u>
<u>P.L. 93-638</u>									
<u>Tribal Contracts</u>									
Phase II	0	0	0	0	0	0	0	2,619	2,550
Phase III	0	0	0	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0	0	2,619	2,550
<u>Bureau of Mines</u>									
Phase I	0	0	0	0	0	0	0	0	0
Phase II	246	321	329	194	169	300	300	120	0
Phase III	1,218	469	1,151	1,343	498	0	0	0	0
Subtotal.....	1,464	790	1,480	1,537	667	300	300	120	0
<u>U. S. Geological Survey</u>									
Phase I	0	0	0	0	0	0	0	0	0
Phase II	2,976	2,380	4,060	3,706	2,810	700	700	261	0
Phase III	0	129	35	200	0	0	0	0	0
Subtotal.....	2,976	2,509	4,095	3,906	2,810	700	700	261	0
=====									
GRAND TOTAL	4,440	3,299	5,575	5,443	3,477	1,000	1,000	3,000	2,550
=====									

* Proposed distribution

C. Special Projects

Base Program (\$1,140,000; FTE 0): These funds will be used to support specific task forces to develop administrative and operational procedures for bureauwide minerals and mining functions, which includes such items as procedural guidelines, manuals and regulations; and implementation of annual program evaluation and accountability reviews (A-123) to further improve and update the bureau's mining program and royalty management activities.

The bureau will also continue a data management project (Pentastar) which assembles and collates data specific to Indian Energy and Mineral development into a single data bank for use by Energy and Mineral geoscientists. The data information for Indian mineral development is accumulated within the various Interior agencies, through private petroleum and mining industry generated sources, and through the bureau's mineral assessment program. The data information accumulated in the data bank will subsequently be analyzed and summarized to disclose the mineral potential of various Indian lands throughout the United States.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Program Management:				
Central Office	\$	814	889	+75
	FTE	(32)	(32)	(--)
Mineral Assessments	\$	3,000	2,550	-450
Special Projects	\$	1,140	758	-382
Total	\$	<u>4,954</u>	<u>4,197</u>	<u>-757</u>
	FTE	<u>(32)</u>	<u>(32)</u>	<u>(--)</u>

Central Office (\$+75,000; FTE 0): This increase will fully fund salaries, employee benefits, and operational costs for the three Linowes positions located in the Central Office. In prior years these positions have been partially funded from the Special Projects line of the budget.

Mineral Assessments (-\$450,000; FTE 0): The decrease is the result of the completion of Phase I literature search and data collection on all reservations and the substantial completion of the Phase II mineral assessments requested by tribes.

Special Projects (-\$382,000; FTE 0): The decrease is the result of the transfer of the management of oil and gas leases (royalty management files and oil and gas lease bond functions are included in the transfer) and the automated royalty distribution system and Integrated Records Management System quality control activities to the Division of Real Estate Services, Central Office Operations. The Congressional add-on of \$250,000 for the Council of Energy Resource Tribes (CERT) is not continued in FY 1991. The Council should seek other sources of funding.

Object Class Distribution - Minerals and Mining Subactivity

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	--	\$ +32,000
Personnel Benefits.....		+ 4,000
Other Services.....		<u>-793,000</u>
Total.....	--	\$ -757,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Tribe/Agency Operations

(Dollars amounts in thousands)

<u>Program Element</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Natural Resources, General	\$ 1,443 (FTE) (5)	1,423	1,454 (5)	1,885 (19)	+431 (+14)
B. Agriculture	\$ 19,615 (FTE) (384)	19,349	20,264 (384)	19,761 (384)	-503 (--)
C. Agriculture Extension Services	\$ 458	452	466	446	-20
D. Forestry	\$ 22,429 (FTE) (442)	22,125	22,212 (442)	21,666 (442)	-546 (--)
E. Water Resources	\$ 2,189 (FTE) (2)	2,159	2,199 (2)	2,014 (1)	-185 (-1)
F. Wildlife & Parks	\$ 6,693 (FTE) (20)	6,602	6,752 (20)	6,454 (20)	-298 (--)
G. Minerals & Mining	\$ 1,635 (FTE) (40)	1,613	1,848 (40)	1,737 (40)	-111 (--)
Total Requirements	\$ 54,462 (FTE) (893)	53,723	55,195 (893)	53,963 (906)	-1,232 (+13)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Tribe/Agency Operations	\$ 54,462	-739	53,723

The sequestration will be applied equitably against each location which has funding in these programs. Necessary reductions will be determined at the local level or by tribal contractors.

Base Program (\$55,195,000; FTE 893): All funding for tribe/agency operations dealing with the natural resources programs is justified under this subactivity. This funding supports stable and continuing natural resource programs that are subject to local tribal priorities rather than programmatic and national priorities.

A. Natural Resources, General

Base Program (\$1,454,000; FTE 5): At the tribe/agency level, this program provides funding for multi-disciplinary activities not readily identified with one particular natural resource program and for staff responsible for administering multi-disciplinary activities including contracts with Indian tribes, sometimes covering various natural resource programs under a single contract. Accomplishments under tribal contracting include conservation studies and inventories in the various natural resource disciplines.

Workload Data: Workload includes assistance in establishing policy, regulations, and procedures; developing budget and financial plans; providing advice and counsel to tribes; and supporting, directing and overseeing administrative matters affecting Natural Resources.

B. Agriculture

Base Program (\$20,264,000, FTE 384): The Agriculture program provides tribes, landowners and land users with technical assistance to increase the use of agricultural resources and improve management activities. Multiple-use program planning and technical assistance are designed to protect the renewable natural resources against erosion and soil deterioration; to restore eroded and depleted areas; to stabilize runoff and protect sediment on land areas; to improve cover with adapted crop species on farmland, forest, pasture and rangeland; and to retain water for farm and ranch use and water management. These activities can only be accomplished through implementation of modern inventory and management techniques designed to interpret and determine potential for present and future use of the resources.

Within the bureau, management of agronomic and range resources is decentralized, with professional staff located at 11 area offices and 76 agency offices in 26 states, providing technical assistance to 284 Indian reservations encompassing over 46 million acres. The staff also provides technical assistance, support and resources to help develop and implement the wildlife and parks program at the reservation level. Staff initiates environmental reviews for trust lands, except forested land, and review all environmental assessments completed by other agencies.

The agency staff provides the daily contact with tribes, landowners, and land users on matters relating to: (1) planning; (2) management; (3) conservation; (4) development; (5) utilization of Indian soil, water and rangeland resources; and (6) administration of the agency pesticide program on Indian lands. Staff also provides technical assistance to tribes who may want to contract for the program under P.L. 93-638.

The farming and ranching operations on most reservations are an important part of the economy and provide considerable employment and income. Over 46 million acres of Indian land are used primarily for farming and grazing by domestic livestock and big game animals. This is approximately four-fifths of the total trust land area.

Table 1 shows funding sources and amounts provided to Indian landowners and land users to accomplish agriculture conservation projects and programs on Indian land, e.g., water systems, fencing, brush control, reseeding, concrete ditch lining, land leveling, strip cropping, terracing, winter cover crop, wind and water erosion control, farm pond development, drainage control and shelterbelts.

TABLE 1

Funding Sources for Agricultural
Projects and Programs for Dry Farmland and Rangeland

	(\$ in millions)			
	<u>1987</u>	<u>1988</u>	<u>Est. 1989</u>	<u>Est. 1990</u>
USDA */	1.9	1.0	1.5	1.0
BIA	6.0	3.4	2.5	1.5
Tribes	1.5	.8	1.0	1.0
Landowners/Operators Contributions.	10.8	5.2	5.0	3.5

*/ USDA/ASCS (Agricultural Stabilization and Conservation Service) - Cost-share funds to landowners and operators for approved conservation practices.

The following activities reflect accomplishments of the agriculture program:

Inventory and Research: Soil and range inventory surveys, land evaluation surveys and range utilization surveys are conducted under this program.

Soil surveys and investigations are completed on Indian trust land resources to provide a data base of information about soil productivity, erosion, stability problems and other physical land factors needed for program development, conservation planning, and the installation of planned practices. Almost all bureau soil surveys are conducted as part of the National Cooperative Soil Survey (NCSS) and using NCSS Standards.

Range inventories and range utilization surveys are made to identify vegetative cover; soil characteristics; precipitation zones; elevation aspect and past utilization for season of use and type of livestock to be grazed; recommended stocking rate; and planning.

Farm and Range Planning: The bureau provides technical assistance to Indian tribes, owners and land users for planning of renewable natural resources on Indian trust lands for highest and best use. Land management planning is a continuous process that responds to changes in the demands made upon the supply of renewable resources. The bureau, in cooperation with the Indian landowners, tribal governments and land users, will update and amend land use plans and promote sustained-yield management, as needed, to insure that adequate resources will be available for future generations.

Farmland Improvements: Technical assistance is provided by the Agriculture staff includes preparing and designing land leveling; farm drainage design; fertility recommendations; farm pond specifications; wind and water erosion control recommendations; boundary surveys for fencing; water development engineering and design; special measures for soil and water management necessary to prevent flooding, siltation and agricultural related pollutants; and brush and noxious weed control and eradication.

Rangeland Improvements: Technical assistance provided for rangeland improvements includes livestock rotation recommendations, feeding requirements, pest control management recommendations, brush and noxious weed control and eradication, reseeding, range management planning, wildlife and parks planning and environmental compliance actions.

Rangeland Protection: Includes all activities concerned with the administration and management of the eradication and control of insects and rodents, and presuppression work and maintenance of readiness conditions for fire suppression.

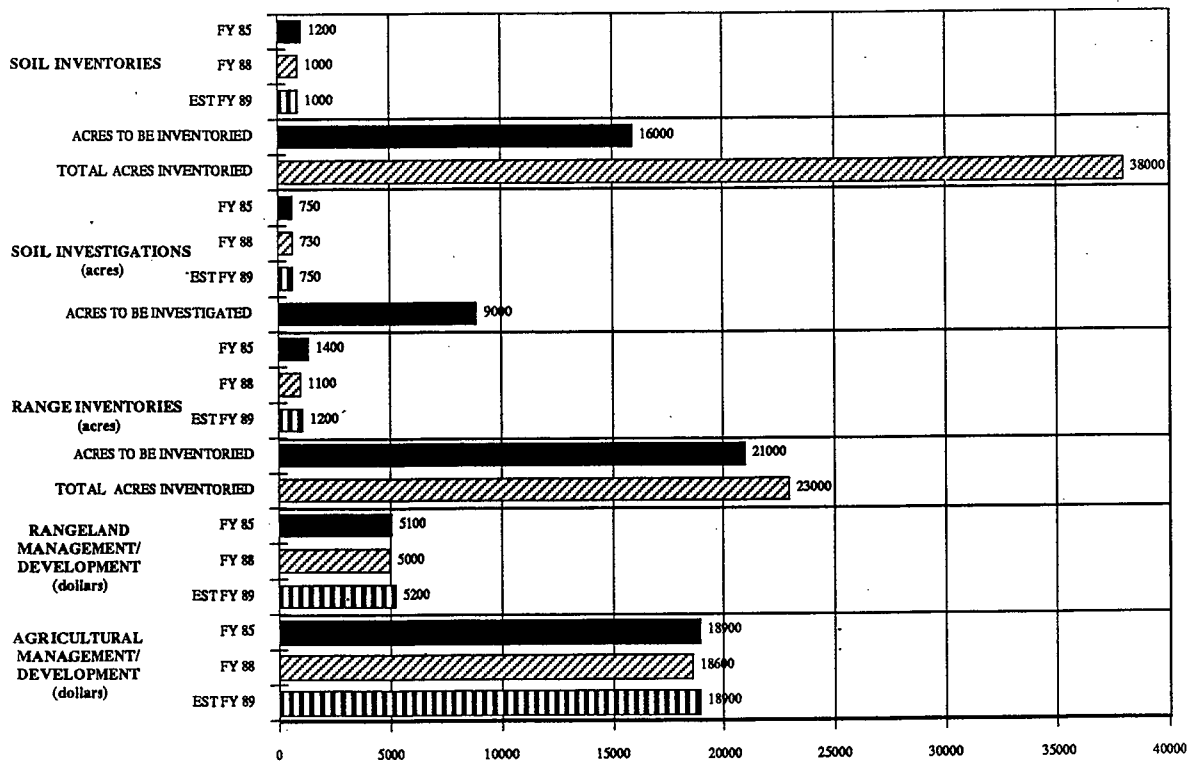
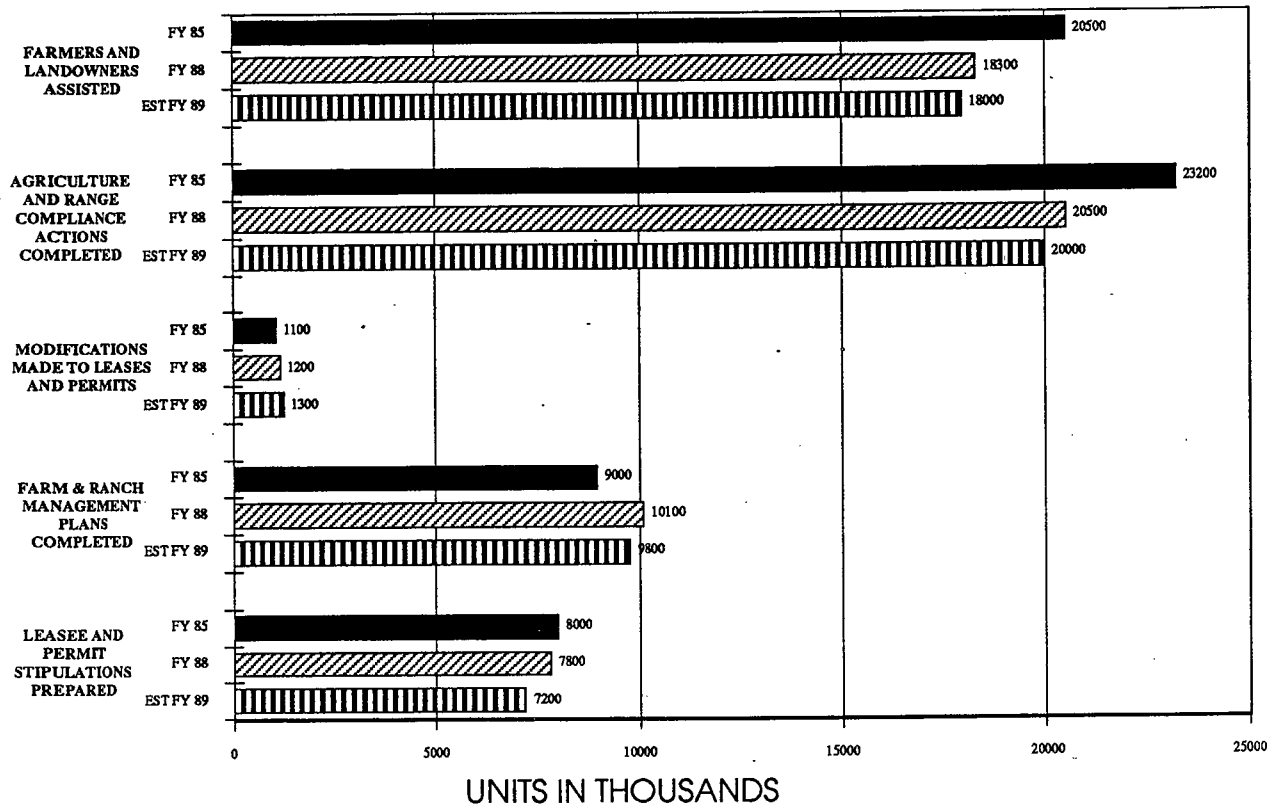
Leasing and Permitting Services: The Agriculture staff supports the leasing and permitting program by servicing lease and permit preparations, modifications, stipulations (protective covenants), changes and enforcement actions on farming and pasture leases. Inspections are made on farming operations directly to evaluate compliance with lease requirements, performance and use. The bureau monitors the use of rangeland, and changes in ranch operations or land ownership, and modifies grazing permits in order to improve rangeland resources and their utilization. Stocking rates are adjusted by changing conditions, area site, and changes in land ownership.

Contract Monitoring: The Agriculture staff provides technical assistance to review tribal self-determination contract and grant proposals requested under P.L. 93-638. Whenever a contract or grant is awarded to a tribe, additional costs are encountered to provide oversight and to monitor the contract or grant for compliance.

Workload Data for Agriculture Program

	<u>Unit</u>	<u>FY 1987</u>	<u>FY 1988</u>	<u>FY 1989</u>	<u>FY 1990</u>
Farmers and Landowners assisted:	(No.)	19,000	18,300	18,500	19,000
Ranchers and Landowners assisted:	(No.)	12,000	11,000	11,500	12,000
Soil Inventories	(M Acres)	1,400	1,500	1,700	1,700
Ag. Cons. Management and Development	(M\$)	18,600	18,600	18,700	18,800
Rangeland Cons. Mgmt. and Development Measures	(M\$)	4,800	5,000	5,200	5,300
Farm and Ranch Management Plans	(No.)	8,600	9,000	9,200	9,500
Farm Lease Stipulations Prepared:	(No.)	7,600	7,800	8,000	8,200
Compliance Actions	(No.)	20,200	20,500	21,000	21,300
Soil Investigations	(M Acres)	700	730	750	750
Range Permit Modifications	(No.)	6,500	6,800	6,800	7,000
Range Unit Compliance Inspections	(No.)	5,700	6,000	6,000	6,200
Range Inventories	(M Acres)	1,425	1,400	1,400	1,500

WORKLOAD DATA FOR AGRICULTURE PROGRAM FISCAL YEARS 1985 - 1988 - 1989



C. Agriculture Extension Services

Base Program (\$466,000; FTE 0): This program is one which the bureau generally contracts with either state land grant colleges and universities or with the tribes. The bureau contracts with colleges to provide technical advice and assistance in areas such as agriculture, soil restoration, crop rotation, animal husbandry, use of controlled substances, home extension services, and 4-H Club activities. The Indian tribes which do not contract with state universities and colleges usually use the funding to hire their own extension agents and home economists. Approximately 100 tribes will benefit from this program during FY 1990.

D. Forestry

Base Program (\$22,212,000, FTE 442): The forestry program at the tribe/agency level provides forest management services on 14.1 million acres of Indian forest land. This is accomplished by employing the most modern inventory and management planning systems, by harvesting the full allowable annual cut and maintaining accruals with consideration of other use values and tribal objectives, by intensifying forest development activities to eliminate backlog, by enhancing forest productivity (growth) and by providing assistance to tribes and individual Indians in development and management of forest products industries. The bureau's trust responsibility in forestry is extended to approximately 115 trust forested reservations or properties in 23 states, with a commercial forest land base of approximately 5.9 million acres that support a total commercial volume of about 45.1 billion board feet and an allowable annual cut of 1.03 billion board feet. In addition to this, technical assistance services in all forestry aspects are provided to Alaska Native Claims Settlement Act (ANCSA) allotted lands, which, when fully conveyed, will comprise a forest land base in Alaska of approximately 300,000 acres. Approximately 6.8 million acres of "woodland area" are considered in multiple-use management planning because of their increasing importance in overall resources management, and a value of forest products other than lumber or veneer. Forestry program staff work closely with several other bureau programs, including: (1) Agriculture and Range Management; (2) Fish and Wildlife; (3) Environmental Services; (4) Realty, particularly appraisals and to obtain ownership (title) information on allotments; (5) Law Enforcement, for assistance in trespass investigations; and (6) Water Resources, for water productivity and protection of groundwater levels.

The bureau cooperates with the Forest Service and other federal and state agencies in the protection of Indian lands and adjacent lands from insects and disease. The Forest Service, by law, is the lead agency for major protective actions and securing the necessary funding for them.

The following describes the various Forestry Program activities, with estimates of funding utilized in each:

Forest Development (\$1,686,000): This component includes all activities of reforestation and timber stand improvement necessary to properly manage the commercial Indian forest for a sustained yield of desired forest products. Some activities conducted by tribes in this program are: (1) site preparation; (2) seed/cone collection; (3) planting; (4) greenhouse operations; (5) protection of young forest stands; (6) pre-commercial thinning; (7) fertilization; (8) weeding; (9) release; and (10) species conversion. These activities include all the scheduled periodic silvicultural treatments applied to a forest to bring a newly established plantation to commercial harvest size and value.

Timber Sale Management (\$9,983,000): This activity includes all aspects of sale and contract preparation: (1) cruising, silvicultural prescriptions, appraisals, advertisement, etc.; (2) executing/supervising contracts; (3) marking and scaling timber; and (4) collecting, recording and distributing stumpage receipts. These funds are generally used for personal services and related travel and operating expenses, as-well-as for contracts for mapping, data gathering, surveys, etc.

Forest Management Inventories and Plans (\$1,433,000): This component encompasses: (1) aerial photography; (2) mapping; (3) field forest management inventories; (4) reinventories; (5) growth studies; (6) allowable annual cut calculations; and (7) all aspects of the development, preparation and/or revision of multiple-use forest management plans, including inventory analysis, environmental assessment and forest history.

Forest Program Management (\$6,080,000): Included within this line item are all forestry management and administrative activities not included in other forestry components. These activities include program audit review and followup, program management, and oversight.

Forest Protection (\$3,030,000): This component includes all activities which comprise protection of the forest from fire, insects, disease and trespass. With respect to fire management, protection consists of: (1) acquisition/maintenance of firefighting equipment; (2) fire detection systems; (3) construction of fire breaks; (4) hazard reduction; and (5) fire protection contracts with other agencies.

The control of insects and disease encompasses: (1) all aspects of detection and evaluation; (2) preparation of project proposals to secure funding, including project descriptions, environmental assessments/statements, and cost/benefit analysis; (3) field suppression operations; and (4) reports.

Timber and fire trespass activities involve: (1) field examination and survey; (2) damage appraisal; (3) preparation of reports; (4) assisting in investigations; (5) writing demand letters; and (6) giving depositions.

E. Water Resources

Base Program (\$2,199,000; FTE 2): Program funds are used by tribes to 1) retain permanent tribal technical staff and 2) to support ongoing collection and analysis of baseline data and information in order to manage and develop reservation water resources. These program funds differ from non-IPS Water Resources Management, Planning and Pre-Development funds in that those funds are allocated for tribal project work which can be completed in a determinable number of years. These program dollars often represent a tribe's base-level of funding to which tribal revenues are added to enable permanent tribal water resources management capabilities. This IPS program complements its non-IPS program counterpart by sustaining threshold tribal management structures to effect implementation of the kind of tribal water resources management plans contemplated by the President's 10-Year Plan for the Review of Indian Water Rights Claims, August 1980.

F. Wildlife & Parks

Base Program (\$6,752,000; FTE 20): Indian reservations have the potential for contributing significantly toward meeting national fishing, hunting, camping and other recreational demands, while providing critical habitat for important

fish, game, non-game and plant species; and a base for cultural enrichment and economic development. This program provides assistance to tribes in the conservation, development and utilization of fish, wildlife and recreational resources, and promotes their capabilities in resource management, enhancement, regulation and enforcement. Through this program, tribes develop and refine program goals, objectives and strategies, and are able to increase and improve their technical capabilities in order to assume greater responsibility for managing fish, wildlife and recreation resources. Tribes also are able to collect baseline inventory data, assess resource development potential, implement fish and wildlife plans, promote the training of tribal members in fish and wildlife conservation, conduct special studies, support resource enhancement, protection, and management related activities, and assume responsibility for programs previously conducted by the Fish and Wildlife Service.

G. Minerals and Mining

Base Program (\$1,848,000; FTE 40): Funds at this level are used for the complete scope of program operations, including personal services, travel, contracting, training, and other needs. At the present time, tribe/agency funds appear at a limited number of locations having on-going programs, such as Spokane, Navajo, Osage, and others where leasing activities are in progress. As more Phase II studies are completed with funds in the Field Operations part of the budget, it is expected that more tribes will give priority to minerals and mining funding in their future budgets.

Funds are presently utilized for: (1) the mineral leasing and accounting staff at Osage; (2) feasibility studies and mining plans; (3) geologists; (4) exploration and development; (5) lease compliance on oil and gas contracts; (6) oil and gas assignments; (7) environmental reviews; (8) training on such things as communication agreements; (9) travel; and (10) reproduction of materials.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Request</u>	<u>+/-</u> <u>Difference</u>
Natural Resources, General	\$ (FTE)	1,454 (5)	1,885 (19)	+431 (+14)
Agriculture	\$	20,264	19,761	-503
Agriculture Extension Services	\$	466	446	-20
Forestry	\$	22,212	21,666	-546
Water Resources	\$ (FTE)	2,199 (2)	2,014 (1)	-185 (-1)
Wildlife & Parks	\$	6,752	6,454	-298
Minerals & Mining	\$	<u>1,848</u>	<u>1,737</u>	<u>-111</u>
Total	\$ (FTE)	55,195 (7)	53,963 (20)	-1,232 (+13)

Natural Resources, General (+\$431,000; FTE +14): The increase of \$431,000 results from the application of the Indian Priority System at the tribe/agency level.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$120,700	\$131,700	\$ +11,000
Billings Area	---	90,000	+90,000
Juneau Area	272,900	333,900	+61,000
Minneapolis Area	61,000	61,000	---
Muskogee Area	400,900	368,100	-32,800
Phoenix Area	117,300	51,100	-66,200
Sacramento Area	60,000	36,000	-24,000
Albuquerque Area	---	311,000	+311,000
Portland Area	170,900	259,900	+89,000
Eastern Area	<u>239,300</u>	<u>231,300</u>	<u>-8,000</u>
 TOTAL TRIBAL PRIORITIES	 \$1,443,000	 \$1,874,000	 \$+431,000
 ADJUSTMENTS			
One additional workday		+1,000	
Adjustment for Administrative and Staffing Efficiencies		-3,000	
FY 1991 Federal Pay Adjustments		+2,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+6,000	
Federal Employees Retirement System (FERS)		<u>+5,000</u>	
 FY 1991 REQUEST.....		 \$1,885,000	 \$+431,000

Agriculture (-\$503,000; FTE 0): The decrease of \$503,000 results from the application of the Indian Priority System at the tribe/agency level.

	FY 1990 <u>Enacted</u>	FY 1991 <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$2,283,500	\$2,257,800	\$ -25,700
Anadarko Area	1,139,000	1,140,700	+1,700
Billings Area	1,955,200	1,966,700	+11,500
Juneau Area	602,800	571,500	-31,300
Minneapolis Area	29,000	29,000	---
Muskogee Area	850,000	856,000	+6,000
Phoenix Area	3,654,800	3,636,800	-18,000
Sacramento Area	184,300	183,300	-1,000
Albuquerque Area	3,026,400	2,700,000	-326,400
Navajo Area	3,283,900	3,159,000	-124,900
Portland Area	2,148,300	2,125,500	-22,800
Eastern Area	<u>457,800</u>	<u>485,700</u>	<u>+27,900</u>
TOTAL TRIBAL PRIORITIES	\$19,615,000	\$19,112,000	\$ -503,000
ADJUSTMENTS:			
One additional workday		+55,000	
Adjustment for Administrative and Staffing Efficiencies		-207,000	
FY 1991 Federal Pay Adjustments		+161,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+15,000	
Federal Employees Retirement System (FERS)		+259,000	
PROGRAM ADJUSTMENTS:			
Navajo Area Base Transfer from Area Office Operations		<u>+366,000</u>	
FY 1991 REQUEST		\$19,761,000	\$ -503,000

Agriculture Extension Services (-\$20,000; FTE 0): The decrease of \$20,000 results from the application of the Indian Priority System at the tribe/agency level.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$44,400	\$44,400	\$ ---
Billings Area	45,000	48,000	+3,000
Juneau Area	10,000	10,000	---
Phoenix Area	52,700	25,400	-27,300
Albuquerque Area	68,000	63,000	-5,000
Portland Area	81,500	81,300	-200
Eastern Area	<u>156,400</u>	<u>165,900</u>	<u>+9,500</u>
TOTAL TRIBAL PRIORITIES	\$458,000	\$438,000	\$-20,000

ADJUSTMENTS:

P.L. 93-638 Contractor Pay Cost Adjustments		+4,000	
Federal Employees Retirement System (FERS)		<u>+4,000</u>	<u> </u>
FY 1991 REQUEST		\$446,000	\$-20,000

Forestry (-\$546,000; FTE 0): The decrease of \$546,000 is the net of the following changes:

-- Reductions of \$124,000 result from the application of the Indian Priority System at the tribe/agency level.

-- Reductions of \$322,000 for Grande Ronde since the FY 1990 Congressional add-on of \$455,000 included that amount for start-up costs. The request of \$133,000 will support their ongoing operation.

-- The FY 1990 Congressional add-on of \$2.5 million for Timber Sale Administration was reduced by \$100,000 in accordance with the historical amount of this add-on which is \$2.4 million.

Forestry

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$157,700	\$150,000	\$ -7,700
Anadarko Area	112,000	49,000	-63,000
Billings Area	811,000	826,000	+15,000
Juneau Area	590,300	493,000	-97,300
Minneapolis Area	1,611,400	1,599,000	-12,400
Muskogee Area	149,700	150,000	+300
Phoenix Area	2,405,700	2,318,000	-87,700
Sacramento Area	702,300	717,000	+14,700
Albuquerque Area	1,261,000	1,307,000	+46,000
Navajo Area	485,700	603,000	+117,300
Portland Area	9,122,100	9,066,000	-56,100
Eastern Area	<u>790,100</u>	<u>797,000</u>	<u>+6,900</u>
TOTAL TRIBAL PRIORITIES	\$18,199,000	\$18,075,000	\$-124,000
CONGRESSIONAL ADD-ONS:			
Passamaquoddy	100,000	100,000	
Grande Ronde	455,000	133,000	-322,000
Quinault (New land)	200,000	200,000	
Jicarilla (New land)	75,000	75,000	
Menominee	500,000	--	
San Carlos	200,000	200,000	
White Mountain Apache	200,000	200,000	
Timber Sales Administration	<u>2,500,000</u>	2,400,000	-100,000
FY 1990 ENACTED TO DATE	\$ 22,429,000		
ADJUSTMENTS:			
One additional workday		+65,000	
Adjustment for Administrative and Staffing Efficiencies		-239,000	
FY 1991 Federal Pay Adjustments		+186,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+26,000	
Federal Employees Retirement System (FERS)		+245,000	
Transfer Menominee Forestry funding out of Tribe/Agency at the request of the Tribe		<u>-500,000</u>	
FY 1991 REQUEST		\$21,666,000	\$-546,000

Water Resources (-\$185,000; FTE -1): The decrease of \$185,000 is comprised of:

-- a decrease of \$35,000 as a result of the application of the Indian Priority System at the tribe/agency level; and

-- a reduction of the Congressional add-on of \$150,000 for tribes on the Fort Berthold Reservation in North Dakota. The funds were to enable the tribes to hire water management expertise for negotiations with the state of North Dakota.

	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$210,400	\$181,400	\$-29,000
Billings Area	169,000	167,500	-1,500
Juneau Area	11,100	11,100	---
Minneapolis Area	1,000	1,000	---
Phoenix Area	4,000	---	-4,000
Albuquerque Area	23,000	23,000	---
Navajo Area	445,400	444,900	-500
Portland Area	<u>225,100</u>	<u>225,100</u>	<u>---</u>
 TOTAL TRIBAL PRIORITIES	 \$1,089,000	 \$1,054,000	 \$-35,000
 CONGRESSIONAL ADD-ONS:			
Flathead	250,000	250,000	
Miccosukee	200,000	200,000	
Seminole	500,000	500,000	
North Dakota Tribes	<u>150,000</u>		-150,000
 FY 1990 ENACTED TO DATE.....	 \$2,189,000		
 ADJUSTMENTS:			
Adjustment for Administrative and Staffing Efficiencies		-1,000	
FY 1991 Federal Pay Adjustments		+1,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+8,000	
Federal Employees Retirement System (FERS)		<u>+2,000</u>	
 FY 1991 REQUEST.....		 \$2,014,000	 \$-185,000

Wildlife & Parks (-\$298,000; FTE 0): The reduction of \$298,000 is the net of the following items:

-- a decrease of \$298,000 as a result of the application of the Indian Priority System at the tribe/agency level;

-- an increase of \$100,000 to continue the FY 1989 Congressional add-on for the Columbia River Tribes to participate in planning decisions for the Columbia River Gorge National Scenic Area; and

-- a decrease of \$100,000 for Grants to the Montana Tribes. Congress has provided two years of funding for the Tribes to develop fish and game codes, and their ongoing Tribe/Agency program should be able to fund the cost of implementation.

	FY 1990 <u>Enacted</u>	FY 1991 <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$704,800	\$694,000	\$-10,800
Anadarko Area	94,000	22,000	-72,000
Juneau Area	474,400	475,000	+600
Minneapolis Area	900,800	837,000	-63,800
Phoenix Area	131,400	116,000	-15,400
Sacramento Area	704,000	704,000	---
Albuquerque Area	354,600	215,000	-139,600
Navajo Area	132,400	135,000	+2,600
Portland Area	1,214,200	1,215,000	+800
Eastern Area	<u>377,400</u>	<u>377,000</u>	<u>-400</u>
TOTAL TRIBAL PRIORITIES	\$5,088,000	\$4,790,000	\$-298,000
CONGRESSIONAL ADD-ONS:			
Cheyenne River	100,000	100,000	
Umatilla	50,000	50,000	
Taos Blue Lake Wilderness	111,000	111,000	
Sault Ste Marie	100,000	100,000	
Leech Lake	100,000	100,000	
Yakima	100,000	100,000	
Grants to Montana Tribes	100,000		-100,000
Oglala Sioux	150,000	150,000	
Covelo	84,000	84,000	
Red Lake	200,000	200,000	
Nisqually	60,000	60,000	
Navajo Heritage	200,000	200,000	
Karuk	100,000	100,000	
White Earth	50,000	50,000	
Nez Perce	<u>100,000</u>	100,000	
FY 1990 ENACTED TO DATE	\$6,693,000		
ADJUSTMENTS:			
One additional workday		+4,000	
Adjustment for Administrative and Staffing Efficiencies		-11,000	
FY 1991 Federal Pay Adjustments		+8,000	
P.L. 93-638 Contractor Pay Cost Adjustments		+29,000	
Federal Employees Retirement System (FERS)		+29,000	
PROGRAM ADJUSTMENT:			
Columbia River		<u>100,000</u>	<u>+100,000</u>
FY 1991 REQUEST.....		\$6,454,000	\$ -298,000

Minerals & Mining (\$-111,000; FTE 0): The decrease of \$111,000 results from the application of the Indian Priority System at the tribe/agency level.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$28,000	\$23,000	-5,000
Anadarko Area	11,000	11,000	---
Billings Area	186,800	163,400	-23,400
Juneau Area	60,000	60,000	---
Muskogee Area	782,300	747,000	-35,300
Phoenix Area	138,100	134,900	-3,200
Albuquerque Area	155,000	110,800	-44,200
Nayajo Area	180,000	180,100	+100
Portland Area	<u>93,800</u>	<u>93,800</u>	---
TOTAL TRIBAL PRIORITIES	\$1,635,000	\$1,524,000	\$-111,000

ADJUSTMENTS:

One additional workday	+4,000
Adjustment for Administrative and Staffing Efficiencies	-21,000
FY 1991 Federal Pay Adjustments	+17,000
P.L. 93-638 Contractor Pay Cost Adjustments	+1,000
Federal Employees Retirement System (FERS)	+90,000

PROGRAM ADJUSTMENT:

Base Transfer of Linowes Positions	<u>+122,000</u>	<u> </u>
FY 1991 REQUEST.....	\$1,737,000	\$-111,000

Object Class Distribution - Natural Resources (Tribe/Agency Operations)

	<u>FTE</u>	<u>Amount</u>
Total Personnel Compensation.....	+13	\$+1,244,000
Personnel Benefits.....		+174,000
Other Services.....		<u>-2,650,000</u>
Total.....	+13	\$-1,232,000

Activity Summary

(Dollar amounts in thousands)

Activity: Trust Responsibilities

<u>Subactivity</u>	FY 1989 Actual Approp.	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Incr.(+) Decr.(-) From Base
Indian Rights Protection	16,041	16,743	16,515	16,905	17,560	+655
Real Estate/Financial Trust Services	19,262	20,112	19,839	20,380	26,248	+5,868
Tribe Agency Operations	<u>23,495</u>	<u>23,930</u>	<u>23,606</u>	<u>24,420</u>	<u>24,281</u>	<u>-139</u>
Total	58,798	60,785	59,960	61,705	68,089	+6,384

Justification of Program and Performance

Activity: Trust Responsibilities
 Subactivity: Indian Rights Protection

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Environmental Quality	\$	1,066	1,051	1,064	3,614	+2,550
	(FTE)	(14)		(14)	(14)	(--)
B. Indian Rights Protection	\$	15,677	15,464	15,841	13,946	-1,895
	(FTE)	(97)		(97)	(98)	(+1)
Total Requirements	\$	16,743	16,515	16,905	17,560	+655
	(FTE)	(111)		(111)	(112)	(+1)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Indian Rights Protection	16,743	-228	16,515

This reduction will be accomplished through reduced travel, training and administrative costs associated with the central office and area office programs. There will be minimal impact on the Hazardous Waste, Litigation Support and Attorney Fees programs. Contracts that are awarded to conduct studies on the Hazardous waste sites are based on competitive bids received. Funds for the Litigation Support and Attorney Fees programs are determined and prioritized based on tribal applications received and on the resources available.

A. Environmental Quality Services

		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations	\$	345	340	345	345	--
	(FTE)	(9)		(9)	(9)	(--)
Central Office Operations	\$	221	218	219	219	--
	(FTE)	(5)		(5)	(5)	(--)
Hazardous Waste	\$	500	493	500	3,050	+2,550
Total Environmental Quality Services	\$	1,066	1,051	1,064	3,614	+2,550
	(FTE)	(14)		(14)	(14)	(--)

Objectives: The objectives of the Environmental Quality program are: (1) to ensure that proposed bureau actions affecting the reservation environment comply with procedural and substantive requirements of the National Environmental Policy Act (NEPA); (2) to review and comment on other federal agency NEPA documents for proposals that may have potential impacts on Indian people and trust lands; (3) to comply with environmental protection laws such as the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, the Resource Conservation and

Recovery Act (RCRA), the Comprehensive Environmental Response Compensation and Liability Act as amended (CERCLA), the Federal Insecticide, Fungicides and Rodenticide Act (FIFRA); (4) to comply with the National Historic Preservation Act, the Archeological Resources Protection Act and the American Indian Religious Freedom Act to protect Indian archeological, historic and cultural resources and values on Indian trust lands; and (5) to comply with Executive Order 12088 and applicable Departmental policies and procedures in the prevention, control and abatement of environmental pollution from federal facilities and activities under the control of the bureau.

Base Program (\$1,064,000; FTE 14):

Area Office Operations (\$345,000; FTE 9): Area office staff is primarily responsible for coordinating the preparation of environmental impact statements (EIS). This includes review and oversight on documents prepared by third party contractors. The staff is also responsible for scheduling public hearings and gatherings and responding to public comments on EIS documents. The area offices prepare most of the major environmental assessments (EA's) required under their jurisdictions and provide guidance to the tribe/agency level in the preparation of less controversial EA's. Area staff prepares permits and provides guidance for the completion of daily archeological activities and historic preservation compliance cases. Field work is performed to ensure compliance with archeological and historic preservation laws and protection of sites to the maximum extent possible. Emergency site discoveries are also handled at this level. The staff coordinates with regional EPA, IHS, HUD and other federal agency offices to ensure that environmental interests on Indian lands are met. This includes issues such as air and water quality and archeology.

Area office staff is also responsible for gathering information through questionnaire surveys concerning hazardous waste sites. Arrangements are made, on occasion, for soil and water tests of real or suspected sites. On-site coordinators duties are performed during spill response and cleanup situations. Area staff is responsible for the contracting of cleanup of the sites and testing for possible remedial action.

Central Office Operations (\$219,000; FTE 5): The staff at this level (1) develops policy, performs oversight, monitors and evaluates the bureauwide environmental and hazardous waste programs; (2) provides guidance and assistance in solving problems associated with preparation of Environmental Impact Statements; (3) prepares and reviews Federal Register Notices; (4) provides coordination in cases involving joint leads with other Interior agencies to ensure that documents will meet the needs and requirements of each Agency; (5) reviews controversial Environmental Assessments; (6) gathers documents from federal and state agencies which may affect Indian lands and forwards them to the appropriate area office for review; and (7) obtains and consolidates comments from the field and forwards them to the agency that initiated the project. The staff is also responsible for overall guidance of the bureau's archeology and historic preservation program. This includes drafting policies and procedures for compliance with the various archeological and historic preservation laws and for archeological permitting, while taking the complex issues of tribal ownership and trust lands status into account. All major policy initiatives and coordination with other federal agencies are also generated at this level.

The central office staff works with federal agencies at the national level and state governments to ensure that environmental issues that arise on Indian lands are resolved. The staff develops policy and guidance for providing technical assistance to tribes in their efforts to obtain primacy for environmental programs such as air and water quality. Policy documents and guidance manuals are

developed and maintained for spill prevention and response for use at bureau installations, and for determining the responsible entity for costs associated with spill incidents.

Workload Data: Environmental Impact Statements which are required of the bureau are usually prepared by consulting firms and cost approximately \$400,000 each. Funding for impact statements is not included in this request since costs are borne by the project applicant or by the program responsible for management of the resources proposed for development.

Environmental work is also accomplished by other program staff. Efforts by staff of minerals, forestry, water and land resources and real estate, are required in preparation and review of environmental impact statements and assessments and in the review of documents prepared by other federal agencies. Funds for those activities are provided by those programs. The number of cases by category is as follows:

	<u>FY 1989</u>	<u>FY 1990</u>	<u>FY 1991</u>
Environmental Examinations	73,000	75,000	76,000
Environmental Assessments	1,100	1,300	1,500
Environmental Impact Statements..	5	6	6
Environmental Reviews	1,600	1,500	1,000

The bureau encourages tribes to carry out environmental programs on their respective reservations with assistance from the EPA and cooperating states. Guidance from BIA is provided through the area Environmental Quality staff.

Hazardous Waste (\$500,000): From fiscal years 1986 through 1988, the bureau inventoried, tested, and conducted preliminary assessments (PA's) and site inspections (SI's) of 20 sites on six Indian reservations, of which four were determined to be high risk sites requiring remedial action. These sites are Masonite Mill Creek (Hoopa Valley Reservation, California); Kenwood dumps (Cherokee Nation, Oklahoma); Tulalip landfill (Tulalip Reservation, Washington); and Copper Bluff Mine (Hoopa Valley Reservation, California). These studies revealed the presence of trichlorethane, pesticide wastes and pentachlorophenol and were determined to be cancer causing chemicals.

Remedial Investigations/Feasibility Studies (RI/FS) are required in pre-remedial phase. Remedial Investigations define the exact nature and extent of contamination at each site, and the existing or potential human and environmental risk involved. Feasibility Studies (FS) screen and analyze the best available treatment and/or cleanup alternatives and identify the most feasible and cost-effective remedial action to restore sites to their pre-contamination state and protect the Indian population from imminent health risks.

During FY 1989, a contract was awarded to conduct a Remedial Investigation and Feasibility Study on the Masonite Mill site. In FY 1990, a contract will be awarded to conduct a RI/FS on the Kenwood dumps in Oklahoma. A comprehensive inventory of hazardous waste sites on Indian trust lands will also be conducted through remote sensing and photographic interpretation and a Geographic Information System (GIS) reconnaissance survey. This inventory may reveal the existence of additional uncontrolled hazardous waste sites for possible future inclusion in this program. In FY 1991, funds will be used to contract Remedial Investigation and Feasibility Studies on the Tulalip landfill and Copper Bluff Mine.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Hazardous Waste	\$	500	+3,050	+2,550

Hazardous Waste (+\$2,550,000): Of the increase, \$1,500,000 will be used to initiate remedial cleanup and restoration of the Masonite Mill site and/or the Kenwood dumps site. Preliminary assessments conducted on these sites revealed the presence of trichlorethane, pesticide wastes and pentachlorophenol, which have been determined to be cancer causing chemicals. The result of the Feasibility Studies on the Masonite Mill site and Kenwood dumps are expected to be known during FY 1990 which should provide recommendations for treatment and remedial cleanup alternatives.

The remainder of the increase (\$1,050,000) will be used for studies and mitigation at Midnite Mine (Dawn Mine) on the Spokane Indian Reservation, Washington. The studies will be for the groundwater sampling, testing and monitoring to determine the extent of any pollutants reaching the groundwater in the area and to determine the path the area contaminated will follow. Monitoring wells will also be installed in order to alert BIA of the extent and degree of concentration of present and future groundwater pollution. This information is essential in the design of reclamation plans for the area.

Mitigation may involve the disposal of sludge generated from the treatment of the contaminated water through the use of a "cell" to be constructed to hold approximately 25,000 cubic yards of such contaminants or through a contract with the Spokane Tribe to use the existing Sherwood Mine holding facility. Final decisions regarding mitigation will be made pending completion of the studies referenced above. If constructed, the cell will be designed in accordance with EPA standards and will be cleared for use by EPA and NRC. Maximum containment and protection of groundwater is the goal.

B. Indian Rights Protection

		<u>FY 1990</u> <u>Enacted</u> <u>To Date</u>	<u>FY 1990</u> <u>Adjusted</u> <u>Approp.</u>	<u>FY</u> <u>1991</u> <u>Base</u>	<u>FY</u> <u>1991</u> <u>Estimate</u>	<u>Inc.(+)</u> <u>Dec.(-)</u> <u>From Base</u>
Area Office	\$	307	303	368	473	+105
Operations:	(FTE)	(5)		(5)	(6)	(+1)
Central Office	\$	568	560	579	579	--
Operations:	(FTE)	(9)		(9)	(9)	(--)
<u>Field Operations:</u>						
ANILCA Programs	\$	1,496	1,476	1,549	1,549	--
	(FTE)	(11)		(11)	(11)	(--)
ANCSA Historical	\$	1,106	1,091	1,150	1,150	--
Cem. Sites	(FTE)	(29)		(29)	(29)	(--)
Litigation Support	\$	2,180	2,150	2,180	1,180	-1,000
	(FTE)					

B. Indian Rights Protection Continued:

		FY 1990 Enacted <u>To Date</u>	FY 1990 Adjusted <u>Approp.</u>	FY 1991 <u>Base</u>	FY 1991 <u>Estimate</u>	Inc.(+) Dec.(-) <u>From Base</u>
Water Rights Negotiation/ Litigation	\$	6,853	6,760	6,853	6,853	--
Attorney Fees	\$	2,000	1,973	2,000	1,000	-1,000
Unresolved Rights Issues	\$ (FTE)	1,167 (43)	1,151	1,162 (43)	1,162 (43)	-- (--)
Total Indian Rights Protection	\$ (FTE)	<u>15,677</u> (97)	<u>15,464</u>	<u>15,841</u> (97)	<u>13,946</u> (98)	<u>-1,895</u> (+1)

Objectives: To protect those rights which the United States guaranteed the various federally-recognized Indian tribes through treaty, statute or Executive order, and to preserve the resources upon which the exercise and benefits of the rights depend; to assist tribes in achieving involvement in the resolution of their rights; to address all unresolved issues, e.g., trespass, water rights, fishing and hunting rights, tribal sovereignty; and to bring parties together on a broad scale to consider Indian rights issues and seek areas of common interests and goals.

Base Program (\$15,841,000; FTE 97): As the primary federal agency with fiduciary responsibilities for trust resources, the Bureau of Indian Affairs must meet whatever challenges may occur and initiate action necessary for the protection of Indian rights.

Many of the cases filed to date will be active in FY 1991 and will require research and evidence-gathering efforts. Unresolved Indian Rights issues will continually be identified and resolved, and evidence will be gathered for Statute of Limitations active claims for many years to come until the claims are resolved. Within the Federal Government, in addition to the Bureau of Indian Affairs, the Department of the Interior's Solicitor and the Department of Justice both have key roles in Indian rights protection. The Department of Justice usually represents the Indian interest in cases under adjudication. The Interior Solicitor provides legal advice to the bureau and to tribes concerning rights issues and prepares litigation reports for consideration by the Department of Justice. If the Federal Government were to withdraw funds for rights protection efforts, few tribes would be able to afford the extremely high costs of litigation or negotiation, and would risk immediate loss of their trust resources.

Area Office Operations (\$368,000; FTE 5): This element provides the bureau with problem-solving staff and technical support services at the area office level for the protection of the multi-billion dollar estate which the United States administers on behalf of the Nation's Indian tribes. This effort includes support to meet challenges to protect tribal rights and interests, as well as the initiation of actions required to clarify the nature, and to ensure the continued viability of those rights. 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.

Central Office Staff Operations (\$579,000; FTE 9): This element provides the bureau with professional, technical and managerial personnel to administer rights protection activities at the national level. This includes the development of policy initiatives; the oversight and evaluation of rights protection programs

at the area and agency level for compliance with policy, regulations, and guidelines; the facilitation of rights protection issues that involve other federal agencies; provisions of definitive sources of information on procedures and policy to field staff and Indian tribes; initiation and review of legislation; allocation determinations for centrally controlled rights protection funds; and issuance and monitoring of contracts for rights protection research on a regional or national basis.

Field Operations (\$14,894,000; FTE 83): The major costs for services required in the protection of Indian rights are funded in the subactivities listed below: Other Litigation Support and General Rights Matters, Water Rights Negotiation/Litigation, Attorneys Fees, Unresolved Indian Rights Issues/Statute of Limitations, and Alaska programs. These subactivities are programmed at the central office based on information provided by the tribes, agencies and area offices. Funds are made available on a priority basis which considers the relative importance and urgency of the controversy being negotiated, litigated, or researched.

Alaska Lands Act (\$2,699,000; FTE 40): This funding provides for implementation of those activities authorized by the Alaska Native Claims Settlement Act (ANCSA), P.L. 92-203, as amended, and the Alaska National Interest Lands Conservation Act (ANILCA), P.L. 96-487.

- (a) ANILCA Programs (\$1,549,000; FTE 11): This program provides for limited coordination and consultation with land managing agencies and the state on subsistence preference for Alaska Natives, and administration of programs affecting Native allotments.

Subsistence: Provision of subsistence is minimally monitored to determine the preservation of rights, resources, immunities, priorities and prerogatives to which the United States has committed itself by various statutes and regulations. Complaints that preference for subsistence users is not adequately provided are investigated. This effort includes development of memoranda of understanding with land resources management agencies (State of Alaska, BLM, NPS, USFS, FWS) to ensure that subsistence provisions are included, that subsistence users have input, and that subsistence is given priority over other uses if the resources are being diminished. Funding for very limited cooperative studies with the State of Alaska, other agencies and Native organizations is included. Limited assistance to Native users is contemplated, to allow their input via the Marine Mammal Commission, Eskimo Walrus Commission, Eskimo Whaling Commission, Title VIII of ANILCA advisory councils, and resource commissions.

Allotments: The bureau is charged with the responsibility to assist Alaskan Natives to acquire title to the lands they use and occupy. The critical and complex issues to be resolved (e.g., overlapping selection boundaries, conflicting boundaries, determination of heirs, approval of relinquishments, easement location and approval, trespasses, etc.) hinge on an organized approach to resolution, in order to avoid more lengthy court cases and delays in settling the land claims of ANCSA corporations, the State of Alaska, other federal agencies, and private citizens. Approximately 4,200 parcels within 2,800 applications are still pending before the Department, with many years of research, review, and resolution work to be accomplished before the allotment lands or surrounding lands can be adjudicated, surveyed, and conveyed. Another critical aspect in final conveyance of allotments is the extensive survey work that is required, funding for which is included in the Bureau of Land Management budget.

A Native Allotment project plan has been developed by the Juneau Area Office which is intended to facilitate and expedite conveyance of all Native allotments in Alaska through a coordinated, cooperative inter/intra-agency six-year plan of action. Actions are being taken to the degree possible, within existing resources, to eliminate the conveyance backlog that is impeding compliance with the settlement laws. The Native Allotment applications (which include 1 to 4 parcels) must be adjudicated and conveyed or denied, before surrounding titles can be finalized and acreage determined. This work is being done in conjunction with the Bureau of Land Management's plan to establish a priority for Native Allotment work, with the goal of completing them all this century. In addition, limited technical services to supplement the ongoing real estate services and trust resources services to fulfill the trust responsibility for Native allotments is also provided, upon request or as required, in high priority areas of development needs; e.g., title records and status, rights-of-way, leases, land transfer, probates, environmental, archeological, natural resources, forestry and appraisals.

(b) ANCSA Historical and Cemetery Site Investigations (\$1,150,000; FTE 29):

This funding provides field support units for investigation and certification of cemetery sites and historical places authorized by the Alaska Native Claims Settlement Act (ANCSA). Historical and cemetery sites for conveyance to Regional corporations under the ANCSA are protected under existing laws until investigations and surveys are accomplished in these remote areas. As most of the sites are accessible only by helicopter, travel is an integral part of the ANCSA program, absorbing about 1/3 of the annual funding requirements. The use of large field support units, which was an efficiency measure in past years, will not work in many instances now, because the remaining sites are too scattered. At the base funding level, the bureau estimates that approximately 100 sites could be located and additional information gathered and verified. Reports could also be written and eligibility determinations made on 250 previously investigated sites. At the start of FY 1991, it is estimated that there will be about 150 sites remaining to be field investigated, and about 500 reports left to be completed. This estimate is dependent upon the final number of Athna sites to complete. At this funding level, completion of the field work will occur by the end of FY 1993, with report writing, appeals, and other ANCSA administrative work continuing for a minimum of three fiscal years (unless the unusual logistics of the Aleut sites prove more difficult than anticipated).

Litigation Support (\$2,180,000;): 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 rights issues, excluding specific water rights issues being addressed within the Water Rights/Negotiation/Litigation program. In some instances, the United States is suing in actions brought on its own behalf or on behalf of the Indian tribes. In other cases, the United States is a named defendant in actions brought by third parties; and in others, it is a named defendant in actions brought against the United States by Indian tribes.

Litigation support is also provided to the tribes in cases where they are separately represented because other interests of the United States conflict with those of the affected tribe. In such cases, a trust relationship or fiduciary obligation still exists. Much of the activity conducted in support of litigation is actually directed towards negotiated settlement of lawsuits. Cases include: (1) trespass; (2) title questions, such as property line disputes; (3) rights-of-way; (4) allotment claims; (5) mineral entry; (6) pollution issues; and (7) activities which have harmed or could harm the health and safety of the reservation population.

These funds may also be used for other rights protection matters that do not fall specifically within the above categories, such as general legal services to Alaska Natives, payment of settlements directed by the Courts or by the Department of Justice and Interior Solicitors, and to avoid litigation. Based upon applications submitted by tribes, cases are addressed on a priority basis with those in active litigation and/or negotiation receiving first priority.

This program includes the FY 1990 Congressional add-ons of \$150,000 for the Arkansas Riverbed Authority for litigation costs associated with the identification and removal of trespassers from the Arkansas Riverbed; \$300,000 for for management planning, research, and other expenses of the Shoshone-Bannock Tribes for litigation to appeal the decision, U.S. v. Oregon; \$250,000 for costs associated with studies to define the technology for dam removal and restoration to allow the Lower Elwha Tribe to intervene in dam relicensing procedures on the Lower Elwha River; and \$300,000 to restore the FY 1990 program to the FY 1989 level.

Water Rights Negotiation/Litigation (\$6,853,000): It is the Department's policy to negotiate settlements of Indian water claims whenever it is feasible to do so. This policy is based in part on (1) the fact that negotiated settlements cost less to prepare in comparison to the higher cost of protracted litigation, (2) the principle that negotiated settlements result in lasting local stability due to the amicable environment created by the negotiation process, and (3) because negotiating parties can fashion creative remedies which are not available to courts of law. Entering FY 1991, it is anticipated that there will be approximately 15 active ongoing negotiations.

Notwithstanding the desirability of negotiation, it is recognized that not all negotiable issues lead to acceptable settlements; therefore, claims preparations must also include preparations for the prosecution of Indian claims through litigation. It is anticipated that there will be approximately the same number of ongoing cases in active litigation and in negotiations (15). If the United States fails to adequately prepare claims, there would be a substantial risk that reservation water entitlements would be diminished, thus giving rise to the potential for breach of trust actions by beneficiary tribes.

Costs for claim preparations vary, and estimates for data/evidence collection are made by the bureau following consultation with affected Indian tribes, Interior Department Solicitors, and Department of Justice attorneys. Bureau funding priorities are: (1) cases in deliberation; (2) cases anticipated to be deliberated in FY 1992 and FY 1993; (3) cases anticipated to be deliberated in FY 1994 and FY 1995; and (4) cases where tribes may be prosecuting water rights claims on their own behalf.

As a point of reference, the anticipated FY 1991 negotiation and litigation activities are among over 60 pending stream adjudications in which Indian water rights are being determined. Most of the adjudications impact more than one tribe. Virtually all negotiations of Indian water rights are occurring in the context of either pending or anticipated litigation. Collection of data/evidence is usually directed by the United States, and will be consistent with the President's 10-year plan for Review of Indian Water Rights Claims, August 1980. This plan will be revised by August 1990.

Attorney Fees (\$2,000,000): Decisions of the Comptroller General and Court of Appeals for the 10th Circuit have ruled that it is appropriate to expend federally appropriated funds to enable a tribe to retain independent counsel in situations in which the United States cannot represent the tribes as contemplated by 25 U.S.C. 175, or where separate representation is required due to inherent conflicts of interest because the United States is representing its own proprietary interests,

or because several tribes with conflicting interests are involved in the same case. Regulations that govern the expenditure of appropriated funds for the fees of private attorneys representing tribes in cases being litigated or where the tribe is initiating litigation are in 25 CFR part 89. Bureau policy determines the hourly rates to be paid for the attorney fees.

The policy guidelines determining priority classification of eligibility for attorney fee funding are as follows:

- (1) Cases where 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.
- (2) In the event that the United States is sued and a tribe's (or tribes') rights and interests (e.g., Winters' rights) are challenged by the action and, in addition, other identified interests of the United States (BOR, BLM, etc.) or the rights and interests of another tribe conflict with those of the affected tribe.
- (3) 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.

Additional funds were provided in FY 1990 for litigation related to the Navajo-Hopi dispute and for the San Juan Southern Paiute.

All attorney fee requests are reviewed and evaluated with 25 CFR part 89.

Unresolved Indian Rights Issues/Statute of Limitations (\$1,162,000; FTE 43):

This activity provides for the field investigations and research requisite to the timely identification and resolution of issues necessary for the protection and preservation of Indian rights associated primarily with natural resources. In addition, the Statute of Limitations (28 U.S.C. 2415) activity, which originally concentrated on the identification, research, and filing of potential claims for money damages against third parties arising from actions taking place prior to 1966, now centers on the resolution of Statute of Limitations claims, including viable post-1966 claims that the bureau continues to identify.

The United States is now barred from filing suit to recover damages associated with any additional pre-1966 damage claims. With respect to those pre-1966 identified claims that have been published in the Federal Register, the Statute of Limitations is extended until such time as the United States files litigation, formally rejects the claims for litigation or legislative resolution, or submits legislation to the Congress to resolve such claims. With respect to damage claims arising after July 18, 1966, the United States may recover only those damages accruing during the six years and ninety days previous to the date on which suit is filed.

This joint activity is designed to protect Indian rights and to avoid government liability for failure to discharge the fiduciary responsibilities of the United States. Information is used primarily to seek and obtain negotiated settlements or other administrative remedies. Failing these remedies, funds can be used to support the initiation of litigation and for legislative resolution. The issues

addressed include, but are not limited to, those involving title to land, trespass, water rights, mineral entry, renewable resources, problems of pollution, and activities which endanger trust or restricted property.

Changes from FY 1990 Base:

		FY 1991 Base	FY 1991 Estimate	Difference (+ or -)
Area Office Operations	\$	368	473	+105
	FTE	(5)	(6)	(+1)
Litigation Support	\$	2,180	1,180	-1,000
Attorney Fees	\$	2,000	1,000	-1,000
Total	\$	4,548	2,653	-1,895
	FTE	(5)	(6)	(+1)

Area Office Operations (+\$105,000; FTE +1): The change results from the application of the Indian Priority System at the area level. Changes by area are as follows:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Juneau Area	\$ 113,000	\$ 113,000	\$ ---
Minneapolis Area	46,000	46,000	---
Muskogee Area	51,000	52,000	+1,000
Sacramento Area	43,000	43,000	---
Navajo Area	0	104,000	+104,000
Portland Area	54,000	54,000	---
TOTAL AREA PRIORITIES	\$ 307,000	\$ 412,000	\$ +105,000

ADJUSTMENTS:

One additional workday	+1,000
Adjustment for Administrative Staffing Efficiencies	-3,000
FY 1991 Federal Pay Adjustments	+2,000
Federal Employees Retirement System (FERS)	+61,000

FY 1991 REQUEST..... \$ 473,000

Litigation Support (-\$1,000,000): Additional funds that were provided for the Arkansas Riverbed Authority, the Lower Elwha Tribe, the Shoshone-Bannock Tribes and to restore the FY 1989 level of funding for FY 1990 will no longer be required. Funding for those tribes identified above was accomplished in FY 1990. It is anticipated that the majority of tribal needs for litigation support can be accomplished within the amount proposed for FY 1991.

Attorney Fees (-\$1,000,000): Additional funds that were provided in FY 1990 to meet authorized purposes for litigation related to the Navajo-Hopi boundary dispute and for the San Juan Southern Paiutes was accomplished in FY 1990. Funds that were provided to restore the FY 1990 level of funding to the FY 1989 level will not be required for FY 1991 as the critical review and screening of requests for attorney fees will continue, and allocations for attorney fees are made according to the limitation on hourly rates.

Object Class Distribution - Indian Rights Protection

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation.....	+1	\$+138,000
Personnel Benefits.....		+19,000
Travel.....		+10,000
Communications and Utilities.....		+8,000
Printing and Reproduction.....		+5,000
Supplies and Materials.....		+15,000
Equipment.....		+20,000
Other Services.....		<u>\$+440,000</u>
		\$+655,000

Total

Justification of Program and Performance

Activity: Trust Responsibilities
 Subactivity: Real Estate/Financial Trust Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Trust Services, General	\$ (FTE)	1,001 (20)	987	1,008 (20)	1,072 (20)	+64 (--)
B. Real Estate Services	\$ (FTE)	10,129 (202)	9,992	10,257 (202)	13,281 (194)	+3,024 (-8)
C. Financial Trust Services	\$ (FTE)	8,982 (151)	8,860	9,115 (151)	11,895 (171)	+2,780 (+20)
Total Requirements	\$ (FTE)	20,112 (373)	19,839	20,380 (373)	26,248 (385)	+5,868 (+12)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Real Estate/Financial Trust Services	20,112	-273	19,839

Reductions in the Real Estate Services program will be accomplished by reductions in travel, training and administrative costs associated with various real estate programs; a reduction in numbers of "on-site" lease compliance inspections that can be made; postponement of a title and recordation law training class; and reductions in national coordination and evaluation meetings for the Land Titles and Records offices.

A. Trust Services, General

		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations:	\$ (FTE)	654 (13)	645	661 (13)	725 (13)	+64 (--)
Central Office Operations:	\$ (FTE)	347 (7)	342	347 (7)	347 (7)	-- (--)
Total Trust Services, General	\$ (FTE)	1,001 (20)	987	1,008 (20)	1,072 (20)	+64 (--)

Objectives: The objective of this program is to manage and direct the implementation of the Trust, Economic Development, and Natural Resource programs to protect, manage, and develop Indian and tribal resources in cooperation with tribal governments within the philosophy of self-determination as defined by law.

Base Program (\$1,008,000; FTE 20):

Area Office Operations (\$661,000; FTE 13): In the area offices, funds are used for Rights Protection staff, studies, contracts, geographic information system agreements, and other services that affect trust responsibilities programs at field offices.

Central Office Operations (\$347,000; FTE 7): The Office of Trust and Economic Development provides staff support to the Deputy Assistant Secretary - Indian Affairs (Operations) in the development and management of bureau programs associated with Indian trust resources, including: water; agriculture; range; energy and minerals; forestry; fish, wildlife and recreation resources; real property management; financial trust services; financial assistance; economic development; transportation systems; environmental quality; investment of Indian trust funds; and, Indian rights protection. The bureau's trust responsibilities include: the protection of the rights of Indians in their trust property and those rights affecting trust property that are afforded by tribal sovereignty; exercise of the authorities delegated by the Secretary of the Interior concerning Indian trust property; providing to Indians the services necessary for them to make decisions required of them in the development of their resources; and administration of those programs designed to facilitate the trust. The Office of Trust and Economic Development plans, develops, monitors, and evaluates programs, policies, standards, procedures, and feedback systems for its assigned programs; participates in the allocation of bureau resources for respective program operations; and makes recommendations to the Deputy Assistant Secretary - Indian Affairs (Operations) for the necessary changes or adjustments in the programs and in their implementation. The office and its subordinate divisions also provide the development and coordination of training policies, programs and technical assistance support for its assigned programs.

Changes from FY 1991 Base:

(Dollar amounts in thousands)

	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Difference (+ or -)</u>
Area Office Operations	661	725	+64

Area Office Operations (\$+64,000): The change results from the application of the Indian Priority System at the area level. Changes by area are as follows:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$ 90,000	\$ 100,000	\$ +10,000
Anadarko Area	77,000	77,000	---
Billings Area	60,000	60,000	---
Juneau Area	161,000	129,000	-32,000
Minneapolis Area	87,000	87,000	---
Muskogee Area	94,000	103,000	+9,000
Albuquerque Area	0	77,000	+77,000
Eastern Area	85,000	85,000	---
TOTAL AREA PRIORITIES	\$ 654,000	\$ 718,000	\$+64,000

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
ADJUSTMENTS:			
One additional Work day		\$ +2,000	
Adjustment for Improved Administrative & Staffing Efficiencies		-6,000	
FY 1991 Federal Pay Adjustments		+5,000	
Federal Employee Retirement System (FERS)		<u>+6,000</u>	
FY 1991 REQUEST.....		\$ 725,000	\$+64,000

B. Real Estate Services

		<u>FY 1990 Enacted Budget</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Area Office Operations:	\$ (FTE)	3,087 (112)	3,045	3,108 (112)	2,784 (101)	-324 (-11)
Central Office Operations:	\$ (FTE)	912 (17)	900	918 (17)	1,368 (20)	+450 (+3)
<u>Field Operations:</u>						
Cadastral Surveys	\$	1,937	1,911	1,937	1,662	-275
Lease Compliance	\$ (FTE)	1,178 (73)	1,162	1,279 (73)	1,279 (73)	-- (--)
Land Records Improvement	\$	1,500	1,480	1,500	1,382	-118
Land Titles & Records Offices	\$	1,515	1,494	1,515	3,806	+2,291
Probate Backlog Reduction	\$	<u>--</u>	<u>---</u>	<u>--</u>	<u>1,000</u>	<u>+1,000</u>
Total Real Estate Services	\$ (FTE)	10,129 (202)	9,992	10,257 (202)	13,281 (194)	+3,024 (-8)

Objectives: To protect and enhance the corpus of the Indian trust estate by providing both individual Indian landowners and Indian tribes with the professional, technical, administrative, and protective services required of the United States in its role as trustee of Indian-owned real property; to work with the Indian tribes, Congress, and other interested parties toward resolution of the undivided heirship problem of allotted Indian land in compliance with existing authorities; to provide assistance in land use planning and resource management planning to those tribal entities which have requested and demonstrated a need for these services; and to facilitate economic use of land by developing a capability to provide accurate and timely land ownership information and boundary delineation.

Base Program (\$10,257,000; FTE 202):

Area Office Operations (\$3,108,000; FTE 112): The area offices provide technical support, general policy direction and oversight, as well as administrative review and evaluation of agency real property management services. Technical support services include appeals assistance, review of development initiatives, performance of appraisals, and land use planning.

Central Office Operations (\$918,000; FTE 17): Central office staff formulate Real Estate Services policy; perform oversight review and evaluation of area-wide real estate functions; handle appeals; perform title research required at the national level; provide budget services; implement training initiatives; produce directives for implementation of new legislation; and establish and review regulations governing the operation of the Bureau's Real Estate Services Program.

Field Operations (\$6,231,000; FTE 73):

- a. Cadastral Surveys, Lower 48 States (\$1,937,000): Cadastral surveys of Indian lands must be accomplished by the Bureau of Land Management (BLM) pursuant to 25 U.S.C. 176. The program is directed toward accomplishing priority surveys identified by the tribes and the BIA, particularly in the areas of mineral resource development and land use planning where the lack of correctly identified boundaries constrains effective management and/or development of resources. Survey priorities are developed based on the following criteria: beneficiary, economic return, need, contribution, and purpose. Approximately 2,500 miles of Indian boundaries were surveyed by BLM in each of the last five years.

The 1987 Interagency Agreement between BIA and BLM established programmatic requirements for both agencies, and encourages the development of supplemental "project office" agreements and contributions to accomplish surveys. A "project office" is a temporary BLM organization, established for a minimum period of time (usually three years) to survey a specific (and usually large) area of land. The BIA realizes significant administrative cost savings by not having to pay per diem and travel costs for BLM's project office surveyors. As such, project offices combine the most effective method of accomplishing surveys and the most efficient fund utilization. Four current project offices will continue operations in FY 1991; these are located on the Navajo and Southern Ute Indian Reservations, at Muskogee, Oklahoma to survey Arkansas Riverbed land owned by the Cherokee, Chickasaw, and Choctaw Tribes of Oklahoma, and at the Olympic Peninsula Agency in the State of Washington. In FY 1990 a Congressional add-on of \$400,000 was provided to expedite the completion of cadastral surveys on 96 miles of the Arkansas Riverbed, the surveys are being accomplished through the interagency agreement with BLM. The project office at White Earth will be reviewed during FY 1990 and either renewed or terminated.

Further efforts to increase the efficiency of program operations will result in a portion of the FY 1991 funding being dedicated to the surveying of exterior reservation boundaries abutting lands managed by other federal agencies. In FY 1991, the Bureau of Reclamation (BOR) and the National Park Service (NPS) will continue to share survey costs of certain common boundaries between BOR and NPS and Indian Lands initiated in FY 1991; BIA's share of these costs will be approximately \$140,000. It is BIA's position that development of such cost-saving agreements should be encouraged.

- b. Lease Compliance (\$1,279,000; FTE 73): The Bureau of Indian Affairs administers more than 60,000 leases of trust and restricted Indian lands. The

resources allocated to this activity are used to ensure that the lessees and their assignees comply with the terms of their leases. Lease compliance personnel, together with Realty, Land Operations, Forestry, and other agency-level staff, initiate field inspections and administrative actions, as needed, to assure that the Indian landowners' property rights are protected. Lease violations are noted, and corrective actions or cancellations are completed where appropriate. For example, the bureau may employ a professional contractor to audit a commercial lessee's accounts, or it may independently investigate an agricultural lessee's fencing and cropping patterns.

Interagency and inter-departmental coordination will be improved in FY 1991, to ensure that program funds are utilized efficiently. Automated data systems will be used to facilitate the collection and disbursement of lease rentals in a timely manner, and lease compliance efforts will be intensified in those geographical areas where leasing activity has increased in recent years. In many cases, lease compliance activities will result in the recovery of funds for the Indian landowners, through the collection of late payment penalties, damages, or bond forfeitures.

In allocating program resources, priority is generally given to activities involving oil and gas, mining, industrial, business, cultural, and other income-producing leases; however, many of the bureau's lease compliance priorities may also be dictated by tribal priorities. Approximately 20 percent of the leases administered by the bureau expire each year, and actions needed to renew these leases (or re-lease the subject properties) are also given priority. New planning, reporting, and monitoring requirements will be established by FY 1991, to ensure that program funds are allocated in a manner which will address these priorities and minimize the economic loss resulting from non-compliance.

- c. Lands Records Improvement (\$1,500,000): The objective of the Land Records Improvement Program is the completion of the bureau's land records (including title and encumbrance documents; land, title and ownership data systems; archive microfilm and imaging of title documents; and cartographic and geographic maps and data systems). This program will continue land title examination, verification, and maintenance by bureau titles and records offices, agencies and contract personnel. These funds provide for the completion of the title update and date verification on the land records data systems by the Aberdeen, Anadarko, Albuquerque, Billings and Portland Offices; and will continue the project initiated in FY 1989 to conduct identification, title documentation, examination and data entry on all trust and restricted tracts under the jurisdiction of the bureau's title service offices at Eastern, Juneau and Muskogee and to upgrade those offices to a fully functional and operational status.

Consistent with the Integrated Records Management System and Land Records Information System Implementation Plans, the bureau is continuing major Land Records Improvement projects begun during prior fiscal years: (1) recordation and entry into the Land Records Information System (LRIS) of unrecorded title and encumbrance documents; (2) the completion of Land Status Maps and geographic data systems and the performance of protraction surveys on an estimated 15 million acres of unsurveyed trust and restricted land for the creation of approximately 20,000 tracts for entry into LRIS; and (3) the reautomation of the Land Titles and Records Offices to replace old, defective and incompatible equipment and application programs. The successful completion of the bureau's land records data base is directly related to the completion of these Land Records Improvement projects which is a high priority within the bureau.

Land ownership and title information is the basic necessity for many essential bureau program activities. The program provides information for use by the bureau's computer systems and by leasing activities within other programs such as forestry, agriculture, range, administration, minerals, and others. Correct and current ownership and title status information is critical in obtaining owner consent and in accounting for and distributing owner income. It is utilized by many programs, including oil and gas leasing and royalty management; and it is essential to the proper accomplishment of probate activities and estate distributions.

- d. Land Titles and Records Offices (\$1,515,000): The goal and objective of the Land Titles and Records program is to provide complete, accurate and efficient title service to the Indian tribal and individual owners of trust and restricted Indian lands and to the bureau offices and data systems which rely on Land Titles and Records data reports. The principal work products of the program are the certified title reports (e.g., Title Status Report) and maps (e.g., Land Status Maps) issued by the program offices. The work product objectives of the program are to improve the productivity of the title examination process (as indicated by the issuance of Title Status Reports) by 10 percent based on the FY 1989 bureauwide rate of 4 man-hours per title examination.

The Land Titles and Records program consists of three fundamental functions: (1) recordation of title documents, (2) title examination and quality control services, and (3) maintenance of land status maps and geographic data. "Recordation" involves the acceptance of title documents; the extraction, entry, notation and maintenance, of recording and title document images; and the examination of title documents for title defects. The "title examination and quality control" function provides complete title service including title examination, certification and reports under the Torrens System of title to Indian tribes and individual allottees, to governmental offices, and to private industry. The "land status mapping and geographic data" function involves the complete and accurate maintenance of reservation-wide maps and component segment sheets, and, beginning in FY 1991, the extraction, entry and maintenance of land, title and ownership geographic data on the bureau's Geographic Information System (GIS).

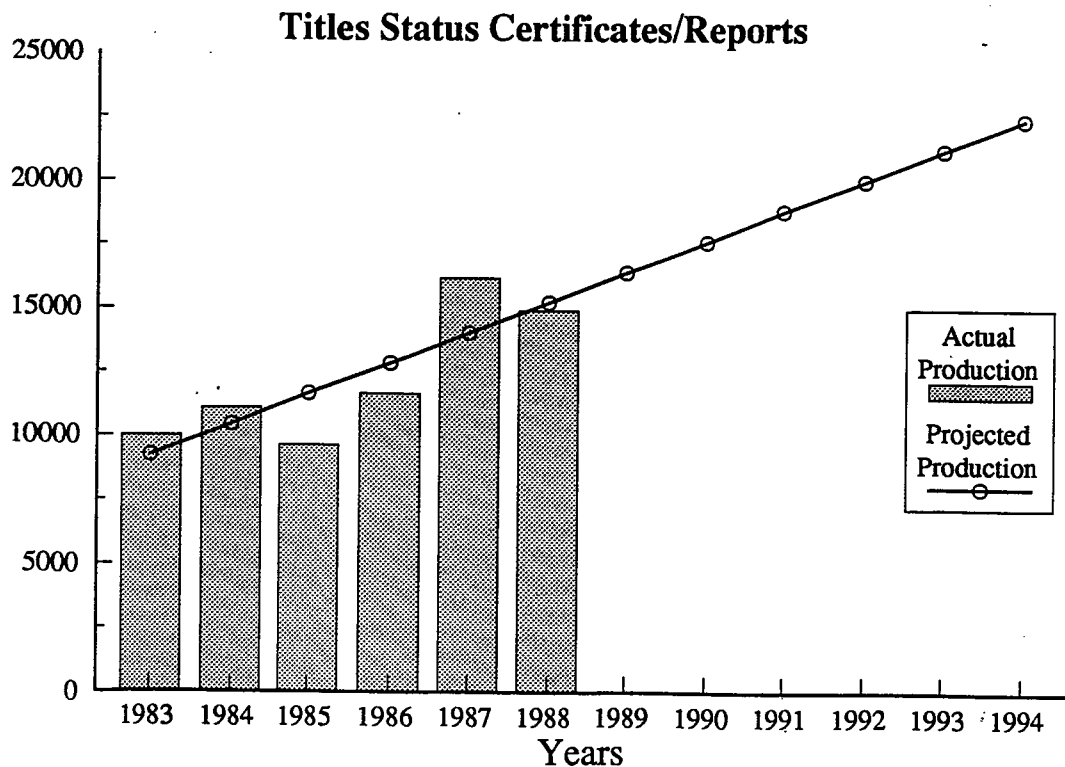
The bureau has five Titles and Records Offices and three Title Services Offices at eight area offices, covering land records for twelve areas. Each office is responsible for many activities beyond the receiving, recording and computer data entry of land records information. The offices provide services necessary for the bureau to carry out its management responsibilities on almost 53 million acres of trust land. The titles and records staff performs functions analogous to those of a county recording office as an official office of record, in that deeds, probates, liens, mortgages, and similar documents are recorded and certified copies issued. In the bureau, there are 28 types of title documents, each utilizing five procedural steps that must be completed before a document is recorded and entered into LRIS.

The offices function as abstract companies in that they provide copies or records in a chain (or abstract) of title, and furnish opinions regarding ownership and sufficiency of title documents; they also provide land status maps. Most importantly, the offices function as title companies, in that they verify and certify title ownership and encumbrances for all Indian lands. They also provide land use maps, heirship data, BIA historical or archive

title documents, and property income data. Records must be kept for each trust or restricted ownership tract as well as separate records on two million ownership interests.

This program is actively involved in the redesign of the Land Records Information System, the Integrated Records Management System, and the bureau's other land records data systems, to form a single, unified data management system providing bureauwide access to land, ownership and document data. The unification of these separate land records data systems requires the conversion and reconciliation of land records data contained in each system to a single new data base structure which is universally compatible with and accessible by all bureau offices and computer systems. Data reconciliation and maintenance will be performed by the Land Titles and Records Offices and Title Service Offices for land title and records data, and by area and agency offices for all other data. The reconciliation of land records data and the establishment of a unified land records management system are essential to the bureau and to the Indian individuals and tribes it serves.

Using the examination of title to Indian lands and the certification and issuance of Title Status Reports (TSRs) as one measure of the Land Titles and Records Program's workload, the following chart indicates the program's actual production from 1983 through 1988, and the program's projected production workload for 1989-1994. As depicted in the chart, the program has a projected 7.6% annual increase in its normal production workload based on the program's last 6 years of production history.



Changes from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>Difference</u> <u>(+ or -)</u>
Area Office Operations	\$	3,108	2,784	-324
	FTE	(112)	(101)	(-11)
Central Office Operations	\$	918	1,368	+450
	FTE	(17)	(20)	(+3)
<u>Field Operations:</u>				
Cadastral Surveys	\$	1,937	1,662	-275
Land Records Improvement	\$	1,500	1,382	-118
Land Title & Records Offices	\$	1,515	3,806	+2,291
Probate Backlog Reduction	\$	--	1,000	+1,000
Total	\$	<u>8,978</u>	<u>12,002</u>	<u>+3,024</u>
	FTE	(102)	(68)	(-34)

Area Office Operations (-\$324,000; FTE -11): The change results from the application of the Indian Priority System at the area level. Changes by area are as follows:

<u>Area Office</u>	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1990</u> <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$ 456,000	\$ 437,000	\$ -19,000
Anadarko Area	341,000	341,000	---
Billings Area	301,000	257,000	-44,000
Juneau Area	227,000	151,000	-76,000
Minneapolis Area	99,000	99,000	---
Muskogee Area	132,000	132,000	---
Phoenix Area	372,000	358,000	-14,000
Sacramento Area	155,000	155,000	---
Albuquerque Area	171,000	83,000	-88,000
Navajo Area	489,000	406,000	-83,000
Portland Area	307,000	307,000	---
Eastern Area	<u>37,000</u>	<u>37,000</u>	---
TOTAL AREA PRIORITIES	\$ 3,087,000	\$ 2,763,000	\$ -324,000

ADJUSTMENTS:

One additional Work day	7,000
Adjustment for Improved Administrative & Staffing Efficiencies	-60,000
FY 1991 Federal Pay Adjustments	48,000
Federal Employee Retirement System (FERS)	<u>26,000</u>

FY 1991 REQUEST..... \$ 2,784,000 \$ -324,000

Central Office Operations (+\$450,000; FTE +3): The increase is due to a transfer of funds from the Land Records Improvement program in the amount of \$118,000 to cover personnel and administrative costs for the Branch of Land Titles and Records. This transfer of funds is to further affect the consolidation of realty functions started in FY 1990.

Additionally, \$332,000 is being transferred from the Energy and Minerals program to fund the new Real Estate Services Branch of Oil and Gas Lease Administration. This Branch will direct and monitor the following activities relative to the administration of approximately 16,000 oil and gas leases and distribution of lease income to Indian tribes and individual Indians: (1) the approval of leases, assignments, unit agreements, surety bonds, etc.; (2) the advertisement and conduct of lease sales; (3) the completion/review of environmental assessments and the cancellation of leases for due cause; (4) the collection and disbursement of rents and royalties paid on producing leases; and (6) oil and gas lease quality control and program evaluation. The branch will also coordinate lease compliance activities conducted by the Bureau of Land Management, monitor royalty accounting by the Minerals Management Service, and process appeals by the Office of Hearings and Appeals.

The \$332,000 increase is offset by: (1) a decrease of \$132,000 in the Minerals and Mining, Special Projects Program for the transfer of the management of oil and gas leases and automated royalty distribution quality control functions to the Division of Real Estate Services, and (2) a decrease of \$200,000 in the Minerals and Mining, Minerals Assessments Program based on the completion of Phase I mineral inventories.

The increase of three FTE is for the purpose of staffing the new Branch of Oil and Gas Lease Administration. The new positions will consist of two technical positions and one clerical position.

Cadastral Surveys (-\$275,000): The change to base is the result of a decrease of a one-time, supplemental appropriation of \$400,000 provided by Congress in FY 1990 to accelerate the pace of cadastral surveys on the Arkansas Riverbed; and an increase of \$125,000 to establish a cadastral survey presence on the River on a year-around basis. Annual funding of \$125,000 is projected to remain in effect for three years.

Land Records Improvement (-\$118,000): The decrease represents funding for personnel and administrative costs for the Branch of Land Titles and Records within Real Estate Services, Central Office Operations. The change is representative of the consolidation of the real estate services function initiated in FY 1990.

Land Titles and Records Offices (+\$2,291,000): This change is made to accurately reflect the actual operating costs of the program, which in previous years was funded by the Land Records Improvement Program. The increase will be used for actual personnel and operating expenses of the Bureau's five Land Titles and Records Offices to provide the ability to properly manage the recordation and maintenance of all title documents, lease and ownership records on Indian lands, and to provide quality control for the distribution of income from Indian trust land to tribes and individuals. The FTE associated with the Land Titles and Records Improvement Program are reflected in Real Estate Services, Area Office Operations.

Probate Backlog Reductions (+\$1,000,000): In order to make all IRMS ownership files current, it is essential that all estates involving Indian trust and restricted property be probated in a timely fashion (25 U.S.C. 372; 43 CFR 4.200). Reports indicate that the current BIA backlog of such identified estates, which are in need of research and compilation of data for transmittal to probate judges in the Department's Office of Hearings and Appeals, is estimated at 4,800. (This figure does not include any estates which may subsequently be identified through the probate of these cases, nor does it include any probate modification and summary distribution backlogs that now exist nationwide. This figure also does not include an estimated backlog of 5,000 restricted estates, within the Muskogee Area Office jurisdiction, that fall outside of the specific BIA responsibilities set forth in 43 CFR 4.200, but within the general and discretionary responsibilities set forth in 25 CFR 16 and 17.) Out of 68 field offices responsible for estate administration, there are 24 that have backlogs in excess of 50 estates; of these, 13 have in excess of 100 estates and 6 have in excess of 200 estates. Assuming that in probating the 4,800 identified estates, an estimated 2,400 additional estates will be identified, the total number of estates now pending in the Bureau of Indian Affairs stands at approximately 7,200. The funding will be used to contract the program under the authority of the Buy Indian Act or P.L. 93-638, or to hire temporary staff necessary to bring the probate backlog up to date. If temporary staff is required, this would consist of approximately 20 FTE.

C. Financial Trust Services

	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc.(+) Dec. (-) From Base
Central Office Operations	\$ 1,511 (FTE) (22)	1,490	1,550 (22)	3,800 (42)	+2,250 (+20)
Trust Fund Contract	\$ 3,703	3,653	3,703	4,233	+530
<u>Field Operations:</u>					
Field Staff:	\$ 3,768 (FTE) (129)	3,717	3,862 (129)	3,862 (129)	-- (--)
Total Financial Services	\$ 8,982 (FTE) (151)	8,860	9,115 (151)	11,895 (171)	+2,780 (+20)

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; to properly manage and be accountable for tribal funds and individual Indian monies held in trust by the bureau as the fiduciary trustee.

Base Program (\$9,115,000; FTE 151):

Central Office Operations (\$1,550,000; FTE 22): The bureau is responsible for the management and investment of almost \$2 billion of funds held in trust for tribes and individual Indians. More than of 290,000 separate accounts are maintained.

In response to more than 30 audit reports which have been issued by the Office of the Inspector General and in an effort to correct the many deficiencies identified by the audits and management reports prepared by Arthur Andersen &

Company, during FY 1990 the bureau will establish a new position of Deputy to the Assistant Secretary - Indian Affairs for Trust Funds. Both the Inspector General and the outside auditors have recommended that the bureau establish strong, centralized management over all aspects of trust fund activities including investments, accounting, receipt income from leases, and supervised accounts. The existing staff of trust fund investments and trust fund accounting will be placed under the direction of the Deputy. Two additional divisions for trust income collection and supervised accounts have been recommended and are proposed for funding in FY 1991. In FY 1990 funds and FTE are available for the divisions of investments and accounting. The office will monitor and evaluate all aspects of performance by the contractor retained by the bureau to provide cash concentration, investment, accounting, and reporting services. Policy guidance and oversight of both contracted operations and services provided in the field come through this office.

During FY 1990, the bureau will contract with outside auditors to reconcile the differences between the balances of trust funds carried in the finance system and the balances carried in the investment system. The bureau will also contract for an audit of a substantial number of tribal trust accounts which will cover approximately 73 percent of the funds held in trust.

Trust Fund Contract (\$3,703,000): In order to safeguard investments, maximize earnings through cash concentration, and improve reporting to all account holders, the bureau has engaged the services of Security Pacific National Bank. The contractor's operations will be subject to both internal bureau audits and evaluations and audits performed by the Office of the Inspector General and major private auditing companies. The contracted system will be tested in FY 1990 and will be operational by the third quarter of FY 1990. As trust fund balances are audited, the monies from the audited accounts will be turned over to the contractor for servicing.

Field Operations (\$3,862,000; FTE 129): The bureau is charged by law and regulations with the trust responsibility of accounting for and disbursing Individual Indian Monies (IIM) which come into the custody of bureau officials as a result of administering trust or restricted properties of individual Indians, and through per capita payments, judgments, awards, and claims. Deputy Indian Service Special Disbursing Agents are designated to carry out these responsibilities. The major portion of this effort is carried out at the field level. The staff members serve as contacts with Indians at the reservation level and perform work connected with activities concerned with administration of trust properties. Activities include: (1) accounting for and disbursing of tribal and individual Indian monies derived from the sale or lease of renewable and non-renewable trust resources such as land, timber, minerals, and water; (2) disbursing per capita payments, judgments, awards, and claims; (3) providing research involving special fiscal problems, and trust fund data for legislative acts, and recommendations for the execution of the acts; (4) assisting in investment of the various revenues so as to maximize returns; and (5) providing appropriate reports and responses to individual Indians or tribes, Treasury Department, General Accounting Office, Congress, and others. Funds are used to maintain the accounting, bookkeeping, and direct assistance services accomplished by the Indian Service Special Disbursing Agent field personnel in collecting and disbursing funds for resources held in trust on behalf of Indian tribes and individuals. There are 55 disbursing stations spread throughout the bureau. Each time a judgment/award/claim is involved, the number of individual Indian money accounts increases, generating increased basic operating costs at the agency level. The government has a fiduciary obligation to collect, disburse, and account for those funds in the most expeditious manner possible.

Change From FY 1991 Base:

(Dollar amounts in thousands)

		FY 1991 Base	FY 1991 Estimate	Difference + or -
Central Office	\$	1,550	3,800	+2,250
Operations	FTE	(22)	(42)	(+20)
Trust Fund Contract	\$	3,703	4,233	+530
Total	\$	5,253	8,033	+2,780
	FTE	(22)	(42)	(+20)

Central Office Operations (+\$2,250,000; FTE +20): This increase will be used to staff and support the office of the Deputy for Trust Funds and the divisions of trust income collections and supervised accounts. The division of trust income collections will be responsible for establishing policies and procedures to ensure adequate segregation of duties so that the same employee does not have the responsibility for receiving cash, transferring cash between accounts, and establishing new accounts. Staff in this division will conduct internal reviews at field locations having trust accounts to ensure compliance with payments required under leases and to provide technical assistance and training.

The bureau is required to ensure that disbursements from the Individual Indian Money (IIM) accounts of minors are in the best interest of the health, education and welfare of the minor. In order to provide such assurance, it is necessary to develop long-range financial plans for each child and document the exigencies which may arise that cause deviation from the planned expenditures. This division will establish standards for the financial plans which will be developed in the field in consultation with the parents or guardians of the minor child and staff from social services. The plans will be reviewed and updated on a periodic basis to reflect changed circumstances, whether financial or personal.

Once the plans are developed, disbursements from the minor's account which do not comport with the planned expenditures will be forwarded from the field to the division of supervised accounts with justification for the additional expenditure. Upon a documented determination that the additional disbursements are in the interests of the child, authorization would be provided by the staff of supervised accounts.

Of the requested increase, \$250,000 will be used to continue to contract for annual financial statements on the status of funds held in trust. The first known outside audit of the trust funds was conducted in FY 1989 in response to Congressional directives. To better ensure the integrity of the trust funds and in keeping with the bureau's fiduciary responsibility, annual outside audits should be performed.

Trust Fund Contract (+\$530,000): The increase will be used to contract with an accounting firm to audit the remainder of the tribal accounts prior to turning the funds over to Security Pacific National Bank. If resources are available within the amount provided for the Trust Fund contract, the bureau will also begin audits of the IIM accounts during FY 1991.

Object Class Distribution - Real Estate and Financial Trust Services

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation	+12	\$ +853,000
Personnel Benefits.....		+111,000
Travel.....		+25,000
Communications and Utilities.....		+15,000
Printing and Reproduction.....		+10,000
Other Services.....		+4,714,000
Supplies and Materials.....		+40,000
Equipment.....		<u>+100,000</u>
Total.....		\$+5,868,000

Justification of Program and Performance

Activity: Trust Responsibilities
 Subactivity: Tribe/Agency Operations

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990. Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Trust Services, General	\$ (FTE)	397 (7)	392	409 (7)	549 (7)	+140 (--)
B. Environmental Quality	\$ (FTE)	661 (12)	652	676 (12)	543 (12)	-133 (--)
C. Other Rights Protection	\$ (FTE)	3,029 (40)	2,988	3,068 (40)	2,785 (40)	-283 (--)
D. Real Estate Appraisals	\$ (FTE)	3,482 (72)	3,435	3,558 (72)	3,334 (72)	-224 (--)
E. Other Real Estate Services	\$ (FTE)	16,361 (390)	16,139	16,709 (390)	17,070 (428)	+361 (+38)
Total Requirements	\$ (FTE)	23,930 (521)	23,606	24,420 (521)	24,281 (559)	-139 (+38)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Tribe/Agency Operations	23,930	-324	23,606

The sequestration in Tribe/Agency Operations will be accomplished by reductions in travel, training and administrative costs associated with the various Tribe/Agency Programs.

A. Trust Services, General

Base Program (\$409,000; FTE 7): The Trust Services, General program provides program management and support for trust and natural resources activities in field office land and trust matters. The responsibilities of staff supported in whole or in part by this program are in the following subactivities: (1) environmental services; (2) rights protection; (3) real estate services; (4) appraisals; (5) land use planning and land records improvement; (6) water policy implementation; (7) historical and archeological resources; (8) other trust related activities.

Funds may also be used for studies, contracts, geographic information system agreements and other services that may affect trust responsibilities programs at the field level.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Difference (+ or -)</u>
Trust Services, General	\$ (FTE)	409 (7)	549 (7)	+140 (--)

Trust Services, General (+\$140,000): The increase of \$140,000 at the following areas is based on the application of the Indian Priority system at the tribe/agency level.

	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Billings Area	\$ 77,000	\$ 0	\$ - 77,000
Juneau Area	118,000	201,000	+ 83,000
Muskogee Area	20,000	0	- 20,000
Albuquerque Area	0	40,000	+ 40,000
Portland Area	119,000	119,000	---
Eastern Area	<u>63,000</u>	<u>177,000</u>	<u>+ 114,000</u>
TOTAL TRIBAL PRIORITIES	\$ 397,000	\$537,000	\$ + 140,000

ADJUSTMENTS:

One additional workday	+ 1,000	
Adjustment for Administrative Staffing Efficiencies	- 4,000	
FY 1991 Federal Pay Adjustments	+ 3,000	
P.L. 93-638 Contractor Pay Cost Adjustments	+ 2,000	
Federal Employees Retirement System (FERS)	<u>+10,000</u>	
FY 1991 REQUEST	\$549,000	\$ + 140,000

B. Environmental Quality Services

Base Program (\$676,000; FTE 12): The funds at the tribe/agency level are used to: (1) prepare most of the minor and less controversial Environmental Assessments (EA's); (2) assist area office staff in obtaining details and gathering information for preparation of more extensive EA's and Environmental Impact Statements (EIS's); (3) review proposed actions to determine if they are categorically excluded or need further documentation to comply with the National Environmental Policy Act (NEPA); and (4) assist area office staff in obtaining information for compliance with the National Historic Preservation Act and the Archeological Resources Protection Act.

The agency personnel work with area office staff to determine impacts of federal projects proposed by other agencies, which may impact Indian lands, and aid the area office in determining location and existence of hazardous waste sites. Agencies are responsible for setting up on-site inspection and site testing and helping area and central offices monitor cleanup activities. Staff also work with area office archeologists in locating historic or archeological sites which may be affected by a proposed action; help in determining areas of cultural or religious importance; and monitor projects to ensure that agreed upon treatment of the site is carried out.

Change from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>Difference</u> <u>(+ or -)</u>
Environmental Quality	\$	676	543	(-133)
	(FTE)	(12)	(12)	(--)

Environmental Quality (-\$133,000): The decrease of \$133,000 at the following areas is based on the application of the Indian Priority system at the tribe/agency level.

	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
Anadarko Area	\$ 38,000	\$ 38,000	---
Billings Area	28,000	0	\$ -28,000
Juneau Area	78,000	78,000	---
Minneapolis Area	38,000	27,000	-11,000
Muskogee Area	42,000	42,000	---
Phoenix Area	89,000	105,000	16,000
Sacramento Area	10,000	9,000	-1,000
Albuquerque Area	109,000	0	-109,000
Navajo Area	120,000	120,000	---
Portland Area	<u>109,000</u>	<u>109,000</u>	<u>---</u>
TOTAL TRIBAL PRIORITIES	\$ 661,000	\$ 528,000	\$-133,000

ADJUSTMENTS:

One additional workday	+ 2,000	
Adjustment for Administrative & Staffing Efficiencies	- 6,000	
FY 1991 Federal Pay Adjustments	+ 5,000	
P.L. 93-638 Contractor Pay Cost Adjustments	+ 1,000	
Federal Employees Retirement System (FERS)	<u>+13,000</u>	
FY 1991 REQUEST.....	\$ 543,000	\$-133,000

C. Other Rights Protection

Base Program (\$3,068,000; FTE 40): The rights protection activity at the agency provides coordination and technical support services that are required for the protection of the trust estate which the United States administers on behalf of 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 liability of those rights.

This activity provides for the historical, technical, scientific, and other professional assistance necessary for the Government to litigate challenges to Indian rights which the United States has guaranteed through treaty or statute. Agency staff utilizes funds provided from the Field Operations part of the budget, primarily in contracts, to obtain the required services or information needed to

pursue the protection of Indian rights. They assist in addressing Statute of Limitations and Unresolved Indian Rights Issues, as well as in environmental requirements.

The major costs for services required in protection of Indian rights are programmed by the central office, in the Field Operations subactivities of Litigation Support, Attorney Fees, Unresolved Indian Rights Issues, and others, based on information provided by the tribes and by the agency and area offices. The funds are used by agency staff to support rights protection activities, on a priority basis, considering the relative importance and urgency of the controversy or claim being negotiated, litigated, or researched.

Change from FY 1991 Base:

(Dollar amounts in thousands)

	FY 1991 Base	FY 1991 Estimate	Difference (+ or -)
Other Rights Protection \$ (FTE)	3,068 (40)	2,785 (40)	-283 (---)

Other Rights Protection (-\$283,000): The decrease of \$283,000 at the following areas is based on the application of the Indian Priority system at the tribe/agency level.

	FY 1990 Enacted	FY 1991 Request	Difference
Aberdeen Area	\$ 18,200	\$ 18,200	\$ ---
Anadarko Area	27,000	27,000	---
Billings Area	273,000	230,300	- 42,700
Juneau Area	563,000	564,000	+ 1,000
Minneapolis Area	291,400	352,600	+ 61,200
Phoenix Area	298,000	300,000	+ 2,000
Sacramento Area	231,000	218,500	- 12,500
Albuquerque Area	636,000	530,000	-106,000
Navajo Area	167,000	0	-167,000
Portland Area	474,100	455,100	- 19,000
Eastern Area	50,300	50,300	---
TOTAL TRIBAL PRIORITIES	\$3,029,000	\$2,746,000	\$-283,000

ADJUSTMENTS:

One additional workday	+ 6,000
Adjustment for Administrative Staffing Efficiencies	-21,000
FY 1991 Federal Pay Adjustments	+17,000
P.L. 93-638 Contractor Pay Cost Adjustments	+ 3,000
Federal Employees Retirement System (FERS)	+34,000

FY 1991 REQUEST..... \$ 2,785,000 \$-283,000

D. Real Estate Appraisals

Base Program (\$3,558,000; FTE 72): The Code of Federal Regulations and bureau policy require formal real estate appraisal reports to document and support agency actions involving real estate held in trust for individual Indians and tribes. Each year between 30,000 and 40,000 real estate transactions are processed for Indian landowners. These include real estate developments, sales, partitions, exchanges, leases and easements. Most of these transactions require professional appraisal services to comply with bureau policy and federal regulations. Documented appraisal reports are the evidence that the bureau has met its trust responsibility and that Indian landowners are being fairly compensated for their real property resources.

Between 65 and 75 professional appraisers provide services to support agency realty actions. These services include fully documented appraisal reports, feasibility studies, highest and best use studies, preliminary estimates of value, real estate consultation, and batch appraisals.

Change from FY 1991 Base: (Dollar amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>Difference</u> <u>(+ or -)</u>
Real Estate Appraisals	\$	3,558	3,334	-224
(FTE)		(72)	(72)	(--)

Real Estate Appraisals (-\$224,000): The decrease of \$224,000 at the following areas is based on the application of the Indian Priority system at the tribe/agency level.

	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$ 358,000	\$ 358,000	
Anadarko Area	291,000	281,800	\$ - 9,200
Billings Area	301,000	297,000	- 4,000
Juneau Area	184,000	184,000	---
Minneapolis Area	167,400	174,800	+ 7,400
Muskogee Area	517,600	514,600	- 3,000
Phoenix Area	407,000	397,800	- 9,200
Sacramento Area	235,000	53,000	-182,000
Albuquerque Area	147,000	123,000	- 24,000
Navajo Area	148,000	148,000	---
Portland	686,000	686,000	---
Eastern	40,000	40,000	---
TOTAL TRIBAL PRIORITIES	\$3,482,000	\$3,258,000	\$ -224,000

ADJUSTMENTS:

One additional workday	+9,000
Adjustment for Administrative Staffing Efficiencies	-35,000
FY 1991 Federal Pay Adjustments	+27,000
P.L. 93-638 Contractor Pay Cost Adjustments	+2,000
Federal Employees Retirement System (FERS)	+73,000

FY 1991 REQUEST.....	\$3,334,000	\$-224,000
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E. Other Real Estate Services

Base Program (\$16,709,000; FTE 390): Staff at the agency level provides real property management services, counseling, and land use management planning for individual Indian allottees and 517 federally recognized Indian tribal/Alaska Native entities, which own a beneficial interest in almost 53 million acres of trust land. Various decision-making processes are developed through cooperative efforts with the Indian landowners for the proper utilization, development, and enhancement of Indian trust lands.

Some of the major functions include surface and sub-surface leasing, lease compliance, rights-of-way, land surveys, land acquisition and disposal, probates, and land ownership recordkeeping. The overall aim of these interrelated activities is to provide Indian landowners the essential data and assistance in support of the management and development of their surface and sub-surface land resources in keeping with the trust management role of the Federal Government. As a result, trust land leasing activities are a major part of the real estate program and provide a major source of income to the Indians. In addition, landowners derive millions of dollars in added land values from land improvement and conservation stipulations contained in Bureau leases. The agency staff performs initial land ownership recordkeeping, which becomes more complicated each day because of the heirship problem and segregated surface and sub-surface ownership. There are over 200,000 tracts of trust land with an average tract ownership of ten undivided interest owners in allotted tracts, resulting in over 2,000,000 separate undivided interests on which to keep records. The preparation and administration of probates are required in the administration of trust property and are essential functions of the basic program. This has also caused a mounting Indian land heirship problem. Work with governmental and tribal entities to utilize existing authorities to resolve this problem will continue.

Change from FY 1991 Base: (Dollars amounts in thousands)

		<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>Difference</u> <u>(+ or -)</u>
Other Real Estate	\$	16,709	17,070	+361
Services	(FTE)	(390)	(428)	(+38)

Other Real Estate Services (\$361,000; FTE +38): The increase of \$361,000 at the following areas is based on the application of the Indian Priority system at the tribe/agency level.

	<u>FY 1990</u> <u>Enacted</u>	<u>FY 1991</u> <u>Request</u>	<u>Difference</u>
Aberdeen Area	\$ 2,405,800	\$ 2,443,800	\$ + 38,000
Anadarko Area	1,410,000	1,315,700	- 94,300
Billings Area	1,988,000	2,095,300	+107,300
Juneau Area	2,108,000	2,182,600	+ 74,600
Minneapolis Area	482,200	526,300	+ 44,100
Muskogee	967,400	1,021,500	+ 54,100
Phoenix Area	1,594,000	1,596,500	+ 2,500
Sacramento Area	960,000	1,149,000	+189,000
Albuquerque Area	936,000	901,000	- 35,000
Navajo Area	757,000	779,400	+ 22,400
Portland Area	1,906,900	1,894,200	- 12,700
Eastern Area	845,700	816,700	- 29,000
TOTAL TRIBAL PRIORITIES	\$16,361,000	\$16,722,000	\$+361,000

ADJUSTMENTS

One additional workday	+ 54,000	
Adjustment for Administrative Staffing Efficiencies	-206,000	
FY 1991 Federal Pay Adjustments	+160,000	
P.L. 93-638 Contractor Pay Cost Adjustments	+ 20,000	
Federal Employees Retirement System (FERS)	<u>+320,000</u>	
FY 1991 REQUEST.....	\$17,070,000	\$+361,000

Object Class Distribution - Trust Responsibilities - Tribe/Agency Operations

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation.....	+38	\$ 1,547,000
Personnel Benefits.....		217,000
Travel.....		-200,000
Supplies and Materials.....		-250,000
Equipment.....		-550,000
Printing and reproduction.....		-100,000
Other Services.....		<u>-803,000</u>
Total.....		\$ -139,000

Justification of Program and Performance

Activity: Facilities Management

<u>Program Elements</u>	(Dollar amounts in thousands)					Inc. (+) Dec. (-) from Base
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate		
A. GSA and Direct Rentals Payments	\$ 12,108	11,944	13,035	13,035	---	
B. Facilities Operation & Maintenance	\$ 71,884 (FTE) (1,074)	70,909 (1,074)	72,868 (1,074)	72,553 (1,074)	-315 (---)	
C. New Facilities	\$ 300	296	---	273	+273	
D. Initiatives and Technical Training	\$ 1,500	1,479	1,500	1,300	-200	
Total Requirements	\$ 85,792 (FTE) (1,074)	84,628 (1,074)	87,403 (1,074)	87,161 (1,074)	-242 (---)	

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Facilities Management Program	85,792	-1,164	84,628

This reduction will be accomplished by deferring hiring of vacated positions during FY 1990, limiting travel and other administrative costs.

A. GSA and Direct Rentals

<u>Program Elements</u>	(Dollar amounts in thousands)					Inc. (+) Dec. (-) from Base
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate		
GSA Rentals	\$ 11,016	10,867	11,835	11,835	---	
Direct Rentals	\$ 1,092	1,077	1,200	1,200	---	
Total Rentals	\$ 12,108	11,944	13,035	13,035	---	

Objective: To provide adequate space and physical facilities in which to operate bureau programs effectively at locations which do not have adequate bureau-owned facilities.

Base Program (\$13,035,000; FTE 0): The base program includes funds for 1,168,704 square feet of GSA-provided space and 124,192 square feet of direct rentals serving bureau programs throughout the country. Approximately \$1,200,000 of this amount is for direct rental payments to tribes and others for the use by the BIA of non-federal facilities.

B. Facilities Operation and Maintenance

<u>Program Elements</u>	(Dollar amounts in thousands)					Inc. (+) Dec. (-) from Base
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate		
Area Office Operations	\$ 4,163 (FTE) (103)	4,107 (103)	4,236 (103)	4,771 (103)	+535 (---	
Field Operations O&M	\$ 67,721 (FTE) (971)	66,802 (971)	68,632 (971)	67,782 (971)	-850 --	
Total Operations	\$ 71,884 (FTE) (1,074)	70,909 (1,074)	72,868 (1,074)	72,553 (1,074)	-315 (---	

Objectives: To provide basic facility operating services to existing bureau-owned and/or operated facilities and to maintain these facilities in good safe operating condition for the conduct of bureau programs.

Base Program (\$72,868,000; FTE 1,074):

Area Office Operations (\$4,236,000; FTE 103): The area office facility management staff provides technical coordination and engineering services, O&M oversight which includes developing agency level facility operation and maintenance programs; distributing available funds; providing technical guidance, monitoring, inspection and evaluation services; and providing field locations with energy conservation and environmental protection expertise and facilities related training. The area office facility management and engineering section provides engineering survey services and construction management and engineering technical assistance. The area office staff also provides direct support to the agency level facility programs. These direct support activities include supervision and inspection of major repair and improvement projects; inspection and evaluation of specialty systems such as boilers, water and waste disposal, water treatment, and control systems for heating and cooling plants, and alarms; diagnosing problems in electrical and mechanical systems; and identifying and developing repair project needs, scope and costs. The staff performing these functions consists primarily of facility managers, engineers, communications specialists, and clerks. Area staff provides the direction and support in maintaining the FACCOM system at the agency level. This management information system provides data for accomplishments and budgeting at the location level.

Existing Facilities O&M (\$68,632,000; FTE 971): This program provides essential services for educational and non-educational physical facilities throughout the bureau. The physical facilities consist of approximately 3,509 buildings (including BIA, grant and contract schools, excluding quarters) containing approximately 19,872,511 square feet. Also, utility systems and services associated with site keeping functions are included in the program. The various types of buildings are: academic facilities, dormitories, law enforcement facilities, administrative offices, roads maintenance and construction facilities, forestry facilities and recreation facilities. The utility systems include: backbone telecommunications equipment, wells, water treatment plants, sewer treatment plants, central heating plants, and electrical power distribution systems. Site services include: landfill maintenance, lawn care and mowing, tree trimming, maintenance of all exterior areas used in support of athletic programs, the maintenance of nonpublic access roads, and refuse disposal. Costs to the O&M program include: personnel services, supplies, materials and equipment. Recurring costs are for heating, cooling,

electricity, water, sewage, refuse disposal, backbone telecommunications equipment, unscheduled maintenance, preventive maintenance, GSA vehicle rental, lease agreements, custodial, and protection services.

C. New Facilities

<u>Program Elements</u>	(Dollar amounts in thousands)				
	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) from Base</u>
New Facilities	\$ 300	296	0	273	+273

Base Program (\$0): This program is funded to support newly constructed or expanded facilities.

D. Initiatives and Training

<u>Program Elements</u>	(Dollar amounts in thousands)				
	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) from Base</u>
Initiatives and Training	\$ 1,500	1,479	1,500	1,300	-200
Total Program	\$ 1,500	1,479	1,500	1,300	-200

Base Program (\$1,500,000): Following cost/benefit analyses the bureau funds improvement projects which will reduce future O&M costs under this special program. Included is a comprehensive training effort to improve the quality and effectiveness of maintenance services and to emphasize preventive maintenance activities which should further reduce future repair and renovation requirements.

Change from FY 1991 Base:

<u>Program Element</u>	(Dollar amounts in thousands)		
	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Area Office Operations	\$ 4,236	4,771	+535
Existing Facilities O&M	\$ 68,632	67,782	-850
New Facilities O&M	\$ 0	273	+273
Initiatives/Training	\$ 1,500	1,300	-200
Total	\$ 74,368	74,126	-242

Area Office Operations (+\$535,000): During the course of development of the O&M funding formula, O&M costs were carefully analyzed over a multi-year period. It was found, to a limited degree, that area level technical assistance and other staff costs were supported, in part, by existing facilities O&M. In order to accurately reflect full staff costs in the appropriate element and to fund cost of supporting facility management staff on-board in the area offices (103 FTE's), Area Office Operations has been increased by +\$535,000. Funding at

this level would provide sufficient support to Area facility managers to fulfill responsibilities, including retaining quality staff, without having to fill vacant positions at lower graded levels with less qualified/experienced staff and maintaining adequate funding for travel to agencies and schools in their jurisdiction to provide guidance and technical assistance.

Existing Facilities (-\$850,000): The decrease represents savings realized through the excess space O&M initiative program. Through aggressive management and cost initiatives undertaken in prior years, total program costs have been limited in their increase. The O&M budget for Existing Facilities has been prepared using techniques developed in the process of revising the O&M funds allocation formula in accordance with Congressional directives.

Over the past several years, as part of the development of the bureau's improved operations and maintenance program, a number of O&M costs containment and reduction actions have been implemented. These include: continued aggressive excess-space reduction, O&M initiatives whereby capital improvements lead to lower future O&M operating levels, discontinuance of improperly funded activities identified during the course of program reviews now conducted on an annual basis bureauwide, greater emphasis on preventive maintenance and minor improvement and repair activities to slow deterioration of buildings and equipment, and staff training at all levels. These actions have resulted in lower annual operating costs levels.

New Facilities O&M (+\$273,000): The increase will support new facilities which will become operational in FY 1991. As construction projects are completed, facilities are added to the building maintenance inventory. The following is the list of additions for FY 1991:

<u>Facility</u>	<u>Square Footage</u>	<u>Estimated O&M Funding Needed</u>	
St. Francis School	77,500	\$ 107,000	(1/2 yr.)
Laguna Middle School	40,000	54,000	(1/4 yr.)
Pine Hill School	21,200	72,000	(4/4 yr.)
Haskell Indian Junior College	1,200	3,000	(3/4 yr.)
Juvenile Detention Centers	30,000	37,000	(1/4 yr.)
	<u>169,900</u>	<u>\$ 273,000</u>	

Initiatives/Training (-\$200,000): The decrease is the result of the success realized by the facilities program initiatives begun in FY 1988. Facilities training initiatives begun in FY 1988 and continued through FY 1990 have resulted in most of the facilities staff completing training by the end of FY 1990.

Object Class Distribution - Facilities Management Activity

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....		+\$1,074,000
Personnel benefits.....		+ 150,400
Travel.....		+ 12,000
Supplies and materials.....		+ 7,000
Other services.....		<u>-1,485,400</u>
Total.....		<u>-\$ 242,000</u>

Activity Summary

(Dollar amounts in thousands)

Activity: General Administration

<u>Subactivity</u>	<u>FY 1989 Actual Approp.</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- From Base</u>
Management & Administration	38,151	42,106	41,534	44,564	48,096	+3,532
ADP Services	17,650	18,203	17,956	18,313	20,663	+2,350
Employee Compen. Payments	14,962	18,481	18,230	11,449	11,449	---
Program Management	6,016	6,931	6,837	6,955	7,755	+800
Consolidated Program Training	840	840	829	840	1,040	+200
Tribe/Agency Operations	<u>19,843</u>	<u>20,837</u>	<u>20,554</u>	<u>21,383</u>	<u>23,059</u>	<u>+1,676</u>
Total	<u>97,462</u>	<u>107,398</u>	<u>105,940</u>	<u>103,504</u>	<u>112,062</u>	<u>+8,558</u>

Justification of Program and Performance

Activity: General Administration
 Subactivity: Management and Administration

Program Elements	(Dollar amounts in thousands)				
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
A. Executive Direction & EEO	\$ 3,177 FTE (56)	3,134 (56)	3,207 (56)	4,497 (79)	+1,290 (+23)
B. Administrative Services	\$ 38,314 FTE (707)	37,794 (707)	40,738 (707)	42,938 (707)	+2,200 (---)
C. Safety Management	\$ 615 FTE (11)	606 (11)	619 (11)	661 (11)	+42 (---)
Total Requirements	\$ 42,106 FTE (774)	41,534 (774)	44,564 (774)	48,096 (797)	+3,532 (+23)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Management and Administration	42,106	-572	41,534

This reduction will be accomplished by deferring purchases of equipment and supplies, by curtailing travel, and by delaying the filling of vacant positions.

A. Executive Direction and EEO

Area Office Operations	\$ 2,133 FTE (33)	2,104 (33)	2,154 (33)	2,229 (33)	+75 (---)
Central Office Operations	\$ 1,044 FTE (23)	1,030 (23)	1,053 (23)	2,268 (46)	+1,215 (+23)
Total	\$ 3,177 FTE (56)	3,134 (56)	3,207 (56)	4,497 (79)	+1,290 (+23)

Objective: To provide planning, direction, and management leadership for the development and implementation of policy initiatives and programs undertaken by the bureau to ensure achievement of its mission, goals, and objectives.

Base Program (\$3,207,000; FTE 56): This program covers the operation of the immediate offices and staff of the line managers at central office and area office levels of the bureau. The line managers and their staff provide for organizational leadership and coordination to ensure that all program levels are effectively integrated to achieve the overall mission of the bureau. Basic activities include decision-making, direction, policy formulation and review, tribal consultation, public relations, representation of the bureau to other governmental agencies and private sector organizations, and overall management of assigned resources.

Area Office Operations (\$2,154,000; FTE 33): This activity funds the positions of area directors and a limited professional staff at 12 locations to provide for the management and direction of the entire area office structure.

Central Office (\$1,053,000; FTE 23): The Deputy to the Assistant Secretary - Indian Affairs (Operations), his immediate staff, and program support services managed by the Public Information, Congressional and Legislative Affairs, Executive Secretariat Staff Office, and the Equal Employment Opportunity Staff are funded from this activity. These organizations provide professional services to both the program and the administrative organizations which provide leadership at the headquarters level.

Deputy to the Assistant Secretary - Indian Affairs (Operations) (\$223,000; FTE 5): The Deputy to the Assistant Secretary - Indian Affairs (Operations) oversees the management of activities, programs, and functions which extend across bureau directorates. This deputy is responsible for all functions, programs, and activities assigned to the staff offices funded by the Executive Direction activity and for the Offices of Administration, Data Systems, and Facilities Management. In addition, as the Principal Deputy to the Assistant Secretary, this deputy manages the day-to-day operations of the non-education bureau organization, supervising the bureau's area directors and providing the management leadership for problem resolution activities and special projects undertaken on behalf of the entire bureau organization.

Congressional and Legislative Affairs Staff (\$242,000; FTE 5): This office coordinates all legislative planning and congressional relations activities of the Bureau of Indian Affairs, except those relating solely to appropriations; provides legislative research and staff assistance in planning, developing, and drafting legislation; reviews and analyzes BIA and tribal legislative needs; prepares witness statements and briefing books for congressional hearings on legislation; and reviews introduced and draft bills and proposed legislative reports, proposals, and witness statements proposed by other agencies for possible impact on the BIA or tribes.

Public Information Staff (\$81,000; FTE 1): This office maintains liaison with the media and the public. Support services are provided through contracting for photography, writing feature stories, updating tribal data, and other activities. The office prepares speeches for key officials in the bureau, news releases on bureau and tribal activities, and general publications and audiovisual materials in support of the bureau's mission. Materials are prepared to be used as correspondence aids in answering repetitive public inquiries on current and historic issues. The public information officer serves as public information consultant to top officials of the bureau and advises them on Indian and other public reaction to planned policies affecting the Indian people. The office maintains a functional relationship with the Office of Public Affairs, Department of the Interior, and acts as the Assistant Secretary's representative for all external activities pertaining to Indian issues in the department.

Executive Secretariat Staff (\$119,000; FTE 4): This office is responsible for assuring the proper and timely development and coordination of bureau documents requiring review, action, or signature by the Assistant Secretary. The staff ensures that documents, correspondence, or actions generated or acted upon by the bureau and requiring review by the Assistant Secretary are complete, accurate, and timely. The staff works closely with the Departmental Executive Secretariat to ensure bureau conformance to Secretarial and Departmental guidance and policies and maintains contact with other Departmental Assistant Secretaries and their senior staff to ensure coordination on issues of multi-bureau interest and concern.

Equal Employment Opportunity Staff (\$388,000; FTE 8): This office develops plans, procedures, and regulations for carrying out the EEO program to promote equal opportunity without regard to race, color, religion, sex, national origin or physical or mental handicap in all organizational units, locations, occupations, and levels of responsibility. The staff monitors the continued application of the Indian preference policy in all phases of the personnel process including initial hires, promotions, and transfers; coordinates Special Emphasis Programs such as the Federal Women's Program and an Hispanic Employment Program; develops and implements an affirmative action program plan for the recruitment, employment and upgrading of minorities and women; recruits and trains EEO counselors to provide aggrieved persons adequate resources for fair and impartial consideration of complaints involving issues of discrimination; assures timely processing, investigation, and resolution of complaints of discrimination; provides managers and supervisors training on EEO responsibilities; and monitors and assesses the effectiveness of the EEO Program. This office is responsible for determining the acceptance or rejection of all complaints, investigating the accepted complaints, and coordinating implementation of Section 504 requirements of the Rehabilitation Act of 1973, as amended.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Area Office Operations	\$ (FTE)	2,154 (33)	2,229 (33)	+75 (---)
Central Office Operations	\$ (FTE)	1,053 (23)	2,268 (46)	+1,215 (+23)
Total Requirement	\$ (FTE)	3,207 (56)	4,497 (79)	+1,290 (+23)

Area Office Operations (+\$75,000): The change is the result of the application of the Indian Priority System at the area level. The changes by area are as follows:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$186,000	\$186,000	\$ 0
Anadarko Area	120,000	120,000	0
Billings Area	119,000	131,000	+12,000
Juneau Area	148,000	185,000	+37,000
Minneapolis Area	106,000	121,000	+15,000
Muskogee Area	111,000	126,000	+15,000
Phoenix Area	205,000	220,000	+15,000
Sacramento Area	125,000	125,000	0
Albuquerque Area	445,000	357,000	-88,000
Navajo Area	126,000	195,000	+69,000
Portland Area	270,000	270,000	0
Eastern Area	172,000	172,000	0
TOTAL AREA PRIORITIES	2,133,000	2,208,000	+\$75,000

ADJUSTMENTS:

One additional workday	4,000
Adjustment for Improved Administration and Staffing Efficiencies	-15,000
FY 1991 Federal Pay Adjustment	12,000
Federal Employees Retirement System (FERS)	<u>20,000</u>
FY 1991 REQUEST	2,229,000

Central Office Operations (+\$1,215,000; FTE +23): The components of this increase are:

Congressional and Legislative Affairs and Public Information (+\$215,000; FTE +3): The increase in funds requested for the Office of Congressional and Legislative Affairs (\$55,000) is to support the current staffing level. The increase in funding and FTE in Public Information (\$160,000) will be used for additional positions established to respond to the hundreds of weekly requests for information from the public and to do the research necessary to be responsive to requests from the media.

Office of Audit and Evaluation (+\$1,000,000; FTE +20): The increased funding and FTE would be used to staff an Office of Audit and Evaluation under the control of the Deputy to the Assistant Secretary - Indian Affairs (Operations). The mission of this office will be to develop, organize, and implement systematic administrative and program reviews and evaluations. Monitoring and evaluating the bureau's delivery of program services to the Indian people will still be an integral responsibility of program managers, with this office serving as the catalyst to ensure their corrective actions are implemented. The office will provide an independent and flexible means for carrying out internal audits and evaluations of BIA program operations and financial controls, for monitoring the follow-up corrective actions required by A-123 internal control reviews and audits conducted by the Office of the Inspector General and the General Accounting Office. The office will provide the bureau with a strong management element of control and accountability so that the bureau does not have to rely solely on the Office of the Inspector General for audits and evaluations of operations. The office will provide a level of coordination and cohesiveness to ongoing efforts which is not now possible with the two positions the bureau has established to coordinate these activities.

B. Administrative Services

<u>Program Elements</u>	(Dollar amounts in thousands)				
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	Inc. (+) Dec. (-) From Base
Area Office Operations	\$ 16,431 (FTE) (484)	16,208 (484)	16,870 (484)	17,459 (484)	+589 (---
Central Office Operations	\$ 21,883 (FTE) (223)	21,586 (223)	23,868 (223)	25,479 (223)	+1,611 (---
Total Operations	\$ 38,314 (FTE) (707)	37,794 (707)	40,738 (707)	42,938 (707)	+2,200 (---

Objective: To provide policies and support in the areas of property, procurement, contracting, personnel and financial management to all the bureau's program service delivery systems

Base Program (\$40,738,000; FTE 707): The staff provides integral administrative support to the bureau's program delivery system. The function serves as an equal partner with the program functions to accomplish the mission of the bureau, ensuring that those administrative services necessary for program operations are adequately provided. At the same time, it provides the foundation for the control and accountability of resources used to achieve its mission. These dual roles must be carefully balanced to ensure that one does not dominate the other and to ensure that the total system operates effectively for the benefit of the bureau's clientele.

Area Office Operations (\$16,870,000; FTE 484): The area offices operate as centers for procurement, property management, budgeting and fund control, finance and accounting associated with P.L. 93-638 contracts, and personnel management for all agencies and education installations under their jurisdiction. These centers carry out the workload associated with all administrative authorities with the exception of those authorities which have been redelegated to the agencies and schools.

Central Office Operations (\$23,868,000; FTE 223): The administrative services program at the central office level is primarily involved in the development and implementation of policies and procedures for all administrative functions and for conducting oversight management reviews.

Central Office Administration (\$4,460,000; FTE 88):

Office of Administration (\$383,000; FTE 5): This office is responsible for providing staff support to the Assistant Secretary - Indian Affairs in the development and management of bureau programs and policies designed to provide support services bureauwide. These programs include the functions of budget, finance and accounting, management support services, personnel management, procurement, property management, contracting, and safety management. The office administers bureauwide systems for fiscal accounting and disbursements, payroll and personnel records, and provides for administrative and housekeeping services for the central office, the Eastern Area Office, and the Indian Arts and Crafts Board. This office also manages the bureau's intra-governmental program, for which the base amount is \$10,723,000 to cover such services as FTS, postage, Pay/Pers, departmental assessments, and bureauwide printing of manuals and other documents.

This office also coordinates the administrative review teams which are composed of central office staff who conduct consolidated reviews of the Area Offices' administrative functions of accounting and financial management, personnel management research and evaluation, and contracting. The teams identify specific program weaknesses; analyze operations to ensure compliance with all applicable laws, regulations, directives and policy; propose corrective actions to overcome the weaknesses; and provide follow-up to ensure implementation of the corrective measures. The teams are able to pinpoint problem areas prior to formal audits, identify trends, and provide top bureau management with detailed overviews of field operations. The teams conduct four reviews annually.

Contracting and Grants Administration (\$730,000; FTE 10): This division provides staff support, services, and activities in three major areas: policy and systems planning, analysis, formulation, and development; internal and administrative control reviews of the acquisition and grant process, including evaluation to

determine compliance with applicable laws, regulations, and procedures; and direct operational services to the Assistant Secretary, central office directorates, and to the Indian Arts and Crafts Board. A major component of policy and systems development involves ascertaining need and implementing automated systems to improve the efficiency and effectiveness of the workforce, including training.

The staff exercises significant bureauwide policy, planning, and oversight roles for maintaining and strengthening: (1) the acquisition of goods, services and products; (2) financial (grants) assistance to tribal organizations; and (3) cooperative agreements between the bureau and other governmental entities. These functions and responsibilities impact over 400 Tribal/Alaska Native governing bodies, their 900,000 reservation constituents located in 30 states. The staff also provides supportive services to the bureau's program staff in meeting its procurement needs and requirements.

This division also initiates changes in, as well as operates and maintains, a contract and grants information management system at an estimated annual cost of \$166,000. The system, which is available to contracting officers at all levels of the bureau, provides ready access to all current federal and departmental acquisition requirements; automatic data processing procurement regulations; and P.L. 93-638 contract regulations. The system provides automatic generation of standard clauses (determined by the type of contract) to substantially enhance the accuracy and content of all bureau contract documents.

Personnel Management (\$2,372,000; FTE 47): This division is responsible for the development, coordination, administration, and evaluation of bureauwide personnel management and organization management programs and policies. The division formulates objectives, policies, and guidelines for personnel management activities; updates the personnel segments of the Bureau of Indian Affairs Manual in accordance with changing laws and regulations developed by the Office of Personnel Management and the Department's Office of Personnel; and provides expert advice and technical assistance to area personnel offices and to all levels of bureau management. The division guides the bureauwide position management and position classification programs in accordance with governmentwide standards developed by OPM.

It develops standards and criteria for securing and retaining qualified employees, coordinates filling of all bureau key positions, determines the job categories for which the bureau requires special criteria for recruitment of Indians, develops standards to meet these criteria, provides guidance to bureau management on labor-management relations issues, and maintains relationships with employee unions recognized by the bureau on a national basis. It initiates and administers comprehensive management development plans and programs, including training and career development. It oversees employee-management relations to assure that working conditions and employee conduct meet accepted standards. The division provides specialists for the administrative management area reviews and it conducts personnel program reviews and evaluations on a bureauwide basis and recommends to management officials methods for improvement. The division reviews all requested changes to existing organization plans at all levels of the bureau and provides the written analysis and impact statements when such proposed changes require departmental and congressional approval. It provides technical assistance to the Office of Indian Education Programs in the development of policies, procedures, and manual issuances pertaining to the personnel and payroll aspects of the contract teacher employment system, and works with the Bureau of Reclamation to resolve system problems encountered in the PAY/PERS system. The division provides operating personnel services for central office organizations located in Washington, D.C.; the Eastern Area Office; and the Indian Arts and Crafts Board.

Property Management (\$656,000; FTE 21): This division provides staff assistance regarding programs for all bureau-owned real and personal property, mail management, printing and publications management (including copying and duplicating), space, motor vehicle management, small purchasing, and procurement from directed sources. The division is responsible for: (1) developing, modifying, reviewing, evaluating, and implementing bureauwide policies and procedures related to management of the above listed functions; (2) maintaining the bureau property management regulations, incorporating federal and departmental policies, regulations and procedures promulgated by federal regulatory agencies; and (3) providing bureau oversight and technical assistance to areas and those offices with operational responsibilities. These services include processing all BIA motor vehicle acquisitions, printing/copying and duplicating equipment acquisitions, realty disposal actions (e.g., transfers to local governments and Indian tribes), requests for leasing of office/facilities space, requests for assignment and acquisition of U.S. Government motor vehicle license tags, maintaining and reporting the bureau's automated property inventory systems, and requesting DOD assignment of national stock numbers for cataloging inventory items. The division performs studies relating to utilization of facilities, disposal systems for excess property, and inventory training needs; conducts training in the areas of functional responsibilities; and provides related housekeeping services to central office entities located in Washington, D.C.; the Eastern Area Office; and the Indian Arts and Crafts Board.

Directives and Regulations Staff (\$319,000; FTE 5): This staff is responsible for the development and implementation of a bureauwide program for all elements of information resources management, Federal register documents, directives, regulations, reports, forms, Privacy Act, and Freedom of Information Act. The staff provides staff assistance to the Director and technical assistance to program managers throughout the bureau on the preparation and publication of guidance to bureau officials and employees and to the public.

The staff also oversees the records management program which is critical in the BIA where an unusually high percentage of the records have been appraised as having a permanent value. The program is designed to bring the bureau into compliance with applicable laws and federal records management regulations.

In FY 1990, the bureau focused on a major revision of the records manual and training for field staff on the new records management system. The new manual was implemented for use in FY 1990 with primary emphasis on follow-up visits to field offices to provide technical assistance and continued training. In FY 1991, the bureau will continue to focus its efforts on implementation of the revised records manual. The records program will continue to provide extensive training in records management at numerous locations including on-site technical assistance. The staff works with all central office programs to ensure compliance with the requirements of the Paperwork Reduction Act.

Financial Management (\$8,685,000; FTE 135):

Assistant Director, Financial Management (\$130,000; FTE 2): This office is responsible for the development of policies, programs, systems, and guidelines for financial management functions; for performance of budget formulation and execution, fiscal accounting, compensation, and employee data systems; for provision of bureauwide technical assistance in budget and accounting; and for support services in operating budget and fiscal accounting functions.

Program Development and Implementation (\$1,288,000; FTE 20): This division provides staff assistance to the Assistant Director, Financial Management regarding functions identified with budget formulation and execution. The division implements the bureau's policies and program goals through the budgeting

process; develops instructions for preparation of annual program plans; reviews program requests on the basis of fiscal reasonableness, feasibility and justifiability; develops bureauwide budget planning documents; develops budget estimates and justifications; prepares for appropriations hearings; and prepares field planning allowances and allocations. The division performs budget execution, which has as its primary function fund control for the bureau. Activities involved are requesting and maintaining apportionments, making fund allotments and distributions bureauwide, conducting and monitoring bureau financial programming, monitoring FTE usage, conducting systematic obligation status reviews to insure compliance with fiscal controls, and developing policies and guidance to control these activities throughout the bureau.

Accounting Management (\$7,267,000; FTE 113): This division provides staff assistance in the functions identified with accounting, fiscal operations, financial management, accomplishment reporting, payroll, and automated personnel records systems; and directs the payroll liaison, finance and accounting, and financial management systems operations located in Albuquerque, New Mexico. The division develops policies, standards, specifications, systems and operating procedures to be used throughout the several designated accounting stations of the bureau. Operational costs of \$3,735,000 associated with the Federal Financial System which will come on line in October 1990 are included in this activity.

Intra-Governmental Assessments (\$10,723,000): The Intra-Governmental program includes assessments for services provided to the bureau by the Department of the Interior, the Bureau of Reclamation, the United States Postal Service, and the General Services Administration. These requests are based on estimates provided to the bureau by the respective agencies. The breakdown by the various categories are:

	<u>FY 1991</u> <u>Base</u>	<u>Increase</u>	<u>FY 1991</u> <u>Estimate</u>
Pay/Pers	\$2,618,000	\$	\$2,618,000
Postage	1,750,000		1,750,000
FTS-General	5,322,000		5,322,000
Bureau Printing Services	102,000		102,000
Departmental Billings	<u>931,000</u>	<u>+863,000</u>	<u>1,794,000</u>
Total	<u>\$10,723,000</u>	<u>+\$863,000</u>	<u>\$11,586,000</u>

Some of the services provided by the Department of the Interior are: Departmental News & Information; O/S Budget Operations; Medical & Health Services; Departmental Human & Resources Development Center; Denver Learning Center; Albuquerque Learning Center; Information Technology Center; Alex Database; Printing & Publications; Enforcement & Security Management; WCF Direction; Fiscal Services; Payroll/Personnel processing (Pay/Pers); and General Services.

Changes from FY 1991 Base:

(Dollars amounts in thousands)

<u>Program Element</u>	<u>FY 1991</u> <u>Base</u>	<u>FY 1991</u> <u>Estimate</u>	<u>+/-</u> <u>Difference</u>
Area Office Operations	\$ 16,870 (FTE) (484)	17,459 (484)	+589 (---
Central Office Operations	\$ 23,868 (FTE) (223)	25,479 (223)	+1,611 (---
Total requirements	\$ 40,738 (FTE) (707)	42,938 (707)	+2,200 (---

Area Office Operations (+\$589,000): The change is the result of the priorities established at the area level. The changes by area are as follows:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen Area	\$1,685,000	\$1,743,000	\$+58,000
Anadarko Area	1,095,000	1,073,000	-22,000
Billings Area	978,000	1,054,000	+76,000
Juneau Area	1,544,000	1,785,000	+241,000
Minneapolis Area	952,000	966,000	+14,000
Muskogee Area	377,000	565,000	+188,000
Phoenix Area	2,521,000	2,475,000	-46,000
Sacramento Area	419,000	551,000	+132,000
Albuquerque Area	1,917,000	2,064,000	+147,000
Navajo Area	2,811,000	2,610,000	-201,000
Portland Area	1,469,000	1,469,000	0
Eastern Area	663,000	665,000	+2,000
TOTAL AREA PRIORITIES	16,431,000	17,020,000	\$+589,000

ADJUSTMENTS:

One additional workday	54,000
Adjustment for Improve Administrative and Staffing Efficiencies	-277,000
FY 1991 Federal Pay Adjustment	215,000
Federal Employees Retirement System (FERS)	<u>447,000</u>

FY 1991 REQUEST

17,459,000

Central Office Operations (+\$1,611,000): The components of this increase are as follows:

Accounting Management (+\$748,000): The bureau's accounting operations were consolidated in Albuquerque, NM in 1988, adding 28 positions to the staff. No additional funding was provided to cover the increased costs and the bureau has had to reprogram funds from other administration functions to cover these costs during FY 1989 and FY 1990. These internal reprogrammings have resulted in hiring delays and leaving positions vacant in the divisions of contract management, program development and implementation, personnel, and management support, thus impairing the ability of these offices to carry out their responsibilities.

In addition, the FY 1989 budget proposed a reduction of \$150,000 on the assumption that the bureau would implement an automated time and attendance system. Implementation of the system has been deferred awaiting the conversion of the current departmentwide payroll and personnel system to "PAY/PERS Future State." The increase will restore the FY 1989 reduction of payroll operations and fund the costs of the current payroll operations staff.

Departmental Assessments (+\$863,000): The increases consist of:

Take Pride in America (\$71,000): The bureau is requesting \$71,000 as its share of funding required to support the Department's Take Pride in America effort.

Take Pride in America is a national public awareness campaign designed to encourage wise use of the lands and resources shared by all Americans. Many Federal, State, local and private sector organizations are involved in this program. The focus of the campaign is at the grassroots level. The campaign is not intended to be a vast federal program, but rather to provide a unifying theme for thousands of local and individual activities. Through national public service announcements, public-private partnerships, a national awards program and other activities, the campaign seeks to provide a boost for stewardship action and awareness efforts around the nation.

Drug-Free Workplace Program (\$292,000): The bureau is requesting \$292,000 for its share of the funding needed to support the Department's Drug-Free Workplace Program. This program was created to implement Executive Order 12564, Drug-Free Federal Workplace, establishing a policy against the use of illegal drugs by Federal employees, whether on duty or off duty. The funds requested cover a share of the costs of staff, training, applicant testing, accident follow-up testing, and necessary support items.

Crime Incident Reporting System (\$500,000): The Uniform Federal Crime Reporting Act of 1988, P.L. 100-690, mandates "the Federal Bureau of Investigation to compile nationwide criminal statistics for use in law enforcement administration, operation, and management and to assess the nature and type of crime in the United States." The Integrated Police/Law Enforcement Management System (IPLEMS) must be modified to generate reports required under the amended law. The bureau is requesting \$500,000 to accomplish this modification.

C. Safety Management

<u>Program Elements</u>		(Dollar amounts in thousands)				Inc. (+) Dec. (-) <u>From Base</u>
		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	
Area Office	\$	142	140	142	184	+42
Operations	(FTE)	(4)	(4)	(4)	(---)	(---)
Central Office	\$	473	466	477	477	---
Operations	(FTE)	(7)	(7)	(7)	(--)	(--)
Total Operations	\$	615	606	619	661	+42
	(FTE)	(11)	(11)	(11)	(---)	(---)

Objective: To provide a safe and healthful working environment for employees, to provide safe and healthful schools and dormitories for Indian children, and to ensure an optimum level of safety for the visiting public through the management of a safety and health program which minimizes the loss of human and material resources due to accidents or illnesses.

Base Program (\$619,000; FTE 11):

Area Office Operations (\$142,000; FTE 4): Safety management responsibilities at this level are essentially the same as those described below under Central Office Operations, however, functions at this level are also carried out by other program staff as a collateral duty.

Central Office Operations (\$477,000; FTE 7): This division develops and maintains a bureauwide safety program which: (1) insures safe and healthful work locations; (2) provides technical guidance; (3) conducts research and provides

engineering services on bureau safety and health programs; (4) provides technical assistance to Indian tribes and contractors in the establishment and maintenance of safety and health programs; (5) eliminates hazards which may cause accidents; (6) protects lives and physical well-being of bureau employees and users of bureau facilities; (7) promotes greater work efficiency by holding the number of accidents to a minimum; (8) insures lowest possible compensation costs through the administration of the Bureau FECA/OWCP Injury Compensation Program; (9) protects bureau property; and (10) promotes high standards of physical workers on all jobs in the bureau. The division administers the bureau motor vehicle license program, investigates accidents, and reviews Tort Claims for the Solicitor's Office.

It has final responsibility for motor vehicle operators' licenses, defensive driving training, and other training necessary to improve individual capability to meet bureau, state, and federal requirements. It is responsible for safety in the areas of water, transportation and transmission; reservoir and dam areas; and handling of radiological materials. It is the technical advisor on safe handling and use of explosives, pesticides, herbicides, toxic substances, and poison exposure. It also serves as the bureau's safety and health compliance office and administers safety and health codes and standards which have been adopted including fire codes, boiler and pressure vessel codes, building safety codes, and institutional safety and health standards. The division develops and maintains a data base consisting of statistics on accident, injury, fire and property damage. This information is stored in the main computer and is used to forecast trends, determine trouble areas, etc. The division serves as the Bureau Fire Marshall's Office and is responsible for administering the bureau Fire Prevention Program.

Changes from FY 1991 Base:

(Dollars amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Area Office Operations	\$	142	184	+42

Area Office Operations (+\$42,000): The change is the result of the application of the Indian Priority System at the area level. The changes by area are as follows:

<u>Area Office</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Anadarko Area	\$ 0	\$42,000	\$+42,000
Billings Area	5,000	5,000	0
Phoenix Area	65,000	65,000	0
Albuquerque Area	44,000	44,000	0
Portland Area	28,000	28,000	0
TOTAL AREA PRIORITIES	\$142,000	\$184,000	\$+42,000

ADJUSTMENTS:

Adjustment for Improved Administrative and Staffing Efficiencies	-2,000
FY 1991 Federal Pay Adjustment	2,000
FY 1991 REQUEST	184,000

Object Class Distribution - Management and Administration Subactivity

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....	+23	\$+2,150,000
Personnel benefits.....		+ 280,000
Travel.....		+ 40,000
Supplies and materials.....		+ 50,000
Communication, utilities and miscellaneous charges.....		+ 42,000
Equipment and capital assets.....		+ 90,000
Other services.....		+ 880,000
Total.....	+23	\$+3,532,000

Justification of Program and Performance

Activity: General Administration
 Subactivity: Automatic Data Processing Services

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Central Management	\$	6,083	6,000	6,193	7,193	+1,000
	(FTE)	(124)	(125)	(125)	(125)	(---)
Central System Support	\$	6,850	6,757	6,850	7,102	+252
Decentralized System Support	\$	1,920	1,894	1,920	3,420	+1,500
	(FTE)	(---)	(41)	(41)	(48)	(+7)
Data Telecommunications	\$	---	---	---	2,948	+2,948
Equipment Acquisition	\$	500	493	500	---	-500
Software Development and Training	\$	700	691	700	---	-700
Hardware Requirements Task Force	\$	500	493	500	---	-500
Systems Improvements Initiatives	\$	400	395	400	---	-400
Field System Equipment Replacement	\$	1,250	1,233	1,250	---	-1,250
Total Requirements	\$	18,203	17,956	18,313	20,663	+2,350
	(FTE)	(124)	(166)	(166)	(173)	(+7)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Automatic Data Processing	18,203	-247	17,956

This reduction will be accomplished by deferring hardware and software acquisition to a future year.

Objective: To operate a viable, computer-oriented data processing function in support of the bureau's programs, organizations, and administrative systems.

Overall BIA ADP Program

The office is responsible for developing, implementing and reviewing bureauwide policies, plans, processes, and activities related to ADP and data communications systems. It provides bureauwide data processing services through the operation

and maintenance of a large-scale computer center, the National Technical Support Center (NTSC) in Albuquerque, NM and six satellite computer centers called Information Management Centers (IMCs), located in Aberdeen, SD; Albuquerque, NM; Anadarko, OK; Billings, MT; Phoenix, AZ and Portland, OR.

The NTSC uses one AMDAHL 470 V8 mainframe computer and two UNISYS A-10 mainframe computers linked to UNISYS B-1900 minicomputers (located at the IMCs) in a nationwide data communications network called AADIX. Among the programs and information systems supported by the computers and data communications network are: forestry, land records, real and personal property, irrigation, finance/accounting, personnel and payroll, and law enforcement.

ODS provides technical assistance and administrative control of bureau computer information technology, information resource management and hardware support. ODS will continue to direct needs assessment reviews to measure the priorities and scope of ADP services and to direct a user-oriented, cost effective program of ADP services. Management improvement plans, standard procedures and forms for requests for data services, project planning and programming requests have been established. These processes undergo periodic review for updating and improvement.

Base Program (\$18,313,000; FTE 166): The Office of Data Systems (ODS) was established to meet the requirement for ADP services, to respond to the directives and guidance of the Congress and the Department, and to continue improving the quality of support to BIA programs. The categories in ADP services are as follows:

Central Management (\$6,193,000; FTE 125): This funding is used for the costs of the central office staff, Washington, D.C., and the National Technical Support Center (NTSC), in Albuquerque, New Mexico. The central office provides national program direction through the Office of the Director, Policy and Planning Staff, and the ADP Central Management Division. The NTSC, the principal bureau computer center, provides services of computer operation, production control, and telecommunications management.

Central System Support (\$6,850,000): This funding is used for the costs of the central ADP system, Area and Agency Distributed Interchange Executive (AADIX). Costs are attributed to Amdahl and Burroughs computer operations and maintenance. Additionally, this funding will be used to upgrade/replace existing, obsolete equipment, and software maintenance and lease, and software development by "Buy Indian" contractors. Systems supported include: Federal Financial System (FFS); Trust Fund Management System (TFMS); Facilities Construction Operations and Maintenance (FACCOM) System; Integrated Records Management System (IRMS); Land Records Information System (LRIS); Integrated Police/Law Enforcement Management System (IPLEMS); and Student Enrollment and Attendance System (SEAS), to name a few.

Decentralized System Support (\$1,920,000; FTE 41): This funding covers salaries and operating expenses of the six Information Management Centers (IMC's), which provide data processing support to area offices, agencies, and schools.

Equipment Acquisition (\$500,000): During FY 1991 this funding will support the Geographic Information System (GIS).

Software Development and Training (\$700,000): During FY 1991 these funds will support performance improvement additions and anticipated increases in ADP workload.

Hardware Requirements Task Force (\$500,000): This funding supports a comprehensive ADP hardware modernization plan.

Systems Improvements Initiatives (\$400,000): During FY 1991 these funds will support implementation of ADP program improvements recommended by the Departmental Review of the BIA ADP Function.

Field System Equipment Replacement (\$1,250,000): During FY 1991 these funds will be used to identify, procure, equip, and integrate with mainframe computer equipment state-of-the-art ADP hardware and software at Information Management Centers (IMC's).

Changes from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Central Management	\$	6,193	7,193	+1,000
	(FTE)	(125)	(125)	(---
Central System Support	\$	6,850	7,102	+252
Decentralized System Support	\$	1,920	3,420	+1,500
	(FTE)	(41)	(48)	(+7)
Data Telecommunications	\$	0	2,948	+2,948
Equipment Acquisition	\$	500	0	-500
Software Development and Training	\$	700	0	-700
Hardware Requirements Task Force	\$	500	0	-500
System Improvements Initiatives	\$	400	0	-400
Field System Equipment Replacement	\$	<u>1,250</u>	<u>0</u>	<u>-1,250</u>
Total Requirements	\$	18,313	20,663	+2,350
	(FTE)	(166)	(173)	(+7)

Central Management (+\$1,000,000): This funding supports implementation of ADP program improvements recommended by the Departmental Review of the BIA ADP Function: contractor development of sound policies to govern ADP management decisions: a comprehensive hardware modernization plan; a system of accounting (not chargeback) to identify the cost of individual ADP applications; and, selected/benefits studies to justify major ADP initiatives in terms of benefits and savings. Funding will involve data collection, travel, software development and contracted analysis support.

Decentralized System Support (+\$1,500,000; FTE +7): The funding increase is for the establishment of an outreach and technical information transfer program at the area office level, an image processing feasibility study in support of the Land Records Improvement Program and a variety of activities in support of the connectivity project. This also includes salaries and related expenses for an increase of 7 FTE to be stationed at area offices to act as an outreach, technical transfer and problem solving resource for area-related ADP problems; Land Records Information System (LRIS) support; and contract support to perform a needs assessment, feasibility studies and capacity planning.

Data Telecommunications (+\$2,948,000): This amount represents recognition of costs incurred for Data Telecommunications not previously identified in the ADP budget. This funding is used for the costs of the data telecommunications support staff (4 FTE), located at the National Technical Support Center (NTSC), lease and maintenance contracts of data communications equipment, and lease of data communications circuits.

Central System Support (+\$252,000): The increase is for the procurement of mainframe peripheral storage devices to accommodate the burgeoning data storage demands of the Integrated Records Management and Integrated Police/Law Enforcement Management systems.

Equipment Acquisition (-\$500,000): The change from base in this sub-element is for the purpose of placing the funding in the major program element entitled Central System Support.

Software Development and Training (-\$700,000): The change from base in this sub-element is for the purpose of placing the funding in the major program element entitled Central System Support.

Hardware Requirements Task Force (-\$500,000): The change from base in this sub-element is for the purpose of placing the funding in the major program element entitled Central Management.

Systems Improvements Initiatives (-\$400,000): The change from base in this sub-element is for the purpose of placing the funding in the major program element entitled Central Management.

Field System Equipment Replacement (-\$1,200,000): The change from base in this sub-element is for the purpose of placing the funding in the major program element entitled Central System Support.

Object Class Distribution - ADP Services

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....	+7	+\$ 355,000
Personnel benefits.....	+	49,700
Travel.....	+	20,000
Supplies and materials.....	+	8,000
Other services	+	850,000
Equipment.....		+ 1,067,300
		<u>+\$2,350,000</u>
		=====

Justification of Program and Performance

Activity: General Administration
 Subactivity: Employee Compensation Payments

<u>Program Elements</u>	(Dollar amounts in thousands)				
	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Workers' Compensation Payments	\$ 6,561	6,472	7,250	7,250	---
B. Unemployment Compensation	\$ 4,199	4,142	4,199	4,199	---
C. Federal Employees' Retirement System	\$ <u>7,721</u>	<u>7,616</u>	---	---	---
Total Requirement	\$ 18,481	18,230	11,449	11,449	---

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Purusant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Employee Compensation Payments	18,481	-251	18,230

These reductions for Workers' Compensation and Unemployment will be restored through reprogramming to the extent required to pay billings from the Department of Labor.

A. Workers' Compensation Payments

Objective: To provide for repayments of expenses to the Federal Employees' Compensation Fund.

Base Program (\$7,250,000): The base program funding provides reimbursement to the Department of Labor for expenses of the Workers' Compensation Fund incurred during the 1989-90 expense period.

B. Unemployment Compensation

Objective: To provide repayment of unemployment compensation charges to the Department of Labor.

Base Program (\$4,199,000): The base program funding provides reimbursement for unemployment compensation payments to former federal employees who are eligible for compensation benefits if affected by reduction in force, expiration of temporary appointment, or resignation due to permanent change in station.

Justification of Program and Performance

Activity: General Administration
 Subactivity: Program Management

Program Elements		(Dollar amounts in thousands)				Inc. (+) Dec. (-) From Base
		FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate	
A. Construction Management	\$ (FTE)	4,196 (79)	4,139 (79)	4,218 (79)	4,218 (79)	--- (--)
B. Education Program Mgmt.	\$ (FTE)	2,485 (30)	2,451 (30)	2,487 (30)	3,537 (30)	+1,050 (--)
C. Liability Insurance Study	\$ (FTE)	250 (---)	247 (---)	250 (---)	--- (---)	-250 (---)
Total Requirements	\$ (FTE)	6,931 (109)	6,837 (109)	6,955 (109)	7,755 (109)	+800 (--)

A. Construction Management

Construction Staff	\$ (FTE)	3,196 (79)	3,153 (79)	3,218 (79)	3,218 (---)	--- (--)
Environmental Contracts Management	\$	<u>1,000</u>	<u>986</u>	<u>1,000</u>	<u>1,000</u>	---
Total	\$ (FTE)	4,196 (79)	4,139 (79)	4,218 (79)	4,218 (---)	--- (--)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Construction Management	4,196	-57	4,139

This reduction will be accomplished by delaying the filling of vacancies and by reducing travel for technical assistance, project support and oversight.

Objective: To manage a program designed to operate, maintain, plan, design, construct, repair, and equip facilities and ensure compliance with safety and health codes.

Base Program (\$4,218,000; FTE 79): The base program provides funding for the staff directing facilities operations of the bureau. These funds also cover personnel services, equipment, travel, management, construction, operations and maintenance accountability systems, and general logistical support. The base program includes funds for contract supervision and boiler inspection, as well as the Facilities Construction, Operation and Maintenance (FACCOM) management information system. Management of environmental contracts and assessments of environmental compliance and mitigation of environmental deficiencies will continue to be emphasized in FY 1991. The staff includes architects, engineers, O&M specialists,

computer systems analysts, contract specialists, technical personnel, and administrative management and clerical support.

The Facility Management and Construction Center (FMCC), located in Albuquerque, New Mexico, is supervised by the Director, Office of Construction Management, Office of the Secretary. The Facility Management and Construction Center provides: planning, design, architectural, engineering, construction management, contracting, operation and maintenance oversight, training, equipping, evaluation, and other technical services. The Facility Management and Construction Center also develops design and construction specifications; reviews designs; establishes and implements guidelines for selecting equipment; and provides training in the use and maintenance of equipment and care of facilities.

B. Education Program Management

<u>Program Element</u>		(Dollar amounts in thousands)				Inc. (+) Dec. (-) <u>From Base</u>
		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	
Central Office Operations	\$ (FTE)	2,485 (30)	2,451 (30)	2,487 (30)	3,537 (30)	+1,050 (---)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1991 Adjusted Approp.</u>
Education Program Management	2,485	-34	2,451

This reduction will be accomplished by imposing a freeze on travel and delaying the final phase of the physical reconfiguration of the Central Office.

Objectives: To provide bureauwide direction and control by establishing or revising education policies and procedures that will result in the provision of a comprehensive and quality education program.

Base Program (\$2,487,000; FTE 30): The Office of Indian Education Programs (OIEP), provides line direction for all education programs and systems through field line officers and through central office staff. These programs include: (1) elementary and secondary schools; (2) activities for adults through the Adult Education Program; (3) Tribally Controlled Community Colleges and the two Post Secondary institutions; and (4) Scholarship Programs for both graduate and undergraduate Indian students.

Authorities and responsibilities of the director include policy analysis; budget formulation and implementation; management systems development, implementation, and evaluation; program planning, oversight, and evaluation; allocation and monitoring of expenditures of appropriated and flow-through funds; and personnel management of education staff at all levels of the organization.

The director, assisted by support staff at the central office level, exercises line authority over field office education locations which, in turn, supervise bureau off-reservation residential schools, peripheral dormitories housing Indian students attending public schools, and local on-reservation day and boarding schools.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Education Program Management \$	2,487	3,537	+1,050

Education Program Management (+\$1,050,000): The components of this increase are as follows:

Central Office Staff (+\$100,000): The increase will be used for travel and related expenses for the existing staff to place more emphasis on monitoring, evaluating and establishing a data base for education, in concert with the bureau's strategy for improving Indian education.

Education Research and Evaluation (+\$400,000): Improved education performance requires that principals, teachers, students, and others be held accountable to parents, school boards and tribal officials for education results. Vacant positions in the Office of Planning, Oversight, and Evaluation will be filled with professional staff to support the improvement of education research, evaluation, and data collection efforts. Generational and beneficial changes in education must be based on reliable and widely respected data. Funds will be used for conducting research studies in the specific areas of: student dropouts (at risk students); an assessment of student, teacher, and principal performance; retainment of high-quality staff; and professional staff development. In addition, funds will be used to work out standards for measuring excellence rather than minimum requirements and to develop management techniques and policies that are geared directly toward improving performance. This office will also begin the development of a systematic mechanism for collecting data on all aspects of the lives of Indian children attending Bureau schools (including demographic and socioeconomic profiles). The data will also cover the settings in which children grow up (families, day care facilities, neighborhoods, and communities), the governmental systems (health, welfare, and justice), and private organizations that serve children.

Monitoring and Evaluation (+\$600,000): This increase will fund a team of five persons, comprised of consultants from other agencies such as the Department of Defense Overseas Schools, the Department of Education, major universities, line officers and school personnel. The team will visit 45 schools each year or all schools on a four-year cycle, to do an indepth monitoring and evaluation of the schools' programs, specifically school operations, including, gifted and talented, exceptional education, flow-through programs; budget and finance at the school level; facilities operations and maintenance; and adherence to the minimum academic standards. The team will validate data from the schools such as the teacher/student ratios; in the case of boarding schools, dormitory attendant/student ratios; certification of teachers; condition of library books; etc. The result will be a comprehensive critique of the bureau's schools, and the information will be provided to school administrators, school boards, and tribes.

Close-up Foundation (-\$250,000): The FY 1990 Congressional add-on of \$250,000 for the Close-up Foundation grant is not continued in FY 1991. Since the Close-up Foundation receives significant funding from the Department of Education to support participation in this program, specific funding for Indian youth is not necessary.

Volunteers Program (+\$200,000): The Department of Interior and its bureaus encourage volunteer stewardship throughout the country--including parks, refuges, around reservoirs and rivers, and on Indian reservations. For the Bureau of Indian Affairs, a total of \$200,000 has been proposed for the volunteerism effort. Current authorization only allows BIA to use volunteers in schools.

The types of activities carried out by volunteers in BIA schools include the following:

- assistance in developing parent teacher organizations like the nationally known PTA (Parent Teacher Association);
- participation in early childhood education;
- membership on child abuse protection teams;
- development of communication skills for parents and children; and
- involvement in extra curricular activities.

Funds will also provide recognition programs for volunteers, training for volunteers; promoting opportunities for volunteers to support non-educational activities at post secondary schools, Tribally Controlled Community Colleges, and other educational programs.

C. Liability Insurance Study

(Dollar amounts in thousands)					
<u>Program Element</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Liability Insurance \$	250	247	250	---	-250
Study (FTE)	(---)	(---)	(---)	(---)	(---)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1991 Adjusted Approp.</u>
Liability Insurance Study	250	-3	247

This reduction will be accomplished by reducing travel and decreasing the purchasing of supplies.

Objectives: To conduct a study of the costs associated with extending coverage under the Federal Tort Claims Act to tribal contractors as provided by the recently enacted liability insurance provision.

Base Program (\$250,000): The base program provides funding for a study to be performed identifying the costs and benefits of various liability coverage alternatives for tribal contractors, as directed by the FY 1990 Appropriations Committee.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Liability Insurance Study \$	250	---	-250

Liability Insurance Study (-\$250,000): The liability insurance study will be completed in FY 1990, therefore, no funds are required in FY 1991.

Object Class Distribution - Program Management

	FTE	<u>Amount</u>
Personnel compensation.....		\$ + 109,000
Personnel benefits.....		+ 15,300
Travel.....		+ 60,000
Supplies and materials.....		+ 14,700
Equipment.....		+ 51,000
Other Services.....		+ 550,000
Total.....		<u>\$ + 800,000</u>

Justification of Program and Performance

Activity: General Administration
 Subactivity: Consolidated Training Program

Program Element	(Dollar amounts in thousands)					Inc. (+) Dec. (-) From Base
	FY 1990 Enacted To Date	FY 1990 Adjusted Approp.	FY 1991 Base	FY 1991 Estimate		
Consolidated Training Program	\$ 840 (FTE) (---)	829 (---)	840 (--)	1,040 (1)	+200 (+1)	

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Consolidated Training Program	840	-11	829

This reduction will be accomplished by reducing training funds at central and area office levels.

Objectives: To provide a centrally controlled training program to comply with legal and regulatory requirements specifically applying to the Bureau of Indian Affairs; to train and qualify bureau employees, and particularly Indians, to plan and operate bureau programs.

Base Program (\$840,000): This program is designed to raise the overall level of expertise in bureau programs, to address these needs through training in such program areas as: executive development, real property, real estate services, natural resources, finance, contracting, law enforcement, social services, forestry, automatic data processing, education, and trust fund management.

In addition to training employees in their current positions, results of an occupational needs survey indicate that BIA can expect retirement of 134 bureau managers in GS/GM-13 through Senior Executive Service (SES) positions over the next five years. The training program, therefore, must also be specifically targeted toward offsetting these anticipated losses.

High Potential Employees Development Program (\$584,000): Employees in positions GS-5 through GS-12, who are identified as having potential to assume administrative, professional, technical or managerial positions, will participate in the High Potential Employees Development Program, regardless of the position which they occupy. Individual training plans, which give emphasis to the enhancement of professional and technical skills and include specific opportunities for administrative and managerial training, will be developed for each employee and will be structured to provide the employee the greatest opportunity to achieve as much of his/her full potential as possible. Priority in the program is given to shortage categories such as realty specialists, administrative staff, foresters, and appraisers. Development within this program is also designed to supplement the bureau's various programs to improve the technical skills of employees.

Executive Management Development Program (\$256,000): The program funds training for employees who have been identified as having the potential for assuming the key management positions of the bureau. They are selected for the program through

an assessment center process. The requested amount funds the assessment centers and all tuition, travel, and per diem costs related to training identified in each participant's development plan. The "pool" of participants will be used, along with other recruitment alternatives, to fill key management positions in the bureau. The Departmental Management Development Program (\$85,000) and the Senior Executive Service Candidate Program (\$25,000) are also funded from this component.

Changes from FY 1991 Base: (Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Consolidated Training Program	\$	840	1,040	+200
	(FTE)	(---	(1)	(+1)

Consolidated Training (FTE +1): The increased FTE will be funded from the base amount for the Consolidated Training Program and will be used to provide one position to coordinate the Consolidated Training Program. This position will ensure the programs are administered to obtain the greatest training benefits at the best price, to ensure career advancement goals and training plans are compatible, and to monitor the training and developmental assignments.

Special Emphasis Training Program - Women and Minorities (+\$200,000): While women and minorities participate fully in the training provided by the base program, this increase will be used to fund training essential to the career development needs of women and minorities to assist in their advancement or movement into managerial, professional, and technical positions in which they are currently under-represented.

Interior's goal is to involve women and minorities as employees, especially at management levels, and program participants in an effort to reach beyond minimum equal opportunity requirements. Interior bureaus are continually seeking ways to enhance the recruitment, training, and advancement within the Department of women and minorities, particularly in such critical professional areas as engineering, science, accounting and computer programming. For the Bureau of Indian Affairs, a total of \$200,000 is being proposed for the women and minorities effort.

The program will focus on publicizing training and career development awareness activities offered through the bureau by both governmental and nongovernmental training facilities. Among these will be: sponsoring informational seminars featuring past and present women and minority participants of special career development programs; preparing related articles for newsletter publications; preparing career development literature for distribution at staff meetings; publicizing current career development programs and opportunities offered through the Department and the Bureau of Indian Affairs; sponsoring career development exhibits; scheduling informational meetings featuring: bridge position, Cooperative Education, and upward mobility programs; private scholarship and fellowship opportunities for these target groups; and networking. The program will also include EEO and Employee development program joint efforts at sponsoring awareness campaigns to recruit applications from women and minorities for Office of Personnel Management, Department of the Interior, and Bureau of Indian Affairs training and career development opportunities. The program will also feature regularly scheduled training sessions on career path counseling for this target group.

Object Class Distribution - Consolidated Training Program

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....	+1 *	+\$ 0
Personnel benefits.....	*	+ 0
Travel.....		+ 15,000
Supplies and materials.....		+ 5,000
Other services.....		<u>+ 180,000</u>
Total	+1	+\$200,000

* This position is being funded from the base program, therefore, the amounts for personnel are not shown as part of the increase.

Justification of Program and Performance

Activity: General Administration
 Subactivity: Tribe/Agency Operations

		(Dollar amounts in thousands)				
		FY 1990	FY 1990	FY	FY	Inc. (+)
		Enacted	Adjusted	1991	1991	Dec. (-)
<u>Program Elements</u>		<u>To Date</u>	<u>Approp.</u>	<u>Base</u>	<u>Estimate</u>	<u>From Base</u>
A. Executive Direction	\$ (FTE)	8,239 (170)	8,127 (170)	8,311 (170)	8,743 (170)	+432 (---)
B. Administrative Services	\$ (FTE)	12,352 (352)	12,184 (352)	12,825 (352)	14,000 (372)	+1,175 (+20)
C. Safety Management	\$ (FTE)	246 (8)	243 (8)	247 (8)	316 (9)	+69 (+1)
Total Requirements	\$ (FTE)	20,837 (530)	20,554 (530)	21,383 (530)	23,059 (551)	+1,676 (+21)

Impact of Public Law 99-177

	FY 1990 Enacted To Date	Reduction Pursuant to P.L. 99-177	FY 1990 Adjusted Approp.
Tribe/Agency Operations	20,837	-283	20,554

This reduction will be accomplished by delaying the filling of vacancies and by reducing travel for technical assistance, project support and oversight.

A. Executive Direction

Objective: To provide daily leadership and line management for all bureau programs operated at or through the agency.

Base Program (\$8,311,000; FTE 170): Executive Direction is defined as the immediate office of the agency superintendent. Funding at this level is determined by the priority setting process. None of the activities of this program are contracted.

Change from FY 1991 Base: (Dollar amounts in thousands)

<u>Program Element</u>		FY 1991 Base	FY 1991 Estimate	Difference (+ or -)
Executive Direction	\$ (FTE)	8,311 (170)	8,743 (170)	+432 (---)

Executive Direction (+\$432,000): The change results from the application of the Indian Priority System at the tribe/agency level. Changes by area are as follows:

<u>Area</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen	\$ 1,031,000	\$ 1,095,800	\$+ 64,800
Anadarko	520,000	503,000	- 17,000
Billings	665,000	704,200	+ 39,200
Juneau	563,000	583,000	+ 20,000
Minneapolis	339,000	356,400	+ 17,400
Muskogee	883,000	975,200	+ 92,200
Phoenix	1,232,000	1,318,900	+ 86,900
Sacramento	435,000	405,200	- 29,800
Albuquerque	774,000	799,600	+ 25,600
Navajo	520,000	634,000	+114,000
Portland	1,001,000	1,033,700	+ 32,700
Eastern	<u>276,000</u>	<u>262,000</u>	<u>- 14,000</u>
Total Tribal Priorities	\$ 8,239,000	\$ 8,671,000	\$+432,000

ADJUSTMENTS:

One additional workday	+ 21,000
Adjustment for Administrative and Staffing Efficiencies	-83,000
FY 1991 Federal Pay Adjustment	+ 65,000
Federal Employees Retirement System (FERS)	+ <u>69,000</u>
FY 1991 REQUEST	8,743,000

B. Administrative Services

Objective: To provide those administrative systems/controls/expertise which directly support the operation of all agency programs.

Base Program (\$12,825,000; FTE 352): The base program at the agency level should include one or more of the five functions listed and described below:

Personnel Services: (1) Provides assistance and advice to employees and managers regarding benefits, grievances, incentive awards, etc.; (2) assists in writing position descriptions, developing performance standards, and initiating personnel requests; and (3) insures that working personnel files and records are properly maintained and secured.

Property Management: (1) Manages, safeguards, and accounts for all agency owned or leased assets, including personal property and equipment, motor vehicles, and real property; (2) reviews and recommends the requisition, transfer/conveyance, and disposal of property and equipment; (3) maintains property controls, inventories, and reporting systems; and (4) provides direct property management support to tribal contractors and grantees.

Purchasing: (1) Procures all supplies, materials, equipment, and services necessary for the operation of agency programs; (2) reviews purchase orders for compliance with Federal procurement regulations; (3) evaluates goods and services for acceptability; and (4) maintains procurement files and records.

Budget and Finance: (1) Performs budget planning, recommends adjustment of funds, performs fund control and related activities involving the tribes in setting budgetary priorities and goals; (2) prepares and processes vouchers and other obligation documents, operates imprest cash and cash collections, resolves payroll problems; (3) maintains position and FTE control; and (4) insures that fiscal records and accounts are properly maintained.

General Services: Performs a variety of duties which are essential to the daily operation of the agency and involve considerable staff time and dollar outlay. Such services include but are not limited to: (1) management reports and controls; (2) Privacy Act and Freedom of Information Act coordination and reporting; (3) correspondence management and control; and (4) moving of equipment or office furniture.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Difference (+ or -)</u>
Administrative Services	\$	12,825	14,000	+1,175
	(FTE)	(352)	(372)	(+20)

Administrative Services (+\$1,175,000; FTE +20): The change results from the application of the Indian Priority System at the tribe/agency level. Changes by area are as follows:

<u>Area</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Aberdeen	\$ 1,887,000	\$ 1,846,800	\$ - 40,200
Anadarko	516,000	591,000	+ 75,000
Billings	1,005,000	998,000	- 7,000
Juneau	573,000	835,600	+262,600
Minneapolis	840,000	963,200	+123,200
Muskogee	308,000	404,000	+ 96,000
Phoenix	1,555,000	2,132,200	+577,200
Sacramento	481,000	499,900	+ 18,900
Albuquerque	1,204,000	1,142,000	- 62,000
Navajo	1,332,000	1,487,000	+155,000
Portland	2,117,000	2,106,300	- 10,700
Eastern	534,000	521,000	- 13,000
Total Tribal Priorities	\$12,352,000	\$13,527,000	\$+ 1,175,000

ADJUSTMENTS:

One additional workday	+ 52,000
Adjustment for Administrative and Staffing Efficiencies	-199,000
FY 1991 Federal Pay Adjustment	+155,000
Federal Employees Retirement System (FERS)	+290,000
Funds for Klamath Field Office	+175,000
FY 1991 REQUEST	14,000,000

C. Safety Management

Base Program (\$247,000; FTE 8): The base program provides for the development, implementation, and review of the agency level safety program. This program is not considered contractable under the Indian Self-Determination Act, P.L. 93-638.

Change from FY 1991 Base: (Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Difference (+ or -)</u>
Safety Management	\$	247	316	+69
	(FTE)	(8)	(9)	(+1)

Safety Management (+\$69,000; FTE +1): The change results from the application of the Indian Priority System at the tribe/agency level.

<u>Area</u>	<u>FY 1990 Enacted</u>	<u>FY 1991 Request</u>	<u>Difference</u>
Billings	\$ 2,000	\$ 2,000	\$ 0
Muskogee	6,000	6,000	0
Navajo	<u>238,000</u>	<u>307,000</u>	<u>+ 69,000</u>
Total Tribal Priorities	\$ 246,000	\$ 315,000	\$ + 69,000

ADJUSTMENTS:

One additional workday	+1,000
Adjustment for Administrative and Staffing Efficiencies	-4,000
FY 1991 Federal Pay Adjustment	<u>+4,000</u>
 FY 1991 REQUEST	 316,000

Object Class Distribution-Tribe/Agency Operations

	<u>FTE</u>	<u>Amount</u>
Personnel compensation.....	+21	+\$ 892,000
Personnel benefits.....		+ 125,000
Travel.....		+ 70,000
Supplies and material.....		+ 85,000
Other services.....		<u>+ 504,000</u>
 Total	 +21	 +\$1,676,000

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)

Identification Code: 14-2100-0-1-999	1989 Actual	1990 Estimate	1991 Estimate
<u>Program by activity:</u>			
00.01 Education.....	239,398	260,480	282,168
00.02 Tribal Services.....	167,291	179,777	157,830
00.03 Navajo/Hopi Settlement Program..	2,143	2,004	1,527
00.04 Economic Development Programs...	41,957	10,612	10,866
00.05 Natural Resources Development...	114,595	79,443	65,868
00.06 Trust Responsibilities.....	35,339	37,082	43,808
00.07 Facilities Management.....	82,451	89,191	87,161
00.08 General Administration.....	72,060	78,327	89,003
00.09 Tribe/Agency Operations.....	254,668	285,962	280,454
00.01 Total direct program.....	1,009,902	1,022,878	1,018,685
01.01 Reimbursable program.....	63,722	63,500	64,000
10.00 Total obligations.....	1,073,624	1,086,378	1,082,685
<u>Financing:</u>			
11.00 Federal funds.....	(61,779)	(62,000)	(62,000)
14.00 Non-Federal sources.....	(1,943)	(1,500)	(2,000)
21.40 Unobligated balance available, start of year.....	(4,393)	(4,877)	(3,487)
22.40 Unobligated balance transferred, net.....	(4,110)	--	--
24.40 Unobligated balance available, end of year.....	4,877	3,487	2,987
25.00 Unobligated balancing lapsing...	1,432	--	--
39.00 Budget authority.....	1,007,708	1,021,488	1,018,185
=====			
<u>Budget authority:</u>			
40.00 Appropriation.....	1,026,361	1,035,534	1,018,185
40.00 Reduction pursuant to P.L. 99-177	--	(14,046)	--
41.00 Transferred to other accounts...	(58,594)	--	--
42.00 Transferred from other accounts.	39,941	--	--
43.00 Appropriation (adjusted).....	1,007,708	1,021,488	1,018,185
=====			
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	1,009,902	1,022,878	1,018,685
72.40 Obligated balance, start of year	92,482	277,948	340,249
74.40 Obligated balance, end of year..	(277,948)	(340,249)	(339,773)
77.00 Adjustments in expired accounts.	63,918	--	--
90.00 Outlays.....	888,354	960,577	1,019,161

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 OPERATION OF INDIAN PROGRAMS

Object Classification (in thousands of dollars)

Identification Code: 14-2100-0-1-999	1989 Actual	FY 1990 Estimate	1991 Estimate
Direct Obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	195,894	201,000	209,000
11.3 Other than full-time permanent...	75,568	80,000	83,000
11.5 Other personnel compensation.....	13,170	9,000	10,000
11.8 Special personal services payment	10,520	--	--
11.9 Total personnel compensation...	295,152	290,000	302,000
12.1 Personnel benefits: Civilian....	58,780	62,000	64,000
13.0 Benefits for former personnel....	871	1,000	1,000
21.0 Travel and transportation of persons.....	19,134	19,000	19,900
22.0 Transportation of things.....	8,509	8,000	8,000
23.1 Rental payments to GSA.....	9,123	10,000	10,000
23.2 Rental payments to others.....	1,092	1,092	1,200
23.3 Communications, utilities, and miscellaneous charges.....	24,120	25,000	25,000
24.0 Printing and reproduction.....	1,382	1,000	1,000
25.0 Other services.....	405,352	418,786	392,585
26.0 Supplies and materials.....	40,458	31,000	31,000
31.0 Equipment.....	11,408	11,000	11,000
32.0 Lands and structures.....	2,516	--	--
33.0 Investments and loans.....	60	--	--
41.0 Grants, subsidies, and contributions.....	131,635	145,000	152,000
42.0 Insurance claims and indemnities.	211	--	--
43.0 Interest and dividends.....	99	--	--
99.0 Subtotal, direct obligations...	1,009,902	1,022,878	1,018,685
99.0 Reimbursable obligations.....	63,722	63,500	64,000
99.9 Total obligations.....	1,073,624	1,086,378	1,082,685

=====

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 OPERATION OF INDIAN PROGRAMS
 PERSONNEL SUMMARY

Identification Code: 14-2100-0-1-999	1989 Actual	1990 Estimate	1991 Estimate
<u>Direct:</u>			
Total number full-time permanent positions.....	8,442	8,289	8,429
Total compensable workyears:			
Full-time equivalent employment....	10,911	10,335	10,387
Full-time equivalent of overtime and holiday hours.....	280	250	250
<u>Reimbursable:</u>			
Total number full-time permanent positions.....	685	691	691
Total compensable workyears:			
Full-time equivalent employment....	807	869	837
Full-time equivalent of overtime and holiday hours.....	15	15	15

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; preparation of lands for farming; maintenance of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, [\$134,226,000] \$103,099,000, to remain available until expended [: Provided, That \$1,000,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities: Provided further, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation]: Provided further, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: Provided further, That \$7,200,000 of the contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund for road construction to serve the Navajo Reservation shall be used by the Secretary of the Interior for road construction projects on land transferred or acquired under the Act of December 22, 1974, as amended (25 U.S.C. 640d-10): Provided further, That the foregoing shall not alter the amount of funds or contract authority that would otherwise be available for road construction to serve any Indian reservation or land other than the Navajo reservation [hereafter, notwithstanding any other provision of law, amounts collected from grantees by the Secretary as grant repayments required under the Secretary's regulations for the Housing Improvement Program shall be credited in the year collected and shall be available for obligation under the terms and conditions applicable to the Program under that year's appropriation: Provided further, That all obligated and unobligated balances of "Road Construction" shall be merged with "Construction"].

(Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.)

[To fight the war on drugs, \$4,000,000, to remain available until expended, for the provision of additional emergency shelters for Indian youth and for the construction of juvenile detention facilities.]

(Department of Transportation and Related Agencies Appropriations Act, 1990, Public Law 101-164.)

Justification of Proposed Language Changes

1. Deletion: ": Provided, That \$1,000,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities"

No funds are included in the FY 1991 budget for the rehabilitation of tribally owned fish hatcheries. The language is, therefore, unnecessary.

2. Deletion: ": Provided further, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation"

No funds are included in the FY 1991 budget for construction of the Navajo Indian Irrigation Project. The language is, therefore, unnecessary.

3. Addition: ": Provided further, That \$7,200,000 of the contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund for road construction to serve the Navajo Reservation shall be used by the Secretary of the Interior for road construction projects on land transferred or acquired under the Act of December 22, 1974, as amended (25 U.S.C. 640d-10): Provided further, That the foregoing shall not alter the amount of funds for contract authority that would otherwise be available for road construction to serve any Indian reservation or land other than the Navajo reservation"

All road construction on Indian reservations should be funded from the Highway Trust Fund, including roads relating to construction on the "new lands" on the Navajo reservation in northern Arizona. At least \$7.2 million of additional "new lands" road construction is needed in FY 1991. The bureau is proposing to fund these costs from the Highway Trust Fund.

4. Deletion: "hereafter, notwithstanding any other provision of law, amounts collected from grantees by the Secretary as grant repayments required under the Secretary's regulations for the Housing Improvement Program shall be credited in the year collected and shall be available for obligation under the terms and conditions applicable to the Program under that year's appropriation"

The language is no longer necessary. This provision was a permanent change in law.

5. Deletion: ": Provided further, That all obligated and unobligated balances of 'Road Construction' shall be merged with 'Construction'"

The language is no longer necessary. The bureau's Road Construction Account was transferred to its Construction Account in FY 1990, and all obligated and unobligated balances of the Road Construction Account were merged with the Construction Account.

6. Deletion: "To fight the war on drugs, \$4,000,000, to remain available until expended, for the provision of additional emergency shelters for Indian youth and for the construction of juvenile detention facilities."

This language, which was contained in the FY 1990 Department of Transportation and Related Agencies Appropriations Act, is no longer necessary. Funds for the construction of juvenile detention centers are included in the BIA's FY 1991 Construction budget.

Appropriation Language and Citations

1. For construction, major repair, and improvement of irrigation and power systems,

For construction, major repair, and improvement of irrigation and power systems, involving irrigation canals, wells, hydroelectric dams, and water and electrical distribution systems.

25 U.S.C. 13
25 U.S.C. 631(2)

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including construction of facilities, to support operating programs to federally recognized Indians. This Act also provides for the extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies. In addition, most of the major projects have specific authorizations.

25 U.S.C. 631(2), In order to further the purposes of existing treaties with the Navajo and Hopi Indians to provide facilities essential in combating hunger, disease, poverty, and demoralization among its members, section 2 includes the following:

- (2) Completion and extension of existing irrigation projects, and completion of the investigation to determine the feasibility of the proposed San Juan-Shiprock irrigation project.

2. buildings, utilities, and other facilities,

For construction, major repair, and improvement of all BIA buildings, utilities, and other facilities, including demolition of obsolete structures and consolidation of underutilized facilities.

25 U.S.C. 13
25 U.S.C. 450
25 U.S.C. 631(12), (14)

25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act) in Section 458 authorizes construction of public school facilities serving Indian children and permits expending not more than 25 percent of any funds appropriated for construction of previously private schools.

25 U.S.C. 631(12), (14) provide that in order to further the purposes of existing treaties with the Navajo and Hopi Indians to provide facilities essential in combating hunger, disease, poverty, and demoralization among its members, sections 12 and 14 include the following:

- (12) School buildings and equipment, and other educational measures.
- (14) Common service facilities.

3. including architectural and engineering services by contract;

The construction program includes the advertisement for architectural and engineering services through the Buy Indian Act, P.L. 93-638, and open market contracts.

25 U.S.C. 13
25 U.S.C. 450 (P.L. 93-638)

4. acquisition of lands and interests in lands;

The program includes the acquisition of land and interests in lands, as directed by Congress and judicial decisions.

25 U.S.C. 465

25 U.S.C. 465 provides that the Secretary of the Interior is authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians.

5. preparation of lands for farming;

The construction program includes functions relating to preparation of lands for farming and irrigation, such as cleaning, leveling, terracing, and installation of irrigation systems.

25 U.S.C. 13
25 U.S.C. 465

6. maintenance of Indian reservation roads as defined in section 101 of title 23, United States Code;

25 U.S.C. 13, 318a
23 U.S.C. 101

25 U.S.C. 318a authorizes material, equipment, supervision and engineering in the survey, improvement, construction, and maintenance of Indian reservation roads.

23 U.S.C. 101 (The Surface Transportation Assistance Act of 1982) defines Indian reservation roads as "public roads, including roads on the Federal-aid systems, that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians."

7. and construction, repair, and improvement of Indian housing,

The construction program also includes funds for housing construction, repair, and improvement to provide decent, safe, and sanitary housing to Indian communities.

25 U.S.C. 13

BIA-262

8. to remain available until expended

No Specific Authority

This appropriation involves construction projects which require more than a one-year cycle from their beginning stages through the actual construction of facilities. Therefore, funds are to remain available until expended.

9. Provided further, That not to exceed 6 percentum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs

25 U.S.C. 13, 318a
23 U.S.C. 203
101 Stat. 145 (P.L. 100-17)

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including road construction to federally recognized Indians. 25 U.S.C. 318a authorizes material, equipment, supervision and engineering in the survey, improvement, construction, and maintenance of Indian reservation roads.

23 U.S.C. 203 (The Surface Transportation Assistance Act of 1982) provides that funds authorized for Indian reservation roads shall be available for contract upon apportionment.

P.L. 100-17 (101 Stat. 145), the Surface Transportation and Uniform Relocation Assistance Act of 1987, provides funds from the Highway Trust Fund for Indian reservation roads to be used by the Secretary of the Interior.

10. Provided further, That \$7,200,000 of the contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund for road construction to serve the Navajo Reservation shall be used by the Secretary of the Interior for road construction projects on land transferred or acquired under the Act of December 22, 1974, as amended (25 U.S.C. 640d-10)

23 U.S.C. 203
101 Stat. 145 (P.L. 100-17)

11. Provided further, That the foregoing shall not alter the amount of funds for contract authority that would otherwise be available for road construction to serve any Indian reservation or land other than the Navajo reservation

No Specific Authority

Program and Performance

1. Buildings and Utilities - This program provides for the construction and rehabilitation of bureau facilities.
2. Irrigation Systems - This program provides for the construction, extension, and rehabilitation of irrigation projects, dams, and related power systems on Indian reservations.
3. Housing - This program provides for the repair of housing for needy Indians.
4. Land Acquisition - This program provides for the acquisition of land and interests in lands for Indian tribes, as directed by Congress and by judicial decisions.
5. Fish Hatcheries Construction - This program provides for the rehabilitation of tribally owned fish hatcheries.
6. Employee Housing - This activity provides for a pilot program to address the repair needs for BIA employee housing.
7. Road Maintenance and Road Construction - The Road Maintenance Program provides safe and accessible public roads, which serve Indian reservations. The Road Construction Program provides roads on Indian reservations for safe and convenient transportation of people and goods.
8. Construction Contract Support - This program provides payment to tribes and to tribal organizations for overhead/administrative costs incurred as a result of their contracting for construction projects under Public Law 93-638.

BUREAU OF INDIAN AFFAIRS

Status of and Request for Budgetary Resources

Account: CONSTRUCTION - 14X2301

FY 1990 Budgetary Status

Budget Authority Available:

Appropriation.....	\$138,226
Reduction pursuant to P.L. 99-177.....	-1,376
Prior-year unobligated balance brought forward.....	43,463
Transferred from other accounts.....	23,393
Anticipated recovery of prior-year obligations.....	<u>---</u>

Total available for obligation.....\$203,706

Less anticipated obligations (by activity):

1. Buildings and Utilities.....	\$-42,000
2. Irrigation Systems.....	-20,000
3. Housing.....	-25,000
4. Land Acquisition.....	-4,239
5. Fish Hatcheries Rehabilitation.....	-1,652
6. Employee Housing.....	-495
7. Road Maintenance and Road Construction..	-31,000
8. Construction Contract Support.....	<u>-9,717</u>

Total anticipated obligations..... -134,103

FY 1991 Request

Anticipated unobligated balance brought forward..... 69,603

Plus increases proposed (by activity):

1. Buildings and Utilities.....	\$ 35,258
2. Irrigation Systems.....	2,310
3. Housing.....	20,224
4. Employee Housing.....	1,000
5. Road Maintenance and Road Construction..	37,307
6. Construction Contract Support.....	<u>7,000</u>

Total increase proposed..... 103,099

Total anticipated BA available for obligation.....\$172,702

Analysis of Budgetary Resources by Activity
(Dollar Amounts in Thousands)

Account: Construction

Activity	FY 1989 Actual	FY 1990 Estimate	FY 1991 Estimate	FY 1991 (+)(-) from 1990 Est.
1. Buildings and Utilities				
BA available for obligation:				
Appropriation.....	33,650	38,092	35,258	-2,834
Unobligated bal. brt. fwd.	19,600	5,322	14,982	+9,660
Transfer in.....	11,967 <u>1/</u>	13,568 <u>8/</u>	---	-13,568
Transfer out.....	-22,583 <u>2/</u>	---	---	---
Total BA available.....	<u>42,634</u>	<u>56,982</u>	<u>50,240</u>	<u>-6,742</u>
Less obligations.....	<u>-37,312</u>	<u>-42,000</u>	<u>-40,000</u>	<u>+2,000</u>
Unoblig. bal., end of year.	5,322	14,982	10,240	-4,742
	(FTE) (20)	(20)	(20)	(--)
2. Irrigation Systems				
BA available for obligation:				
Appropriation.....	20,910	29,281	2,310	-26,971
Unobligated bal. brt. fwd.	27,537	25,522	42,991	+17,469
Transfer in.....	8,754 <u>3/</u>	8,188 <u>9/</u>	---	-8,188
Transfer out.....	-13,648 <u>4/</u>	---	---	---
Total BA available.....	<u>43,553</u>	<u>62,991</u>	<u>45,301</u>	<u>-17,690</u>
Less obligations.....	<u>-18,031</u>	<u>-20,000</u>	<u>-24,000</u>	<u>-4,000</u>
Unoblig. bal., end of year.	25,522	42,991	21,301	-21,690
	(FTE) (54)	(56)	(41)	(-15)
3. Housing				
BA available for obligation:				
Appropriation.....	22,823	22,239	20,224	-2,015
Unobligated bal. brt. fwd.	11,983	4,670	3,546	-1,124
Transfer in.....	9,202 <u>5/</u>	1,637 <u>10/</u>	---	-1,637
Transfer out.....	-15,912 <u>6/</u>	---	---	---
Total BA available.....	<u>28,096</u>	<u>28,546</u>	<u>23,770</u>	<u>-4,776</u>
Less obligations.....	<u>-23,426</u>	<u>-25,000</u>	<u>-21,000</u>	<u>+4,000</u>
Unoblig. bal., end of year.	4,670	3,546	2,770	-776
	(FTE) (83)	(80)	(80)	(--)
4. Land Acquisition				
BA available for obligation:				
Appropriation.....	---	4,158	---	-4,158
Unobligated bal. brt. fwd.	863	81	---	-81
Transfer out.....	-700 <u>7/</u>	---	---	---
Total BA available.....	<u>163</u>	<u>4,239</u>	<u>---</u>	<u>-4,239</u>
Less obligations.....	<u>-82</u>	<u>-4,239</u>	<u>---</u>	<u>+4,239</u>
Unoblig. bal., end of year.	81	---	---	---

Account: Construction (Continued)

Activity	FY 1989 Actual	FY 1990 Estimate	FY 1991 Estimate	FY 1991(+)(-) from 1990 Est.
5. Fish Hatcheries				
<u>Rehabilitation</u>				
BA available for obligation:				
Appropriation.....	1,900	1,584	---	-1,584
Unobligated bal. brt. fwd.	59	68	---	-68
Total BA available.....	1,959	1,652	---	-1,652
Less obligations.....	-1,891	-1,652	---	+1,652
Unoblig. bal., end of year.	68	---	---	---
6. Employee Housing				
BA available for obligation:				
Appropriation.....	---	495	1,000	+505
Unobligated bal. brt. fwd.	---	---	---	---
Total BA available.....	---	495	1,000	+505
Less obligations.....	---	-495	-1,000	-505
Unoblig. bal., end of year.	---	---	---	---
7. Road Maintenance and Road				
<u>Construction</u>				
BA available for obligation:				
Appropriation.....	---	31,284	37,307	+6,023
Unobligated bal. brt. fwd.	8,692 11/	7,800	8,084	+284
Total BA available.....	8,692	39,084	45,391	+6,307
Less obligations.....	-892	-31,000	-31,000	---
Unoblig. bal., end of year.	7,800	8,084	14,391	+6,307
(FTE)	(92)	(503)	(508)	(+5)
8. Construction Contract Support				
BA available for obligation:				
Appropriation.....	---	9,717	7,000	-2,717
Unoblig. bal. brt. fwd...	---	---	---	---
Total BA available.....	---	9,717	7,000	-2,717
Less obligations.....	---	-9,717	-7,000	+2,717
Unoblig. bal., end of year.	---	---	---	---
Account Totals				
BA available for obligation:				
Appropriation.....	79,283	136,850 12/	103,099	-33,751
Unoblig. bal. brt. fwd.....	68,734	43,463	69,603	+26,140
Transfers in.....	29,923	23,393	---	-23,393
Transfers out.....	-52,843	---	---	---
Total BA available.....	125,097	203,706	172,702	-31,004
Less obligations.....	-81,634	-134,103	-124,000	+10,103
Unoblig. bal., end of year.....	43,463	69,603	48,702	-20,901
(FTE)	(249)	(659)	(649)	(-10)

1/ Transfer in of \$11,967,357 from the OIP account to repay FY 1988 fire costs.
2/ Transfer out of \$22,583,000 to the OIP account for FY 1989 fire costs.

- 3/ Transfer in of \$8,732,214 from the OIP account to repay FY 1988 fire costs of \$7,000,000 and FY 1987 fire costs of \$1,732,214, and transfer in of \$21,600 from the OIP account for Federal Employee Retirement System (FERS) costs.
- 4/ Transfer out of \$13,648,139 to the OIP account for FY 1989 fire costs.
- 5/ Transfer in of \$9,129,429 from the OIP account to repay FY 1988 fire costs and transfer in of \$72,200 from the OIP account for FERS costs.
- 6/ Transfer out of \$12,911,286 to the Navajo and Hopi Indian Relocation Commission pursuant to P.L. 100-666 (102 Stat. 3929), the Navajo and Hopi Indian Relocation Amendments of 1988, and transfer out of \$3,000,000 to the OIP account for FY 1989 fire costs.
- 7/ Transfer out of \$700,000 to the OIP account for transfer to the San Carlos Apache Tribe for economic development, pursuant to P.L. 100-446 (102 Stat. 1795).
- 8/ Transfer in of \$13,568,000 from the Bureau of Land Management (BLM) to repay FY 1989 fire costs.
- 9/ Transfer in of \$8,188,000 from BLM to repay FY 1989 fire costs.
- 10/ Transfer in of \$1,637,000 from BLM to repay FY 1989 fire costs.
- 11/ The unobligated balance of \$8,691,577 is from the Road Construction Account, which has been transferred to the Construction Account.
- 12/ The figure of \$136,850,000 is the net FY 1990 enacted amount, when the G-R-H sequestration of \$1,376,000 is subtracted from the appropriated amount of \$138,226,000.

BUREAU OF INDIAN AFFAIRS
 Summary of Requirements
 (Dollar Amounts in Thousands)

<u>Appropriation: Construction</u>	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
Appropriation currently available, 1990.....			659	\$138,226
Reduction pursuant to P.L. 99-177.....			<u>0</u>	<u>-1,376</u>
Adjusted FY 1990 Appropriation.....			659	\$136,850
<u>Adjustments to base:</u>				
Adjustment for 1990 Impact of P.L. 99-177....	+3	+1,376		
Adjustment for one additional paid day in FY 1991.....		+ 46		
Adjustment for Improved Administrative Efficiency.....		- 169		
Adjustment for Staff Efficiency.....	-3	- 155		
Adjustment for increased cost of Federal Employees Retirement System.....		+ 849		
Additional Cost in 1991 for the 1991 Pay Raise		+ 284		
Total adjustments to base.....			<u>0</u>	<u>2,231</u>
1991 Base Budget.....			659	5,488
Program Changes.....			<u>-10</u>	<u>97,611</u>
Total Requirements (1991 Estimate).....			649	\$103,099

CONSTRUCTION

Justification of Adjustments to Base

	<u>\$000</u>	<u>FTE</u>
<u>Adjustment for 1990 Effect of P.L. 99-177</u>	+ 1,376	+ 3

The Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), as amended, required a reduction in non-exempt programs in FY 1990. Since the reduction applies to FY 1990 only, this adjustment is made to allow a more comparable basis for showing program changes from FY 1990 to FY 1991.

<u>Adjustment for One Additional Paid Day in FY 1991</u>	+ 46	
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The increase in personnel compensation results from there being one more paid day in FY 1991 than in FY 1990.

<u>Adjustment for Administrative Efficiency</u>	- 169	
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The Department is proposing to decrease spending for consultants, travel, overtime, supplies, and equipment by about 5 percent to improve administrative efficiency and place greater priority on 1990 program initiatives. Specific reductions are proposed in the following areas:

Consultants.....	-\$ 2
Travel.....	- 20
Overtime.....	- 5
Supplies.....	- 90
Equipment.....	- 52
Total.....	<u>-\$169</u>

<u>Adjustment for Staffing Efficiency</u>	- 155	- 3
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Savings are proposed from a planned reduction in the average grade achieved by filling vacant positions at an average of one grade lower than previously filled and from taking into account an expected additional lapse of 30 days before filling positions that become vacant in 1991. Specific reductions follow:

Average Grade.....	-\$153
Lapse.....	- 2
Total.....	<u>-\$155</u>

<u>FERS Retirement Costs</u>	+ 849	
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The adjustment is for the increase in estimated retirement costs resulting from the continuing growth in the relative proportion of FERS employees in the bureau work force.

Additional Cost in 1991 of the 1991 Pay Raise

+ 284

The adjustment is for the additional amount needed in 1991 to cover 40 percent of the additional three quarter's cost of the estimated 3.5 percent pay raise effective in January 1991. Of this amount, \$241,000 is for the general schedule pay and \$43,000 is for the wage board pay. The 1991 cost of the remaining 60 percent will be absorbed in FY 1991.

Summary of Requirements

	FY 1990		FY 1991		FY 1991		Change		Change	
	Appropriation		Base Budget		Estimate		From Base		From 1990	
	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount
Buildings and Utilities.....	20	38,475	20	0	20	35,258	0	35,258	0	(3,217)
Irrigation Systems/ Dams.....	56	29,575	56	2,086	41	2,310	(15)	224	(15)	(27,265)
Fish Hatcheries Rehabilitation...	0	1,600	0	0	0	0	0	0	0	(1,600)
Housing.....	80	22,463	80	3,402	80	20,224	0	16,822	0	(2,239)
Employee Housing...	0	500	0	0	0	1,000	0	1,000	0	500
Road Maintenance and Construction.	456	31,598	456	0	461	37,307	5	37,307	5	5,709
Road Construction (Reimbursable Program)	47	0	47	0	47	0	0	0	0	0
Construction Contract Support.....	0	9,815	0	0	0	7,000	0	7,000	0	(2,815)
Land Acquisition...	0	4,200	0	0	0	0	0	0	0	(4,200)
FTE Allocation from FHWA.....	[573]	0	[573]	0	[573]	0	0	0	0	0
Staffing Efficiency FTE Reduction....	0	0	-3	0	-3	0	0	0	0	0
1990 Impact of P.L. 99-177.....	0	0	3	0	3	0	0	0	0	0
TOTAL APPROPRIATION	659	138,226	659	5,488	649	103,099	(10)	97,611	(10)	(35,127)

BIA-272

Justification of Program and Performance

Account: Construction
 Activity: Buildings and Utilities

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) from Enacted</u>
A. Education Projects	\$ 9,585	9,490	8,170	-1,415
B. Law Enforcement Projects	\$ ---	---	2,500	+2,500
C. Advance Planning and Design	\$ 1,000	990	500	-500
D. Telecommunications Improvement and Repair	\$ 765	757	700	-65
E. Facilities Improvement and Repair	\$ 23,125 (FTE) (20)	22,895	23,388 (20)	+263 (--)
F. Substance Abuse Construction	\$ 4,000	3,960	---	-4,000
Total Requirements	\$ 38,475 (FTE) (20)	38,092	35,258 (20)	-3,217 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Buildings and Utilities	38,475	-383	38,092

This reduction will be accomplished by a decrease in the construction and repair of buildings and utilities in all program areas. The effect of these actions will be to reduce the scope of work in certain construction projects that do not involve the abatement of identified critical life safety code deficiencies. Additional savings will be generated by performing value engineering life-cycle cost studies during the planning and design phase of project development.

A. Education Projects

Objective: To provide for the planning, design, and construction of adequate school facilities for Indian children.

Justification: It is the responsibility of the Bureau of Indian Affairs to provide adequate and safe educational facilities to eligible communities. Schools may be bureau operated or operated by tribal organizations under contract.

New construction funds are being requested for two education projects, which were identified as first and third on the FY 1991 priority list for new school construction. The Office of Construction Management (OCM) issued guidelines entitled, "Instructions and Applications for new School Construction," and a

notice was published in the Federal Register on February 3, 1988. The notice stated that all applications will be reviewed and ranked in accordance with the criteria outlined in the guidelines. These criteria established a priority system for use in ranking new education construction applications. The criteria were published in the Federal Register on April 14, 1988, and were used in reviewing and ranking applications for new school construction.

Project descriptions for the two new school construction projects for which funds are requested follow. Estimated costs are subject to site validation studies, which are currently underway.

Education Construction Project Justifications

Project Title: Dunseith Elementary School, North Dakota

Estimated Cost: \$4,830,000

This project will provide for a new school for students in grades K-6, located in Dunseith, North Dakota. The present main school structure is 48 years old and in poor condition. It was designed to accommodate only 95 students. Current enrollment is 143 students. At the present time, 100 percent of the students are considered to be unhoused since enrollment far exceeds design capacity and because of the existing health and safety hazards. The second story and the basement of the main structure are currently abandoned. The structure does not meet safety and handicap requirements. Funds needed to meet those requirements would exceed replacement costs.

Academic building.....	\$3,240,000
Site and utilities.....	650,000
Contingency.....	390,000
Construction management and inspection cost.....	230,000
Equipment/furnishing cost.....	<u>320,000</u>

Total Estimated Project Cost.....\$4,830,000

Project Title: Pine Ridge High School, Phase II, South Dakota

Estimated Cost: \$3,340,000

This project will provide for Phase II of the construction of the Pine Ridge High School and for the completion of the overall project to replace the present building, which is in a deteriorated condition, with existing health and safety hazards to the 700 students and staff. The completed project will eliminate the existing shortage of classrooms, science/computer labs, and mechanical arts shops, as well as the health and safety hazards.

	<u>Total Cost</u>	<u>Phase II</u>
Academic building.....	\$5,000,000	\$2,165,000
Site and utilities.....	550,000	275,000
Contingency.....	500,000	250,000
Construction management and inspection cost.....	200,000	100,000
Equipment/furnishing cost.....	<u>550,000</u>	<u>550,000</u>

Total Estimated Project Cost.....\$6,800,000 \$3,340,000

B. Law Enforcement Project Justification (\$2,500,000)

This new construction initiative will be based on the completed Planning of New Institutions (PONI) studies on the highest ranked of the 46 juvenile detention facilities, as published in the Federal Register on July 12, 1988. Projects will be funded in priority order to the limit of available funds.

C. Advance Planning and Design

Justification (\$500,000): Funds are requested in this program element in FY 1991 to provide for planning and design activities for the FY 1992 construction year. The request includes funds for both the educational and law enforcement construction programs.

D. Telecommunications Improvement and Repair

Justification (\$700,000): Under this program, significant progress has been made in bringing the Bureau of Indian Affairs into compliance with changes resulting from recent judicial decisions and in line with technological advances. It is anticipated that these funds will continue to be used to replace antiquated and ineffective radio communications equipment critical to the life safety of the personnel in law enforcement, fire suppression, and school transportation. This equipment and the telecommunications system support facility management, law enforcement, forestry, land operations, education, dam safety, irrigation, and other users.

E. Facilities Improvement and Repair (FI&R)

Objectives:

1. To reduce facilities improvement and repair needs, with emphasis on safety needs as they arise;
2. To consolidate underutilized facilities, to maximize the use of existing facilities, and to reduce continuing costs of repair, operation, and maintenance;
3. To repair or refurbish facilities (e.g., renovations, improvements, demolitions, or additions) in lieu of totally new construction, where justified;
4. To continue the minor repair and emergency repair programs.

Justification (\$23,388,000; FTE 20): The Bureau of Indian Affairs manages approximately 3,400 buildings (other than quarters) throughout the United States. The improvement and repair of these structures is a continuing effort. Opportunities for cost savings exist through the disposition of unnecessary facilities of all kinds. Unused facilities that are unsafe or determined to be in excess of bureau needs will be disposed of by transfer, sale, or demolition.

In addition to accomplishing needed repairs and improvements, correcting functional deficiencies, and modernizing facilities to meet today's standards, requirements for compliance with laws and regulations concerning safety, environmental protection, energy conservation, and the handicapped must be met. Repair tasks include updating buildings and utilities to correct existing functionally unsafe and/or unsanitary conditions and bringing various structures

up to regulatory requirements. Emergency repairs are also carried out to correct unforeseen problems. Installation of equipment is provided to meet program requirements in instances where facilities are expanded or functionally changed.

Funds will also be used for advance planning and design to facilitate implementation of future repair and improvement projects. The status of the FY 1989 projects is shown in the following table. The FY 1990 FI&R program list was published in the Federal Register in November 1989.

FY 1989 Program

The following projects are under construction or have been completed:

- Ahfachkee Elementary School (FL)
- Ft. Totten School Roof Replacement (ND)
- Turtle Mountain Elementary School Reroof (ND)
- Cherokee Headquarters and Elementary Day School Roof Repair (NC)
- Miccosukee Indian School Reroof (FL)
- Navajo (AZ and NM) In-ground Gas Line Replacement, Phase II (7 locations)
- Sherman High School Roof Repair (CA)
- Ft. Apache Agency/Cibecue Roof Repair (AZ)
- Hotevilla Shop Roof Repair (AZ)
- Rosebud Dorms Code Compliance (SD)
- Santa Fe Indian School Roof Repair, Phase I (NM)
- Pine Hill Water Treatment Plant Code Compliance (NM)
- Haskell Indian Junior College (KS)
- Sequoyah Administration Building Reroof (OK)
- Dziłth-Na-O-Dith-Hle School (NM)
- Navajo Area Reroof - 8 locations (AZ, NM)

Three projects are in construction procurement:

Obligation Dates Scheduled

- | | |
|--|------|
| - Flandreau Indian School, Phase IA (SD) | 3/90 |
| - Ft. Hall Headquarters and Elementary School (ID) | 2/90 |
| - Sequoyah Dormitory Reroof (OK) | 2/90 |

Two projects are in design:

- | | |
|--|------|
| - Mariano Lake School (NM) | 3/90 |
| - Flandreau Indian School, Phase IB (SD) | 4/90 |

FY 1990 Program

The FI&R project list for FY 1990 is as follows:

- Bureauwide Code Compliance
- Bureauwide Roof Repair
- Multi-Area Telecommunications Improvement and Repair

- Navajo Areawide Gas Line Replacement (AZ, NM)
- Laguna Elementary School (NM)
- Haskell Indian Junior College (KS)
- Riverside Indian School (OK)
- Lac Courte Oreilles Ojibwa School (WI)
- Hannahville Indian School (MI)
- Carter Seminary (OK)
- Jones Academy (OK)
- Sequoyah High School (OK)
- Winslow Dormitory (AZ)
- Santa Rosa Ranch School (AZ)
- Chemawa Indian School (OR)
- Lummi Tribal School (WA)

FACILITY IMPROVEMENT AND REPAIR PROGRAM JUSTIFICATION FOR FY 1991

Description:

Construction.....	\$14,588,000
Construction Support.....	<u>8,800,000</u>
Total FY 1991 Program.....	\$23,388,000

The \$14,588,000 requested is the amount required to fund estimated FI&R construction contract awards. The \$8,800,000 requested for construction support includes design and engineering costs; the emergency repair and minor improvement and repair programs; and equipment, construction contingency, and management inspection costs.

Construction

Justification (\$14,588,000): Inclusion of the FY 1991 project list continues the objective established in the Special Report submitted to the Committee on Appropriations in June 1987, and demonstrates improvements made in facilities management in the areas of advance planning, field validation, and prioritizing of projects, closer coordination with other program managers, and improved scheduling. The FY 1991 program includes:

- The repair and/or replacement of roofs, including insulation, where required, to reduce the rate of contingent damage from poorly functioning roof systems. Previous initiatives are proposed as continuing annual programs.
- The extension of the program for mitigation of code deficiencies to reduce the existing backlog and to comply with additional code requirements in the future.

The following is the FY 1991 project list and estimated cost, followed by project descriptions:

Bureauwide

- Mitigation of Code Deficiencies.....	\$1,930,000
- Roof Repair/Replacement.....	<u>1,613,000</u>
	\$3,543,000

Aberdeen Area

- Flandreau Indian School, Phase II (SD).....	\$ 2,550,000
- Lower Brule School (SD).....	980,000
- Ft. Thompson School (SD).....	255,000
	<u>\$ 3,785,000</u>

Albuquerque Area

- Jicarilla Agency (NM).....	\$ 250,000
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Anadarko Area

- Kickapoo Nation Schools (KS).....	\$ 315,000
- Haskell Indian Junior College (KS).....	250,000
	<u>\$ 565,000</u>

Billings Area

- Crow Agency (MT).....	\$ 445,000
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Eastern Area

- Cherokee Elementary School (NC).....	\$ 160,000
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Minneapolis Area

- Oneida Tribal School (WI).....	\$ 400,000
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Muskogee Area

- Sequoyah School (OK).....	\$ 285,000
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Navajo Area

- Crownpoint Community School (NM).....	\$ 740,000
- Pine Springs School (AZ).....	1,120,000
- Navajo Gas Lines (NM, AZ).....	525,000
- Richfield Dormitory (UT).....	220,000
	<u>\$ 2,605,000</u>

Phoenix Area

- Blackwater School (AZ).....	\$ 770,000
- Sells Headquarters (AZ).....	220,000
- Salt River Headquarters and Salt River School (AZ)	310,000
	<u>\$ 1,300,000</u>

Portland Area

- Quileute Tribal School (WA).....	\$ 850,000
- Paschal Sherman Indian School (WA).....	400,000
	<u>\$ 1,250,000</u>

TOTAL.....\$ 14,588,000

Project List and General Description

BUREAUWIDE

Mitigation of Code Deficiencies \$1,930,000

This program will concentrate resources for mitigating backlog deficiencies of building codes and/or regulations on a bureauwide basis. Items in this program are violations within the following codes: American National Standards Institute/National Fire Protection Association, and the Uniform Building Codes. (The applicable educational facilities will be governed by the code requirements for existing education occupancies - Chapter II.) Due to the increasing environmental regulations related to facilities and utility systems, mitigation of environmental deficiencies will be emphasized in this program. This program is a continuation of the program begun in the Aberdeen Area in FY 1988.

It is planned that this program will continue as an annual program for mitigation of currently identified deficiencies. Priorities are being established in order to ensure that the more serious problems are corrected first. Code compliance will also continue as a high priority in other FI&R projects.

Roof Repair/Replacement Program \$1,613,000

This program is a continuation of an annual program to reduce the backlog of deficiencies, to arrest associated deterioration, and to prevent adverse effects on programs.

This concentration of resources will provide for mitigation of roof problems (which have been placed in priority order) to be corrected more quickly.

FI&R Project List

ABERDEEN AREA \$3,785,000

Flandreau Indian School, Phase II (SD).....\$2,550,000

This project will provide for the second increment of a broad upgrading of facilities at this boarding high school, which has a 550-student capacity. Based on an FY 1988 feasibility study, this project will provide for the demolition of 17 seriously defective buildings (consisting of 83,085 square feet), as well the connecting underground steam distribution system and removal of asbestos materials. The project will also provide for replacement square footage and will address code deficiencies, handicapped accessibility, and maintenance defects in existing buildings.

Lower Brule (SD).....\$ 980,000

This project will provide for repair of damage caused by unstable soil conditions. Repair will include stabilizing foundation systems and replacing floors, replacing slabs on grade, correcting damaged walls, doors, frames, and ceilings. Identified revisions will also be made to heating and sprinkler systems, life safety backlog deficiencies will be corrected, and reroofing will be done.

Fort Thompson (SD).....	\$ 255,000
<p>This project will provide for the stablization of foundations and floors; repair/replace floors and floor coverings, ceilings, and walls damaged by unstable soils; and provide for life safety electrical revisions and roof repair.</p>	
<u>ALBUQUERQUE AREA</u>	<u>\$ 250,000</u>
Jicarilla Agency (NM).....	\$ 250,000
<p>This project will provide for the improvement of the water distribution system and for replacement of the existing 3-inch asbestos cement water line with new 6-inch PVC fire hydrants, valves, and fittings necessary for a fully operational system.</p>	
<u>ANADARKO AREA</u>	<u>\$ 565,000</u>
Kickapoo Nation School (KS).....	\$ 315,000
<p>This project will provide for general repairs and renovations, replacement or repair of windows, insulation of hot water pipes, waterproofing of the basement, repair of exterior walls, and for identified fire-rated doors.</p>	
Haskell Indian Junior College (KS).....	\$ 250,000
<p>This project is part of a continuing series of improvements which will upgrade this total school facility and support needed improvements until the Master Plan (education/facilities) is completed and can be used to guide priorities for future work.</p>	
<u>BILLINGS AREA</u>	<u>\$ 445,000</u>
Crow Agency (MT).....	\$ 445,000
<p>This project will provide for renovation and repair of several buildings. The work will include the provision of restroom facilities for the handi-capped; replacement of toilet fixtures, floor coverings, doors, and HVAC systems; repair of masonry, doors, and insulation; as well as the provision of waterproofing and roof replacement.</p>	
<u>EASTERN AREA</u>	<u>\$ 160,000</u>
Cherokee Headquarters.....	\$ 160,000
<p>This project will provide for the continuation of ongoing improvements, including energy efficiency. This particular project will also provide for installation of a new HVAC system.</p>	
<u>MINNEAPOLIS AREA</u>	<u>\$ 400,000</u>
Oneida Tribal School (WI).....	\$ 400,000

This project will provide for the renovation of the first and second floors, including code related and other improvements. Work will include rewiring, egress for the handicapped, plumbing improvements, window reglazing, and new finishes.

MUSKOGEE AREA \$ 285,000

Sequoyah Indian School (OK).....\$ 285,000

This project will provide for renovation and reroofing of two buildings and for paving of identified streets.

NAVAJO AREA (including Navajo Gas Lines) \$2,605,000

Crownpoint Community School (NM).....\$ 740,000

This project will provide for the general upgrading and code compliance of several facilities at this location. The improvements will include access for the handicapped and code compliance for four buildings, reroofing of three buildings, and site improvement related to repair of water systems.

Pine Springs Boarding School (AZ).....\$1,120,000

This project will provide for the general upgrading and code compliance of the main facilities at this location. The improvements will include replacement of water and sewer mains, relocation of fuel lines, upgrading of the waste disposal system, provision of restroom facilities for the handicapped, ramps, new roofs, and new flooring.

Navajo Area Gas Lines (AZ, NM).....\$ 525,000

This project will continue a program of rehabilitation and improvement of BIA-owned gas distribution systems at various locations within the Navajo Area. The extent of corrective work is based on engineering surveys and recommendations, which are considered in priority order as safety requirements.

Richfield Dormitory (UT).....\$ 220,000

This project will provide for code compliance, including provision of access for the handicapped, smoke barriers and partitions, reroofing, and water-proofing.

PHOENIX AREA \$1,300,000

Blackwater School (AZ).....\$ 770,000

This project will provide for three buildings to have replacement of floor covering, insulation, toilets and ramps for the handicapped, electrical system improvements, and a new HVAC system. It will also provide for kitchen remodeling, upgrading fire protection, plumbing improvements, rehabilitation of the fire alarm system, and two additional classrooms.

Sells Headquarters (AZ).....\$ 220,000

This project will provide for general renovations, including replacement of siding, new doors and frames, additional partitions, a new shop, minor roof repair, caulking, and painting, to make the facility more weather tight.

Salt River Headquarters and Salt River School (AZ).....\$ 310,000

This project will provide for the renovation of 10 buildings at this location. The work will include code compliance for the handicapped (providing ramps to buildings and wider doors to restrooms), painting, roof repair, new fascia, exterior metal doors, frames, insulation of walls and ceilings, replacement of ceilings, repair of sewer and plumbing, and electrical work, including emergency lighting.

PORTLAND AREA \$1,250,000

Quileute Tribal School (WA).....\$ 850,000

This project will provide for the general upgrading of nine buildings. It will provide for ramps and restrooms for the handicapped, fire alarms, new exit stairs, electrical wiring, and upgrading to abate code violations.

Paschal Sherman Tribal School (WA).....\$ 400,000

This project is part of continuing improvements at this school. The project will provide for a kitchen/dining facility and all related utility and site work.

FI&R TOTAL, FY 1991.....\$14,588,000

Construction Support (\$8,800,000)

Since FY 1987, major attention has been given to the mitigation of critical life safety (S-1) work items, through all of the program elements, as the first priority. These S-1 work items will continue to be a first priority for mitigation in the FI&R projects. As a result of the completion of the Asbestos Hazard Emergency Response Act, all bureau and contract or grant schools have been inspected. The MI&R program will, in addition, continue to correct the highest priority potential hazards identified in education buildings. Additional contracts for environmental assessments will be funded from within this program element.

In addition, as environmental assessment data become available as the basis for management plans, funding will be used for mitigation of environmental hazards in accordance with the management plan.

Emergency Repair (\$500,000): Emergency repair needs result from unforeseen occurrences and require immediate corrective action to allow the day-to-day operations of the various bureau programs to continue. The projects are completed through force account or emergency contract for the work involved. Examples include repairing or replacing mechanical and utility system components and correcting imminently hazardous safety conditions and fire or storm damage.

Minor Repair (\$4,100,000): These funds will be used for priority responses to safety deficiencies, beginning with identified Safety Critical (S-1) work items and will also include hazardous asbestos abatement under established management plans, high priority environmental hazards under similar management plans, boiler repair needs, and other required backlog reductions to meet local priorities. Work will be accomplished at the local level, with minimum design assistance, for work items that are beyond the scope of the Facilities Operation and Maintenance program.

Advance Planning and Design (\$1,500,000): Funds will be used for feasibility studies, contracts for investigations/reports, environmental assessments, development of project architectural/engineering construction documents and Value Engineering studies. Advance planning permits earlier construction contract awards in the fiscal year, which provides a more efficient use of appropriated funds.

Demolition/Reduction of Excess Space (\$500,000): Funds will be used to identify and proceed with demolition/disposition of bureau facilities that are excess to needs. Often excess buildings have been abandoned due to uneconomical rehabilitation costs and are boarded up; however, they present a hazard to curious children, vagrants and others, and should be demolished.

The remaining amount of \$2,200,000 for Construction Support includes funds for project contingency (\$1,200,000); management and inspection (\$750,000); and equipment (\$250,000).

Justification of Program and Performance

Account: Construction
 Activity: Irrigation Systems

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Project Construction	\$ 22,361	22,139	---	500	+500
Engineering and Supervision	\$ 1,664 (FTE) (56)	1,647	2,036 (56)	1,710 (41)	-326 (-15)
Surveys and Designs	\$ 50	50	50	100	+50
Safety of Dams	\$ 5,500	5,445	---	---	---
Total Requirements	\$ 29,575 (FTE) (56)	29,281	2,086 (56)	2,310 (41)	+224 (-15)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Irrigation Systems	29,575	-294	29,281

This reduction will be accomplished through delays in hiring, reductions in travel and in the number of periodic inspections made.

Objective: To develop water supplies by constructing the delivery and distribution systems needed to irrigate practicably irrigable Indian lands. This program provides a means by which Indians can put much of their valuable water and land resources to beneficial use.

Program Summary: The estimate of \$2,310,000 will provide \$500,000 for the Flathead Irrigation Project; \$1,710,000 for engineering and supervision; and \$100,000 for surveys and designs to determine the need for rehabilitation work on existing irrigation projects.

The Bureau of Indian Affairs has 52 dams that would present a high or significant hazard to life or property in the event of failure; 23 of these are currently among the top 50 dams on the Department's technical priority list. The Bureau of Reclamation has been assisting BIA with its dam safety program, on a reimbursable basis, since 1978 when it began to provide an inspection service. Beginning in 1991, in order for the Department to better utilize the technical resources of the Bureau of Reclamation for the benefit of Native Americans, the 1991 budget proposes that the Bureau of Reclamation assume the Safety of Dams program of the Bureau of Indian Affairs. Reclamation's budget includes \$9.1 million for this program, an increase of \$3.7 million over the amount included in BIA's 1990

appropriation. Construction is scheduled to begin in 1991 on Black Rock and Dulce dams in New Mexico, which rank among the top of the Department's overall priority list.

Base Program:

Engineering and Supervision (\$2,036,000; FTE 56): This item includes funds for salaries, travel, and administrative and project management expenses associated with the irrigation and power engineers and managers. Included are the conventional engineering-related activities, such as preparing engineering designs and specifications, construction management, and operation and maintenance functions. Most staff employees engaged in these activities are located in the Bureau of Indian Affairs field offices and are headquartered in Aberdeen, South Dakota; Albuquerque, New Mexico; Billings, Montana; Phoenix, Arizona; Portland, Oregon; Sacramento, California; and Window Rock, Arizona.

Surveys and Designs (\$50,000): Surveys and designs are required to provide the planning necessary for extension and rehabilitation of existing irrigation projects. Engineering, soil surveys, geological investigations, and water availability determinations are essential in ascertaining physical feasibility of development. Costs and benefits are calculated for proposed developments, and projects are formulated to provide Indian economic development where water is the critical element. These surveys and designs are performed by or under the direction of existing staff at area and project offices. Where necessary, inhouse capability is supplemented by contract.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Project Construction	\$	---	500	+500
Engineering and Supervision	(FTE)	2,036 (56)	1,710 (41)	-326 (-15)
Surveys and Designs	\$	<u>50</u>	<u>100</u>	<u>+50</u>
Total	\$	2,086 (56)	2,310 (41)	+224 (-15)

Project Construction (+\$500,000): These funds will be used for the Flathead Indian Irrigation Project to provide continuous monitoring and recording instrumentation for the movement, quantities, and distribution of irrigation water in the various on-reservation streams and irrigation canals.

Engineering and Supervision (-\$326,000; FTE -15): The decrease includes engineering and construction management costs associated with the transfer of the Safety of Dams Program to the Bureau of Reclamation.

Object Class Distribution - Engineering and Supervision

	<u>FTE</u>	<u>Amount</u>
Personnel Compensation.....	-15	\$-349,000
Personnel Benefits.....		- 49,000
Travel.....		+ 20,000
Supplies and Materials.....		+ 10,000
Other Services.....	<u> </u>	<u>+ 42,000</u>
Total.....	-15	\$-326,000

Surveys and Designs (+\$50,000): The increase in funds will be used to reduce the backlog of survey and design activity at the various irrigation projects administered by the Bureau of Indian Affairs. Priorities will be determined at the area office level, depending upon the critical need and/or condition of the facility.

Justification of Program and Performance

Account: Construction
 Activity: Housing

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Housing Development	\$ 3,277 (FTE) (80)	3,244	3,402 (80)	3,402 (80)	--- (--)
Housing Improvement Program	\$ 19,063	18,873	---	16,699	+16,699
Housing Training	\$ 123	122	---	123	123
Total Requirements	\$ 22,463 (FTE) (80)	22,239	3,402 (80)	20,224 (80)	+16,822 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Housing	22,463	-224	22,239

This reduction will be absorbed by the Housing Development Program, largely by the central office, with a pro-rata share by each area office, as necessary. It would be very difficult to spread the reduction across the Housing Improvement Program (HIP) because all available HIP funds have been distributed, many contracts have been written, and, in some cases, the small amounts would be difficult to administer. The reduction may create a hardship for some area/agency offices, as this program operates on a very thin margin. Any reduction must come from either travel or personal services, both of which are vital to program operation. The contract monitoring, inspection, and oversight responsibilities could not be met with a reduction of either staff or travel.

Objective: To provide decent, safe, and sanitary housing for Indians in Indian communities.

Base Program:

Housing Development (\$3,402,000; FTE 80): The Housing Development component consists of bureau staff whose responsibilities are: (a) to implement, monitor, inspect and coordinate the Housing Improvement Program (HIP), especially with the Indian Health Service (IHS) sanitary facilities construction program; and (b) to a lesser extent, assist Indian tribes in working with other federal agencies--Housing and Urban Development (HUD) and the Farmer's Home Administration (FmHA)--involved in providing Indian housing.

The Housing Development staff is responsible for carrying out the HIP directions, which consist of two main elements: (1) distribution of HIP funds on the basis

of the tribal inventory of housing needs and (2) implementation of a more cost-effective program. It has become clear, because of the very nature of construction projects, that these projects require close monitoring and inspection. The implementation of a more cost-effective program will be accomplished by aggressive monitoring and inspection and by performing the BIA housing administration and technical assistance functions. Where the program is under contract, monitoring and inspection is carried out in conjunction with tribal contractors. The housing staffing pattern that has been established to carry out these functions places heavier emphasis on personnel knowledgeable in standard construction practices, including engineering assessments, and includes a much greater emphasis on construction scheduling, cost accounting, architectural and engineering technical experience, and housing program development experience.

The proposed budget of \$3,402,000 reflects the amount needed to meet the staff operations and administrative costs to carry out the bureau's housing effort effectively.

Change from FY 1991 Base:

(Dollar amounts in thousands)

<u>Program Elements</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>+/- Difference</u>
Housing Training	\$ ---	123	+123
Housing Improvement Program	\$ ---	16,699	+16,699
TOTAL	\$ ---	16,822	+16,822

Housing Training (+\$123,000): The bureau will continue to offer the HIP management and HIP reporting system training to tribal HIP coordinators and bureau staff involved in the implementation of the Housing Improvement Program.

Housing Improvement Program (+\$16,699,000): The Housing program requirements are based on the FY 1988 housing inventory. This inventory shows the following needs:

Service populations (families)	188,781
Less: Existing dwellings in standard condition	-98,523
Families in need of housing assistance: (total need)	90,258
Houses suitable for renovation to standard	(38,921)
New homes required	(51,337)

The primary responsibility for new home construction on Indian reservations lies with the Department of Housing and Urban Development (HUD). Although the bureau has done a limited amount of new unit construction in the past, this budget proposes to focus every available dollar on rehabilitating existing homes. In this way, many more families will receive needed assistance than if funds were used to build new homes for a small number of families.

The funding requested for FY 1991 will be allocated among reservations/tribes in accordance with the distribution system implemented in FY 1986. The primary goal is to reduce or eliminate substandard housing on a planned basis, recognizing both priorities and available resources. This planned effort will achieve a balance between a sustained housing improvement effort in areas with larger needs, while rotating funds to complete the effort in areas with smaller needs.

The Housing Improvement Program is the major component of the bureau's housing program. It provides for renovations, repairs, or additions to existing homes. Two types of repair categories are used: (a) repairs to houses that will remain substandard but need repairs for the health and/or safety of the occupants; and (b) repairs to bring housing to standard condition.

The bureau's renovation effort is a key element in reducing the total cost of achieving the goal of eliminating substandard Indian housing. The program benefits Indian families by providing decent, safe, and sanitary shelter, thus reducing the health and social costs created by an unsafe and unsanitary environment. In addition, it generates employment and business activities. Whenever possible, HIP funding is combined with funding from other programs in order to stretch the housing dollar and to provide the maximum housing possible. Under this arrangement, HIP generally provides the construction material while other programs, with the exception of the IHS program, furnish the necessary labor. In FY 1990, \$11,360,200 will be contributed to the HIP in the form of labor and materials from other programs. Thus, several federal agencies/programs will combine their resources and efforts to achieve their mutual goal, which, in this case, is to provide standard-condition housing for the target population.

The proposed budget of \$20,224,000 reflects a policy determination to hold new construction programs to a minimum and to focus on rehabilitation of existing housing in lieu of new construction.

The following chart shows the number of Indian housing units constructed and repaired from FY 1963 through FY 1989.

NEW HOMES CONSTRUCTED AND REPAIRS COMPLETED
FY 1963 through FY 1989

HUD ownership.....	40,323
HUD rental.....	26,542
Housing improvement, new homes.....	11,051
Flood rehabilitation.....	400
Built with judgment funds.....	794
Built with credit loans.....	2,798
Other.....	8,655
Total, New Homes.....	90,563
Housing improvement, repairs.....	69,562

FUNDS CONTRIBUTED TO HIP BY OTHER SOURCES
FY 1988 and FY 1989

<u>Source</u>	<u>FY 1988</u>	<u>Actual FY 1989</u>
Indian Health Service.....	\$6,000,000	\$9,000,000
Tribal appropriated funding.....	657,000	548,500
Individuals (includes materials and labor costs).....	117,800	329,800
Department of Labor programs (JPTA, etc.)	358,000	358,000
Other (HUD, CDBG, FmHA, DOE, etc.).....	927,000	1,123,900
Total, other programs.....	\$8,059,800	\$11,360,200

In FY 1989, the program was approximately 72% contracted, with the value of contracts amounting to \$14,176,950 out of the HIP funds of \$20,006,000.

Program Accomplishments: In Fiscal Year 1989, the bureau provided 180 new houses and 1,759 repairs. The recent years have shown a leveling off and even a modest decline in the need for emergency/maintenance type repairs. This positive development has enabled the program to concentrate on making repairs to bring houses to standard condition, improving the overall housing stock. Thus, providing additional money for repair work further increases the ability of the HIP to do more substantial renovation work than would otherwise be accomplished. While the total repair effort appears to be decreasing, the net result, however, is more standard housing. Estimates for FY 1990 and FY 1991 are shown below:

	<u>Actual FY 1989</u>	<u>Estimate FY 1990</u>	<u>Estimate FY 1991</u>
New	180	-0-	-0-
Repairs	1,759	1,682	1,672

The estimated FY 1991 BIA program accomplishments will meet approximately five percent of the overall long-term renovation needs. Increased emphasis will be directed toward making repairs to standard condition.

The cost factors derived for FY 1990 HIP operations and for the FY 1991 proposed level are as follows:

	<u>Fiscal Year</u>	<u>Estimated Average Cost</u>	<u>No. of Units</u>	<u>Total Cost</u>
Repairs to standard	1990	\$10,000	1,345	\$13,450,000
	1991	11,250	1,311	14,748,750
Non-standard repairs	1990	2,100	337	707,700
	1991	1,700	361	613,700

Workload Data: The last column below shows FY 1991 workload data based on the proposed funding level:

	<u>Actual FY 1986</u>	<u>Actual FY 1987</u>	<u>Actual FY 1988</u>	<u>Actual FY 1989</u>	<u>Estimate FY 1990</u>	<u>Estimate FY 1991</u>
New house starts (HIP)	347	181	181	180	-0-	-0-
Repairs	2,487	1,636	1,773	1,759	1,682	1,672

Justification of Program and Performance

Account: Construction
 Activity: Employee Housing

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Enacted</u>
Employee Housing	\$	500	495	1,000	+500
Total Requirements	\$ (FTE)	500 (--)	495	1,000 (--)	+500 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Employee Housing	500	-5	495

This reduction will be accomplished by reducing the contracted program. The effect will be the elimination of housing repair needs studies at one agency.

Objective: To conduct a pilot program to address repair needs for the BIA stock of housing, which constitutes 42 percent of the Department's total employee housing.

Justification: The Bureau of Indian Affairs manages approximately 4,000 units of employee housing, of which approximately 3,400 units require rehabilitation and of which approximately 200 units require replacement.

Actual maintenance requirements for general repairs, operational costs of units that are vacant, code and regulatory compliance, utility repair and replacements, street and general access repairs, and purchase and maintenance of necessary sanitation equipment have exceeded rent collections used to address these needs. Consequently, the condition of approximately one-third of the BIA units are classified as "poor" (i.e., needing major repairs or having substantial deferred maintenance requirements, such as leaking roofs or cracked foundation walls) or "obsolete" (i.e., units having major health and safety violations, which should be replaced or undergo major renovation before they can be used as residences). Poor housing commands lower rents, in turn meaning there is less funding available to repair and maintain these properties. For reasons of employee health and morale, as well as economics, this cycle must be broken.

This initiative provides the basis for development of a multi-year phased housing strategy to bring required employee housing up to acceptable condition. This strategy includes three steps: first, to determine what employee housing is required and to dispose of the excess; second, to complete the inventory of conditions and to begin the corrections needed to bring the required housing up

to acceptable condition; and, third, to undertake a renovation/replacement program, based on the specifications developed in steps one and two.

The multi-year phased strategy will emphasize a reduction in any excess stock of housing that requires federal management and upkeep and the identification of those potential sites where a model of transferring ownership or management could be applied.

The \$1,000,000 requested in FY 1991 would fund, under contract, onsite investigations, evaluations, and analyses of a selected number of government-furnished housing units provided to support the bureau's various programs. This effort will include the investigation of the physical condition of selected government housing facilities to determine repair and/or replacement costs, as well as to continue identification of those excess to bureau requirements and to initiate corrective action on those facilities identified in phase one.

Justification of Program and Performance

Account: Construction
 Activity: Road Maintenance and Road Construction

(Dollar amounts in thousands)

<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Enacted</u>
Road Maintenance	\$	22,625	22,400	26,409	+3,784
	(FTE)	(411)		(416)	(+5)
Road Sealing	\$	7,973	7,894	10,898	+2,925
Road Construction	\$	1,000	990	---	-1,000
	(FTE)	(45)		(45)	(--)
Equipment Pool Operations (Reimbursement)	(FTE)	(47)	---	(47)	(--)
Allocation from Federal Highway Administration	(FTE)	[573]	---	[573]	(--)
Total Requirements	\$	31,598	31,284	37,307	+5,709
	(FTE)	(503)		(508)	(+5)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Road Maintenance and Road Construction	31,598	-314	31,284

This reduction will be accomplished through cost savings resulting from hiring delays, increased efficiency in the operations of the Road Maintenance Program and the Pushmataha road construction project, and the delay in sealing approximately four miles of paved roads.

Road Maintenance

Objective: To provide safe and accessible public roads to aid in the educational, social, and economic development of Indians. Funds are used for the following purposes:

- To repair and maintain 20,000 miles of public roads serving Indian reservations in order to promote safety and convenience for reservation residents, with particular emphasis on school bus routes and arterial highways.
- To protect the government investment by preventing or repairing damage by rain and wind on 18,000 miles of roads within the bureau system which were graded or surfaced under the Road Construction Program.

- To meet the requirements of the Surface Transportation Assistance Act of 1982, to properly maintain roads constructed with Highway Trust Funds, and to avoid loss of availability of these funds for Indian roads construction.

Further objectives of the program are as follows:

- To plan, schedule, and provide maintenance repairs and services in accordance with the standards of the American Association of State Highway and Transportation Officials (AASHTO).
- To perform maintenance repairs and service in such a manner as to protect the environment of the reservation, adjacent lands, and individual Indian lands, and to prevent premature failure of asphalt pavements.
- To provide equipment necessary for efficient force account road construction projects and for road maintenance operations.

In FY 1991, requests for road maintenance will be developed by tribal governments, in consultation with bureau administrators and engineers. The tribes provide information on road maintenance and road sealing needs on the reservations. The agency and area offices provide the tribes with guidelines which are designed to promote nationwide comparability and to assure that Highway Trust Fund (HTF) constructed roads are properly maintained. Special needs related to a particular reservation may also be presented, with supporting justification. This process requires decisions on funding distribution for road maintenance and road sealing to be made at the national level, with appropriate consultation with tribal representatives.

Through the bureau's Productivity Improvement Plan, 200 paved miles per year are expected to be added to the BIA system in FY 1991 and beyond. Through program efficiency and implementation of the Road Maintenance Productivity Improvement Plan, the bureau expects to increase the proportion of funds spent for maintenance of paved roads. The increase in efficiency is expected to be accomplished through greater tribal participation in implementation of the program; P.L. 93-638 contracts; Buy Indian contracts; better program guidelines from the central office; and improved management and training by the areas and agencies.

Road Sealing (\$10,898,000; FTE 0): Under the Road Sealing program, the need for sealing of pavements built with Highway Trust Funds (HTF) is a first priority because of the direction of 23 U.S.C. 116. Lack of proper road sealing could result in the loss of the bureau's road construction funding from HTF. In FY 1991, \$6,400,000 is provided for sealing of HTF pavements. The remainder is provided for sealing of pavements built with Interior appropriations prior to 1984. It is estimated that a proper road sealing program costs one-fifth as much as it costs when sealing is neglected and must be covered by reconstruction.

Requirements for road sealing and pavement maintenance will increase steadily for the next decade. On an average, sealing of asphaltic pavements is required on an eight-year cycle. Of the bureau's 20,826-mile system, in FY 1989, approximately 4,700 miles are paved. With the added progression of 200 miles annually, approximately 7,100 miles will be paved by FY 2000. With this projection and with pavements requiring sealing every eight years, approximately 900 miles annually will require sealing, at a cost of \$22,000 per mile, yielding an expected annual need of approximately \$20,000,000. The funds requested in FY 1991 will seal approximately 500 miles of pavement.

The current assessment for sealing of roads built with Interior appropriations is estimated at approximately \$18 million. The increase of \$2,925,000, from the amount appropriated in FY 1990, will be used to seal approximately 132 miles of Interior roads at a cost of approximately \$22,000 per mile. Funds are provided in the base program to fulfill the requirements for sealing roads constructed with HTF funds.

Road Maintenance (\$26,409,000; FTE 416): Based upon tribal estimates of need, the road maintenance program consists of the following activities:

Central Office: The \$162,000 provides for the salary and office expenses of engineers, travel expenses, consultation with tribal governments, and development of training aids. The engineers provide monitoring and assistance to area maintenance engineers in performing their duties and provide advice and training, through those area maintenance engineers, to the agencies and tribes which perform the actual maintenance operations.

Field Operations: This program ensures the repair, maintenance, and improvement of the road system serving Indian people through the following activities.

Equipment Purchase: Estimates of needs received from the agencies total approximately \$5 million.

The bureau is conducting a review of equipment usage rates, and some of the requests may be filled by transfer of equipment from areas and agencies where little use is being made of the equipment. Other requests will be satisfied by acquisition of surplus equipment from other federal agencies. For these reasons, the portion available for equipment purchase has been limited to \$1,000,000, pending further study. The \$1,000,000 will be used for essential pavement maintenance equipment and replacement of units with very high repair costs.

Ferry Operation and Maintenance: BIA operates a ferry across Lake Roosevelt, which is on the Columbia River in Washington State, at the eastern boundary of the Colville Indian Reservation. Annual cost for operation and maintenance is \$375,000.

Airstrip Maintenance: Airstrip maintenance has been an incidental expense in the Road Maintenance Program for many years. For the first time, in FY 1990, the bureau made a separate estimate based on the tribal evaluation of need for this portion of the program. The tribal evaluation is \$234,000 in FY 1991.

Bridge Maintenance: For bridge maintenance, \$1,518,000 is provided, based on the bureau's Bridge Sufficiency Report. BIA bridges are inspected on a two-year cycle, with approximately half of the bridges being inspected each year. The inspection report provides a recommendation of expenditure for replacement, rehabilitation, or maintenance. Adequate maintenance assures minimal expenditures for the higher cost activities of rehabilitation and replacement, which are financed from the Indian Reservation Road Construction Program in the Highway Trust Fund. Bridge maintenance is estimated separately to provide better information on the Road Construction Program.

Tribes and agencies are provided copies of the bridge inspection reports, and they may recommend revisions. BIA is responsible for 690 bridges on Indian reservation roads.

Emergency Maintenance: The tribe and agency analysis of the average annual cost of snow removal, ice control, washout repair, and landslide removal in the last five years is \$3,498,000. Of this amount, \$2,436,000 was used for snow removal and ice control, and \$1,062,000 was for washout repair and landslide removal. Emergency maintenance is accomplished when necessary and does not depend on priority.

Routine Maintenance: Routine maintenance is conducted on paved, gravel, earth, and unimproved roads. It includes such items as smoothing surfaces, cleaning ditches, repairing potholes and pavements, and assuring proper roadway drainage. The requirement for road maintenance will increase steadily for the next decade. It is expected that an increase in efficiency of operations will offset some of the needs for the added services to the tribes and agencies, as the road mileage and road improvements increase.

SUMMARY

(Dollar amounts in thousands)			
<u>Activities, Subactivities, Program Elements, Sub-elements</u>	FY 1990 <u>Enacted To Date</u>	FY 1991 <u>Request</u>	+/- <u>Difference</u>
<u>Road Maintenance:</u>			
Central Office	162	162	---
Road Sealing	7,973	10,898	+2,925
Equipment Purchase	200	1,000	+800
Ferry Operation and Maintenance	375	375	---
Airstrip Maintenance	153	234	+81
Bridge Maintenance	1,518	1,518	---
Emergency Maintenance	3,028	3,498	+470
Routine Maintenance	<u>17,189</u>	<u>19,622</u>	<u>+2,433</u>
Totals.....	30,598	37,307	+6,709

The increase for Road Maintenance of \$3,784,000, from the amount appropriated in FY 1990, will be used primarily for routine maintenance. Efficiency of operations will increase due to the added service and consultation with the tribes and agencies. The increase will provide additional funds for crack sealing and pot-hole filling, which are required for a proper sealing program, and for better gravel road maintenance. Smaller increases will be made, at tribal request, for emergency maintenance, air strip maintenance, and equipment purchases.

The increase of five FTE will be distributed on the basis of need. One position will be supervisory and four will be entry level road maintenance positions.

Road Construction

Objective: To provide roads on Indian reservations for safe and convenient transportation of people and goods.

Program Justification: Project funds totaling \$80,000,000 are included in contract authority from the Highway Trust Fund (HTF) of the Federal Lands Highway Program, Department of Transportation, and are not included in the bureau's budget. The bureau will finance all costs of this Indian Road Construction Program through the HTF contract authority. It includes funds for central office program management and for program supervision by the area/agency offices, not to exceed 6% of the total contract authority allocation.

In FY 1991, approximately \$7.2 million from the Federal Highway Trust Fund for road construction on the Navajo Reservation will be used for constructing roads on the "new lands" located in Northern Arizona. All road construction on Indian reservations should be funded from the Highway Trust Fund. The bureau will work with the Office of Navajo and Hopi Relocation to identify the road construction needs on the "new lands."

In addition to awarding road construction contracts to private contractors, the bureau operates a road construction equipment pool to undertake projects in isolated or high-cost areas, where a "force account" operation is more economical than private contracting. The equipment pool is financed by a revolving fund which collects equipment rentals charged to projects funded from the Highway Trust Fund and from other bureau programs. Federal cost principles currently permit the bureau to establish equipment rental rates based on actual direct and indirect operating costs and include an allowance for depreciation. Charging rentals at rates based on these cost principles generates sufficient revenues to permit repair and replacement of existing equipment. Current rentals are estimated to be \$11,000,000 annually. Since equipment pools operate on reimbursement authority, no appropriation is required.

Forty-seven (47) FTE are financed from this account for the field equipment pool operations. All other program FTE (573) are expected to be available from the Federal Highway Administration (FHWA) allocation account to carry out work under the funding provided by FHWA. The Surface Transportation Assistance Act (23 U.S.C. 204(b)) provides: "No ceiling on Federal employment shall be applicable to construction or improvement of Indian reservation roads."

Justification of Program and Performance

Account: Construction
 Activity: Construction Contract Support

(Dollar amounts in thousands)

<u>Program Element</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) from Enacted</u>
Construction Contract Support	\$	9,815	9,717	7,000	-2,815
Total Requirements	\$ (FTE)	9,815 (--)	9,717	7,000 (--)	-2,815 (--)

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Construction Contract Support	9,815	-98	9,717

The bureau will continue to fund its contractors' construction support needs at the 100 percent level, up to the limits of the adjusted appropriation. Since FY 1990 is the first year of funding Construction Contract Support, there is no historical data against which comparative analyses, judgments, and needs forecasts can be made.

Objective: To pay tribes and tribal organizations for overhead/administrative costs incurred as a result of their contracting for construction projects under Public Law 93-638, as amended.

Justification: The Indian Self-Determination and Education Assistance Amendments of 1988 (Public Law 100-472) provide that indirect costs will be paid to contractors for construction projects carried out under Public Law 93-638 contracts. As required by law, contract support will be paid only on the amounts associated with the administration of the contracts. Funds passed through to construction contractors or subcontractors, e.g., capital expenditures, subcontracts/subgrants, will be excluded from the contract base amount when calculating contract support needs. Contractors are only paid contract support on costs which generate indirect/administrative costs.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
CONSTRUCTION

Program and Financing (in thousands of dollars)

Identification Code: 14-2301-0-1-452	1989 Actual	1990 Estimate	1991 Estimate
<u>Program by activities:</u>			
<u>Direct Program:</u>			
1. Buildings and utilities.....	37,312	42,000	40,000
2. Irrigation systems.....	18,031	20,000	24,000
3. Housing.....	23,426	25,000	21,000
4. Land acquisition.....	82	4,239	---
5. Fish hatcheries rehabilitation...	1,891	1,652	---
6. Employee housing.....	---	495	1,000
7. Road maintenance and road construction.....	892	31,000	31,000
8. Construction contract support....	---	9,717	7,000
Total direct program.....	81,634	134,103	124,000
<u>Reimbursable Program:</u>			
1. Buildings and utilities.....	4	500	500
2. Irrigation systems.....	1,859	2,500	2,500
3. Housing.....	649	---	---
4. Road construction.....	11,154	7,300	7,300
Total reimbursable program.....	13,666	10,300	10,300
10.00 Total obligations.....	95,300	144,403	134,300
<u>Financing:</u>			
11.00 Offsetting collections from:			
Federal funds.....	-12,666	-10,300	-10,300
14.00 Non-Federal funds.....	-1,000	---	---
21.40 Unobligated balance available, start of year.....	-68,734	-43,463	-69,603
22.40 Unobligated balance transferred, net.....	9,093	---	---
24.40 Unobligated balance available, end of year.....	43,463	69,603	48,702
39.00 Budget Authority.....	65,456	160,243	103,099
<u>Budget Authority:</u>			
40.00 Appropriation.....	79,283	138,226	103,099
40.00 Reduction pursuant to P.L. 99-177	---	-1,376	---
41.00 Transferred to other accounts.	-43,750	---	---
42.00 Transferred from other accounts	29,923	23,393	---
43.00 Appropriation (adjusted).....	65,456	160,243	103,099
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	81,634	134,103	124,000
72.40 Obligated balance, start of year	77,245	80,599	120,781
74.40 Obligated balance, end of year	-80,599	-120,781	-140,713
90.00 Outlays.....	78,280	93,921	104,068

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
CONSTRUCTION

Object Classification (in thousands of dollars)

Identification Code: 14-2301-0-1-452	1989 Actual	1990 Estimate	1991 Estimate
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	3,894	15,900	16,300
11.3 Other than full-time permanent..	424	1,900	2,000
11.5 Other personnel compensation....	37	700	700
11.8 Special personal serv. payments.	9	20	20
11.9 Total personnel compensation....	4,364	18,520	19,020
Personnel benefits:			
12.1 Civilian.....	975	3,320	3,400
13.0 Benefits for former personnel...	4	5	5
21.0 Travel & transportation of persons	550	1,200	1,200
22.0 Transportation of things.....	164	750	750
23.2 Communications, utilities, and other rent.....	644	2,700	2,700
24.0 Printing and reproduction.....	5	10	10
25.0 Other services.....	43,729	54,397	57,915
26.0 Supplies and materials.....	1,938	15,000	15,000
31.0 Equipment.....	1,165	3,000	3,000
32.0 Lands and structures.....	13,951	15,000	15,000
41.0 Grants, subsidies & contributions	5,375	6,000	6,000
43.0 Interest and dividends.....	9	---	---
44.0 Refunds.....	25	---	---
99.0 Subtotal, direct obligations....	72,898	119,902	124,000
Reimbursable obligations:			
25.0 Other services.....	13,666	10,300	10,300
ALLOCATION TO BUREAU OF RECLAMATION			
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	1,087	112	---
11.3 Other than full-time permanent..	18	18	---
11.5 Other personnel compensation....	22*	---	---
11.8 Special personal serv. payments.	1	---	---
11.9 Total personnel compensation....	1,127*	130	---
Personnel benefits:			
12.1 Civilian.....	159	19	---
13.0 Benefits for former personnel...	2	4	---
21.0 Travel & transportation of persons	61	57	---
22.0 Transportation of things.....	6	10	---
23.1 Standard level user charges.....	23	20	---
23.2 Other rent.....	1	1	---
23.3 Communications and utilities....	10	11	---
24.0 Printing and reproduction.....	30	5	---
25.0 Other services.....	1,018	1,150	---
26.0 Supplies and materials.....	9	10	---
31.0 Equipment.....	11	130	---
32.0 Lands and structures.....	6,279	12,654	---
99.0 Subtotal, direct obligations....	8,736	14,201	---
99.99 Total obligations.....	95,300	144,403	134,300

*Does not add due to rounding in the AAD File Listing.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
CONSTRUCTION

Personnel Summary (in thousands of dollars)

Identification Code: 14-2301-0-1-452	1989 Actual	1990 Estimate	1991 Estimate
BUREAU OF INDIAN AFFAIRS			
<u>Direct:</u>			
Total number of full-time permanent positions.....	140	419	419
Total compensable workyears:			
Full-time equivalent employment.....	249	654	649
Full-time equivalent of overtime and holiday hours.....	9	17	17
ALLOCATION TO BUREAU OF RECLAMATION			
Total number of full-time permanent positions.....	32	4	0
Total compensable workyears:			
Full-time equivalent employment.....	31	5	0

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-2303-0-1-452

MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals pursuant to Public Laws 98-500, 99-264[, 99-503], 100-383, 100-512 [, 100-675, 100-580, 101-41], and 100-585, including funds for necessary administrative expenses, [\$191,864,000], \$52,407,000, to remain available until expended [,of which not to exceed \$12,700,000 is made available to the Tohono O'Odham Nation for purposes authorized in the Gila Bend Indian Reservation Lands Replacement Act, Public Law 99-503]: Provided, That notwithstanding any other provision of law, funds appropriated pursuant to Public Law 100-383 shall not be subject to the provisions of 43 U.S.C. 1606(i).

Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.

Justification of Proposed Language Changes

Deletion: ",99-503",; 100-675, 100-580, 101-41"; and ",of which not to exceed \$12,700,000 is made available to the Tohono O'Odham Nation for purposes authorized in the Gila Bend Reservation Lands Replacement Act, Public Law 99-503"

The deleted language is no longer necessary since funds for the San Luis Rey Indian Water Rights Settlement, the Puyallup Indian Settlement and the Payment to Tohono O'Odham Nation were provided in FY 1990 fulfilling the United States obligations incurred by the enactment of these Acts. Funds provided in FY 1990, for the Hoopa-Yurok Settlement fulfilled the requirements for a settlement fund authorized by legislation.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-2303-0-1-452

MISCELLANEOUS PAYMENTS TO INDIANS

Program and Performance

1. White Earth Reservation Claims Settlement Act (P.L. 99-264): Funds in the amount of \$511,000 will be used to investigate and verify questionable transfers of land by which individual Indian allottees, or their heirs, were divested of ownership and to achieve the payment of compensation to said allottees, or heirs.
2. Old Age Assistance Claims Settlement Act (P.L. 98-500): Funds will be used to identify, notify and compensate individuals entitled to compensation under this Act for unauthorized disbursement of \$50 or more made by the Department of the Interior to repay states and counties for old age assistance benefits received by Indian descendants during their lifetimes. Within the amounts provided \$197,000 is for program administration and \$544,000 is for payment of claims.
3. Gila Bend Indian Reservation Lands Replacement Act (P.L. 99-503): Section 4 of this Act required that the Secretary of the Interior pay to the Tohono O'Odham Nation \$10,000,000 in fiscal years 1988, 1989 and 1990, along with interest accrued from the date of enactment. The Act conditioned payment upon the Nation assigning to the United States all right, title and interest of the Nation in 9,880 acres of land within the Gila Bend Indian Reservation, and such assignment was made on October 13, 1987. The final payment required by the Act was made in FY 1990.
4. Payments for Aleutian and Pribilof Island Restitution (P.L. 100-383): P.L. 100-383, enacted August 10, 1988, is aimed at compensating Alaska Natives for their internment in camps during World War II. The Aleut civilian residents of the Pribilof Islands and the Aleutian Islands west of Unimak Island were relocated to temporary camps in isolated regions of southeast Alaska where they remained, under United States control, until mid 1945.

The United States failed to provide adequate care for the Aleuts, which resulted in widespread illness, disease, and death among the residents of the camps. Further, the United States failed to protect Aleut personal and community property while such was in U.S. possession or control.

The Act authorizes the Department of the Interior to enter into an agreement with the Aleutian/Pribilof Island Association to identify, locate, and compensate Aleut residents for the loss of personal, real, and community property damaged or destroyed during World War II. Funds authorized in the amount of \$27,750,000 will be used to cover the administrative and legal expenses of carrying out the agreement; to complete payment of trust funds to the communities; individual payments to eligible Aleuts; compensation for damaged or destroyed church property; and payment to the Aleut Corporation pursuant to Section 205 of the Act. Partial fulfillment of this Act was accomplished in FY 1989 and FY 1990. In FY 1989, \$150,000 was provided for administrative and legal expenses. In FY 1990, \$300,000 was provided for administrative and legal expenses, \$5,000,000 for payments to eligible Aleuts and \$10,000,000 to the Aleut Corporation as partial compensation for the Aleuts' loss of Attu Island.

5. Water Rights Settlements (P.L. 100-512, 100-675, and 100-585): Salt River Pima-Maricopa Indian Water Rights Settlement Act, P. L. 100-512, authorizes funds in the amount of \$47,470,000 for the settlement of water rights claims of the Salt River Pima-Maricopa Indian Community in Arizona. Funds are deposited in a trust fund established by Section 9 of the Act to use in rehabilitating and improving the Community's existing water facilities. Funds in the amount of \$23,735,000 were provided in FY 1990 as partial fulfillment of this Act.

San Luis Rey Indian Water Rights Settlement Act, P. L. 100-675, provides for the settlement of water rights claims of five bands of California Mission Indians. Funds are deposited in a tribal development fund established by section 105 of the Act for the benefit of the Bands. Funds in the amount of \$32,445,751 provided in FY 1990 fulfill the United States obligation incurred by enactment of this Act.

Colorado Ute Indian Water Rights Settlement Act, P. L. 100-585, provides for the settlement of water rights claims of the Ute Mountain Ute and the Southern Ute tribes in Colorado. Funds are deposited in two tribal development funds established by section 7 of the Act for the benefit of the tribes. Each Tribe is required to submit an economic development plan to the Secretary of the Interior prior to using the funds. The Act authorizes a total amount of \$49,500,000 to be provided in three annual installment payments to the Tribal Development Fund. The first installment of \$19,500,000 was made in FY 1990.

6. Puyallup Indian Settlement Act of 1989 (P.L. 101-41): Funds provided are for the settlement of land claims of the Puyallup Tribe in Tacoma, Washington. The Act includes authorizations for: \$500,000 for the purchase of land; \$22,350,000 for payment to individual members of the Puyallup Tribe; \$18,800,000 for a permanent trust fund for Tribal members; \$100,000 for the fisheries aspect of the settlement; \$10,000,000 for Economic Development and Land Acquisition; and \$25,500,000 for the Blair Project.

The \$77,250,000 provided in FY 1990 will fulfill the United States obligation incurred by the enactment of this Act.

7. Hoopa-Yurok Settlement: Section 4(e) of the Hoopa-Yurok Settlement Act (P.L. 100-580) authorizes the appropriation of \$10,000,000 to be deposited in the Hoopa-Yurok Settlement Fund and made available for lump sum payments to individuals on the Hoopa-Yurok Settlement Roll to be developed in accordance with Section 5 of the Act. The \$10,000,000 was provided in FY 1990 to fulfill the requirements of this section of the Act.

Changes from FY 1991 Base:

(Dollar amounts in thousands)

		<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Difference (+ or -)</u>
Old Age Assistance Payments	\$	544	584	+40
Aleutian and Pribilof Island Restitution	\$	0	12,300	+12,300
Water Rights Settlements	\$	<u>0</u>	<u>38,800</u>	<u>+38,800</u>
Total		544	51,684	51,140

Old Age Assistance Payments (+\$40,000): The increase will be used to supplement the amount of funds currently available for payment under the terms of the Old Age Assistance Claims Settlement Act, and thus reduce the amount of future funding needed to fully implement the Act.

Aleutian and Pribilof Island Restitution (+12,300,000): It is imperative that the \$12,300,000 as authorized by P.L. 100-383 be appropriated in order to pay per capita payments of \$12,000 to any remaining Aleuts that were not compensated in FY 1990 and to provide the remainder of the in lieu compensation for the loss of Attu Island to the Aleut Corporation. In addition, these funds will provide compensation for damaged or destroyed church properties, and compensation for community losses by establishing eight trust accounts for the benefit of the residents of Attu, their descendents and the affected Aleut villages. It will also provide funds for administrative and legal expenses associated with carrying out the agreement with the Aleutian/Pribilof Island Association.

The appropriation of \$12,300,000 will fulfill the United States obligation incurred by the enactment of this Act.

Water Rights Settlements (+38,800,000): An appropriation in the amount of \$38,800,000 is essential to meet the payment schedule established by Congress for the two Indian water rights settlements enacted in the 100th Congress.

Of the total request, \$15 million will be provided to the Colorado Ute Tribes to satisfy the second year of a three-year United States obligation incurred by the enactment of the Colorado Ute Indian Water Rights Settlement Act, P.L. 100-585. A failure to appropriate funds to meet this scheduled obligation would result in the United incurring interest charges at a rate of 8 and 1/8 percent against the unpaid balance.

The provision of \$23.8 million to the Salt River Pima-Maricopa Indian Community will meet the total remaining United States obligation incurred by the enactment of the Salt River Pima-Maricopa Water Rights Settlement Act, P.L. 100-512.

BUREAU OF INDIAN AFFAIRS
 Summary of Requirements
 (Dollar Amounts in Thousands)

<u>Appropriation: Miscellaneous Payments to Indians</u>	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
Appropriation currently available, 1990.....			19	\$191,864
Reduction pursuant to P.L. 99-177.....			<u>0</u>	<u>0</u>
Adjusted FY 1990 Appropriation.....			19	191,864
<u>Adjustment to base:</u>				
Adjustment for one additional paid day in FY 1991.....			0	0
Adjustment for Improved Administrative Efficiency.....			-7	
Adjustment for Staffing Efficiency.....			-4	
Adjustment for the increased cost of Federal Employees Retirement System.....			14	
Additional Cost in 1991 for the 1991 Pay Raise.....			9	
Total adjustment to base.....			<u>0</u>	<u>12</u>
1991 Base Budget.....			19	1,267
Program Changes.....			<u>0</u>	<u>51,140</u>
Total Requirements (1991 Estimate).....			19	52,407

Justification of Adjustments to Base

\$000 FTE

Adjustment for Administrative Efficiency

-7

The Department is proposing to decrease spending for consultants, travel, overtime, supplies, and equipment by about 5 percent to improve administrative efficiency and place greater priority on 1990 program initiatives. Specific reductions are proposed in the following areas:

Travel.....	-\$	2
Overtime.....	-	2
Supplies.....	-	3
Total.....	-\$	7

Adjustment for Staffing Efficiency

-4

Savings are proposed from a planned reduction in the average grade achieved by filling vacant positions at an average of one grade lower than previously filled and from taking into account an expected additional lapse of 30 days before filling positions that become vacant in 1991. Specific reductions follow:

Average Grade.....	-\$	2
Lapse.....	-	2
		<u>4</u>

FERS Retirement Costs

The adjustment is for the increase in estimated retirement costs resulting from the continuing growth in the relative proportion of FERS employees in the bureau work force.

+14

Additional Cost in 1991 of the 1991 Pay Raise

The adjustment is for the additional amount needed in 1991 to cover 40 percent of the additional three quarter's cost of the estimated 3.5 percent pay raise effective in January 1991. The 1991 cost of the remaining 60 percent will be absorbed in FY 1991.

+9

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS PAYMENTS TO INDIANS

Program and Financing (in thousands of dollars)

Identification code: 14-2303-01-452	1989 Actual	1990 Estimate	1991 Estimate
Program by activities:			
1. White Earth Act Administration.....	545	513	513
2. Old Age Assistance.....	942	742	782
3. Gila Bend Lands Replacement.....	11,300	12,700	---
4. Aleutian/Pribilof Restitution.....	150	15,300	12,300
5. Water Rights Settlements.....		75,359	38,800
6. Hoopa-Yurok Settlement.....		10,000	---
7. Puyullup Settlement		72,250	5,000
10.0001 Total obligations	12,937	186,864	57,395
Financing:			
21.4001 Unobligated balance available, start of year:.....	(2,157)	(3,172)	(8,172)
24.4001 Unobligated balance available, end of year:.....	3,172	8,172	3,184
60.0001 Budget authority appropriation,	13,952	191,864	52,407
Relation of obligations to outlays:			
71.0001 Obligations incurred, net.....	12,937	186,864	57,395
72.4001 Obligated balance, start of year.....	79	208	196
74.40001 Obligated balance, end of year.....	(208)	(196)	(198)
90.0001 Outlays.....	12,808	186,876	57,393

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS PAYMENTS TO INDIANS

Object Classification (in thousands of dollars)

Identification code: 14-2303-01-452	1989 Actual	1990 Estimate	1991 Estimate

Personnel Compensation			
11.1 Full-time permanent.....	49	54	60
11.3 Other than full-time positions....	333	340	346
11.5 Other personnel compensation.....	2	5	6
11.8 Special personnel compensation....	11	13	12

11.9 Total personnel compensation.....	395	412	424
12.1 Civilian personnel benefits.....	51	61	71
21.0 Travel & transportation of persons	29	35	38
22.0 Transportation of things.....	6	14	17
23.2 Rental Payments to others.....	18	24	28
24.0 Printing and reproduction.....	(1)	5	5
25.0 Other Services.....	322	375	400
26.0 Supplies and materials.....	17	24	27
31.0 Equipment.....	(3)	5	10
41.0 Grants, subsidies, and contributions.....	12,103	185,909	56,375
43.0 Interest and dividends.....	1		

99.0 Total obligations.....	12,937	186,864	57,395

Personnel Summary			

Total number of permanent positions.....	12	12	12
Total compensable work years:			
Full-time equivalent employment.....	19	19	19
holiday hours.....	0	0	0

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
REVOLVING FUND FOR LOANS

(Dollar amounts in thousands)	FY 1990 Enacted To Date	FY 1991 Estimate	Inc. (+) Dec. (-) From 1990
Revolving Fund for Loans \$	-0-	-0-	-0-

Impact of P.L. 99-177: The amount of loans made in FY 1990 will be reduced by \$182,000.

Objective: The Indian Financing Act of 1974 (P.L. 93-262) combined three separate accounts into one fund and authorized appropriations of \$50 million for the fund, bringing to \$76.5 million the total authorization of the fund.

From 1975 to 1989, \$155.9 million has been loaned from the fund. A breakdown by area and purpose is included in Table I. The FY 1990 program will provide \$12.8 million in direct loans to Indian tribes and organizations, individual Indians, and Alaskan Natives for economic development purposes, and loans to tribes for relending to tribal members through their credit programs. In addition, the program will include funding for expert assistance to tribes in the preparation and litigation of claims pending before the Court of Claims.

Over the history of the program, \$239.5 million has been loaned with \$26.2 million of the principal being written off, or 11.0 percent of total loans. A \$5 million loan was transferred from another fund. Interest in the amount of \$69.6 million has been earned in this program. As of September 30, 1989, outstanding loans totaled \$106.5 million. Delinquent payments total \$0.3 million, and delinquent loans in excess of 180 days total \$24.6 million, or 23.4% of loans outstanding.

In FY 1991, the bureau will make an estimated \$9.0 million in loans, which will be funded by the carry-over balance and collections during the year.

SUMMARY OF ACTIVITY - REVOLVING FUND FOR LOANS
 BUREAU OF INDIAN AFFAIRS
 Through September 30, 1989

	<u>Collections</u>			<u>Loans</u>	
	<u>Loaned</u>	<u>Principal</u>	<u>Interest</u>	<u>Cancelled</u>	<u>Outstanding</u>
Through 09/30/88	\$227,901,517	\$103,167,035	\$63,502,252	\$24,436,960	\$100,297,522
Through 09/30/89	<u>11,883,662</u>	<u>3,858,693</u>	<u>6,143,916</u>	<u>1,826,674</u>	
Through 09/30/89 Cumulative	<u>\$239,785,179</u>	<u>\$107,025,728</u>	<u>\$69,646,168</u>	<u>\$26,263,634</u>	<u>\$106,495,817</u>

Comparison of Fund Balances
 FY 1988 and FY 1989

	<u>General Fund</u>	<u>Expert Assistance</u>	<u>Total</u>
Through 09/30/88	<u>8,299,029</u>	<u>974,331</u>	<u>9,273,360</u>
Through 09/30/89	<u>4,695,779</u>	<u>1,023,815</u>	<u>5,719,594</u>

TABLE I

REVOLVING FUND FOR LOANS
Funds Allotted to Areas by Purpose
Selected data for FY 1975-1989
(in thousands of dollars)

AREA	RELENDING	TRIBAL ENTERPRISES		LAND	COOPERA- TIVES & INDUSTRIAL	CREDIT ASSOCI- ATIONS	DIRECT TO INDIVIDUALS	TOTAL
		New	Existing					
Aberdeen	\$ 6,192.0	\$ 6,088.5	\$10,798.8	\$ 1,445.0	120.0		\$6,967.5	\$ 31,611.8
Albuquerque	900.0	3,924.8	4,421.0	1,844.0			4,205.8	15,295.6
Anadarko		2,658.4	467.6	840.7			911.6	4,878.3
Billings	4,715.0	4,141.4	2,752.0	3,268.0		70.0	2,051.1	16,997.5
Eastern	810.0	975.0	1,079.4				977.1	3,841.5
Juneau	2,215.0	7,321.0	2,589.9		\$1,688.7	\$300.0	23.0	14,137.6
Minneapolis	1,000.0	3,818.3	3,243.0	1,440.0			1,049.0	10,550.3
Muskogee		1,655.0	429.9			4,050.8	2,740.8	8,876.5
Navajo		2,700.0	946.4					3,646.4
Phoenix	1,700.0	5,268.0	6,295.0	190.0	600.0	500.0	775.4	15,328.4
Portland	1,675.0	8,912.0	6,042.0	5,662.7	13.6		6,507.0	28,812.3
Sacramento		227.0					1,724.0	1,951.0
TOTALS	\$19,207.0	\$47,689.4*	\$39,065.0	\$14,690.4	\$2,422.3	\$4,920.8	\$27,932.3	\$155,927.2

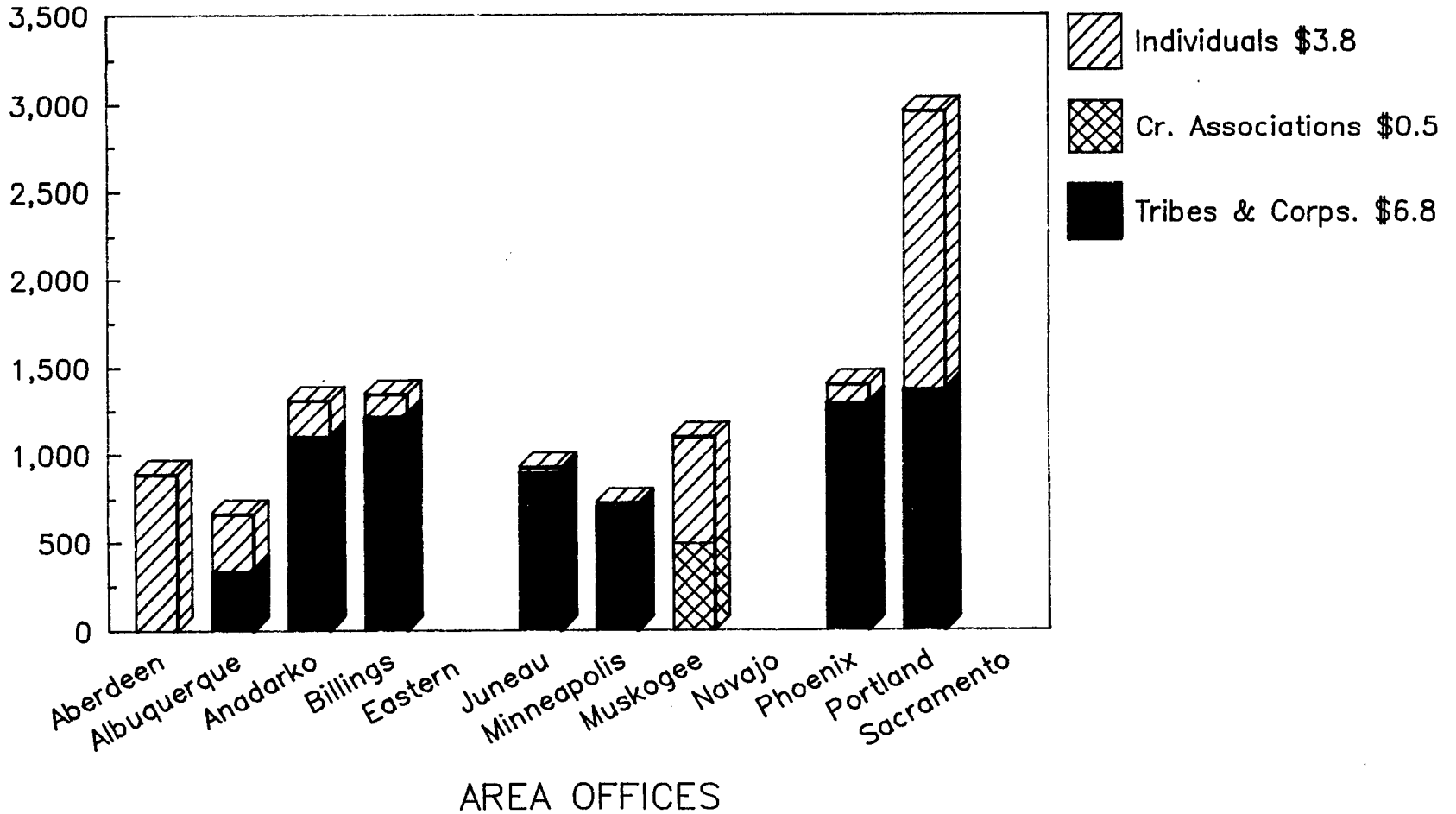
*104 new tribal enterprises were started at an average cost of \$458,552.

REVOLVING FUND FOR LOANS

FY 1989

\$11.6 MILLION

\$ THOUSANDS



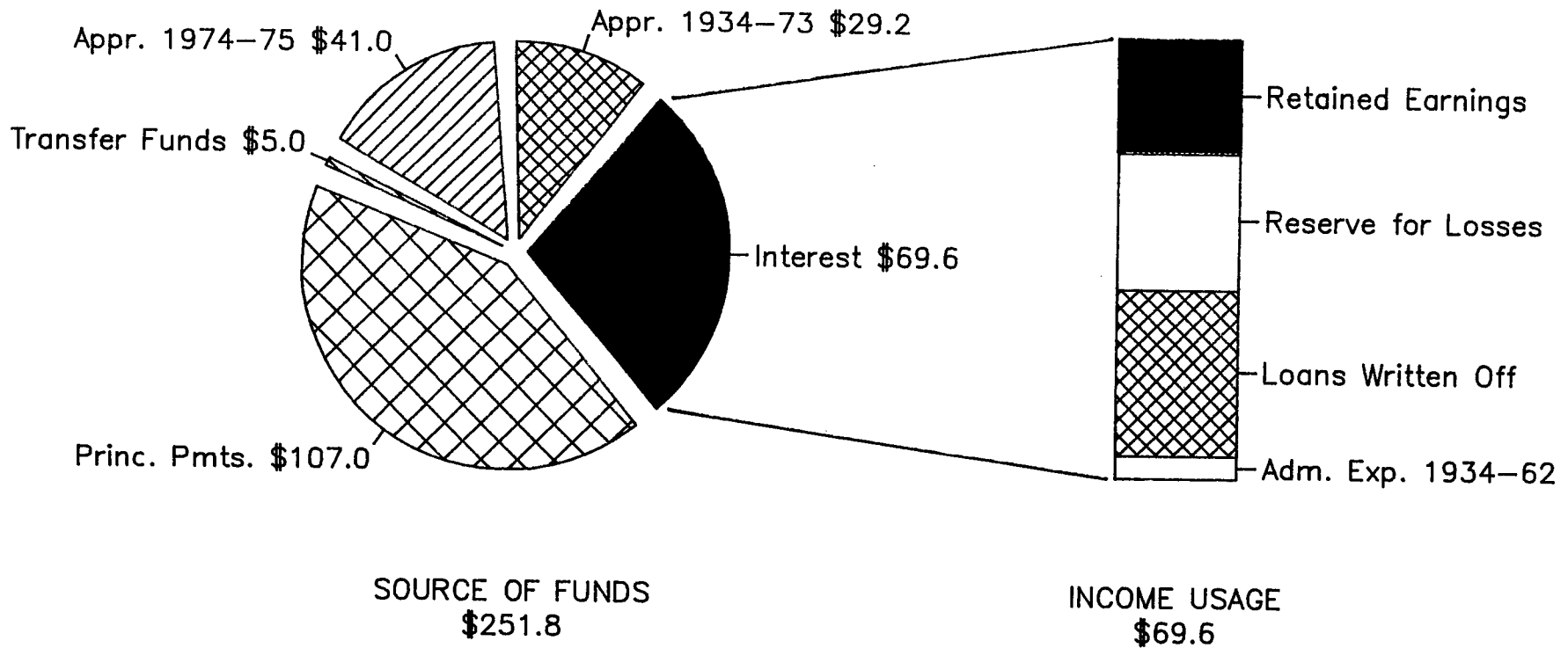
DIRECT LOANS \$11.1
EXPERT ASSISTANCE \$0.5

BIA-314

REVOLVING FUND FOR LOANS

FUNDING SOURCES

FOR \$239.5 MILLION IN LOANS



BIA-315

1934-73 Appropriations include Expert Assistance
 1974-75 Appropriations Indian Financing Act

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
REVOLVING FUND FOR LOANS

During Fiscal Year [1990] 1991, and within the resources and authority available, gross obligations for the principal amount of direct loans pursuant to the Indian Financing Act of 1974, as amended (88 Stat. 77; 25 U.S.C. 1451 et seq.), shall not exceed [resources and authority available] \$9,000,000.

(Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.)

This language is an administrative limitation required by OMB Circular A-11, 31.5.

Authorization: The bureau's revolving loan fund was authorized by the Indian Reorganization Act of 1934 (25 U.S.C. 4070). It has been amended and expanded several times, adding new programs and authorizing additional funds.

25 U.S.C. 470: Authorized \$20,000,000 to be established as a revolving fund to make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and their members. Repayments of amounts loaned under this authorization shall be credited to the revolving fund and shall be available for further loans.

25 U.S.C. 470a: Interest or other charges shall be credited to the revolving loan fund and should be available for making loans to individual Indians and associations or corporate groups of Indians in Oklahoma.

25 U.S.C. 471: Authorized funds to be appropriated, not to exceed \$250,000 annually, for loans to Indians for payment of tuition and expenses in recognized vocational and trade schools.

25 U.S.C. 631-634: Established revolving loan fund for the Navajo and Hopi Indians.

25 U.S.C. 70n-1: Authorized to be appropriated the sum of \$1,800,000 for the establishment of a revolving fund from which the Secretary of the Interior may make loans to Indian tribes and bands and to other identifiable groups of American Indians for use in obtaining expert assistance for the preparation and trial of claims pending before the Indian Claims Commission. All claims were transferred to the Court of Claims in 1978, when the Indian Claims Commission terminated.

25 U.S.C. 1461-1469: Authorized (1) an additional \$50,000,000 of which \$41,000,000 has been appropriated; (2) administration as a single Indian Revolving Loan Fund, with sums from diverse sources; and (3) availability of funds for loans to Indians and for administrative expenses.

REVOLVING FUND FOR LOANS
Program and Performance

This fund, established by the Indian Reorganization Act of 1934, and expanded by Financing Act of 1974, as amended, provides a source of financing for Indians who are unable to borrow from other government credit agencies or from ordinary commercial lenders because of their low economic status, isolated geographic location, lack of bankable security, or other reasons. Loans are made to tribes and other Indian organizations for relending to individual members and groups of members, and to finance tribal business enterprises. Loans are also made to tribes for use by them in obtaining expert assistance to prepare and present claims pending before the Court of Claims. Direct loans are made for any purpose that will promote the economic development of the borrower, including loans for education purposes.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
REVOLVING FUND FOR LOANS

<u>Program and Financing (in thousands of dollars)</u>			
<u>Identification Code:</u> 14-4409-0-3-452	1989 Actual	1990 Estimate	1991 Estimate
<u>Program by activities</u>			
10.00 Total obligations (obj. class 33.0)	11,604	12,818	9,000
<u>Financing:</u>			
14.00 Offsetting collections from Non-Federal sources:			
Collections on loans.....	-3,859	-4,075	-4,350
Revenues.....	-6,144	-6,100	-6,540
21.90 Unobligated balance available, start of year: Fund balance..	-7,320	-5,719	-3,076
24.90 Unobligated balance available, end of year: Fund balance....	5,719	3,076	4,966
39.00 <u>Budget Authority</u>	---	---	---
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	1,601	2,643	-1,890
72.90 Obligated balance, start of year: Fund balance.....	1,953	2,435	700
74.90 Obligated balance, end of year: Fund balance.....	-2,435	-700	-500
90.00 Outlays.....	1,119	4,378	-1,690

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
REVOLVING FUND FOR LOANS

STATUS OF DIRECT LOANS (in thousands of dollars)

<u>Identification Code: 14-4409-0-3-452</u>	1989 Actual	1990 Estimate	1991 Estimate
<u>Position with respect to limitation on obligations:</u>			
1111 Limitation on direct loans to the public.....	---	---	9,000
1131 Direct loan obligations exempt from limitation.....	11,604	13,000	---
1131 Direct loan obligations G-R-H Reduction.....	---	-182	---
1150 Total direct loan obligations..	11,604	12,818	9,000
<u>Cumulative balance of direct loans outstanding:</u>			
1210 Outstanding, start of year.....	101,058	106,494	113,937
1231 New loans: Disbursements for direct loans.....	11,122	14,553	9,200
1251 Repayments: Repayments and prepayments.....	-3,859	-4,075	-4,350
1262 Adjustments: Write-offs for default.....	-1,827	-3,035	-3,200
1290 Outstanding, end of year.....	106,494	113,937	115,587
<u>Estimate of Direct Loan Subsidy:</u>			
1320 Subsidy rate (in percent).....	---	---	22.9
1330 Subsidy amount (in dollars)....	---	---	2,058

Revenue and Expense (in thousands of dollars)

Loan Program

Revenue.....	6,144	6,100	6,540
Expenses.....	-22,911	-3,035	-3,200
Net operating income, total	-16,767	3,065	3,340

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
REVOLVING FUND FOR LOANS

FINANCIAL CONDITION (in thousands of dollars)

<u>Assets:</u>	<u>FY 1988</u> <u>Actual</u>	<u>FY 1989</u> <u>Actual</u>	<u>FY 1990</u> <u>Estimate</u>	<u>FY 1991</u> <u>Estimate</u>
Fund balance with Treasury.....	9,273	8,154	3,776	5,466
Loans receivable, net.....	<u>100,681</u>	<u>85,033</u>	<u>92,476</u>	<u>94,126</u>
 Total assets.....	 <u>109,954</u>	 <u>93,187</u>	 <u>96,252</u>	 <u>99,592</u>
 <u>Liabilities:</u>				
Selected liabilities, accounts payable	1,953	2,435	700	500
 <u>Government equity:</u>				
Selected equity Unexpended budget authority:				
Unobligated balance.....	7,320	5,719	3,076	4,966
Invested capital.....	<u>100,681</u>	<u>85,033</u>	<u>92,476</u>	<u>94,126</u>
 Total Government equity.....	 <u>108,001</u>	 <u>90,752</u>	 <u>95,552</u>	 <u>99,092</u>
 <u>Analysis of Changes in Government Equity:</u>				
Paid in capital:				
Opening balance.....		75,282	75,280	75,282
Closing balance.....		<u>75,282</u>	<u>75,282</u>	<u>75,282</u>
Retained income:				
Opening balance.....		34,672	17,905	20,970
Transactions: Net operating income		<u>-16,767</u>	<u>3,065</u>	<u>3,340</u>
 Closing balance.....		 <u>17,905</u>	 <u>20,970</u>	 <u>24,310</u>
 Total Government equity end of year..		 <u>93,187</u>	 <u>96,252</u>	 <u>99,592</u>

BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

(Dollar amounts in thousands)	FY 1990		Inc. (+)
	Enacted	FY 1991	Dec. (-)
	To Date	Estimate	From 1991
Loan Guaranty and Insurance Program	\$ 4,767	11,487	+6,720

Impact of Public Law 99-177: For FY 1990 the amount of guaranteed loans made will be reduced by \$630,000. In addition, \$49,000 to support those loans shall be reduced from Management and Technical Assistance and Interest Subsidy.

Objective: The Indian Loan Guaranty and Insurance Fund was established pursuant to the Indian Financing Act of 1974 (IFA) and amended by the Indian Financing Act Amendments of 1984 (P.L. 98-449) and 1988 (P.L. 100-442). Those amendments authorize annual appropriations for: interest subsidy, management and technical assistance, and losses on defaulted loans, and removed the restriction on the sale of guaranteed loans to financial institutions only. This should provide a secondary market for the bureau's loan guaranty program. The purpose of the fund is to provide access to private money sources by guaranteeing or insuring loans which otherwise would not be available to Indian tribes and organizations, individual Indians, and Alaska Natives for economic development purposes. The first loan guaranty under the program was approved in August 1975. As of September 30, 1989, guarantees were approved on 468 loans totaling \$344.2 million. The breakdown by fiscal year and current status is shown in Table I.

Interest Subsidies: To encourage the use of private capital, 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. With the increase in the prime rate, the cost of the bureau's interest subsidy has increased from 16% in 1986 to over 40% in 1988. Under the Indian Financing Act, subsidy funds will be requested and obligated on a yearly basis for new loans. It is estimated that \$6.9 million will be necessary for interest subsidies in FY 1991 to support approved loans. From 1976 to 1989, borrowers have paid lending institutions \$70.0 million in principal, and \$68.8 million in interest, a total of \$138.8 million. The bureau has paid \$15.1 million in interest subsidies to support these loans.

Management and Technical Assistance: The Indian Financing Act of 1974, as amended, authorized funds to be used to provide competent management and technical assistance for economic enterprises through cooperation with the Small Business Administration and other federal agencies. Contracts with private organizations to provide such services and assistance are also authorized. Management and technical assistance can also be provided on a local basis, with funds transferred to the areas for these purposes. Examples of past assistance include: training of tribal members to operate businesses, analyses of finances and worth of enterprises proposed for purchase or for expansion, feasibility studies for marketing new products, examination of methods to increase financial return, market analyses, loan packaging, and business plans. Assistance is also provided for established businesses funded under the IFA for problems that surface after the business is in operation.

Losses on Defaulted Loans: A reserve for losses is maintained to pay defaulted guaranteed loans. As of September 30, 1989, \$37.0 million has been paid for defaulted loans since 1975. Collections on defaulted loans amount to \$18.6 million. At the end of FY 1990, it is estimated that the bureau will have an \$8.3 million reserve for losses. Outstanding loans will total \$248.2 million, with a contingent liability of \$215.2 million.

Collections during FY 1991 are estimated at \$1.5 million from premiums on guaranteed loans, and \$0.65 million from sale of assets acquired in liquidation and loan repayments, making an estimated \$2.2 million available for programming for administrative expenses, interest subsidies and to support the reserve for losses.

Information on loans guaranteed as of September 30, 1989, since 1975, is as follows:

Total number of loans	<u>468</u>	
Loans to:		
Indian tribes	138	
Indian-owned corporations	84	
Indian individuals	246	
Lenders approved for participation in the program	315	
Loans:		
Outstanding	284	
Paid Off	92	
Defaulted	66	
Total payout for the defaulted loans -including interest (11.6% of the total dollar amount guaranteed to September. See Table II):	<u>\$37.0</u>	million
Of the loans defaulted:	<u>66</u>	<u>\$37.0</u>
Repaid either by the borrower or liquidation	5	16.5
Cancelled	30	9.0
Repaying	5	7.9
In process of settlement	26	\$ 3.6

Supplemental Surety Bond Guarantees (\$50,000,000): The 1988 Amendments to the Indian Financing Act of 1974 (P.L. 100-442) authorized the bureau to supplement the guaranteed surety bonds issued by the Small Business Administration (SBA). The SBA will guarantee up to 90 percent of the losses sustained by a surety company as a result of the issuance of a bid, payment, and/or performance bond to an Indian small business concern. The bureau will guarantee the remaining portion of the bond to bring the total guaranteed to 100 percent. This action should open new fields of contracting for Indian businesses.

The bureau will enter into an agreement with SBA on the processing of supplemental surety guarantees, with SBA being the lead agency. Indian or economic enterprises which have received a surety bond guaranty from the SBA are eligible for the bureau's supplemental surety bond guaranty.

A premium fee will be paid by the surety for the bureau's supplemental surety bond guarantee. This premium will be collected by the SBA and remitted to the bureau annually. These will be used to help cover projected losses on the bonds. In addition, funds are requested to establish an escrow account from which losses can be paid.

The bureau is proposing to guarantee \$50,000,000 in supplemental surety bonds for FY 1991. An escrow of \$500,000 is proposed to cover losses on these bonds.

Program Proposal: A \$45.0 million loan guaranty program is proposed for FY 1991. To support loans guaranteed for FY 1985 through 1990, \$5.7 million is estimated to be needed for interest subsidies, or a shortage of \$2.1 million. This shortage will be funded from the Reserve for Losses. The FY 1991 budget is as follows:

	(dollars in thousands)	
	FY	FY
	<u>1990</u>	<u>1991</u>
Interest Subsidies	\$3,620	\$6,952
Management and Technical Assistance	500	500
Reserve for losses (Loans)	647	3,535
Reserve for losses (Surety Bonds)	---	500

Reserve for Losses (Loans)(+\$2,888,000): The reserve for losses account is being increased by \$2,888,000 to cover potential losses from defaulted loans.

Interest Subsidies (+\$3,332,000): Funds to cover loans guaranteed from FY 1985 to FY 1990 will require an increase of \$2,132,000. Between 1987 and 1989, the interest subsidy factor has increased from 25% to 40%. FY 1990 requested subsidy funds are estimated to be short \$2,050,000. FY 1991 loans are estimated to need \$1,200,000 for a portion of the year.

Reserve for Losses (Surety Bonds)(+\$500,000): Funds are to cover estimated losses on a \$50,000,000 supplemental Surety Bond program in conjunction with the Small Business Administration.

TABLE I
LOAN GUARANTY ACTIVITY
FY 1976 - FY 1989

<u>Loans Guaranteed</u>							
<u>Year</u>	<u>No.</u>	<u>Amount</u>	<u>Defaulted</u>	<u>Repaid</u>	<u>Cancel</u>	<u>Modified</u>	<u>Current</u>
1976	58	\$ 14,863,405	20	19	5	7	7
1977	44	42,872,532					
+ Mod. <u>a/</u>	3	333,211	15	17	7	3	5
*1978	13	8,266,875					
+ Mod. <u>a/</u>	3	129,585	5	7	2	1	1
1979	6	1,589,000					
Additional loan <u>b/</u>		624	2	2			2
1980	1	8,500,000					
Additional loan <u>b/</u>		10,094		1			
1981	1	1,000,000		1			
1982	8	25,880,000	2	3			3
1983	14	12,953,869	3	5	1	1	4
Additional loan <u>c/</u>		800,000					
1984	35	18,789,448	5	5	2	4	19
Additional loan <u>c/</u>		203,900					
1985	47	31,603,258	7	5	2	3	30
Additional loans <u>c/</u>		10,123,457					
1986	27	37,210,046	2	3	2		20
Modifications <u>c/</u>		188,065					
1987	58	31,469,795	1	4	2		51
Modifications <u>c/</u>		87,818					
1988	65	37,636,697	3	1	1		60
Modifications <u>c/</u>		521,350					
1989	85	58,697,816	1		2		82
Modifications <u>c/</u>		434,739					
Total	468	\$344,165,584	66	73	26	19	284
NEW	(462)						
MOD.	(6) <u>a/</u>						

* The Loan Guaranty Program was closed November 1978 to new loan applications. Loan applications on hand and commitments to guarantee \$36 million in new loans required reserving all available program funds. In FY 1981, the program was reopened, since two proposed guarantees for large loans were cancelled.

a/ Six original loans were completely modified and additional funds advanced.
b/ Funds were added to existing loans for protective advances.
c/ Funds were added to existing loans.

TABLE II

Status of Loan Guarantees as of September 30, 1989

AREA	NO.	FACE AMOUNT	OUTSTANDING		AMOUNT WHEN		MODIFIED OR		GUARANTY	
			NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT
Aberdeen	77	20,495,974	47	9,509,691	11	3,588,627	16	3,141,670	3	1,193,632
Albuquerque	34	45,061,923	17	39,527,518	4	906,569	10	1,546,362	3	178,500
Anadarko	43	5,790,426	14	2,019,096	11	492,828	14	1,317,449	4	1,263,531
Billings	47	16,862,137	31	6,188,311	7	5,831,844	7	1,524,000	2	605,662
Eastern	46	58,287,774	35	46,004,764	7	4,284,972	4	4,839,709		129,291
Juneau	17	49,979,000	9	18,221,669	2	22,861,586	3	11,618	3	3,348,382
Minneapolis	32	24,214,590	17	29,999,061	7	311,955	8	1,249,935		24,816
Muskogee	48	13,579,182	33	11,303,567	7	1,110,780	5	311,329	3	278,611
Navajo	11	45,910,000	9	15,455,867			1	8,500,000	1	8,200,000
Phoenix	13	26,583,000	8	21,813,140	1	13,308	3	1,641,154	1	1,364,846
Portland	93	35,985,138	60	17,778,959	7	405,116	20	4,614,878	6	3,919,302
Sacramento	7	1,416,440	4	861,191	2	110,072	1	230,000		
TOTALS	468	344,165,584	284	218,682,834	66	39,917,657	92	28,928,104	26	20,506,573
(Percent)		(100)*		(63.5)		(11.6)		(8.4)		(6.0)

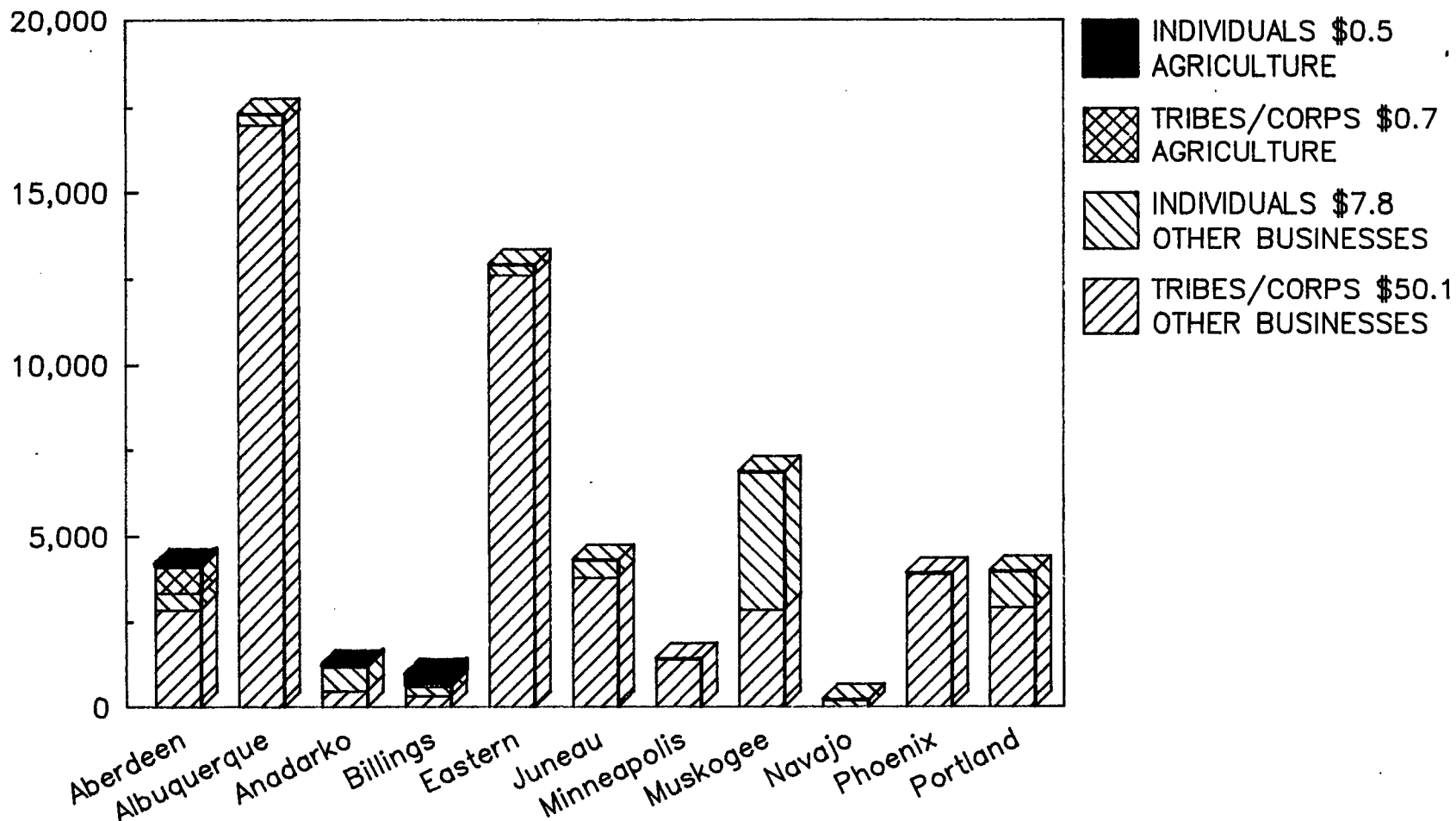
*\$36,130,416 in repayments on current loans or 10.5% needs to be included in order to total 100.0%

LOAN GUARANTY PROGRAM

FY 1989

\$59.1 MILLION

\$ THOUSANDS

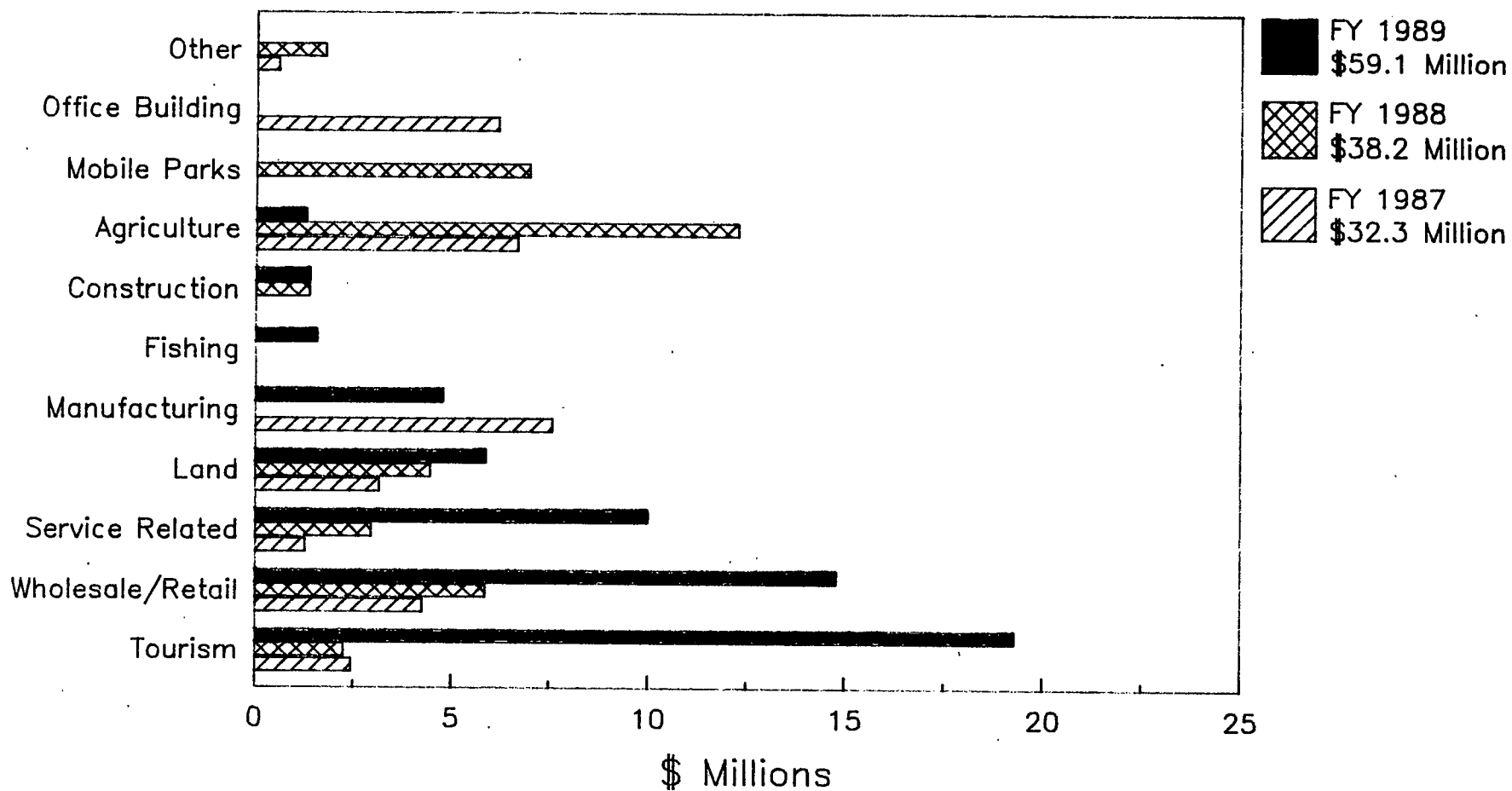


AREA OFFICES

BIA- 326

LOAN GUARANTY PROGRAM FY 1987 TO 1989 BY PURPOSE

Purpose



BIA- 327

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-4410-0-3-452

INDIAN LOAN GUARANTY AND INSURANCE FUND

For payment of interest subsidies on new and outstanding guaranteed loans and for necessary expenses of management and technical assistance in carrying out the provisions of the Indian Financing Act of 1974, as amended (88 Stat. 77; 25 U.S.C. 1451 et seq.), [\$4,767,000] \$11,487,000, to remain available until expended, of which not to exceed \$500,000 shall remain available for payment of losses on surety bonds guaranteed pursuant to the authority of said Act: Provided, That during fiscal year [1990] 1991, total commitments to guarantee loans pursuant to [the Indian Financing Act of 1974, as amended,] said Act, may be made only to the extent that the total loan principal, any part of which is to be guaranteed, shall not exceed [resources and authority available] \$45,000,000; and that authority to guarantee supplemental surety bonds in conjunction with Small Business Administration shall not exceed \$50,000,000.

(Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.)

Justification of Proposed Language Changes

Deletion: "the Indian Financing Act of 1974, as amended"

This language is redundant.

Deletion: "resources and authority available"

This language is an administrative limitation required by OMB Circular A-11; 31.5, and is not required by law.

Addition: "of which not to exceed \$500,000 shall remain available for payment of losses on surety bonds guaranteed pursuant to the authority of said Act"

"and that authority to guarantee supplemental surety bonds in conjunction with Small Business Administration shall not exceed \$50,000,000"

This proposed language appropriates \$500,000 to be used in payment of losses on surety bonds guaranteed under the 1988 amendments to the Indian Financing Act (102 Stat. 1764: 25 U.S.C. 1497a).

Addition: "said Act"

This proposed language replaces redundant language.

Appropriation Language and Citations

This language is an administrative limitation required by OMB Circular A-11; 31.5, and is not required by law.

Authorization: The Bureau's loan guaranty program was authorized by the Indian Financing Act of April 12, 1974, as amended.

25 U.S.C. 1481-1512: Authorized a loan guaranty and insurance program not to exceed \$500 million to provide access to private money sources which otherwise would not be available to Indian tribes or organizations and individual Indians. No more than 90 percent of a loan may be guaranteed or insured.

25 U.S.C. 1497(e): Authorizes funds for losses on defaulted loans.

25 U.S.C. 1511: Authorizes interest subsidies.

25 U.S.C. 1541: Authorizes competent management and technical assistance for loan recipients.

25 U.S.C. 1497a: Authorizes supplemental surety bond guarantees in association with the surety bond program administered by the Small Business Administration.

25 U.S.C. 1499: Authorizes a program for the guaranteeing (not to exceed 90 percent of the unpaid principal and interest) of taxable bonds, debentures, or other similar obligations.

INDIAN LOAN GUARANTY AND INSURANCE FUND
14-4410-0-3-452

Program and Performance

This fund was established pursuant to the Indian Financing Act of 1974. That Act was amended by the Indian Financing Act Amendments of 1984 (P.L. 98-449) and 1988 (P.L. 100-442). The purpose of the fund is to support a program of guaranteeing or insuring loans made by commercial lending institutions to Indian tribes and organizations, individual Indians and Alaska Natives 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 under the bureau's direct loan program. 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 1988 amendments allow the Secretary to guarantee (up to 90 percent of the unpaid principal and interest) taxable bonds, debentures, or similar obligations issued by an organization satisfactory to the Secretary, and to provide supplemental surety bond guarantees associated with the Small Business Administration's surety bond program.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

Program and Financing (in thousands of dollars)

	1989	1990	1991
Identification Code: 14-4410-0-3-452	Actual	Estimate	Estimate

Program by activities:

Operating expenses:

1. Interest subsidy expense.....	5,665	5,671	6,952
2. Technical assistance.....	235	500	500
3. Other expenses.....	29	100	100
4. Surety Bond losses.....	---	---	400
Total operating expenses.....	5,929	6,271	7,952
Capital investment.....	2,733	5,840	6,655
10.00 Total obligations.....	8,662	12,111	14,607

Financing:

14.00 Offsetting collections from:			
Non-federal sources.....	-1,253	-1,590	-2,175
Surety Bond Premiums.....	---	---	-1
21.90 Unobligated balance available, start of year.....	-18,195	-14,156	-8,353
24.90 Unobligated balance available, end of year.....	14,156	8,353	7,409
39.00 Budget Authority.....	3,370	4,718	11,487
40.00 Budget Authority.....	3,370	4,767	11,487
40.00 G-R-H Reduction.....	---	-49	---
43.00 Appropriation (Adjusted).....	3,370	4,718	11,487

Relation of obligations to outlays:

71.00 Obligations incurred, net....	7,409	10,521	12,431
72.90 Obligated balance, start of year.....	3,042	5,051	4,491
74.90 Obligated balance, end of year	-5,051	-4,491	-4,017
90.00 Outlays.....	5,400	11,081	12,905

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

Status of Direct Loans (in thousands of dollars)

Identification Code: 14-4410-0-3-452	1989 Actual	1990 Estimate	1991 Estimate
<u>Cumulative balance of direct loans outstanding:</u>			
1210 Outstanding, start of year.....	15,245	13,601	15,420
New loans:			
1231 Direct loans disbursements.....	142	100	100
1232 Disbursements for guaranty loan claims.....	2,543	5,640	7,000
Repayments:			
1251 Repayments and prepayments.....	-230	-217	-350
1252 Repayments of defaulted guaranteed loans.....	---	-100	-300
Adjustments:			
1262 Write-offs for default.....	-4,604	-4,500	-3,500
1264 Other adjustments, net <u>1</u> /.....	505	896	642
1290 Outstanding, end of year.....	13,601	15,420	19,012

1/ Unguaranteed portion of defaulted loans assigned to the Bureau of Indian Affairs by commercial lenders.

OBJECT CLASSIFICATION (in thousands of dollars)

11.0 Personnel.....	17	---	---
12.1 Benefits.....	3	---	---
21.0 Travel.....	1	10	10
23.0 Other expenses.....	---	---	---
25.0 Other services.....	15	451	500
26.0 Supplies & Materials.....	10	---	---
31.0 Equipment.....	77	25	25
33.0 Investments and loans	2,758	5,740	7,500
41.0 Grants, subsidies, and contributions	5,780	5,885	6,572
43.0 Late Charges.....	1	---	---
99.9 Total Obligations.....	8,662	12,111	14,607

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

<u>Status of Guaranteed Loans (in thousands of dollars)</u>			
	1989	1990	1991
<u>Identification Code: 14-4410-0-3-452</u>	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
<u>Position with respect to limitation on commitments:</u>			
2111 Limitation on guaranteed loans by private lenders.....	---	---	45,000
2131 Guaranteed loan commitments exempt from limitation.....	59,133	45,000	---
G-R-H Reduction.....	---	-630	
2150 Total guaranteed loan commitments	59,133	44,370	45,000
<u>Cumulative balance of guaranteed loans outstanding:</u>			
2210 Outstanding, start of year.....	169,939	218,683	248,233
2231 Disbursements of new guaranteed loans.....	59,133	44,370	45,000
2251 Repayments and prepayments.....	-6,699	-8,554	-9,667
<u>Adjustments:</u>			
2261 Terminations for default that result in direct loans.....	-2,817	-6,266	-7,172
2264 Other Adjustments	-873	---	---
2290 Outstanding, end of year.....	218,683	248,233	276,394
2299 Memorandum: U.S. contingent liability for guaranteed loans outstanding, end of year.....	189,677	215,217	239,633
<u>Estimate of guaranteed loan subsidy:</u>			
2320 Subsidy amount (in percent).....	---	---	21.0
2330 Subsidy amount (in thousands of dollars).....	---	---	9,426

<u>Status of Bond Guarantees (in thousands of dollars)</u>			
BIA contingent liability for new surety bond guarantees.....	---	---	50,000

<u>REVENUE AND EXPENSE (in thousands of dollars)</u>			
<u>Loan Guaranty and Insurance Fund</u>			
<u>Program:</u>			
Revenue.....	1,023	693	670
Expense.....	-3,187	-6,643	-7,168
Write-offs.....	-4,604	-4,500	-3,500
Net operating loss, total.....	-6,768	-10,450	-9,998

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

FINANCIAL CONDITION (in thousands of dollars)

<u>Assets:</u>	<u>1988 Act.</u>	<u>1989 Act.</u>	<u>1990 Est.</u>	<u>1991 Est.</u>
<u>Selected assets:</u>				
Fund balance with Treasury.....	21,237	19,207	11,921	9,818
Advances.....	561	345	---	---
Assets acquired through default....	13,714	12,518	14,343	17,935
Equipment.....	86	130	204	204
Total assets.....	35,598	32,200	26,468	27,957
 <u>Liabilities:</u>				
<u>Selected liabilities:</u>				
Accounts payable.....	193	339	---	---
 <u>Government equity:</u>				
<u>Selected equities:</u>				
<u>Unexpended budget authority:</u>				
Unobligated balance.....	18,195	14,156	7,725	6,141
Undelivered orders.....	3,410	5,051	4,196	3,677
Invested capital.....	13,800	12,654	14,547	18,139
Total Government equity.....	35,405	31,861	26,468	27,957
 <u>Analysis of Changes in Government Equity:</u>				
<u>Paid in capital:</u>				
Opening balance.....		52,640	56,010	60,728
Appropriation.....		3,370	4,718	11,487
Closing balance.....		56,010	60,728	72,215
<u>Retained income:</u>				
Opening balance.....		-17,042	-23,810	-34,260
Transaction: Net operating loss...		-6,768	-10,450	-9,998
Closing balance.....		-23,810	-34,260	-44,258
Total Gov't equity (end of year).		32,200	26,468	27,957

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans and the Indian loan guarantee and insurance fund) shall be available for expenses of exhibits, and purchase of not to exceed [162] 150 passenger carrying motor vehicles, of which not to exceed 115 shall be for replacement only[: Provided, That the property known as "Madrona Point" located on Orcas Island, Washington, shall be acquired in trust by the United States for the Lummi Indian Tribe under the conditions that it shall be preserved in its natural condition and shall not be developed for any commercial or residential purpose, except for a caretaker dwelling, a visitor or cultural center, or the interment of human remains: Provided further, That now and hereafter, the tribe, by contract, may impose additional restrictions: Provided further, That after acquisition by the United States, the property shall permanently be subject to the civil, regulatory (not including tax) and criminal jurisdiction of the State of Washington and its political subdivisions, concurrently with the Lummi Indian Tribe: Provided further, That except as provided herein, such grant of jurisdiction to the State shall have the same limitations as set forth in 18 U.S.C. 1162(b)].

(Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.)

Justification of Proposed Language Change

Deletion: ": Provided, That the property known as "Madrona Point" located on Orcas Island, Washington, shall be acquired in trust by the United States for the Lummi Indian Tribe under the conditions that it shall be preserved in its natural condition and shall not be developed for any commercial or residential purpose, except for a caretaker dwelling, a visitor or cultural center, or the interment of human remains: Provided further, That now and hereafter, the tribe, by contract, may impose additional restrictions: Provided further, That after acquisition by the United States, the property shall permanently be subject to the civil, regulatory (not including tax) and criminal jurisdiction of the State of Washington and its political subdivisions, concurrently with the Lummi Indian Tribe: Provided further, That except as provided herein, such grant of jurisdiction to the State shall have the same limitations as set forth in 18 U.S.C. 1162(b)"

This language is not needed for FY 1991.

Appropriation Language and Citations

Appropriations for the Bureau of Indian Affairs. (except the revolving fund for loans and the Indian loan guarantee and insurance fund) shall be available for expenses of exhibits and purchase of not to exceed...passenger carrying motor vehicles, of which...shall be for replacement only.

31 U.S.C. 638a(a)

31 U.S.C. 638a(a) provides "Unless specifically authorized by the appropriation concerned or other law no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Government..."

JUSTIFICATION

Appropriation: Operation of Indian Programs

Activity: Education

Vehicles: School buses - various sizes, 15 for replacement.

Activity: Law Enforcement

Vehicles: Sedans fully equipped for police work, 35 new vehicles and 100 for replacement, at a cost of \$13,500 per vehicle, required to carry out law enforcement throughout the bureau.

Summary of Proposed Acquisition of Certain Types of Vehicles, FY 1991

Type	Total	New	Replacement
Police	135	35	100
School Buses	15	0	15

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-9925-0-2-999

MISCELLANEOUS PERMANENT APPROPRIATIONS

Beginning October 1, 1990 and thereafter, amounts collected by the Secretary in connection with the Alaska Resupply Program (P.L. 77-457), shall be deposited into a special fund to be established in the Treasury, to be available to carry out the provisions of the Alaska Resupply Program, such amounts to remain available until expended: Provided, That unobligated balances of amounts collected in fiscal year 1990 and credited to the Operation of Indian Programs Account as offsetting collections, shall be transferred and credited to this account.

Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.

Justification of Proposed Language Change

Addition: "Beginning October 1, 1990 and thereafter, amounts collected by the Secretary in connection with the Alaska Resupply Program (P.L. 77-457), shall be deposited into a special fund to be established in the Treasury, to be available to carry out the provisions of the Alaska Resupply Program, such amounts to remain available until expended: Provided, That unobligated balances of amounts collected in fiscal year 1990 and credited to the Operation of Indian Programs Account as offsetting collections, shall be transferred and credited to this account."

Language was added in order to transfer the Alaska Resupply Program from the Operation of Indian Programs to the Miscellaneous Permanent Appropriations account.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
FY 1991

Program Title: Miscellaneous Permanent Appropriations

Description:

1. Claims and Treaty Obligations - \$2,000,000

- 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 the Six Nations of New York - \$4,500. The Six Nations is comprised of 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 distributed per capita to the Oneida Indians under the jurisdiction of the Great Lakes Agency, Wisconsin, as provided by the Treaty of November 11, 1794 and the Act of February 25, 1979 (1 Stat. 618, 619).
- C. Fulfilling treaties with the Pawnees of Oklahoma - \$30,000. This money is distributed per capita to the Pawnees as provided by the Treaty of September 24, 1857, Article 2 (11 Stat. 729).
- D. Payments to Indians of the Sioux Reservation - \$1,959,500. 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. Sioux benefits were originally for articles of farming equipment and stock or, more commonly today, the commuted cash value of such articles. The approved commuted value of an individual share of Sioux benefits, effective October 1, 1989 is \$4,240.32. 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).

2. Operation and Maintenance, Indian Irrigation Systems - \$22,850,000. Funds obtained from the collection of assessments against water users on various projects 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 benefitted; 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. As authorized by the FY 1984 Appropriations Act (P.L. 98-146, dated November 4, 1983), collections are invested in interest-bearing securities until required for project operations.

3. Power Systems, Indian Irrigation Projects - \$37,048,000. Funds are obtained from earned revenue deposited in the Treasury and credited to 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 each project irrigation system; the purchase of power for re-sale and for all necessary expenses for operation of power systems on an actual cost basis. A project power system's primary purpose is to furnish

electrical energy to the project for irrigation and drainage pumping and also to 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 Reservation) in many instances is the only source of electrical energy available to the consumers. Approximately 521 million kilowatt-hours are transmitted over all projects. Annually, the distribution systems serve approximately 27,800 domestic and commercial consumers. As with irrigation collections, power collections and reserves are invested in interest-bearing securities until required for power system operations as authorized by the FY 1984 Appropriations Act (P.L. 98-146, dated November 4, 1983).

4. Alaska Resupply Program - \$6,243,000: Revenues collected from the operation of the Alaska Resupply Program are used to operate and maintain this program

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-9925-0-2-999
MISCELLANEOUS PERMANENT APPROPRIATIONS

Program and Performance

1. Claims and Treaty Obligations. Payments are made to fulfill treaty obligations with the Senecas of New York (Act of February 19, 1831), the Six Nations of New York (Treaty of November 11, 1794), and the Pawnees of Oklahoma (the Treaty of September 24, 1857); and benefit claims to the Sioux Indians (Acts of March 2, 1889; June 10, 1896; and June 21, 1906).
2. Operation and Maintenance, Indian Irrigation Systems. Revenues derived from charges for operation and maintenance of Indian irrigation projects are used to defray, in part, the cost of operating and maintaining these projects (60 Stat. 895). The Secretary of the Interior is authorized to invest the funds, derived from collections, in interest-bearing securities until required for project operations, pursuant to P.L. 98-146, dated November 4, 1983.
3. Power Systems, Indian Irrigation Projects. Revenues collected from the sale of electric power by the Colorado River, Flathead, and San Carlos power systems are used to operate and maintain these systems (60 Stat. 895; 65 Stat. 254). The Secretary of the Interior is authorized to invest the funds, derived from collections, in interest-bearing securities until required for power system operations, pursuant to P.L. 98-146, dated November 4, 1983.
4. Alaska Resupply Program: Revenues collected from operation of the Alaska Resupply Program are used to operate and maintain this program (P.L. 77-457, 56 Stat. 95).

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS APPROPRIATIONS

Program and Financing (in thousands of dollars)

Identification code	1989	1990	1991
14-9925-0-2-999	Actual	Estimate	Estimate
<hr/>			
Program by activities:			
<hr/>			
1. Claims and Treaty Obligations.....	1,003	1,972	2,000
2. Operation and Maintenance, Indian Irrigation Systems.....	18,855	18,443	21,479
3. Power Systems, Indian Irrigation Projects.....	30,633	31,211	34,825
4. Alaska Resupply Program.....	--	--	6,243
	<hr/>	<hr/>	<hr/>
10.0001 Total obligations	50,491	51,626	64,547
Financing:			
<hr/>			
21.4001 Unobligated balance available, start of year:.....	(40,487)	(43,530)	(46,968)
Unrealized Discounts.....	--	7	
24.4001 Unobligated balance available, end of year:.....	43,530	46,968	50,562
Unrealized Discounts.....	(7)	--	
	<hr/>	<hr/>	<hr/>
60.0001 Budget authority appropriation, Permanent, indefinite.....	53,527	55,071	68,141
<hr/>			
Relation of obligations to outlays:			
<hr/>			
71.0001 Obligations incurred, net.....	50,491	51,626	64,547
72.4001 Obligated balance, start of year.....	7,840	5,355	2,598
74.40001 Obligated balance, end of year.....	(5,355)	(2,598)	(10,007)
	<hr/>	<hr/>	<hr/>
90.0001 Outlays.....	52,976	54,383	57,138
<hr/>			
Distribution of budget authority:			
<hr/>			
1. Claims and Treaty Obligations.....	1,003	2,000	2,000
2. Operation and Maintenance, Indian Irrigation Systems.....	20,056	19,663	22,850
3. Power Systems, Indian Irrigation Projects.....	32,468	33,408	37,048
4. Alaska Resupply Program.....	--	--	6,243
	<hr/>	<hr/>	<hr/>
Total	53,527	55,071	68,141
Distribution of outlays :			
<hr/>			
1. Claims and Treaty Obligations.....	967	2,000	2,000
2. Operation and Maintenance, Indian Irrigation Systems.....	19,183	21,124	21,414
3. Power Systems, Indian Irrigation Projects.....	32,826	31,259	29,155
4. Alaska Resupply Program.....			4,569
	<hr/>	<hr/>	<hr/>
Total	52,976	54,383	57,138

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS PERMANENT APPROPRIATIONS

Object Classification (in thousands of dollars)

Identification code 14-9925-0-2-999	1989 Actual	1990 Estimate	1991 Estimate
Personnel Compensation			
11.1 Full-time permanent.....	10,015	10,204	12,783
11.3 Other than full-time positions...	1,107	1,183	1,413
11.5 Other personnel compensation.....	388	415	495
11.9 Total personnel compensation.....	11,510	11,802	14,691
12.1 Civilian personnel benefits.....	2,116	2,212	2,701
21.0 Travel & transportation of persons.....	151	161	193
22.0 Transportation of things.....	578	618	738
23.2 Communications, utilities, and and other rent.....	10,549	10,740	13,467
24.0 Printing and Reproduction.....	(6)	0	0
25.0 Other Services.....	8,175	8,332	10,428
26.0 Supplies and materials.....	14,190	14,410	18,342
31.0 Equipment.....	668	714	853
32.0 Lands and structures.....	5	5	6
41.0 Grants, subsidies, and contributions.....	2,536	2,611	3,104
42.0 Insurance claims and idemnities..	8	9	10
43.0 Interest and dividends.....	11	12	14
99.0 Total obligations.....	50,491	51,626	64,547

Personnel Summary

Total number of permanent positions....	408	340	340
Total compensable work years:			
Full-time equivalent employment.....	480	410	410
Full-time equivalent overtime and holiday hours.....	8	8	8

Justification of Program and Performance

Activity: Operation and Maintenance of Quarters

		(Dollar amounts in thousands)				
<u>Program Elements</u>		<u>FY 1990 Enacted To Date</u>	<u>FY 1990 Adjusted Approp.</u>	<u>FY 1991 Base</u>	<u>FY 1991 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Operation and Maintenance of Quarters (FTE)	\$	6,330 (123)	6,330 (123)	6,330 (123)	6,330 (123)	-- --
Total Requirements	\$ (FTE)	6,330 (123)	6,330 (123)	6,330 (123)	6,330 (123)	-- --

Impact of Public Law 99-177

	<u>FY 1990 Enacted To Date</u>	<u>Reduction Pursuant to P.L. 99-177</u>	<u>FY 1990 Adjusted Approp.</u>
Operation and Maintenance of Quarters	6,330	No impact	6,330

Objectives: To meet quarters operation and maintenance (O&M) needs, with emphasis on critical health and safety needs as they arise and through preventive maintenance programs; to comply with the Department's commitment to furnish quarters that are decent, safe, sanitary and energy efficient; to repair or refurbish quarters and appurtenant structures; to ensure efficient utilization of quarters on existing facilities and to equitably manage the continuing costs of repair, operation, and maintenance. Studies in conjunction with the Office of Construction Management (DOI) and the BIA's Division of Property Management are to be undertaken to evaluate, recommend and establish standards and policies for management of quarters. To continue toward meeting the bureau's goal of reducing unneeded quarters. To ensure standard reporting systems capable of controlling, tracking, and reporting all quarters inventories, income and expenditures.

Base Program (\$6,330,000; FTE 123): The base program encompasses approximately 3,796 quarters units, ranging in age from 3 to 80+ years, containing approximately 5,926,720 square feet bureauwide. Rental receipts anticipated at approximately \$6,330,000, will be expended for quarters O&M. Categories of work include general repair, operation and maintenance code and regulatory compliance (providing for handicapped use accessibility, improvement of energy efficiency, and correction of immediate health and life safety deficiencies), site improvements, utility repair and replacement, street and general access repair.

Quarters rental receipts collected under the jurisdiction of an Area Director, are to be used at locations, under the Area Director's jurisdiction, having the greatest need, regardless of where the collections occur. Newly constructed quarters have substantially less need for maintenance funds than older quarters. Older housing is more costly to maintain, and maintenance costs are continuing to escalate as a result of deterioration. Likewise, due to age, maintenance costs often surpass rental rates collected, resulting in an inadequate funding source below that required to protect the Government's capital investment. Additionally, as quarters are demolished or turned over to the tribes, remaining rental receipts from that location will be transferred to other locations.

Area Office Operations: Management at the area level includes on-site compliance reviews, quarters O&M program development, preventive maintenance, improvement and repair, quarters inventory and backlog update, implementation of rental rates and CPI adjustments.

Central Office Operations: In conjunction with the Office of Construction Management (OCM), the BIA's Division of Property Management provides quarters management oversight including reviewing and developing policy, coordinating bureauwide development of quarters O&M program, providing policy guidance and direction, providing oversight of implementation of rental rates and CPI adjustments, monitoring the quarters financial account, and conducting policy compliance reviews.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
OPERATION AND MAINTENANCE OF QUARTERS

Program and Financing (in thousands of dollars)			
14-5051-6-2-452	89	90	91
	Actual	Estimate	Estimate
<u>Program by activities:</u>			
10.00 Total Obligations.....	5,527	6,000	6,200
<u>Financing:</u>			
21.40 Unobligated balance available, start of year.....	-2,341	-3,139	-3,469
24.40 Unobligated balance available, end of year.....	3,139	3,469	3,599
60.00 <u>Budget authority</u>	6,326	6,330	6,330
<hr/>			
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	5,527	6,000	6,200
72.40 Obligated balance, start of year.....	1,294	989	646
74.40 Obligated balance, end of year	- 989	-646	-508
90.00 Outlays.....	5,832	6,343	6,338

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
OPERATION & MAINTENANCE OF QUARTERS

Object Classification (in thousands of dollars)

14-5051-6-2-452	89 Actual	90 Estimate	91 Estimate
Direct Obligations:			
Personnel Compensation:			
11.1 Full-time permanent.....	2,794	3,100	3,100
11.3 Other than full-time positions.	369	640	640
11.5 Other personnel compensation...	52	55	55
11.9 Total personnel compensation.	3,215	3,795	3,795
Personnel Benefits:			
12.1 Civilian.....	463	460	460
13.0 Benefits for former personnel..	0	0	0
21.0 Travel & transportation of persons.....	65	70	70
22.0 Transportation of things.....	94	90	90
23.3 Communications, utilities, and other rent.....	-19	250	250
25.0 Other services.....	497	400	400
26.0 Supplies and materials.....	1,013	835	1,035
31.0 Equipment.....	121	100	100
32.0 Lands and structures.....	72	0	0
41.0 Grant, subsidies, and contribu- tions.....	1		
43.0 Interest and dividends.....	2	--	--
99.9 Total obligations.....	5,527	6,000	6,200

Personnel Summary

Total number of permanent positions..	16	16	16
Total compensable work years:			
Full-time equivalent employment...	123	123	123
Full-time equiv. of overtime and holiday hours.....	2	2	2

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
TRUST FUNDS
14-8366-0-7-452

COOPERATIVE FUND (PAPAGO)

Program and Performance

This Cooperative Fund, established by section 313 of the Southern Arizona Water Rights Settlement Act, P.L. 97-293 (96 Stat. 1274-1285), provides a source of funds for the Secretary of the Interior to carry out the obligations of the Secretary under sections 303, 304 and 305 of the Act. Only interest accruing to the fund may be expended. The law provides, however, that no such interest can be spent prior to the earlier of 1992 or the completion of the main project works of the Central Arizona Project.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
COOPERATIVE FUND (PAPAGO)

Program and Financing (in thousands of dollars)

Identification code: 14-8366-0-7-452	1989 Actual	1990 Estimate	1991 Estimate
Financing:			

21.4001 Unobligated balance available, start of year:			
Treasury balance.....	(737)	(522)	(18,151)
U.S. Securities (par).....	(15,570)	(17,075)	
Unrealized Discounts.....	254	517	
24.4001 Unobligated balance available, end of year:			
Treasury balance.....	522	--	--
U.S. Securities (par).....	17,075	18,151	19,019
Unrealized Discounts.....	(517)	--	
60.0001 Budget authority appropriation, (permanent, indefinite).....	1,027	1,071	868

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-2202-0-1-806

EASTERN INDIAN LAND CLAIMS SETTLEMENT FUND

Program and Performance

Rhode Island Indian Claims Settlement Fund. Payments were made to the fund as authorized by P.L. 95-395, September 30, 1978, for settlement of certain Indian land claims in the State of Rhode Island.

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 EASTERN INDIAN LAND CLAIMS SETTLEMENT FUND

Program and Financing (in thousands of dollars)

Identification code: 14-2202-0-1-806	1989 Actual	1990 Estimate	1991 Estimate
<u>Program by activities:</u>			
Rhode Island Indian claims settlement fund.....	39	0	--
10.00 Total obligations.....	39	0	--
<u>Financing:</u>			
21.4001 Unobligated balance available, start of year:	(39)	0	--
24.4001 Unobligated balance available, end of year.....	0		
40.0001 Budget Authority	0	0	--
<u>Relation of obligations to outlays:</u>			
71.0001 Obligations incurred, net.....	39	0	--
90.0001 Outlays.....	39	0	--

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-9973-0-7-999

[MISCELLANEOUS TRUST FUNDS]

[Notwithstanding any other provision of law, the Secretary shall retain the amount of excess interest drawn from the Treasury during the period of January 1, 1987, to February 28, 1989, to compensate the trust funds for the amount of interest that would have been earned had all available trust funds been invested in the Treasury during the period from June 30, 1985, to December 31, 1986.]

Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.

Justification of Proposed Language Change

Deletion: "Notwithstanding any other provision of law, the Secretary shall retain the amount of excess interest drawn from the Treasury during the period of January 1, 1987, to February 28, 1989, to compensate the trust funds for the amount of interest that would have been earned had all available trust funds been invested in the Treasury during the period from June 30, 1985, to December 31, 1986."

Language is not needed for FY 1991.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-9973-0-7-999
MISCELLANEOUS TRUST FUNDS

Program and Performance

1. TRIBAL TRUST FUNDS (14X8365)-- Tribal funds are deposited into a consolidated account in the U.S. Treasury pursuant to: (1) general or specific acts of Congress enacting the judgment awards of the Indian Claims Commission and the Court of Claims; and (2) Federal management of tribal real properties, the titles to which are held in trust for the tribes by the United States. These funds are available to the respective tribal groups for various purposes, under various acts of Congress, and are subject to the provisions of tribal constitutions, bylaws, charters, and resolutions of the various tribes, bands, or groups. Tribal funds may be used for the conduct of tribal financial programs, enterprises, businesses, per capita payments, and other tribal affairs. These funds are not federal monies as the funds belong strictly to the tribes. The bureau only invests and monitors the numerous tribal accounts in fulfilling its trust responsibility as the respective trustee of the United States. These funds are reported annually in the budget schedules to give Congress the opportunity to review the activity conducted under the authorities extended to the Secretary of the Interior.
2. FUNDS CONTRIBUTED FOR THE ADVANCEMENT OF THE INDIAN RACE (14X8563)-- This program accounts for any contributions, donations, gifts, etc., which are to be used for the benefit of American Indians in accordance with the donor's wishes (82 Stat. 171).
3. BEQUEST OF GEORGE C. EDGETER (14X8060)-- This account consists of a bequest, the principal of which is invested in U.S. Treasury bonds and notes, and the interest is to be used for the relief of American Indians (82 Stat. 171), as specified by the donor's wishes.

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 14-9973-0-7-999
 MISCELLANEOUS TRUST FUNDS

Analysis of Changes in Requirements
 (in thousands of dollars)

	<u>Budget Authority</u>	<u>Outlays</u>
FY 1989 Total.....	\$464,098	\$310,266
 <u>Decrease</u>		
Direct Program.....	---	---
Miscellaneous Permanents (Tribal).....	<u>-68,779</u>	<u>85,734</u>
 FY 1990 Total.....	 \$395,319	 \$396,000
 <u>Increases</u>		
Program increase:		
Miscellaneous Permanents (Tribal).....	<u>-18,105</u>	<u>-18,605</u>
 FY 1991 Total.....	 \$377,214	 \$377,395

Highlight Statement

Funds are deposited into a consolidated account in the U.S. Treasury pursuant to: (1) general or specific acts of Congress enacting the judgment awards of the Indian Claims Commission and the Court of Claims; and (2) Federal management of tribal real properties, the titles to which are held in trust for the tribes by the United States. These two sources of funds contribute approximately 35% and 65%, respectively, of the tribal trust fund income. Approximately 300 Indian tribes, bands, or identifiable groups maintain funds in the U.S. Treasury account; these monies are separately identified and controlled in some 700 accounts by the Bureau of Indian Affairs.

Tribal funds are available to the respective tribal groups for various purposes, under various acts of Congress, and are subject to the provisions of tribal constitutions, bylaws, charters, and resolutions of the various tribes, bands, or groups. Tribal funds may be used for the conduct of tribal financial programs, enterprises, businesses, per capita payments, and other tribal affairs.

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/definite, or permanent/indefinite authorizations.

Funds programmed under permanent/indefinite authorization are made available under legislation which provided permanent authority for the Secretary of the Interior to withdraw from tribal accounts in the Treasury those funds needed to carry out programs designed 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 designated to improve the situation of the general membership. Funds can be disbursed through either the Regional Disbursing Office or the Indian Service Special Disbursing Agents' accounts, or funds can be advanced to tribes for disbursement by their bonded tribal treasurers under approved plans of operation. Although these funds do not require annual approval by Congress, they are reported annually in the budget schedule to give Congress an opportunity to review the activity conducted under the authorities extended to the Secretary of the Interior.

No part of the funds contained in this estimate represents a charge upon the Federal Treasury. This item reflects the disbursement of funds to the credit of Indian tribes or bands under numerous special acts of Congress in compliance with the terms of the various trusts and for carrying out tribal programs recommended by the tribal governing bodies with the approval of the Assistant Secretary for Indian Affairs.

The budget schedule under the Permanent Authorization reflects disbursements from the tribal trust funds authorized by permanent legislation.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS TRUST FUNDS

Program and Financing (in thousands of dollars)

Identification code 14-9973-0-7-999	1989 Actual	1990 Estimate	1991 Estimate
<hr/>			
Program by activities:			
<hr/>			
1. Miscellaneous permanent (tribal funds).....	310,871	395,532	377,205
2. Other trust funds.....	85	31	28
<hr/>			
10.0001 Total obligations	310,956	395,563	377,233
(Obj. class 44)			
Financing:			
<hr/>			
21.4001 Unobligated balance available, start of year:			
Treasury balance.....	(899,851)	(1,139,944)	(1,327,072)
U.S. Securities (par).....	(276,112)	(187,790)	0
Unrealized Discounts	1,789	418	--
24.4001 Unobligated balance available, end of year:			
Treasury balance.....	1,139,944	1,327,072	1,327,053
U.S. Securities (par).....	187,790	--	-
Unrealized Discounts	(418)	--	-
<hr/>			
39.0001 Budget Authority.....	464,098	395,319	377,214
<hr/>			
Relation of obligations to outlays:			
<hr/>			
71.0001 Obligations incurred, net.....	310,956	395,563	377,233
72.4001 Obligated balance, start of year.....	1,358	2,048	1,611
74.40001 Obligated balance, end of year.....	(2,048)	(1,611)	(1,449)
<hr/>			
90.0001 Outlays.....	310,266	396,000	377,395
<hr/>			
Distribution of budget authority:			
<hr/>			
Indian tribal funds.....	464,046	395,272	377,171
Funds contributed for the advancement of the Indian race.....	50	47	43
Bequest of George C. Edgeter.....	0	0	0
<hr/>			
Distribution of outlays by account:			
<hr/>			
Indian tribal funds.....	310,870	395,885	377,297
Funds contributed for the advancement of the Indian race.....	102	115	98
Bequest of George C. Edgeter.....	0	0	0

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
MISCELLANEOUS TRUST FUNDS

Program and Financing (in thousands of dollars)

Identification code 14-9973-0-7-999	1989 Actual	1990 Estimate	1991 Estimate
Unexpended balance, start of year:			
U.S. Securities:			
Par value.....	276,112	187,790	1,327,072
Unrealized discounts.....	(1,789)	(418)	--
Cash.....	899,851	1,139,944	--
Balance of fund, start of year.....	1,174,174	1,327,316	1,327,072
Cash income during the year:			
Government receipts.....	1,123	705	705
Proprietary receipts.....	367,237	353,122	341,487
Intragovernmental transactions.....	95,738	41,492	35,022
Income under present law.....	464,098	395,319	377,214
Total Cash Income.....	464,098	395,319	377,214
Cash outgo during the year:			
Outgo under present law.....	310,266	396,000	377,395
Total Cash Outgo.....	310,266	396,000	377,395
Unexpended balance, end of year:			
U.S. Securities:			
Par value.....	1,139,944	1,327,072	1,327,053
Unrealized discounts.....	(418)	--	--
Cash.....	187,790	--	--
Balance of fund, end of year.....	1,327,316	1,327,072	1,327,053

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-2368-0-1-452

[PAYMENT TO NAVAJO REHABILITATION TRUST FUND]

[For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93-531, as amended (25 U.S.C. 640d-30), including necessary administrative expenses, \$800,000 to remain available until expended.]

Department of the Interior and Related Agencies Appropriations Act, 1990, Public Law 101-121.

Justification of Proposed Language Change

Deletion: "For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93-531, as amended (25 U.S.C. 640d-30), including necessary administrative expenses, \$800,000 to remain available until expended."

The deleted language is not required as no funds are requested for an additional payment to Navajo Rehabilitation Trust Fund.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
14-2368-0-1-452

NAVAJO REHABILITATION TRUST FUND

Program and Performance

A payment to the Navajo Rehabilitation Trust Fund was made in FY 1990 pursuant to section 640d-30 of Public Law 93-531. Funds will be used to improve the economic, social, and educational conditions of Navajo families and communities affected by the relocation activities.

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 NAVAJO REHABILITATION TRUST FUND

Program and Financing (in thousands of dollars)

Identification code 14-2368-0-1-452	1989 Actual	1990 Estimate	1991 Estimate
<u>Program by activities:</u>			
1. Navajo Rehabilitation Trust Fund...		600	250
10.0001 Total obligations		600	250
<u>Financing:</u>			
21.4001 Unobligated balance available, start of year:			
Treasury balance.....		0	(237)
U.S. Securities (par).....			
24.4001 Unobligated balance available, end of year:			
Treasury balance.....		237	0
U.S. Securities (par).....			
39.0001 Budget Authority.....		837	13
<u>Relation of obligations to outlays:</u>			
71.0001 Obligations incurred, net.....		600	250
72.4001 Obligated balance, start of year.....		0	0
74.40001 Obligated balance, end of year.....		0	0
90.0001 Outlays.....		600	250

DEPARTMENT OF THE INTERIOR

FY 1991 Budget for Consulting Services

Bureau: Bureau of Indian Affairs

Appropriation Account Title Type of Consulting Arrangement Program Requiring Services	FY 1991 Request (Dollars in Thousands)	Description of Services Being Acquired

Operation of Indian Programs (14-2100-0-999)		
Personnel Appointments	-0-	
Procurement Contracts		
Indian Education	15	Technical assistance for the Effective Schools Program (at least 5 different sessions at \$5,000 each) - nationwide schools
Indian Education	30	Technical assistance for the Effective Schools Program - individual schools and substance abuse training of staff at the local schools
Natural Resources	100	Program Evaluation Services - Geographic Information Systems
Natural Resources	1,200	Technical Assistance - Geographic Information Systems
Trust Responsibilities Trust Funds Management	225	ADP investment portfolio accounting services, technical assistance to the Investment Program
Advisory Committee Members	-0-	
Account Total	<u>1,570</u>	
Bureau Total	<u>1,570</u>	

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
DETAIL OF PERMANENT EMPLOYMENT

	1989 <u>Actual</u>	1990 <u>Estimate</u>	1991 <u>Estimate</u>
ES-6 _____	1	1	1
ES-5 _____	4	5	5
ES-4 _____	6	7	7
ES-3 _____	0	1	1
ES-2 _____	2	3	3
ES-1 _____	<u>3</u>	<u>4</u>	<u>4</u>
Subtotal _____	16	21	21
GS/GM-15 _____	44	50	55
GS/GM-14 _____	186	215	220
GS/GM-13 _____	330	350	355
GS/GM-12 _____	687	710	720
GS/GM-11 _____	885	900	920
GS/GM-10 _____	29	35	37
GS/GM-9 _____	863	875	885
GS/GM-8 _____	138	145	150
GS/GM-7 _____	535	540	550
GS/GM-6 _____	511	520	525
GS/GM-5 _____	1,088	1,090	1,110
GS/GM-4 _____	1,334	1,341	1,360
GS/GM-3 _____	345	350	355
GS/GM-2 _____	<u>10</u>	<u>12</u>	<u>15</u>
Subtotal _____	6,985	7,133	7,257
Ungraded	<u>2,024</u>	<u>2,031</u>	<u>2,047</u>
Total permanent employment at end of fiscal year _____	9,025 =====	9,185 =====	9,325 =====