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House Interior Appropriations Bill Headed to Floor – On May 10, the House Appropriations Committee approved its FY 2006 Department of Interior, Environment, and Related Agencies Appropriations bill (H.R. 2361, H. Report 109-80), which funds the Bureau of Indian Affairs, Indian Health Service, and Environmental Protection Agency. H.R. 2361 will likely be considered by the full House on Thursday, May 19. The bill includes numerous restorations of decreases proposed in the Administration’s budget request, such as for education construction, Johnson O’Malley, United Tribes Technical College, Crownpoint Institute of Technology, and Indian Health Services facilities construction. A detailed breakdown of the Committee’s recommended levels is attached here and highlights of the bill provisions follow. If you have any questions, contact Amber Ebarb at aebarb@ncai.org or call 202-466-776.

Bureau of Indian Affairs Summary

The Committee recommends a total of \$1.992 for the Operation of Indian Programs, \$68.5 million above the budget request and \$66.6 million above the FY 2005 enacted level.

Tribal Priority Allocations – The Committee recommends \$778.6 million for TPA, \$17.9 million over the request and \$8.5 million above last year’s enacted amount. Changes from the request include increases of \$1.5 million for Indian Child Welfare, \$6.42 million for Welfare Assistance, \$8.838 million for Johnson O’Malley grants, and \$1.162 million for community fire protection. The Committee restored the President’s proposed reductions for Johnson O’Malley and community fire protection. The Committee noted that the justification for the reductions, “that there are other programs in the government that could provide these funds,” is completely unfounded. The budget request provided no information to support claims that other funding sources are readily available to offset the reductions.

Other Recurring Programs – The Committee recommends \$636.3 million for Other Recurring Programs, \$34 million above the budget request and \$23.4 million above the amount enacted for FY 2005. Changes to the budget request include increases of \$15 million for the Indian school equalization program (ISEP) formula funds, \$3.36 million to restore the early childhood development program, \$5 million for student transportation, \$1.8 million for the Chippewa/Ottawa Resource Authority, \$3 million for the Inter-Tribal Bison Council, \$320,000 for the Upper Columbia United Tribes, and \$600,000 for the Circle of Flight program.

Special Programs/Pooled Overhead – Changes from the budget request in this area includes increases of \$8.5 million for law enforcement activities, \$3.45 million for the United Tribes Technical College (UTTC), \$1.726 million for Crownpoint Institute (CIT), and \$508,000 for the National Ironworkers training program. The Committee report noted that UTTC and CIT provide an educational benefit to Indian Country and the continued reduction of funding for them in budget requests is of great concern. The Committee urges the Department and the Office of Management and Budget to give these colleges full consideration in future budget requests and to work with these institutions to resolve concerns over funding formulas.

Budget Restructuring

“The Committee agrees with the Bureau that an alternative budget structure for the operation of Indian programs is badly needed. The current budget structure is confusing and complex and offers little opportunity to review funding levels and assess performance on a programmatic level. However, the Committee is concerned that there was inadequate consultation with Tribes when preparing this new budget structure. The Committee is also concerned that the process of making budgetary data available to Tribes is inadequate. The Committee directs the Bureau to do the following:

1. Consult with Tribal leaders on an alternative budget structure that is (1) aligned programmatically, (2) provides full transparency for Tribal priority allocations funding, (3) increases accountability for Bureau programs and program managers, and (4) clearly delineates funding levels of the central and regional offices. The Committee directs the Bureau to submit a revised budget structure as a part of the fiscal year 2007 budget justification.
2. Develop an internet website, hosted by the Office of the Secretary, that: (1) allows Tribes to access Bureau of Indian Affairs and Office of Special Trustee budget information, (2) displays the distribution of funding that affects Indian Country, and (3) contains information and links to all Federal grant programs that provide funding for Indian Country.
3. Submit a report, by December 31, 2005, outlining the Bureau of Indian Affairs current process for consulting Tribes and Tribal leaders on administrative, funding, and operational changes to programs and projects.” (H. Rept. 109-80, p. 68)

Bureau of Indian Affairs (in thousands)	FY05 Enacted	FY06 Request	FY06 House Committee	Change from FY06 Request
BIA Operation of Indian Programs				
Tribal Priority Allocations – Total	769,543	760,149	778,069	+17,920
Tribal Government	389,183	394,558	394,558	–
Human Services	147,387	141,561	149,481	+7,920
Education	48,300	39,466	48,304	+8,838
Public Safety and Justice	1,222	–	1,162	+1,162
Community Development	40,412	40,789	40,789	–
Resource Management	61,999	63,149	63,149	–
Trust Services	56,115	56,038	56,038	–
General Administration	24,925	24,588	24,588	–
Other Recurring Programs – Total	612,919	602,301	636,337	+34,036
Education	570,788	565,008	588,368	+23,360
Resources Management	42,131	37,293	47,969	+10,675
Non-Recurring Programs – Total	75,985	65,325	67,691	+2,366
Central Office Operations – Total	140,021	151,534	151,534	–
Regional Office Operations – Total	41,362	41,590	41,590	–
Special Programs/Pooled Overhead – Total	286,261	303,331	317,516	+14,185
Education	16,336	17,499	17,499	–
Public Safety and Justice	180,063	192,265	200,765	+8,500
Community Development	8,102	–	5,685	+5,685
Resources Management	1,269	1,269	1,269	–
General Administration	80,491	92,298	92,298	–
Total – Operation of Indian Programs	1,926,091	1,924,230	1,992,737	+68,507
BIA Construction				
Education	263,372	173,875	225,875	+52,000
Public Safety and Justice	7,381	11,777	11,777	–
Resources Management	40,289	38,272	38,272	–
General Administration	2,126	2,136	2,136	–
Construction Management	5,961	6,077	6,077	–
Total – BIA Construction	319,129	232,137	284,137	+52,000
Indian Land and Water Claims Settlements				
Miscellaneous Payments To Indians	44,150	24,754	34,754	+10,000
Indian Guaranteed Loan Program	6,332	6,348	6,348	–

Construction

The Committee recommends \$284.137 million for construction, \$52 million above the budget request and \$34.99 million below the FY 2005 enacted level. Changes from the budget request include increases of \$32 million for replacement school construction, \$1 million for employee housing, \$19 million for facilities improvement and repair. \$225.8 million for education construction is \$37.5 million below the amount enacted for FY 2005.

“The Committee is concerned about the reduction to Indian school construction and repair. This Committee has made substantial progress in replacing Indian schools, but much remains to be done. The Committee does not agree the Bureau needs to reduce funding for new schools to finish ongoing projects. The Committee has restored a portion of the funding and directs the Bureau to proceed with the construction of the next schools on the Bureau’s priority list. The Committee has also included an increase to the school maintenance and repair program that should be used to address the most immediate health and safety maintenance needs in Bureau schools.” (H. Rept. 109-80, p. 70)

Office of Special Trustee

The Committee recommends \$195.93 million for OST, \$77.8 million below the budget request and \$1.9 million below the level enacted last year, with the decrease for historical accounting.

“The Committee does not agree to the large increase requested in historical accounting and has shifted this funding to help offset reduction proposed in the Administration’s request to Indian education and health care.

“Since 1996, the Committee has appropriated hundreds of millions of dollars for activities related to the Cobell v. Norton litigation. The Committee feels very strongly that these funds could have been better used to fund greatly needed health and education programs in Indian Country. The Committee believes that this case must be resolved without negatively impacting future funding levels for Indian programs in this bill. The Committee recognizes that, in addition to mediation talks that have taken place in the last year, the House and Senate authorizing committees have made commitments to develop a comprehensive legislative solution to this ongoing problem.” (H. Rept. 109-80, p. 83, 84)

The Committee again included language in the bill to cap the funding available for historical accounting at \$58 million.

Indian Land Consolidation – The Committee recommends \$34.5 million for Indian land consolidation, the budget request and the FY 2005 enacted level.

Office of Special Trustee (in thousands)	FY05 Enacted	FY06 President’s Request	FY 2006 H. Rept. 109-80	Change from FY05 Request
Office of Special Trustee	193,540	269,397	191,593	-77,804
Indian Land Consolidation Program	34,514	34,514	34,514	–

Indian Health Service

The Committee recommends a total of \$3.1 billion for the Indian Health Service, \$55 million above the President’s request and \$118 million above the amount enacted for FY 2005. The Committee recommends \$370.77 million for Indian health facilities, \$17.8 million below the fiscal year 2005 level and \$55.1 million above the budget request. Changes to the request include increases of \$5 million for maintenance and improvements, \$46.8 million for health care facilities construction and \$3.3 million for medical equipment.

Indian Health Service (\$ in thousands)	FY05 Enacted	FY 2006 Request	FY06 House Committee	Change from FY06 Req
Indian Health Services				
Clinical Services – Total				
IHS and tribal health delivery				
Hospital and Health Clinic Programs	1,289,418	1,359,541	1,359,541	–
Dental Health	109,023	119,489	119,489	–
Mental Health	55,060	59,328	59,328	–
Alcohol and Substance Abuse	139,073	145,336	145,336	–
Contract Care	480,318	507,021	507,021	–
Catastrophic Health Emergency Fund	17,750	18,000	18,000	–
Clinical Services – Total	2,090,642	2,208,715	2,208,715	–
Preventative Health				
Public Health Nursing	45,015	49,690	49,690	–
Health Education	12,429	13,787	13,787	–
Community Health Rep Program	51,365	53,737	53,737	–
Immunization (Alaska)	1,572	1,645	1,645	–
Preventative Health – Total	110,381	118,859	118,859	–
Urban Health	31,816	33,233	33,233	–
Indian Health Professions	30,382	31,503	31,503	–
Tribal Management	2,343	2,430	2,430	–
Direct Operations	61,649	63,123	63,123	–
Self-Governance	5,586	5,752	5,752	–
Contract Support Costs	263,683	268,683	268,683	–
Total – Indian Health Services	2,596,492	2,732,298	2,732,298	–
Health Facilities				
Maintenance and Improvement	49,204	49,904	54,904	+5,000
Sanitation Facilities	91,767	93,519	93,519	–
Facilities Construction	88,597	3,326	50,132	+46,806
Facilities/ Environmental Health Support	141,669	150,959	150,959	–
Equipment	17,337	17,960	21,250	+3,300
Total – Health Facilities	388,574	315,668	370,774	+55,108
Total – Indian Health Service	2,985,066	3,047,966	3,103,072	+55,108