

THE WHITE HOUSE

WASHINGTON

November 5, 1998

*cc Ek*  
*File: Indians*  
*Maria -*  
*Please copy to*  
*Bruce Reed and*  
*Hane Spurling*  
*Mickey*  
*11/7/98*

MEMORANDUM FOR MARIA ECHAVESTE

JACK LEW  
SYLVIA MATHEWS

CC: MICKEY IBARRA  
DANIEL MENDELSON

FROM: LYNN CUTLER

SUBJECT: FY2000 BUDGET PRIORITIES FOR NATIVE AMERICANS

The President has long been committed to the Native American community. Most recently, he made several policy announcements at the conference "Building Economic Self-Determination in Indian Communities" on August 6. His announcements centered on health care, education, and economic development -- areas that have been the hallmarks of this Administration.

In addition, for the last two years, I have worked on a daily basis with the tribes. There is no more serious concern than health care and education. We simply have not met adequately our trust responsibility to these people. This is the President's last opportunity to really institutionalize positive change -- something I know he wants to do.

Following up on the President's announcements, below are listed three priorities for the American Indian and Alaskan Native population for the FY 2000 budget.

Health Care

Native Americans have particularly poor health status -- they suffer from diabetes at five times the rate of the non-Native population and are three to four times more likely to have a child die from Sudden Infant Death Syndrome (SIDS). It is widely recognized that the Indian Health Service (IHS), the main resource for Indian tribes who deliver health programs to their communities, is not sufficiently funded. As the Native American population increases (by 2050, the Native American population will more than double to 4.6 million) there is increased demand for services from a system that is not sufficiently funded to meet current needs.

In the last few years, the Indian Health Service, along with Secretary Shalala and Deputy Secretary Thurm, have engaged in an ongoing consultation with the tribes on health care needs. From the tribes' standpoint, the following request is the minimum that is needed to meet basic health care needs. The resulting proposal follows from a process the President set in motion and begins to redress years of underfunding and neglect.

This initiative focuses on providing a basic level of care to the Indian community in order to prevent an even steeper decline in the health of the population. It also builds on the President's efforts to elevate the Director of IHS to the position of Assistant Secretary and would complement the President's Race and Health initiative:

- **Ensuring Access to Care in Indian Communities and Improving Health Care for Women, Seniors, and Children.** There is a high degree of unmet health care needs in the Native American community. The government currently spends approximately \$1300 per capita to provide health services to Native Americans, compared to approximately \$3400 per capita for those in the Veterans Administration system, Medicare, or federal prison. Because of inflation and the fact that the Native American population is one of the fastest growing, a major emphasis of the IHS FY2000 budget is on increased funding to restore access to basic health care services such as immunizations, emergency care, primary care visits, well-child visits, and needed improvements in basic facilities. This proposal also includes program enhancements in health care for women, children, and the elderly. (Cost: \$504 million -- \$318 of which is for ensuring for access to basic care).

### Education

At the Native American Economic Development Conference, the President signed an executive order designed to improve the academic performance of American Indian and Alaska Native students in grades K-12. As part of this executive order, an interagency plan is to be developed with recommendations identifying initiatives, strategies, and ideas for future action to support the goals of the order.

American Indian children have the highest drop-out rate and the lowest high school completion rate of any racial or ethnic group in the country. Despite this tremendous need, American Indian school children have few role models to guide them. Of the Nation's more than 2 million elementary and secondary teachers, less than 1 percent -- only 18,000 teachers, are American Indian/Alaska Native. Recognizing these needs and challenges, the centerpiece of the interagency plan will be to train 1000 new Native American teachers. Our goal is to both increase the number of American Indians entering the teaching field and to enhance the skills of those already in the pipeline.

- **1000 New Teachers for Native American Students.** This initiative creates an American Indian Corps of Teachers (ACT). As there are only 18,000 Native American teachers in the country, an additional 1000 is a significant increase. This proposal has three parts: (1) funding for 25 grants to educational institutions, in partnership with tribal colleges, to create teacher training programs in Native American communities; (2) creating five professional development centers to provide continuing education for in-service teachers to improve the quality of teaching in Native American communities; and (3) a fellowship program that will support the training of 1000 new American Indian and Alaska Native teachers over 4 years by providing for their expenses while attending school, including child care. (Cost: \$37.5 million in the first year).

## Economic Development

When I presented my report to the President last December on the status of government-wide activities in Indian country, he specifically requested that we focus on economic development initiatives. As the result of the President's suggestion, the Domestic Policy Council's (DPC) Working Group on American Indians and Alaska Natives started planning the Economic Development Conference, which was held on August 6.

At the conference, the President directed the Department of the Interior, the Department of Commerce, and the Small Business Administration to develop, within 90 days, a strategic plan for coordinating economic development initiatives for Native American and Alaska Native communities. The plan will build upon current efforts in the agencies and detail future efforts on matters such as providing technical assistance, enhancing infrastructure, and developing software.

Recently, I attended the National Congress of American Indian Conference in Myrtle Beach, SC. The agencies held an outreach session for tribes on economic development. One of the tribes' main concerns is that they do not have access to information regarding economic development. Accordingly, the centerpiece of the strategic plan is the creation of a central toll-free number to provide technical assistance to Indian Country:

- **Providing Comprehensive Technical Assistance on Economic Development to Indian Country.** This proposal would provide a toll-free number, located at the Bureau of Indian Affairs, in which tribes could access information about how the federal government can assist in economic development efforts. This number would provide one point-of-contact for tribes across all government agencies and would eliminate the need for tribes to be familiar with the intricacies of specific government programs. Calls will be answered in a problem-solving manner by staff people trained on the specific economic development programs offered by each agency. In addition, the BIA will organize business seminars throughout Indian country (staffed by various agency representatives) which will consist of both general sessions and individualized technical assistance. (Cost: \$1,043,640).

From: Mary L. Smith

Re: Report on American Indian and Alaska Native Education

Date: December 14, 1998

Attached is the Interagency plan on Native American education. At the Native American economic development conference on August 6, the President signed an executive order on American Indian and Alaska Native education that required an interagency plan with recommendations identifying initiatives, strategies, and ideas in order to improve Native American education. The centerpieces of the plan include 1000 new Native American teachers and increased funding for the Bureau of Indian Affairs school construction and operation.



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

December 11, 1998

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

Enclosed is the American Indian and Alaska Native Education Interagency Plan. The Interagency Plan was developed pursuant to Executive Order 13096 of August 6, 1998, on American Indian and Alaska Native Education.

The goals of the Executive Order on American Indian and Alaska Native Education recognize significant and persistent issues affecting the education of American Indians and Alaska Natives. The Interagency Plan presents two centerpiece initiatives to focus immediate attention on these issues. The first initiative is to recruit and prepare 1000 new Indian teachers for American Indian and Alaska Native students. The second initiative is to continue to support and address the significant backlog of Bureau of Indian Affairs school construction and repair needs.

The plan also identifies initiatives that respond to federal Indian Impact Aid school construction needs, and the need to expand the use of technology, to improve learning readiness, and to increase high school graduation and post secondary attendance rates of American Indian and Alaska Native students.

We are confident that the initiatives developed by the Interagency Task Force will further the goals of the Executive Order on American Indian and Alaska Native Education.

Respectfully,

Handwritten signature of Richard W. Riley in black ink.

Richard W. Riley  
Secretary of Education

Handwritten signature of Bruce Babbitt in black ink.

Bruce Babbitt  
Secretary of the Interior

Enclosure

**EXECUTIVE ORDER 13096 ON AMERICAN  
INDIAN & ALASKA NATIVE EDUCATION**

First Interagency Task Force Report to the President

November 24, 1998

U.S. Department of Education  
U.S. Department of the Interior

**American Indian and Alaska Native Education Policy Development**

**Interagency Task Force Report to the President**

**November 24, 1998**

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## EXECUTIVE SUMMARY

On August 6, 1998, President Clinton signed Executive Order 13096 on American Indian and Alaska Native Education. The Order affirms the unique political and legal relationship of the Federal government with tribal governments and recognizes the federal government's special responsibility for the education of American Indian and Alaska Natives.

The Order establishes six goals for American Indian and Alaska Native education. The goals of the order are:

1. Improving reading and mathematics;
2. Increasing high school completion and post-secondary attendance rates;
3. Reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse;
4. Creating strong, safe and drug-free school environments;
5. Improving science education; and
6. Expanding the use of educational technology.

The goals of the Order recognize significant and persistent issues affecting the education of American Indians and Alaska Natives. The Executive Order established an Interagency Task Force and required, as its first activity, the development of an interagency plan. Participating agencies have identified programmatic and initiative areas for future consideration, which are supportive of the goals of the Order. From this listing, an Interagency Plan - focusing on major initiative areas - has been developed and is described herein.

The plan proposes two centerpiece initiatives: the training of 1,000 new American Indian teachers and continued support for the significant backlog of Bureau of Indian Affairs (BIA) school construction and repair. The plan proposes other important initiatives that the Interagency Task Force deems worthy for consideration. These initiatives include responding to the school construction and repair needs of Federal Indian Impact Aid school districts, expanding and improving the use of technology, improving learning readiness, and increasing high school completion and post-secondary attendance of American Indian and Alaska Native (AI/AN) students.

## I. Introduction:

The Interagency Plan for the Education of American Indians and Alaska Natives was developed pursuant to Executive Order 13096 on American Indian and Alaska Native Education by the Interagency Task Force created by the Executive Order. The ideas within the plan were developed with agency consultation with American Indian Tribal governments and reviews through memos and presentations to the National Indian Education Association, the National Congress of American Indians, and the National Advisory Council on Indian Education.

The interagency plan, which will evolve annually, represents the Interagency Task Force's short-term plan. The Executive order also requires the development of a long-term Comprehensive Federal Indian Education Policy. The various activities of the Executive Order, the short-term plan, and other Executive Order activities will form a basis for the development of the long-term comprehensive Federal Indian education policy required by the Order.

## II. Interagency Initiatives:

### A. Centerpiece Initiatives

The Interagency Plan has two centerpiece initiatives: train 1,000 new American Indian teachers, and meet the significant unmet need for Bureau of Indian Affairs (BIA) facilities construction and repair.

American Indian children have the highest dropout rates and among the lowest academic achievement rates of any population group in the country. Despite this tremendous need American Indian school children have few role models to guide them. Of the Nation's more than two million elementary and secondary teachers, less than one percent, only 18,000, are American Indian Alaska Native.

Compared to other schools, Bureau of Indian Affairs (BIA) schools are generally in poorer condition and have unsatisfactory environmental conditions. There exist major health and safety issues in these schools with two-thirds of the educational facilities being over 30 years old and more than one-quarter over 50 years old.

#### 1. 1,000 New Teachers for American Indian and Alaska Native Students

This initiative would create an American Indian Corps of Teachers (ACT) to recruit and prepare 1,000 new American Indian teachers over a five year period of time to teach at a high level of skill in schools with predominantly American Indian student populations. The proposal would fund up to 20 grants to educational institutions, prioritizing Tribal Colleges and Tribal College partnerships with regional postsecondary institutions that would (1) create teacher training programs in American Indian/Alaska Native communities; (2) provide for American Indian student education and living costs, including child care costs, that are not covered by traditional student financial aid resources; (3) provide continuing education for in-service teachers including an induction program for new graduates of the teacher education programs to improve the quality of teaching in American Indian/Alaska Native communities.

There is a very high annual teacher turnover rate of 35% and a very low number of Indian teachers in schools that serve predominantly American Indian student populations. Many non-Indian teachers often come to rural reservation communities ill-prepared for their life in rural, isolated areas and are poorly trained to be successful with linguistically and culturally unique learner populations.

Given the high teacher turnover rate within Indian communities, jobs are readily available at a significant annual rate to allow for the employment of large numbers of Indian teachers within their own communities. Approximately 70% of students entering Tribal Colleges are single American Indian women who are in their 30's with dependent children. A teacher education

program provides a career avenue for a significant population who are committed to living and working in their home communities. A large number of American Indian paraprofessionals work in schools that serve Indian students. The program would provide a career development opportunity for these individuals as well as help reduce the high unemployment rate among rural reservation American Indians.

To assist teachers who are ill-prepared for working in Indian communities, in-service training in the latest methods of teaching gateway subjects such as reading and math as well as effective strategies for teaching linguistically and culturally unique American Indian learner populations will be allowable components of the program.

## **2. Bureau of Indian Affairs (BIA) School Construction and Repair**

The FY 1999 budget provides \$60 million to replace older, unsafe and dilapidated schools on reservations in accordance with a Congressionally approved priority list of replacement schools, and would provide for much-needed health and safety related repairs and improvements that together comprise a \$700 million backlog. With two-thirds of the BIA's education facilities over 30 years old, and more than one-quarter over 50 years old, the backlog to correct life safety and other code deficiencies and to replace existing facilities exceeds \$1 billion and is growing. In the FY 1999 budget, the President requested \$87 million, which is a \$33 million (61%) increase over FY 1998, to support the Administration's Initiative. The President has made a commitment to respond to the serious need for addressing the Bureau of Indian Affairs school facilities construction and repair issues. The initiative seeks to continue efforts to respond to this extreme need.

Compared to other schools, BIA schools are generally in poorer condition and have more unsatisfactory environmental conditions according to a December 1997 GAO report. To remedy this problem and assist them to achieve their full educational potential, Indian students should attend school in facilities that do not pose a threat to their health and safety. The situation for BIA schools is a difficult one, as the sole source for funding their costs for operations, maintenance, and construction is Federal appropriations.

The age and deteriorating condition of BIA schools, employee housing and related education facilities is a major concern for Federal education program managers and Department officials. If conditions at some schools are not corrected, students and teachers may be at significant risk, which may result in school closures or significant liability to the Federal Government, and requests for emergency funding to correct hazardous conditions can be expected to increase.

## **B. Other Initiatives Recommended by the Task Force**

### **1. School Facilities Construction and Repair for Federal Impact Aid School Districts Serving American Indian Students**

All Indian reservation land is held in trust by the federal government for the tribe and cannot be taxed by state or local governments. Most local school construction bonds are paid back through property tax assessment. Therefore, school districts that are composed primarily or entirely of Indian lands (commonly called Impact Aid School Districts) are not able to float construction bonds to finance school renovation and replacement, as revenues are not available for bond payment. These districts, serving predominantly American Indian students on trust lands, have school facilities and school repair issues similar to BIA schools. There is a need to respond to the school construction needs of Indian Impact Aid school districts.

## **2. Increase the Utilization of Technology in Schools Serving Predominantly Indian Student Populations**

### **a. Bureau of Indian Affairs Technology:**

National studies such as the Rand Report suggest that for schools to reach full potential for technology, they need to invest between \$300 and \$500 per student annually. Many states, such as Iowa, have enacted special technology initiatives to fund school technology. These states provide extra funds for infrastructure, teacher training and extra personnel. Bureau-funded schools do not have access to these funds, nor is there any special appropriation from Congress to cover such costs. In comparison to school districts of equal size, the Bureau should have seven million dollars to support its Education Technology Program. The E-rate offers promise to help the nation's schools with discounts to pay for connectivity, wiring, and technology infrastructure; however, this program has not started to reimburse schools.

BIA's Access Native America Reinvention Lab, an NPR project, plans to connect all 185 Bureau-funded schools to the Department of the Interior's Internet backbone system by the end of the year 2000. The goal is to have Internet access in every classroom, school office and library. We have leveraged this initiative through a variety of funding sources, including funds from the Office of Indian Education's (OIEP) school statistics initiative. 19 schools participate in the Technology Innovation Challenge Fund (4 Directions Project), 28 schools participate in the Technology Literacy Challenge Fund (TLCF), and the remainder use some local school funds for technology. To date OIEP has fully connected 76 schools, with 40 more coming on line within the next 90 days. This effort is forced to use existing funds that are already insufficient to meet the educational needs of Indian students.

In addition, current funding is not sufficient to cover technology and distance learning costs such as staff training, to hire additional staff members needed to maintain the new school networks, to design educational software integrated with Indian content, to build web-site and other electronic networking devices, or to buy a sufficient amount of modern multi-media computers capable of reaching the Internet. In a sampling of the 48 schools that submitted applications for the TLCF grants, 50 percent of the computers in schools are more than five years old and only 10 percent are capable of reading the Internet.

### **b. Increase and Strengthen Interagency Technology Efforts:**

The following programs and initiatives have been identified by participating agencies as areas that are currently being reconsidered within budget requests or which may be considered for future agency consideration. They are proposed as areas that may be increased as a strategy for meeting the goals of the Order.

**Agriculture:** The USDA 1994 Research Program is a new competitive research grants program which will build the research capacity at the thirty 1994 Institutions (Land-Grant Tribal Colleges) by supporting agricultural research activities that address tribal, national, and multistate priorities important to USDA. In addition, the Tribal Colleges Equity Grants Program, if funded, will provide \$50,000 to each of the 30 land grant Tribal Colleges to enhance education opportunities by strengthening instructional programs in the food and agricultural sciences.

Under USDA's Extension Indian Reservation Program land grant universities provide qualified Extension Agents who are part of, and have access to, university resources to work on reservations. The university attempts to recruit qualified American Indians for Extension Agent positions. In a report prepared in 1990, the Intertribal Agriculture Council identified the need for 80 Extension Agents for agriculture on reservations of 120,000 acres or larger. Additional funds are needed to provide adequate funding to support the needed Extension Agents for agriculture to provide educational programs for youth development, foods and nutrition, parenting, financial management, and personal health maintenance.

Distance Learning and Telemedicine Loan and Grant Program (DLT): USDA funds distance learning and telemedicine projects awarded on a competitive basis to encourage and improve the use of telecommunications and computer networks to provide educational and medical linkages for rural areas. These projects have historically leveraged four dollars for each dollar USDA awards.

### **3. Improve the Learning Readiness of American Indian Students**

#### **a. Expand Early Childhood Education:**

American Indian children often do not come to school ready to learn. They often face serious health and safety issues, which mitigate their potential to learn. They do not have access to early childhood education programs that are linguistically, culturally, and developmentally appropriate.

An important strategy to the long-term improvement of American Indian education is to significantly increase the availability of early childhood education programs for American Indian learners. It is recommended that early childhood education and parent education, with language development, be key priorities for Indian education at the federal level and that a grant program be established to focus on this effort. The goal is to make early childhood education available to every American Indian child as a major strategy by significantly increasing the amount of funding available through all existing authorities. To assist in meeting this goal, the Department of Education has within its FY 1999 budget an appropriation to establish early childhood education sites so that American Indian and Alaska Native children are given greater assistance to meet their unique educational needs in the case of pre-school children, to improve their learning readiness.

Also, the Bureau of Indian Affairs annually funds 22 Family and Child Education (FACE) projects, serving 1,500 families. The FACE program provides early childhood education opportunities for Indian children by targeting pre-school children ages 0-5 and their parents.

These efforts, though important, do not meet the need to provide early childhood education experiences to most American Indian and Alaska Native children as a fundamental component to a long-term strategy to meet the goals of the Executive Order.

#### **b. Increase and Expand Interagency Efforts:**

The Corporation for National Service currently funds American Indian programs directly through a 1 percent set-aside of the overall funding for AmeriCorps programs and a 3 percent set-aside in Learn and Serve America. These programs affect Indian Education in myriad ways, such as providing scholarships for higher education to offering activities that increase children's readiness to learn; increasing reading and math scores; and improving learning through hands-on student service. Out of more than 550 tribes, 31 Tribal Colleges, and numerous national and urban Indian organizations, the Corporation has funding relationships with approximately 35 tribes, two Tribal Colleges, and one national Indian organization. The Corporation is committed to expanding programming to meet the critical educational needs of Indian youth, and finding ways to better reach urban Indians and national Indian organizations.

### **4. Increasing High School Completion and Postsecondary Attendance**

Surveys of American Indian student views of why they left school indicate that they felt pushed out of school and mistreated by teachers and administrators. Students spoke of dissatisfaction with school, feelings of mistrust and alienation, academic difficulties and the importance of family responsibilities, which often required students to leave school to work at home or get a job. Oppressive school policies and poor school climates were also important reasons for leaving school.

American Indian students who left school rejected the schools' academic offerings as dull and unconnected to their lives. This did not mean that youth left school because the content was not subject-specific enough to American Indian culture; rather school was not perceived as an avenue to

obtain the knowledge or skills they desired. Students saw emphasis on basic remedial or vocational tracking in high schools as limiting their opportunities. Students acknowledged parental and home support; however, problems with school were equally as important. Though pregnancy is often cited as a major reason female students drop out, schools have not accepted the birth of a child when considering strategies for high school completion (Deyhle, American Indian Education).

The Bureau of Indian Affairs indicates a yearly dropout rate of 14%; this figure defines students in grades 9-12 that leave school and do not enroll in another school during that year. The Indian Nations at Risk Report indicated a 36% dropout rate as the percentage of tenth grade Indian students nationwide who later left school. At the same time, Indian students are not entering and finishing college as they should be. American Indian students have among the lowest high school and college completion rates in the nation. American Indian students have the lowest rates of returning to eventually complete high school or an equivalent program. Approximately one-half (54 percent) of the schools with high concentrations of American Indian learners offer college preparatory programs as compared to 76 percent of the schools with few (less than 25 percent) Native students enrolled.

**a. Expand Adult Education:**

The majority of American Indians who qualify for postsecondary education have qualified by completing a high school equivalency program. Adult education opportunities have steadily declined for American Indians. There is a need to increase the availability of Adult education opportunities for American Indians

**b. Increase and Expand Interagency Efforts:**

\* Department of Agriculture-Native American Institutions Endowment Fund builds educational capacity in the areas of curricula design and materials development, faculty development and preparation for teaching, instruction delivery systems, experiential learning, equipment and instrumentation for teaching, and student recruitment and retention.

\* Department of Education-Indian Fellowship program has been used to support graduate and undergraduate degrees for American Indian students. The program is not currently funded.

\* Strengthen ESEA provisions affecting the education of American Indian students.

\* Health and Human Services-funds a number of grant programs that provide summer enrichment programs to American Indians and Alaska Natives. A number of these programs bring students to a local university campus for a minimum of two weeks. The curriculum includes reading, math, and science. These are competitive grant programs; however, with limited funds, they are not available to all target population areas of the country. Other programs provide tutoring and mentoring services that are competitive grant programs with limited funds and are not available to all target population areas of the country.

\* Indian Health Service (IHS) has an extern program that provides clinical experience to students during a non-academic year.

\* HHS has a number of scholarship programs and loan repayment programs. These programs are to recruit and retain health professionals in health professional shortage areas. The scholarship programs provide funding for students enrolled in courses that will prepare them for acceptance into health professional schools, e.g., nursing, pharmacy, medicine.

\* The Department of Housing and Urban Development-maintains and promotes education-related programs and resources important to achieving the goals of the Executive Order. In order to achieve success in these areas, budget support and focused attention on American Indian Alaska Native students is essential.

\* The Drug Elimination program may be used to support Indian education efforts when focused on youth drug prevention activities, including (1) redesign or modification of public spaces in Tribal housing developments to provide increased utilization for youth related purposes, such as a tutoring or learning center, (2) provision of equipment, transportation, and personnel costs of operating educational programs related in some way to drug abuse prevention, and (3) support for youth development strategies such as Boys & Girls Clubs, PRIDE, Drug Abuse Resistance Education (D.A.R.E.), 4-H, and Scouts.

\* Through the technical assistance portion of the Native American Housing Block Grant program, the Office of Native American Programs (ONAP) will develop a "Future Homebuyer" learning unit that will include a youth oriented module. The youth module will provide the appropriate lesson plans to better educate Native American and Alaska Native students on the use and abuse of credit and financing, as well as budgeting and spending, which will enhance their readiness skills for such future life coping needs as securing a home loan or balancing a checkbook.

\* **Corporation for National Service (CNS)**-Expand the education-related programs for American Indian tribes to include expanding AmeriCorps Tribal programs, creating 10 reservation based Indian youth corps programs to complete education related service projects such as tutoring and mentoring, supporting America Reads Programs and developing a Tribal College Service Learning Initiative with Learn and Serve America Higher Education Programs.

\* CNS recommends supporting the development of eight Regional Tribal Commissions on Service with increased support for their administration, training and program development; and establishing a set-aside of VISTA to help build tribes' capacities to promote, establish, and administer service programs in tribal communities.

### III. Other Order Activities

#### Future Action:

The ideas developed within the Interagency Plan focus on significant ideas developed over the past year on the part of the Departments of Education and the Interior. The plan also includes areas identified by other participating members of the Interagency Task Force that are currently reflected in agency budget requests or that relate ideas for future agency consideration.

Both budgetary and non-budgetary ideas will become a focus of discussion and activity during each subsequent year as the Task Force works on other Executive Order activities, such as the interagency resource guide, the research agenda, agency consultation, pilot sites, and agency consultation.

The Interagency Task Force will submit an Interagency Plan each year following this initial plan. Each year the plan will consider the progress made on ideas and initiatives and will incorporate new ideas and approaches designed to fulfill the goals of the Order.

In addition to forming the Interagency Task Force, development of a work plan and determination of agency initiatives, the Executive Order includes several significant activities that will occur within the next two years. These activities include:

- Interagency Resource Guide: At the next meeting of the Task Force the representatives will submit information on all education-related programs and resources that support the goals of the Order. It will be the responsibility of the Department of Education to receive, compile, publish and disseminate this guide.
- Research Agenda: The Department of Education, in consultation with the National Advisory Council on Indian Education and the Task Force, will develop and implement a comprehensive

research agenda. The agenda will include establishing baseline data on academic achievement of AI/AN students, evaluating promising practices and evaluating the role of native language and culture in the development of educational strategies.

- **Regional Partnership Forums:** The Departments of Education and the Interior, in collaboration with the Task Force, and Federal, tribal, State and local governments will convene a series of forums. The purpose of these forums will be to identify promising practices and approaches on how to share information, provide assistance to schools, develop partnerships, and coordinate intergovernmental strategies supportive of accomplishing the goals of the order. The Departments of Education and the Interior have an interagency committee that is beginning to plan these forums.
- **School Pilot Sites:** The Departments of Education and the Interior will identify public and Bureau of Indian Affairs funded schools and other schools serving predominantly Indian student populations that can serve as models for other schools. These pilot sites will be recipients of comprehensive technical assistance in support of the goals of the Order.
- **Memoranda of Agreement (MOA):** Participating agencies may develop, where appropriate to support the goals of the Order, MOAs to meet the educational needs of American Indian and Alaska Native students.

#### **IV. Long-Term Strategy: The Comprehensive Federal Indian Education Policy**

Within two years the Task Force will produce a policy designed to: improve federal interagency cooperation; promote intergovernmental collaboration; and assist tribal governments in meeting the unique educational needs of American Indian and Alaska Native students, including the need to preserve, revitalize and use native language and cultural traditions. The long term policy will be informed by consultation with American Indian tribal governments and by the results and insights gained from the implementation of the interagency short term plans and other activities of the Executive Order.

THE WHITE HOUSE

WASHINGTON

August 5, 1998

**NATIVE AMERICAN ECONOMIC  
DEVELOPMENT CONFERENCE**

**DATE:** August 6, 1998  
**LOCATION:** Grand Hyatt Hotel, Washington, D.C.  
**BRIEFING TIME:** 12:45 pm - 1:15 pm  
**EVENT TIME:** 1:35 pm - 2:50 pm  
**FROM:** Bruce Reed  
Mickey Ibarra  
Lynn Cutler

**I. PURPOSE**

To reaffirm your commitment to protecting tribal sovereignty and the government-to-government relationship between the United States and Tribes, and to promote and encourage economic self-determination in Indian country.

**II. BACKGROUND**

On Thursday, April 6, you will speak to approximately 800 tribal leaders, business representatives, and government personnel at a conference at the Grand Hyatt Hotel in Washington, D.C., sponsored by the White House (Domestic Policy Council and Office of Intergovernmental Affairs) and 15 federal agencies, entitled "Building Economic Self-Determination in Indian Communities." This event is the first time you have spoken in front of Native Americans since your meeting with tribal leaders in 1994.

**Purpose and Structure of the Conference**

This conference grew out of your meeting with tribal leaders on April 29, 1994, and the establishment of the Domestic Policy Council's (DPC) Working Group on American Indians and Alaska Natives. The conference will cover topics such as commerce in Indian country; building infrastructure and a positive climate for business; tribal self-government and economic self-determination; agriculture and economic development; rural business; community development in Indian country; electronic commerce; welfare-to-work initiatives; and tourism.

**Background on American Indians and Alaska Natives**

Indian America is made up of more than 550 tribes, with a total population of

approximately 2.4 million. Nearly half of the American Indian and Alaska Native population resides on 314 reservations, Indian lands, and Alaska Villages that make up Indian country.

While economic conditions in Indian country have improved in recent years, American Indian and with Alaska Native communities continue to lag behind the rest of the United States. For example, income levels of American Indians and Alaska Natives are substantially below those of all other Americans, with about 34 percent living below the poverty level. Factors such as geographical isolation, under-developed infrastructures, and demographic characteristics (nearly 40 percent of all American Indians are under the age of twenty) are responsible for these difficulties.

In your remarks, you will be make the following announcements:

- An executive order to improve the academic performance of American Indian and Alaska Native students in grades K-12. The order focuses special attention on improving student achievement in reading and mathematics.
- A directive to federal agencies to work in collaboration with tribal governments to: (1) prepare a report on the technology infrastructure needs in Indian country; (2) develop a strategic plan to coordinate economic development initiatives across agencies; and (3) initiate a project to help streamline the mortgage lending process in Indian country in order to improve access to mortgage loans on Indian reservations.
- A plan to direct \$70 million to assist seven American Indian and Alaska Native tribes establish small start-up technology companies to obtain government contracts.
- A call to Congress to pass legislation to elevate the Director of the Indian Health Service to an Assistant Secretary. This change will strengthen the government-to-government relationships; facilitate communication and consultation with the Tribes on matters of Indian health; and raise awareness of Indian health concerns throughout HHS and the entire federal government.
- A change in the state-by-state allocation of the \$24 billion in the Children's Health Insurance Program (CHIP) to count Native American children appropriately. States receive a share of CHIP funds based on their proportion of uninsured children below 200 percent of poverty. When the Census Bureau produced these counts last September, it did not include Native American children with access to the Indian Health Service as "uninsured." Thus, even though such children are eligible for CHIP coverage, states with a large number of Native American children did not receive the appropriate share of funds. Revised allotments will be published in October.

### III. PARTICIPANTS

#### Briefing Participants:

Bruce Reed  
Mickey Ibarra  
Lynn Cutler  
Julie Fernandes  
Mary Smith

#### Event Participants:

Dominic Ortiz, Lawrence, KS, is college student who owns and operates a wholesale Native American jewelry business

#### Standing on stage, but not speaking:

- Marge Anderson, CEO, Mille Lacs Band of Ojibwe (MN)
- Walter Dasheno, Governor, Santa Clara Pueblo
- Frank Ettéwagechik, Chairman, Little Traverse Bay Bands of Odawa Indians (MI)
- Roland Harris, Chairman, Mohegan Tribe (CT)
- Kathryn Harrison, Chair, Confederated Tribes of Grand Ronde (OR)
- Henry Kostzuta, Chairman, Apache Tribe of Oklahoma (OK)
- Ivan Makil, President, Salt River Pima-Maricopa Indian Community (AZ)
- Mary Thomas, Governor, Gila River Indian Community (AZ)
- A. Brian Wallace, Chairman, Washoe Tribe of Nevada (NV)
- John Yellow Bird Steele, President, Oglala Lakota Nation (SD)

#### Persons Standing on Stage for Signing of Executive Order

- Michael Anderson, Deputy Assistant Secretary for Indian Affairs, Dept. of Interior
- Dr. David Beaulieu, Director, Office of Indian Education, Dept. of Education
- Michael Cohen, Domestic Policy Council
- Lorraine Edmo, Executive Director, National Indian Education Association
- James Kohlmoos, Deputy Assistant Secretary, Office of Elementary and Secondary Education, Dept. of Education
- Melodee McCoy, Native American Rights Fund
- Joann Sebastian Morris, Director, Office of Indian Education, Dept. of Interior
- Yvonne Novack, President, National Indian Education Association
- Sherry Dawn Red Owl, Rosebud Sioux
- Ernie Stevens, Jr., National Congress of American Indians
- Mary Smith, Domestic Policy Council

### IV. PRESS PLAN

Open Press.

## **V. SEQUENCE OF EVENTS**

- Dominic Ortiz will make remarks and introduce **YOU**.
- **YOU** will make remarks.
- **YOU** then proceed to the desk on stage and sign the Native American education executive order.
- **YOU** then work a ropeline and depart.

\*Before you enter the stage, **YOU** will take a photo with approximately 30 persons who worked on the Native American education executive order.

## **VI. REMARKS**

Remarks Provided by Speechwriting.

## **VII. ATTACHMENTS**

- Conference Agenda
- Participants List
- Background on American Indians and Alaska Natives

**THE PRESIDENT ANNOUNCES INITIATIVES FOR  
NATIVE AMERICANS RELATED TO ECONOMIC  
DEVELOPMENT, HEALTH CARE, AND EDUCATION**

**August 6, 1998**

Today, the President will attend a conference, sponsored by the White House and fifteen federal agencies, entitled "Building Economic Self-Determination in Indian Communities," and will announce several initiatives aimed at improving economic self-sufficiency, increasing educational opportunities, and providing health care to Native Americans. The initiatives focus on: improving student achievement in reading and math for grades K-12; assessing the technology infrastructure needs of Indian country; coordinating existing federal economic development programs for Native Americans; creating a one-stop mortgage center in Indian country to streamline the mortgage process; creating technology-based jobs in Indian country; and adjusting the state funding from the Children's Health Insurance Program (CHIP) to reflect accurately states' populations of Native American children. In addition, the President will call on Congress to pass legislation to elevate the Director of the Indian Health Service to an Assistant Secretary.

**Creating Educational Opportunities for Native American Students**

**Native American Education Executive Order.** The President will sign an executive order at the conference which is designed to improve the academic performance of American Indian and Alaska Native students in grades K-12. The order focuses special attention on the following five goals: (1) improving student achievement in reading and mathematics; (2) increasing high school completion and post-secondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse; (4) creating strong, safe, and drug-free school environments conducive to learning; and (5) expanding the use of science and educational technology. This order is structured to address Indian educational needs through participation at the federal, regional, and local levels. At the federal level, the order establishes an Interagency Task Force to plan initiatives, develop an education resource guide, and assist in implementing a comprehensive research agenda on Indian education. At the regional level, the order mandates a series of regional forums to identify promising practices. Finally, at the local level, the order establishes pilot sites that will receive comprehensive technical assistance in support of the goals of the order.

**Expanding Economic Development in Indian Country**

**Executive Directive for Economic Development in American Indian and Alaska Native Communities.** The President will announce a directive with three components:

- **Technology Infrastructure Study.** The President will direct the Department of Commerce, in collaboration with the Department of the Interior and tribal governments, to issue a report within nine months on the technology infrastructure needs within Indian country, including distance learning facilities,

telecommunications capabilities, and manufacturing facilities.

- **Strategic Plan to Coordinate Economic Development.** The President also will direct the Department of the Interior, the Department of Commerce, and the Small Business Administration to develop, within 90 days, a strategic plan for coordinating economic development initiatives for Native American and Alaska Native communities. The plan will build upon current efforts in the agencies and detail future efforts on matters such as providing technical assistance, enhancing infrastructure, and developing software.
- **One-Stop Mortgage Center.** The President also will direct the Departments of Treasury and Housing and Urban Development, in partnership with local tribal governments and in cooperation with other federal agencies, to initiate a project to help streamline the mortgage lending process in Indian country in order to improve access to mortgage loans on Indian reservations. The agencies will initiate this effort through a year-long pilot program on the Navajo Nation and in at least one other location.

**Providing \$70 Million to Create Technology-Based Jobs in Indian Country.** The President will announce that the U.S. Department of Agriculture (USDA), through its Bringing Rural America Venture Opportunities (BRAVO) initiative, will direct \$70 million to assist seven American Indian and Alaska Native tribes in establishing small start-up technology companies to obtain government contracts.

### **Improving Health Care for Native Americans**

**Legislation to Elevate the Director of the Indian Health Service to an Assistant Secretary.** The President will call on Congress to pass legislation to elevate the Director of the Indian Health Service to an Assistant Secretary. This change will strengthen government-to-government relationships; facilitate communication and consultation with the Tribes on matters of Indian health; and raise awareness of Indian health concerns throughout the Department of Health and Human Services and the entire federal government.

**Increase Children's Health Insurance Program (CHIP) funding in states with large numbers of Native American children by about \$20 million.** The President will announce a change in the state-by-state allocation of the \$24 billion in the Children's Health Insurance Program (CHIP) to count Native American children appropriately. Under this program, states receive a share of funds based on their proportion of uninsured children below 200 percent of poverty. When the Census Bureau produced these counts last September, it did not count vulnerable Native American children as "uninsured." Thus, even though such children are eligible for CHIP coverage, states with a large number of Native American children did not receive the appropriate share of funds. The President will announce that the Administration will revise these allotments. These revised allotments will be published in October. This effort will build upon the Administration's commitment to improve health care coverage for Native American children. Both the Department of Interior's Bureau of Indian Affairs and HHS's

Indian Health Service are committed to increase enrollment of uninsured Native American and Alaska Native children, including through the development and distribution of culturally relevant referral information to schools and social services.

Feb. 5, 1998

To: Erskine Bowles  
From: Lynn Cutler *LC*  
cc: Mickey Ibarra, Sylvia Mathews  
Re: Status of Report on Indian Programs, Policies in U.S. Government

*5 -  
Copy Larry and  
Janet. Return.  
Mickey  
C. V. Bruce  
ELENA*

Last June, along with Bruce Reed, you sent a memo to all of the agencies in the government asking them to report on programs and policies currently underway that affect Indian Country. This was couched in terms of a follow-up to the April, 1994, Government to Government memorandum issued by the President.

The intent of this information gathering was to give us as full a picture as possible of what the Federal government is doing for and with Native Americans. The additional intent was to make recommendations about different issues. My feeling about the report was that it could help us to know exactly where we are, in order to be responsive to the Hill, and to give us guideposts as we deal with policy initiatives that affect Indian Country.

We are finally ready to brief you and Bruce on the findings in the report. My hope is that we will subsequently be able to brief the President, who cares so much about this segment of America.

What we will go through with you is a summary, along with the recommendations. We have also obtained the current proposed budget numbers for these programs--happily, there are increases proposed for many of them. Most of the issues that are currently very high on the Native American agenda involve consultation, regulations, and responsiveness of some of our agencies.

I've been working very hard on the myriad of issues that affect Indian Country since I started last March, and I think we've made some progress. But with 555 federally recognized tribes, many of whom have been in to meet with me and others, we cannot claim to have really met the needs of the poorest tribes.

We need about 45 minutes of your time to go through this report and answer questions. Elena Kagan has reviewed the summary, and we've refined it further. I hope to be able to meet with you next week. Many thanks.

THE WHITE HOUSE  
WASHINGTON

February 17, 1998

MEMORANDUM FOR ERSKINE BOWLES

FROM: Lynn Cutler

SUBJECT: Report from Federal Departments and Agencies in Response to Bowles/Reed Memorandum of May 23, 1998

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Enclosed is a summary of each Federal Department and Agency's review of their Government-to-Government activities and programs relating to Indian Country. This analysis was done in response to your memorandum dated May 23, 1997, which requested each Department and Agency give a synopsis of their approaches and activities implementing the President's April 29, 1994, Executive Memorandum in order to ensure Government-to-Government Relations with Indian Country.

Enclosed you will find:

- Report on the status of Government-to-Government activities and programs between the Federal Agencies and Departments and the Tribal Governments.
- Distribution of Federal Funding of Indian Programs and proposed 1999 Budget figures.
- Statistics and Key Facts concerning Indian Country.

This analysis was done with the assistance of Mark Van Norman of the Department of Justice, Elizabeth Homer of the Department of Interior, Elena Kagan, Julie Fernandes, Leanne Shimabukuro of the Domestic Policy Council and Holly Cook of Intergovernmental Affairs.

## EXECUTIVE SUMMARY

### The Status of Government-to-Government Relations between the United States and Tribal Governments

On April 24, 1994, President Clinton issued the Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments, which recognized the unique status of Indian tribes as governments reflected in the United States Constitution, treaties, statutes, executive orders, and judicial decisions.<sup>1</sup> The Executive Memorandum directs all departments and agencies, to the greatest extent practicable and permitted by law, to work with tribal governments within a framework of government-to-government relations concerning tribal government, treaty rights and trust resources. By directing *all* departments and agencies to work on a government-to-government basis with Indian tribes on issues of tribal self-government, treaty rights, and trust resources, the Executive Memorandum transformed the way that the Federal Government works with Indian tribes. The Domestic Policy Council's Interagency Working Group, which meets quarterly, was established following the Executive Memorandum. Many initiatives have emerged from this working group.

The Executive Memorandum has fostered improved working relationships, coordination and communication between agencies and tribal governments. Several agencies have established offices, or designated staff within existing offices, to ensure that work on Native American issues proceeds within a government-to-government framework. Agency personnel receive training on the unique governmental status and rights of Indian tribes and frequently meet with tribal leaders, both in Washington and in tribal communities. Also, Cabinet officers now appear at national meetings of tribal governments to consult face-to-face with tribal leaders.

In addition, the Administration also has secured important legislation supporting Indian tribes and has successfully opposed legislative proposals that would undercut tribal self-government. For example, the President signed the Native American Housing Assistance and Self-Determination Act into law and successfully fought back a recent effort to eliminate tribal sovereign immunity.

On May 23, 1997, the White House Chief of Staff and Assistant to the President for Domestic Policy requested agency reports on the implementation of the Executive Memorandum. This report summarizes agency responses and includes recommendations to improve government-to-government relations and enhance tribal self-government.

From the Department of Agriculture to Veterans' Affairs, departments and agencies are working actively and effectively with tribal governments. Some highlights of their work

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<sup>1</sup> Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments, 59 Fed. Reg. 22951 (1994).

include:

- The Small Business Administration's Natural Resource Conservation Service (NRCS) has established 33 full-time and 73 part-time offices at tribal headquarters to facilitate tribal access to NRCS programs.
- The EPA established an American Indian Environmental Office, adopted a Nine Point Plan to strengthen EPA tribal operations, and increased resources for Indian country environmental protection from \$36 million in FY94 to \$137 million in FY98.
- HHS's Indian Health Service transferred over \$730 million in FY95 to Indian tribes and tribal organizations to support tribal health delivery programs.
- The Administration and the Department of Housing and Urban Development ("HUD") secured passage of the Native American Housing Assistance and Self-Determination Act of 1996, which promotes tribal self-government by authorizing direct block grants for Indian housing.
- The Department of Interior has instituted formal written policies requiring every bureau and office to incorporate trust protection procedures into all planning and operations.
- Since 1995, DOJ's Community Oriented Policing Services (COPS) office has made over \$43 million in grants to 143 tribal law enforcement agencies to fund over 570 police officers in Indian communities.
- The Department of Transportation ("DOT") is seeking passage of the National Economic Crossroads Transportation Efficiency Act, which would require states to consult with tribal governments in developing transportation improvement plans, and would provide a modest increase to \$200 million annually for Indian reservation roads.

As these programs demonstrate, the Executive Memorandum has revitalized the nation's respect for Indian tribes as "domestic dependent nations" and renewed its commitment to honor the treaty pledges that guarantee tribal self-government.

### **Recommendations**

Based on information supplied by the Agencies, key recommendations to improve government-to-government relations and enhance tribal self-government through both departmental policies and support for initiatives include:

#### ***Improvements to Agency-Tribal Relations***

- Department Policies on Government-to-Government Relations. All departments and

agencies that have not adopted a formal policy to implement the Executive Memorandum should consider adopting such a policy. Departments and agencies should also consider whether to incorporate their specific policies on government-to-government relations into their regulations and operating manuals.

- Staff Assignments and Coordination. Departments and agencies should designate intergovernmental affairs or other central office staff with the responsibility for coordinating agency implementation of the government-to-government relations policy.

#### *Initiatives to Support Tribal Governments*

- Education. Given the Administration's emphasis on education and the unique Federal responsibilities to promote Indian education, the Administration should consider efforts to increase funding to Indian education programs and to enhance educational programs on Native American languages and cultures.
- Economic Development. An important goal of the longstanding Federal Indian Self-Determination Policy is economic self-sufficiency for Indian tribes. An interagency summit should be considered to plan an economic development initiative for depressed areas of Indian country.
- Indian Children and Youth. There is a growing disparity in the health status of Indian children and youth compared to other American youth. HHS is developing an interagency initiative for Indian children and youth to promote the physical, mental, social, economic and environmental well-being of Indian children and youth.
- Indian Country Law Enforcement and Tribal Courts. Given the significant concerns about rising crime rates on Indian lands, the Department of Justice, in cooperation with the Department of Interior, is considering steps to enhance law enforcement and tribal courts in Indian country.
- Indigenous Peoples. Currently, the U.N. and the Organization of American States ("OAS") are considering various declarations on the rights of indigenous peoples. The Administration should carefully consider these efforts, which would offer an historic opportunity to promote understanding and respect for the rights of Native Americans, and indigenous peoples in the Americas and throughout the world.

# REPORT ON GOVERNMENT-TO-GOVERNMENT RELATIONS WITH NATIVE AMERICAN TRIBAL GOVERNMENTS

## *Background of Relations between the United States and Indian Tribes*

Before Europeans landed on America's shores, Indian nations were self-governing societies with remarkable scientific, artistic, and cultural achievements. In order to acquire land and establish peace, European nations entered into treaties with Indian nations, thereby recognizing their sovereignty. Since the founding of our nation, the United States has recognized many Indian tribes as domestic dependent nations with sovereign powers over their members and territory and has entered into numerous treaties with various tribes pledging protection and guaranteeing tribal self-government.

Despite this history, there have been times when our nation has failed to recognize tribal self-governance. This failure has often resulted in loss and suffering for Native peoples. From 1887 to 1934 alone, Indian tribes lost almost 100 million acres of Indian lands, leaving their people destitute. Then, in 1934, President Roosevelt announced the Indian New Deal — the Indian Reorganization Act ("IRA"). The IRA's goal was to revitalize tribal governments to help ensure that Native Americans could maintain Native languages and cultures and determine their own future. In the 1950s, Congress, under its Termination Policy, again turned away from its support for tribal self-government and removed federal recognition from so-called "advanced tribes," effectively ending their governmental functions.

In the 1960s, the Kennedy and Johnson Administrations returned to a policy of support for tribal governments by including tribes in the War on Poverty programs. By 1968, the Johnson Administration secured passage of the Indian Civil Rights Act which recognized the right of Indian tribes to self-government while securing Bill of Rights protections for people within tribal jurisdictions. In the 1970s, the Nixon Administration built on this progress by declaring the Indian Self-Determination Policy. Implementing legislation authorized Indian tribes to contract to perform governmental functions (such as education, health care, public safety, and transportation), that the Departments of Interior and Health and Human Services had traditionally performed. The Carter, Reagan, and Bush Administrations continued to follow the Indian Self-Determination Policy without major departure.

Yet even after these years of federal government attention to the issues of tribal self-government, many Native Americans continue to be among the poorest and the most disenfranchised in the nation. On virtually every indicator available, Native Americans rank at or near the bottom compared to other racial or ethnic groups. The 1990 Census shows that 31% of all Native Americans and 43% of Native American children live below the poverty line. Currently, Native American students have the highest dropout rate (36%) of any racial or ethnic group, and the lowest high school completion and college attendance rates -- only about 2/3 of Native Americans over the age of 25 are high school graduates. Car crashes are the third leading

cause of death on Indian reservations -- a combination of alcohol abuse, the widespread problem of unpaved roads, and the lowest rate of seat belt usage. Alcoholism itself is the fifth leading cause of death among Native Americans. In addition, diabetes is virtually an epidemic in Indian country. Members of the Pine Ridge reservation in South Dakota have the shortest life expectancy of any group in the country.

### *The Executive Memorandum*

The 1994 Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments was a milestone in the field of Indian affairs. By directing *all* departments and agencies to work on a government-to-government basis with Indian tribes on issues of tribal self-government, treaty rights, and trust resources, the Executive Memorandum transformed the way the Federal Government works with Indian tribes.

Historically, American Indian issues were overlooked by some agencies because they were considered only relevant to the Department of Interior. However, as a result of the Executive Memorandum, several departments and agencies established American Indian offices and hired coordinators in component agencies. As the following programs demonstrate, the Executive Memorandum has revitalized the nation's respect for Indian tribes as "domestic dependent nations" and renewed its commitment to honor the treaty pledges that guarantee tribal self-government.

## **Department of Agriculture (USDA)**

### **Policy on Government-to-Government Relations.**

USDA policy recognizes that Indian tribes possess the right of self-government and the right to manage American Indian resources. USDA pledges to consult with tribal governments, share technical skills and information, and coordinate with other agencies.

### **Native American Programs Director, Office of Intergovernmental Affairs**

The Director serves as USDA's principal adviser on American Indian policy and programs and the primary liaison with tribal governments; chairs USDA's Native American Working Group; and assists the Under Secretary for Rural Development with the work of the Domestic Policy Council Working Group on American Indians and Alaska Natives.

### **Improved Working Relations with Indian Tribes**

The Farm Service Agency ("FSA"), Foreign Agricultural Service ("FAS"), Forest Service ("FS"), Natural Resources Conservation Service ("NRCS"), Food and Consumer

Service ("FCS"), Rural Development ("RD"), Marketing and Regulatory Programs, and Office of Civil Rights have designated American Indian coordinators who serve as liaisons with tribal governments.

USDA is conducting outreach efforts to tribal governments and communities to ensure that they have access to its programs. USDA has published a *Guide to USDA Programs for American Indians and Alaska Natives*. For the first time, the *Agriculture Fact Book 1997* includes a summary of highlights of recent activities and programs in USDA mission areas which serve Indian tribes and their members. FS recently published the *Forest Service National Resource Book on American Indian and Alaska Native Relations* to promote cooperative relations with Indian tribes. FSA, FAS, NRCS, the Animal and Plant Health Inspection Service ("APHIS"), and the Risk Management Agency ("RMA") are implementing a 5-year joint outreach effort with the Intertribal Agriculture Council to increase awareness of USDA services available to tribal communities.

The Natural Resources Conservation Service has established 33 full-time and 73 part-time offices at tribal headquarters and plans to locate an additional 47 full-time offices at tribal headquarters during the next 2 years. NRCS has conducted 20 "Working Effectively with American Indians" workshops in 10 states; these sessions focus on historical, legal, and cultural issues that are significant for effective program delivery to American Indians and Alaska Natives.

USDA has increased emphasis on economic development in tribal communities. Rural Development, working at the national, State, and local level to provide financial and technical assistance directly to tribal governments, has increased investments in tribal water and waste programs, housing, community facilities, and business projects. RD also adopted a policy acknowledging tribal government authority to apply Tribal Employment Rights Ordinances in certain contracts and grants on Indian reservations.

Food and Consumer Service administers the Food Distribution Program on Indian Reservations ("FDPIR") and the Special Supplemental Nutrition Program for Women, Infants, and Children ("WIC") and, in many instances, Indian Tribal Organizations deliver services to program participants. In consultation with tribal leaders and tribally appointed FDPIR Directors, USDA modified the FDPIR food package to improve its nutritional value and increase its appeal, without increasing its costs, and initiated and expanded the FDPIR Fresh Fruit and Vegetable Pilot Project ("FFV"), under which fresh produce is available to participating tribes. FCS worked with American Indian WIC advisers to develop an award winning fetal alcohol syndrome prevention video.

The Cooperative State Research, Education, and Extension Service ("CSREES") works with the 29 designated Land-Grant Tribal Colleges to provide an annual award to strengthen instruction programs in the food and agricultural sciences and to disburse the interest from an endowment fund to each of these institutions. USDA's new Tribal Colleges Extension

Program, established in October 1997, will support training and education in production agriculture, business management, community and family development, 4-H and youth leadership, natural resources and conservation, nutrition, diet, and health.

Animal and Plant Health Inspection Service founded its Native American Working Group to improve communication and delivery of services to Indian tribes, and enters into Memoranda of Understanding or cooperative agreements with Indian tribes to provide a wide variety of services to protect resources and human health and safety.

The Office of Civil Rights sponsored education programs for USDA staff and tribal representatives on building partnerships with tribal governments and on tribal realty and land management. USDA recently published the *Civil Rights at the United States Department of Agriculture, A Report by the Civil Rights Action Team*, which contains recommended actions, including Indian-specific recommendations, which USDA will implement to remedy its long-standing civil rights problems.

#### **Coordination with other Executive Departments and Agencies**

USDA works in partnership with DOD to implement the FDPIR Fresh Fruit and Vegetable Pilot Project. DOD serves as USDA's project procurement agent and delivery service. FCS and Health and Human Services' Indian Health Service entered into a Memorandum of Understanding to coordinate issues of mutual interest, share resources and information, and resolve concerns and problems. USDA works with Justice on tribal self-government and tribal lands issues and with Interior to maximize the delivery of USDA programs and services to American Indians and Alaska Natives.

#### **Current Initiatives to Support Tribal Self-Government**

- **Rural Housing Native American Pilot Loan Program.** RD's Rural Housing Service has a pilot program with Fannie Mae and several Indian tribes under its Section 502 Guaranteed Rural Housing loan program to improve home financing on reservations.
- **Tribal Conservation Districts.** Indian tribes have the option of establishing Tribal Conservation Districts under tribal law. A Tribal Conservation District provides guidance to American Indian farmers and ranchers regarding USDA program assistance to Indian tribes and assists NRCS in implementing USDA conservation programs. NRCS has established relationships with 15 Tribal Conservation Districts; two additional agreements are in the development phase.

### **Department of Commerce**

#### **Policy on Government-to-Government Relations**

The Commerce Department's policy recognizes the inherent sovereignty of Indian tribes and their right to self-government. It also acknowledges the trust responsibility, commits to a government-to-government relationship, and directs Commerce agencies to remove impediments to working with Indian tribes and to promote the tribes' economic development and self-sufficiency.

### **Office of the Secretary**

A senior policy advisor in the Office of the Secretary serves as the primary liaison between Commerce and tribal governments. This advisor also coordinates the activities of several tribal liaisons designated by component agencies.

### **Improved Working Relationships with Indian Tribes**

The Census Bureau is working with Indian tribes to increase the participation of Native Americans in the 2000 Census. They are asking tribes to designate tribal officials to work directly with Census personnel and are planning a Census 2000 rehearsal at the Menominee Reservation.

Though the Economic Development Administration ("EDA") grant programs have been substantially reduced, within its resources, the EDA has established the Indian Planning Program ("IPP") to support tribal formulation and implementation of economic development programs. IPP is intended to help create and sustain full-time permanent jobs for Native Americans, with a focus on those who are unemployed or underemployed. Currently, sixty tribes receive IPP funding.

The Minority Business Administration at Commerce has established an Office of Native American Programs, with eight Native American Business Development Centers and a business consultant, that provides management and technical assistance to Native American businesses.

The National Oceanographic and Atmospheric Administration has a Memorandum of Understanding with the American Indian Science and Engineering Society that promotes educational, internship, and employment opportunities for Native American students and professionals. The Patent and Trademark office also has several programs to improve educational opportunities for students at tribal community colleges.

Finally, the National Telecommunication and Information Administration ("NTIA") is working with Indian tribes to extend the benefits of the Internet to tribal communities. Since 1994, the NTIA has funded over a dozen model projects within Indian country. NTIA is also working with over forty tribal communities to modernize public broadcasting under its Public Telecommunications Facilities Program.

## **Coordination with Other Agencies**

On June 5, 1997, Secretary Daley and Secretary Babbitt signed a Secretarial Order that clarifies Commerce's responsibilities when the implementation of the Endangered Species Act affects tribal rights, trust resources or lands.

## **Department of Defense (DOD)**

### **Policy on Government-to-Government Relations**

DOD has initiated a consultation process with Indian tribes to develop a department-wide American Indian and Alaska Native policy by the close of the year. The DOD policy will cover: (1) government-to-government relations; (2) trust responsibilities; (3) consultation; and (4) natural and cultural resources protection.

### **Office of the Deputy Under Secretary of Defense for Environmental Security**

The Office of the Deputy Under Secretary for Environmental Security is the primary liaison with tribal governments for the current policy development effort. Each Military Service coordinates on their Service-specific issues.

### **Improved Working Relationships with Indian Tribes**

DOD is currently working with the Oglala Sioux Tribe on a program to address contamination of a former bombing range on the Pine Ridge Reservation. This program will assist the tribe to develop the technical and management skills necessary to take the lead on removal of ordnance from a World War II bombing range located on reservation lands. DOD is also working to transfer surplus buildings to the Oglala Sioux from Ellsworth Air Force base.

DOD has consulted with tribal leaders on the development of the Range Rule (i.e., cleaning-up closed or transferred firing and bombing ranges), and will provide tribal leaders with guidelines for funding and clean-up.

### **Coordination with Other Executive Departments and Agencies**

DOD participates, along with other agencies, in the DPC Working Group on American Indians and Alaska Natives, chaired by Secretary Babbitt. DOD is working with EPA and DOJ on an environmental enforcement policy for Indian country. DOD is working with DOJ and other agencies in reviewing affirmative action programs, including programs available to Native American owned firms.

### **Current Initiatives to Support Tribal Self-Government**

- Native American Mitigation Information System. This system will provide reliable information regarding the environmental, human health, and cultural impacts of DOD activity on tribal lands. Information will be available on the Internet.
- Capacity Building. DoD is working to develop cooperative agreements with tribal governments that will lead to capacity building and opportunities for Tribes to be directly involved in environmental mitigation activities.

## **Department of Education**

### **Policy on Government-to-Government Relations**

Education has not developed a specific policy on government-to-government relations, but development of a policy is planned.

### **Office of Indian Education ("OIE")**

OIE's Director is designated as the primary liaison with tribal governments. OIE has 4 major duties: (1) Administering Title IX of the Improving America's Schools Act (IASA); (2) developing policies affecting Indian children and adults under Office of Elementary and Secondary Education programs; (3) coordinating development of policy for all Indian-related programs; and (4) assisting the Assistant Secretary of the Office of Educational Research and Improvement in identifying Indian educational research priorities.

### **Working Relationships with Indian Tribes**

Education consults with Indian tribes through the National Advisory Council on Indian Education ("NACIE"), established by Congress to advise the Secretary on the funding, administration and development of policies and programs for the education of American Indians. NACIE's board is appointed by the President from a list submitted by tribal governments. In 1995, NACIE consulted with Indian tribes and prepared a report for Secretary Riley on the status of American Indian education. After consultation with the American Indian Higher Education Consortium, the Department of Education has taken important steps to implement the Executive Order on Tribal Colleges. Because Congress has recently eliminated NACIE's funding, Education now funds NACIE at a reduced level from general appropriations.

### **Coordination with other Executive Departments and Agencies**

Working with the White House Office of Intergovernmental Affairs, Education has participated in meetings with tribal government leaders at the White House. Education is coordinating with HHS on a proposed Executive or Secretarial Order on American Indian and

Alaska Native Children and Youth. OIE coordinates quarterly with Interior's BIA Education programs.

## **Department of Energy (DOE)**

### **Policy on Government-to-Government Relations**

DOE policy pledges that DOE will work with tribal governments within the framework of government-to-government relations, recognizes the federal trust responsibility to Indian tribes, and pledges to remove impediments to working directly and effectively with Indian tribes. DOE has also pledged to coordinate with other Federal and state agencies on tribal issues, and to include tribal government relations in long-term planning and management processes.

### **Office of Congressional, Public and Intergovernmental Affairs**

DOE has assigned the Office of Congressional, Public, and Intergovernmental Affairs as the primary policy office on Indian issues, and has created the position of DOE Liaison for Indian Issues within that office to guide and monitor a network of Indian issues points of contact throughout the agency.

### **Improved Working Relations with Indian Tribes**

DOE allocated \$15 million in FY97 to support Indian initiatives, including fish habitat restoration in the Pacific Northwest, cultural resource protection programs, and renewable energy projects. DOE entered into ten cooperative agreements with Indian tribes in 1997 to address health and safety issues.

### **Coordination with Other Executive Departments and Agencies**

DOE has coordinated with the Department of Interior and other agencies on several of its Indian country projects.

### **Current Initiatives to Support Tribal Self-Government**

- DOE is developing a handbook for Indian tribes on the implications of the restructuring of the electric utility industry that concerns the commercial and consumer interests of tribal communities.
- DOE is establishing an Indian program presence on the Internet and is participating in the Interagency American Indian Telecommunications Infrastructure Working Group.

## Environmental Protection Agency (EPA)

### **EPA Policy on American Indians and Alaska Natives**

EPA has been a leader in the area of government-to-government relations with Indian tribes since the early 1980s. EPA policy establishes that EPA will work with Indian tribes on a government-to-government basis and recognizes Indian tribes as the primary authorities for setting standards, environmental policy decisions, and managing environmental programs for Indian reservations. EPA has also pledged to remove impediments to dealing directly and effectively with Indian tribes, included tribal government concerns in EPA policy-making decisions, and has coordinated with other federal agencies to ensure compliance with federal environmental statutes and regulations in Indian country. EPA has a five-year strategic plan to actuate its policy.

### **American Indian Environmental Office**

The Director of the American Indian Environmental Office serves as the primary EPA liaison with tribal governments and coordinates EPA policy with Indian liaison officers in EPA field offices.

### **Improved Working Relationships with Indian Tribes**

Since 1994, EPA has worked hard to improve working relationships with Indian tribes. EPA established a Tribal Operations Committee and American Indian Environmental Office, adopted a nine-point plan to strengthen EPA's tribal government operations, and received significant increases in EPA resources for environmental protection in Indian country.

EPA's Senior Leadership team conducts quarterly meetings with its Tribal Operations Committee ("TOC"), which includes nineteen tribal representatives. The TOC discusses implementation of joint EPA / tribal environmental protection efforts. EPA also includes tribal leaders on working groups, such as the Grand Canyon Visibility Transport Commission.

EPA has actively removed impediments to dealing directly and effectively with Indian tribes through actions such as removing the previous \$15 million cap on tribal environmental protection multi-media program grants. EPA also tailors its efforts to meet unique tribal needs through the Indian Environmental General Assistance Program, which provides funding for tribes to establish, implement, and enforce environmental codes and regulations tailored to their reservation's environmental needs.

## **Coordination with Other Executive Departments and Agencies**

EPA has been an active participant in the DPC Working Group on American Indians and Alaska Natives, and has actively assisted other agencies, such as DOD, Agriculture and other land management agencies, with Indian environmental issues. EPA has a Memorandum of Understanding with DOI's Bureau of Indian Affairs, HHS's Indian Health Service, and HUD to address pollution control in Indian country. EPA also works closely with DOI and DOI on environmental enforcement in Indian country.

## **Current Initiatives to Support Tribal Self-Government**

- **Policy Implementation Team.** EPA Administrator Carol Browner has directed the formation of a team of senior managers and tribal representatives to draft implementation guidelines for EPA's Indian policy.
- **Treatment of Tribes in the Same Manner as States.** EPA has adopted a policy to respect Indian sovereignty by applying certain program requirements to Indian tribes in the same manner as those program requirements are applied to states.
- **Consolidation of Tribal Grant Applications.** Through the Performance Partnership Grant (PPG) program, Indian tribes may consolidate grant applications, budgets, work plans and reports to reduce administrative burdens on tribal governments.

## **Federal Emergency Management Agency (FEMA)**

### **Policy on Government-to-Government Relations**

FEMA is in the process of developing an agency policy on government-to-government relations with tribal governments.

### **Office of Intergovernmental Affairs**

The Office of Intergovernmental Affairs is FEMA's designated liaison with tribal governments, and an experienced American Indian staff member has been hired in that office to work with Indian tribes.

### **Improved Working Relationships with Indian Tribes**

FEMA has established a Tribal Policy Working Group composed of representatives from Intergovernmental Affairs and regional offices, which has met with Indian tribes to consult about the proposed FEMA policy on government-to-government relations with Indian nations. As an adjunct to this effort, FEMA has increased outreach efforts to Indian tribes to promote responsiveness to tribal communities and increase awareness of FEMA program

availability.

### **Coordination with other Executive Departments and Agencies**

The Tribal Policy Working Group has worked with DOI and DOJ to learn about tribal self-government, treaty rights, and trust resources.

## **General Service Administration (GSA)**

### **Policy on Government-to-Government Relations**

GSA has not adopted a written policy on government-to-government relations with tribal governments.

### **Office of Congressional Affairs and Intergovernmental Relations**

GSA has designated the Office of Congressional Affairs and Intergovernmental Relations as the primary GSA liaison with tribal governments.

### **Current Initiatives to Support Tribal Self-Government**

- **Surplus and Real Property Transfers.** Under the Property Act of 1949, GSA has authority to transfer excess real property within Indian reservations to the Secretary of the Interior to be held in trust for Indian tribes. From FY92 through FY97, GSA transferred approximately 7,058 acres under this authority. In addition, GSA has authority to transfer excess personal property, and from October 1, 1996 through May 31, 1997, GSA transferred 6,727 items of personal property (pens to desks to cars) to Indian tribes with a dollar value of \$31,345.
- **Federal Telecommunications Service.** Under the Indian Self-Determination Act, when carrying out self-determination contracts, tribal governments may use GSA's long-distance rate, video, and voice telecommunications services, as well as local telecommunications and wireless services. In December 1996, a MOU between the DOI and GSA was executed which allows tribal governments to order these services directly from GSA. Since then, a number of tribal entities have signed individual MOU's with GSA to access these services.
- **Computers to Schools.** Executive Order 12999 permits Indian reservation schools (BIA schools) to obtain computers from GSA for their primary and secondary students under the same procedures available to all other educational facilities. As of August, 1997, no transfers had yet been made under this authority.

## **Health and Human Services (HHS)**

### **Policy on Government to Government Relations**

HHS policy recognizes the government-to-government relationship between the U.S. and Indian tribes and the Federal trust responsibility to Indian tribes. It also encourages maximum participation by Indian people in Indian health planning and services, directs components to consult with, assess program impacts on, and remove procedural impediments to working with Indian tribes, and pledges to collaborate with other agencies to this end.

### **Office of Intergovernmental Affairs**

A tribal consultation division has been established and the Senior Advisor on American Indian and Alaska Natives for Intergovernmental Affairs serves as the HHS tribal government liaison. HHS has recommended that component agencies designate individual tribal points of contact.

### **Improved Working Relationships with Tribal Governments**

In both 1995 and 1996, the Administration on Aging awarded over \$15 million in grants to 221 tribal organizations to provide supportive and nutrition services to tribal elders. The Administration for Children and Families ("ACF") holds training sessions for tribes on ACF programs and Head Start. In FY96, the American Indian Head Start Program provided \$98 million to 130 grantees representing 144 Indian tribes and 8 Alaska Native Regional Corporations serving 35 villages and cities. The Administration for Native Americans ("ANA") administers programs to enhance tribal economic development, environmental protection, and Native languages and cultures.

In the Office of Community Services, the Family Violence Prevention & Services Program provided \$4.5 million in grants to 140 Indian tribes and tribal organizations in FY96. In addition, the Community Services Block Grant allocation for Indian tribes to reduce poverty in tribal communities is \$3.1 million in FY98. The Child Care Bureau provided \$28 million in grants to 225 tribal consortia representing over 500 Indian tribes and Alaska Native Villages in child care and development block grants. The Office of Child Support Enforcement created a Native American Working Group and significantly increased its efforts in this area since the enactment of the Temporary Assistance to Needy Families Act ("TANF") in 1996.

In FY95, tribal Job Opportunities and Basic Skills ("JOBS") training grantees assisted 1,250 AFDC recipients get jobs at an average hourly wage of \$6.36. The Job Training Partnership Association ("JTPA") and JOBS held numerous consultations and provided technical assistance to tribes around the country. The Office of Family Assistance administers the JOBS program and in FY96, more than 75 Tribal JOBS grantees received a total of \$8,521,220.

The Indian Health Service ("IHS") worked with DOI to revise Indian Self-Determination contract regulations through negotiated rule-making with Indian tribes. In FY95, IHS transferred over \$730 million to Indian tribes and tribal organizations to support tribal health delivery programs. For FY96, IHS negotiated 29 self-governance compacts and 42 annual funding agreements, and transferred approximately \$300 million to 197 tribes in Alaska and 28 tribal governments in the lower 48 states.

In 1997, the diabetes initiative was provided with additional funds beginning in fiscal year 1998. The diabetes initiative provides \$30 million a year for five years for total funds of \$150 million and is directed towards providing community based treatment and prevention.

### **Coordination with other Executive Departments and Agencies**

HHS works closely with the DPC Working Group on American Indians and Alaska Natives. HHS is also working with DOJ and DOI on welfare reform and child support enforcement issues. The Indian Health Service has coordinated with Education, DOI, and DOJ on its American Indian and Alaska Native Youth Initiative.

### **Current Initiatives to Support Tribal Self-Government**

- Temporary Assistance to Needy Families ("TANF"). TANF replaces AFDC, Emergency Assistance, and JOBS money with a block grant available to Indian tribes. HHS has established a new Division of Tribal Services within the Administration for Children and Families to provide program assistance to tribes seeking to administer their own TANF programs. They have published Tribal Guidance for TANF Program which explains the new provisions to tribes. HHS and DOJ worked to craft technical amendments to the TANF legislation that would accommodate the unique economic situation in Indian country and allow for the establishment of realistic time limits, set by the Secretary in consultation with tribes, for tribal members.

## **Department of Housing and Urban Development (HUD)**

### **Policy on Government-to-Government Relations**

HUD has adopted a departmental policy on government-to-government relations, which recognizes the unique status of tribal governments, the trust responsibility, and emphasizes HUD's special responsibility to promote safe, sanitary housing for low income families and its goal of maximizing Indian self-determination through Indian Housing Authority administration of programs in tribal communities.

## **Deputy Assistant Secretary, Office of Native American Programs**

HUD established the Office of Native American Programs ("ONAP") under the direction of the Assistant Secretary for Public and Indian Housing. The Deputy Assistant Secretary for Indian Housing serves as ONAP's administrator and primary HUD liaison with tribal governments. The Deputy Assistant Secretary has offices in Washington, D.C., but ONAP's main offices are in Denver, Colorado, close to Indian country. ONAP also has field offices in Chicago, Oklahoma City, Phoenix, Seattle, and Anchorage.

### **Improved Working Relationships with Indian Tribes**

In 1996, the Administration secured passage of the Native American Housing Assistance and Self-Determination Act, which promotes tribal self-government by authorizing direct block grants to Indian housing authorities, under the direction of tribal governments.

In 1995, HUD issued a policy on customer service which requires HUD personnel to adopt certain core principles for interaction with Indian tribes and tribal members consistent with the Executive Memorandum on Government-to-Government Relations.

### **Coordination with Other Executive Departments and Agencies**

HUD entered into an Interdepartmental Agreement with the Bureau of Indian Affairs and the Indian Health Service to improve the delivery of services and financial assistance to tribal and Indian Housing authorities through better interagency communication.

### **Current Initiatives to Support Tribal Self-Government**

- HUD is currently working with tribal governments through a negotiated rule-making process to develop regulations to implement the Native American Housing Assistance and Self-Determination Act.
- Operation Safe Home. HUD's Operation Safe Home campaign is a continuing initiative begun in 1994 to combat crime in HUD housing, with a special focus on violent crime and criminal gang activity. Programs that facilitate eviction of habitual criminals from HUD housing and removal of gang graffiti are operated in Indian country.
- Native American Women and Youth. HUD is working with Native American women and youth to fight drug and alcohol abuse through peer counseling and leadership training workshops.
- Boys & Girls Club. Recognizing that Native American youth face many socioeconomic difficulties and disadvantages, HUD has teamed with the Boys & Girls Clubs of

America to promote comprehensive club development in Indian Country. More than twenty clubs are currently operating in Indian country, serving Native American youth aged five to nineteen. The clubs provide athletic and cultural activities for young people and focus on the problems of drugs, alcohol, and teen pregnancy.

## **Department of Interior (DOI)**

### **Policy on Government-to-Government Relations**

Secretary Babbitt has ordered component agencies to establish guidelines for implementing the Executive Memorandum on Government-to-Government Relations. The Secretarial Order (which requires agencies to establish written guidance to enhance tribal consultation, improve agency coordination, and ensure compliance with the trust responsibility) is included in the Department Manual, and DOI agencies have promulgated agency policies pursuant to that Order.

### **Assistant Secretary for Indian Affairs and Director, Office of American Indian Trust**

The Assistant Secretary for Indian Affairs is DOI's primary liaison with Indian tribes. Several Interior component agencies have established agency liaisons with Indian tribes, and these agency liaisons coordinate with the Director of the Office of American Indian Trust, who has primary responsibility for ensuring department-wide implementation of the government-to-government relations policy and trust procedures.

### **Improved Working Relationships with Indian Tribes**

The Secretary and Assistant Secretary actively consult with Indian tribes on issues important to tribal governments, including Indian lands, water rights, tribal governmental authority, and the application of federal law in Indian country. Efforts to establish better working relationships with Indian tribes have included the use of the negotiated rulemaking process in the development of the new regulations for the Indian Self-Determination Act and the Indian Self-Governance Act. DOI has expanded its use of memoranda of understanding and negotiations on a wide variety of issues, including the implementation of the Endangered Species Act in Indian country. Much of this work is effected by the small tribal liaison offices established in each Bureau to advance the Federal Indian Self-Determination Policy, ensure fulfillment of the trust responsibility, and improve government-to-government relations.

### **Coordination with Other Executive Departments and Agencies**

The Secretary chairs the Domestic Policy Council's Inter-Departmental Working Group on American Indians and Alaska Natives, and has fostered an unprecedented level of cooperation between coordinate agencies. Interior works closely with DOJ on Indian country

law enforcement and litigation related to tribal governments, treaty rights, and trust resources. Other agencies, such as DOD, EPA, DOE, and HHS, are routinely invited to Interior consultations with Indian tribes. Interior works with the White House Office of Intergovernmental Affairs on issues of national importance to tribal leaders.

### **Current Initiatives to Support Tribal Self-Government**

- **Implementation of the Indian Self-Determination Act Amendments and the Indian Self-Governance Act.** Through consultations with Indian tribes, Interior has streamlined Indian self-determination contracting and self-governance contracting to ensure that Indian tribes are able to undertake management of governmental services to the Indian peoples. Since the enactment of the Indian Self-Governance Act of 1991, 203 Indian tribes have entered into self-governance compacts.
- **Advancing Tribal Sovereignty.** DOI has an ongoing program to advance tribal sovereignty, which recently resulted in the streamlining of the federal acknowledgment regulations and the recognition of 223 Alaska Native villages as Indian tribes.
- **Implementing the Executive Order on Sacred Sites.** The Office of American Indian Trust facilitated interagency consultations with tribal governments on the Executive Order on Sacred Sites and developed important agency guidance for implementing the Executive Order.
- **Endangered Species Act.** Recognizing that the Endangered Species Act ("ESA") may impact tribal treaty rights and trust resources, DOI conducted a series of consultations with Indian tribes and developed a MOU on the implementation of the ESA in Indian country.
- **Furthering Federal-Tribal Consultation.** Each DOI bureau is now bound by departmental policy to consult with tribes on a government-to-government basis. Currently, many of the offices are also developing specific internal procedures for consultation with Indian tribes. The new consultation procedures have made it easier for Indian tribes to work with DOI agencies on issues such as tribal historic preservation.

## **Department of Justice (DOJ)**

### **Policy on Government-to-Government Relations with Indian Tribes**

DOI Policy recognizes Indian tribes as domestic dependent nations and pledges support for tribal self-government. DOJ policy directs components to work with tribes on a government-to-government basis, to remove impediments to working directly with Indian

tribes, and to work cooperatively with other federal agencies on Indian issues.

### **Office of Tribal Justice (OTJ)**

Established in accordance with the Executive Memorandum on Government-to-Government Relations, OTJ functions to: (1) provide a government-to-government communication channel between DOJ and Indian tribes; (2) coordinate Indian affairs policy within DOJ and with other agencies; and (3) promote DOJ government-to-government relations with Indian Tribes.

### **Improved Working Relationships with Indian Tribes**

Each U.S. Attorney with jurisdiction in Indian country has appointed an Assistant U.S. Attorney to serve as tribal liaison in order to improve the administration of justice and enhance working relations with Indian tribes. The FBI created an Office of Indian Country Investigations, assigned thirty new Indian country agents in FY97, and requested 30 more Indian country agents for FY98.

In consultation with Indian tribes and the Department of Interior (DOI), the Environment and Natural Resources Division supports tribal interests in cases involving tribal government, treaty rights, tribal lands, water rights, natural resources, and environmental regulation. The Office of the Solicitor General represents the United States before the Supreme Court in cases involving the federal government's special relationship with Indian tribes. In addition, the Civil Rights Division protects Indian and Alaska Native civil rights (including voting rights) and recently won notable lending and education discrimination cases. Also, the Community Relations Service assists tribes in resolving community disputes.

The Office of Justice Programs ("OJP") created an American Indian and Alaska Native desk to ensure that Indian tribes have access to DOJ funded programs. OJP funds domestic violence programs, drug courts, corrections, victims services, multi-disciplinary crime prevention and other programs in Indian country. The Violence Against Women Office made \$5.7 million in grants to Indian tribes in FY97. Since 1995, the Community Oriented Policing Services (COPS) Office has made over \$43 million in grants to 143 tribal law enforcement agencies for over 570 officers in Indian communities. OJP's Bureau of Justice Statistics initiated projects to improve tribal law enforcement information systems, the National Institute of Justice is researching crime in Indian country, and the Bureau of Prisons provides technical assistance to tribal governments through the National Institute of Corrections.

### **Coordination with other Executive Departments and Agencies**

DOJ works closely with the White House Office of Intergovernmental Affairs and DOI on Indian policy issues and is active in the Domestic Policy Council's Interagency Working Group. DOJ also works with USDA on tribal self-government and tribal lands issues, with

DOD and EPA on environmental enforcement policy for Indian country, with the Comptroller of the Currency on Indian banking issues, and with HHS and IHS on welfare reform and youth and family issues in Indian country.

### **Current Initiatives to Support Tribal Self-Government**

- **Indian Country Law Enforcement.** Pursuant to the President's directive on Indian country law enforcement, DOJ is working with DOI and Indian tribes to address the public safety crisis in Indian country.
- **Tribal Courts.** DOJ is developing programs to strengthen tribal self-government by providing technical assistance and resources to tribal courts and encouraging cooperation between State, Federal, and tribal courts.

## **Department of Labor (DOL)**

### **Policy on Government-to-Government Relations**

DOL has drafted a policy, but it has not yet been finalized.

### **Division of Indian and Native American Programs**

The Division of Indian and Native American Programs is the primary Labor liaison with Indian tribes. Labor consults with tribes about employment and training issues through the DOL Native American Employment and Training Council, whose charter was recently renewed by the Secretary for another two-year term. The Council meets not less than twice annually to consider policy, regulations, performance measures, and information technology.

### **Improved Working Relationships with Indian Tribes**

The Division of Indian and Native American Programs seeks to work with Indian tribes and tribal grantees as partners in the administration of employment and training programs.

### **Coordination with other Executive Departments and Agencies**

The Division of Indian and Native American Labor has been working with HHS's Indian Health Service and other departments and agencies on an initiative for American Indian and Alaska Native Youth.

## **Small Business Administration (SBA)**

### **Policy on Government-to-Government Relations with Indian Tribes**

SBA does not have a formal written policy to implement the Executive Memorandum on Government-to-Government Relations with Tribal Governments.

### **Office of Native American Affairs (ONAA)**

ONAA coordinates SBA policy, develops legislative and regulatory initiatives on Indian issues, serves as tribal government liaison and technical assistance provider, and provides outreach to enhance tribal access to SBA programs. ONAA has an annual National Native American Small Business Conference, most recently in San Diego, California, on the theme of "Pathways to Profit: \$8 Billion/Year and Growing."

### **Improved Working Relationships with Indian Tribes**

Through ONAA, SBA has new and innovative methods to encourage tribal economic development. ONAA partners with other SBA program offices and Federal and state agencies to assist Indian tribes and individual Native Americans to develop business skills and access to capital. The Office of Women Owned Business opened two centers in reservation communities. ONAA facilitates intertribal economic development and joint venture partnerships for tribal organizations. SBA District Offices also facilitate business partnerships for tribal governments, support tribally-owned SBA 8(a) small disadvantaged business enterprises, and promote tribal opportunities for access to capital and credit markets.

### **Coordination with other Executive Departments and Agencies**

Since 1995, in conjunction with the DOI's Bureau of Indian Affairs, ONAA established seventeen Indian reservation-based Tribal Business Information Centers to provide a full range of technical assistance and business and program information for small businesses. SBA's Entrepreneurial Development Division and General Counsel serve on the Domestic Policy Council's Working Group on American Indians and Alaska Natives. SBA and the Department of Justice will co-chair an economic development committee and host a conference in May to develop a positive business agenda. SBA will also conduct regional workshops in conjunction with other federal agencies. In FY98, \$20 million has been dedicated to the promotion of small business initiatives in Indian Country.

### **Current Initiatives to Support Tribal Self-Government**

- SBA is now working on regulatory reforms to remove impediments to working with tribal governments.

## **Department of State (DOS)**

### **Policy on Government-to-Government Relations with Indian Tribes**

State has not adopted a written policy on government-to-government relations with tribal governments.

#### **Under Secretary for Global and Environmental Affairs**

The Assistant Secretary for Democracy, Human Rights, and Labor has coordinated the State Department's consultations with tribal governments. Several State Department bureaus have been involved in indigenous issues, most notably the Bureau of Democracy, Human Rights, and Labor.

#### **Coordination with other Executive Departments and Agencies**

State has worked closely with DOJ and DOI on the United Nations and Organization of American States ("OAS") draft declarations on the Rights of Indigenous Peoples. In cooperation with Interior and Justice, State has held consultations with tribal governments on these initiatives in Washington and around the nation.

### **Department of Transportation (DOT)**

#### **Policy on Government-to-Government Relations with Indian Tribes**

Though DOT has not issued a department-wide policy, most operating administrations have informally incorporated the requirements of the Executive Memorandum into their activities. The Federal Highway Association ("FHWA") and the Federal Aviation Association ("FAA") are developing agency policies on government-to-government relations.

#### **Governmental Affairs**

Deputy Assistant Secretary for Governmental Affairs serves as DOT's principal liaison with tribal governments.

#### **Improved Working Relationships with Indian Tribes**

DOT consults with tribal governments in transportation planning processes, in the development and implementation of policies that impact tribes (such as the surface transportation reauthorization proposal), and specific projects. FHWA, FTA, and the Bureau of Indian Affairs have developed guidelines for including Indian tribes in federal and state transportation planning, and have worked to increase state-tribal cooperation. The Federal Lands Highway program (within FHWA) works cooperatively with the BIA to implement the \$191 million Indian Reservation Roads Transportation Improvement Program (IRR). Approximately one-third of the IRR program is carried out by Indian tribes, and under the Indian Self-Determination Act, the Buy-Indian Act, and the Tribal Employment Rights Ordinances, over 82% of the IRR projects employed Indians or Indian firms. The Local

Technical Assistance Program (LTAP) was expanded to provide services to tribal governments and there are six Native American LTAP centers.

The National Highway Traffic Safety Administration (NHTSA) has provided technical support to tribal government safety programs, focusing on alcohol safety, occupant protection, and effective police traffic services. Recognizing that Native Americans die from motor vehicle crashes at rates up to three times greater than other Americans, NHTSA has emphasized face-to-face communication with tribal leaders concerning traffic safety. States are required to include Indian tribes in a fair distribution of funds under FTA's non-urbanized formula assistance program.

FAA is conducting consultations with neighboring Indian tribes concerning overflights of the Grand Canyon National Park and a Native American representative serves on the National Park Overflight working group.

The Coast Guard is working with Indian tribes regarding marine safety and with the American Indian Science and Engineering Society to promote Coast Guard career opportunities.

The Office of Small and Disadvantaged Business encourages the participation of Native American small businesses, among others, to participate in DOT-funded and assisted projects.

#### **Coordination with Other Executive Departments and Agencies**

FHWA hosted a Native American issues conference in Denver in January 1997, and invited BIA and DOJ to participate. DOT's General Counsel is working with FAA, DOJ and DOD to consult with tribal governments in New Mexico about their complaints regarding aircraft noise interference with their religious ceremonies.

#### **Current Initiatives to Support Tribal Self-Government**

- **NEXTEA.** DOT is working toward the enactment of the Administration's National Economic Crossroads Transportation Efficiency Act (NEXTEA), which reiterates ISTEA's requirements of state consultation with tribal governments in state transportation improvement plans, and provides an increase to \$200 million annually for the Indian Reservation Road program.
- **FAA Policy on Government-to-Government Relations.** FAA is currently developing a policy on government-to-government relations with Indian tribes.

#### **Department of Treasury**

##### **Policy on Government-to-Government Relations with Indian Tribes**

Treasury has not developed an official policy to implement the Executive Memorandum on Government-to-Government Relations with Tribal Governments.

### **Public Liaison**

The Assistant Secretary for Public Liaison is the Department's designated liaison with tribal governments.

### **Improved Working Relationships with Indian Tribes**

Treasury's working relations with tribal governments cover banking, financial services, tax, and community development issues. The Office of the Comptroller of the Currency (OCC) is working to improve banking and lending in Indian country, issuing a guide to mortgage lending in Indian country, providing technical assistance to Indian tribes that operate or acquire national banks and, with DOJ, cosponsoring a *Banking in Indian Country* conference attended by over 500 tribal leaders and bankers. The Comptroller has successfully encouraged national banks to open new branches in Indian country.

Treasury and the IRS have published the *Indian Assistance Handbook* to provide guidance to promote uniform application of the federal tax laws in Indian country and the Handbook recognizes that Indian tribes are not subject to federal income tax under existing law.

### **Coordination with Other Agencies**

Working together with the White House Offices of Intergovernmental Affairs and Legislative Affairs, the DOI and the DOJ, Treasury opposed recent attempts to impose federal income tax on tribal government business activities.

## **Department of Veterans' Affairs (VA)**

### **Policy on Government-to-Government Relations**

The VA circulated the Executive Memorandum on Government-to-Government Relations with Tribal Governments to all employees with a memorandum expressing the Secretary's commitment to working with Indian tribes within the framework of government-to-government relations.

### **Director, VA Center for Minority Veterans**

VA has established an Indian liaison in the VA Center for Minority Veterans who is responsible for outreach to Indian tribes and American Indian veterans. The Center hosts a bi-

monthly telephone conference with tribal and other veterans groups around the nation.

### **Improved Working Relationships with Indian Tribes**

The Secretary has personally attended Native American events, such as the National Congress of American Indians' annual meeting to meet with tribal leaders. VA encourages and fosters greater interaction with Indian tribes, including participation in tribal governmental and cultural activities.

Three American Indian "Vet Centers" have been opened on Indian reservations to provide counseling and other services, and more are planned. VA is also working to address transportation problems, and has executed several agreements with Indian tribes to improve access to health care for Indian veterans. VA has also provided additional staff training on Indian issues.

VA has appointed two American Indian veterans to its Advisory Committee on Minority Veterans, and the Secretary has appointed a Hopi veteran as his designated staff representative to the Committee.

### **Coordination with other Executive Departments and Agencies**

VA participates in several interagency working groups on Indian issues, and is working with HHS's Administration on Aging to explore the long term health care needs of elderly Indian veterans. VA is also working with the National Cancer Institute to bring state-of-the-art cancer treatment trials to American Indians and other minority veterans.

### **Current Initiatives to Support Tribal Self-Government**

- Native American Veteran Direct Loan Program. VA has finalized 50 memoranda of understanding with tribal governments to provide direct home loans to Indian veterans residing on trust lands through the Loan Guaranty Service of the VA's Benefits Administration. An information campaign about this program is also being implemented.
- Indian "Vet Centers." Planning efforts to open new Indian "Vet Centers" in tribal communities is underway. The centers will provide counseling to Indian veterans.

**THE WHITE HOUSE  
WASHINGTON**

**REPORT FROM FEDERAL DEPARTMENTS AND  
AGENCIES IN RESPONSE TO BOWLES/REED  
MEMORANDUM OF MAY 23, 1997**

**BRIEFING BOOK PRESENTED TO:**

**ERSKINE BOWLES  
SYLVIA MATHEWS  
BRUCE REED  
MICKEY IBARRA**

**FEBRUARY 17, 1998**

FEDERAL FUNDING OF INDIAN PROGRAMS  
(Dollars in Thousands)

	FY 1993 <u>Actual</u> BA	FY 1997 <u>Enacted</u> BA	FY 1997 <u>Actual</u> BA	FY 1998 <u>Request</u> BA	FY 1998 <u>Enacted</u> BA	FY 1999 <u>Agency Req.</u> BA	FY 1999 <u>Final</u> BA	Change: FY99 Final vs. FY98 Enacted BA
Department of the Interior								
Bureau of Indian Affairs .....	1,646,793	1,605,674	1,638,840	1,731,779	1,701,991	1,623,867	1,844,136	142,145
Department of Health and Human Services								
Indian Health Service .....	2,022,234	2,341,708	2,351,001	2,412,057	2,431,255	2,575,643	2,475,992	44,737
All Other .....	1,834,616	2,137,695	2,933,010	2,437,327	3,357,257	3,486,765	3,499,004	141,747
<b>TOTAL</b>	<b>5,503,843</b>	<b>6,085,077</b>	<b>6,922,851</b>	<b>6,581,163</b>	<b>7,490,503</b>	<b>7,886,275</b>	<b>7,819,132</b>	<b>328,629</b>

FEDERAL FUNDING OF INDIAN PROGRAMS  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
Department of Agriculture .....	261,554	144,863	144,863	152,376	152,527	20,178	144,193	(8,334)
Department of Commerce .....	4,523	4,080	7,579	4,078	4,602	4,605	4,605	3
Department of Defense .....	8,530	8,000	8,000	0	8,000	0	0	(8,000)
Department of Education .....	458,509	521,895	1,258,900	520,353	1,379,200	1,388,200	1,379,200	0
Department of Health and Human Services .....	2,197,719	2,594,119	2,604,287	2,717,673	2,740,792	2,945,046	2,820,641	78,849
Department of Housing and Urban Development and Related Agencies .....	400,711	547,050	547,050	555,000	672,000	728,000	678,000	6,000
Department of the Interior .....	1,789,912	1,843,579	1,845,012	1,998,479	1,973,024	2,101,918	2,112,032	139,008
Department of Justice .....	3,769	18,725	105,600	101,026	104,929	212,200	212,200	107,271
Department of Labor .....	77,814	68,342	68,342	68,342	69,655	69,655	69,655	0
Department of Transportation .....	201,586	164,286	164,286	213,629	164,286	164,286	164,286	0
Department of Veterans Affairs .....	5,000	205	205	515	515	515	515	0
Environmental Protection Agency .....	38,314	106,732	108,000	136,555	137,000	156,862	160,000	23,000
Smithsonian Institution .....	17,450	22,000	22,000	78,000	49,000	61,000	46,000	(3,000)
Army Corps of Engineers .....	4,145	16,356	15,882	20,294	15,723	14,467	9,617	(6,106)
Other Independent Agencies .....	34,307	24,845	24,845	24,845	19,250	19,345	18,188	(1,062)
<b>TOTAL</b>	<b>5,503,843</b>	<b>6,085,077</b>	<b>6,922,851</b>	<b>6,581,163</b>	<b>7,490,503</b>	<b>7,885,275</b>	<b>7,819,132</b>	<b>328,629</b>

FEDERAL FUNDING OF INDIAN PROGRAMS  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of Agriculture: Cooperative State Research, Education, and Extension Service (CSREES)</b>								
Native American Endowment Fund	0	4,600	4,600	4,600	4,600	4,600	4,600	0
Native American Endowment Fund Interest	0	575	575	862	862	1,000	862	0
Payments to 1994 Institutions	0	1,450	1,450	1,450	1,450	1,450	1,450	0
Extension, Indian Reservation Agents	1,750	5,000	1,672	1,672	1,672	8,000	1,672	0
Extension Activities at the 1994 Institutions	0	3,500	2,000	2,000	2,000	5,000	2,000	0
Subtotal, CSREES	1,750	15,125	10,297	10,584	10,584	20,050	10,584	0
<b>Department of Agriculture: Farm Service Agency (FSA)</b>								
Indian Land Acquisition Loans	182	54		132				0
Intertribal Ag. Council (IAC) Outreach Initiative (thru NRCS)	N/A	74		0				0
Intertribal Ag. Council (IAC) Outreach Initiative for County Committee Elections (thru NRCS)	N/A	0		0				0
Subtotal, FSA	182	128	128	132	128	128	128	0
<b>Department of Agriculture: Food and Consumer Service (FCS)</b>								
Food Distribution Program on Indian Reservations (FDPIR)	72,849	65,000	1a/	75,000				0
Elderly Feeding Program	1,520	1,633		1,500				0
Spec. Supplemental Nutrition Program for Women, Infants, and Children (WIC)	35,032	40,486		41,086				0
Subtotal, FCS	109,401	107,119	0	117,586	117,586	0	107,119	(10,467)
<b>Department of Agriculture: Rural Development (RD) Mission Area 1b/</b>								
Direct Water and Waste Disposal Loans	0	2,001	2,000	2,342	2,420		4,161	1,741
Water and Waste Disposal Grants	121,484	14,986	17,234	15,810	16,300		16,500	200
Solid Waste Management Grants	0	79	20	90	90		90	0
Guaranteed Community Facility Loans	16,771	9	13	27	22		22	0
Direct Community Facility Loans	4,724	359	625	574	554		824	270
Community Facility Grants	0	194	382	300	300		247	(53)
Guaranteed Business and Industry Loans	0	192	394	194	190		230	40
Direct Business and Industry Loans	0	8	0	0	0		0	0
Intermediary Relending Program Loans 1c/	0	518	230	507	472		528	56
Rural Business Enterprise Grants	6,225	1,230	1,637	1,320	1,320		1,200	(120)
Rural Business Opportunity Grants	0	22	0	0	0		0	0
Rural Tech. & Coop. Dev. Grants 1d/	0	660	0	660	561		560	(1)
Subtotal, RD	149,204	20,258	22,535	21,824	22,229	0	24,362	2,133

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FEDERAL FUNDING OF INDIAN PROGRAMS  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of Agriculture: Natural Resources Conservation Service (NRCS) [previously Soil Conservation Service]</b>								
Conservation Technical Assistance	1,017	2,000		2,000				0
Subtotal, NRCS	1,017	2,000	0	2,000	2,000	0	2,000	0
<b>Subtotal, Agriculture</b>	<b>261,554</b>	<b>144,630</b>	<b>32,960</b>	<b>152,126</b>	<b>152,527</b>	<b>20,178</b>	<b>144,193</b>	<b>(8,334)</b>
<b>Other Programs:</b>								
Foreign Agricultural Service: Intertribal Ag. Council (IAC)								
Outreach Initiative	0	10		10				0
Forest Service 1e/	0	159		159				0
National Agricultural Statistics Service: Recruitment and Training of Native Americans								
Native American Programs Coordinator	0	0		15				0
	0	64		66				0
Subtotal, Other Programs	0	233	0	250	0	0	0	0
<b>Subtotal, USDA Programs which Assist Native Americans</b>	<b>261,554</b>	<b>144,863</b>	<b>144,863</b>	<b>152,376</b>	<b>152,527</b>	<b>20,178</b>	<b>144,193</b>	<b>(8,334)</b>
<b>Army Corps of Engineers</b>								
Columbia River Treaty Fishing Access Sites (OR)	294	4,300	4,069	8,400	8,400	6,300	1,700	(6,700)
Native American Graves Protection and Repatriation Act	0	1,000	750	2,000	1,500	2,000	2,000	500
Flood Plain Management Service	55	300	300	600	800	750	600	0
Planning Assistance to States	0	300	300	500	350	600	500	150
Cont. Authorities Programs (Sections 14, 103, 107, 205)	400	8,355	8,355	7,735	3,619	812	812	(2,807)
Cochiti Wetlands Project (NM)	1,718	0	40	0	95	0	0	(95)
Fort Yates Bridge (ND)	0	0	0	0	0	0	0	0
Chief Joseph Dam Pool Raise, WA (Feasibility Study)	200	300	268	100	100	0	0	(100)
Environmental Restoration (Section 1135)	0	300	300	300	400	2,000	2,000	1,600
Maintenance of Harbors	1,478	1,501	1,500	659	659	2,005	2,005	1,346
Subtotal, Army	4,145	16,356	15,882	20,294	15,723	14,467	9,617	(6,106)
<b>Department of Commerce: Economic Development Administration (EDA)</b>								
Defense Economic Conversion	0	0	0	0	0	0	0	0
Economic Adjustment	0	0	0	0	0	0	0	0
Planning	2,901	2,750	2,824	2,750	2,750	2,750	2,750	0
Public Works	0	0	0	0	0	0	0	0
Technical Assistance	0	0	0	0	0	0	0	0
Midwest Floods of 1993	0	0	0	0	0	0	0	0
Hurricane Andrew	0	0	0	0	0	0	0	0
Subtotal, EDA	2,901	2,750	2,824	2,750	2,750	2,750	2,750	0

## FEDERAL FUNDING OF INDIAN PROGRAMS (Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of Commerce: International Trade Administration (ITA)</b>								
Grant to the American Indian Trade and Development Council (Grant of \$349K awarded in FY92.)	0	0	0	0	0	0	0	0
Subtotal, ITA	0	0	0	0	0	0	0	0
<b>Department of Commerce: Minority Business Development Agency (MBDA)</b>								
American Indian Program Grants	1,372	1,321	2,089	1,321	1,804	1,804	1,804	0
Subtotal, MBDA	1,372	1,321	2,089	1,321	1,804	1,804	1,804	0
<b>Department of Commerce: National Oceanic and Atmospheric Administration (NOAA)</b>								
Navajo Atmospheric Modification Research	0	0	0	0	0	0	0	0
Subtotal, NOAA	0	0	0	0	0	0	0	0
<b>Department of Commerce: National Telecommunications and Information Administration (NTIA)</b>								
Public Telecommunications Facilities, Planning and Construction Grant to American Indian Higher Education Consortium (AIHEC)	250	0	320	0	0	0	0	0
National Information Infrastructure	0	0	2,302	0	0	0	0	0
Subtotal, NTIA	250	0	2,622	0	0	0	0	0
<b>Department of Commerce: Patent and Trademark Office (PTO)</b>								
Commerce Grant to Cities in Schools	0	9	44	5	48	51	51	3
Subtotal, PTO	0	9	44	5	48	51	51	3
<b>Subtotal, Commerce</b>	<b>4,523</b>	<b>4,050</b>	<b>7,579</b>	<b>4,076</b>	<b>4,602</b>	<b>4,605</b>	<b>4,605</b>	<b>3</b>
<b>Department of Defense</b>								
Legacy Resource Management Program	530	0	0	0	0	0	0	0
Administration for Native Americans	8,000	8,000	8,000	0	8,000	0	0	(8,000)
Subtotal, Defense	8,530	8,000	8,000	0	8,000	0	0	(8,000)

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**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of Education</b>								
<b>- Direct Support</b>								
Title I -- Even Start	1,339	1,530	1,500	1,620	1,900	1,700	1,900	0
Title I -- LEA Grants	34,696	44,707	45,500	47,019	46,700	49,400	46,700	0
Eisenhower Professional Development (Math and Science)	1,309	1,547	1,500	1,800	1,700	1,700	1,700	0
Goals 2000	0	2,900	2,900	3,841	3,000	3,600	3,000	0
Homeless Children and Youth	50	100	100	100	100	100	100	0
Impact Aid Construction	3,770	2,000	3,400	2,720	4,100	0	4,100	0
Impact Aid Basic Support Payments and Supplemental Payments for Children with Disabilities	252,140	306,440	299,300	291,346	323,600	288,200	323,600	0
Indian Education Act	80,583	61,000	61,000	62,600	59,700	62,000	59,700	0
Library Services for Indian Tribes	1,793	1,933	1,900	0 2a/	0 2a/	0	0	0
Safe and Drug-Free Schools and Communities	5,620	5,310	5,300	5,900	5,300	5,300	5,300	0
School-to-Work Opportunities 2b/	0	2,000	2,000	2,000	2,000	1,200	2,000	0
Special Education: Grants to States	25,342	38,011	38,000	39,535	46,700	45,700	46,700	0
Special Education: Infants and Families	2,607	3,864	3,900	3,969	4,300	4,500	4,300	0
Strengthening Tribally-Controlled Colleges	0	0	0	0	0	0	0	0
Technology Literacy Challenge	N/A	1,000	1,000	2,001	2,100	2,300	2,100	0
Tribally-Controlled, Postsecondary Vocational Institutions	2,946	2,919	2,900	2,919	3,100	3,100	3,100	0
Vocational Education	12,554	12,863	12,900	13,301	13,000	14,200	13,000	0
Rehabilitation Services	6,203	12,000	12,000	12,360	15,400	17,300	15,400	0
<b>Subtotal Direct Support, Education</b>	<b>430,952</b>	<b>500,124</b>	<b>495,100</b>	<b>493,031</b>	<b>532,700</b>	<b>601,300</b>	<b>532,700</b>	<b>0</b>
<b>Department of Education</b>								
<b>- Indirect Support</b>								
Title I			142,300		149,000	155,300	149,000	0
Bilingual Education	25,517	20,371	20,400	25,870	25,900	30,200	25,900	0
Special Education: Grants to States			29,400		38,500	36,500	36,500	0
Special Education: Infants and Families			3,500		3,900	4,100	3,900	0
Preschool			4,000		4,100	4,100	4,100	0
Rehabilitation Services			19,500		20,000	20,500	20,000	0
Vocational Education			4,500		4,600	4,700	4,600	0
Adult Education			3,600		3,800	4,000	3,800	0
Student Financial Aid			526,500		589,700	614,200	589,700	0
Title III Institution	2,040	1,400	1,400	1,452	2,000	7,000	2,000	0
Minority Science Improvement			700		700	0	700 2c/	0
Trio			6,000		6,300	6,300	6,300	0
<b>Subtotal Indirect Support, Education</b>	<b>27,557</b>	<b>21,771</b>	<b>761,800</b>	<b>27,322</b>	<b>846,500</b>	<b>886,900</b>	<b>846,500</b>	<b>0</b>
<b>Total, Education</b>	<b>458,509</b>	<b>521,895</b>	<b>1,256,900</b>	<b>520,353</b>	<b>1,379,200</b>	<b>1,388,200</b>	<b>1,379,200</b>	<b>0</b>

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**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of Health and Human Services</b>								
Administration for Native Americans Grants	34,507	34,933	34,933	34,933	34,933		34,933	0
Administration on Aging Grants to Tribes	15,110	15,057	15,057	15,057	15,457		15,457	0
Child Care Development Fund	26,719	57,740	58,462	61,340	61,393		86,493	25,100
Child Welfare Services/Title IVB Foster Care	760	4,000	2,633	4,000	2,633		2,633	0
Community Services Block Grant	2,430	3,108	3,108	2,632	3,108		3,108	0
Family Planning Services	707	676	695	690	709		723	14
Family Preservation and Support	0	2,400	2,400	2,550	2,550		2,550	0
Family Violence	1,234	7,030	7,280	6,750	8,680		8,880	200
Head Start	74,664	107,409	107,409	116,109	115,687		124,422	8,735
Indian Health Service 3a/	2,022,234	2,341,708	2,351,001	2,412,057	2,431,255	2,575,643	2,475,992	44,737
Low-Income Home Energy Assistance (LHEAP) 3b/	11,787	10,698	11,987	7,991	8,841	8,841	9,634	793
Prevention Block Grant 3c/	92	87	87	87	85		85	0
Substance Abuse Block Grant 3c/	396	490	490	501	490		530	40
Tribal TANF Grants 3d/	--	145	145	44,338	44,338		44,568	230
Tribal Work Program	7,079	7,638	7,600	7,638	7,633		7,633	0
<b>Subtotal, Health and Human Services</b>	<b>2,197,719</b>	<b>2,594,119</b>	<b>2,604,287</b>	<b>2,717,673</b>	<b>2,740,792</b>	<b>2,945,046</b>	<b>2,820,841</b>	<b>79,849</b>
<b>Department of Housing and Urban Development (HUD)</b>								
Community Development Block Grant (CDBG)								
Indian Setaside	40,000	67,000		67,000	67,000	67,000	67,000	0
Emergency Shelter Grants		1,250		4b/	4b/	4b/	4b/	4b/
HOME Indian Setaside	10,000	21,000		4b/	4b/	4b/	4b/	4b/
Indian Housing Amendments	25,600	N/A		N/A	N/A	N/A	N/A	N/A
Indian Housing Loan Guarantee	500	3,000		3,000	5,000	6,000	6,000	1,000
Indian Housing New Construction	257,611	200,000		4b/	4b/	4b/	4b/	4b/
Operating Subsidies	40,000	92,800		4b/	4b/	4b/	4b/	4b/
Modernization	0	162,000		4b/	4b/	4b/	4b/	4b/
Section 8 (Inventory = 4,042 units)	27,000	4a/		4b/	4b/	4b/	4b/	4b/
Section 8 Renewals	--	4a/		4b/	4b/	4b/	4b/	4b/
Native American Block Grant	--	--		485,000	600,000	650,000	600,000	0
Title VI Indian Federal Guarantees Loan Program	--	--		--	4c/	5,000	5,000	4c/
<b>Subtotal, HUD</b>	<b>400,711</b>	<b>547,050</b>	<b>547,050</b>	<b>555,000</b>	<b>672,000</b>	<b>728,000</b>	<b>678,000</b>	<b>6,000</b>

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**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of the Interior, Bureau of Indian Affairs</b>								
Operation of Indian Programs:								
Community Development	90,450	23,572	23,572	23,892	25,392	3,041	3,075	(22,317)
Education	421,180	491,349	491,349	511,436	504,317	529,080	537,005	32,688
General Administration	117,828	108,763	108,763	109,017	108,617	133,863	133,709	25,092
Human Services	111,801	1,556	1,556	1,673	1,673	4,643	4,699	3,025
Other Trust Services	56,030	38,637	38,637	43,564	36,616	46,976	56,279	19,663
Public Safety and Justice	8,974	6,851	6,851	6,903	6,903	6,753	31,808	24,905
Resources Management	76,457	73,676	73,676	77,156	76,406	75,614	76,287	(119)
Tribal Government	86,653	11,637	11,637	11,316	11,316	9,191	9,235	(2,081)
Tribal/Agency Operations (Tribal Priority Allocations)	394,296	680,861	680,861	757,348	757,348	808,029	788,584	29,236
Emergency Supplemental - PL 104-208	0	0	6,600	0	0	0	0	0
Emergency Supplemental - PL 105-18	0	0	14,317	0	0	0	0	0
<b>Subtotal, Operation of Indian Programs</b>	<b>1,363,669</b>	<b>1,436,902</b>	<b>1,457,819</b>	<b>1,542,305</b>	<b>1,528,588</b>	<b>1,617,190</b>	<b>1,638,681</b>	<b>110,093</b>
<b>CONSTRUCTION:</b>								
Education	90,195	31,139	31,139	49,179	54,379	57,979	86,612	32,233
General Administration	7,496	7,746	7,746	8,118	7,851	8,118	8,212	361
Public Safety and Justice	7,221	4,400	4,400	16,500	14,500	6,550	5,553	(8,947)
Resources Management	43,071	51,246	51,246	51,321	48,321	51,617	51,677	3,356
Tribal Government	1,631	0	0	0	0	0	0	0
Emergency Supplemental - PL 104-208	0	0	6,000	0	0	0	0	0
Emergency Supplemental - PL 105-18	0	0	6,249	0	0	0	0	0
<b>Subtotal, BIA Construction</b>	<b>149,613</b>	<b>94,531</b>	<b>106,780</b>	<b>125,118</b>	<b>125,051</b>	<b>124,264</b>	<b>152,054</b>	<b>27,003</b>
<b>OTHER:</b>								
Direct Loans	2,479	0	0	0	0	0	0	0
Guaranteed Loans	9,687	5,000	5,000	5,004	5,000	5,004	5,005	5
Indian Land Consolidation Pilot	0	0	0	0	0	0	10,000	10,000
Navajo Rehabilitation Trust Fund	3,966	0	0	0	0	0	0	0
Settlements and Miscellaneous Payments	38,609	69,241	69,241	59,352	43,352	59,882	38,396	(4,956)
FY98/99 Pay Raises	0	0	0	0	0	15,823	0	N/A
Retirement System Cost Changes	0	0	0	0	0	1,704	0	N/A
Technical Assistance/Indian Business	1,970	0	0	0	0	0	0	0
Tribal Economic Recovery Funds	76,800	0	0	0	0	0	0	0
<b>Subtotal, BIA Other</b>	<b>133,511</b>	<b>74,241</b>	<b>74,241</b>	<b>64,356</b>	<b>48,352</b>	<b>82,413</b>	<b>53,401</b>	<b>5,049</b>
<b>Subtotal, Bureau of Indian Affairs</b>	<b>1,646,793</b>	<b>1,605,674</b>	<b>1,638,840</b>	<b>1,731,779</b>	<b>1,701,991</b>	<b>1,823,867</b>	<b>1,844,136</b>	<b>142,145</b>

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**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	FY 1993 Actual BA	FY 1997 Enacted BA	FY 1997 Actual BA	FY 1998 Request BA	FY 1998 Enacted BA	FY 1999 Agency Req. BA	FY 1999 Final BA	Change: FY99 Final vs. FY98 Enacted BA
<b>Department of the Interior: Bureau of Land Management</b>								
Coal, Uranium, and Non-Energy Minerals Management	1,149	446	400	446	486	486	486	0
Conveyance of Alaska Native Lands	2,725	3,395	3,395	3,165	3,449	3,185	3,186	(263)
Fire Preparedness	0	26,882	28,141	33,651	32,318	36,408	33,359	1,041
Fire Suppression	0	23,717	22,575	26,819	32,005	33,091	35,311	3,306
Oil and Gas Leasing	2,839	3,028	3,237	3,028	3,700	3,750	3,750	50
Surveys of Alaska Native Lands	3,524	3,546	3,546	3,420	3,704	3,420	3,420	(284)
Subtotal, Bureau of Land Management	10,237	61,114	61,394	70,549	75,662	80,340	79,512	3,850
<b>Department of the Interior: Bureau of Reclamation</b>								
Construction Program	75,544	81,229	93,413	0	0	0	0	0
Studies, Loans, O&M	14,989	17,827	17,204	0	0	0	0	0
Water and Related Resources	0	0	0	102,046	111,389	101,528	96,132	(15,257)
Subtotal, Bureau of Reclamation	90,533	99,056	110,617	102,046	111,389	101,528	96,132	(15,257)
<b>Department of the Interior: Fish and Wildlife Service (FWS)</b>								
Hatchery O&M	1,800	1,800	1,800	1,550	1,550	1,565	1,565	15
Technical Assistance	2,000	1,900	1,900	2,000	2,419	3,005	3,005	586
Subtotal, FWS	3,800	3,700	3,700	3,550	3,969	4,570	4,570	601
<b>Department of the Interior: Minerals Management Service</b>								
Royalty Management	16,856	15,923	15,923	15,923	15,600	15,600	15,852	252
Subtotal, Minerals Management Service	16,856	15,923	15,923	15,923	15,600	15,600	15,852	252
<b>Department of the Interior: National Indian Gaming Commission</b>								
Fees	1,500	1,500	1,500	1,500	4,000	8,000	8,000	4,000
Indian Gaming Oversight	2,040	1,000	1,000	1,000	1,000	1,000	0	(1,000)
Subtotal, National Indian Gaming Commission	3,540	2,500	2,500	2,500	5,000	9,000	8,000	3,000
<b>Department of the Interior: National Park Service</b>								
Historic Preservation Fund (Grants)	1,487	1,896		2,296	2,296	2,296	2,296	0
Native American Grave Protection (Grants & Admin.)	0	2,453		2,455	2,655	2,655	2,655	0
Park Service Assistance (Water, Sewer, Law Enforcement, etc.)	600	600		600	600	600	600	0
NPS Construction	0	0	0	1,200	3,400	0	0	(3,400)
Subtotal, National Park Service	2,087	4,949	0	6,551	8,951	5,551	5,551	(3,400)
<b>Department of Interior: Office of Surface Mining</b>								
Abandoned Mine Land Program	7,154	4,500	3,858	4,500	4,628	3,250	3,250	(1,378)
Regulation and Technology	0	120	657	120	665	670	670	5
Subtotal, Office of Surface Mining	7,154	4,620	4,525	4,620	5,293	3,920	3,920	(1,373)
<b>Department of Interior: Office of the Secretary</b>								

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**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	FY 1993	FY 1997	FY 1997	FY 1998	FY 1998	FY 1999	FY 1999	Change:
	Actual BA	Enacted BA	Actual BA	Request BA	Enacted BA	Agency Req. BA	Final BA	FY99 Final vs. FY98 Enacted BA
Office of the Assistant Secretary for Indian Affairs	3,013	613	624	613	625	839	839	14
Construction Management	1,972	0	0	0	0	0	0	0
Hearings and Appeals	2,109	1,900	1,418	1,900	1,900	2,400	2,400	500
Subtotal, Office of the Secretary	7,094	2,513	2,042	2,513	2,725	3,239	3,239	514
<b>Department of Interior: Office of Special Trustee for American Indians</b>								
Program Ops., Support, and Improvements	N/A	32,494		37,676	32,281	43,300	40,346	8,065
Executive Direction	N/A	1,626		1,661	1,626	1,694	1,654	28
Subtotal, Special Trustee	N/A	34,120	0	39,337	33,907	44,994	42,000	8,093
<b>Department of Interior: Solicitor</b>								
Legal Services for BIA, Indian Gaming Mgmt. Office, Office of Special Trustee, Assistant Secretary - IA	4,618	6,400	5,471	6,092	5,517	6,297	6,110	593
Subtotal, Solicitor	4,618	6,400	5,471	6,092	5,517	6,297	6,110	593
<b>Department of Interior: U.S. Geological Survey</b>								
Federal Share of Cooperative Programs	1,000	3,010		3,020	3,020	3,010	3,010	(10)
Subtotal, U.S. Geological Survey	1,000	3,010	0	3,020	3,020	3,010	3,010	(10)
Subtotal, Interior	1,789,912	1,843,579	1,845,012	1,988,479	1,973,024	2,101,916	2,112,032	139,008
<b>Department of Justice</b>								
Environment and Natural Resources	1,596	1,943	86,440	88,651	88,651	132,770	132,770	44,119
<b>Office of Justice Programs (OJP)</b>								
Crime Victims Fund (Technical Assistance Grants)	1,297	2,275 5a/	1,992	1,500 5b	1,500	1,500	1,500	0
Justice Assistance	N/A	0 5a/	158	0 5b	0	20,000	20,000	20,000
Juvenile Justice Programs	568	1,700 5a/	1,678	1,610	1,610	27,610	27,610	26,000
State and Local Law Enforcement Assistance	308	540 5a/	1,389	0 5b	0	0	0	0
Local Law Enforcement Block Grant	N/A	0 5a/	749	0 5b	0	0	0	0
Violence Against Women Act	N/A	8,989 5a/	10,054	6,400 5b	6,880	6,100	6,100	(780)
Drug Courts	N/A	0 5a/	462	688	688	1,000	1,000	312
Corrections	N/A	2,678 5a/	2,678	1,577 5b	5,000	22,220	22,220	17,220
Executive Office for Weed and Seed	N/A	600 5a/	0	600	600	1,000	1,000	400
Subtotal, OJP	2,173	16,782	19,160	12,375	16,278	79,430	79,430	63,152
Subtotal, Justice	3,769	18,725	105,600	101,026	104,929	212,200	212,200	107,271
<b>Department of Labor</b>								
Native Americans Employment and Training	61,871	52,502	52,502	52,502	53,815	53,815	53,815	0
Summer Youth Employment and Training	15,943	15,840	15,840	15,840	15,840	15,840	15,840	0
Subtotal, Labor	77,814	68,342	68,342	68,342	69,655	69,655	69,655	0
<b>Department of Transportation: Federal Highway Administration</b>								
Emergency Relief - Regular Program (BIA)	97	6,000		4,000 **				0

2/11/98

**DRAFT**

**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	<u>FY 1993</u> <u>Actual</u> <u>BA</u>	<u>FY 1997</u> <u>Enacted</u> <u>BA</u>	<u>FY 1997</u> <u>Actual</u> <u>BA</u>	<u>FY 1998</u> <u>Request</u> <u>BA</u>	<u>FY 1998</u> <u>Enacted</u> <u>BA</u>	<u>FY 1999</u> <u>Agency Req.</u> <u>BA</u>	<u>FY 1999</u> <u>Final</u> <u>BA</u>	<u>Change:</u> <u>FY99 Final vs.</u> <u>FY98 Enacted</u> <u>BA</u>
Federal Lands -- Indian Reservation Roads (IRR)	185,270	132,527		195,000 **				0
Highway Bridge Replacement and Rehabilitation	14,584	24,000		13,795 **				0
Rural Access Projects -- Turquoise Trail	1,088	1,088		0 **				0
Subtotal, Federal Highway Administration	201,037	163,613	0	212,795 **	0	0	0	0
<b>Department of Transportation: National Highway Traffic Safety Administration (NHTSA)</b>								
Highway Traffic Safety Grants: Section 402								
Highway Safety Formula Grants/NHTSA 402 Programs for Indian Nations								
	549	673		834				0
Subtotal, NHTSA	549	673	0	834	0	0	0	0
Subtotal, Transportation	201,586	164,286	164,286	213,629	164,286	164,286	164,286	0
<b>Department of Veterans Affairs</b>								
Native American Veteran Housing Loan Program								
	5,000	205	205	515	515	515	515	0
Subtotal, Veterans Affairs	5,000	205	205	515	515	515	515	0
<b>Environmental Protection Agency</b>								
Air Quality	2,034	9,058		13,675				0
Hazardous/Solid Waste	2,889	5,693		6,758				0
Leaking Underground Storage Tanks (LUST)	500	844		849				0
Multimedia	9,719	34,592		47,825				0
Pesticides Grants	1,183	644		944				0
Superfund	2,525	3,784		4,842				0
Support	605	192		192				0
Toxic Substances	41	984		2,196				0
Water/Drinking Water Programs	7,898	14,338		28,669				0
Water Infrastructure Fund	10,922	36,604		30,604				0
Subtotal, EPA	38,314	106,732	108,000	136,555	137,000	156,862	160,000	23,000
<b>Smithsonian Institution</b>								
Salaries and Expenses	15,300	18,000	18,000	20,000	20,000	32,000	30,000	10,000
Construction	2,150	4,000	4,000	58,000	29,000	29,000	16,000	(13,000)
Subtotal, Smithsonian	17,450	22,000	22,000	78,000	49,000	61,000	46,000	(3,000)

2/11/98

**DRAFT**

**FEDERAL FUNDING OF INDIAN PROGRAMS**  
(Dollars in Thousands)

	<u>FY 1993</u> <u>Actual</u> <u>BA</u>	<u>FY 1997</u> <u>Enacted</u> <u>BA</u>	<u>FY 1997</u> <u>Actual</u> <u>BA</u>	<u>FY 1998</u> <u>Request</u> <u>BA</u>	<u>FY 1998</u> <u>Enacted</u> <u>BA</u>	<u>FY 1999</u> <u>Agency Req.</u> <u>BA</u>	<u>FY 1999</u> <u>Final</u> <u>BA</u>	<u>Change:</u> <u>FY99 Final vs.</u> <u>FY98 Enacted</u> <u>BA</u>
<b>Other Independent Agencies</b>								
Office of Navajo and Hopi Indian Relocation	24,888	19,345	19,345	19,345	15,000	19,345	15,000	0
Institute of American Indian and Alaska (IAIA) Native Culture and Arts Development	9,312	5,500	5,500	5,500	4,250	0	3,188	(1,062)
Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives	297	0	0	0	0	0	0	0
<b>Subtotal, Other Independent Agencies</b>	<b>34,307</b>	<b>24,845</b>	<b>24,845</b>	<b>24,845</b>	<b>19,250</b>	<b>19,345</b>	<b>18,188</b>	<b>(1,062)</b>
<b>GRAND TOTAL</b>	<b>5,503,843</b>	<b>6,085,077</b>	<b>6,922,851</b>	<b>6,581,163</b>	<b>7,490,503</b>	<b>7,886,275</b>	<b>7,819,132</b>	<b>328,629</b>

# DRAFT

## FOOTNOTES:

1. (a) This is the amount estimated in the Budget. The FY 1997 Appropriation includes funding for this program under the Food Stamp appropriation.
- (b) FY 1998 estimates are based on the implementation of the 1997 FAIR Act which establishes the Federally Recognized Indian Tribe Account in which 3 percent of Rural Community Advancement Program (RCAP) funds are required to be deposited. FY 1997 Enacted estimates are also based on the RCAP program although it is not being implemented in FY 1997.
- (c) Although Intermediary Relending Program is not included in RCAP, 3 percent of funding for this program is estimated to assist Native Americans in FYs. 1997 and 1998.
- (d) Although Rural Technology and Cooperative Development Grants are not included in RCAP, 22 percent of the budget authority in FY 1997 and FY 1998 is estimated to be targeted towards Federally recognized Indian tribes based on FY 1996 actuals.
- (e) FS estimates reflect the headquarters' program leadership. Additional financial and technical assistance to Native Americans are provided by FS field units but it is, not separately tracked. For each FY with an estimate above, additional \$800,000 in BA and OL is estimated for the assistance provided by FS field units.
2. (a) No funding was requested through ED for this program in 1998.
- (b) The School-to-Work Opportunities line item applies to the total appropriation, which includes funds appropriated (split evenly) to DOL.
- (c) Minority Science Improvement is now part of Title II.
3. (a) Includes insurance collections, rental of quarters, and, after FY 1997, mandatory diabetes funding.
- (b) For FY 1997, LIHEAP is higher than previously reported because of the release of emergency funds.
- (c) For FY 1998 and FY 1999, AI/AN portion estimated from changes to the total program, for Substance Abuse Block Grant and Prevention Block Grant.
- (d) TANF Tribal grants primarily determined by the number of tribes applying to run their own programs. It is likely that FY 1999 funding will increase significantly as new tribal TANF programs are approved.
4. (a) For FY96, included in Annual Contributions for Assisted Housing; for FY97 included in Prevention of Resident Displacement.
- (b) Beginning in FY98, funds are consolidated into Native American Block Grant (NABG).
- (c) Title IV was funded as a set-aside of \$5 million within the Native American Block Grant in 1998.
5. (a) Numbers are inclusive of mandates by law and known to date. Programs within OJP involve competition, therefore, number cannot be definitive.
- (b) Funding amounts not yet available, but are expected to be at or above the FY 1997 enacted level. Numbers, however, are inclusive to what is mandated by law based upon 1998 MAX data.
6. The President's budget request to Congress will also include \$19.0 million to be made available on October 1, 1999 (FY 2000) to complete the NMAI mall museum.

## *Native American Statistics*

In 1990, through the Census Bureau's system of self-identifying, there were 1,959,234 individuals identified as Indians, which includes Alaska natives. The Native American population is one of the most disadvantaged and disenfranchised in American society. On virtually every indicator available, they rank at or near the bottom compared to other ethnic/racial groups.

Native Americans have the highest unemployment rates (80% on some reservations), the lowest family incomes and highest percentages of people living below the poverty level. Almost half of young Native American children live in poverty.

Indian women do not receive adequate screening for breast cancer. They have the worst survival statistics than any ethnic group because of late detection and difficulties in obtaining adequate care. In addition, Indian women die of cervical cancer at twice the rate of non-Indian women.

Up to 85 cents of every dollar generated on-reservation is spent off-reservation. In spite of recent growth in Native American-owned businesses, one quarter of all jobs on reservations are staffed by non-Natives, and up to half of full-time reservation jobs are federally funded.

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### *Key Facts Concerning the Status of American Indians and Alaska Natives*

- 31% of Indians live below the poverty level, compared to 13% of the total population.
- Oglala Sioux men of the Pine Ridge Reservation live an average of 56.5 years, the shortest life expectancy of any group in the country, similar to ones seen in sub-Saharan Africa.
- On the Pine Ridge Reservation, fatal car crashes are four more times more likely than anywhere else. Infants are twice as likely to die from sickness or injury.
- Diabetes is virtually an epidemic in Indian Country and is the sixth leading cause of death for Native Americans.
- Car accidents are the third leading cause of death on Indian reservations.
- On the Pine Ridge Reservation, nearly half the population has a problem with alcohol, fueling the reservation's soaring rates of Sudden Infant Death Syndrome, suicides, and accidents. Alcoholism is the 5th leading cause of death among Native Americans.
- According to the 1990 Census, only 65.3 percent of Indians age 25 and older residing in the current Reservation States are high school graduates or higher. For bachelor's degree

or higher, this percentage is 8.9.

- In 1990, 16.2 percent of Indian males age 16 and older residing in the current Reservation States were unemployed, compared with 6.4 percent for the U.S. All Races male population. For females, these percentages were 13.4 and 6.2, respectively.
- According to the 1990 Census, the median household income in 1989 for Indians residing in the current Reservation States was \$19,897, compared with \$30,056 for the U.S. All Races population.
- The American Indian and Alaska Native birth rate for 1991 - 1993 of 26.6 births per 1,000 population was 67 percent greater than the U.S. All Races birth rate for 1992 of 15.9, and 77 percent greater than the rate for the U.S. White population (15.0).
- The two leading causes of death for American Indians and Alaska Natives (1991-1994) and the U.S. All Races and White populations (1992) were diseases of the heart and malignant neoplasms. This is a change for the Indian population; accidents had been the second leading cause of death.
- Of all American Indian and Alaska Native people who died during 1992-1994, 30 percent were under 45 years of age. This compared to 11 percent for the U.S. All Races population (1992).
- The age-adjusted death rate for American Indians and Alaska Natives dropped from 188.0 in 1972-1974 to 83.4 in 1992-1994, a decrease of 56 percent. However, the rate is nearly triple the U.S. All Races of 29.4 for 1992.
- The age-adjusted suicide death rate for American Indians and Alaska Natives for 1992-1994 was 16.2 deaths per 100,000 population compared with the U.S. All Races rate of 11.1 for 1992, a ratio of 1.5 to 1.
- The age-adjusted homicide death rate for American Indians and Alaska Natives in 1992-1994, was 14.6 deaths per 100,000 population compared with 10.5 for the U.S. All Races population in 1992, a ratio of 1.4 to 1.
- The age-adjusted alcoholism death rate for American Indians and Alaska Natives in 1992-1994, was 38.4 deaths per 100,000 population or 5.6 times the U.S. All Races rate of 6.8 in 1992.
- The age-adjusted diabetes mellitus death rate for American Indians and Alaska Natives in 1992-1994 of 31.7 was 2.7 times the U.S. All Races rate of 11.9 in 1992.
- The age-adjusted tuberculosis death rate for American Indians and Alaska Natives is 2.1 deaths per 100,000 population in 1992-1994. The Indian rate is still 5.3 times the U.S. All Races rate of 0.4 for 1992.

## **Key Facts Concerning the Status of American Indians and Alaska Native Youth**

- Of the 1.43 million Indians living on or near reservations, nearly 500,000 (29 percent) are under the age of 15.
- Native American students have the highest dropout rate of any racial/ethnic group (36%) and lowest high school completion and college attendance rates of any minority group.
- Indian infants die from sudden infant death syndrome (SIDS) at a rate 1.8 times the rate for U.S. All Races infants, 2.1 compared to 1.2.
- 13% of Indian deaths pertain to ages under 25 compared to 4% for U.S. All Races.
- 45 percent of Indian mothers having their first child are under age 20, compared to 24 percent for U.S. All Races mothers.
- 33 percent of the Indian population is younger than 15 years in contrast to 22 percent for the U.S. All Races population.
- 38 percent of Indians aged 6 to 11 years live below the poverty level, more than twice the number for the U.S. All Races age group (18 percent).
- 61 percent of juvenile delinquents confined by the Federal Bureau of Prisons in 1994 were Indians.
- The death rate for Native American youth (142.0/100,000) was 59% higher than the rate for white youth.
- The alcoholism death rate for Indians 15 to 24 years of age is over 17 times the comparable rate for U.S. All Races, i.e., 5.2 versus 0.3.
- The accident death rate for Indians aged 5 to 14 years is nearly double the corresponding U.S. All Races rate, 17.1 to 9.3.
- The suicide death rate for 15 to 24 year old Indians is 2.4 times the corresponding rate for U.S. All Races, 31.7 to 13.0.
- Homicide is the second leading cause of death among Indians from 1-14 years of age and third for 15-24 year-olds.
- More than 180 gangs have been identified in Indian Country.

*Health Care Statistics for  
The Tribes of the Great Sioux Nation  
(Aberdeen Area)*

(RATES SHOWN ARE %  
HIGHER THAN THE  
NATIONAL AVERAGE )

● DEATHS FROM TUBERCULOSIS .....	1,300%
● DEATHS FROM DIABETES .....	400%
● SUDDEN INFANT DEATH SYNDROME .....	328%
● POST NEONATAL MORTALITY RATE .....	200%
● DEATH FROM CERVICAL CANCER .....	251%
● DEATHS FROM ALCOHOLISM .....	1200%
● DEATHS FROM SUICIDE .....	147%
● LIFE EXPECTANCY .....	60 YEARS (vs. 74.9 for U.S. population)

\* 1993 Indian Health Service Report entitled "Regional Differences in Indian Health"

## Indicator 61. Activities After High School

Primary activities of high school class of 1992 by graduation status, sex, race, and socioeconomic status: 1994

Student characteristics	Total	Activity status <sup>1</sup>						
		Student only	Student and working	Working only	Home-maker only	Homemaker and worker or student	Military	Other
<b>High school graduates and GED recipients</b>								
Total	100.0	22.0	32.8	34.0	2.6	3.4	3.2	2.0
Male	100.0	21.9	29.4	39.4	0.1	1.0	5.6	2.6
Female	100.0	22.2	36.2	28.4	5.1	5.8	0.8	1.5
Race								
White	100.0	22.9	34.3	32.5	2.2	3.3	3.3	1.6
Black	100.0	18.3	27.8	40.6	2.6	3.8	3.7	3.2
Hispanic	100.0	16.7	27.9	41.1	4.8	3.8	2.8	2.9
Asian/Pacific Islander	100.0	34.8	40.3	18.0	1.3	1.8	1.9	1.9
→ American Indian/Alaskan Native	100.0	10.3	20.5	41.0	10.7	4.5	3.2	9.9
Socioeconomic status <sup>2</sup>								
Low	100.0	11.2	22.9	51.6	4.1	4.0	3.7	2.5
Middle	100.0	18.3	35.8	34.5	2.6	3.4	3.8	1.6
High	100.0	39.7	39.5	14.5	0.8	1.7	2.4	1.4
<b>High school dropouts and other noncompleters<sup>3</sup></b>								
Total	100.0	3.4	4.4	61.4	14.1	7.0	0.2	9.5
Male	100.0	2.0	6.0	79.5	0.2	1.7	0.1	10.5
Female	100.0	5.0	2.7	41.8	29.3	12.7	0.3	8.3
Race								
White	100.0	2.4	5.0	64.9	14.1	8.8	0.1	4.7
Black	100.0	7.6	4.0	52.6	9.4	4.0	0.3	22.2
Hispanic	100.0	3.0	3.5	57.0	19.5	5.0	0.1	11.9
Asian/Pacific Islander	100.0	2.3	3.7	73.1	15.5	0.9	0.0	4.4
→ American Indian/Alaskan Native	100.0	1.5	2.7	78.6	6.0	4.9	0.9	5.6
Socioeconomic status <sup>2</sup>								
Low	100.0	3.4	4.7	59.4	16.3	8.5	0.4	7.3
Middle	100.0	4.9	4.5	63.5	11.2	5.3	0.1	9.5
High	100.0	0.0	5.8	65.3	7.8	1.9	0.0	19.4

<sup>1</sup> Primary activity in spring 1994.

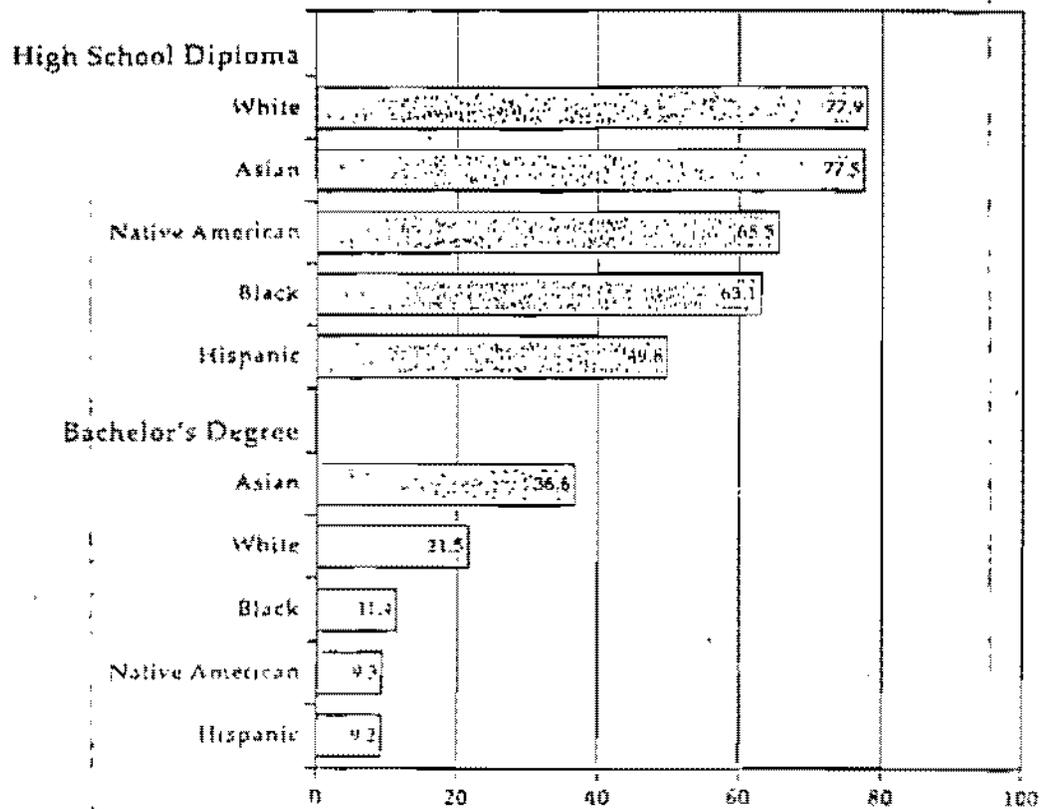
<sup>2</sup> Socioeconomic status was measured by a composite score on parental education and occupation, and family income. The "low" SES group is the lowest quartile; the "middle" SES group is the middle two quartiles; and the "high" SES group is the highest quartile.

<sup>3</sup> Dropouts from the class of 1992 may have left school any time after the middle of 8th grade. Also includes some still enrolled in high school in 1994.

NOTE: References to the class of 1992 are based on students who were 8th graders in 1988 and who would be expected to have graduated in 1992. This group includes students who did not complete high school until later as well as persons who dropped out between 1988 and 1992.

SOURCE: U.S. Department of Education, National Center for Education Statistics, "National Education Longitudinal Study," Third Followup survey.

Figure 3.3  
Percent of Adults With at Least a High School Diploma, and  
With at Least a Bachelor's Degree, by Race/Ethnicity



Source: U.S. Bureau of the Census, 1990

education can have real value. But on physically isolated reservations, education is a threat to the survival of reservation life, as it provides the ticket out. Tribal elders — tribes' political and religious leaders — may fight education and other nontraditional influences in an effort to maintain their tribes' spiritual, cultural, and physical identity, as well as their own power base.

Nonetheless, outmigration rates are increasing, as on-reservation job opportunities remain limited. Those who choose to leave must overcome or ignore not only their own and their tribes' traditional values, but also the apathy and other inhibiting social conditions endemic on most reservations (drug abuse, teen pregnancy, etc.). Combined, these forces work to keep most individuals on the reservations, in spite of their more limited opportunities.

## CAUSES OF DEATH

**N**ative Americans are more likely than Americans in general to die of alcoholism or car accidents. Leading causes of death:

### American Indians/Alaska natives

1. Heart disease
2. Cancer
3. Car accidents
4. Other accidents
5. Alcoholism
6. Diabetes
7. Stroke
8. Pneumonia/influenza
9. Suicide
10. Emphysema/bronchitis

### U.S. total

1. Heart disease
2. Cancer
3. Stroke
4. Emphysema/bronchitis
5. Accidents
6. Pneumonia/influenza
7. Diabetes
8. HIV infection
9. Suicide
10. Homicide

NOTE: American Indian data are from 1992-94; total U.S. data from 1993.  
SOURCE: National Center for Health Statistics

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THE WHITE HOUSE  
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## MEMORANDUM FOR HEADS OF AGENCIES AND DEPARTMENTS

FROM: ERSKINE BOWLES, CHIEF OF STAFF TO THE PRESIDENT *EB*  
BRUCE REED, ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY *BR*

DATE: MAY 23, 1997

SUBJECT: EXECUTIVE MEMORANDUM ON GOVERNMENT-TO-GOVERNMENT  
RELATIONS

On April 29, 1994, President Clinton issued an Executive Memorandum to all Executive Departments and Agencies directing them to engage in continuing Government-to-Government relations with federally recognized tribal governments. (See April 29, 1994 Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments, attached.) We write to request the assistance of your Department or Agency in ensuring that the President's directive is appropriately implemented.

The April 29, 1994 Executive Memorandum is based on the unique historical and legal relationship with Native American tribal governments as set forth in the Constitution of the United States, treaties, statutes, executive actions, and court decisions. When executive actions will affect government or treaty rights of Indian tribes or tribal trust property, the Executive Memorandum requires the responsible Department or Agency to consult with tribal governments concerning the impact of the federal action to the greatest extent practicable and permitted by law.

Government-to-Government consultations should be conducted with knowledge of, and sensitivity for, tribal governmental and treaty rights. In addition, Executive Departments and Agencies are required to take steps to remove procedural impediments to working directly and effectively with Indian tribes.

Several Executive Departments and Agencies have implemented the President's directive by adopting their own policies on Government-to-Government relations with Native American Tribal Governments. In addition, some Departments and Agencies have designated staff as liaisons with Native American Tribal governments to facilitate implementation of the President's directive.

To assist us in ensuring that the President's directive is appropriately implemented, please send us the following:

April 29, 1994

COPY  
from ORM

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Government-to-Government Relations with  
Native American Tribal Governments

The United States Government has a unique legal relationship with Native American tribal governments as set forth in the Constitution of the United States, treaties, statutes, and court decisions. As executive departments and agencies undertake activities affecting Native American tribal rights or trust resources, such activities should be implemented in a knowledgeable, sensitive manner respectful of tribal sovereignty. Today, as part of an historic meeting, I am outlining principles that executive departments and agencies, including every component bureau and office, are to follow in their interactions with Native American tribal governments. The purpose of these principles is to clarify our responsibility to ensure that the Federal Government operates within a government-to-government relationship with federally recognized Native American tribes. I am strongly committed to building a more effective day-to-day working relationship reflecting respect for the rights of self-government due the sovereign tribal governments.

In order to ensure that the rights of sovereign tribal governments are fully respected, executive branch activities shall be guided by the following:

(a) The head of each executive department and agency shall be responsible for ensuring that the department or agency operates within a government-to-government relationship with federally recognized tribal governments.

*Announced 4-29-94.*

*Original to OMB, Room 9026, Arthur Johnson by Clerk. 5-2-94.  
"Multiple" copies with labels to Mail Room for dispatch: 5-2-94*

*Noted  
5/2/94*

(b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.

(c) Each executive department and agency shall assess the impact of Federal Government plans, projects, programs, and activities on tribal trust resources and assure that tribal government rights and concerns are considered during the development of such plans, projects, programs, and activities.

(d) Each executive department and agency shall take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or governmental rights of the tribes.

(e) Each executive department and agency shall work cooperatively with other Federal departments and agencies to enlist their interest and support in cooperative efforts, where appropriate, to accomplish the goals of this memorandum.

(f) Each executive department and agency shall apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12856 ("Regulatory Planning and Review") to design solutions and tailor Federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.

The head of each executive department and agency shall ensure that the department or agency's bureaus and components are fully aware of this memorandum, through publication or other means, and that they are in compliance with its requirements.

This memorandum is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

The Director of the Office of Management and Budget is authorized and directed to publish this memorandum in the Federal Register.

*William B. Clinton*

- a) your Department or Agency policy on Government-to-Government Relations with native American Tribal governments if you have such a policy;
- b) the name, position, address and telephone number of Department or Agency staff designated as liaisons with tribal governments; and
- c) a two or three-page synopsis of your Department's or Agency's approach and activities in implementing the President's April 29, 1994 Executive Memorandum.

Please return this information to us by August 23, 1997. Information should be sent to: White House Cabinet Affairs, Attention: Kris Balderston, Old Executive Office Building, Room 160, Washington, D.C. 20502. If you have any questions, you may call Lynn Cutler in the Office of Intergovernmental Affairs at (202) 456-2896.

Thank you for your assistance.

### **Native American Health Disparities.**

- Infant mortality rates are 1½ times higher for Native Americans.
- About one-third of Native American women do not receive prenatal care until the third trimester.
- Some American Indian and Alaska Native groups die from Sudden Infant Death Syndrome at 3 to 4 times the rate of whites.
  
- Diabetes is about three times as common among Native Americans than in the general U.S. population. For example, one third to one half of adults in certain tribal groups have diabetes.
- Native Americans develop Type II diabetes at a younger age -- as young as age eight -- and suffer higher rates of complications including blindness, amputation, and kidney disease.
- Native Americans cancer screening rates are slightly lower.

**The President's Race and Health Initiative.** The President's budget commits more than \$400 million over the next five years to fund education, outreach, and health services to minorities. Because we need to learn more about how to address these disparities, much of this initiative will be used to fund innovative approaches in communities across the country. Successful approaches learned from these communities will be implemented across HHS programs. Aspects of this initiative that specifically target Native Americans are:

- \$25 million over 5 years for CDC Diabetes Education Programs
- \$25 million over 5 years to breast and cervical screening programs at the Indian Indian Health Service.
- At least \$25 million over 5 years will go to communities addressing infant mortality.
- Also, last year's BBA included \$150 million over 5 years to help prevent and treat diabetes among Native Americans.



Associate Deputy Attorney General

Washington, D.C. 20530

*PUSH TO*

June 27, 1997

*+ return  
Bonn/Cannell*

*After however many weeks, DIT/DOI sent*

MEMORANDUM

*this over Friday night with the*

TO: Elena Kagan  
Deputy Assistant to the President  
for Domestic Policy

FROM: David W. Ogden  
Associate Deputy Attorney General

SUBJECT: Law Enforcement in Indian Country

*"request" that we issue it by Tuesday.  
Take a look at it... I guess  
it it's fine with Lynn, it's fine  
with me, though it's unremittably  
bleak. (There's also one  
sentence I don't  
understand.) Let me know*

As we discussed, I am forwarding for your review a draft Presidential directive on law enforcement in Indian Country. It directs Attorney General Reno and Secretary Babbitt to analyze the public safety crisis in Indian Country and provide their findings and recommendations to the President no later than November 14, 1997.

With apologies for the extremely short notice, I am told that the signed Presidential directive and reprogramming proposal must be sent to the Hill no later than July 3, 1997 in order to be acted upon during the appropriations process. As a practical matter, this means that if at all possible the Presidential directive must be issued no later than July 1, 1997 in order to ensure that this effort can be funded. Our JMD staff has already been in contact with OMB Justice/GSA Branch Chief David Haun. They have incorporated his informal recommendations into their proposal and stand ready to do everything they can to help move this through the process as soon as the directive is signed.

Ideally, we would highlight the issuance of the directive with an event involving the President. Those of us working on this issue have discussed the possibility of a radio address or White House event and are prepared to assist with whatever roll-out effort the DPC deems appropriate. Given the time exigencies, however, we recognize that constraints on the President's schedule will dictate our options. It may be better to announce

the directive through a press release, reserving a larger announcement for the issuance of the recommendations to the President next Fall. In any event, we are ready to assist in whatever kind of announcement is deemed appropriate.

Please call me if you have any concerns or questions about the directive or timing. Thank you for your assistance.

Attachment

cc: Seth P. Waxman  
Acting Deputy Attorney General

Charles F.C. Ruff  
Counsel to the President

Lynn Cutler  
Deputy Assistant to the President and  
Deputy Director of Intergovernmental Affairs

Anne Shields  
Chief of Staff  
Department of the Interior

MEMORANDUM FOR THE ATTORNEY GENERAL AND SECRETARY OF THE INTERIOR

SUBJECT: Law Enforcement in Indian Country

I am proud of this Administration's progress in reducing violent crime and improving public safety for our Nation's citizens. Our efforts are making an important difference. Nationwide, the violent crime rate has dropped approximately 17 percent since 1992, and the homicide rate has declined about 22 percent.

Unfortunately, during the same time period life has become much more violent for the 1.2 million Indian citizens who live on or near reservations. Indian Country homicide rates, for example, have risen dramatically -- over 80 percent, often surpassing the rates in large American cities. Numbers alone cannot convey the tragic impact of such violence on Indian families and their communities. ] ?

This and other information you have provided to me make it clear that we need to enhance available resources in Indian Country to address this growing problem. While some tribal governments have developed strong law enforcement programs, many others have encountered significant difficulty in doing so. On a number of reservations, the number of police officers and investigators has diminished to the point that many violent crimes occurring on Indian lands remain not only unsolved, but uninvestigated. Jails are grossly substandard. Many Indian citizens receive police, investigative, and detention services that lag far behind even this country's poorest jurisdictions.

As President, I recognize the federal government's obligation to act, arising from our long-standing trust relationship with Native Americans, and from federal statutes that set forth our law enforcement responsibilities in Indian Country. We cannot look to others to solve this problem. Until we address this problem with resolve, with adequate resources, and with seamless interagency cooperation, the scourge of guns, drugs, domestic violence, and juvenile crimes will continue.

For these reasons, I hereby direct the Attorney General and Secretary of the Interior to analyze the law enforcement crisis and develop a comprehensive proposal for improving public safety and criminal justice in Indian Country. Consistent with the spirit of my September 1994 memo on government-to-government relations and tribal self-governance, Indian tribal leaders should be asked to participate directly in the process of developing solutions. I further direct the Departments of Justice and Interior to submit their recommendations to me no later than November 14, 1997.

Recognizing the dire situation in Indian Country, I ask that you reach out to tribal leaders and others around the country to

work with us toward a viable solution. To this end, I pledge the full support of my Administration to achieving adequate and effective law enforcement services in Indian Country.

William J. Clinton

*Natural Amer.***MEMORANDUM**

To: Sylvia Mathews  
cc: Angus King  
From: Leanne Shimabukuro, Bruce Reed  
Subject: American Indian Proposals  
Date: March 19, 1997

You requested comment on two proposals submitted by representatives of American Indian tribes: an Executive Order on Government-to-Government relations with tribes and a Presidential meeting with tribal leaders.

**PROPOSED EXECUTIVE ORDER ON GOVERNMENT-TO-GOVERNMENT RELATIONS**

President Clinton signed a Presidential Memorandum on Government-to-Government relations with tribes on April 29, 1994. This historic Memorandum acknowledged the special relationship the United States has with American Indian tribes and directed the heads of Executive Departments and Agencies to consult with Federally-recognized Tribal nations on a Government-to-Government basis in formulating policies and programs affecting tribes.

In letters to the President, two tribes now have requested the issuance of an Executive Order on Indian sovereignty and the Government-to-Government relationship. This order would be quite similar in substance to the current Memorandum. It is likely that the tribes want an Executive Order because they believe it will produce greater agency responsiveness than has the Presidential Memorandum.

Federal agencies vary in their compliance with the Memorandum. The Interior Department and the EPA have been particularly responsive in developing and carrying out policies pursuant to the Memorandum. Other agencies have been much slower to develop and implement policies on this front.

An Executive Order is probably not the appropriate response to this problem at this juncture. Issuing an Executive Order similar to the Presidential Memorandum may suggest a failure of the Federal government to act on the President's initial request. This suggestion would be unfair (some agencies have responded well), and could undermine successes achieved by this Administration on Government-to-Government relations. At any rate, issuing essentially the same directive in another form is unlikely to change agencies' behavior.

Instead, we should consider prodding agencies on their compliance with the initial Memorandum. For example, a memorandum to Federal agencies issued by the

Chief of Staff or other appropriate White House official-- or, if more high-profile action is desired, even the President himself-- could ask for the status of their policies pursuant to the 1994 Presidential Memorandum. Such a memo could well spur as yet unresponsive agencies to take positive action. In the event such a memorandum fails to produce results, we should then consider what further steps are necessary to further promote Government-to-Government relations and tribal sovereignty (e.g., Executive Order or other Executive action).

### MEETING WITH TRIBAL LEADERS

In April 1994, the President met with over 300 tribal leaders in a large ceremonial event on the White House lawn. The Cabinet was present at the meeting, and the event lasted several hours. During the meeting, the President released his Memorandum on Government-to-Government relations and a Memorandum on the use of eagle feathers for religious purposes.

Leaders of approximately 11 tribes now have asked to have another meeting with the President. Many other tribes would agree that it is time for another Presidential meeting.

We believe that the President should hold another meeting with tribal leaders. This meeting would be an important gesture of goodwill to tribes. It also would allow the President to have direct contact with a constituency that does not often receive such high-level attention.

Such a meeting, however, should include a much wider group of tribal leaders than the 11 who have made the pending request. It would also require significant planning and sufficient lead time-- at least three months for preparation.

Alternatively, the President could speak at a large inter-tribal conference, such as the National Conference of American Indians (NCAI), which meets a few times a year. Secretary Babbitt speaks at one NCAI conference annually, and the Vice President spoke to NCAI in November 1995. A NCAI conference is scheduled for November 1997 in Santa Fe.

A speaking role at an NCAI conference would be easier to coordinate than a Presidential meeting with tribal leaders at the White House. But such an event would not carry quite the same symbolic significance. In addition, the Navajo Nation usually does not attend the NCAI Conference, and the absence of this very large tribe could count as a serious problem.

Either event will place the President at some risk of criticism. The tribes may well complain of a lack of responsiveness to Native American issues at the Department of Interior. The scheduling of either event should take into account the timing of

significant Administration decisions affecting tribes that are expected in the near future-- for example, on Indian gaming, and the BIA/Interior budget.