



Budget Update Indian Affairs

March 2022



Budget Update FY 2022 – FY 2023



Overview

- **FY 2022**
 - Enacted vs Request
- **FY 2023**

FY 2022 Enacted Budget

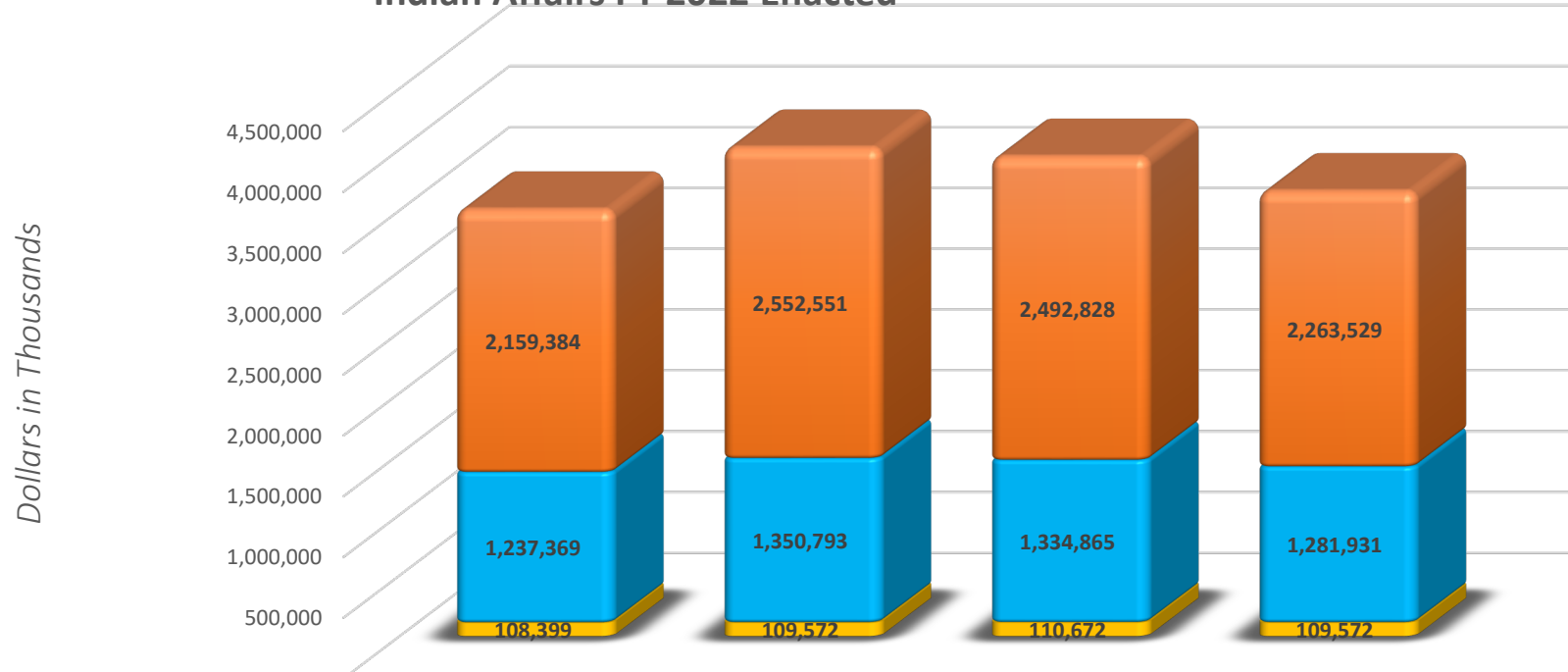


<u>BUREAU</u> <u>ACCOUNT</u> ACTIVITY	Dollars in Millions								
	2021 Enacted	2022 President's Budget Request	2022 House Mark	2022 Senate Mark	2022 Enacted	Change from 2021 Enacted	% Change from 2021 Enacted	Change from 2022 Request	% Change from 2022 Request
<u>BUREAU OF INDIAN AFFAIRS</u>									
TOTAL, BUREAU OF INDIAN AFFAIRS DIRECT	2,159.4	2,724.8	2,552.6	2,492.8	2,263.5	104.1	+5%	-461.3	-17%
<u>BUREAU OF INDIAN EDUCATION</u>									
TOTAL, BUREAU OF INDIAN EDUCATION	1,237.4	1,348.0	1,350.8	1,334.9	1,281.9	+44.6	+4%	-66.0	-5%
<u>BUREAU OF TRUST FUNDS ADMINISTRATION</u>									
TOTAL, BUREAU OF TRUST FUNDS ADMINISTRATION	108.4	110.7	109.6	110.7	109.6	+1.2	+1%	-1.1	-1%
TOTAL, DOI INDIAN PROGRAMS	3,505.2	4,183.5	4,012.9	3,938.4	3,655.0	+149.9	+4%	-528.4	-13%

FY 2022 Enacted Budget

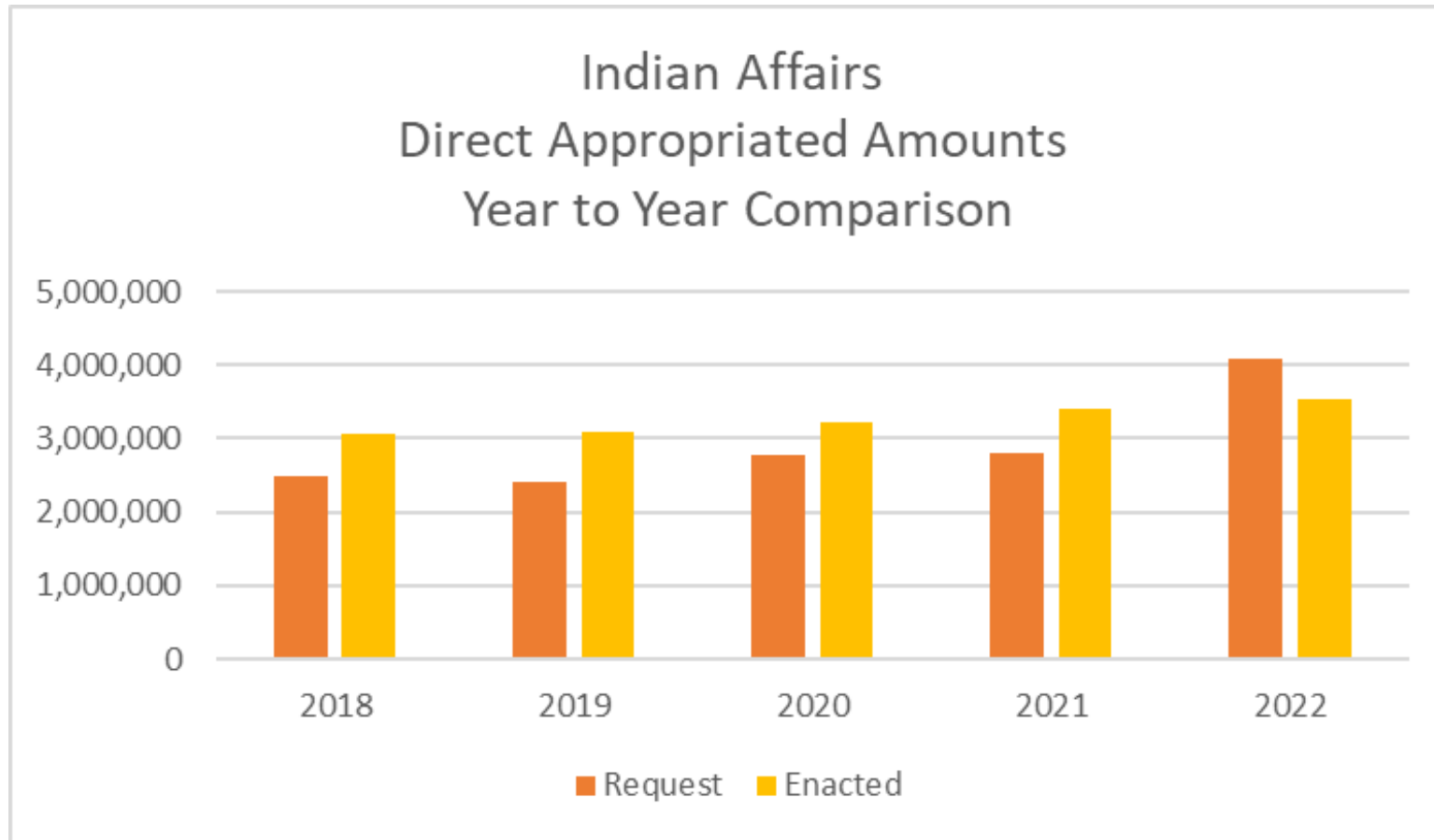


Indian Affairs FY 2022 Enacted



	2021 Enacted	2022 House Mark	2022 Senate Mark	2022 Enacted
■ BUREAU OF INDIAN AFFAIRS	2,159,384	2,552,551	2,492,828	2,263,529
■ BUREAU OF INDIAN EDUCATION	1,237,369	1,350,793	1,334,865	1,281,931
■ BUREAU OF TRUST FUNDS ADMINISTRATION	108,399	109,572	110,672	109,572

5-Year Comparison



FY 2022 - BIA



BUREAU ACCOUNT ACTIVITY	Dollars in Millions								
	2021 Enacted	2022 President's Budget Request	2022 House Mark	2022 Senate Mark	2022 Enacted	Change from 2021 Enacted	% Change from 2021 Enacted	Change from 2022 Request	% Change from 2022 Request
BUREAU OF INDIAN AFFAIRS									
OPERATION of INDIAN PROGRAMS	1,616.5	1,916.1	1,925.3	1,875.7	1,820.3	+203.8	+13%	-95.7	-5%
CONTRACT SUPPORT COSTS ACCOUNT ^{1/}	335.0	346.5	240.0	240.0	240.0	-95.0	-28%	-106.5	-31%
PAYMENTS for TRIBAL LEASES ^{1/}	21.6	36.6	36.6	36.6	36.6	+15.0	+69%	-	-
INDIAN LAND CONSOLIDATION	-	150.0	75.0	75.0	7.0	+7.0	-	-143.0	-95%
CONSTRUCTION	128.8	188.0	188.0	177.8	146.8	+18.0	+14%	-41.2	-22%
INDIAN LAND & WATER CLAIM SETTLEMENTS & MISCELLANEOUS PAYMENTS TO INDIANS	45.6	75.8	75.8	75.8	1.0	-44.6	-98%	-74.8	-99%
INDIAN GUARANTEED LOAN PROGRAM	11.8	11.8	11.8	11.8	11.8	+0.04	+0.31%	-	-
TOTAL, BUREAU OF INDIAN AFFAIRS DIRECT	2,159.4	2,724.8	2,552.6	2,492.8	2,263.5	104.1	+5%	-461.3	-17%

➤ *The bill provides **\$2.3 billion** for the Bureau of Indian Affairs, an increase of **\$104.1 million** above the **2021 enacted** and **\$461.3 million** below the **2022 President's Budget Request**.*

FY 2022 Omnibus - BIA



- ***Tribal Government*** — Provides **\$355.4 million** for Tribal government programs, **\$14.4 million above the enacted level**, and **\$1.0 million below the budget request**.
 - ❖ ***\$7.0M for Small Tribes Supplement***, **+\$2.0M above enacted**, and **-\$1.0M below the budget request** to support bringing known, eligible small Tribes up to the current minimum funding level for small Tribes
 - BIA is directed to provide a report that includes a full listing of Tribes currently eligible for this program and clearly identify whether each Tribe is receiving the full level of funding defined under the current program criteria as well as a status of efforts to update the formula for the program.
 - ❖ ***Requested increase of +\$1.0M for additional awarding officials was accepted***

FY 2022 Omnibus - BIA



- **Human Services** — Provides **\$164.3 million** for human services programs, **\$3.1 million** above the enacted level and **\$11.0 million** below the budget request.
 - ❖ **Social Services (TPA) - \$53.3M**, +\$2.1M above the enacted level and -\$10.0M below the request
 - +\$2.0M for Tiwahe expansion to new sites, -\$1.0M below the request
 - +\$1.0M to implement Indian Child Protection & Family Violence Prevention Act, -\$9M below the request
 - ❖ **Welfare Assistance (TPA) - \$78.5M**, +\$494K above the enacted level and +\$500K above the budget request for a general program increase
 - ❖ **Indian Child Welfare Act (TPA) - \$17.3M**, +\$406K above the enacted level and -\$1.5M below the request
 - +\$500K to implement section 202 of the Indian Child Welfare Act, -\$1.5M below the request

FY 2022 Omnibus - BIA



➤ ***Trust-Natural Resources — \$302.9 million for natural resources management programs, an increase of \$44.1 million above the enacted level and \$92.9 million below the request.***

- ❖ *Funding continued at FY21 enacted level to continue support for ongoing Tribal cultural resource investigations in the Chaco Canyon region of the Southwest.*
- ❖ *Requested increases were not accepted for the following and **remain at 2021 enacted levels:***
 - ***Irrigation O&M*** - No additional funding for NIIMS replacement
 - ***Integrated Resources Info Program***
 - ***Agriculture Program (TPA)***
 - ***Resource Management Program Oversight-Central*** - No additional FTE

FY 2022 Omnibus - BIA



❖ *Other key changes to the 2022 request include:*

❖ ***Natural Resources (TPA) - \$14.3M***, an increase of +\$6.1M above the enacted level and -\$4.0M below the budget request.

- *Continues authorized level for land acquisition at \$2.0M, -\$8M below the request*
- *+\$3.0M general increase*
- *+\$1.0M for Indian Youth Service Corps*

FY 2022 Omnibus - BIA



- ❖ **Rights Protection Implementation – \$45.7M**, an increase of +\$2.9M above the enacted level and +\$1.2M above the budget request
 - Continues \$1.5M for law enforcement needs
 - +\$1.7M for operations and maintenance, both as required to implement the Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act (Public Law 1 16-99)
 - +\$1.0 general program increase.

- ❖ **TMDP - \$14.5M**, +\$1.1M above the enacted level and -\$3.0M below the request.
 - +\$1.0M for return of National Bison Range to the Confederated Salish and Kootenai Tribe, -\$2.0M below the request
 - Funding is continued at FY21 enacted levels for pilot projects and programs for Alaska subsistence activities

FY 2022 Omnibus - BIA



- ❖ **Endangered Species - \$5.2M**, an increase of +\$1.0M above the enacted level for uses as requested and -\$1.0M below the budget request
- ❖ **Tribal Climate Resilience - \$32.0M**, +\$15.0M above the enacted level and -\$29.0M below the request.
 - +\$5.0M for Tribal Climate Adaptation Grants, -\$18.0M below the request
 - +\$8.0M for Relocation Grants, -\$3.0M below the request
 - All Tribes are eligible
- ❖ **Invasive Species - \$11.8M**, +\$1.0M above the enacted level and -\$500K below the request.
- ❖ **Forestry Programs - \$60.3M**, an increase of +\$5.6M above the enacted level and -\$1.0M below the budget request.
 - +\$3.0M general program increase for the Forestry Program (TPA)
 - +\$2.0M for Forestry Projects

FY 2022 Omnibus - BIA



- ❖ **Water Resources - \$15.8M** an increase of +\$2.6M above the enacted level and -\$1.5M below the budget request
 - +\$2.0M for Water Resources (TPA)
 - \$500K to partially fund the request of \$4.0M for water management, planning and pre-development

- ❖ **Fish, Wildlife and Parks - \$20.5M**, an increase of +\$3.1M above the enacted level and -\$1.0M below the budget request.
 - +\$2.0M general program increase for Wildlife and Parks (TPA)
 - +\$1.0M for Fish, Wildlife, and Parks Projects for operation of fish hatcheries, -\$3.0M less than requested

- ❖ **Energy and Minerals - \$31.8M**, an increase of +\$5.1M above the enacted level and -\$35.2M below the budget request.
 - ❖ +\$4.8M for renewable and distributed power projects

FY 2022 Omnibus - BIA



➤ ***Trust-Real Estate Services*** — Provides ***\$150.2 million*** for real estate services, an ***increase of \$9.5 million above the enacted level and \$19.7 million below the budget request.***

❖ ***EQ Projects*** – ***\$29.7M***, an increase of ***+\$6.5M*** above the enacted level and ***-\$19.7M*** below the budget request.

- *\$3.0M is to begin remediating open dumps and prepare for other environmental quality challenges*
- *\$3.3M is to demolish and abate vacant BIA buildings at Shiprock*
- *Maintains FY21 enacted levels for the certification of historical places and cultural sites, including Alaska Native Claims Settlement Act [ANCSA] (Public Law 92–203) sites*

FY 2022 Omnibus - BIA



➤ ***Public Safety and Justice*** — Provides **\$546.3 million** for public safety and justice programs, **\$97.6 million above the enacted level** and **\$39.2M above the budget request**.

❖ ***Criminal Investigations and Police Services*** — **\$297.7M** for Criminal Investigations and Police Services, **+\$76.6M above the enacted level** and **+\$38.2M above the budget request**.

- ***+\$62.0M for McGirt, +\$52.0M above the request***
 - BIA is directed to consult with impacted Tribes regarding the allocation of funds and request to allocate portions of the funding to Detention/Corrections and Tribal Courts as necessary.
- ***+\$4.0M to purchase bodyworn cameras, -\$6.0M below the request.***
- ***+\$7.5M as a general program increase***

FY 2022 Omnibus - BIA



❖ *CI&P (continued)*

- *Funding for MMIW cold cases, background checks to hire more law enforcement officers, opioid addiction assistance, and law enforcement to implement the Native American Graves Protection and Repatriation Act (NAGPRA) is continued at fiscal year 2021 enacted levels.*

❖ **Detention/Corrections —\$113.4M** *is for Detention/Corrections, +\$7.0M above the enacted level and -\$3.0M below the budget request*

- *+\$5.0M general increase*

❖ **Law Enforcement Special Initiatives —\$24.9M** *for Law Enforcement Special Initiatives, +\$5.1M above the enacted level and equal to the budget request.*

- *+\$5.0M is to continue addressing the MMIW effort, as requested.*

FY 2022 Omnibus - BIA



❖ *Tribal Justice Support - \$30.8M, +\$4.0M above the request.*

- *Continues \$3.0M to implement and ensure compliance with the Violence Against Women Act in Indian Country*
- *+\$4.0M to address the needs of Tribes affected by Public Law 93-280*

❖ *Tribal Courts (TPA)—\$43.2M is for Detention/Corrections, +\$4.2M above the enacted level and equal to the budget request*

- *+\$5M increase, of which no more than \$1.0M may be used for operation and maintenance of courts*

FY 2022 Omnibus - BIA



➤ **Community & Economic Development** — Provides **\$29.4 million** for community & economic development programs, **\$4.9 million above enacted** and **\$13.5 million below the request.**

❖ **\$13.4M for Job Placement and Training (TPA)**, **-\$10.0 below the request**

❖ **\$5.2M for Economic Development (TPA)**, **-\$5.0M below the request**

▪ **+\$2.0M for business incubators and no additional funds for Economic Development Grant Program**

❖ **\$10.7M for Community Development Oversight**

▪ **+\$1.5M for NATIVE Act**

▪ **+\$1.5M for native language immersion**

FY 2022 Omnibus - BIA



- ***Executive Direction & Administrative Services*** — Includes ***\$270.6 million*** for executive direct & admin services, ***\$29.0 million above the enacted level*** and ***\$1.8 million above the budget request***.

- ❖ ***Assistant Secretary Support – \$19.4M, +\$8.6M above the enacted level, and -\$5.9M above the request***
 - *+\$500K to implement the PROGRESS Act.*
 - *\$800K to establish the Diversity and Inclusion program for BIA and OST*
 - *\$7.0M to implement the Native boarding school initiative to review past boarding school policies and to prepare a report on future efforts required to address this past wrong.*

FY 2022 Omnibus - BIA



- ❖ **Executive Direction - \$21.2M**, +\$434K above the enacted level, -\$750K below the request
 - Funds to establish and promote equity and diversity are included in Assistant Secretary Support
 - No additional funds for a BIA Chief Data Officer

- ❖ **Administrative Services - \$52.8M**, +\$4.0M above the enacted level, and -\$3.3M below the request
 - \$2.8M of the \$6.1M request was funded for uses as requested, i.e., data collection; 105(l) staff; project planning support; budget staff and consultations.

FY 2022 Omnibus - BIA



❖ **Information Resources Technology - \$51.2M** as requested, and +\$6.6M above the enacted level

- \$4.7M for modernization of legacy applications
- \$1.5M for BIA Enterprise Software shared systems

➤ **Special Initiatives - \$1.250 million** to support capacity building related to public safety and domestic violence

- ❖ \$1.0M for Alaska Tribal Justice Service Providers
- ❖ \$250K for Domestic violence center needs assessment for rural Alaska

FY 2022 Omnibus - BIA



- **INDIAN LAND CONSOLIDATION** — Establishes and provides **\$7.0 million** for Indian Land Consolidation, **-\$143.0 million below the budget request.**
- **CONTRACT SUPPORT COSTS** — Indefinite appropriation for **\$240.0 million.**
- **PAYMENT FOR TRIBAL LEASES** — Indefinite appropriation for **\$36.6 million.**

FY 2022 Omnibus - BIA



- **CONSTRUCTION** — Provides **\$146.8 million** for Construction, **\$17.9 million above the enacted level** and **\$41.2 million below the budget request**.
 - ❖ **Public Safety and Justice Construction - \$47.8M** for Public Safety and Justice Construction programs, an increase of **+\$5.0M above the enacted level**.
 - **Facilities Replacement/New Construction - \$30.5M, +\$5.0M above the enacted level.**
 - ❖ **Resources Management Construction - \$74.1M** for Resources Management Construction programs, an increase of **+\$2.7M above the enacted level** and **-\$11.3M below the budget request**.
 - **Dam Safety and Maintenance - \$41.0M, a general program increase of +\$2.6M above the enacted level and -\$11.3M below the budget request.**

FY 2022 Omnibus - BIA



- ❖ ***Other Program Construction - \$24.9M, an increase of +\$10.3M above the enacted level and -\$29.3M below the budget request. Key changes include:***
 - *Facilities/Quarters Improvement and Repair - \$4.1M, an increase for fleet management infrastructure of +\$150K above the enacted level and -\$10.0M below the budget request.*
 - *Construction Program Management - \$19.4M, an increase of +\$10.2M above the enacted level and -\$19.9M below the budget request.*
 - *+\$10.0M additional for BIA to conduct an assessment of BIA-owned water systems, contractual support to implement projects, and address lead pipe issues at Indian Affairs infrastructure.*
 - *+\$77K additional to continue the project at Fort Peck.*

FY 2022 Omnibus - BIA



- **INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS** — Provides **\$1.0 million** for Settlements, **\$44.6 million below the enacted level**, and **\$74.8 million below the budget request**.
 - ❖ *These funds are supplemented in fiscal year 2022 by not less than \$1,368,560,00 appropriated in Public Law 117-58, ensuring that Indian Affairs will fully meet its statutory obligations for all authorized settlement agreements to date.*
- **INDIAN GUARANTEED LOAN PROGRAM** — Provides **\$11.8 million** for the Loan program, as requested, and **+\$36,000 above the enacted level**.

FY 2022 - BIE



BUREAU ACCOUNT ACTIVITY	Dollars in Millions								
	2021 Enacted	2022 President's Budget Request	2022 House Mark	2022 Senate Mark	2022 Enacted	Change from 2021 Enacted	% Change from 2021 Enacted	Change from 2022 Request	% Change from 2022 Request
OPERATION OF INDIAN EDUCATION PROGRAMS	973.1	1,083.6	1,083.5	1,070.5	1,017.6	+44.5	+5%	-66.0	-6%
ELEMENTARY & SECONDARY PROGRAMS (forward funded)	617.9	689.8	676.7	676.7	638.9	+21.0	+3%	-50.9	-7%
ELEMENTARY & SECONDARY PROGRAMS	153.5	154.4	154.4	154.4	154.4	+0.9	+1%	-	-
POST SECONDARY PROGRAMS (forward funded)	110.9	113.3	121.2	113.3	113.3	+2.4	+2%	-	-
POST SECONDARY PROGRAMS	42.5	54.7	59.7	54.7	51.2	+8.7	+20%	-3.5	-6%
EDUCATION MANAGEMENT	48.3	71.5	71.5	71.5	59.9	+11.6	+24%	-11.6	-16%
EDUCATION CONSTRUCTION	264.3	264.3	267.3	264.3	264.3	+0.05	+0.02%	-	-
REPLACEMENT SCHOOL CONSTRUCTION	115.5	115.5	116.5	115.5	115.5	-	-	-	-
REPLACEMENT FACILITY CONSTRUCTION	23.9	23.9	23.9	23.9	23.9	-	-	-	-
REPLACEMENT / NEW EMPLOYEE HOUSING	1.0	1.0	1.0	1.0	1.0	-	-	-	-
EMPLOYEE HOUSING REPAIR	13.6	13.6	13.6	13.6	13.6	+0.01	+0.06%	-	-
FACILITIES IMPROVEMENT & REPAIR	95.3	95.3	95.8	95.3	95.3	+0.05	+0.05%	-	-
TRIBAL COLLEGES FACILITIES IMPROVEMENT & REPAIR	15.0	15.0	16.5	15.0	15.0	-	-	-	-
TOTAL, BUREAU OF INDIAN EDUCATION	1,237.4	1,348.0	1,350.8	1,334.9	1,281.9	+44.6	+4%	-66.0	-5%

➤ *The bill provides \$1.3 billion for the Bureau of Indian Education, an increase of \$44.6 million above the 2021 enacted and \$66.0 million below the 2022 President's Budget Request.*

FY 2022 Omnibus - BIE



➤ **2022 Highlights**

- ❖ *+\$5.0 million for Indian Student Equalization Program Formula Funds*
- ❖ *+\$1.5 million for Native Language Immersion Grant*
- ❖ *+\$2.6 million to fund Tribal Grant Support Costs at 100%*
- ❖ *+\$5.5 million for Scholarships & Adult Education (TPA)*
- ❖ *+\$1.5 million for Special Higher Education Scholarships*
- ❖ *+\$1.5 million for Science Post Graduate Scholarships Fund*
- ❖ *+\$400 thousand for Diversity, Equity, Inclusion, & Accessibility office*
- ❖ *+\$8.4 million for Education IT*

- ***Operation of Indian Education Programs (OIEP) - \$1.0 billion for education programs, which includes fixed costs and, \$44.5 million above the enacted level and \$66.0 million below the budget request.***

FY 2022 Omnibus - BIE



- ***Elementary and Secondary Programs (forward funded)*** – Includes **\$638.9M**, +\$21.0M above 2021, -\$50.9M below the request
 - ❖ *Partially funds the requested increases in ISEP Formula Funds (+\$13.9M above 2021 and -\$44.0M below the request) and fully funds Tribal Grant Support Costs (+\$2.6 above 2021 and -\$2.6 million below the request).*
 - ❖ *Includes +\$1.5M for Education Program Enhancements*
 - ❖ *Does not fund the requested increase for FACE*

- ***Elementary and Secondary Programs*** — Provides **\$154.4M**, as requested, and \$885K in fixed costs above the enacted level.

- ***Post Secondary Program (forward funded)*** – Supports **\$113.3M**, \$2.4M in fixed costs above the enacted level and equal to the budget request.

FY 2022 Omnibus - BIE



- **Post-Secondary Programs** — Includes **\$51.2M**, \$8.7M above the enacted level of funding and \$3.5M below the budget request.
 - +\$5.7M for Scholarships and Adult Ed (TPA), -\$4.5M below the request
 - +\$1.5M for Special Ed
 - +\$1.5M for Science Post Grad fund, -\$500K less than the request

- **Education Management** — Provides **\$59.9M**, and \$11.6M above the enacted level but \$11.6M below the request.
 - ❖ +\$400K for Diversity and Inclusion
 - ❖ Provides \$23.8 million for Education IT (+\$8.5M above 2021 and \$11.6M below the request) to support ongoing costs of learning and enhanced use of technology in the classroom.

- **Includes \$264.3 million for Education Construction as requested.**

FY 2022 - BTFA



BUREAU ACCOUNT ACTIVITY	Dollars in Millions								
	2021 Enacted	2022 President's Budget Request	2022 House Mark	2022 Senate Mark	2022 Enacted	Change from 2021 Enacted	% Change from 2021 Enacted	Change from 2022 Request	% Change from 2022 Request
BUREAU OF TRUST FUNDS ADMINISTRATION									
FEDERAL TRUST PROGRAMS	108.4	110.7	109.6	110.7	109.6	+1.2	+1%	-1.1	-1%
TOTAL, BUREAU OF TRUST FUNDS ADMINISTRATION	108.4	110.7	109.6	110.7	109.6	+1.2	+1%	-1.1	-1%

➤ *The bill provides **\$109.6 million** for **BTFA**, an increase of **\$1.2 million** above the **2021 enacted** and **\$1.1 million** below the **2022 President's Budget***

FY 2022 Distribution of Funds



➤ Tribal Transfers

- ❖ IA implemented Tribally requested transfers of TPA base funding during the CRs. This allowed funding to be posted to the lines on which Tribes anticipate using the funding in FY 2022 and avoid reprogramming issues when final funding is provided for FY 2022.

➤ Exception Apportionment

- ❖ *Provided 100% of TPA base funding to FY Tribes, CY Tribes, and Tribal Law Enforcement during the CRs -- a higher level of payments to Tribes than an amount available under a CR.*

➤ Remaining funds not yet distributed during the CRs

- ❖ *Apportionment request due to OMB within 10 days from enactment*
- ❖ *OMB has 30 days to approve the apportionment request; Treasury issues warrant*

FY 2023 Budget Strategy



➤ **BIA**

- ❖ *Protect Tribal Priority Allocations and TPA base funding budget activities.*
- ❖ *Advance Higher ranked Tribal priority budget activities as proposed in the Tribal Interior Budget Council (TIBC) Tribal Budget Request.*
- ❖ *Maintain strong support for the Administration's priorities of Conservation, Clean Energy, Tribal Programs and Equity in Underserved Communities.*
- ❖ *Address Assistant Secretary priorities.*
- ❖ *Support BIA central office programs and capacity building.*

FY 2023 Budget Strategy



➤ **BIE**

- ❖ *Protect programs that provide direct educational services to students in K-12 programs.*
- ❖ *Support school and facility replacements, new employee housing and repairs, and facility improvements for Tribal Colleges and Universities.*
- ❖ *Consider higher ranked Tribal priority budget activities as proposed in the Tribal Interior Budget Council (TIBC) Tribal Budget Request.*

➤ **BTFA**

- ❖ *Support changes in Part 2 Appeals regulations, expand existing work in Social Media, digitization and oversight activity and address longstanding program shortfalls.*

FY 2023 Budget Request

➤ *President's Budget Request*

❖ *Greenbook with DOI and OMB for review*





THANK
YOU!