

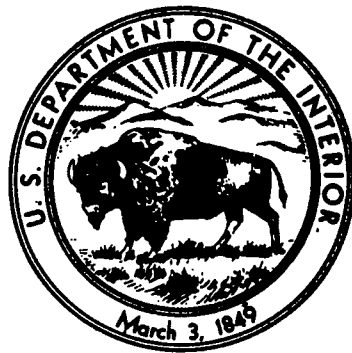
Budget

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUDGET JUSTIFICATIONS, F. Y. 1982**



BUREAU OF INDIAN AFFAIRS

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Budget Estimates, Fiscal Year 1982
Congressional Submission

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BUREAU OF INDIAN AFFAIRS

Budget Estimates, Fiscal Year 1982
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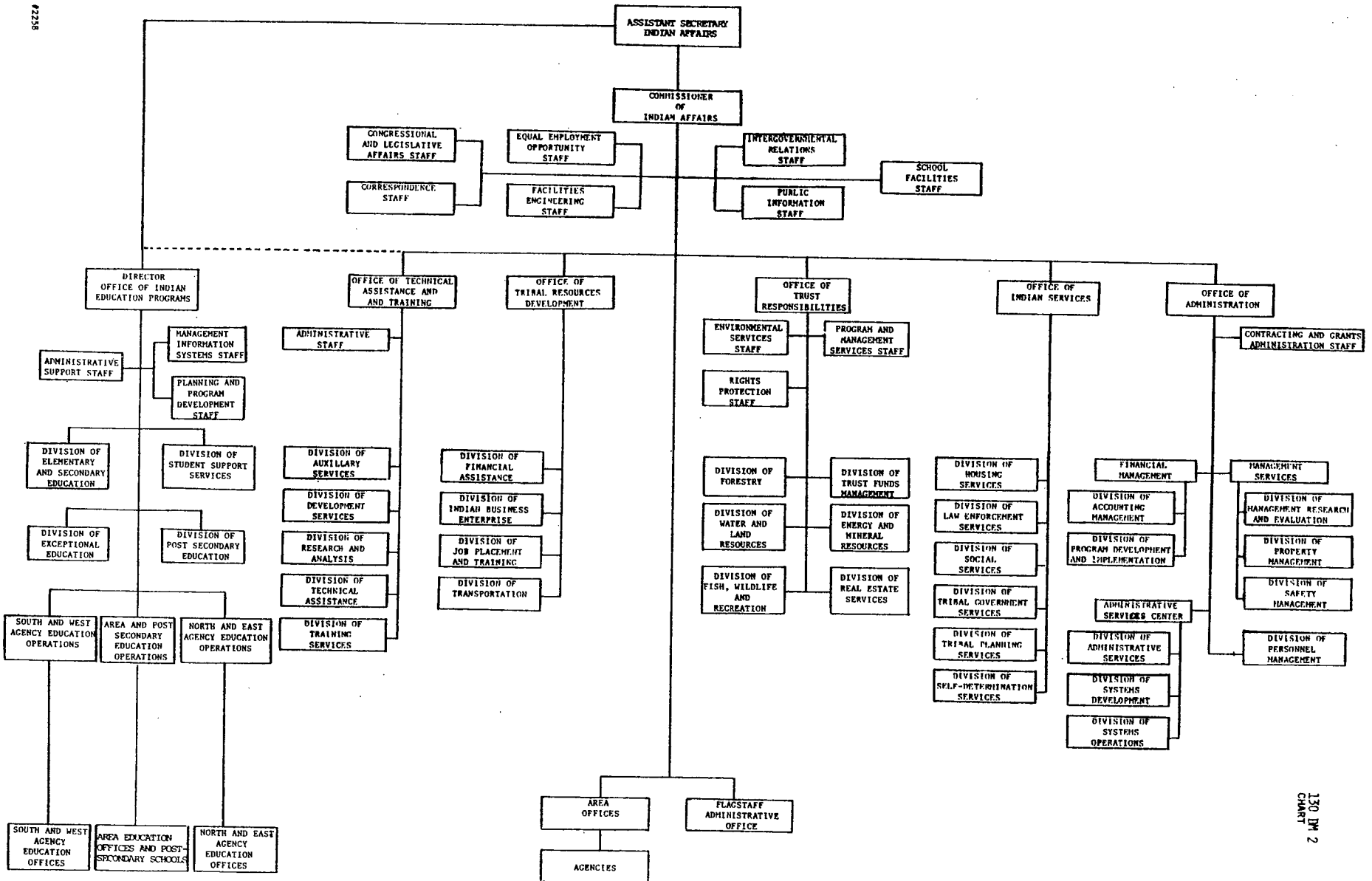
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SUMMARY

BUREAU OF INDIAN AFFAIRS
ORGANIZATION CHART

BIA-1



General Statement

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

The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provided substantive law for appropriations covering the activities by the Bureau of Indian Affairs. The scope and character of the authorizations contained in this Act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 948; 25 U.S.C. 461 et seq.) and by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450) and by amendments of Title XI of the Elementary and Secondary Education Amendments Act of 1978 (P.L. 95-561). These authorities have recently been further expanded by the Indian Child Welfare Act of 1978, (P.L. 95-608) and the Tribally Controlled Community College Assistance Act of 1978 (P.L. 95-471), as amended.

The following summary provides a comparison between 1981 appropriations enacted to date and the 1982 request:

(\$ in 000)	1981 Appro- piation	1982 Estimate	+ or -	Perm/Empl 12/31/80
<u>Appropriation</u>				
Operation of Indian Programs. (\$)	812,739	883,109	+70,370	
(FTP)	12,256	12,245	- 11	11,395
Construction..... (\$)	100,182	118,791	+18,609	
(FTP)	135	135	0	84
Road Construction..... (\$)	48,625	53,492	+ 4,867	
(FTP)	370	370	0	340
Alaska Native Claims..... (\$)	30,000	0	-30,000	
(FTP)	0	0	0	0
Eastern Indian Land Claims				
Settlement..... (\$)	81,500	0	-81,500	
(FTP)	0	0	0	0
Sub-Total Appropriations				
Requested..... (\$)	1,073,046	1,055,392	-17,654	
(FTP)	12,761	12,750	- 11	11,819

(\$ in 000)	1981 Appro- piation	1982 Estimate	+ or -	Perm/Emp 1 12/31/80
<u>Appropriation</u>				
<u>Permanent and Trust Funds</u>				
Miscellaneous..... (\$)	23,400	24,200	+ 800	
(FTP)	400	400	0	362
Trust Funds..... (\$)	511,399	465,000	-46,399	
(FTP)	38	38	0	38
Budget Authority Total, BIA. (\$)	<u>1,607,845</u>	<u>1,544,592</u>	-63,253	
(FTP)	13,199	13,188	- 11	12,219

Highlights of 1982 Request

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

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

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

	<u>1980 Actual</u>	<u>1981 Est.</u>	<u>1982 Est.</u>
Direct program			
Tribe/Agency Operations.....	\$ 229,088	\$ 246,947	\$ 263,792
Area Operations.....	50,096	57,332	56,726
Central Office Staff Operations....	21,880	25,456	25,718
Field Program Operations.....	<u>462,299</u>	<u>503,995</u>	<u>536,873</u>
Total direct program.....	763,363	833,730	883,109
Reimbursable program (total).....	<u>9,893</u>	<u>40,020</u>	<u>40,020</u>
Total program.....	<u>\$ 773,256</u>	<u>\$ 873,750</u>	<u>\$ 923,129</u>

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

Central and Area Office operations represent funding for program management executive direction, and administrative support at those organizational levels.

Field program operations include those programs, such as education, facilities management, rights protection and welfare which are the unique responsibility of the Bureau because of its special relationship to Indians and Indian Tribes or for which priorities are established nationally rather than at the local level. These programs are primarily executed at the field level.

The changes between the 1982 base and the 1982 request are highlighted below by activity.

Operation of Indian Programs:

Indian Education \$282.0 Million

In FY 1982, \$282.0 million is requested for Indian Education. This is an increase of \$6.2 million consisting of increases of \$3.0 million in School Operations and \$2.7 million in Continuing Education, including Scholarship grants, Adult Education and Post Secondary Schools. Johnson-O'Malley is increased by \$0.5 million.

Indian Services \$239.9 Million

In FY 1982, \$239.9 million is requested which is an overall increase of \$17.4 million over the base.

A proposed program of \$96.1 million, an increase of \$5.8 million, in Social Services programs consists principally of requirements related to the Indian Child Welfare Act and other welfare grants.

The \$23.8 million Housing Program requested for FY 1982, an increase of \$1.0 million, will continue the long-range objective of the Bureau to eliminate substandard housing on Indian reservations.

The \$54.4 million Self-Determination Services program is an increase of \$4.2 million. Included are \$28.5 million for tribal administrative costs associated with P.L. 93-638 contracts, \$18.9 million for Self-Determination grants \$3.9 million for Training and Technical Assistance (including \$1.0 million for the Tribal Manager Corps) and \$3.1 million for the Office of Technical Assistance and Training located in Brigham City, Utah.

Tribal governments will also benefit from increased funding for government functions such as law enforcement, courts and general government operations. The budget includes an increase of \$3.2 million for Law Enforcement and \$4.0 million for Aid to Tribal Government, including Tribal Courts.

The Navajo-Hopi Settlement Program of \$4.8 million, a reduction of \$0.8 million, includes \$0.5 million for FY 1982 operating costs of the life estates authorized by P.L. 96-305.

Economic Development and Employment Program \$75.1 Million

The FY 1982 request for \$75.1 million, is an increase of \$0.5 million compared to the base.

The net increase results from a \$0.6 million reduction in the Indian Action Program, a \$0.5 million increase in Employment Assistance, a \$0.1 million reduction in Business Enterprise Development, and a \$0.7 million increase in Road Maintenance.

Natural Resources Development \$87.0 Million

The request of \$87.0 million for Natural Resources Development in FY 1982 is an increase of \$6.5 million over the base level. The request will fund programs in Minerals and Mining resources, Forestry, Agriculture, Irrigation and Power Operation and Maintenance, Water Resources, multi-discipline natural resource efforts, Wildlife, Parks and Fisheries Management.

Trust Responsibilities \$48.1 Million

The request of \$48.1 million for FY 1982 represents a decrease of \$4.1 million. Strengthening the Trust Responsibilities role continues to be a goal of the Bureau. The FY 1982 request will fund programs to carry out the Federal trust responsibility. This proposal includes an increase of \$2.6 million in Indian Rights Protection and Environmental Quality Services with an increase of \$1.5 million in Real Estate and Financial Trust Services. Included is \$2.2 million to provide funds for the Alaska National Interest Lands Act implementation efforts of the Bureau.

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

General Management and Facilities Operation \$151.0 Million

The proposed \$151.0 million program is an increase of \$7.5 million over the 1982 base.

Included in the FY 1982 request is \$53.6 million to provide for the General Management and Administration of the Bureau, an increase of \$2.4 million. Also included is \$5.3 million (an increase of \$0.1 million) in Program Support Services which includes Safety Management and Employee Compensation.

A total of \$92.0 million is requested for Operation and Maintenance of Bureau-owned facilities, previously private contract schools, and rentals for space provided by GSA in GSA-owned or leased facilities. This is an increase of \$5.0 million.

Construction (Buildings and Utilities) \$62.0 Million

The FY 1982 request for Construction of Buildings and Utilities is \$62.0 million including \$4.8 million for three new law enforcement facilities: Menominee Court House, Wisconsin; Omaha Detention Facility, Nebraska; and Rosebud Law Enforcement Facility, South Dakota. The request also includes \$0.9 million for school equipment at Turtle Mountain High school, North Dakota; \$0.6 million for advance planning and design; and \$52.7 million for Facility Improvement and Repair to correct unsafe and/or unsanitary conditions, to initiate high priority energy conservation projects and to correct other deficiencies in existing Bureau facilities. Program management is \$3.0 million.

Irrigation Construction \$56.8 Million

The proposed Irrigation Construction program would provide a total of \$56.8 million including \$5.1 million for continuing construction on the Navajo Indian Irrigation Project. Other irrigation projects totalling \$42.1 would be funded including the legislatively mandated projects at Ak Chin, Arizona for \$27.1 million and at Fallon, Nevada for \$4.0 million; \$2.6 million for the Grass Rope Project in South Dakota; and a total of \$8.4 million for small projects which promise a quick return on investment. The request also includes \$2.4 million for supervision and engineering for irrigation construction and rehabilitation work on Indian irrigation projects throughout the arid west. A major new effort for assuring dam safety is initiated at \$7.2 million in FY 1982.

Road Construction \$53.5 Million

New budget authority of \$53.5 million is proposed for construction of the Indian road system. The proposed program for FY 1982 will allow the Bureau to continue its efforts to provide a transportation network which will promote better education, health, job access, agriculture and commerce development.

Emphasis in 1982

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

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

The Forestry program includes funding to pursue a major effort in initiating forest inventories and management plans to improve production on Indian forests.

A new program called the Tribal Manager Corps is initiated in FY 1982. This program is intended to meet the expressed needs of Tribes for managerial and other economic development technical expertise. Individuals are recruited from the private and public sectors and are assigned to Tribes applying for assistance. The program should assist Tribes in improving their managerial capabilities as well as promote more effective economic development on Indian reservations.

The Facilities Improvement and Repair program will continue to give emphasis to correction of unsafe and/or unsanitary conditions and the initiation of high priority energy conservation projects. The Facilities Operation and Maintenance program will be provided funds necessary to overcome the effects of inflation and major increase in energy costs.

A major new effort for assuring dam safety is initiated in FY 1982. This program includes inspections as well as funds to correct safety deficiencies. The legislatively mandated Ak Chin irrigation project is provided major funding.

OPERATION OF
INDIAN PROGRAMS.

Appropriation Summary Statement

Appropriation: Operation of Indian Programs

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

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

	<u>1980 Actual</u>	<u>1981 Est.</u>	<u>1982 Est.</u>
Number of pupils:			
Federal and tribally operated schools...	43,417	43,800	44,400
Public schools.....	176,050	177,822	179,500

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

	<u>1980 Actual</u>	<u>1981 Est.</u>	<u>1982 Est.</u>
Continuing Education participants:			
Higher education scholarships.....	20,000	20,000	21,000
Adult education enrollments.....	18,500	18,500	18,500

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

	<u>1980 Actual</u>	<u>1981 Est.</u>	<u>1982 Est.</u>
Social Services Caseloads:			
General assistance.....	57,750	57,750	57,750
Child Welfare.....	3,300	3,300	3,500
Families receiving services.....	15,775	15,775	15,775
Family Houses Started:			
New.....	395	520	545
Rehabilitation.....	2,600	3,060	3,110
HUD-assisted.....	6,000	5,000	5,000

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

Business enterprise development is encouraged and assisted through programs of technical and financial aid, with emphasis on enterprises owned and operated by Indian individuals and organizations. Indian tribal organizations and individuals are assisted with securing and managing loans for resource and business enterprise development, housing, public utility facilities, education, and other purposes.

Individual Indians are assisted in qualifying for, finding and occupying jobs on and off reservation consistent with their needs, capabilities, and desires. Roads are maintained to provide for the movement of people and goods as needed for the well-being of the community.

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

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

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

The total appropriation requested for 1982 is \$883,109,000, an increase of \$42,178,000 over the 1982 base program. Program increases include Education, \$6.2 million; Indian Services, \$17.4 million; Economic Development and Employment Program, \$0.5 million; Natural Resources Development, \$6.5 million; Trust Responsibilities, \$4.1 million; and General Management and Facilities Operation, \$7.5 million.

BUREAU OF INDIAN AFFAIRS

Summary of Requirements
(Dollar amounts in thousands)

Appropriation: Operation of Indian Programs

<u>Summary of adjustments to base and built-in changes:</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>
Appropriation enacted to date, 1981			12,256	812,739
Adjustments to base and built-in changes:				
Adjustment for 1981 pay increase and related costs.....		+27,091		
Other increases.....		+1,466		
Other decreases.....		-365		
Subtotal, adjustments to base and built-in changes.....				+28,192
1982 Base.....			12,256	840,931

Summary of Requirements
(Dollar amounts in thousands)

<u>Comparison by activities:</u>	<u>1980 Actual</u>		<u>1981 Approp.</u> <u>Enacted to Date</u>		<u>1982 Base</u>		<u>1982 Estimate</u>		<u>Inc.(+)</u> <u>or Dec.(-)</u> <u>Over 1982 Base</u>	
	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>	<u>Perm.</u> <u>Pos.</u>	<u>Amount</u>
Education:										
School operations.....	4,466	188,743	4,402	185,108	4,402	194,639	4,402	197,632	---	+2,993
Johnson O'Malley educ. asst....	7	28,643	7	29,469	7	29,469	7	29,935	---	+466
Continuing education.....	267	45,272	263	51,026	263	51,748	263	54,476	---	+2,728
Subtotal.....	4,740	262,658	4,672	265,603	4,672	275,856	4,672	282,043	---	+6,187
Indian services:										
Tribal government services....	177	15,845	174	22,036	174	22,490	175	26,455	+1	+3,965
Social services.....	372	82,854	367	89,567	367	90,321	375	96,104	+8	+5,783
Law Enforcement.....	556	25,769	555	30,196	555	31,023	553	34,204	-2	+3,181
Housing.....	103	18,518	101	22,572	101	22,776	101	23,776	---	+1,000
Self-determination services...	149	42,034	148	50,003	148	50,223	149	54,472	+1	+4,249
Navajo-Hopi settlement program	31	4,489	31	5,498	31	5,649	31	4,852	---	-797
Subtotal.....	1,388	189,509	1,376	219,872	1,376	222,482	1,384	239,863	+8	+17,381

BIA-9

Summary of Requirements
(Dollar amounts in thousands)

(cont'd)

	1980 Actual		1981 Approp. Enacted to Date		1982 Base		1982 Estimate		Inc.(+) or Dec.(-) Over 1982 Base	
	Perm.		Perm.		Perm.		Perm.		Perm.	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
<u>Comparison by activities:</u>										
Econ.devel.& employ.programs:										
Employment development.....	364	48,357	309	45,220	309	45,797	293	45,684	-16	-113
Business enterprise devel....	204	8,145	201	8,304	201	8,834	197	8,755	-4	-79
Road maintenance.....	374	16,640	366	19,117	366	19,948	367	20,659	+1	+711
Subtotal.....	942	73,142	876	72,641	876	74,579	857	75,098	-19	+519
Natural resources development:										
Forestry and agriculture.....	1,201	56,913	1,184	64,571	1,184	67,054	1,190	72,271	+6	+5,217
Minerals, mining, irrigation & power.....	31	13,274	40	13,389	40	13,445	42	14,708	+2	+1,263
Subtotal.....	1,232	70,187	1,224	77,960	1,224	80,499	1,232	86,979	+8	+6,480
Trust responsibilities:										
Indian rights protection.....	92	19,783	92	16,423	92	16,698	93	19,268	+1	+2,570
Real estate & financial trust services.....	737	19,160	728	25,914	728	27,320	726	28,880	-2	+1,560
Subtotal.....	829	38,943	820	42,337	820	44,018	819	48,148	-1	+4,130
General Management & facilities operation:										
Management & administration..	1,585	48,650	1,558	47,015	1,558	51,258	1,554	53,622	-4	+2,364
Program support services.....	41	4,009	40	4,447	40	5,223	40	5,345	---	+122
Facilities management.....	1,667	76,265	1,645	82,864	1,645	87,016	1,642	92,011	-3	+4,995
Subtotal.....	3,293	128,924	3,243	134,326	3,243	143,497	3,236	150,978	-7	+7,481
Other (Reimb.).....	---	---	45	---	45	---	45	---	---	---
Total requirements.....	12,424	763,363	12,256	812,739	12,256	840,931	12,245	883,109	-11	+42,178

BIA-10

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

<u>Adjustment for 1981 pay increase and related costs</u>	<u>Amount</u>
Total cost in FY 1981 of pay increase/anticipated FY 1981 pay increase supplemental.....	\$20,991
Additional amount in 1982 to provide full-year cost of pay increase.....	<u>6,100</u>
Total.....	<u>27,091</u>

The anticipated supplemental in 1981 of \$20,991,000 includes \$15,220,000 for the general schedule pay increase effective October, 1980, and \$5,771,000 for wageboard pay increase granted or to be granted in 1981.

An additional \$6,100,000 is required in 1982 to cover the full-year cost of the 1981 pay supplemental and includes \$5,009,000 for general schedule and \$91,000 for wageboard.

Other increases

Employees' Compensation Fund.....	727
Rent payments to GSA (SLUC).....	<u>739</u>
Total, Other increases.....	1,466

The increase in the repayment to the Employees' Compensation Fund is the result of higher costs in 1980 than in 1979. The 1980 charges will be reimbursed to the Department of Labor Employees' Compensation Fund in 1982 pursuant to P.L. 86-767.

The GSA conducted a Fair Annual Rental (FAR) appraisal for 1982 which resulted in increases over the 1981 rates. The FAR estimate of \$8,000,000 for 1982 rent payments to GSA was subtracted from the 1981 estimate of \$7,261,000 for rent payments to GSA for an increase of \$739,000. This increase is only base costs, and allows for no new space.

Other Decreases

Transfer of School Facilities Staff to Construction, B&U	365
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The transfer of the portion of Schools Facilities staff funded by Education to Construction, B&U Program Management is implemented in FY 1982. The transfer is made to consolidate funding into the Construction account for the entire staff concerned with planning school construction projects.

Justification of Program and Performance

Activity : Education
 Subactivity: School Operations

(Dollar Amounts in Thousands)

Program Categories	1981 Appropriation Enacted to Date	FY 1982 Base	FY 1982 Estimate	Inc. (+) or Dec. (-)
A. Indian School Equalization Formula	\$ 154,334	163,369	166,208	+ 2,839
B. Institutionalized Handicapped	\$ 2,436	2,436	2,590	+ 154
C. School Disaster Contingency Fund	\$ 250	250	250	-
D. School Board Training Fund	\$ 1,219	1,219	1,219	-
E. Student Transportation	\$ 10,099	10,099	10,099	-
F. Program Management for Central, Area & Agency Offices	\$ 13,249	13,745	13,745	-
G. Interim Formula Implementation Funds	\$ 3,521	3,521	3,521	-
Total Subactivity	\$ \$185,108	194,639	197,632	+ 2,993
	(FTP) (4,409)	(4,409)	(4,409)	(-)

Authorization: 25 U.S.C. 13 - The Snyder Act of November 2, 1921, is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. 25 U.S.C. 2008-2325 - The Education Amendments of 1978, (P.L. 95-561), provide new authorities to the Office of Indian Education Programs (OIEP), including establishment of a new personnel system, line authority to the field, direct formula funding of schools, and specific decision-making authority to Indian school boards.

Objectives: The missions of the OIEP school operations are: 1) to provide a sound, high quality basic educational program to Indian students not served by public or sectarian schools; 2) to meet the special needs of Indian students, both those which they share with the general population, such as early childhood educational requirements and special education needs, and those needs which are intensified among Indian children because of the uniqueness of their situation, such as bilingual needs, residential care and guidance; and (3) to provide full operational funding to elementary and secondary schools under contract to tribes which were formerly operated by the Bureau, mission groups, or tribes.

Base Program: Approximately twenty-percent of all Indian children in school are provided an education in schools run by the OIEP or by tribes under contract with the Bureau of Indian Affairs pursuant to P.L. 93-638. These services are provided by the OIEP for reasons of geographic isolation and special social and academic needs.

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

- EARLY CHILDHOOD AND ELEMENTARY EDUCATION (K-8) - Comprehensive programs for young children providing adequate specialized staff for small groups in order to provide health, nutrition, education, and social services to Indian students with strong parental and community involvement as well as relevance of the educational experience to the child's culture.
- SECONDARY EDUCATION (9-12) - Basic educational curricula at the levels of grades 9 through 12 and special curricula including vocational courses, extracurricular activities, and specialized courses, among other activities, to prepare students for meaningful, productive careers or to continue in institutions of higher learning.
- BILINGUAL/BICULTURAL EDUCATION - Special programs for children who are non-functional in English or have limited English-speaking abilities.
- EXCEPTIONAL CHILD PROGRAMS - Education programs to meet the unique needs of handicapped and gifted Indian children in existing, confirmed programs, at no cost to the parents, including classroom instruction, instruction in physical education, home instruction and instruction in hospitals and institutions. The need for special education and related service programs for handicapped Indian children is being met in all two-hundred and twenty-four BIA operated and contracted elementary and secondary schools.
- RESIDENTIAL PROGRAMS - These programs provide for the housing and care of students, including room and board, recreation, libraries, tutoring, and other programs unique to residential situations. Supplementary services are provided to handicapped children in residential care programs as identified in Individualized Education Plans. The Individualized Education Plans contain the special education and related services required to meet the unique needs of individual handicapped students. In most cases, the services include, but are not limited to, physical therapy, psychological counseling, and specific instructional activities.
- SUMMER PROGRAMS - At the option of school boards, funds may be expended to support summer programs including remedial instruction, recreational activities, scouting, etc.

In carrying out its educational responsibilities, the OIEP operates, either directly or by contract, 209 elementary and secondary schools and 15 dormitories. These Federally-operated and contracted schools will serve an estimated 44,400 children in 23 states in FY 1982. The educational facilities operated are:

1. Day Schools (95): Provide basic elementary and secondary education programs to children within their attendance boundaries who reside at home.

2. On-Reservation Boarding Schools (53): Located within the boundaries of an Indian reservation and provide residential care in addition to the education program.
3. Off-Reservation Boarding Schools (10): Located outside the boundaries of an Indian reservation and provide residential care in addition to the education program.
4. Dormitories (15): Provide residential care for students attending public or BIA schools.
5. Contract Schools (51): Day and Boarding schools operated by the Tribes under P.L. 93-638 contracts.

The major portion of OIEP school operating funds for instruction, boarding, and dormitory costs are distributed directly to OIEP and contract schools via a formula using a weighted student funding approach. This formula is the Indian School Equalization Formula (ISEF). Monies used to fund other special educational support, and administrative school services are also provided apart from the ISEF. An explanation of the FY 1982 base amounts, the FY 1982 estimate and increases for each educational activity follows:

- A. Indian School Equalization Formula (ISEF). FY 1982 base, \$163,369,000;
 FY 1982 estimate, \$166,208,000; increase, \$2,839,000

According to this formula, different educational activities conducted by OIEP operated and contract schools, such as kindergarten education, elementary and secondary education, bilingual education, residential programs, and programs for different types of handicapped students are assigned various weights, anchored upon a base amount of 1.00 for the least expensive activities, which reflect the relative costs associated with the various activities. The relative weights were determined on the basis of the best practice and experience of state school systems which have developed equalization funding formulae. The number of students a school has participating in the various educational activities are identified, totalled by activity, and multiplied by the weight for each activity to arrive at the number of weighted student units (WSU) at each school. Based upon the value of a WSU, as determined via division of the total number of all schools' WSU's into the total available funding, the number of a school's WSU's are multiplied by the per WSU dollar value to arrive at each school's amount of funding.

A breakdown of the estimated student average daily membership (ADM) for FY 1981 and FY 1982 and the respective WSU's by program area follow:

Weighted Student Units by Program Area

	<u>FY 1981 Estimated</u>		<u>FY 1982 Estimated</u>	
	<u>ADM</u>	<u>WSU's</u>	<u>ADM</u>	<u>WSU's</u>
<u>(Unweighted)</u>			<u>(Unweighted)</u>	
<u>Instructional Programs</u>				
<u>Basic</u>				
Kindergarten	3,408	X 1.0 = 3,408	3,502	X 1.0 = 3,502
Grades 1-3	11,743	X 1.2 = 14,092	11,922	X 1.2 = 14,306
Grades 4-8	16,145	X 1.0 = 16,145	16,324	X 1.0 = 16,324
Grades 9-12	10,630	X 1.3 = <u>13,819</u>	10,848	X 1.3 = <u>14,102</u>
Subtotal		47,464		48,234

Weighted Student Units by Program Area

	<u>FY 1981 Estimated</u>		<u>FY 1982 Estimated</u>	
	<u>ADM</u>		<u>ADM</u>	
	<u>(Unweighted)</u>	<u>WSU's</u>	<u>(Unweighted)</u>	<u>WSU's</u>
<u>Instructional Programs - Continued</u>				
<u>Exceptional Child</u>				
High Service Level	239	X 3.0 = 717	252	X 3.0 = 756
	814	X 1.0 = 814	889	X 1.0 = 889
Moderate Service Level	2,453	X .5 = 1,227	2,632	X .5 = 1,316
	1,045	X .25 = 261	1,298	X .25 = 325
Subtotal		3,019		3,286
<u>Intense Bilingual</u>	4,426	X .20 = 885	5,110	X .20 = 1,022
Total Instructional WSU's		51,368		52,542
<u>Residential Programs</u>				
<u>Basic (Boarding)</u>				
Grades 1-3	3,936	X 1.4 = 5,510	3,936	X 1.4 = 5,510
Grades 4-8	7,543	X 1.25 = 9,429	7,543	X 1.25 = 9,429
Grades 9-12	8,486	X 1.25 = 10,608	8,486	X 1.25 = 10,608
Subtotal		25,547		25,547
<u>Exceptional Child Residential</u>				
High Service Level	428	X .5 = 214	450	X .5 = 225
Moderate Service Level	324	X .25 = 81	345	X .25 = 86
Subtotal		295		311
<u>Intensive Residential Guidance</u>	974	X .5 = 487	994	X .5 = 497
Total Residential WSU's		26,329		26,355
Total Program WSU's		77,697		78,897

Calculating the Base Student Value - The base student value is derived by dividing the Indian School Equalization Formula Fund amount by the total number of weighted student units (WSU's) generated by the schools. This total WSU figure includes all of the WSU's generated directly by instructional and residential programs in addition to the Small School Adjustment and the Alaskan School Cost Adjustment. The Small School Adjustment is for schools with less than 100 students since it costs more to operate very small schools and dormitories. Under the Alaska Adjustment, schools located in Alaska will receive an additional twenty-five percent of their WSU's to compensate for the high cost of living in the state. The following is the estimated student value for FY 1982:

	<u>WSU's</u>
Program Total	78,897
Small School Adjustment	1,120
Alaskan Adjustment	<u>1,088</u>
Total	81,105

The FY 1982 ISEF fund estimate of \$166,208,000 divided by the total WSU's (81,105) produces a base student value for FY 1982 of \$2,049. This compares to a FY 1982 base amount of \$2,014 for the base student value. This is calculated by dividing the FY 1982 base amount of \$163,369,000 by the total WSU's (81,105).

- B. Institutionalized Handicapped Child Fund FY 1982 base, \$2,436,000;
 FY 1982 estimate, \$2,590,000; increase, \$154,000

The Office of Indian Education Programs (OIEP) is mandated to provide financial support for the educational costs of handicapped Indian children who are placed in institutions. In the past, the Office of Indian Services, Division of Social Services, placed handicapped children in institutions funded by Social Services under contract. Placements were made consistent with the Indian Child Welfare Act. Due to the requirements of the Exceptional Child Program of the Indian School Equalization Program and due to the requirements under the Education for All Handicapped Childrens Act, P.L. 94-142, all educational placements of handicapped Indian students are now made jointly between the Division of Social Services and the Division of Exceptional Education. This is necessary to insure proper placement of handicapped children consistent with the Least Restrictive Environment and to insure adequate educational funding of children placed in institutions. This activity, therefore, provides for the special education and related services of handicapped Indian children placed in institutions. The Office of Indian Services provides the funding for the residential costs of children placed in these institutions.

In FY 1982, it is estimated that 339 students will be served under this program. The total estimated cost of \$2,590,000 will be distributed on an approved cost reimbursement basis negotiated individually with the private institutions.

- C. School Disaster Contingency Fund FY 1982 base, \$250,000; FY 1982 estimate, \$250,000; increase, -0-

A fund of \$250,000 is requested for FY 1982 to cover the costs of replacement of items in the event of their destruction by earthquake, fire, flood, storm, or other "acts of God," as well as acts of massive and catastrophic vandalism where such costs are not already covered in an insurance policy and where such destruction could not have been prevented by prudent action by school staff. The regulations, 25 CFR Part 31h.71-76, set specific criteria for allowable and prohibited expenditures under this fund. The fund was established by regulations, referenced above, and implemented in FY 1980.

- D. School Board Training Fund FY 1982 base, \$1,219,000; FY 1982 estimate, 1,219,000; increase, -0-

A categorical fund was established in the regulations, 25 CFR Part 31h.90, to train Indian school board members to deal with the many new tasks and responsibilities they have assumed under P.L. 95-561.

Most school board members are inexperienced in that role and require considerable training to exercise their new responsibilities such as assisting in the development of school budgets, setting budgetary priorities, making personnel decisions, as well as learning what limitations their authorities have. These training needs are on-going due to the turnover of board members and the many new regulations being promulgated under the Act which have application to school boards' responsibilities.

An intensive identification of allowable training activities is presented in the LSEP regulations, in addition to specifications regarding expenditures and accounting for funds. In FY 1982, 224 schools will be allotted a sum of \$5,000 per school per year for school board training. In addition, 10 off-reservation boarding schools and 40 schools in Alaska receive an additional 25% per school, (or \$1,250) as specified by regulations, to off-set the additional costs they incurred due to geographical isolation and/or the serving of more than one tribe.

E. Student Transportation. FY 1982 base, \$10,099,000; FY 1982 estimate, \$10,099,000; increase, -0-

A series of subformulas have been established in the regulations which govern the allocation of funds for student transportation to schools based on the fall (October and November) student transportation surveys. The formula and concomitant values for day school students are based on 180 school days per school year, as defined in 25 CFR Part 31h.11(e). Dollars generated through this formula provide funds to each school for the round trip transportation of students between home and the school site. For students attending day programs the formula is:

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

The dollars generated by the above formula follow:

Average Daily Transportation Mileage Costs (29,898.9 x \$.85)	\$ 25,414
Average Daily Student Costs (14,227.1 x \$.61)	<u>8,678</u>
Total Daily Costs	\$ 34,092
Total Day Program Travel Cost Per Year (180 x \$34,092)	\$6,136,560

The subformula established for boarding school and dormitory students is based on differential distances from the school and provide for one (1) round trip per student per school year, according to the following:

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

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

The dollars generated by the above formula follow:

<u>Distance from School</u>	<u>Residential Student Miles</u>	X	<u>Rate Per Mile</u>	=	<u>Total Cost</u>
0-100	552,935.7		\$3.20		\$ 1,769,394
101-350	517,733.3		\$1.60		\$ 828,373
350+	1,767,651.5		\$0.48		\$ 848,473
Air Miles	251,146.0		\$0.60		\$ 150,688
Mt. Edgecumbe	347,358.0		\$1.05		\$ 364,726
Total Residential Travel Cost Per Year					\$ 3,961,654

Summary of Travel Costs

	<u>(\$000)</u>
Total Costs - Day Programs	6,137
Total Residential Cost	<u>3,962</u>
Total Request	10,099

All travel costs of transporting school students (excluding other object classes) included under this heading fall under the exemption from any travel limitation imposed on the Bureau.

The following categories are included under pupil transportation:

1. Day-to-day bus transportation of pupils to and from school, including salaries of bus drivers and other support costs.
2. Travel and transportation of pupils to and from home at beginning and end of school term.
3. GSA vehicle rental.

F. Program Management for Area, Agency and Central Offices. FY 1982 base, \$13,745,000; FY 1982 estimate, \$13,745,000; increase, -0-

The FY 1982 total for all program management (administration) is \$13,745,000 and includes costs for administering all Indian education programs, not just school operations alone, and for education MIS activities. This represents approximately five percent of all OIEP funds.

In accordance with 25 CFR 31h.128, the distribution of program management funds to Area and Agency Education Offices in FY 1982 will be based on the education programs and functions to be performed at each organizational level. In reorganizing the OIEP field organization as called for in Public Law 95-561, Agency Superintendents for Education and Area Education Programs Administrators now have direct line authority over their respective education programs and functions. Overall, this process has resulted in the shifting of major education programs and functions from the Area Office to the Agency Education Office level. In FY 1981, OIEP conducted an in-depth analysis of the actual workload experienced at each Area and Agency Education Office. The analysis included an identification of the specific education programs and functions to be carried out by each Area and Agency Education Office and the funds necessary for each office to carry out its program management duties. Thus, the distribution of

program management costs has become aligned with the education programs and functions to be administered by each office. This same process of distribution will be employed in FY 1982.

An automated program has been developed and implemented that provides for the formula funding of OIEP operated and funded schools K through 12. A Special Education Reporting System has been completely developed and was scheduled for implementation and operation by November 1, 1980. Delays in developing software and obtaining hardware postponed the implementation date to January 1, 1981. This program will provide valid data on all aspects of OIEP educational activities involving handicapped and gifted students.

A Higher Education Reporting System is currently being reprogrammed and modified and is scheduled to be operational in March 1981. This system will provide valid data involving all grant recipients.

The Automated Program Fund Accounting System is scheduled to be implemented on January 1, 1981 with the first reports to be generated January 30, 1981. Data describing all BIA school facilities has been gathered and plans for computerizing this data have been completed.

Long range plans are being considered and developed to implement a complete MIS system involving computer assisted instruction and 4 basic components; a student data base, a personnel data base, a facilities data base, and a financial data base.

It has been estimated that achievement of the long range goal involving a complete MIS system interrelating student, personnel, facilities, and finance data will take 2-5 years to accomplish. The current funding level for MIS activities in the FY 82 estimate amounts to \$800,000.

The estimated FY 1982 request for MIS activities will be distributed as follows:

1. Equipment acquisition, leasing and maintenance	\$ 16,000
2. Computer Access Charges	65,000
3. System Development	380,000
4. MIS Coordinator and related expenses, One per area (12 Positions)	<u>339,000</u>
Total Request	\$800,000

G. Interim Formula Implementation Funds FY 1982 base, \$3,521,000;
FY 1982 estimate, \$3,521,000; increase -0-

In connection with the implementation of the Indian School Equalization Formula, there are several outstanding commitments that require interim funding. These funds are addressed separately below.

1. Pre-Kindergarten. The regulations, 25 CFR Part 31h.130, provide that those schools having pre-kindergarten programs funded fully or in part from Bureau education funds in FY 1979, be funded in fiscal years 1980 and 1981 at their FY 1979 funding level. The FY 1979 base for such programs was \$1,670,000. This amount funds 15 existing pre-kindergarten

programs serving approximately 1,084 children, ages 0-4. The regulations provide that a weight factor for pre-kindergarten programs be established and included in the Indian School Equalization Formula for funding in FY 1982. The study, necessary to establish a weight factor, was not completed in time to request, in FY 1982, funding for this program. In the interim, \$1,670,000 is necessary to continue, in FY 1982, those programs funded in FY 1981.

2. P.L. 93-638 Commitments. In FY 1981, \$754,000 was committed to 46 tribal groups through P.L. 93-638 contracts to conduct summer programs which include, but are not limited to, cultural enrichment activities, field trips and recreation programs. Such programs serve approximately 1,500 children. The same amount, \$754,000, is requested in FY 1982 to continue funding of these contracts.
3. Start-up-Costs. Current policy provides for a separate categorical fund for start up costs of new programs or program expansions. Such funds will be available to schools only during their first year of operation. Based on requests from tribes, it is projected that, for FY 1982, there will be 5 new starts, serving approximately 250 students, and 3 program expansions. In the interim, \$1,097,000 is requested to fund the projected new school starts and program expansions in FY 1982.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
(\$000)	194,639	197,632	+ 2,993
(FTP)	(4,409)	(4,409)	(--)

The increase of \$2,993,000 includes \$2,839,000 to be distributed through application of the Indian School Equalization Formula. This amount will be used to partially off-set the cost of inflation as well as an estimated increase in the number of students attending OIEP funded schools.

The estimated increase in the number of students is due primarily to an anticipated increase in the number of tribally operated contract day schools. For FY 1982, it is anticipated that 4 new contract schools will be funded under P.L. 93-638, each with an approximate ADM of 150 with services provided in basic instruction, exceptional child instruction, and intense bilingual instruction.

The balance of the increase, \$154,000, will be used to fund an additional 29 students eligible for services under the Institutionalized Handicapped Program.

Object Class Distribution

The object class breakdown for the \$2,993,000 increase for School Operations is as follows:

	<u>FY 1982 Estimate</u>
Positions Other than Permanent	\$ + 208,000
Personnel Benefits	+ 15,000
Travel and Transportation of Persons	+ 347,000
Other Services	+ 1,720,000
Supplies and Materials	+ 603,000
Equipment	+ 100,000
Total	\$ + 2,993,000

Justification of Program and Performance

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

(Dollar Amounts in Thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Supplementary, and Tuition Payments	\$29,469	29,469	29,935	+ 466

Supplementary and Tuition Payments

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides educational and other services to Federally recognized Indians. The Johnson-O'Malley Act of April 16, 1934 includes authorization of contracts for the education of Indians. The Indian Self-Determination Act of January 4, 1975, P.L. 93-638, provides for maximum Indian participation in Indian education and also for tuition payments for Indian children. The Education Amendments of 1978 dated November 1, 1978, P.L. 95-561, authorizes development of an equitable distribution formula for supplemental funds and reauthorized basic support.

Objectives: To provide funding for supplemental programs for eligible Indian students in public & contract schools, age three years through grade 12, to meet their special and unique needs as determined by contractors and local Indian education committees; and to provide tuition payments to those public schools that educate Indian students residing in federal dormitories outside of their home school district.

Base Program: The supplemental support portion of this program provides funds to conduct programs to meet the special and unique needs of Indian students attending public and contract schools. This portion of JOM assistance is administered at the local level through contracts with tribal organizations, public school districts, and State Departments of Education. Under Public Law 93-638, the Indian Self-Determination and Education Assistance Act, parent committees must fully participate with the contractor in the planning, implementation, and evaluation of the contracted programs. The types of supplemental services include such programs as special tutoring, gifted and talented, home-school coordinators, home-start, early childhood programs, summer education and activity programs, educational field trips, and parental costs.

In FY 1982, it is projected that this program will provide services to 179,500 students in 26 States with over 900 local Indian education parent committees helping to determine needs. This program will be administered through contracts with 250 tribal organizations, 65 public school districts, and 6 partial contracts with State Departments of Education.

The growth in the number of tribal contracts from FY 1976 through FY 1982 is reflected below:

Type of Contractor	1976	1977	1978	1979	1980	1981	Est. 1982
Tribal	44	121	146	152	174	227	250
Public School Dist.	83	105	92	90	76	70	65
State Dept. of Educ.	9	7	6	6	6	6	6
Total Contracts	136	233	244	248	256	303	321

Supplemental support funds are distributed to eligible contractors based upon the number of eligible Indian students to be served. Appropriated funds are allocated by state on a pro-rata basis for FY 1981 as follows:

Table 1 Continued

FY 1981 JOM DISTRIBUTION BY STATE

State	*(1) State Avg. Per Pupil Cost	(2) State Weighting Factor	(3) Number of Students Served	(4) Weighted Student Unit (2 x 3)	(5) State JOM Per Student Amount (Col. 2 x base amt. per WSU)	(6) State Allocation (Cols. 5x3)
Alaska	\$3,964	2.06	22,337	46,014	\$288.49	\$6,444,000
New York	2,891	1.51	2,040	3,080	211.46	431,378
Michigan	2,342	1.22	1,772	2,162	170.85	302,746
Oregon	2,304	1.20	1,776	2,131	168.05	298,457
Wisconsin	2,131	1.11	4,605	5,112	155.45	715,847
Colorado	2,131	1.11	875	971	155.45	136,019
Washington	2,091	1.09	6,682	7,283	152.65	1,020,007
Wyoming	2,085	1.09	1,364	1,487	152.65	208,215
Montana	2,078	1.08	8,260	8,921	151.24	1,249,242
Minnesota	2,052	1.07	5,465	5,848	149.84	818,876
Iowa	2,031	1.06	505	535	148.45	74,967
(Aberdeen Area)			(250)	(265)	(148.45)	(37,113)
(Minneapolis Area)			(255)	(270)	(148.45)	(37,854)
California	1,955	1.02	7250	7,395	142.84	1,035,590
(Sacramento Area)			(6,664)	(6,797)	(142.84)	(951,887)
(Phoenix Area)			(586)	(598)	(142.84)	(83,703)
Nebraska	1,927	1.00	938	938	140.04	131,360
Kansas	1,914	1.00	806	806	140.04	112,874
Nevada	1,764	1.00	4,141	4,141	140.04	579,917
North Dakota	1,695	1.00	3,428	3,428	140.04	480,067
New Mexico	1,679	1.00	26,187	26,187	140.04	3,667,300
(Navajo Area)			(15,887)	(15,887)	(140.04)	(2,224,860)
(Albuquerque Area)			(10,300)	(10,300)	(140.04)	(1,442,440)
Arizona	1,618	1.00	37,691	37,691	140.04	5,278,353
(Navajo Area)			(19,672)	(19,672)	(140.04)	(2,754,922)
(Phoenix Area)			(18,019)	(18,019)	(140.04)	(2,523,431)
Oklahoma	1,635	1.00	26,585	26,585	140.04	3,723,038
(Anadarko Area)			(8,562)	(8,562)	(140.04)	(1,199,047)
(Muskogee Area)			(18,023)	(18,023)	(140.04)	(2,523,991)
Florida	1,585	1.00	330	330	140.04	46,214

South Dakota	1,551	1.00	9,290	9,290	140.04	1,300,998
Maine	1,523	1.00	386	386	140.04	54,057
Utah	1,522	1.00	2,908	2,908	140.04	407,244
(Navajo Area)			(1,989)	(1,989)	(140.04)	(278,545)
(Phoenix Area)			(919)	(919)	(140.04)	(128,699)
Louisiana	1,455	1.00	76	76	140.04	10,643
Idaho	1,439	1.00	2,065	2,065	140.04	289,188
Mississippi	1,319	1.00	60	60	140.04	8,403
Subtotal			177,822	205,830		28,825,000
Tuition Payments			- -	- -		644,000
Total Request			<u>177,822</u>	<u>205,830</u>		<u>29,469,000</u>

* State Average Per Pupil Cost is taken from unpublished data of the National Council of Educational Statistics on "Current expenditures as defined by P.L. 81-874 and P.L. 89-109".

National average per pupil cost is \$1,919.

State JOM per student amount is \$140.0428 ($\$28,825,000 \div 205,830$).

The distribution formula is applied as follows:

For every state above the national average, divide the State average per pupil cost by the national average per pupil cost. This will provide the weighting factor for those States above the national average per pupil costs. The weighting factor for States equal to or below the national average per pupil cost is 1.00.

Multiply the weighting factor times the number of students served for each State. This will result in the number of weighted student units (WSU's) per State. For those states with a weighting factor of 1.00, the WSU's will equal the number of students served.

Divide the total number of WSU's into the total available allocation. This will provide the base amount of JOM funding per WSU.

To arrive at the "State JOM Per Student Amount," multiply the weighting factor for each State by the base amount per WSU.

To arrive at State allocations, multiply "State JOM Per Student Amount" by "number of students served".

Included in the JOM program are tuition payments for students residing in federal dormitories and attending public schools outside of their home school district. Public Law 93-638 authorizes reimbursement of tuition costs for eligible Indian students who do not normally reside in the State in which the school district they are attending is located (25 CFR, Part 273.13(c)). Congressional appropriation bills authorize, on a year-to-year basis, tuition payments for Indian students who reside within State but outside of the district in which they are attending public school. These payments represent the balance due after funds from State and other sources are applied.

In 1981, \$644,000 was used for tuition payments. These funds were subtracted from the original JOM appropriation in FY 1981 (\$29,469,000), leaving a balance of \$28,825,000 to be distributed through the formula for supplemental programs.

A FY 1982 distribution table is not included because "State Per Pupil Expenditures" for FY 1982 are not available from the National Center of Educational Statistics.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
\$	29,469	29,935	+ 466

It is projected that the number of students that will be served by the Johnson-O'Malley program will increase in 1982 due to the expansion of tribal service areas and the addition of newly recognized tribes becoming eligible for JOM services. As a result, the state per pupil amount under the Johnson-O'Malley program will remain at approximately the same level as FY 1981.

Object Class Distribution

Object Class detail for the \$466,000 increase for Johnson-O'Malley Educational Assistance is as follows:

	<u>1982 Estimate</u>
Other services	\$ + 466,000

Justification of Program and Performance

Activity: Education
 Subactivity: Continuing Education

(Dollars in Thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 82 Base</u>	<u>FY 82 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Higher Education Student Grants	\$ 26,919	26,919	28,434	+ 1,515
Special Higher Education Programs	\$ 1,888	1,888	1,880	- 8
Adult Education	\$ 4,618 (FTP) (60)	4,740 (60)	4,685 (60)	- 55 --
Post-Secondary Schools	\$ 8,598 (FTP) (203)	9,198 (203)	9,198 (203)	-- --
Tribally Controlled Community Colleges	\$ <u>9,003</u>	<u>9,003</u>	<u>10,279</u>	+ 1,276
Program Total	\$ 51,026 (FTP) (263)	51,748 (263)	54,476 (263)	+ 2,728 --

Number of Continuing Education Students Served

	<u>FY 81 Estimate</u>	<u>FY 82 Estimate</u>	<u>Increase</u>
Higher Education Student Grants	20,000	21,000	1,000
Special Higher Education Programs	360	360	--
Adult Education	18,500	18,500	--
Post Secondary Schools	1,550	1,550	--
Tribally Controlled Community Colleges	<u>2,205</u>	<u>2,581</u>	<u>376</u>
Total	42,615	43,991	1,376

Higher Education Grant Program

Authorizations: 25 U.S.C. 13 - (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. 25 CFR 32 describes a program of scholarships for Native Americans.

Objectives: To provide financial aid to eligible Indian students to attend accredited post secondary institutions which will enable them to meet their educational goals, develop leadership, and increase employment opportunities to meet the tribes' economic and cultural goals.

Base Program: The Higher Education Grant Program awards grants to students who meet the following eligibility criteria: (1) are Indian, Eskimo, or Aleut whose Indian blood quantum is one-fourth degree or more; (2) are of a tribe or tribes which is federally recognized; (3) are admitted for enrollment in an accredited college or university program leading primarily to a baccalaureate degree; and, (4) have financial need as determined by the institution's financial aid officer. A Certificate of Degree of Indian Blood (CDIB) or other proof of Indian blood certified by the Tribal Enrollment Office of the Bureau must be a part of the student's application.

Grants are administered in accordance with 45 CFR 176 entitled "Coordination with BIA Grants", which outlines the order of packaging financial aid for Native American Students and the role for Bureau funds in replacing portions of the financial aid package.

The financial aid "package", completed and certified by an institution's financial aid officer, serves as the principal basis for determining the Bureau grant amount. The BIA grant award combined with the package of other assistance cannot exceed the institution's determination of the student's need as stated in 45 CFR 176.15, "Coordination with Bureau of Indian Affairs Grants-in-Aid."

The extent of replacement of portions of unmet need, loans, and work-study portions of packages is dependent upon the priority budgeted amount from tribes and the number of eligible students expected to apply from a particular tribe. Thus, students would be provided proportionately less amounts when larger than anticipated number of eligible students apply.

The average Bureau cost of a grant is estimated at \$1,354 for FY 1982 with awards ranging from \$200 for part-time students to \$6,000 for students with families with four or more dependents.

Of an estimated 31,000 students applying for assistance, an estimated 21,000 met the eligibility criteria and will receive Bureau awards in FY 1982.

It is estimated that forty tribes will have contracts for the Higher Education Program in FY 1982. Program direction costs for contracting under P.L. 93-638 are increasing due to inflation causing a greater demand for funds in this category.

<u>Increase for 1982</u> (\$000)	<u>1982 Base</u> 26,919	<u>1982 Estimate</u> 28,434	<u>Increase</u> 1,515
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The increase in funds and the estimated 1,000 increase in the number of students to be served in FY 1982 is reflective of tribal priorities in their higher education programs. The increase will enable the program to serve the additional students and provide some increase in average grant awards to keep pace with inflation and increasing educational costs.

Special Higher Education Program

Authorization: 25 U.S.C. 13 - (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. 25 CFR 32 provides for a scholarship program for Post-Secondary students.

Objectives: To provide funds for the graduate level training of Indian students in specific professions such as Law, Medicine, Forestry, Engineering, and Business Administration and to operate a special program for law students studying at the professional level.

Base Program:

Graduate Student Grant Program: The Graduate Student Grant Assistance Program provides Assistance to students who are pursuing concentrated courses of study in specific professional fields with an emphasis on five congressionally identified critical professions, i.e. Law, Medicine, Engineering, Business, and Forestry. The five critical professions were identified by Congress in the early 1970's when these professions were determined to be under-represented and the Bureau was instructed to encourage enrollment of Native American students in these fields.

To qualify for assistance under this current program the applicant must meet all the basic requirements of the Bureau's general scholarship program (see higher education program), have earned an undergraduate degree, and be officially admitted to a graduate studies program. Law students are usually assisted by the Indian Law Program, however, pre-law students or those requiring graduate studies to qualify to enter professional law studies may be assisted from this program. Students may not be assisted by both programs simultaneously.

This program is currently administered through contract with American Indian Scholarships Inc. of Taos, New Mexico. Approximately 200 full-time equivalent students are expected to receive awards costing the Bureau about \$4,000 per year per student. Of this number about 50 will receive their advanced degrees in FY 1982 (largely Masters with some PhD or equivalent).

Indian Law Program: The Indian Law Program provides assistance to students pursuing professional law degrees. The program is administered by contract with the American Indian Law Center, Albuquerque, New Mexico. A total of 160 students are to be funded with 35 receiving their advanced law degree in FY 1982. The American Indian Law Center arranges for stipends for the students enrolled in over 40 well recognized schools of law. The stipends vary with financial need and college cost, and average about \$6,750 per student per year to this program. Stipend levels are higher for the law program due to: 1) the nature of the student being older and with larger families requiring greater subsistence; and 2) the fact that very little other grant type aid is available to law students.

Programs funded during FY 1981 with funding plans for FY 1982 include:

<u>Course of Study</u>	(\$ in Thousands)		<u>Decrease</u>
	<u>FY 1981</u>	<u>FY 1982</u>	
Graduate Student Grants	800	800	--
Indian Law Program	1,080	1,080	--
Evaluation	8	---	- 8
Total	1,888	1,880	- 8

The funding for the two grant programs has remained at the same level while serving about the same level of students. This will be possible through the utilization of other sources of student aid and reduction of program direction costs.

<u>Decrease for 1982:</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Decrease</u>
(\$000)	1,888	1,880	- 8

The reduction of \$8,000 represents the amount planned for evaluation in past fiscal year. Beginning in FY 1982, evaluation will be included in the basic contract language and therefore is not listed as a special cost item.

Adult Education

Authorization: 25 U.S.C. 13 - (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. Adult Education programs are defined under 25 CFR 32.

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

Base Program: Adult education programs are provided in the areas of basic academic and personal skills. Indian adults who have not obtained high school diplomas may complete their education through the high school level, either by regular high school courses or General Education Development (GED) courses. Courses are also provided to improve competitiveness in seeking employment. These include courses on personal finance, developing personal history statements, job applications, and self improvement to enhance upward mobility. Techniques of teaching take into account and utilize cultural background and Indian studies as a basis for developing pride and confidence. The amount of funds available and the number and types of programs are reflective of the tribes' priorities for funding this program.

In FY 1982, it is estimated that 18,500 adult Indians will benefit from these programs in basic course offerings. As a result of this training, over 2,000 will receive GED certificates; approximately 600 will be able to find employment or realize promotions in their jobs; 550 will enter college; and the remainder will realize some educational enrichment. Training is carried out at education centers and at other locations convenient to the students. Many of the programs are administered under cooperative arrangements with states, tribes, and utilize other federal funding sources.

<u>Decrease for 1982:</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Decrease</u>
(\$000)	4,740	4,685	- 55
(FTP)	(60)	(60)	--

The decrease in the funding requested for Adult Education reflects a reduced tribal demand in favor of other programs. Adult Education courses are increasingly reflected in the curriculum of Tribally Controlled Community Colleges where many adult Indians are finding study opportunities in their own communities.

Post-Secondary Schools

Authorization: 25 U.S.C. 13 - (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. P.L. 95-561 deals with specific operation of schools.

Objectives: The objective of the three Post-Secondary Schools (Haskell Indian Junior College (HIJC), Southwestern Indian Polytechnic Institute (SIPI), and the Institute of American Indian Arts (IAIA) is to provide a variety of educational opportunities for approximately 1,550 students at the junior college level, to enable these students to enter a four year college or university, specialized art institute, or vocational field of their choice.

Base Program:

Haskell Indian Junior College (HIJC): Provides educational opportunities at the post-secondary level for Indian students in an institution conducive to learning and culturally compatible with American Indian tradition and philosophy. The school seeks to provide academic credit that can be transferred to other colleges and universities leading to baccalaureate degrees. The school also provides job placement assistance for many of its students.

Southwestern Indian Polytechnic Institute (SIPI): Seeks to equip each individual student with occupational related training necessary to enter the world of work. This program is designed to allow American Indian students to acquire vocational/technical and related skills needed to become productive and self-sustaining individuals capable of economic survival.

Institute of American Indian Arts (IAIA): A specialized junior college offering the first two years of college to Native Americans who aspire to be artists. The school stresses the importance of educational foundations that will contribute to the student's overall social, personal, and economic self sufficiency.

The average daily membership in the three post-secondary schools along with the estimated average per pupil costs for FY 1982 is as follows. These amounts include education as well as residential costs:

<u>School</u>	<u>FY 1982 Students</u>	<u>Est. Av. per pupil Cost - FY 1982</u>	<u>Total FY 82 Budget</u>
Haskell	1,000	\$ 4,966	\$4,966,000
SIPI	400	\$ 6,348	\$2,539,000
IAIA	<u>150</u>	\$11,286	<u>\$1,693,000</u>
Totals	1,550		\$9,198,000

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
(\$000)	9,198	9,198	--
(FTP)	(203)	(203)	--

This level of funding will continue the Bureau's effort toward more cost effective operations.

Tribally Controlled Community Colleges

Authorization: 25 U.S.C. 13 - (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to Federally recognized Indians. P.L. 95-471 provides operational grants to Tribally Controlled Community Colleges.

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

Base Program: The FY 1982 budget for operational grants to the tribal colleges will continue to be derived from two sources, P.L. 95-471 and the Snyder Act General Education Funds. Title I of P.L. 95-471 provides for a distribution of funds based on \$4,000 per FTE. However, as authorized in this Title, if appropriations would not be sufficient to permit a distribution of \$4,000 per FTE, then a pro-rata distribution of available resources per FTE is to be made.

Title II of P.L. 95-471 exempts the Navajo Community College from being included in a pro-rata distribution of available funds. The amount of \$3,172,000 for the Navajo Community College is estimated based on \$4,000 per FTE. The calculation is based on an FTE count of 793 x \$4,000 = \$3,172,000.

The funding of three schools namely, Sinte Gleska, Oglala Sioux and Turtle Mountain, is supplemented with Snyder Act funds. This is done in order to fulfill the Bureau's commitment to continue assistance to these three schools at the levels of funding determined by tribal priorities established prior to the implementation of P.L. 95-471. This amount totals \$350,000.

The following table reflects the pro rata distribution of funds per FTE for the Tribally Controlled Community Colleges pursuant to Title I of P.L. 95-471. The table also reflects distribution of funds under Title II, the Snyder Act, as well as funds for technical assistance and feasibility studies.

<u>College</u>	<u>Estimate FY 1981</u>		<u>Estimate FY 1982</u>		<u>Increase or Decrease (-)</u>	
	<u>FTE</u>	<u>Grant</u>	<u>FTE</u>	<u>Grant</u>	<u>FTE</u>	<u>Grant</u>
Standing Rock	85	\$290,985	120	\$413,221	35	\$122,236
Blackfeet	199	680,779	199	685,259	--	4,480
Sinte Gleska	173	591,833	187	643,937	14	52,104
Turtle Mountain	107	366,047	128	440,769	21	74,722
Salish-Kootenai	125	427,625	125	430,439	--	2,814
Ganado	82	280,522	82	282,368	--	1,846
Little Hoop	42	143,682	46	158,402	4	14,720
Sisseton-Wahpeton	66	225,786	66	227,272	--	1,486
D.Q. University	82	280,522	82	282,368	--	1,846
Ft. Berthold	38	129,998	38	130,853	--	855
Dull Knife	93	318,153	93	320,247	--	2,094
Oglala Sioux	214	732,094	214	736,911	--	4,817
Nebraska	106	362,974	118	406,335	12	43,361
Lummi Sch. Aqua. <u>1/</u>			70	241,046	70	241,046
Little Big Horn <u>1/</u>			110	378,786	110	378,786
Ft. Peck <u>1/</u>			50	172,176	50	172,176
Cheyenne River <u>1/</u>			60	206,611	60	206,611
Subtotal- Title I	1,412	4,831,000	1,788	6,157,000	376	1,326,000
Navajo Community College <u>2/</u>	793	\$3,172,000	793	\$3,172,000	--	--
Sinte Gleska <u>3/</u>		136,500		136,500	--	--
Oglala Sioux <u>3/</u>		133,000		133,000	--	--
Turtle Mountain <u>3/</u>		80,500		80,500	--	--
Subtotal-Title II and Snyder Act		3,522,000		3,522,000	--	--
Feasibility Studies		50,000		--		- 50,000
Technical Assistance		600,000		600,000		--
Total Estimate	2,205	\$9,003,000	2,581	\$10,279,000	376	\$1,276,000

1/ Represents colleges which are expected to be declared feasible in FY 1982.

2/ Funds provided under Title II of P.L. 95-471.

3/ Supplemental funds under the Snyder Act in addition to funds made available under Title I above.

The technical assistance amount of \$600,000 is necessary to assist the tribal colleges to gain full accreditation and to maintain quality cost effective program operations. In FY 1982, it is proposed to fund any new requests for feasibility studies from the technical assistance category.

<u>Increase for FY 1982</u>	<u>FY 1982 Base</u>	<u>FY 1982 Est.</u>	<u>Increase</u>
(\$000)	9,003	10,279	1,276

The increase in FY 1982 of \$1,276,000 will provide for an estimated 376 additional FTE's.

Object Class Distribution

The object class detail for the \$2,728,000 increase for Continuing Education is as follows:

	<u>1982 Estimate</u>
Other Services	\$ - 172,000
Grants	<u>+ 2,900,000</u>
Total	\$ + 2,728,000

Justification of Program and Performance

Activity: Indian Services
Subactivity: Tribal Government Services

(Dollar amounts in thousands)					
		<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc.(+) or Dec. (-)</u>
Aid to Tribal Government:	(\$)	15,177	15,631	18,898	+3,267
	(FTP)	(174)	(174)	(175)	(+1)
Tribal Courts:	(\$)	<u>6,859</u>	<u>6,859</u>	<u>7,557</u>	<u>+698</u>
Program Total:	(\$)	22,036 (174)	22,490 (174)	26,455 (175)	+3,965 (+1)

Aid to Tribal Government

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians and it is under this authority that Tribal Government Services are provided. P.L. 96-240 (The Maine Indian Claims Settlement Act of 1980) is the authority under which special programs are to be provided to the Indians of Maine in settlement of their claims. P.L. 93-134 (The Indian Judgment Funds Distribution Act of 1973) makes the Secretary responsible for completion of certain tasks, within specified time-frames, relative to judgment awards of the Indian Claims Commission or the Court of Claims.

Objectives: The Aid to Tribal Government Program provides funds and expert assistance to tribes to improve their governmental operations in an effort to better serve their members. Funding under contracts and/or technical assistance is provided to Indian tribes to improve their governmental organization, to modify governing documents, to conduct elections, to prepare membership rolls, and to assure the integrity of the separate branches of government and the general conduct of tribal government business.

The Aid to Tribal Government program performs the statutory, regulatory and court-ordered Secretarial responsibilities in relation to judgment awards, payment rolls, and recognition of new tribes. The funding from this program provides tribes with the opportunity to participate in special Indian programs offered by the Department of Agriculture's Cooperative Extension Programs.

Base Program:

The Aid to Tribal Government Program provides both technical and financial assistance to 499 federally recognized Indian tribes to help them operate regular governmental functions. Basically, this program concentrates on those governmental activities in which the tribal government is acting as a government per se rather than when they function as managers of service programs for their members. This latter type of assistance is provided under Self-Determination Services and appears under that program budget. Aid to Tribal Government includes development and improvement of tribal constitutions, by-laws, codes and ordinances, membership rolls, and the conduct of elections; review and approval of tribal attorney contracts and related assistance to tribal government activities in general. The Self-Determination Program provides assistance to tribes to improve their managerial capacity with primary emphasis on improving the ability of the tribe to contract the operation of federal programs and to initiate other service programs to serve the particular needs of their members. For example, the Tribal Government Services staff would work with a tribe in drafting an amendment to a constitution which permits tribal contracting and then assist, if necessary, in the process of tribal adoption of the amendment. This would enable the tribe to take advantage of the Self-Determination Act. Funding appropriated to Self-Determination Services could then be used by the tribe to acquire the expertise and/or training to successfully operate the contract.

Tribal Government Services staff perform detailed research concerning beneficiaries of judgment awards and process detailed plans for use of judgment funds in compliance with the Indian Judgment Funds Distribution Act. They prepare descendency rolls of judgment award beneficiaries and perform requisite actions on several thousand individual enrollment appeals each year.

Bureau Tribal Government Services staff are responsible for the detailed research and processing of petitions for the federal acknowledgment of Indian groups not currently recognized by the Bureau. The program is also the initial funding source for programs to serve those tribes which are successful in petitioning for acknowledgment or who gain recognition through federal legislation or judicial decision. Four tribes will be receiving funds under this program in FY 1981. They are the Paiute, Grand Traverse, Tunica-Biloxi and the Jamestown Clallam. The Siletz Tribe has obtained a reservation and is now entitled to funding for natural resource and land based programs. It is expected another two tribes currently under review will be recognized during FY 1981.

This program also provides funding for special Indian contracts under the United States Department of Agriculture Cooperative Extension programs such as 4-H and home extension services. The Aid to Tribal Government program also provides operational direction for special youth programs including 14 Young Adult Conservation Corps (YACC) camps and 61 Youth Conservation Corps (YCC) camps located on Indian reservations. Several tribal governments also operate Community Fire Protection Programs through Aid to Tribal Government.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
\$ (FTP)	15,631 (174)	18,898 (175)	+3,267 (+1)

Aid to Tribal Government Activity:

The proposed FY 1982 increase is:

Increased workload	\$1,171,000
New Tribes Funding	1,000,000
Maine Tribes	925,000
"638" Pay Cost	171,000
Total	\$3,267,000

Increased Workload: Of the FY 1982 proposed funding increase, \$1,171,000 will be used to pay for the increased workload under the Aid to Tribal Government Program. Processing will continue on several recent large judgment awards, each award involving numerous potential beneficiaries, and on the increased number of enrollment appeals flowing from such awards. Additional assistance will be provided to enable tribes to keep tribal membership rolls up to date. The number of rolls worked on is expected to increase by 32 in FY 1982. Enrollment decisions appeals will increase by 7,700 over FY 1981. Resources of the program will also be used to assist tribes in revising government documents to cope with areas and responsibilities not previously covered such as environmental concerns, energy, water, employment conditions, etc., which are of increasing importance to many tribes.

Workload indicators for Aid to Tribal Government are:

	<u>1981</u>	<u>1982</u>	<u>Change</u>
Preparation of payment and membership rolls	82	114	+32
Enrollment Appeals	4,000	11,700	+7,700
Federal Acknowledgment Cases	9	12	+3
Judgment Awards	35	40	+5
Governmental Documents Processed (Amendments, Ordinances, Petitions, etc.)	150	155	+5

New Tribes Funding: The Federal Acknowledgment Project is under way and new tribes are being recognized. The \$1,870,000 available in FY 1981 will be used to pay for program costs for seven tribes either already recognized or about to be. An additional seven tribes have applications for acknowledgment under review (Narragansett, Lower Muskogee Creek, Poarch Creek, Florida Creek, Timbi-Sha Shoshone, Samish and Snohomish). They have a potential service population of 5,500. However, for FY 1982 it is expected that only two of those tribes will be recognized and entitled to FY 1982 program funding. Their service population should total about 1000 and require total new funding of \$1,000,000 to provide initial program services.

Maine Indian Claims: The Maine Indian Claims Settlement Act has been passed. The tribes concerned are the Passamaquoddy, the Penobscot and the Houlton Band of Maliseet. Their population totals approximately 3700 and they have a land base of over 27,000 acres with additional acres to be purchased. Besides current programs for the Maine Indians, the passage of the Act means the Bureau must provide the following:

1. Provide Service Programs for the Houlton Band of Maliseet - \$300,000:

To provide Indian Services and other programs such as social services, employment assistance, housing assistance, aid to tribal governments, agricultural extension, self-determination grants and forestry, to the Houlton Band of Maliseet Indians.

2. Arrange P.L. 93-638 contracts to manage and administer lands and resources - \$460,000:

It will be necessary to contract for the following: (1) a resource inventory and a management plan for the new reservations (total lands approximately 327,000 acres); (2) timber sales; (3) reforestation of the timber area; and (4) protection of the property.

3. Establish a field office at Bangor, Maine - \$165,000:

This office would provide technical assistance primarily in the real estate and forestry areas.

"638" Pay Cost: The increase includes \$171,000 to cover additional salary cost increases of tribal contractors to comply with requirements of Section 106 (H) of P. L. 93-638.

Tribal Courts

Authorization: 25 U.S.C. 13 (The Snyder Act of November 21, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians and it is under this authority that assistance to tribal courts is provided.

Objective: Improve the judicial capabilities of Indian tribes.

Base Program: This program:

1. Pays the personnel and administrative costs of 108 tribal courts and 28 Courts of Indian Offenses (CFR Courts) operated on reservations.
2. Provides technical assistance to tribes in establishing and maintaining Indian courts in a manner which assures due process and equal protection to individuals appearing before them. This includes reviewing tribal ordinances and helping tribes to upgrade law and order codes, as well as evaluation of court systems and recommending improvements.
3. Provided funding, beginning in FY 1981 to initiate court operations in new jurisdictions and to improve the effectiveness of existing court operations with special emphasis on improving the prosecution function.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
\$	6,859	7,557	+698

The funding increase of \$698,000 requested for FY 1982 was established by tribal priorities and will enable tribal and CFR courts to hear and decide an increased number of court cases in FY 1982. Progress will continue to be made in the court improvement program initiated with FY 1981 funds. This improvement effort has resulted in increased court-related services and staffing primarily in the prosecutorial area for Indian courts nationwide and has raised the quality of judicial services provided to tribal members. Initial operating funds have been provided to some Indian tribes who only recently were required to begin operating their own judicial systems. Training has been made available to a wider range of tribal court personnel.

The workload estimate for tribal courts is:

	<u>1981</u>	<u>1982</u>	<u>Change</u>
Tribal Court Cases	125,000	132,000	+7,000
Tribal Courts Evaluated	22	22	0
Tribal Codes Reviewed	15	20	+5

Object Class Distribution

Object class detail for the \$3,965,000 increase for this subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No</u>	<u>Annual Salary</u>
Program Analyst	7	+1	\$ +15,193
Lapse			- 3,978
Total Permanent Position		<u>+1</u>	<u>11,215</u>
Personnel Benefits			+ 785
Other Services (contracts)			+3,953,000
Total			<u>\$ 3,965,000</u>

Justification of Program and Performance

Activity: Indian Services

Subactivity: Social Services

	(Dollar Amounts in Thousands)			
	1981 Appropriation Enacted to Date	FY 1982 Base	FY 1982 Estimate	Inc. (+) or Dec. (-)
Welfare Assistance/Grants (\$)	73,520	73,520	79,000	+5,480
All other Social Services (\$)	16,047	16,801	17,104	+ 303
(FTP)	(367)	(367)	(375)	(+8)
Program Total: (\$)	89,567	90,321	96,104	+5,783
(FTP)	(367)	(367)	(375)	(+8)

WELFARE GRANTS

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians. It is under this authority that Welfare Grants are provided. 25 U.S.C. 1901 (the Indian Child Welfare Act of November 8, 1978) authorizes the Secretary to provide grants to various tribes and organizations for the establishment and operation of Indian Child and family service programs.

Objective: Provide:

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

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

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

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

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1983 Est.</u>	<u>Increase</u>
\$	73,520	79,000	+5,480

The assistance estimate for FY 82 is based on projections of caseload and unit costs. These estimates are provided by BIA field staff who carefully analyze the current trends in caseload eligibility and state standards for individual welfare budgets. Indications are that this caseload will remain constant as compared to 1981 with the exception of a small increase in the number of children assisted under Child Welfare Assistance. Unit costs which represent the budgets derived from state standards and which are paid as grants to eligible recipients are expected to increase substantially. The cost and caseload data associated with the welfare grants program are shown in the following table. To compute the annual cost for each particular category of assistance except burials, multiply the unit cost for that type of assistance by the caseload. That result times 12 gives the annual cost.

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

	<u>FY 1981</u>	<u>FY 1982</u>	<u>Change</u>
GA-Persons per month	57,750	57,750	-
(TWEF-Participants per month)	(4,300)	(4,300)	-
CW-Children per month	3,300	3,500	+200
Misc.-Burials per year	1,325	1,325	-

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

	<u>FY 1981</u>	<u>FY 1982</u>	<u>Change</u>
GA-\$ per person per month	74.73	79.23	+ 4.50
(TWEF-\$ per participant per month)	(45.00)	(55.00)	(+10.00)
CW-\$ per child per month	284.59	309.50	+24.91
Misc.-\$ per burial per annum	585.00	600.00	+15.00

C. Welfare Grants: Shows total cost by type of assistance for FY 81 and FY 82.

	<u>FY 1981</u>	<u>FY 1982</u>	<u>Change</u>
		(\$000)	
General Assistance (GA)	51,789	54,863	+ 3,074
(TWEF)	(2,322)	(2,838)	(+ 516)
Child Welfare Assistance (CW)	11,270	13,000	+ 1,730
Misc. Assistance *	1,161	1,137	- 24
Indian Child Welfare Act Grants	9,300	10,000	+ 700
TOTAL	73,520	79,000	+ 5,480

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

Reasons for Change:

General Assistance: Over the recent past the general assistance caseload has remained somewhat constant while costs per unit served have increased. The stable caseload was basically due to CETA activity on reservations while the increase in unit costs reflects inflationary pressures. If CETA does not drastically reduce its reservation activity in FY 1982, we anticipate that the general assistance caseload will not increase over that projected for FY 1981. The costs per unit served will continue to increase as state standards are revised upward to compensate for the effects of inflation on family budgets.

Tribal Work Experience Program: Tribes have not indicated a need to increase participation in this program. Therefore, the participant level for FY 1982 will remain at 4,300 participants at a work related cost of \$55.00 per month each. This represents an increase of \$10.00 per month for each participant. The old cost of \$45.00 per month has been in effect for 6 years and is no longer adequate to meet the out of pocket expenses of participants.

Child Welfare Assistance: The child welfare caseload has remained relatively constant for the past few years. However, because of activities associated with operation of the Child Welfare Act programs there will be an increase of 200 children per month for FY 82 bringing the average monthly caseload to 3,500. The expected average cost per month for each child will increase to \$309.50.

Miscellaneous Assistance: In FY 1982 the Bureau will need to meet the burial costs of an estimated 1,325 deceased indigent persons. There is no projected increase in the burial assistance caseload. The average cost per burial will be \$600.00. The total burial cost is estimated at \$795,000, in FY 1982. The Bureau must also be prepared to assist tribes to meet costs associated with food programs and also with unanticipated disaster emergency assistance needs. These food programs costs are \$166,000 and the set aside for disaster emergencies will be \$176,000. The combined burial and food and disaster emergency miscellaneous assistance costs for FY 1981 are estimated to be \$1,137,000.

Indian Child Welfare Act Grants: In FY 1982 the Bureau estimates that it will fund approximately 250 Indian Child Welfare Act (ICWA) grant applications for operation of Indian child and family service programs. This will be an increase of 90 over the 160 applications funded in FY 1980 and an increase of 20 over the estimated 230 applications which will be funded in FY 1981.

All other Social Services

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians. It is under this authority that Social Services are provided.

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

Base Program: The base program consists of BIA staff and tribal contract staff which do the casework and administer the welfare grants provided to eligible recipients. This casework and grant administration includes receiving applications, determining eligibility, computing grant amounts, periodic case review and follow-up, and referral of clients and applicants

to other appropriate agencies. The staff also provides counselling services to individuals and families. It offers professional expertise to Indian tribes and Indian organizations in development of tribal social services. Indian organizations are also assisted in the development of Indian child and family service grant programs. The caseload for non-financial assistance such as counselling is expected to remain at an average of 15,775 persons per month in FY 1982.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
(\$)	16,801	17,104	+303
(FTP)	(367)	(375)	(+8)

Explanation of Increase: The proposed increase will be used to:

- (1) Pay for additional staff to review and monitor grants made under the Indian Child Welfare Act (\$275,000 increase).
- (2) Provide \$538,000 to cover additional salary cost increases of tribal contractors as required by Section 106 (H) of P.L. 93-638.

These increases will be partially offset by \$510,000 of planned reductions in other tribal contracting costs and BIA administrative costs, resulting in a net increase of \$303,000.

Object Class Distribution

The object class detail for the \$5,783,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Social Worker	13	-1	\$ - 41,660
Secretary (Typing)	5	-1	- 14,343
Indian Child Welfare Grant Spec.	12	+3	+ 80,853
Indian Child Welfare Grant Spec.	11	+7	+157,402
Lapse			-10,289
Total Permanent Positions		+8	+171,963
Personnel Benefits			+ 12,000
Travel			+ 18,000
Other Services (Contracting)			+101,037
Grants, Subsidies & Contributions			+5,480,000
TOTAL			\$+5,783,000

The increase in Grants, subsidies and contributions is the result of increased unit costs in general assistance and child welfare as well as a small increase in the number of children receiving foster or instituted care.

The net increase in personnel costs are required to provide program supervision in the field for operations under the Indian Child Welfare Act.

Justification of Program and Performance

Activity: Indian Services

Subactivity: Law Enforcement

(Dollar Amounts in Thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Inc.(+) or Dec(-)</u>
Law Enforcement \$ (FTP)	\$30,196 (555)	\$31,023 (555)	\$34,204 (553)	\$+3,181 (-2)

LAW ENFORCEMENT SERVICES

Authorization: 25 U.S.C. 13 (the Snyder Act of November 12, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians. Law enforcement services are provided under this authority. 18 U.S.C. 3055 (the Act of June 25, 1948) provides authority to suppress liquor traffic among Indians and authorizes the Chief Special Officer and his subordinate officers to make arrests.

Objective: To help Indian tribes (1) to provide continuing law enforcement services aimed at the protection of lives and property on reservations; and (2) to plan and implement programs on reservations which are designed to reduce the crime rate over the next five years.

Base Program: The current level of funding enables the BIA and Indian tribes to provide law enforcement and detention services where tribal governments have the authority to adopt and enforce tribal criminal and civil laws. There are 23 States with 163 reservations where this authority exists and is being exercised. To carry out this responsibility, there are currently 381 BIA full-time/permanent law enforcement officers and 878 tribal law enforcement officers serving an Indian population of approximately 475,000 and patrolling approximately 105,000 square miles of Indian country in 779 patrol vehicles, each averaging 24,000 miles of patrolling a year. The detention program utilizes 16 Bureau and 95 tribal and contract jails to hold prisoners. In addition, 16 local units of government are providing temporary confinement facilities without cost to Federal or tribal governments.

The FY 1982 base operating costs for these enforcement and detention programs will cost \$31.0 Million and tribes are expected to provide another \$6 Million out of tribal funds. This level of funding will provide for investigating 220,000 complaints and providing police responses in 617,000 instances not directly related to enforcement. The detention program will be responsible for the custody of an average of 590 prisoners each day.

	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Inc.(+) or Dec(-)</u>
Increase for 1982			
Law Enforcement \$ (FTP)	\$31,023 (555)	\$34,204 (553)	\$+3,181 (+2)

Reason for Increase: Indian law enforcement programs, nationally, find themselves in a situation where the crime index rate (CIR) is increasing. In 1978, the CIR was 1,422.9 per 100,000 Indian population and for 1979, the CIR stands at 1,819.0, a 28% increase during the period. Preliminary reports now being compiled indicate that there will be a further increase in the crime index rate for 1980.

These increases in crime rates result in increased need for law enforcement services from both Bureau and tribally operated programs. Complaints investigated are expected to rise by 20,000 in FY 1982 while non-enforcement responses which represent the bulk of the police workload will increase 10%. These increased activity levels cause operational cost increases in programs for both tribes and the Bureau. The following table compares workload indicators on which these costs are based for FY 81 and FY 82:

	<u>FY 1981</u>	<u>FY 1982</u>
Complaints investigated	220,000	240,000
Non-enforcement responses	617,000	675,000
Prisoners detained per day	590	650

Based on the estimates of FY 1982 enforcement activities and jail operations compiled by tribes and the BIA, it will require an increase of \$2,514,000 to provide services adequate to meet the expected workload.

Over 100 tribes have completed detailed criminal justice plans for dealing with crime on their respective reservations. The FY 1982 budget reflects initial implementations of those plans in addition to providing tribal police and equipment to meet the increase in activity rates. Special emphasis will be placed on training and improved management of enforcement and detention resources.

The increase includes \$667,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec 106(h) of PL 93-638.

Object Class Distribution The object class detail for the increase for the subactivity is as follows:

<u>Position/Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Auditor	11	-1	\$ - 24,736
Clerk-typist	4	-1	- 10,963
Lapse			+ 28,558
Total Permanent Positions		-2	- 7,141
Personnel Benefits			- 1,000
Travel			+ 40,000
Other Services (Contracting)			+2,549,141
Grants			+ 400,000
Equipment			+ 200,000
			<u>+\$3,181,000</u>

The increases are required to provide the necessary manpower and associated travel and equipment to deal with the increased need for investigations of crime on Indian reservations and to implement program improvements designed to lower the crime rate.

Justification of Program and Performance

Activity: Indian Services

Subactivity: Housing

(Dollar Amounts in Thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Housing (\$) (FTP)	22,572 (101)	22,776 (101)	23,776 (101)	+1,000 (-0-)

Housing Services

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians. It is under this authority that Housing assistance is provided.

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

1. New homes or repairs to existing homes for tribal members who cannot qualify for housing programs of other Federal agencies.
2. A source of training and counselling for both tribal housing staff and tenants so that maximum benefit is derived from the housing acquired by tribal members; and
3. Expert assistance in obtaining federally funded housing from the Department of Housing and Urban Development (HUD) and the Farmers Home Administration (FmHA).

Base Program: The Bureau's housing program is composed of two components. The Housing Improvement Program (HIP) which pays for:

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

Wherever possible HIP funding is combined with the funding of other programs such as Indian Action Teams, CETA or TWEP in order to stretch the housing dollar and provide as much housing as possible. Under this arrangement HIP generally provides the construction material while other programs furnish the necessary labor.

The Housing Development component provides BIA housing staff to assist Indian tribes in working with other federal agencies (HUD, IHS, FmHA) involved in producing Indian Housing. Assistance is provided for site review, selection and development so as to facilitate provision of water, sewer, access roads, and streets as well as actual application for and scheduling of housing construction.

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

The housing program is based on an estimate of housing need determined by BIA staff who conduct the annual housing survey. The recently completed 1980 national survey shows:

Service population (families)			165,000
Less:			
Existing dwellings in standard condition		76,800	
Families in need of housing assistance			88,200
Houses suitable for renovation to standard		30,200	
New Homes required			58,000
<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
\$ (FTP)	22,776 (101)	23,776 (101)	+1,000 (-0-)

The increase includes \$173,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec. 106 (H) of P.L. 93-638. The remainder of the increase, \$827,000, will enable tribal housing authorities to slightly increase the current level of repairs and new construction despite the increased cost of building materials. The increase will provide an additional 25 new homes and 50 repairs over that produced in FY 1981.

(3)

The housing program accomplishments under the proposed level of funding are expected to be:

	<u>1981</u>	<u>1982</u>
New house starts (HIP)	520	545
Renovations (HIP)	3060	3110

Object Class Distribution

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

Other Services	\$ +393,000
Grants, Subsidies and Contributions	\$ +607,000
Total	<u>+\$1,000,000</u>

The increase in other services represents the increased cost of housing materials and salary increases in the contracted portion of the HIP. The increase in grant, subsidies and contributions will cover the increased cost of housing repairs and new construction under the direct HIP grants.

Justification of Program and Performance

Activity: Indian Services

Subactivity: Self-Determination Services */

(Dollars Amounts in Thousands)

		<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Grants	\$	17,880	17,880	18,948	+1,068
Training & Technical Assistance	\$	3,243	3,344	3,938	+ 594
	(FTP)	(45)	(45)	(46)	(45)
Contract Support	\$	25,873	25,873	28,460	+2,587
Program Total	\$	<u>46,996</u>	<u>47,097</u>	<u>51,346</u>	<u>4,249</u>
	(FTP)	(45)	(45)	(46)	(45)

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

Grants

Authorization: 25 U.S.C. 450, (the Indian Self-Determination and Education Assistance Act) authorizes the Secretary to provide grants to tribal governments to improve their governmental capacity. 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians. Self-Determination grants can be made under this authority as well.

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

Base Program: Section 104 of P.L. 93-638 (25 U.S.C. 450) authorized grants to tribal governments for the purpose of increasing tribal ability to operate Federal programs under contract and also to enhance the overall quality and effectiveness of tribal government. The grant projects fall into two main categories:

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

To date 480 tribes have received Self-Determination grants. They have undertaken projects to design implement and maintain the components of tribal management such as personnel, finance, and property management. They have also used the grants to increase individual participation in tribal government through community meetings and seminars and have expanded the availability of services by opening branch tribal offices. In addition tribes have also undertaken general orientation and training of tribal management and administrative staff using Self-Determination grants.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
(\$)	17,880	18,948	+1,068

The increased funding has been proposed by tribes who wish to further increase their efforts to improve their governmental and management capabilities. The tribal budget requests for FY 1982 indicate that the increased funding will be used to improve the basic systems relating to personnel and financial management by obtaining training for tribal employees and by the use of consultants to establish appropriate personnel and financial systems. Improvement of tribal capabilities in these areas is essential to the continued success of the Self-Determination contracting effort.

Training and Technical Assistance

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians. Training and Technical Assistance are provided to tribes under this authority.

Objectives: 1. To provide technical assistance to tribes to enable them to overcome or prevent declination issues related to contracting and to resolve other problems threatening a tribe's ability to perform its responsibilities under contract or grant arrangements; and

2. Provide the BIA staff necessary to administer the Self-Determination program at the Field and Central Office levels.

Base Program: Training and technical assistance (T/TA) is provided to participating tribes directly by Bureau staff or outside sources. The highest priority for use of the technical assistance funds is to address urgent, one-time tribal needs involving various phases of the contract and

grant process to prevent, whenever possible, the declination of proposed contracts or the cancellation of on-going contracts because of lack of contractor performance or capability.

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

Under Training and Technical Assistance a special initiative called the Tribal Manager Corps, will be available to tribes wishing to participate. The Tribal Managers Corps (TMC) is an inter-agency and interorganizational program sponsored by the President's Management Improvement Council to assist tribal governments to upgrade, strengthen and stabilize tribal management, as a means of furthering the goal of self-determination. It will assist Indian tribes on a contract basis to upgrade, strengthen and stabilize Tribal Management Systems by assisting in the design, development and implementation of comprehensive Tribal Management Improvement Programs which provide for the training of tribal executive personnel, the continuity of sound management practices, and the overall strengthening and stabilizing of tribal self-government.

The TMC consists of a cadre of professional managers/administrators both within and outside government, who will be available to work with and for Indian tribes under provisions of the Intergovernmental Personnel Act (IPA) and the P.L. 93-638 Self-Determination Act. Recruitment efforts focus on individuals who have educational and work experience in a variety of management fields, as well as a sensitivity and willingness to work with and for tribal governments. Participating tribes select from this cadre a manager who, over the course of a year or longer, will be responsible for instituting an agreed-upon system of management improvements.

The Training and Technical Assistance program also provides the BIA staff responsible for coordination of the Self-Determination program including the Self-Determination grants and contract support as well as the T/TA aspects of the program.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$	3,344	3,938	+594
(FTP)	(45)	(46)	(+1)

The net increase includes \$1,000,000 for the Tribal Manager Corps and a field decrease of \$406,000 which reflects a reduced level of training and technical assistance projects. By 1982 approximately 30 tribes will be participating in the Tribal Managers Corps program.

Contract Support

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including Contract Support to Federally recognized Indians.

Objectives: 1. Pay tribes and/or tribal organizations for tribal administrative overhead costs incurred as a result of their contracting to operate Bureau programs; and

2. Provide funding for costs such as severance pay and lump sum leave payments related to the displacement of Federal employees because of contracting with Indian tribes and/or tribal organizations.

Base Program: The principal function of contract support is to pay tribes for the administrative indirect costs they incur as a result of entering into P.L. 93-638 contracts. Once a tribe has established an overhead rate which has been verified by independent audit it is entitled to have this rate added to the program amount in P.L. 93-638 contracts it operates. Verification of this rate is done independently of the BIA, usually by the Department of the Interior Inspector General's office or other comparable agency. Under certain conditions lump sum payments for administrative costs may be negotiated by the Bureau.

In FY 1980 a total of 370 tribes contracted for the operation of \$200,000,000 worth of programs under P.L. 93-638. Indirect costs amounting to \$22.3 million were paid to these tribes to cover their overhead in the contracts. For FY 1981 our current estimates are for 381 tribes to contract for \$210,000,000 in programs requiring \$25.3 million in overhead costs.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$	25,873	28,460	+2,587

Explanation of Increase

The 1982 request for an additional \$2,587,000 will provide funding to meet tribal contractor administrative costs of P.L. 93-638 contracts amounting to about \$215,000,000 to \$220,000,000. This represents an increase over the FY 1981 contracting level of about \$10,000,000 which is in line with the growth factor for tribal P.L. 93-638 contracting over the last few years.

Object Class Distribution

The object class detail of the \$4,249,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Tribal Managers Corps Coordinator	14	+1	\$ + 37,871
Lapse			- 9,468
Total Permanent Position			+ 28,403
Personnel Benefits			+ 2,000
Travel			+ 10,000
Other services (contracts)			+ 1,847,597
Grants, subsidies, and contributions			+ 2,361,000
Total			<u>+\$4,249,000</u>

The increase reflects the intention of tribes to continue their increasing participation in the P.L. 93-638 process by increasing their Self-Determination contracting and developing more capacity building projects through the use of "638" grants and participation in the Tribal Managers Corps.

JUSTIFICATION OF PROGRAM AND PERFORMANCE

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

(Dollar Amount in Thousands)

		FY 1981 Approp. Enacted to Date	FY 1982 Base	FY 1982 Estimate	Increase (+) or Decrease (-)
Technical Assistance and Training (OTAT)	\$ (FTP)	3,007 (103)	3,126 (103)	3,126 (103)	-0- (0)
Total Requirements	\$ (FTP)	3,007 (103)	3,126 (103)	3,126 (103)	-0- (0)

Technical Assistance and Training (TA & T)

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized tribes.

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

Base Program: Encompassed in this program are technical assistance and training activities which prior to FY 1980 were provided by different Bureau offices, and which now are consolidated for more effective coordination and management under central supervision by the Office of Technical Assistance and Training (OTAT) in Brigham City, Utah. OTAT includes technical assistance and training activities which formerly included: the Tribal Administrative and Accounting Services in Denver and Washington, D.C.; the Police Academy in Brigham City; the planning Support Group in Billings; the National Indian Training Center in Brigham City; the Audio-Visual Services Unit in Brigham City; and the Continental Divide Training Center in New Mexico.

While continuation of services provided by these former organizational elements is one of the major functions of OTAT, the organization offers many additional activities to its clients---the Alaska Natives, federally recognized Indian tribes, Indian organizations, tribal groups, and BIA programs. These activities involve among others:

- (1) Research services providing useful survey background information pertaining to specific tribal technical assistance issues which can be used in conducting need assessments pursuant to tribal government capacity building initiatives and efforts to improve tribal program management systems.
- (2) Developmental services that utilize research information to produce specific training curricula and to tailor special programs for tribes.
- (3) Training services with emphasis on development of managerial and administrative capabilities of tribal officials and their staffs, particularly

in such fields as accounting, bookkeeping, personnel management, property accountability, contract and grants administration, etc.

- (4) On-the-job technical assistance in project planning, design, and implementation as well as accounting and administrative services technical support.
- (5) Assistance to tribal groups in utilizing services of the non-Federal sector including colleges and universities, consultants, private firms, private foundations, and general contractors.
- (6) Auxiliary services such as audio-visual services, graphics layout, video productions, library services, and reproduction of all types.

OTAT is under the supervision of a Director who is supported by an administrative staff and five line Divisions. The FY 1982 direct funding and staffing request continues the FY 1981 level of activity for OTAT. However, OTAT's Training User Charge System (TUCS) guidelines are now in the planning stage and are due to be implemented prior to July 1, 1981. TUCS will provide an estimated \$500,000 in user funds to expand OTAT training activities in FY 1982; input for other directorates will determine the exact amount OTAT will realize through such charges.

Justification of Program and Performance

Activity: Indian Services
Subactivity: Navajo-Hopi Settlement Program

(Dollar amounts in thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc.(+) or Dec. (-)</u>
Navajo-Hopi Settlement Program (\$) (FTP)	5,498 (31)	5,649 (31)	4,852 (31)	-797 (-)

Navajo-Hopi Settlement Program

Authorization: P.L. 93-531, 88 Stat. 1712 (The Navajo-Hopi Settlement Act) requires the Secretary to reduce livestock in the former Joint-Use Area and restore the range land. P.L. 96-305 (Amendments to P.L. 93-531 The Navajo-Hopi Settlement Act) requires the establishment of life estates for 120 Navajo heads of household on lands partitioned to the Hopi and 10 for Hopi heads of household in lands partitioned to the Navajo Tribe.

Objective: To carry out provisions of the Act of December 22, 1974, P.L. 93-531, 88 Stat. 1712, which requires the Secretary of the Interior to reduce stock and restore the range capacity of lands lying within the former Navajo-Hopi Joint Use Area and to provide up to 130 life estates as mandated by P.L. 96-305.

Base Program: The Navajo-Hopi Settlement Program will be continued as required by P.L. 93-531 which was enacted in 1974. The initial stock reduction program of 160,000 sheep units has been completed. However, in order to keep the number of animals within the grazing capacity of the land it is necessary to remove those animals which result from herd growth and in-migration. This removal of livestock through impoundment notices will continue in FY 1982.

Since completion of the voluntary stock reduction program emphasis has been on range restoration. This has required the provision of water developments, building of fences and treatment of range lands to restore vegetation. By the end of FY 1981 the program will have completed all 287 miles of boundary fencing; 765 of the 820 miles of interior fencing; and 76,000 of the projected 90,000 acres of restoration. In conjunction with this range restoration, 98 water sources have been developed out of a total need of 120. In addition to the range restoration program, law enforcement and court programs are provided to insure compliance with grazing regulations.

<u>Decrease for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Decrease</u>
\$ (FTP)	5,649 (31)	4,852 (31)	-797 (-)

FY 1982 is the first year of a planned 3 year phase-down in program costs due to the expected completion of the stock reduction, fencing, and range restoration and the switch to range management which is less costly. This remaining funding will pay for the movement of enough sheep units to keep livestock numbers within the grazing limits. The last 14,000 acres will be restored along with completion of the final 22 water developments. With the completion of the initial voluntary stock reduction program and of the range restoration work, the program will concentrate on maintaining the range in its restored state and holding grazing stock numbers within the range capacity.

P.L. 96-305 mandated that up to 130 life estates (120 Navajo - 10 Hopi) be provided. Each estate shall not exceed 90 acres and each tenant can have 25 sheep units or equivalent. The Bureau will provide year-long feed and water for the 25 sheep units at a cost of approximately \$501,000 per year (\$382,000 for feed and \$119,000 for water beginning in FY 1982).

The program cost breakdown for FY 1982 is:

	<u>Number</u>	<u>Cost (\$000)</u>
Life Estates	130	501
Stock Reduction (sheep units)	5,000	825
Fencing (miles)	20	75
Acres Restored	14,000	600
Water Developments	22	1,200
Maintenance of restored acreage		651
Range Management		1,000
		<u>\$4,852</u>

Object Class Distribution

The Object Class detail for the \$797,000 decrease for the subactivity is as follows:

Other services	- \$797,000
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The net reduction represents reduced contracting costs as fencing and range restoration are completed and the program emphasizes range maintenance and the provision of life estates as mandated by P.L. 96-305.

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Economic Development and Employment Programs
Subactivity: Employment Development
Element: Employment Assistance

(Dollar Amounts in Thousands)

	1981 Approp. Enacted To Date	FY 1982 Base	FY 1982 Estimate	Increase (+) or Decrease (-)
Employment Assistance \$	27,393	27,907	28,377	+ 470
(FTP)	(283)	(283)	(267)	(-16)

Authorization:

Adult Vocational Training: P.L. 84-959 (70 Stat. 986; 25 USC 309) as amended by P.L. 88-230 (77 Stat. 471). The Secretary is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship and on-the-job training. Period of training is for 24 months except for registered nurse's training which cannot exceed 36 months. The program is available to adult Indians, 18-35 years of age, who reside on or near an Indian reservation. The end result of the program is to enable the participants to obtain reasonable and satisfactory employment. The program is conducted under rules and regulations prescribed by the Secretary.

Employment Assistance: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians, including employment assistance.

Objective:

The objective of the Employment Skills Development program is to provide adult vocational training and employment assistance to Indians and Alaskan Natives in order to develop and promote economic self-sufficiency skills for tribal and Alaskan Native people.

Base Program:

The Employment Skills Development program has two basic activities: Adult Vocational Training and Employment Assistance (job placement).

Adult Vocational Training (\$15,463,000 base program) applicants are assisted in the selection of their training program through the interpretation of the General Aptitude Test Battery (GATB) and personal counseling. This is to insure that each applicant is in a field of training where he can attain the necessary skills in order to become employable.

The Employment Assistance (\$12,444,000 base program) applicants' skills are identified through information submitted on the application form and personal counseling. The applicant is then placed in a job that meets his/her skills level.

Participants in the Adult Vocational Training and Employment Assistance programs receive the following assistance:

- a. Transportation to training or employment location and subsistence enroute.
- b. Adult Vocational Training applicants receive a weekly subsistence. Employment Assistance applicants receive subsistence until they receive their first paycheck. Emergency subsistence is provided if needed.
- c. Medical costs (if not covered by Indian Health Service) and eye glasses.
- d. Purchase of necessary tools for training or employment.
- e. Rental and utility deposits.
- f. Shipment of household goods to training or employment location (up to 2000 pounds).
- g. Personal costs (purchase of clothing, furniture, etc.). Amount allotted is based on single or if married, number of family members.
- h. A trainee will receive, in addition to the above:
 1. Tuition and related costs for training.
 2. Single parents are assisted with child care costs.
 3. If wife is in training, she will receive tuition, related costs, and child care costs.

Program Accomplishments:

	<u>FY 1980</u>	<u>FY 1981</u>	<u>Est. FY 1982</u>
<u>Adult Vocational Training</u>			
In training at start of year	2,469	2,492	2,391
New entries during year	4,101	3,800	4,084
Total number in training	6,570	6,292	6,475
Completions	2,307	2,202	2,266
Discontinued from training	1,771	1,699	1,748
Carryover to next FY	2,492	2,391	2,461
Average cost per trainee*	\$4,105	\$4,094	\$4,049
Adjusted participation rate for FY	(4,068)	(3,810)	(4,100)
Discontinued from training is approximately 27%.			
Placed in employment after completion of training is approximately 90%.			

*Average cost per trainee is based on adjusted participation rate for FY.

<u>Employment Assistance</u>			
Total participants	8,974	6,951	6,198
Average cost per participant	\$1,556	\$1,725	\$1,867

Some tribes are planning for economic development on their reservation. These plans include the development of training courses to meet the needs of the local tribal government and/or tribal business enterprise. The development of

the training courses is done in cooperation with local community colleges, other Federal agency staff, and Bureau Indian Education staff. Tribal enterprises are formed with the assistance of the Bureau's Indian Business Enterprise Development Division, Indian Action Program and other Federal agencies. The end result of this cooperative endeavor is that opportunities for training and employment are available on the reservation. Program funds not used for grants to individuals can be utilized to assist the tribes in the improvement of or for the development of new training programs.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$	27,907	28,377	+ 470
(FTP)	(283)	(267)	(-16)

The increase of \$470,000 in the Employment Skills Development program represents \$210,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec. 106(h), P.L. 93-638 and \$260,000 to provide employment assistance services to an additional 139 applicants at a cost of \$1,867 per applicant. The decrease of 16 positions (FTP's) is the result of reorganizations at the Area Office levels which relates to transfer of responsibility for providing destination office services to the agency level. Included is a reduction of \$124,000 for a FY 1981 reprogramming action in the Portland Area Office affecting the FY 1982 base (see the Management and Administration Base Program section for details).

Object Classification Distribution

The object class detail for the \$470,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Vocational Development Officer	13	-1	- \$29,375
Employment Assistance Officer	12	-1	- 35,033
Vocational Development Specialist	11	-4	- 90,688
Employment Assistance Counselor	11	-1	- 23,986
Vocational Development Specialist	9	-3	- 58,543
Employment Assistance Technician	7	-1	- 16,205
Accounting Specialist	5	-2	- 26,611
Clerk Stenographer	4	-1	- 12,423
Clerk Typist	3	-2	- 23,948
Lapse			+ 160,000
Permanent Positions and Total Compensation		-16	- 156,812
Personnel Benefits			- 4,225
Other Services			+ 471,687
Grants, Subsidies			+ 260,000
Equipment			- 50,650
Supplies and Materials			- 50,000
		TOTAL	+ 470,000

Justification of Program and Performance

Activity: Economic Development and Employment Programs
Subactivity: Employment Development
Element: Indian Action Program

(Dollar Amounts in Thousands)

	FY 1981 Approp. To Date	FY 1982 Base	FY 1982 Estimate	Increase (+) Decrease (-)
Indian Action Prog. \$	17,827	17,890	17,307	-583
FTP	(26)	(26)	(26)	(0)

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians, including education.

Objectives: To provide financial, administrative, and programmatic assistance to tribes and/or tribal organizations for the purpose of developing tribal members' economic skills through actual work experience and on-the-job training in selected areas of economic development that have been approved by the tribal governing body.

Base Program: The Indian Action Program was initiated by the Commissioner of Indian Affairs in 1970. The purpose was to develop a new approach and program in providing training for Indian people which was consistent with the President's July 1970 message to Congress calling for Indian Self-Determination. The program provides funding and administrative assistance to approximately 100 Indian Action contractors who in turn provide on-the-job training and work experience in business-related development, management, planning, construction, and conservation and development of natural resources to some 175 federally recognized Indian tribes. The program develops capabilities of tribes to construct, operate, maintain, and manage reservation facilities, a factor which facilitates the Bureau's policy of supporting broad based economic development and to alleviate the problem of the limited availability of trained and skilled personnel in the Indian communities. Activities performed by the Indian Action Program are complimentary to the self-determination concept by providing Indian tribes with training resources which allows them the opportunity of improving tribal members' skills while enhancing economic growth.

Workload Factors and Program: The Indian Action Program provides work experience and on-the-job training in six (6) major areas of economic development. Many of the programs offer activities and/or projects in more than one category. The following is a tentative breakdown of FY 1982 programs:

1. Training: Training is a necessary part of all Indian Action Programs. Training is defined as the process of aiding employees to gain effectiveness in their present and future work. It is estimated that 37 programs will concentrate primarily at training their tribal members in certain areas for basic skill improvement. An estimated 1,057 individuals will participate with the average length of training of 20 months in the following areas:

Training Areas	No. of Contracts	No. of Individuals	O.J.T. (Thous.) Manhours	Inst. Tran. (Thous.) Manhours	Estimated Cost (Millions)
Construction Skills	26	800	815.8	20.0	\$3.37
Management	8	227	23.6	207.0	.95
Agriculture Development	<u>3</u>	<u>30</u>	<u>30.6</u>	<u>3.0</u>	<u>.13</u>
Total	37	1,057	870.0	230.0	\$4.45

2. Planning and Construction: Forty seven (47) Indian Action Programs will provide the necessary resources and work opportunities to tribal members to repair, improve or upgrade an estimated 700 tribally-owned facilities; improve an estimated 1,050 units of substandard housing; and provide for repair and upgrading access roads not covered by the Road Construction and Housing and Urban Development programs. This category is primarily labor intensive, and approximately 80 percent of all costs associated with this effort of \$8.05 (M) is labor and can be broken down as follows:

- \$4.60 (M) - Residential Improvement
- \$2.70 (M) - Tribal Facilities (Infra-Structure)
- \$.75 (M) - Other (access roads, stock dams, snow removal,
- \$8.05 (M) emergency road repair and planning of roads and structures).

3. Employment: An estimated 740 individuals will be employed to provide the necessary administrative and management skills to the Indian Action Programs. at an estimated cost of \$1.22 (M). In addition to providing assistance, the individuals will provide training to other tribal members associated with the program.

4. Business Development: Primary emphasis in this category is to stimulate and promote economic and small business development by providing basic resources and work experience. Twelve (12) Indian contractors will plan and develop business entities such as cabinet manufacturing, tourism and recreation facilities, gas stations, and grocery stores. The objective is to provide basic resources and experience toward economic development at an estimated cost of \$1.42 (M).

5. Management: The amount of \$936,400 is projected for use under the Indian Action Program for the development of an estimated 59 management systems at an estimated cost of \$15,000 per system. These systems may be identified as follows:

- 12 Financial Management
- 15 Property Management
- 9 Procurement System
- 12 Personnel
- 11 Other (Program evaluation, monitoring records, communications, and placing system)

This effort is necessary for the successful attainment of desired program objectives by providing a means of not only operating a program but also operate Tribal Governments and enterprises more effectively and efficiently. The benefits realized by the Tribes can generally be measured by the reduced cost and the number and amount of new funds attracted to the Indian community as a result of the establishment of those new systems.

6. Conservation of Natural Resources: This category allows tribal members to obtain added skill in conservation of natural resources in addition to providing basic improvement to their resources. An estimated \$1.12 million will be directed in this area by five (5) Indian Action Programs in the following manner:

<u>Activity</u>	<u>Cost</u>	<u>Manhours</u>
Land clearing for agriculture development	\$500,000	10,400
Fisheries	\$300,000	6,240
Land erosion control	\$323,000	4,160

The conservation of natural resources' activity will substantially increase the value of natural resources located on reservation lands.

Increase (Decrease) for 1982:

	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Decrease</u>
\$(000)	17,890	17,307	-583
(FTP)	(26)	(26)	(0)

The \$583,000 decrease represents a net figure resulting from trade offs in program priorities determined by tribes at the Tribal/Agency level. The decrease will reduce those contracts to tribes requesting a lesser amount.

Object Class Distribution

The object class detail for the \$583,000 decrease for this element is as follows:

<u>Title</u>	<u>Amount</u>
Other Services	\$ -583,000

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: Office of Tribal Resources Development
Subactivity: Business Enterprise Development

(Dollar Amounts in Thousands)

	1981 Approp. enacted <u>to Date</u>	FY 1982 <u>Base</u>	FY 1982 <u>Estimate</u>	Inc. (+) Dec. (-)
Business Enterprise Development (FTP)	\$2,524 (24)	\$2,685 (24)	\$2,373 (22)	- 312 (-2)

Authorization: 42 Stat. 208; 25 USC 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians, including education.

Objective:

The Business Enterprise Development program provides technical assistance to tribal members and governments in developing sound, self-sustaining economies by maximizing their human and physical resources as well as their locational advantages.

Base Program:

This program provides Indian people and tribal groups evaluation and assistance in developing new or improving present enterprise management systems. The program is designed to meet their needs on reservations in their varied aspects of economic development, including commercial, business, industry, and tourism. It assist tribal members and tribal governments in their efforts to develop business and industrial opportunities ranging from single proprietorships to Indian corporations. This program has had a vital role in the establishment of 264 manufacturing and commercial enterprises which employ over 15,500 workers, whose annual annual payroll is in excess of \$113 million.

Upon tribal request, staff assistance is provided in obtaining subcontracts from both the private sector and from government agencies. In addition many tribes have requested and received assistance in the marketing of their plants output. Last year we assisted over 25 requests of this nature.

Technical assistance studies constitutes an important fact of economic development programs. These studies serve to assist tribal groups in determining business development potentials, and in the formulation and implementation of ventures. This past year \$281,500 was obligated to Indian tribes in amounts ranging from \$5,000 to \$75,000. In addition to technical assistance the Business Enterprise Development staff provides advisory assistance to Indian groups in developing overall economic development plans, and assists tribes in obtaining 2,170 Indian job opportunities.

At the request of Indian leaders, and Indian Economic Development Handbook was prepared by a consultant firm. The handbook will soon be available for presentation to tribal leaders. There will be seminars on how tribal members and tribal governments can best utilize this handbook in their efforts to obtain self-sufficient economies.

One of the main thrusts in 1980 has been the Alaskan Gas Pipeline project. This \$20 billion project offers a potential of subcontracts for the Indian contractor in excess of \$2 billion. The staff has worked closely with Northern Border Pipeline Company and Pacific Transmission Company, the two main stateside contractors. Meetings have been arranged between Indian contractors and pipeline Indian firms in bidding on all segments of the \$20 billion Alaskan Gas Pipeline project. We will provide expert assistance to Indian firms bidding on various aspects of the pipeline project.

For the base program the following workload factors are indicated:

	<u>1980</u>	<u>1981 Est</u>	<u>1982 Est</u>
Commercial/Industrial Entities Assisted (#)	1,350	1,390	1,430
Indian Individuals Assisted (#)	3,225	3,300	3,420

<u>Decreased for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Decrease</u>
\$ (000)	2,685	2,373	- 312
(FTP)	(24)	(22)	(- 2)

The decrease of \$312,000 is due primarily to the discontinuation of funds for feasibility studies to determine whether there is a potential for entering into business ventures for various Indian groups. Area Offices have reduced 2 full-time permanent positions as part of a continuing decentralization and reorganization effort.

Object Class Distribution

The object class detail for the \$312,000 decrease for this subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Annual Salary</u>
Industrial Development Specialist	13	1	-32,048
Business Development Specialist	13	1	-32,048
Lapse			<u>+51,276</u>
Total Permanent Positions		-2	-\$ 12,820
Personnel Benefits			- 1,000
Other Services			- 298,180
Total			<u>-\$312,000</u>

Justification of Program and Performance

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

(Dollar amounts in thousands)

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Credit & Financing \$	4,966	5,293	5,526	+233
(FTP)	(159)	(159)	(157)	(-2)

Credit and Financing

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To assist Indian tribes, Indian organizations, individual Indians, and Alaskan Natives to develop and utilize their own resources for business and economic improvement through business and economic development loans under the Indian Financing Act; and to assist them in obtaining financing from other sources for the same purpose.

Base Program: This program involves assisting Indians on or near reservations in obtaining financial assistance from banks and other financial lending sources in the private sector, including loans guaranteed under the Loan Guaranty and Insurance Program; working with other Federal funding sources on developing economic enterprises on Indian reservations; administering the Indian Revolving Loan Fund; providing assistance in the administration of tribal relending programs; providing credit assistance to Indian borrowers and former grantees; evaluating proposed investment ventures; and monitoring and collecting loans made by the Bureau.

During fiscal year 1980, 21 loans totaling \$19.2 million were provided under the Indian Financing Act to tribes for tribal enterprises compared to 16 loans totaling \$3.7 million in fiscal year 1979. We estimate about 25 loans totaling \$12 million will be made in fiscal year 1981 and about 80 loans totaling \$41.8 million in fiscal year 1982 for business enterprises. The increased loan activity in 1982 is the result of carrying over from FY 1981 uncommitted Loan Guaranty and Insurance Program funds which will provide for about \$30 million of guaranteed loans.

In 1982 the Credit and Financing workload is estimated to include assistance and administrative services for approximately 125 guaranteed loans with a face value of over \$72.7 million; assistance and services on outstanding loans totaling \$74 million made from the Indian Revolving Fund; and assistance in the administration of tribal relending programs.

In fiscal year 1980, \$12 million was disbursed from the Revolving Loan Fund and one loan of \$8.5 million was guaranteed. The guaranty program was closed to new loans November 1978. With the cancellation of two large loan commitments in 1980, this program will be re-opened in 1981. Workload factors by fiscal year are indicated in

Table I.

Increase for 1982:	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$	\$5,293	5,526	+233
(FTP)	(159)	(157)	(-2)

The \$233,000 net increase represents: a decrease of credit staff at two Area offices as part of the decentralization effort; a decrease in funding at the Agency level for credit and financing services based on the priorities of tribes for such services; and an increase of funding at Navajo and other Area offices to augment credit and financing services at those locations. The increase also includes \$33,000 to cover additional salary cost increases of Tribal contractors to comply with the requirements of Section 106(h) of P.L. 93-638.

Object Class Distribution

The object class detail for the \$233,000 increase for the subactivity is:

<u>Position Title</u>	<u>GS-Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Loan Specialist	9	-1	-18,585
Loan Specialist	9	-1	-18,585
Lapse		—	<u>+29,736</u>
Total Permanent Position		-2	- 7,434
Personnel Benefits			- 520
Supplies and materials			+100,000
Other services (net)			<u>+140,954</u>
Total			+233,000

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

(\$ in Millions)

	<u>FY 1980</u> <u>(Tentative)</u>		<u>FY 1981</u> <u>Estimate</u>		<u>FY 1982</u> <u>Estimate</u>	
	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>
BIA supervised direct loans - New <u>1/</u>	5,972	37.1	6,000	40.0	6,200	45.5
BIA supervised direct loans - outstanding (EOY) <u>1/</u>	11,531	164.8	12,000	175.0	12,500	190.0
BIA assisted Commercial loans - new	1,427	9.3	1,500	20.0	1,750	30.0
Assisted other Federal loans - new	691	44.3	800	34.0	975	37.0
Guaranteed and Insured Loans	1	8.5	5	2.5	61	30.7

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

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Justification of Program and Performance

<u>Activity:</u>	Economic Development and Employment Programs
<u>Subactivity:</u>	Business Enterprise Development
<u>Element:</u>	Indian Arts and Crafts Board

(Dollar Amounts in Thousands)

	1981 Appro-			
	priation			
	Enacted	FY 1982	FY 1982	Inc. (+) or
	To Date	Base	Estimate	Dec. (-)
Indian Arts and	\$ 814	856	856	--
Crafts Board	(FTP) (18)	(18)	(18)	--
Total Requirements	\$ 814	856	856	--
	(FTP) (18)	(18)	(18)	--

Indian Arts and Crafts Board

Authorization: P.L. 74-355, which created the Indian Arts and Crafts Board and specifies its powers.

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

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

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

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

- through over 150 Native-owned and operated craft marketing enterprises (an increase of 50% during the past four years);
- through a consumer directory that is an established marketing link between these Native craft enterprises and the more than 100,000 consumers annually who request it;
- through approximately 30 one-person sales exhibitions in the Board's museums;
- through several survey exhibitions of outstanding contemporary Native art work presented in the Board's museums and at other institutions through cooperative arrangements;
- through concentrated management advice to some 100 developing Native museums (over 40% of which are less than five years old).

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

Justification of Program and Performance

Activity: Economic Development and Employment Programs
Subactivity: Road Maintenance

(Dollar Amounts in Thousands)

	<u>1981 Appropriation</u> <u>Request to date</u>	<u>FY 1982</u> <u>Base</u>	<u>FY 1982</u> <u>Estimate</u>	<u>Inc.(+) or</u> <u>Dec.(-)</u>
Road Maintenance \$	19,117	19,948	20,659	+ 711
(FTP)	(366)	(366)	(367)	(+1)

Road Maintenance

Authorization: 25 USC 318a, authorizing "material, equipment, supervision and engineering...in...maintenance of Indian reservation roads...."

OBJECTIVE:

To repair and maintain public roads serving Indian reservations in order to control road deterioration and promote safety and convenience for reservation residents. To protect the government investment in the BIA road system on 180 reservations.

BASE PROGRAM:

Priorities and funding levels for road maintenance are set by tribal governments in consultation with BIA administrators and engineers. Consideration is given to degree of use, public safety and convenience. On improved roads, an additional consideration should be preservation of the Government's investment in road construction, since inadequate maintenance accelerates deterioration and increases road reconstruction costs. The replacement cost for approximately 18,000 miles of improved roads on the BIA system is estimated to exceed \$2 billion.

Maintenance funding for each route may be Optimal, Limited (50% to 89% of optimal), Occasional (10% to 49%), or Little or None (0 to 9%). Optimal maintenance costs per mile per year are \$2,200 for earth roads, \$2,600 for gravelled roads and \$3,000 for paved roads.

The program provides Federal employment in 367 full-time permanent positions and approximately 100 seasonal temporary positions along with 52 tribal employees on P.L. 93-638 contracts. The program is carried out almost entirely by Indian employees on each reservation. The Federal payroll for road maintenance will amount to \$8,700,000 in FY 1982.

Increase for FY 1982: The \$711,000 increase in road maintenance in the FY 1982 estimate will be used to finance an increase of 1 FTP position at the Phoenix Area Office and to increase replacement of obsolete equipment. The increase includes \$17,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec. 106(h) of P.L. 93-638.

The level of adequacy for maintenance of routes with highest traffic volume will be increased by the use of the new equipment. Area programs for equipment management include equipment maintenance, utilization controls, and replacement planning.

The FY 1982 program will provide for the following activities at an average of 40% of optimal maintenance.

<u>Road by Surface Type</u>	<u>Unit of Measure</u>	<u>Actual 1980</u>	<u>Est. 1981</u>	<u>Est. 1982</u>
Earth	Miles	13,759	13,710	13,580
Average cost/mile	\$	565	600	650
Gravel	Miles	2,970	2,840	2,880
Average cost/mile	\$	1,400	1,450	1,520
Paved	Miles	4,432	4,610	4,700
Average cost/mile	\$	1,220	1,300	1,560
Bridges	Lin.Ft.	38,335	38,735	39,000
Average cost/LF	\$	(5.50)	(6.00)	(7.00)

Object Class Distribution

The object class detail for the \$711,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Equipment Maint. Mgmt. Tech.	9	+1	\$+ 20,443
Lapse			- 5,110
Total Permanent Positions			+ 15,333
Personnel Benefits			+ 1,073
Other Services (638 pay cost)			+222,594
Equipment			+472,000
Total		+1	\$+711,000

Justification of Program and Performance

Activity: Natural Resources Development
 Subactivity: Forestry and Agriculture

(Dollar amounts in thousands)

		1981 Appro- Enacted <u>To Date</u>	1982 <u>Base</u>	1982 <u>Request</u>	Inc. (+) Dec. (-)
Natural Resources, General	(\$) (FTP)	883 (16)	926 (16)	962 (19)	+36 (+3)
Agriculture	(\$) (FTP)	21,913 (487)	22,865 (487)	23,486 (488)	+621 (+1)
Forestry	(\$) (FTP)	24,400 (679)	25,878 (679)	27,217 (677)	+1,339 (-2)
Water Resources	(\$) (FTP)	5,039 (11)	5,044 (11)	6,636 (11)	+1,592 (-)
Wildlife & Parks	(\$) (FTP)	11,536 (2)	11,541 (2)	13,170 (6)	+1,629 (+4)
Fire Suppression & Emergency Rehabilitation	(\$) (FTP)	800 (-)	800 (-)	800 (-)	- (-)
Program Total	(\$) (FTP)	<u>64,571</u> (1,195)	<u>67,054</u> (1,195)	<u>72,271</u> (1,20)	<u>+5,217</u> (+6)

Natural Resources, General

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

Objectives: To provide managerial direction and support for those operations which span multi-resource disciplines in the protection, inventorying, developing and managing of Indian natural resources.

Base Program: This program provides funding for Central Office staff directing the operations of the Division of Water and Land Resources, for Assistant Area Directors at some areas, and others who are responsible for administering multi-discipline activities which include: agriculture, range, irrigation and power operations, forestry, wildlife and recreation, and environmental quality. There are 12 areas, eight of which utilize funds from the Natural Resources, General account for these multi-discipline efforts. There are 83 agencies who have natural resources programs. Sixteen employees, and contracts for various conservation studies and inventories are funded from this account.

The multi-disciplines of this activity can be seen in the following funding pattern. Current apportionments will be utilized to continue funding the

following: two Assistant Area Directors, four Natural Resource Specialists, two Water and Land Resources Specialists, one Indian Resource Specialist, one Fisheries Biologist, one Archeologist, one Program Assistant for the Division of Water and Land Resources, and the Secretary for that Division.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$ (000)	926	962	+36
(FTP)	(16)	(19)	(+3)

There is an increase of two positions in Billings Area Office (Land Operations Officer and Secretary) and one in the Phoenix Area Office (Program Analyst). A decrease in contractual services represents one time contracts which have been completed.

Agriculture

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objectives: The objective of the agriculture program is to use each acre of Indian land according to its capabilities. This goal is a continuing program and encompasses over 52,000,000 acres of trust property. In order to maximize Indian incomes from farm and range resources, sound conservation practices must be used. In order to protect the Indian resource from waste and pollution caused by erosion and other related misuses, over 480 BIA employees are professionally and/or technically trained to carry out this portion of the Bureau's trust responsibility.

Base Program: The basic program is to provide technical assistance to Indian landowners and/or operators of trust property using sound conservation practices. These conservation measures are based upon the results of a soil or soil-and-range inventory. The inventory is a classification of Indian lands into soil types and capabilities or range site and condition classes. This information is utilized as a basic tool to apply needed conservation practices to the land. Some important conservation practices are the preparation of farm plans, fertility requirements, irrigation scheduling, design and engineering for farm drainage systems, terraces, livestock water developments, farm irrigation systems and some twenty-five other various conservation practices which will protect and enhance the Indian lands. Funds to construct or otherwise place these conservation measures on the land are from BIA, USDA and private sources (lessee and/or operator). The base program also includes the preparation of farm lease covenants and to conduct lease compliance inspections to insure that agronomic activities are conducted in a husbandry-like manner. The selected workload attachment contains some of the activities mentioned above as well as other conservation activities. Leased agricultural acres (dry farm, pasture, and irrigated) of restricted Indian land was 4.3 million acres in 1979. Rentals received were in excess of \$41.5 million.

Over 42 million acres of the total trust property is in Indian rangeland. Revenues from grazing fees for this Indian resource were over \$8.4 million in 1979. To insure that maximum grazing fees are collected, the principles of sustained yield management must be utilized. Technical assistance from BIA is essential in establishing animal unit carrying capacities and seasons of use, based upon forage and water inventories. Assistance is also provided to develop plans for livestock water development, reseeding, pest control and management

fencing to maintain carrying capacities at full resource potential. Some 19,000 Indian permittees are provided these and other ranch management and animal husbandry services.

<u>Selected Workload Factors</u>	<u>Accomplished</u> <u>FY 1980</u>	<u>Estimate</u> <u>FY 1981</u>	<u>Estimate</u> <u>FY 1982</u>
Farmers Assisted (No.):	18,600	18,900	18,950
<p>Technical services provided to users of Indian lands for needed conservation practices which will improve the Indian resource.</p>			
Ranchers Assisted (No.):	11,150	11,176	11,180
<p>Technical services provided to ranchers to improve Indian rangelands. Tech. services include proper stocking rates, location and design of water systems, location of range fences and reseeding.</p>			
Soil Inventories (M Acres):	1,600	1,402	1,500
<p>The classification of Indian lands into soil types and capabilities so that each acre will be utilized according to its potential.</p>			
Ag. Cons. Measures (M\$)	16,220	16,729	17,500
<p>Conservation measures designed to maintain or improve the Indian resource. Includes practices such as terraces, ponds, upland water wasteways and erosion control construction. Land use changes in the form of brush control, seeding, sodding and drainage are practices designed to improve the Indian resource. Funds for construction of these conservation measures are from USDA, BIA and owners and/or operators.</p>			
Rangeland Cons. Measures (M\$):	3,400	3,558	3,650
<p>Includes proper location and design of water systems, fencing, brush control and reseeding.</p>			

<u>Selected Workload Factors</u>	<u>Accomplished FY 1980</u>	<u>Estimate FY 1981</u>	<u>Estimate FY 1982</u>
Farm Management Plans (No.):	6,680	6,970	6,900
<p>A basic plan of operations which uses sound conservation practices for wise use of the Indian resource. Range site and condition and soil inventories are vital for farm management planning.</p>			
Farm Lease Stipulations Prepare (No.):	7,990	8,071	8,100
<p>The formal agreement in which the user of the Indian resource agrees to perform the specified conservation practices stipulated or otherwise utilize the resources in a manner which will either maintain or improve the Indian resource.</p>			
Compliance Action (No.):	19,000	19,916	20,000
<p>These inspections are for the purpose of performance evaluations and utilization checks to determine if the Indian resource user is in compliance with the lease stipulations or permits.</p>			
Soil Investigations (M Acres):	700	718	800
<p>These are soil surveys for special land uses. Soil problems associated with drainage, fertility, Salinity and special conservation needs are examples of need for soil investigations.</p>			
Range Permit Modification (No.):	1,550	1,577	1,600
<p>The modification of existing grazing permits that will result in an improvement to the Indian rangeland. Stocking rates may be adjusted due to changes in grazing fees, size of the grazing permit area or weather factors.</p>			

<u>Selected Workload Factors</u>	<u>Accomplished</u>	<u>Estimate</u>	<u>Estimate</u>
	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>
Range Unit Compliance Inspection (No.):	4,820	4,944	5,100

These actions are for the purpose of utilization checks to determine if the Indian resource user is in compliance with the permit requirements.

Range Inventories (M Acres):	2,100	2,273	2,473
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The classification of Indian rangelands into range site and condition classes and recommended stocking rates. Important factors in this classification are vegetative cover, soil characteristics and precipitation zones.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$ (000)	22,865	23,846	+621
(FTP)	(487)	(488)	(+1)

The increase will be utilized to: provide a Resource Planner position for the Phoenix Area Office, to provide \$150,000 for soil investigation and irrigation design criteria for the potential irrigation of Indian lands with water from the Central Arizona Project; to provide \$80,000 to the Portland Area Office to support a cooperative BIA/SCS Soil and Range Inventory on the Colville Indian Reservation; to provide \$100,000 for pest control and \$148,000 for livestock water development on Indian Reservations in western North and South Dakota and Eastern Montana; and to provide \$62,000 to cover additional salary cost increases of tribal contractors to comply with the requirement of Sec. 106(h) of P.L. 93-638.

Forestry and Fire Suppression & Emergency Rehabilitation

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

Objective: Principal objectives of the forestry program are to maximize forest productivity, and both income and employment of the Indian owners. This is achieved by employing the most modern and effective techniques for forest protection, by implementing modern inventory and management planning systems, by harvesting the full allowable annual cut with consideration of other use values and tribal objectives, and by intensifying forest development activities to eliminate backlogs, maintain accruals and enhance forest productivity.

Base Program: The Bureau's trust responsibility in forestry is extended to some 100 forested trust reservations or properties in 24 states having a commercial forest acreage of approximately 5.6 million acres that support a commercial volume of about 39.6 billion board feet and an allowable annual cut of 1.05

billion board feet. Additionally, technical assistance services are provided Alaska Native Claims Settlement Act (ANCSA) lands totaling in excess of two million forested acres.

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

Achievement of the objectives stated above is accomplished through performance of the following activities:

Forest Inventory and Plans - Encompasses aerial photography, mapping, field forest management inventories, reinventories, growth studies, allowable annual cut calculations, and all aspects of the development, preparation and/or revision of multiple-use forest management plans, including inventory analysis, environmental assessment and forest history.

Forest Development - Includes all activities of forestation and timber stand improvement that directly enhance commercial timber production on Indian lands. Forestation involves project planning, seed collection or procurement, growing or procuring seedlings, site preparation, planting or seeding, followup surveys, release cuttings and record keeping. Timber stand improvement includes project planning, inventory (stand examination, etc.), treatment priorities and prescriptions, precommercial thinning, slash treatment, fertilization and record keeping. All forest development projects are justified through conduct of benefit/cost analysis.

Forest Protection - Includes all activities engaged in protecting the forest from fire, insects, disease and trespass. With respect to fire management, protection consists of normal fire year planning, acquisition and maintenance of fire fighting equipment, fire detection systems, construction of fire breaks, hazard reduction and fire protection contracts with other agencies. Control of insects and disease encompasses all aspects of detection and evaluation, preparation of project proposals to secure funding, including project description, environmental assessment/statement and benefit cost analysis, field suppression operations, and reports. Timber and fire trespass involves field examination and survey, damage appraisal, preparation of reports, assisting in investigations, writing demand letters, and giving depositions.

Timber Sales Administration - Comprises all activities concerned with the administration and supervision of timber sales, including all aspects of sale and contract preparation (cruising, silvicultural prescriptions, appraisal, advertisement, etc.), executing and supervising contracts, marking and scaling timber, and collecting, recording and distributing stumpage receipts.

Forest Products Permits - Consists of all activities concerned with the issuance of administration of cash, free-use and special allotment timber cutting permits for a variety of products, purposes and uses.

Tribal Enterprises - Consists of technical and advisory services to tribal forestry enterprises, including Bureau funded costs of enterprise personnel participating in training or other activities designed to improve the management, efficiency or operation of enterprises.

Fire Suppression - Encompasses all activities attendant to the suppression of wildfires on or threatening forest and range lands on Indian reservations. Also included are emergency fire presuppression activities designed for the prevention of wildfires, as provided through the normal fire year planning process, and emergency rehabilitation of areas burned over by wildfires to prevent both physical and economic losses to the Indian forest resource.

Two new initiatives for intensive forest management commenced in Fiscal Years 1977 and 1978. In FY 1977 Congress provided \$5.0 million additional funding for a ten-year forest development program to eliminate backlogs of record prior to FY 1977 and \$0.5 million for timber sale administration. In FY 1978 Congress provided \$6.6 million to fund 262 new positions, primarily to improve the overall quality of timber management and increase the volume of timber harvested to the full allowable annual cut.

As a result of the expanded forest development program, reforestation accomplishments have increased from 5,367 acres in FY 1976 to over 23,000 acres in FY 1979. Only 14,449 acres were reforested in FY 80 due to the excessive drought and heat wave in the southwest. Acres thinned have increased from 31,872 in FY 1977 to nearly 51,000 acres in FY 1980. In addition to carrying out the Congressional mandate of eliminating past backlogs of forest improvement work, this increased forest development activity has provided the capability to keep current with the annual accrual of 40,000 acres of reforestation and thinning work.

The full staffing level intended by Congress for the forestry program has been achieved. To maintain staff capability at a maximum level will require a continuing recruitment effort to fill recurring vacancies resulting from personnel transfers, retirements and other attrition. The major emphasis on the use of this expanded staff capability has been to increase timber harvesting on Indian lands to the full allowable annual cut of 1.05 billion board feet. The ability to offer the full allowable annual cut and administer the attendant timber sales has been reached. Actual cutting at this level each year is now dependent on the willingness and capability of the forest products market to utilize the full amount of timber offered. In FY 1980, 723,511 MBM were harvested with a value of \$86,847,751. It is estimated that 800,000 MBM, valued at \$93,700,000, will be harvested in FY 1981, while 1,003,000 MBM, valued at \$144,319,612, will be harvested in FY 1982.

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

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

Even though there is interrelationship between all forestry program activities that cannot be precisely delineated, workload factors can generally be categorized by activity as follows:

	<u>Actual</u> <u>FY 1980</u>	<u>Estimate</u> <u>FY 1981</u>	<u>Estimate</u> <u>FY 1982</u>
<u>Forest Inventory and Plans</u>			
Allowable annual cut (MBM)	1,050,000	1,050,000	1,050,000
<u>Forest Development</u>			
Reforestation completed (acres)	14,499	19,700	20,500
Timber stand improvement completed (acres)	51,034	52,000	55,500
<u>Forest Production</u>			
Forest and range area protected (acres)	59,014,795	59,014,795	59,014,795
<u>Timber Sales Administration</u>			
Volume of timber harvested (MBM)	723,511	800,000	1,003,000
Value of timber harvested	\$68,847,751	\$93,700,000	\$144,319,612
Timber sales volume offered (MBM)	800,000	900,000	1,050,000
Timber sales contracts supervised (No.)	351	360	365
<u>Forest Products Permits</u>			
Forest Products permits issued (No.)	10,030	10,100	10,200
<u>Fire Suppression</u>			
Forest and range area protected (acres)	59,014,795	59,014,795	59,014,795
Number of fires suppressed (calendar year figures)	2,983	2,500	2,500
Acres burned - forest	18,296		
- non-forest	31,204	50,000	50,000

The following workload factors result from a combination of several forestry program activities and cannot be attributed to a single activity:

	<u>Actual FY 1980</u>	<u>Estimate FY 1981</u>	<u>Estimate FY 1982</u>
Total employment generated (MY)	7,339	8,196	10,330
Total employment income generated	\$102,746,000	\$114,744,000	\$144,620,000
Forest inventories completed/maintained (No.)	300	310	325

It is not possible to assign costs to individual workload factors because many of them are interrelated and result from accomplishment of one activity, while other outputs result from a combination of several activities. For example, employment and income generated result directly or indirectly from all forestry program activities.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Inc. (+) or Dec. (-)</u>
M\$	25,878	27,217	+1,339
(FTP)	(679)	(677)	(-2)

The following table portrays proposed cost breakdowns for the major forestry program activities:

	<u>1981 Appropriation Enacted to date</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
Forest Inventory and Plans	\$2,347.3	\$2,413.3	\$3,126.7	+ 713.4
Forest Development	7,812.0	8,029.9	8,286.2	+ 256.3
Forest Protection	4,040.6	4,149.6	4,249.9	+ 100.3
Timber Sales Administration	9,213.4	9,472.6	9,707.0	+ 234.4
Forest Products Permits	973.6	999.6	1,023.9	+ 24.3
Tribal Enterprises	12.5	13.0	23.3	+ 10.3
Fire Suppression	<u>800.0</u>	<u>800.0</u>	<u>800.0</u>	<u>-</u>
Total Requirements	\$25,200.5	\$25,878.0	\$27,217.0	+\$1,339.0

The increase in funding will allow the forestry program at the agency level to maintain its planned increases in forest development activities and to increase accomplishments in forest inventory and forest management functions where there is still need to strengthen these capabilities.

Inventories and Plans (\$713,400). Of the total increase, \$63,400 will permit maintenance of stand examination and other type inventories necessary to supplement and support intensive management activities at the agency level. The remaining \$650,000 will be used entirely in forest management inventory and planning, which utilizes continuous forest inventories (CFI) to develop management strategy and action guidelines for the plan period. CFI programs provide the necessary growth, stocking and other stand information required for calculation of allowable annual cuts and subsequent compilation of multiple-use forest management plans. On major timbered reservations, CFI programs have been established, and for the most part, are operational. A portion of the \$650,000 increase will be used to install forest inventories on reservations where forest management inventory information is lacking or deficient, and to intensify management planning on those trust properties with active CFI programs. The remainder of the increase will be utilized to obtain basic forest inventory data for management planning on Alaska Native Claims Settlement Act (ANCSA) lands. The funding level is supported by a recent study conducted by the Bureau and timber owning tribes of inventory and management planning needs on Indian forest lands and ANCSA properties. The above increase would be used entirely for all aspects of forest management inventory and planning, including aerial photography, resource mapping, field inventories, forest histories, environmental impact assessments and other such studies required to meet current standards for management planning.

The two (2) position decrease represents staffing reassessment at the Billings Area Office.

P.L. 93-638 Pay Cost Increase. The increase includes \$64,000 to cover additional salary cost increased of tribal contractors to comply with the requirements of Section 106(h) of P.L. 93-638.

Other Increases Listed Above (\$561,600). These increases will be used to support other ongoing forestry activities of timber sales administration, forest development, forest protection, forest products permits and assistance to tribal enterprises. It will provide increases in each of these key program functions to help maintain the present level of services and offset increased operating costs due to inflation. Included is a reduction of \$126,000 for a FY 1981 reprogramming action in the Portland Area Office affecting the FY 1982 base (see the Management and Administration Base Program section for details).

Water Resources

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

Objectives: The objectives of the Water Resources Program are (1) to implement the 10 year plan for review of Indian water entitlements, and (2) to assist Indians in conserving, developing and using their water resources, with particular reference to water resources problems and uses of a special nature.

Base Program:

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

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

This initiative will provide the following for each reservation:

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

The accumulations of resource base line data, utilizing the standardized criteria described in the Ten-Year Plan, will obviate the need for duplicative studies at a later time. Each reservation review will entail the collection and development of data sufficient to enable the tribe to make an informed assessment of its present and future water requirements. These studies will also provide tribal leaders with meaningful guidelines for future development alternatives. A reservation water claim package - a plan fitting tribal resources, needs, and desires - will be the end product incorporating all data collected and developed. The completed product can be used for negotiations or litigation and as a basis for more detailed planning studies.

At least 10 reservation water claims package studies will be initiated in Fiscal Year 1981. In Fiscal Year 1982 it is anticipated that an additional 16 water claims package studies can be initiated. When the program is complete, plans will have been prepared for 274 reservations. It is anticipated that the majority of these studies will be completed by contract.

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

	<u>Action FY 1980</u>	<u>Estimated FY 1981</u>	<u>Estimated FY 1982</u>
Assistance in range water developments (reservations)	11	11	11
Studies initiated (reservations)	4	10	16
Studies completed (reservations)	0	0	10
Negotiating initiated (reservations)	0	2	3

	<u>Action</u> <u>FY 1980</u>	<u>Estimated</u> <u>FY 1981</u>	<u>Estimated</u> <u>FY 1982</u>
Negotiations in progress (reservations)	5	7	10
Negotiations completed	2	0	2
<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$ (000)	5,044	6,636	+1,592
Water Policy	(4,050)	(5,550)	(+1,500)
Range Water Devel.	(994)	(1,086)	(+92)
FTP (Water Policy)	(11)	(11)	(-)

The increase represents \$1,500,000 for implementation of the Ten-Year Plan to Review Indian Water Claims; and \$92,000 for range water development. The \$1,500,000 increase will allow the water claim review process to be expanded as indicated in the workload factors. This expansion is necessary to facilitate completion of the Indian water claims review process called for by the President in his Water Policy Message of June 6, 1978. Studies for FY 82 are essential for imminent litigation activities and will provide the basis for negotiated settlements. The \$92,000 increase is attributed to additional costs of livestock water development primarily on the Navajo Reservation due to inflationary price increases.

Wildlife and Parks

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

Objectives: To assure that tribes have the financial and technical capability to responsibly enforce their laws and regulations with regard to management of fish and game resources; to promote better understanding between Indian and non-Indian citizens regarding treaty rights to fish and hunt on reservations or in treaty-covered areas; to preserve the fishery resources; to provide for continued operation of reservation hatcheries in critical-need areas; and to develop and improve recreation related programs on Indian reservations.

Base Program: The Bureau, through contracts with the tribes, provides the means whereby the tribes can maintain or initiate fish and game management operations. At present 20 tribes operate fish hatcheries which release 40 million salmon and trout fry to directly supplement the total fishery resource where both the Indian and non-Indian economy is dependent upon commercial and sport fisheries. Fish stocking programs other than salmon are also conducted on several reservations.

The Bureau through contracts provides for development and maintenance of 30 tribal fish and game conservation programs. The tribes have become more sophisticated in the approach to responsible management of their resources and are working more cooperatively with state and other Federal agencies. In many instances they are signing cooperative agreements aimed towards co-management of the resources. The tribes are developing the capability to responsibly enforce their laws and regulations against their own members, and on the lands and waters within their jurisdiction.

Workload factors:

<u>FISHERY & HATCHERY OPERATIONS</u>	<u>Actual 1980</u>	<u>Estimate 1981</u>	<u>Estimate 1982</u>
Salmonoids introduced into Puget Sound waters (MM)	22.0	28.5	28.5
Salmonoids introduced into waters surrounding Annette Island (MM)	1.7	1.7	2.0
Species preserved from extinction in Pyramid Lake (No.)	1	1	1
Fry released into Pyramid Lake (MM)	8	8	10
Fry released into Alaska waters adjacent to Annette Island (MM)	0	2	4
<u>Western Washington Fisheries Management</u>			
Tribal identification programs maintained	22	22	22
Inter-tribal organizations involved in joint-management studies	4	4	4
<u>Columbia River</u>			
Tribal regulations issued and enforced	3	3	3
Salmon run predictions shared w/State	7	7	7
Research projects directed	3	3	3
<u>Klamath River</u>			
Regulations issued and enforced	1	1	1
Research projects undertaken	1	1	2
<u>FISH AND GAME MANAGEMENT</u>			
Agreements negotiated	3	7	0
Management programs established	6	6	2
Management programs maintained	15	30	30

Wildhorse Reservoir (\$20): Existing government-owned facilities at Wildhorse Reservoir need maintenance to prevent deterioration and to protect the public's health. Minimum levels of trash collection, sewage disposal, and health hazard elimination will be provided in areas of heavy public use.

Western Washington Fish Management (\$5,500): Contracts will be executed with 21 treaty fishing tribes of Western Washington to fulfill their obligations and responsibilities, as decreed by the Federal court, in the management of treaty salmon, steelhead, and herring fisheries, coordinated (state/inter-tribal) enhancement projects, and protection of the salmonoid resources originating in waters on and near their reservations. These funds are used for fisheries management, law enforcement, and aid to tribal government. Funds under the three categories are designated exclusively for purposes of fisheries management and enforcement, communication and dissemination of related information, and identification of treaty Indian fishers. The case-area tribes directly conduct management and enhancement activities on 45 stream systems in Puget Sound and on the Washington Coast, benefitting both treaty and non-treaty fishers. The tribes regulate the fishing activities of some 1500 treaty fishers in fresh and marine waters within their usual and accustomed fishing areas.

Columbia River Fishing (\$665): A contract will be executed to enable the Yakima, Washington, Umatilla, Oregon, Warm Springs, Oregon, and Nez Perce,

Idaho, Tribes with treaty rights on the Columbia River to fulfill their responsibilities and obligations in the management and enforcement of tribal fisheries, and in the management, protection, and development of the Columbia River fisheries generally, working cooperatively with the three States and the Department of the Interior. For purposes of representation and efficiency in administration of policy and technical management responsibilities, the four tribes have formed the Columbia River Inter-Tribal Fisheries Commission. The BIA contracts with this entity to carry out these activities for the four tribes. The Commission is pursuing an active policy and technical role in the management of the Columbia River System. Substantial co-management of the fisheries resource is required by Federal Court order and Federal law through a multi-state, inter-tribal and Federal agency network. At present the maintenance of all aspects of tribal fisheries programs provides the tribes and the State with the capability to manage and regulate Indian and non-Indian fisheries within the State and to provide for fish passage to subsequent marine and terminal areas.

Klamath River (\$500): Federal monitoring and enforcement activities are necessary to regulate the anadromous fishery on the Klamath River in California pending resolution of the tribal conflict between the Hoopa and Yurok until the tribes are in a position to become self-regulating, and to provide for ecological studies necessary to promote proper management. Funds will be used for catch escapement monitoring and obtaining information for determination of numbers of fish available for harvest, spawning, biological data collection, management, salmon enhancement and field office operations. The U.S. Fish and Wildlife Service will provide the technical and biological enforcement services.

Pyramid Lake (\$900): Funds are needed for the operation and maintenance of the two hatcheries which were constructed as part of the program to restore the fishery in Pyramid Lake as mandated by the Washoe Act (P.L. 84-858) (1956). Also involved is the preservation and propagation of the cui-ui sucker, which is on the endangered species list. This hatchery will be producing 10,000,000 fish fry per year.

Tribal Priorities (\$1,649): Through this program the tribes indicate their priorities in the conducting of wildlife and recreation inventories to be utilized in the development of wildlife and recreation management plans. This also enables the tribes with fishery programs to initiate or expand their hatchery programs.

Other Fisheries Operations (\$2,158): To provide for continued operation of fish hatchery operations in critical-need areas, to develop information for scientific efforts to mitigate threats to natural fisheries, and to provide support for the continuation of regional economies that are dependent upon fishery operations. Funds are provided for operation and maintenance of Annette Island, Alaska, fish hatchery; Lummi Aquaculture program; Tulalip hatchery; and hatchery operation and maintenance, and enhancement work on the Quinault, Skokomish, Lower Elwha and Port Gamble Reservations.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$ (000)	11,541	13,170	+1,629
(FTP)	(2)	(6)	(+4)

Tribal Priorities (+\$918): The increase includes \$335,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Section 106 (h) of P.L. 93-638. Major program changes are: operation and

maintenance of the fishery in Metlakatla, Alaska, +\$63,000; operation and maintenance of two additional fish hatchery and rearing projects in the Portland Area on the Nisqually and Suquamish Reservations +\$143,000; restocking of fish in the Duckwater Reservoir on the Shoshone-Bannock Reservation, Idaho, +\$125,000, which is necessary since the U.S. Fish and Wildlife Service has shifted emphasis to protection and enhancement of anadromous fish and has stopped production of fish for the tribes to stock the reservoirs. These are operated on a put and take basis since there is no natural reproduction; Albuquerque Area +\$43,400 to start a conservation program at the Northern Pueblos Agency and to provide fishery management assistance at Nambe Pueblo; Phoenix Area +\$35,000 for one Wildlife Biologist to assist tribes in big game management, predator control, recreation planning and development, and to provide technical review of Pyramid Lake fisheries program. The remaining \$173,600 in tribal priorities is a general increase distributed over the other seven areas.

Summit Lake, Nevada (+\$85): Development of spawning program. This hatchery program was originally developed by the Summit Lake, Paiute Tribe in conjunction with the U.S. Fish and Wildlife Service on a minimal budget to produce a desired pure strain of Lahontan cutthroat trout. This program is providing approximately 40/60% of spawn needed to operate the Pyramid Lake hatcheries, as well as the restocking of the Summit Lake Tribe's own fishery at Summit Lake. Additional funds are necessary in order for the Tribe to continue to supply eggs to Pyramid Lake to carry on the fishery restoration program. This program will produce about 8,000,000 Lahontan cutthroat trout eggs, of which about 4 to 6 million will be made available to the Pyramid Lake hatchery to supplement the eggs taken from Pyramid Lake fish. This will enable that facility to utilize its full capacity in fry production. This is especially desirable since the Summit Lake operation produces a pure strain of Lahontan cutthroat trout.

Puget Sound Plan Hatcheries O & M (+\$226): To enhance existing resources and add new installations that will affect the overall fisheries habitat and to expand production at the Stillaguamish, Puyallup, Squaxin Island, and Nooksack Reservations. The present facilities exist by virtue of past fund allocations. The programs are important sources of harvestable fish production, assisting especially the existing state facilities in the perpetuation of salmon and steelhead. The expansion of the present program on the reservations will contribute to support of fishery activities throughout the Puget Sound area and will lead to a healthier fish population due to the research by fish pathologists that will be made possible by these funds.

Red Cliff & Bad River Reservations, Wisconsin (+\$100): To enable the tribes to pursue biological research in order that they can continue to carry on cooperative management of the fishery with the State of Wisconsin. The tribes have been developing a cooperative relationship with the State and other agencies, not only to protect the resources, but also to provide for development and enhancement. A fishery biologist will be hired by the tribe.

Fish Disease Control, Northwest Fisheries (+\$30): Cooperative effort with the U.S. Fish and Wildlife Service to expand the fish disease control program in the Northwest. During the process of artificial propagation, there is an inherent loss of production due to natural causes and biological pathogens. In an effort to increase the harvestable catch, it is necessary to control disease-causing agents, thereby requiring the expertise of fish pathologists. The U.S. Fish and Wildlife Service through reimbursement by the Bureau of Indian Affairs is performing the essential fish disease diagnosis and control program to assist tribal facilities.

Professional Fish and Game Biologists (+\$200): Professionals are required to provide expert technical assistance on tribal fishery resource development and administration. This will provide for three biologists to initiate these efforts, and for operational and contract expenses.

Red Lake Reservation, Minnesota (+\$70): To obtain feasibility study, including collection of biological data, to determine the advisability of renovation and reactivation of the present fish hatchery facility on the reservation. At present, the Tribe has a commercial fishery and fish processing plant on Red Lake utilizing walleye pike with natural reproduction. The Tribe wishes to explore the possibility of expanding into a whitefish fishery operation, which will contribute to the reservation economy.

OBJECT CLASSIFICATION DISTRIBUTION

The object class distribution of the \$5,217,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary (\$)</u>
Land Operations Officer	13	+1	+36,320
Clerk	4	+1	+10,963
Program Analyst	7	+1	+15,193
Resource Planner	12	+1	+26,951
Forester	11	-2	-44,972
Fish & Game Biologist	13	+3	+96,144
Fish & Game Biologist	12	+1	+26,951
Lapse		—	<u>-17,153</u>
Total Personnel Positions		+6	+150,397
Personnel Benefits			+10,528
Travel & transp. of persons			+135,630
Printing & reproduction			+20,204
Other services			+4,711,976
Supplies & materials			+138,200
Equipment			<u>+50,065</u>
TOTAL			<u>+\$5,217,000</u>

Justification of Program and Performance

Activity: Natural Resources Development

Subactivity: Minerals, Mining, Irrigation & Power

(Dollar amounts in thousands)

		1981 Appro priation Enacted <u>To Date</u>	1982 <u>Base</u>	1982 <u>Estimate</u>	Inc.(+) or <u>Decr. (-)</u>
Minerals & Mining	\$	8,077	8,112	7,950	- 162
	FTP	(18)	(18)	(20)	+(2)
Irrigation O & M	\$	5,312	5,333	6,758	+1,425
	FTP	(11)	(11)	(11)	(-)
Program Total	\$	13,389	13,445	14,708	+1,263
	FTP	(29)	(29)	(31)	+(2)

Minerals and Mining

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To provide technical, economic, and land-use data and advice to Indian landowners, and to Bureau and Department personnel who are assisting Indian owners seeking to manage and develop their mineral resources.

Base Program: This program provides for: inventory of resources; organization of minerals information; coordination with land use planning and reclamation groups; management and oversight, including economic analyses of leases and other contracts involving Indian mineral resources; a concurrent responsibility with USGS to ascertain correct amounts and to account for royalty income from Indian leases; protection of the resources. The above functions and activities of the Energy and Minerals program are increasing at a rapid rate due to the increase in prices and market demand for energy producing minerals. Because of this, more and more requests for advice and assistance concerning development of these Indian resources are being received both from BIA offices and tribal representatives.

Title to Indian lands in trust status is held by the United States, which dictates the responsibility to obtain the highest returns from resource development. Additional duties arise from our obligation to advise tribes and secure maximum self-determination input from them while assisting in the management of their resources. These duties include: detailed economic advice to tribes; technical assistance during negotiations; and maximization of benefits, which is not limited to income alone.

Benefits of Indian mineral development may include increased employment, income, and overall economic development of the reservation by direct participation in the specific production activity, or by providing goods and services to the project employees. Most developments provide employment opportunities for all available workers on a reservation.

Several reservations are very near this stage at the present time. It is estimated that approximately 250,000 Indians receive benefits from minerals operations, in the form of income, jobs, or providing contracting or supply services to the developer. In FY 79, income alone from mineral production on Indian land totalled over \$142,500,000. This income resulted from over 20,000 leases which covered 9,500,000 acres. The income figures are expected to increase rapidly in the near future as new operations now in preparation begin to produce coal, uranium, copper and molybdenum. Oil and gas operations are also continuing to increase, and the oil shale reserves on the Uintah and Ouray Reservation are standing ready to contribute to the national energy requirements when needed. This mineral development will mean financial independence for some tribes and individual members. For others it will provide a substantial contribution to their economic needs.

It is physically impossible for the people assigned to this program to perform all the ministerial functions associated with over 20,000 mineral leases. For many years, personnel in BIA Area and Agency Realty offices have assumed these administrative tasks as a part of their duties. Considering the fact that most of these people have little or no formal training in mineral development, they have performed extremely well. However, it is recognized that some form of training for these people is urgently needed. It is the intent of the newly established Central Office Division of Energy & Minerals to take the lead in providing training sessions for these Realty personnel.

Once operations commence on a mineral development on Indian land, the Conservation Division of USGS begins to supervise the field activities as technical advisors to BIA Area Office personnel. If a serious problem of noncompliance occurs, only BIA can take lease enforcement or cancellation actions, if necessary, usually as a result of recommendations from USGS.

The base program also includes the Mineral Inventory and Investigations Program, consisting primarily of work done under interagency agreements with the Bureau of Mines and the U.S. Geological Survey, with a smaller amount of funding provided to individual tribes for special studies. The information generated by this program is turned over to the tribes upon completion. It is primarily for their benefit to provide them with the information with which to form reservation management and/or development plans. They may reject development; but in any event, they must have the data at hand to support whatever decision is made. The Bureau of Indian Affairs will stand ready to assist in the implementation of these tribal decisions. The income from a project or operation which was developed from information generated by the Mineral Inventory Program will flow directly into the reservation economy.

The inventory program is composed of three phases as follows:

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

One of the primary reasons for choosing the USGS and Bureau of Mines to take the lead in performing this mineral inventory work is that these organizations are composed of highly trained geologists and engineers who do good professional work. However, with the establishment of an Energy and Mineral Resources office in Lakewood, Colorado, our ability to coordinate and assist USGS and Mines in all phases of mineral resource development will be greatly enhanced.

By October 1981, the mineral inventory program will have completed Phase I studies on 212 reservations, covering more than 32 million acres of Indian land held in trust by the Federal Government. In addition, Phase II studies investigating leads furnished by Phase I efforts, will be either completed or in progress on 22 reservation areas. Eight intensive Phase III examinations, which are investigations needed to prove the existence of commercial quantities will be either completed or in progress by that date.

Plans for FY'82 include the following Reservations:

Phase I - New Projects

Eastern and Western Oklahoma

Phase II- New Projects

Estimated 28 reservations not yet determined

Phase II - In Progress

Rosebud
Fort Berthold
Santa Ana
Acoma
Rocky Boys
Wind River
Fort Peck
Flathead

Isabella
L'Anse
Lac du Flambeau
Potawatomi
Taos
Colorado River
Duck Valley
Goshute

Papago
Pyramid Lake
Uintah & Ouray
Colville
Navajo
Tule River

Phase III - In Progress

Uintah and Ouray
Wind River
Great Lakes Reservations
Colville
Pyramid Lake

Phase III - New Projects

Estimated three reservations not yet determined

Decrease for 1982

\$
(FTP)

1982
Base

8,112
(18)

1982
Req.

7,950
(20)

Incr(+) or
Decr.(-)

- 162
+(2)

The net decrease of \$162,000 includes: a decrease of \$500,000 in contracts at the national level due to onetime projects that have been completed; increased funds at the field level of \$331,000 including funds for a Geologist at the Billings Area Office and a Petroleum Engineer at the Albuquerque Area Office; funds for increased activity in energy exploration and development at the Agency level; and \$7,000 is included to cover additional salary cost increases of tribal contractors to comply with the requirements of Section 106(h) of P.L. 93-638.

Irrigation Operation and Maintenance

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

25 U.S.C. 385 authorizes the Secretary to fix irrigation project maintenance charges with payments received to be available for use in maintaining the system for which collected and provides that moneys expended be reimbursable where the Indians have adequate funds, all under appropriate rules and regulations.

Objectives: To supplement water user collections on behalf of certain Indian land-owners in order to properly operate and maintain irrigation water delivery systems on 83 Indian irrigation projects.

Base Program: Indian Irrigation "projects" range from those comprising over 100,000 acres down to scattered units on Indian Reservations of a few acres each. The Bureau of Indian Affairs fully operates and maintains the 15 major projects, including those that contain both Indian and non-Indian land served by the water delivery system. In addition, the Bureau assists Tribes in the maintenance of systems such as those requiring heavy equipment to continue in service.

The total actual cost of operation and maintenance of Indian irrigation systems is estimated to be \$18.2 million in FY 1982. Of that total, \$11.0 million will be collected from the water users. All non-Indian landowners served and all lessees of Indian-owned land are required to pay annual assessments covering their pro-rata share of full operation and maintenance costs before they receive delivery of water. Appropriated funds in the amount of \$6.758 million will cover partial costs for certain Indian landowners. The funding sought is for (1) Indians who are financially unable to pay their assessments; (2) Indian landowners not required to pay irrigation O&M because of law or court decree; and (3) Indian owners of irrigated areas comprising subsistence units of the garden tract type. The appropriated funds requested represent about 94 percent of the estimated costs of operation and maintenance attributable to Indian lands served by Indian irrigation projects in FY 1982. The deficiency was applied proportionately to all projects. Program managers at the project level will give first priority to delivery of water to the water users. Proper maintenance will be delayed resulting in deteriorating systems. For administrative purposes, including funding, Indian irrigation projects are placed in one of the following categories:

1. Projects of a commercial nature with a full water supply and land with characteristics which will produce crops under sustained irrigation. These lands have the capability to pay the full annual cost of operation and maintenance of the systems and assessment rates are set to return the full cost.

Appropriated funds requested for projects in this category are for Indian landowner-users which the Agency Superintendent certifies are unable to pay-for social or other reasons. The amount of such payment becomes a lien against the land.

2. Projects where the land does not have the capability to pay full O&M costs. Non-Indian users are required to pay the full costs but assessment rates for Indian landowner-users on these projects are based upon the land capability.

Appropriated funds requested under this category are for (1) Indians certified unable to pay the Indian assessment and (2) that part of the total cost above the Indian assessment rate. Funds to cover costs within the assessment rate are reimbursable and become liens on the land. Funds covering costs for Indians in excess of the assessment rate are non-reimbursable.

3. Irrigated areas, such as subsistence garden tracts and tracts of a few acres which do not represent economic units, but do provide the Indian landowners with a means to supplement their livelihood.

Appropriated funds sought are non-reimbursable and when expended are not placed as a lien against the land benefitted.

4. Indian-owned lands served by a private or public irrigation district or water user association. Some of the Indian lands served are exempted by statute from paying O&M costs.
5. Projects operated by the Bureau of Indian Affairs at no cost to the Indian landowner-users as provided by legislation or court decree.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Request</u>	<u>Incr. (+) or Decr. (-)</u>
\$	5,333	6,758	+1,425
FTP	(11)	(11)	(-)

Appropriated funds are requested to cover O&M costs during construction for the Navajo Indian Irrigation Project, totaling \$2,704,300 for FY 1982, an increase of \$1,047,600 for this one major project. The remaining increase of \$385,800 is for increased costs of materials, supplies, travel and equipment at the other 82 project locations. Following is a summary of the request by category:

<u>Category</u>	<u>No. of Projects</u>	<u>\$ Requested in Thousands</u>
1	13	392.3
2	10	695.9
3	43	909.3
4	9	224.7
5	7	1831.5
NIIP	<u>1</u>	<u>2704.3</u>
Total	83	6,758.0

OBJECT CLASS DISTRIBUTION

The object class distribution for the increase of \$1,263,000 for the sub-activity is as follows:

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Geologist	5	+1	\$ + 12,266
Petroleum Engineer	12	+1	+ 26,954
Lapse			- 9,805
Total Permanent Positions		+2	+ 29,415
Personnel Benefits			+ 2,059
Travel & Transp. of persons			+ 18,000
Other services			+1,002,526
Equipment			+211,000
Total			<u>+\$1,263,000</u>

Justification of Program and Performance

Activity: Trust Responsibilities

Subactivity: Indian Rights Protection

(Dollar amounts in thousands)

		1981 Appro- piation enacted to date	1982 Base	1982 Estimate	Incr (+) or Decr (-)
Environmental Quality	(\$) (FTP)	1,242 (12)	1,245 (12)	926 (12)	-319 (-)
Rights Protection	(\$) (FTP)	15,181 (80)	15,453 (80)	18,342 (81)	+2,889 (+1)
Program Total	(\$) (FTP)	<u>16,423</u> (92)	<u>16,698</u> (92)	<u>19,268</u> (93)	<u>+2,570</u> (+1)

Environmental Quality Services

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

42 U.S.C. 4321. This is the National Environmental Policy Act which establishes policy and goals for the Federal Government to fulfill "The responsibilities of each generation as trustee of the environment for succeeding generations." Also, listed are the procedures required to achieve the policy. Primarily, this is the requirement that all proposed major Federal actions significantly affecting the quality of the human environment be preceded by an environmental impact statement.

Objective: To comply with the National Environmental Policy Act of 1969 (NEPA) when proposed actions affect or impact Indian trust lands. Other activities which are critical to the environmental function involve air and water pollution abatement, pesticides management, hazardous material management, cultural and archeological preservation and acid rain investigations.

Base Program: NEPA and various other acts such as the National Historic and Preservation Act, Fish & Wildlife Coordination Act and the Archeological Resources Protection Act require the examination of proposed actions on Indian lands to determine if they affect or impact the quality of the human environment. These activities include coal mines, oil and gas exploration, and uranium mining. When the examination or assessment indicates an impact, then an environmental impact statement (EIS) will be prepared to insure that the Indian people are aware of impacts on the environment, the resources, their cultural heritage, and social welfare. These EISs are required of BIA, are usually prepared by consulting firms, and cost approximately \$200,000 each. Funding for impact statements is not included in this request. The Environmental Quality Program includes the coordination of activities concerned with environmental concerns, cultural resources, Clean Water Act, Clean Air Act, Endangered Species Act, Toxic Substances Control Act, and other laws or regulations concerning the environment.

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

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

Of the twelve (12) full time environmental positions, five (5) are located at the Central Office and seven (7) at the area offices. Environmental work not accomplished by the above personnel includes efforts by other program staff members (minerals, forestry, real estate, etc.) in environmental examinations and reviews. Funds for those activities are provided by each program, not by this appropriation item. In addition, there are major environmental assessments or impact statements which must be contracted for, and funds for those are not included here, but are sought through supplementals, by use of related program funds, or by reprogramming requests.

Selected Workload Factors:

	<u>1980</u>	<u>1981</u>	<u>1982</u>
Environmental Examinations	48,000	47,500	51,600
" Assessments	720	700	700
" Impact Statements	8	6	2
" Reviews	430	420	440

Environmental examinations, assessments, and reviews are routine in nature. Impact statements, however, are not routine and could be required at any time. They are usually a result of mineral development on reservations and are required before any leases to commence work can be authorized. For instance, the Crow Tribe and Shell Oil Company have agreed to a coal mining lease. The EIS for this project is estimated at \$200,000 to \$250,000. Without funding included here for these types of projects, money will have to be obtained from other sources such as supplementals and could cause delays. The two EISs which are listed above are projections of what may be required in FY 82. The projects are the reclamation of the Jackpile Uranium Mine (\$175,000) and the Hoopa River fishery controversy (\$200,000).

Funding of workload by other program members who aid in the environmental review and examination process is covered by that program's budget.

<u>Decrease for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Decrease</u>
\$ (000)	1,245	926	-319
FTP	(12)	(11)	-1

Phoenix Area Office - Funding for the Phoenix Area Office was reduced for FY 1982 by \$340,000 because of the one time requirement in 1981 for an EIS for the Ak-Chin Project. The remaining budget for EQ is for staff, and associated costs, and some allowance for archeological clearances.

Navajo Area Office - Funding for Navajo has been increased for FY 1982 by \$30,000. This increase is necessary to fund two environmental positions which

are presently being funded by other programs. The positions have been filled and are currently being occupied (FY 1981).

The decrease in positions is the loss of one secretarial position (GS 5/1) in the Albuquerque Area Office. Services of other programs will be shared.

There are minor changes in other area offices as a result of adjustments for inflation of support costs.

Rights Protection

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

28 U.S.C. 2415 (Statute of Limitations) provides for action for money damages by the United States for or on behalf of a recognized tribe, band, or group of American Indians. This section also allows for money damage actions for or on behalf of an individual whose land is held in trust or restricted status.

Objective: To preserve the resources and protect those rights which the United States guaranteed the various federally recognized Indian tribes through treaty, statute or executive order. Rights Protection through its fiduciary obligation must meet whatever challenges may occur and initiate action necessary for the protection and continued viability of those rights established by law. To provide for tribes the financial ability to become involved through legal or legislative advocacy, to address all unresolved issues; i.e., water rights, fishing and hunting rights, tribal sovereignty, and to bring potentially contesting parties together on a broad scale to consider Indian rights issues on a national setting to seek areas of common interests and goals.

Base Program

Area/Agency Operations (\$6,119): The rights protection activity provides the Bureau of Indian Affairs with problem-solving staff and technical support services for the administration of the multi-billion dollar estate which the United States administers on behalf of the Nation's Indian tribes. This includes support to meet challenges to tribal rights and interest that are protected by treaty, statute, or Executive Order, as well as the initiation of those actions required of a prudent trustee to clarify the nature of and to ensure the continued viability of those rights. This activity also funds those studies and actions needed to preserve and protect Indian water rights, including water inventories necessary to support litigation. While Indian water rights are vested and protected by the 5th Amendment to the Constitution, these rights are largely unquantified. We are also involved in other activities such as hunting and fishing rights providing support whenever and wherever needed.

Where negotiated agreements are not possible, this activity provides the historical, technical, scientific, and other professional expertise needs as they arise that may be necessary for the Government to litigate challenges to Indian rights which the United States has guaranteed through treaty or statute.

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

Statute of Limitations (\$2,000): To identify, research, prepare, and file all valid claims for money damages against third parties which arose prior to 1966; and to file these claims before December 31, 1982, when the Statute of Limitations expires and to present to Congress by June 30, 1981, those claims which the Secretary of the Interior and the Attorney General deem best remedied by legislation, in order to protect Indian rights and to avoid hundreds of millions of dollars of governmental liability for failure to discharge the fiduciary responsibilities of the United States.

On March 27, 1980, Congress, recognizing the large number of identified claims on file (2,934) that still needed to be processed and that many more (5,000 estimated) potential claims remain essentially in Bureau files to be initially identified, extended the deadline for filing claims under the Statute of Limitations, 28 U.S.C. 2415, from April 1, 1980, to December 31, 1982.

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

In order to establish "prima facie" cases, programmatic surveys, appraisals, abstracting soil and range inventory, evidentiary studies and title research need to be accomplished. Because of the volume of work (approximately 54,000 cases), a certain percentage of the caseload is contracted out. Most of the work that is contracted is highly technical, such as photogrammetric surveys, biological and other various types of land appraisals.

ANCSA Site Surveys (\$1,000): The Alaska Native Claims Settlement Act was more than a settlement of aboriginal claims. A major objective of the Act was to place in the hands of the Alaska Natives the means by which they could shape their own destiny. This was accomplished through a cash settlement and the conveyance of lands to provide the opportunity for some degree of economic self-sufficiency and the continuation of their existing lifestyle. The key institutional means for achieving these objectives was the creation of regional and village corporations. The land serves a dual function. It gives Natives control over some of the lands essential to their traditional life-style and heritage. It also provides a natural resource base that can be used in support of economic development activities. Alaska's historical values derive from several historic or prehistoric periods. Sites of rich archaeological evidence of prehistoric cultures and early settlement have been located and researched in the State, particularly on the coastal areas. Remains of old Eskimos, Indian, and Aleut settlements are found throughout the State.

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

In 1980 and 1981 we estimate that 200 investigations could be completed. There should be 1200-1400 sites left to be acted on. If sufficient funds are available we could finish this effort in six years (about 1985).

Litigation Support (\$1,958): This activity provides the information and evidence gathering capability required by the United States to successfully defend the Government's position in litigation involving Indian issues, including water resources inventories necessary in water rights litigation. Much of the activity conducted in support of litigation is actually directed toward negotiated settlement of lawsuits to which the United States is a party. In some instances the United States is suing in actions brought on its own behalf or on behalf of Indian tribes; in others is a named defendant in actions brought by third parties; and in others a named defendant in actions brought against the United States by Indian tribes.

In fiscal year 1980 for example the rights protection office has provided litigation support for 61 cases. These issues ranged in cost from \$20,000 to upwards of \$1,000,000. The types of cases have ranged from trespass, property line disputes, rights-of-way, claims for allotments, river bed ownership, and hunting and fishing rights.

Attorney Fees (\$1,000): Decisions of the Comptroller General and the Court of Appeals for the 10th Circuit have ruled that it is appropriate to expend appropriated funds to enable tribes to retain independent counsel in situations in which the United States cannot afford them representation as contemplated by 25 U.S.C 175; i.e., when a conflict of interest exists.

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

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

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

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

Unresolved Indian Rights Issues (\$700): This activity continues the effort to address systematically the backlog of hundreds of unresolved issues which have been identified. These issues range from land reversion claims and disputes with minerals entry on acquired or withdrawn lands, to issues regarding pollution abatement from industrial sources and hazards posed by unsafe or marginally safe dams operated by private companies upstream from reservation lands. A system to identify, track, and expedite resolution of Indian rights is pursued at the Agency, Area, or Central Office levels. Emphasis is to seek resolution at the lowest possible level.

Rights Protection General (\$834): This element provides the Bureau of Indian Affairs Central Office professional technicians for the above rights protection activities and the funds to conduct the research, monitor the contracts, and give management direction to this effort at the national level.

Pyramid Lake (\$225): This activity develops the technical and biological information required to restore the Pyramid Lake fishery as mandated by the Washoe Reclamation Act (P.L. 84-858) (1956). The principal purpose of these funds is to continue the studies for determining the effects of various levels of toxic dissolved solids on the food chain of the cui ui, an endangered species and the Lahontan trout. This information will be critical in the Department's establishment of operating criteria for the Newlands Project and in coordinating the federal role in attempts to manage the Truckee-Carson river systems in a manner consistent with the preservation of the fishery of Pyramid Lake.

Hunting and Fishing Rights (\$1,617): This includes \$117,000 for the Klamath Tribe, who must be able to demonstrate to the satisfaction of the State of Oregon and the federal district court that it has the management and enforcement capacity to regulate its members' exercise of their treaty hunting and fishing rights in such a manner as to prevent depredation of a species. If they are unable to do so, the Tribe could become subject to regulation by the State, which in turn could lead to regulation of treaty rights out of existence. Accordingly in 1975, the Tribe established the Klamath Indian Game Commission in which it has vested primary management and regulatory responsibility. The Tribe has adopted a set of comprehensive hunting, fishing, and trapping regulations which provides for (1) a system of identifying treaty hunters and fishermen; (2) employment of a wildlife biologist to assist in management of fish and wildlife resources; (3) employment and training of four qualified enforcement personnel; (4) establishment of a tribal judicial system; and (5) regulation of tribal hunting, fishing, and trapping with regard to season bag limits, required tags and permits, areas, and species. In order to be able to participate in the present ongoing State quantification of water, the Tribe had to establish its need for minimum streamflows for cultivation of land and preservation of fish and wildlife resources. Funds are expended for four administrative personnel, four enforcement personnel, a biologist, a hydrologist, rental of three vehicles, rental of office space, and necessary supplies.

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

<u>Increase for 1982</u>	<u>FY 82 Base</u>	<u>FY 82 Estimate</u>	<u>Inc. (+) or Dec. (-)</u>
\$ (000)	15,453	18,342	+2,889
FTP	(92)	(93)	(+1)

	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Inc. (+) or Dec. (-)</u>
Statute of Limitations	2,000	3,000	+1,000
Alaska Lands Act Implementation	-0-	2,150	+2,150
Area/Agency Operations	6,119	5,858	-261

Statute of Limitations (+\$1,000): Because the deadline for filing claims has been extended from April 1, 1980 to December 31, 1982, the main thrust of this activity will be to conduct needed studies and surveys, and to research historical data, as indicated by the attorneys, to support cases filed prior to the deadline. Based on previous experience, with the approximately 54,000 cases

needed to be researched it is estimated that an additional 5,000 to 7,000 cases will be filed.

Area/Agency Operations (-\$261): The net decrease consists of increased personnel services for two Research Specialist positions, an increase of \$18,000 to cover additional salary cost increases of tribal contractors to comply with requirements of Section 106(h) of P.L. 93-638; and decreases due to tribal priority redistribution of funds and one-time expenditures that need not be carried forward.

Alaska Lands Act (+\$2,150): This increase is to implement the Alaska Lands Act (P.L. 96-487); specifically, provisions affecting the subsistence resources of Alaska Native communities (Title VIII) and administrative programs affecting Alaska Native allotments, transfer of which will be accelerated by Title IX of the Act, administration of supplemental appropriations for Native groups (Section 1413). Major activities included are:

Section 806 (+\$100): To monitor the provisions of the subsistence preference set forth in section 804 of the Act. Generally to assure preservation of rights, resources, immunities, and prerogatives to which the U.S. has committed itself by various statutes and regulations. To investigate and report on complaints that preference for subsistence uses is not adequately provided.

Section 905 Allotments (+\$1,300): To monitor the provisions of the Act for facilitating transfer of Alaska Native allotments and to provide administrative services for such allotments upon request or as required, i.e., rights-of-way, leases, timber, transfers, probate, environmental services, archeological services.

Section 1413 (+\$750): To administer grants to each of the Native group corporations established pursuant to section 14(h)(2) of the Alaska Native Claims Settlement Act and certified as a Native group.

OBJECT CLASS DISTRIBUTION

The object class distribution of the increase of \$2,570,000 is as follows:

<u>Position Title</u>	<u>Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Secretary	5	-1	\$ - 12,268
Research Specialist	7	+2	+ 39,494
Lapse			= 59
Total Permanent Positions		<u>+1</u>	<u>+ 27,167</u>
Positions Other Than Permanent			+ 37,170
Total Personnel Compensation			+ 64,337
Personnel Benefits			+ 4,503
Travel & transp of persons			+187,000
Printing & reproduction			+ 41,620
Other services			+2,086,540
Supplies & materials			<u>+186,000</u>
Total			<u>\$2,570,000</u>

Justification of Program and Performance

Activity: Trust Responsibilities

Subactivity: Real Estate and Financial Trust Services

(Dollar amounts in thousands)

		1981 Approp- riation enacted to date	1981 Base	1982 Estimate	Inc. (+) or Dec. (-)
Trust Services, General	(\$) (FTP)	904 (43)	996 (43)	1,053 (44)	+ 57 (+ 1)
Real Estate Services	(\$) (FTP)	21,877 (556)	22,989 (556)	24,324 (551)	+ 1,335 (- 5)
Financial Trust Services	(\$) (FTP)	3,133 (129)	3,335 (129)	3,503 (131)	+ 168 (+ 2)
Program Total	(\$) (FTP)	25,914 (728)	27,320 (728)	28,880 (726)	1,560 (- 2)

Trust Services, General

Authorization: 25 U.S.C. 13 (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

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

Base Program: This program provides funding for executive and managerial direction and support to trust activities, in the central and field offices, which may include all or some of the following: environmental quality, rights protection, real estate services, appraisals, land use planning, land records improvement, financial trust services, agriculture, range, soil and moisture conservation, forestry, fire suppression, minerals and mining, water resources, wildlife and parks, irrigation construction, and operation and maintenance, fish and game management, water policy implementation, cultural resources, archeological clearances and others. The funds provide for the staff of the Office of the Director, Trust Responsibilities in Washington; for Trust Protection Staff at some field locations, and Assistant Area Director positions at some areas, - for related operational expenses of those staff, and for studies or contracts that may affect all or a combination of some of the trust responsibilities programs at each location.

<u>Increase for 1982:</u>	1981 Base	1982 Estimate	<u>Increase</u>
\$ (000)	996	1,053	+ 57
FTP	(43)	(44)	(+ 1)

The net increase consists of an increase at the Fort Berthold Agency for Trust Services activities as a result of reorganization. The adjustment was made to better serve and manage trust responsibilities at that agency and to handle the increasing energy development and oil and gas increase.

An increase is also included at Albuquerque as a result of reorganization, for a secretary position, as well as for a share of the operational expenses of the Assistant Area Director's office.

There were minor decreases in this program in the Juneau, Portland, and Sacramento areas as a result of redistribution of funds based on tribal and agency priorities.

REAL ESTATE SERVICES

Authorization: 25 U.S.C. 13, (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

The Bureau of Indian Affairs' responsibility under 25 U.S.C. 13 is to provide general administration of Indian property. Additional real estate services are mandated by other codes, statutes and court decisions. Among these requirements are: approve all contracts related to services on Indian lands (25 U.S.C. 176); consent to the alienation of tribal lands (25 U.S.C. 311-328); extend periods of trust and regulate descent and partition of kinship's interest (25 U.S.C. 398); sub-surface leasing of trust lands (25 U.S.C. 396, and sub-parts a through g). Under *Seminole Nation v. United States* (316 U.S.C. 286 (1942)), the Federal Government is charged to exercise its trust responsibilities by using the "most exacting fiduciary standards." More recent federal statutes with which real estate services must interact are NEPA, Historic Preservation Act, Archeological Antiquities Act, and the Archeological Resources Protection Act of 1979.

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

Base Program

Tribal Priorities: (\$17,063,000)

The Bureau of Indian Affairs provides counseling, management, appraisal and land use planning services to individual Indian allottees and 499 Federally recognized tribes who own a beneficial interest in 51,861,675 acres of trust land.

These services are provided through 85 agency and field offices, 12 area offices and the Washington, D.C. Central Office.

Various decision making processes are arrived at through a cooperative effort with the Indian landowners for the proper utilization, development and enhancement of Indian trust lands.

Major program activities include all aspects of real property management and land resources development with the following being of primary concern:

- Surface and sub-surface leasing and modifications
- Rights-of-way grants and permits
- Land acquisitions
- Land disposals
- Partitions and exchanges of interest in lands
- Operation and maintenance of systematic land title ownership records system
- Lease and land use contract compliance monitoring
- Appraisal and evaluation services
- Land use planning
- Boundary surveys
- Land management counseling services
- Land resource inventory evaluation
- Condemnation actions

The overall aim of these interrelated activities is to provide land owners the essential data and assistance in support of the management and development of their energy, mineral and land resources.

Leasing activities alone provide a major source of income to the Indian community. \$198,372,752 was derived from farm, business, oil-gas and other mineral leases for the fiscal year ending September 30, 1979. In addition, landowners derive millions of dollars in land values from land improvement and conservation stipulations contained in leases.

New legislation, such as the "Maine Indian Claims Settlement Act," "Alaska National Interest Land Conservation Act," and the "Navajo-Hopi Settlement Act" place heavy demands on a realty staff. Large Federal projects such as the "MX Missile" and Northern Border pipeline are high priority projects which require close coordination with other Federal Agencies and tribes that may be affected and are time consuming and lengthy.

Land ownership recordkeeping becomes more complicated each day because of the heirship problem and segregated surface and sub-surface ownership. There are over 200,000 surface tracts of individually owned trust land with an average tract ownership of 10 undivided interest owners. This means there are over 2,000,000 separate undivided interests to keep track of. Ownership in some tracts is so complicated that owners own an undivided interest in which the common denominator is in the quintillionths. If such tracts were leased, some undivided-interest owners would receive a fraction of a penny. This kind of ownership either makes it impossible to develop such tracts or severely restricts the development since all owners have to be contacted.

Lease Compliance: (\$2,000,000)

Base funding of \$2.0 million will enable the Bureau to activate systematic monitoring of approximately 13,800 leases and permits on an annual basis. Terms and conditions of these leases will be enforced through these efforts. The base program will continue to provide for those inspections required to assure the integrity of the trust lands--lands which form the economic base

of both individual Indian and tribal owners. Agricultural, grazing, and associated developmental leases will be monitored (through on-site inspections and regularized central review) to ensure that the lands return to the owner at lease expiration in a condition at least equivalent to its state at lease inception and improvements mandated in the base are left intact and good repair. This combination of physical, on-site inspections and an administrative review of leases in force and effect will extend to all real estate services activities

such as oil, gas and other mineral lease production and will provide for protection of property and resources from pollution, erosion, soil depletion, livestock and other land damaging actions that can be corrected by management practices.

Appraisals: (\$200,000)

This level of funding represents no increase over fiscal year 1981 funding. It will permit a capability to meet unforeseen appraisal needs arising from emergencies and a continuance of previous efforts in producing contract appraisals and market analysis to support land use plans developed by tribes to lead to viable economic development on reservations. Approximately 200 contract appraisals and market analysis will be purchased for this amount.

Land Records: (\$1.2 million)

Funding of \$1.2 million will allow for the continued leasing of the on-line computer capability, systems maintenance, systems and related land records management training (real property management field personnel and title plant personnel will be the primary beneficiaries of this training effort) and it is estimated that these activities will require approximately \$800,000 of the above total.

The remaining \$400,000 will be utilized for contracting purposes to continue the accelerated title examination effort. These are activities which are integral to the provision of base-line data needed by real property management personnel for the preservation of the current chain of title for lands held in trust.

Externalities such as limited staff resources, the number of requests for ownership data generated by the owners of over 200,000 tracts of trust land (with an average of 10 owners of undivided interests per tract), and the continuing spiralling heirship problem have all contributed to the existing backlog of unexamined titles, which is presently estimated at 120,000. The accelerated title examination program has begun to reduce this backlog through a contracted program of title examinations and an accompanying in-house examination review capability. More timely services to both Indian landowners and lessees of trust lands has resulted when these people have requested land title information. Additional support is being provided installations through the acquisition of peripheral equipment.

Cadastral Surveys: (\$1.4 million)

There is no increase in this program from the previous fiscal year. The Bureau of Indian Affairs has been informally advised by the Bureau of Land Management that its present staffing precludes it from doing work in excess of this figure. This level of funding will provide approximately 707 miles of boundary surveys. These will be directed toward accomplishing tribally-identified survey priorities in the areas of energy and energy-related mineral development where lack of a correctly identified boundary constrains management and/or development of resources. The newly-established Inter-agency Cadastral Coordination Council, which began its efforts in fiscal year 1981, should be fully operational during fiscal year 1982, and this may (through a more efficient scheduling of survey work) lead to an increase in the number of miles of boundaries surveyed. For example, if another agency has survey work in the same general geographic area as does the Bureau of Indian Affairs, the two surveys can be scheduled in connection with each other. Administrative expenses (chiefly travel) will be reduced, with more

time devoted to actual survey of boundaries. Hence, more miles of boundary can be surveyed at any given funding level, and the current per mile cost of \$1,995 per mile surveyed should decrease. Some reduction is also expected in the backlog of 30,000 miles of boundary which require surveys.

Cultural Resources: (\$300,000)

This level of funding represents no increase over fiscal year 1981 funding. Cultural Resource fund are transferred to the National Park Service who provides archaeological clearance services to the Bureau of Indian Affairs.

Staff Operations: (\$826,000)

There is no increase in Central Office staff operations which reflects a continued effort to concentrate all available resources at the field level.

<u>Increase for 1982</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$ (000)	22,989	24,324	+ 1,335
(FTP)	(556)	(551)	(-5)
	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase (+) or Decrease (-)</u>
Tribal Priorities	17,063	17,898	+ 835
Lease Compliance	2,000	2,500	+ 500

Tribal Priorities: (+ \$835,000)

An increase of \$788,000 represents an acknowledged need by Tribal officials for additional support of all real estate activities at the field level. Also included is an additional \$47,000 to cover additional salary cost increase of tribal contractors to comply with the requirements of Section 106 (h) of P.L. 93-638.

The "Maine Indian Claims Settlement Act" provides for the acquisition of up to 300,000 acres of land, and all real estate services must be provided the new owners for developing and protecting these lands. The "Alaska National Interest Lands Conservation Act" provides for the issuance of trust patents to Alaskan Native applicants within 180 days following enactment of the legislation. Services have to be provided those owners.

Recent years have also seen a large turnover in personnel and where possible, these funds will be used for training new personnel.

Field operations show a decrease of five positions in fiscal year 1982. Three of these positions, two appraisers and a clerk typist are located in the Billings Area and two, a landscape architect and a supervisory architect are located in the Phoenix Area. The money realized from these cuts will be allocated to contracting for special tribal appraisal needs in the Billings Area and architectural and land use planning in the Phoenix Area.

Lease Compliance: (\$500,000)

The \$500,000 increase will result in approximately 600 additional leases being inspected for compliance; these will be mostly business and energy-related leases and will involve auditing of corporate books by professional personnel. Because of the nature of the work, much of the increase will

be used for contracted services; as tribal priorities are identified (such as a program for monitoring production of producing oil and gas wells), the short response time frames necessitate contracting as opposed to hiring new personnel. It is anticipated that the Southwest and the Dakotas will be primary targets of emphasis, as geological activities in these areas have intensified during the past few years.

Financial Trust Services

Authorization: 25 U.S.C. 13, (the Snyder Act of November 22, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians.

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

Base Program: Accounting for and disbursing of tribal and individual Indian monies deriving from the sale or lease of tribal resources such as land, timber, minerals and water; and the disbursement of per capita payments, judgments, awards and claims; providing for trust fund histories, research projects involving special fiscal problems, special financial reports for use in litigation cases, trust fund data for legislative acts and recommendations for the execution of the acts; investing the various revenues so as to maximize returns while still protecting the funds one hundred percent as to security and providing through an automated accounting system, monthly reports for the appropriate tribe and individual.

The following workload factors are indicated in these activities:

	<u>As of 9/30/79</u>	<u>As of 9/30/80</u>
Total invested	\$935 million	\$1,153 million
Per Annum Earnings	\$ 88.8 million	\$ 121.4 million
Tribes Services (#)	225	258
IIM Accounts (#)	212,000	230,000
 <u>Increase for FY 1982</u>	 <u>1982</u>	 <u>1982</u>
	<u>Base</u>	<u>Estimated</u> <u>Increase</u>
\$ (000)	3,335	3,503 + 168.0
FTP	(129)	(131) (+ 2)

The entire increase is for field level operations. The function of our I.S.S.D.A. field personnel is to collect and disburse funds for lands, minerals and property held in trust on behalf of Indian Tribes and Indian individuals, to fulfill the Secretary of Interior's trust responsibilities. In doing so, we have a fiduciary obligation to collect and disburse those funds in the most expeditious manner possible while maintaining a creditable files and records system. The total number of IIM accounts increases each year, and this in turn leads to a marked increase in the number of transactions involved.

Two new positions are included here: one programmer and one accountant technician, both at Sacramento. These are needed to enhance their program

through automation. Additional funds are also needed at all areas to cover ADP user charges and increased costs of supplies and mailings of required statements to account holders.

Presently, we invest on a "pool" basis all I.S.S.D.A., IMPL and contributed funds. We do not do so with tribal funds. If we did, it is estimated that substantial additional interest earnings could be realized each year. The proposal to invest tribal funds on a pool basis is on hold at present. There is a bill proposed that would have all public funds covered by FDIC funds. Until that bill may be accomplished we cannot finalize the pooling concept for tribal funds nor realize the added interest that would be possible.

OBJECT CLASS DISTRIBUTION

The object class distribution of the \$1,560,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Secretary	6/5	+ 1	+ \$ 15,496
Appraiser	11/2	- 1	- 23,236
Appraiser	11/1	- 1	- 22,486
Clerk-Typist	3/6	- 1	- 11,396
Landscape Architect	13/6	- 1	- 37,388
Supervisory Architect	12/4	- 1	- 29,645
Programmer	11/1	+ 1	+ 22,486
Accounting Technician	5/1	+ 1	+ 13,902
Lapse		—	+ <u>37,029</u>
Total Permanent Positions		- 2	- 35,238
Positions other than Permanent			+ <u>53,713</u>
Total Personnel Compensation			+ 18,474
Personnel Benefits			+ 1,293
Travel & Transportation of Persons			+ 3,000
Transportation of things			+ 1,000
Communications, Utilities and other Rent			+ 9,500
Printing and Reproduction			+ 26,000
Other Services			+ 1,434,250
Supplies and Materials			+ 63,482
Equipment			+ <u>3,000</u>
TOTAL			+ <u>\$1,560,000</u>

Justification of Program and Performance

Activity: General Management and Facilities Operation
Subactivity: Management and Administration

(Dollar amounts in thousands)

		1981 Approp. Enacted to <u>Date</u>	FY 1982 <u>Base</u>	FY 1982 <u>Estimate</u>	Increase (+) or <u>Decrease (-)</u>
Executive Direction	\$	8,525	9,184	9,562	+378
& EEO	(FTP)	(254)	(254)	(256)	(+2)
Administrative Svcs.	\$	34,652	38,234	39,870	+1,636
	(FTP)	(1,304)	(1,304)	(1,298)	(-6)
ADP Services	\$	3,838	3,840	4,190	+350
	(FTP)	(90)	(90)	(90)	(0)
Total Requirements	\$	47,015	51,258	53,622	+2,364
	(FTP)	(1,648)	(1,648)	(1,644)	(-4)

Executive Direction & EEO

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

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

Base Program: The program provides policy leadership and line management control over all Bureau programs at all organizational levels except Indian Education. The program's activities at the Central Office level include funding of the Office of the Commissioner of Indian Affairs and directly reporting staff offices, which include Public Information, Equal Employment Opportunity, Congressional and Legislative Affairs, and Bureau Controlled Correspondence.

The program also provides funding for line managers throughout the Bureau (i.e., Area Directors and Agency Superintendents), including their deputies and direct support personnel. The field line managers funded under this program are located at 12 area offices, and 85 agencies, and may have jurisdiction over several other independent locations, such as irrigation and power projects, Area Field Offices, subagencies, etc.

<u>Increase for FY 1982:</u>	<u>FY 1982 Base</u>	<u>FY 1982 Est.</u>	<u>Increase (+)</u>
\$	9,184	9,562	+378
(FTP)	(254)	(254)	(+2)

The proposed increase of \$378,000 in this element will bring about the following changes:

- (a) Because of a high turnover in Bureau line officers there is often a lack of management skills to deal with current problems. Therefore, it is necessary that training be provided to Area Directors, Superintendents and other line offices in all of the following disciplines: basic management techniques, contract management, Public Law 93-638 responsibilities, program planning and budgeting and organizational management. In addition, training will be provided in managerial use of ADP and Information Systems. This training need results from a program under the BIA Management Improvement Program which was initiated as a result of the American Indian Policy Review Commission Study. It revealed management improvement needs in several areas including an information system to aid executive direction. ADP and Information Systems training is needed to realize full potential from the implementation of the program. The total cost of providing the above training to BIA line officers and their support staff is estimated at \$75,000.
- (b) Because of the recent emphasis on decentralization, personnel at the Agency Level have increased generating a need for more support funds. Inflation has increased the need for additional funding because of greater costs of items such as travel, supplies and materials. The total cost of providing adequate Agency Level funding for the above is \$105,000. The specific amounts for each Agency were established during the local priority setting process in consultation with the Tribes being served.
- (c) The Navajo Area and Agency Offices require an increase of 1 full time permanent position and \$141,000 to provide for increased staff support costs such as travel, supplies and materials, contractual services and equipment. This level of increase was established in consultation with the Navajo Tribe.
- (d) Other Area Offices have indicated a need to provide more resources for this program and have requested \$57,000 and 1 full time permanent position over the base program amount. These changes are in keeping with the changing roles of Area Offices which requires strengthening of the Executive Direction program.

Administrative Services

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians.

Objective: To provide general administrative support to the programs which carry out the mission of the Bureau at all levels of the BIA.

Base Program: The Bureau's administrative services requirements are vital to the proper performance of functions required by federal laws and legislation. Therefore, funding is necessary for general administrative staff which support the operating programs of the Bureau. The functions performed include: general administration; property management; procurement of supplies, services and materials; contract and grant negotiation and administration; personnel management; management research, records management; mail services; and financial management. Also provided are funds for Bureau-wide intragovernmental assessments for services such as FTS, Postage and other Departmental Assessments. The significant workload factors used in this program are shown in Table I.

In FY 1981, funds (+\$275,000) were reprogrammed to Management and Administration to effect part of a reorganization of the Portland Area Office. The reorganization strengthened the Area's administrative capability primarily to carry out program reviews and evaluations, including contract performance under P.L. 93-638, and to provide better information service for the tribes, agencies and Area. Non-recurring forestry contracts permitted transfer of \$126,000. Employment Development programs were reduced \$124,000 by transferring destination services to the agencies, and \$25,000 was transferred from Facilities Management. The effects of these changes have been carried into FY 1982 and are included in the Increases and Decreases for the respective programs.

<u>Increase for FY 1982:</u>	<u>FY 1982 Base</u>	<u>FY 1982 Est.</u>	<u>Increase (+)</u>
\$	38,234	39,870	+1,636
(FTP)	(1,304)	(1,298)	(-6)

The increase in funding breaks down as follows:

	(dollars in thousands)		
	1982	1982	(+) or
	<u>Base</u>	<u>Estimate</u>	<u>(-)</u>
Field Staff (Area/Agency)	23,461	24,637	+1,176
Portland Area Reorganization	-0-	275	+275
Central Office Staff	10,683	10,683	-0-
Intra-governmental Assessments	<u>4,090</u>	<u>4,275</u>	+185
Total, Administrative Services	38,234	39,870	+1,636

Additional administrative workload is expected to be created by increased program contracting and grant administration authorized by P.L. 93-638. The areas of increased need in administration because of P.L. 93-638 contracting are training, travel, procurement of supplies and materials, etc. The passage of the Child Welfare Act has also resulted in more paper work. Additional administrative requirements have resulted from the ADP and Information System Modernization program in that more service contracts have been necessary. Improved financial reporting capabilities to aid program managers and inform tribes as to status of available Bureau funds are also necessary in FY 1982.

A portion of the increase of \$1,176,000 in Field Staff funding estimated at 20% or \$232,000 used to provide essential training to our administrative offices and staff in ADP and Information Systems Modernization as well as management techniques. Other increased costs include travel, supplies, rent and communications, and necessary equipment. The increase also includes \$14,000 to cover additional salary cost increases of tribal contractors to comply with the requirements of Sec. 106(h) of P.L. 93-638. The contracted programs include program planning and administrative functions at various locations including Miccosuki (Florida), Zuni (New Mexico), et.al. Due to shifts in staffing priorities at the Area level, a net reduction of 6 full-time permanent positions has been proposed within the overall field increase in funding.

The funding level of \$10,683,000 for the Central Office Staff remains the same as in FY 1981. It is expected that the staff will continue to maintain an effective operation of administering its Federal program to Indian people because of increased efficiency resulting from greater use of machines and contemporary management techniques.

There is an estimated increase of \$185,000 from the previous year in the funding level for the payment of Intra-governmental assessments. This level of funding will provide for the payment of intra-governmental assessments at a comparable service level to FY 1981. The allowance is for an approximately 4.5 percent average increase in rates over the estimate in FY 1981. The additional funding is broken down in the following manner:

	<u>FY 1981</u>	<u>FY 1982 Est.</u>	<u>% Increase</u>
Postage	\$1,240,000	\$1,400,000	12.9
FTS-General	1,820,000	1,820,000	0
FTS-Domestic	110,000	120,000	9.1
FTS-Overseas	160,000	175,000	9.4
GSA-Refile	270,000	270,000	0
Departmental Assessments	490,000	490,000	0
TOTAL	<u>\$4,090,000</u>	<u>\$4,275,000</u>	<u>4.5</u>

ADP Services

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Base Program: The funding in the Base Program provides continuity to the development and implementation of ADP Services and relate to (1) the preparation for and installation of area/agency computing capability; (2) the implementation of an overall management information system for use on modern computing equipment which can input and retrieve information from a centralized computer by all computer terminal units on the line; and (3) the operation of an ADP management and policy staff to implement modernization of the BIA's management information system and ADP Services Program. The ADP network concept is compatible with the recommendations of the House Investigative Staff Report (House Committee on Appropriations) and will build upon the "model" that has been tested in the Billings Area.

Approximately two-thirds of the Base Program was appropriated for the lease and installation of 12 computers and approximately 84 terminals at area/agency locations throughout the United States and Alaska. In addition, a small central computer will be leased for use by central office programmers and analysts to provide ADP development to extract, summarize and report management data from the area/agency network. Because of delays in equipment procurement, in FY 1981 the program was reduced by \$350,000 when the President's Budget was amended. Additional terminals are being installed at schools and are not included in this portion of the budget.

The computer design specification and programming for the overall information system is underway and is planned for installation in FY 1982. These computer programs primarily are intended to extract information from the operating level systems for reporting to management. New systems required for information and decision-making will also be developed, particularly for administrative requirements.

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

<u>Increase for FY 1982:</u>	<u>FY 1982 Base</u>	<u>FY 1982 Est.</u>	<u>Increase (+)</u>
\$	3,840	4,190	+350
(FTP)	(90)	(90)	(0)

The \$350,000 is the amount needed to restore the program to the level which will cover the estimated cost of the contract equipment commitment and provide for installation and operating costs for the portion of the system expected to be in place by the end of FY 1982. The new computer capability will allow for increased productivity at the tribe/agency level in several programs especially in Executive Direction and Administration. Much of the work performed by Administration is readily adaptable to the ADP process.

Object Class Distribution

The object class detail for the \$2,364,000 increase for the subactivity is as follows:

<u>Position Title</u>	<u>GS-Grade</u>	<u>No.</u>	<u>Actual Salary</u>
Auditor	11	-2	-\$ 50,980
Personnel Assistant	7	-1	- 15,200
Clerk Stenographer	5	-1	- 12,260
Secretary Stenographer	5	-1	- 12,260
Personnel Clerk (Typing)	5	-1	- 13,500
Staffing Clerk (Typing)	5	-1	- 19,950
Clerk Typist	4	-2	- 12,060
Accounting Technician	4	-1	- 12,420
Clerk Typist	3	-1	- 9,770
Superintendent Intern	13	+1	+ 32,050
Computer Systems Analyst	11	+1	+ 25,490
Position Classification Specialist	11	+1	+ 25,490
Personnel Management Specialist	9	+1	+ 19,200
Secretary Stenographer	6	+2	+ 31,000
Word Processor Operator	5	+1	+ 12,260
Permanent Positions		-4	- 12,910
Lapse			+ 33,628
Permanent Positions			+ 20,718
Other Permanent Positions			+ 120,000
Total Personnel Compensation			+ 140,718
Personnel Benefits (net)			+ 2,200
Travel and Transportation of Persons			+ 348,464
Communications, Utilities and Other rents			+ 200,000
Printing and Reproduction			+ 137,000
Other Services			+ 1,264,881
Supplies and Materials			+ 230,737
Equipment			+ 40,000
			<u>+ \$2,364,000</u>

TABLE I. SELECTED WORKLOAD FACTORS - ADMINISTRATIVE SERVICES

SELECTED WORKLOAD FACTOR	U/M	FY 1980	FY 1981 (Estimate)	FY 1982 (Estimate)
I. Fiscal Transactions Processed <u>1/</u>	No.	8,350,000	8,350,000	8,700,000
II. Procurement Actions Completed <u>2/</u>	No.	70,234	74,000	77,000
III. Contracts Negotiated:				
1. Program Contracts P.L. 93-638	No.	1,554	1,600	1,700
2. Service Contracts <u>3/</u>	No.	2,900	3,000	3,200
IV. Grants Administered:				
1. P.L. 93-638	No.	620	620	650
2. Child Welfare Act	No.	60	60	62
V. Personnel Actions Completed <u>4/</u>	No.	46,000	45,000	47,000
VI. Property Inventory Items Maintained <u>5/</u>	No.	175,000	175,000	182,000
VII. Volume of Records Maintained <u>6/</u>	Cu. Ft.	124,529	125,000	130,000
VIII. Pieces of Franked Mail Dispatched <u>7/</u>	No..	5,000,000	5,500,000	5,700,000

1/ Includes all types of intra- and inter-Bureau transactions processed during the year such as allotments, allocations, obligations, disbursements, collections, refunds, etc.

2/ This number takes into account procurement requests for acquisition of supplies, materials, property, utilities, space and other similar services used in the conduct of Bureau operated programs.

3/ Includes consultant software, construction contracts, & other program performance & service contracts.

4/ Processing of personnel actions such as accessions, promotions, separations, etc., requiring completion of SF-50.

5/ Includes only personnel property items which are maintained on the property management inventory system and are accountable to an organization element.

6/ Figure represents total volume on hand including volume created during the year, less volume transferred to Record Center or destroyed.

7/ Based on semi-annual sampling data.

Justification of Program and Performance

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

(Dollar amounts in thousands)

		1981 Approp. Enacted to <u>Date</u>	FY 1982 Base <u>Base</u>	FY 1982 Estimate <u>Estimate</u>	Increase (+) or Decrease (-)
Safety Management	\$	1,013	1,062	1,184	+122
	(FTP)	(40)	(40)	(40)	(0)
Employee Comp.	\$	3,434	4,161	4,161	(0)
	(FTP)	(0)	(0)	(0)	(0)
Total Requirements	\$	4,447	5,223	5,345	+122
	(FTP)	(40)	(40)	(40)	(0)

Safety Management

Authorizations: Public Law 91-596 is known as the Occupational Safety and Health Act of 1970. Executive Order 12196, October 21, 1980 requires that Federal Agencies to comply with Sections 6, 19, and 24 of the Act.

Public Law 89-554 (5 U.S.C. 7901-3) directs the heads of agencies to establish as services to federal employees, a health service program to promote and maintain the physical and mental fitness for employees, safety programs to promote safety and to reduce accidents and injuries among employees, and to provide and maintain personal protective clothing and equipment to employees.

The Federal Employees' Compensation Act of September 7, 1916 (39 Stat. 742, 5 U.S.C. 8101 et seq.) as amended, provides compensation for disability or death and full medical care for civilian officers and employees of the U.S. Government who suffer injuries or occupational illnesses in the performance of their duties.

Public Law 83-766 amending the Federal Property and Administrative Services Act of 1949, (40 U.S.C. 491(j)) provides the congressional policy to provide for an economical and efficient system for the transportation of government personnel and property and to assure the safety of an operator of a government-owned or leased vehicle or a privately-owned motor vehicle used on official business.

Authority for the compensation for losses due to negligent or wrongful acts or omissions of federal employees is the Federal Tort Claims Act of 1964.

The authority for the Indian Highway Safety Program is in the Federal Aid Highway Act of 1973 (P.L. 93-87) which states "that for the purposes of Indian tribes applying for Highway Safety Program funding, the Secretary of the Interior is designated as governor of the "Indian" state and that the tribes are political subdivisions of the Indian state." Bureau authority is derived from the Memorandum of Agreement between the Departments of Transportation and Interior dated May 15, 1974, implementing a Highway Safety Program on Indian reservations.

The authorities for Safety Management Technical Assistance Programs to tribes are the Snyder Act (25 U.S.C. 13) and the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450).

Objective: To provide management, direction and evaluation of Bureau Safety Management Programs.

Base Program: The base program provides funds for (1) BIA Occupational Safety and Health Program consistent with the Federal Occupational Safety and Health Program; (2) administration of the Loss Compensation Program which assures that all accidents and incidents under BIA jurisdiction are thoroughly investigated and documented including assistance to the Solicitor's Office in the prompt settlement of loss compensation claims; (3) assistance to the training of employees in their rights and benefits provided by the Federal Employees Compensation Act, as amended, and to insure that employee claims are processed accurately and promptly; (4) assurance, in time of emergency and crisis, all essential functions vital to government operations and community services are maintained and that assistance and resources are provided, to protect life and property; (5) safety training in and the monitoring of performances of the operation government owned or leased vehicles or privately owned motor vehicles on official business through the Motorized Equipment Safety Program; (6) coordination of the Indian Highway Safety Program on Indian Reservations; (7) technical assistance to Indian tribes and tribal groups on Safety Programs as requested.

The Central Office Safety Management Staff provides Bureau-wide management, coordination of programs with other Federal Agencies, evaluation of Safety Programs at the field locations, and centralized support services when economy of scale considerations are involved. Approximately \$364,000 is needed to continue the functions of the Central Office Staff.

Approximately \$698,000 is needed to continue to fund the Field Office Staff. Their responsibilities include safety program management and providing training to all Agency/Tribal Personnel.

Selected Workload Factors

<u>Workload Factors</u>	<u>U/M</u>	<u>FY 1979</u>	<u>FY 1980</u>	<u>FY 1981 (Estimate)</u>	<u>FY 1982 (Estimate)</u>
Accidents Reported	No.	1,350	1,980	2,400	2,500
Serious Accidents Investigated	No.	14	19	15	17
Safety Program Evaluated	No.	3	1	3	4
Safety Inspections Made	No.	698	20,000	9,000	12,000

<u>Workload Factors</u> con't.	<u>U/M</u>	<u>FY 1979</u>	<u>FY 1980</u>	<u>FY 1981</u> <u>(Estimate)</u>	<u>FY 1982</u> <u>(Estimate)</u>
Operators I.D. (SF-46) Issued	No.	19,700	13,500	14,000	14,000
Emergency Preparedness Plans	No.	12	15	25	30
Claims Processed:					
Injury Compensation	No.	680	790	900	1,000
Tort and Other	No.	86	55	100	100
Tort Claims Paid	\$ thou.	2,983	70	4,000	1,000
3rd Party Recoveries	\$	3,139	1,082	1,500	1,500
Tribal Highway Safety Projects Funded	No.	17	26	28	28
 Increased for FY 1982					
		<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>	
\$		1,062	1,184	+122	
(FTP)		(40)	(40)	(0)	

The increase of \$122,000 is needed to provide staff support costs for (1) more investigations on serious accidents; (2) increased safety program evaluations; and (3) an increased number of safety inspections. These activities are required as a result of Executive Order 12196 and the revised Federal Agency Occupational Safety and Health Regulations published on October 21, 1980.

Employee Compensation

Authorization: The Federal Employee's Compensation Act of September 7, (39 Stat. 742, 5 U.S.C. et seq.) as amended, provides compensation for disability or death and full medical care for civilian officers and employees of the U.S. Government who suffer injuries or occupational illnesses in the performance of their duties.

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

Base Program: The base program funding (\$4,161,000) provides reimbursement to the Department of Labor for FY 1980 charges to the Employee's Compensation Fund. Justification of the \$727,000 increase over FY 1979 appears in the "Justification of Adjustments to Base and Built-in changes" section. The increased cost is because of higher medical and incident costs as well as increased salaries of federal employees.

Object Classification Distribution

The object class detail for the \$122,000 increase for the subactivity is as follows:

<u>Object Title</u>	<u>Amount</u>
Travel and transportation of persons	+ 22,000
Other Services	+ 50,000
Supplies and materials	<u>+\$ 50,000</u>
	<u>+\$122,000</u>

JUSTIFICATION OF PROGRAM AND PERFORMANCE

Activity: General Management and Facilities Operation
Subactivity: Facilities Management

(Dollar Amount in Thousands)

		1981	FY	FY	Increase (+)
		Approp.	1982	1982	or
		Enacted	Base	Est.	Decrease (-)
		to Date			
GSA Rentals	\$	7,261	8,000	8,000	-0-
	(FTP)	(0)	(0)	(0)	(0)
Facility Operation and Maintenance	\$	75,603	79,016	84,011	+ 4,995
	(FTP)	<u>(1,645)</u>	<u>(1,645)</u>	<u>(1,642)</u>	<u>(-3)</u>
Total Requirements	\$	82,864	87,016	92,011	+ 4,995
	(FTP)	(1,645)	(1,645)	(1,642)	(-3)

GSA Rentals

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

Objective: To provide adequate space and physical facilities to effectively operate the programs of the Bureau at locations which do not have adequate Bureau-owned facilities.

Base Program: The base program includes funds for 1,210,000 square feet of GSA provided space serving Bureau programs throughout the country. The total cost of this space is estimated to be \$8,000,000 in FY 1982. These funds include \$739,000 to cover estimated rate increases with no additional space requested. The justification of the increase appears in the "Justification of Adjustments to Base and Built-in Changes" section.

Facilities Operation and Maintenance

Authority: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

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

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

perform preventive maintenance for all facilities. These include quarters, dormitories, offices, academic buildings, shops, kitchen/dining, recreation, law enforcement facilities, grounds and streets.

The Central Office Facility Management staff coordinates the Bureau's Facility Management responsibilities, deals with other Federal Agencies and evaluates performance by the field. The following functions and responsibilities range from policy development to direct assistance in implementation at the field level:

- (1) Developing and recommending Bureau-wide policies and objectives.
- (2) Developing Bureau-wide Facility Management portion of the Bureau of Indian Affairs Manual (46 BIAM), Supplementals and handbooks.
- (3) Monitoring Bureau-wide development of Facility Management program plans.
- (4) Providing management guidance and technical assistance.
- (5) Evaluating Area and Agency level performance.
- (6) Assuring compliance with Federal Regulations affecting air, water and other forms of pollution emanating from Bureau facilities.
- (7) Interfacing with the Division of Safety on a Bureau-wide Boiler Inspection program.
- (8) Coordinating training programs for craftsmen, operators, servicemen, and maintenance men.
- (9) Managing the Bureau's two-way radio communications frequency management program.
- (10) Establishing standards for the operation and maintenance of facilities including compliance with OSHA Regulations.
- (11) Performing engineering feasibility studies.
- (12) Coordinating utility conservation and energy reduction programs.
- (13) Providing tribal assistance as requested by the Tribes and Area office within its capability of technical expertise.
- (14) Managing the Emergency funds under the Facility Improvement and Repair program within budget limitations.
- (15) Providing technical back-up assistance to the Area offices and Agencies/Schools upon request.
- (16) Providing for implementation of the Facility Management Control System (FMCS) being developed under the direction of the Facility Construction and Operation Improvement Division (FCOID).

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

- (1) Program Development. Develop the Facility Improvement and Repair Programs from information submitted by the Agencies. Provide overall guidance, coordination, and technical assistance in a staff capacity to carry out the Facility Operation and Maintenance Program;
- (2) Distribution of Available Funds. Reviews, analyzes, and evaluates operation, maintenance and repair costs within the Area to assure proper execution and conformance with financial plans;

- (3) Technical Guidance and Assistance. Provides technical guidance and assistance to Agencies in the improvement, operation, maintenance and repair of physical plant facilities. Furnishes technical guidance and assistance to Indian tribes, groups and individuals as requested;
- (4) Inspection and Evaluation. Conducts periodic inspections of Agency facilities and evaluates the performance of the Agency Facility Operation and Maintenance program; and
- (5) Energy Conservation and Environmental Protection. Manages field level activities to conserve energy and protect the environment.

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

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

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

The Agencies, Schools, including off-reservation Boarding schools, and Centralized Schools facilities staff are responsible for the operation and maintenance of Bureau facilities including program management. Their primary functions include the following:

- (1) Develop the Operation and Maintenance budget based upon size and type of facilities including buildings, utilities, and grounds in conformity with policies and standards issued by the Bureau.
- (2) Provide project justifications for Facility Improvement and Repair Program and new construction program.

- (3) Provide for the safe and efficient operation and maintenance of all Bureau facilities within their jurisdiction.
- (4) Provide technical assistance within their expertise to other Agency Branches i.e., Land Operations, Forestry, Law Enforcement, Housing.
- (5) Provide technical and work assistance to the Tribes when requested and within their capability.
- (6) Operate and maintain facilities in accordance with OSHA and Environmental Protection Laws and Regulations.
- (7) Act as the Agency/School Energy Coordinator for the Bureau Energy program.
- (8) Act as the Agency/School Safety Officer when designated by the Officer-in-Charge.
- (9) Act as the Contracting Officer's Representative within their expertise and as designated by the Area Contracting Officer.
- (10) Provide an effective training program for O&M personnel in Facility Management.
- (11) Is the responsible office for the Agency/School radio communications networks.

In FY 1981, a reprogramming action was carried out to implement the Portland Area Office reorganization. The description of the action is found under the Management and Administration subactivity. A decrease of \$25,000 to the Portland Facilities Management program has been carried forward into FY 1982 and is included in the Increase section below.

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase</u>
\$	79,016	84,011	+ 4,995
(FTP)	(1,645)	(1,642)	(-3)

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

	<u>1982 Base</u>	<u>1982 Est.</u>	<u>Increase (+)</u> <u>Decrease (-)</u>
Field Facilities O&M*	72,760	78,472	+ 5,712
(Existing Facility O&M)	(70,760)	(75,810)	(+ 5,050)
(Previously Private Schools)	(2,000)	(2,000)	(0)
(New Fac. O&M)	(-)	(197)	(+ 197)
(New Direct Rentals)	(-)	(388)	(+ 388)
(638 Pay Cost)	(-)	(77)	(+ 77)
Area Office Operations**	5,813	5,096	- 717
Central Office Staff	443	443	-0-
Total Facilities O&M	<u>79,016</u>	<u>84,011</u>	<u>+ 4,995</u>

*Field Facilities O&M includes Agencies/Schools/Other Operations and Maintenance; Office of Technical Assistance and Training (OTAT); Centralized Schools; and Direct Rentals in the base amount.

**Includes Portland Area Office Reorganization initiated in FY 1981.

With the requested increase of \$5,050,000 for Field Existing Facility Operation and Maintenance, the program will be continued at a funding level of approximately 7% greater than the current year (FY 1981) estimate. This program is operated at the user level (agencies, schools). The unit cost per square foot is at approximately \$2.72 for the facilities being operated and maintained in Fiscal Year 1982. The increased funds will be used to meet the higher cost of energy (utilities), travel, transportation, construction materials, building supplies, service contracts, etc. Cost of utilities are rising at a rate of about 15 percent each year. This will amount to approximately \$3 million in Fiscal Year 1982. Construction materials, building supplies, and service contracts are also subject to inflation factors and are expected to increase approximately \$2 million.

Funds for operation and maintenance of previously private schools is continued at the FY 1981 level of \$2 million. The distribution of these funds will be based upon the same standards as applicable to Bureau owned facilities.

Funds in the amount of \$197,000 will be required for operation and maintenance of new school facilities expected to be completed in Fiscal Year 1982. These are Havasupai Day School and Red Rock Day School, Arizona; Turtle Mountain High School, North Dakota; Torreon Day School, New Mexico.

Funds for new direct rentals in the amount of \$388,000 include \$320,000 for rental of office space at the Navajo Tribal Administration Complex at Window Rock, Arizona. The office space is to be used by Navajo Area Bureau personnel.

An additional \$25,000 is to be used for direct rental of office space for the Fort Belknap Agency, Billings Area for Bureau personnel. Also \$43,000 is to be used for Bethel Agency, Juneau Area for rental of Bureau office space.

The increase includes \$77,000 to cover additional salary cost increases of tribal contractors to comply with the requirement of Sec. 106 (h) of P.L. 93-638.

A decrease of \$717,000 and 3 FTP is a result of a decrease at the Area office level for direct operations (staff costs) and field operations (programs which serve the Agency/School level). This reduction is planned as a part of the decentralization of functions and program funds to the Agency level (-\$692,000) and the Portland Area Office FY 1981 reorganization carried forward into FY 1982 (-\$25,000).

In FY 1982 it is planned to implement the Facilities Management Control System (FMCS) being formulated under the direction of Facility Construction and Operation Improvement Division (FCOID). The system will provide an automated method for the efficient and economical operation and maintenance, repair and improvement of all Bureau facilities in compliance with safety and health codes to meet Bureau goals and objectives as it relates to these facilities. This system will be used to determine the efficient and effective distribution of program funds between facility locations.

Object Class Distribution

<u>Position Title</u>	<u>GS Grade</u>	<u>No.</u>	<u>Actual Salary</u>
General Engineer	GS-12	-1	-\$ 27,850
Maintenance Engineer	GS-12	-1	- 27,850
Architect	GS-12	-1	- 17,850
		-3	-\$ 73,550
Lapse			+\$ 31,330
Permanent Positions			- 42,220
Personnel Benefits			- 2,955
Travel and Transportation of Persons			+ 200,000
Transportation of Things			+ 745,000
Communications, Utilities, and Other Rent.			+ 2,143,000
Supplies and Materials (net)			+ 129,000
Other Services			+ 1,823,175
 Total			+\$4,995,000

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

Appropriation: Operation of Indian Programs

Object Class:	1982 Base			1982 Estimate			Inc.(+) or Dec.(-)		
	Pos.	Avg.No.	Amount	Pos.	Avg.No.	Amount	Pos.	Avg.No.	Amount
11.0 Personnel compensation:									
11.1 Permanent positions 1/.....	12,256	11,239	230,209	12,245	11,244	230,401	-11	+5	+192
11.3 Positions other than permanent.	-	4,493	59,717	-	4,493	60,136	-	-	+419
11.5 Other personnel compensation...	-	357	10,952	-	357	10,952	-	-	-
Total personnel compensation...	12,256	16,089	300,878	12,245	16,094	301,489	-11	+5	+611
<u>Other Objects:</u>									
12.1 Personnel benefits.....			33,181			33,223			+42
21.0 Travel & trans. of persons.....			13,179			14,508			+1,329
22.0 Transportation of things.....			8,812			9,558			+746
23.1 Standard level users charge....			8,000			8,000			-
23.2 Commun., utilities & other rent			26,600			28,953			+2,353
24.0 Printing and reproduction.....			1,300			1,525			+225
25.0 Other services.....			268,686			291,075			+22,389
26.0 Supplies and materials.....			51,000			52,450			+1,450
31.0 Equipment.....			7,000			8,025			+1,025
32.0 Lands and structures.....			6,000			6,000			-
41.0 Grants, subsidies, & contrib...			116,295			128,303			+12,008
Total Requirements.....			840,931			883,109			+42,178

1/ The total 12,256 base positions were lapsed at an average rate of 8.31% to project 11,239 workyears. The net decrease of 11 positions is composed of an increase of 14 new positions and a decrease of 25 from base positions. It is estimated that filling new positions will require about three months or a lapse of 25% with the workyears being 10. Conversely, the reduction of base positions results in a plus lapse with a reduction of 5 workyears corresponding to the 25 decrease in positions. To accomplish a reduction in occupied permanent positions requires a reduction in force action unless it is accomplished by attrition. Either process usually takes the greater part of the year.

FY 1982
Consulting Services
Bureau of Indian Affairs

(dollars in thousands)

Appropriation: 14-2100-0-1-999

Subactivity/Program

Salaries and Expenses

Trust Responsibilities (P)

Amount

5

Description of Need

Funding required to provide expert witnesses
in the case (Pueblos) Stats vs. Aamodt

Indian Services/
Tribal Resources Dev. (P)

7

Funding required to furnish expert advice and review
proposals incident to the Bureau's initiatives in
Tribal Management Corps development, Economic Develop-
ment President's Small Community Rural Development,
and Minority Business Enterprises.

Indian Education Program (C)

8

Funding required to provide technical assistance in
IEF Development and 3rd party Monitoring of Programs.

20

Note: "P" is for personnel appointments;
"C" is for contractual services.

APPROPRIATION LANGUAGE

OPERATION OF INDIAN PROGRAMS

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) or care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order and payment of rewards for information or evidence concerning violations of law on Indian reservation lands or treaty fishing rights tribal use areas; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian art and crafts, as authorized by law; and for the general administration of the Bureau of Indian Affairs, including such expenses in field offices. [\$812,739,000] \$883,109,000 of which not to exceed [\$58,345,000] \$60,249,000 for higher education scholarships and assistance to public schools under the Act of April 16, 1934, shall remain available for obligation until September 30, [1982] 1983, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450) shall remain available until September 30, [1982] 1983: Provided, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs; and includes expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531, [\$5,498,000] \$4,852,000 to remain available until expended: Provided further, That none of these funds shall be expended as matching funds for programs funded under section 103(a)(1)(B)(iii) of the vocational Education Act of 1963 as amended by the Act of June 3, 1977 (Public Law 95-40): Provided further, That, notwithstanding the provisions of section 6 of the Act of April 16, 1934 (48 Stat. 596), as amended by section 202 of the Indian Education Assistance Act (48 Stat. 2213, 2214; 25 U.S.C. 457), funds appropriated pursuant to this or any other act for fiscal years ending September 30 of [1980] 1981 and [1981] 1982 may be utilized to reimburse school districts for up to the full per capita cost of educating Indian students (1) who are normally residents of the State in which such school districts are located but do not normally reside in such districts, and (2) who are residing in Federal boarding facilities for the purpose of attending public schools within such districts. Provided further, That funds made available for the School Disaster Contingency Fund shall remain available until September 30, 1983. (7 U.S.C. 1651-1656; 16 U.S.C. 583, 590a-590f, 594; 25 U.S.C. 13, 305-309, 309a, 318a, 381, 385, 631-640, 1481-1498; 48 U.S.C. 169, 250-250f; 29 Stat. 321; 33 Stat. 189, 595, 1048; 34 Stat. 70, 558, 1013; 36 Stat. 269, 855; 38 Stat. 582; 45 Stat. 1562, 1639; 48 Stat. 362; 49 Stat. 887; 52 Stat. 80, 707; 88 Stat. 2203; 92 Stat. 1325, 2143, 3069; 94 Stat. 929-936; Public Law 96-487; Public Law 96-126, making appropriations for the Department of the Interior and related agencies, 1981.)

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS - OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate
Program by activity:			
Direct program			
1. Education:			
(a) School operations.....	188,743	192,676	197,632
(b) Johnson O'Malley educational assistance.....	28,643	29,469	29,935
(c) Continuing education.....	45,272	51,576	54,476
2. Indian Services:			
(a) Aid to tribal government....	15,845	22,383	26,455
(b) Social services.....	82,854	90,143	96,104
(c) Law enforcement.....	25,769	30,828	34,204
(d) Housing.....	18,518	22,728	23,776
(e) Self-determination services.	42,034	50,171	54,472
(f) Navajo-Hopi settlement prog.	4,489	5,614	4,852
3. Economic Development & Employment Program:			
(a) Employment development.....	48,357	45,661	45,684
(b) Business enterprise development.....	8,145	8,732	8,755
(c) Road maintenance.....	16,640	19,753	20,659
4. Natural Resources Development:			
(a) Forestry & agriculture.....	56,913	66,470	72,271
(b) Minerals, mining, irrigation and power.....	13,274	13,431	14,708
5. Trust Responsibilities:			
(a) Indian rights protection....	19,783	16,633	19,268
(b) Real estate & financial trust services.....	19,160	26,989	28,880
6. General management & facilities operation:			
(a) Management & administration.	48,650	50,516	53,622
(b) Program support services....	4,009	4,484	5,345
(c) Facilities management.....	<u>76,265</u>	<u>85,473</u>	<u>92,011</u>
Total, direct program.....	<u>763,363</u>	<u>833,730</u>	<u>883,109</u>
Reimbursable program:			
1. Education.....	5,591	30,800	30,800
2. Indian Services.....	367	1,220	1,220
3. Economic development and employment program.....	347	800	800

Program and Financing (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate

Reimbursable Program: con't.

4. Natural resources development...	503	800	800
5. Trust responsibilities.....	209	400	400
6. General management & facilities operation.....	<u>2,876</u>	<u>6,000</u>	<u>6,000</u>
Total, reimbursable program	<u>9,893</u>	<u>40,020</u>	<u>40,020</u>
Total program costs, funded 1/	773,256	873,750	923,129
Change in selected resources (undelivered orders).....	<u>36,511</u>	<u>---</u>	<u>---</u>
10.00 Total obligations.....	809,767	873,750	923,129

Financing:

Offsetting collections from:

11.00 Federal funds.....	-4,931	-34,020	-34,020
14.00 Non-federal sources.....	-4,962	-6,000	-6,000
21.40 Unobligated balance available, start of year.....	-2,940	-5,196	-5,196
24.40 Unobligated balance available, end of year.....	5,196	5,196	5,196
25.00 Unobligated balance lapsing..	<u>2,354</u>	<u>---</u>	<u>---</u>
39.00 Budget authority.....	804,484	833,730	883,109

Budget authority:

40.00 Appropriation.....	806,551	812,739	883,109
40.01 Appropriation rescinded (P.L. 89-304).....	-1,346	---	---
41.00 Transfer to other accounts...	<u>-721</u>	<u>---</u>	<u>---</u>
43.00 Appropriation (adjusted).....	804,484	812,739	883,109
44.10 Supplemental for wage-board pay raises.....	---	5,771	---
44.20 Supplemental for civilian pay raises.....	---	15,220	---

Relation of obligations to outlays:

71.00 Obligations incurred, net.....	799,874	833,730	883,109
72.40 Obligated balance, start of year.....	292,274	192,103	286,241
74.40 Obligated balance, end of year.....	-192,103	-286,241	-388,927
77.00 Adjustments in expired accounts.....	<u>-11,693</u>	<u>---</u>	<u>---</u>
90.00 Outlays, excluding pay raise supplemental.....	888,352	719,231	779,793

Program and Financing (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate
Relation to obligations of outlays: con't.			
91.10 Outlays from wage board pay			
supplemental.....	---	5,598	173
91.20 Outlays from civilian pay			
raise supplemental.....	---	14,763	457

1/ Includes capital investment as follows: 1980, \$16,347 thousand; 1981, \$13,000 thousand; 1982, \$14,025 thousand:

Bureau of Indian Affairs

Operation of Indian Programs

OBJECT CLASSIFICATION (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate
Personnel compensation:			
11.1 Permanent positions.....	204,292	234,644	230,401
11.3 Positions other than full-time permanent.....	47,154	57,974	60,136
11.5 Other Personnel compensation..	9,149	10,833	10,952
11.8 Special personal services payments.....	<u>2,325</u>	<u>---</u>	<u>---</u>
11.9 Total personnel compensation..	262,920	303,451	301,489
12.1 Personnel benefits: Civilian..	29,691	33,443	33,223
13.0 Benefits for former personnel.	536	---	---
21.0 Travel and transportation of persons.....	10,809	13,179	14,508
22.0 Transportation of things.....	7,641	8,812	9,558
23.1 Standard level user charges...	6,727	7,261	8,000
23.2 Communications, utilities, and other rent.....	19,535	26,600	28,953
24.0 Printing and reproduction	1,116	1,000	1,525
25.0 Other services.....	296,236	268,684	291,075
26.0 Supplies and materials.....	63,205	51,000	52,450
31.0 Equipment.....	10,214	7,000	8,025
32.0 Lands and structures.....	6,133	6,000	6,000
33.0 Investments and loans.....	25	---	---
41.0 Grants, subsidies, and contributions.....	85,042	107,300	128,303
42.0 Insurance claims and indemnities	47	---	---
44.0 Refunds.....	<u>-3</u>	<u>---</u>	<u>---</u>
99.0 Subtotal, direct obligations..	<u>799,874</u>	<u>833,730</u>	<u>883,109</u>

Reimbursable obligations:

Personnel compensation:

11.1 Permanent positions.....	---	553	559
11.3 Positions other than full-time permanent.....	---	14,433	14,576
11.5 Other personnel compensation...	<u>---</u>	<u>201</u>	<u>201</u>
11.9 Total personnel compensation...	---	15,187	15,336
12.1 Personnel benefits: Civilian...	---	1,491	1,509
21.0 Travel and transportation of persons.....	---	1,015	1,130
22.0 Transportation of things.....	---	65	72
23.2 Communications, utilities, and other rent.....	---	40	40
24.0 Printing and reproduction.....	---	70	70

OBJECT CLASSIFICATION (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate
Reimbursable obligations:			
Personnel compensation:			
25.0 Other services.....	8,207	16,052	15,763
26.0 Supplies and materials.....	1,686	4,000	4,000
31.0 Equipment.....	---	100	100
41.0 Grants, subsidies & contribution.....	---	2,000	2,000
99.0 Subtotal reimbursable obligations	<u>9,893</u>	<u>40,020</u>	<u>40,020</u>
99.0 Total obligations.....	809,767	873,750	923,129

PERSONNEL SUMMARY (in thousands of dollars)

Identification code:	1980	1981	1982
14-2100-0-1-999	Actual	Estimate	Estimate
Direct:			
Total number of permanent positions.....	12,424	12,256	12,245
Total compensable workyears:			
Full-time equivalent Employment.....	15,314	15,978	15,737
Full-time equivalent of over-time and holiday hours.....	325	353	357
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
Average salary of ungraded positions	<u>\$16,417</u>	<u>\$18,090</u>	<u>\$18,271</u>

Reimbursable:

Total number of permanent positions.....	(0)	(0)	(0)
Total compensable workyears:			
Full-time equivalent employment	---	1,045	1,045

CONSTRUCTION

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Appropriation 1981\$ 100,182,000
Unobligated balance from prior year 53,088,216

Total available for obligation 153,270,216

Decreases:

Buildings and utilities \$105,578,137
Irrigation systems 35,267,429
Land acquisition 1,424,650 142,270,216

Subtotal (Unobligated Balance)..... 11,000,000

Increases:

Buildings and utilities 61,985,000
Irrigation systems 56,806,000

Total Available, Budget Estimate, 1982\$ 129,791,000

BUREAU OF INDIAN AFFAIRS

CONSTRUCTION

Analysis by Activities

Activity	Appropriation 1980	Appropriation 1981	No. of Perm. Pos.	1982 Budget Estimate	No. of Perm. Pos.	Budget Estimate 1982 Comp. w/Approp. 1981	No. of Perm. Pos.
1. Buildings & Utilities							
Appropriation.....	44,725,000	73,117,000	65	61,985,000	65	-11,132,000	---
Unoblig. bal. br't fwd.....	52,282,483	40,711,137		8,250,000		-32,461,137	
Obligation program.....	56,296,346	105,578,137		63,735,000		-41,843,137	
Unoblig. bal. carried fwd...	40,711,137	8,250,000		6,500,000		1,750,000	
2. Irrigation systems							
Appropriation.....	43,449,000	27,065,000	70	56,806,000	70	+29,741,000	
Unoblig. bal. br't fwd.....	18,521,409	10,952,429		2,750,000		-8,202,429	
Obligation program.....	51,017,980	35,267,429		54,056,000		+18,788,571	
Unoblig. bal. carried fwd...	10,952,429	2,750,000		5,500,000		+2,750,000	
3. Land Acquisition							
Appropriation.....	5,117,000*	---	---	---	---	---	---
Unoblig. bal. br't fwd.....	1,921,441	1,424,650		---		-1,424,650	
Obligation program.....	5,613,791	1,424,650		---		-1,424,650	
Unoblig. bal. carried fwd...	1,424,650	---		---		---	
Total Appropriation.....	93,291,000	100,182,000	135	118,791,000	135	+18,609,000	---
Total Unobligated br't fwd.....	72,725,333	53,088,216		11,000,000		-42,088,216	
Net Obligation program.....	112,928,117	142,270,216		117,791,000		-24,479,216	
Total Unobligated carried fwd...	<u>53,088,216</u>	<u>11,000,000</u>		<u>12,000,000</u>		<u>+1,000,000</u>	

*Includes Salt River Pima-Maricopa Settlement

BIA-134

Justification of Program and Performance

Activity: Construction, Buildings and Utilities

Authorization:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including construction of facilities to support operating programs to Federally recognized Indians.

25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act) Section 458 of this Act authorizes construction of public school facilities serving Indian children and permits expending not more than 25% of any funds appropriated for construction of previously private schools.

25 U.S.C. 631-640 Section 631 permits use of funds to construct facilities for programs serving the Navajo and Hopi Tribes.

(Dollar amounts in thousands)

	<u>1981 Appropriation Requested to Date</u>	<u>FY 1982 Estimate</u>	Inc. (+) or Dec. (-)
Educational Construction (\$000)	44,679	900	- 43,779
Advance School Construction			
Planning and Design (\$000)	1,023	560	- 463
Non-Educational Construction (\$000)	1,362	4,823	+ 3,461
Facility Improvement & Repair (\$000)	23,800	52,735	+ 28,935
(Renovation of Albuquerque Ind. Sch.)	(2,300)	(0)	(-) (2,300)
Program Management (\$000)	2,253	2,618	+ 365
October Payraise (1980) (\$000)	--	349	+ 349
Total Requirements (\$000)	73,117	61,985	- 11,132
(FTP)	(52)	(52)	(0)

Bureau construction priorities in descending order are:

- 1 - Reduce facility improvement and repair needs with emphasis on critical life safety needs;
- 2 - Consolidate underutilized facilities with a targeted net reduction of approximately 20% of the existing underutilized facilities to maximize use of existing facilities and to defer some of the mounting costs of repair, operation and maintenance;
- 3 - Replace obsolete facilities;
- 4 - Perform advance planning and design to properly identify and to timely implement the construction needs of the Bureau.

Given a background of general facility deterioration, as indicated by the results of the 1979 facilities inventory, the Bureau has concluded that repair of needed but unsafe or otherwise deficient schools and other facilities directly serving Indian people (and where the potential Federal liability for inaction is considerable), be given priority over new construction. This is true particularly with new construction that does not result in a reduction of the facility repair backlog. We also believe there are opportunities for cost savings though consolidation of facilities, either underutilized, critically unsafe, and/ or too

expensive to maintain. As an example of this, in response to Congressional direction, we are conducting a study of schools on the Navajo reservation to determine which schools can be consolidated and/or closed and which should be repaired, remodeled or replaced with new facilities.

For FY 1982 the Bureau has identified about \$400,000,000 in total facility improvement and repair costs, and about \$160,000,000 in total replacements. Included in the facility improvement and repair category of construction needs are requirements concerning energy use reduction, handicapped renovation, life safety code violations, and functional deficiencies. Also included are facilities scheduled for demolition or removal and various structures, which because of prohibitive costs to update or renovate, will be demolished and replaced. Obsolete and much-criticized law enforcement facilities at Macy, Nebraska, Rosebud, South Dakota, and Keshena, Wisconsin will be replaced.

The Turtle Mountain High School was funded for construction in FY 1981. This school will become operational during FY 1982 and will require necessary equipment and furnishings to be provided.

EDUCATIONAL CONSTRUCTION

Authorization:

Same as above.

Proposal: Plan, design and construct new school plant facilities.

Justification: It is the responsibility of the Bureau of Indian Affairs to provide adequate and safe educational facilities to eligible communities within the authority structure quoted. Schools may be Bureau operated or contract operated by tribal or similarly authorized groups. Within this proposal \$900,000 will be used to equip the Turtle Mountain High School, funded for construction in FY 1981; and \$560,000 will be used for planning and design of school facilities for which construction funds will be requested in the next Fiscal Year.

Descriptions of school projects follow:

COST
(IN THOUS.)

NORTH DAKOTA

Belcourt

Project Title: Turtle Mountain High School Equipment \$900.0

Need

Completion of the new Turtle Mountain High School, funded for construction in FY 1981, is anticipated for the fourth quarter of FY 1982. Equipment and furnishings are necessary for the school to become operational.

Description

The present school is operated jointly by the Bureau and the Belcourt Public School. A new four-year high school for 550 pupils was redesigned in FY 1980 with the construction funding requested in FY 1981. The high school ADM at the end of the 1978-1979 school year was 512 students. Enrollment is expected to increase to 550 within the next five years. Indications are that population will soon stabilize and the high school, as planned and designed, will meet the present and future needs of the reservation.

Benefits

The high school program at Turtle Mountain will be provided with adequate space for 550 pupils. The present high school space will be converted to the middle school program. Completion of the facility will provide a complete, modern educational plant for the Indian students in the Turtle Mountain Reservation community, as requested by the community residents.

Cost to Complete

Purchase and installation of equipment and furnishings for the Turtle Mountain High School will complete the construction expenditures for this project. Ordering and purchasing for the project will begin in the second quarter of FY 1982.

COST
(IN THOUS.)

BUREAU-WIDE

<u>Project Title:</u> Advance School Construction Planning and Design	\$560.0
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Need

The Bureau of Indian Affairs is responsible for providing the necessary planning, design and engineering leading to the development of technical working drawings and specifications to meet the programmatical and operational needs of those projects identified on the BIA School Construction ranking list, as published for FY 1982 in the Federal Register.

Description

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

Benefits

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

Cost to Complete

This is an on-going program, and cost will vary from year to year, based on specific projects selected.

NON-EDUCATIONAL CONSTRUCTION

Authorization:

Same as above.

Proposal: This \$4,823,000 proposal is to replace the three highest priority non-educational structures.

Justification: The Bureau is responsible for providing adequate, safe, and humane facilities for the various law enforcement programs which it maintains. Such a program will generally encompass a tribal court with administrative spaces, counseling and detention areas, and central police department facilities. Efficiency of the law enforcement operation is of major social significance to the various Indian communities.

COST
(IN THOUS.)

NEBRASKA

Macy

Project Title: Winnebago Detention Facility

\$772.7

Need

The jail facility for the Omaha Reservation is located at Macy, Nebraska, which is approximately in the middle of the Reservation. The police department headquarters, the jail, the tribal courtroom, and the judge's office are located in the same building. Repair is needed to upgrade the facility including fire alarm, egress lighting, interior doors, sewer system, plumbing fixtures, windows, interior paint, floor covering, roof repair, heating system, lighting and many other items. This repair would exceed 50% of the present value of the structure and, if accomplished, the resulting facility would still not be adequate.

Description

Construct a new law enforcement of approximately 6,000 sq. ft., to house adequate courtroom; captain and other police officers; clerk of courts; sufficient storage space; separate areas for male adults; female adults, male juveniles, and female juveniles; electrical and mechanical space; and vehicle garage. Grade surrounding area and construct necessary sidewalks and driveways. Demolish the existing law enforcement facility.

Estimated cost (6,000 sq. ft.)	\$615,200
Project design	40,000
Demolish existing facility	3,000
Supervision and contingencies	<u>114,500</u>
Total cost estimate	\$772,700
(Based upon cost/SF, similar structures and location)	

The design contract will be awarded in early October 1981 and is scheduled for completion in February 1982. Construction is scheduled to start in March 1982. Land is available for construction and further permits or clearances are not required.

Benefits

The proposed new facility will allow more efficient operation of both the police department and the court system, bring the detention facilities up to the required codes, provide needed space for proper counseling, provide facilities for care of small children held for social or parental implications, and separate the younger people from the adult influence.

The construction of this facility will serve to efficiently add to the services provided by the police department and the court system. The capability of being able to keep the juveniles on their home reservation while being counseled will be of significant benefit to the entire community.

Cost of Completion

Total cost of the project is \$772,700. No further cost is anticipated for buildings, site improvements, or utilities. Matching or supplementary funds are not available or required.

Annual estimated cost for Operation and Maintenance is \$34,000.

COST
(IN THOUS.)

SOUTH DAKOTA

Rosebud

Project Title: Rosebud Law Enforcement Facility \$1,785.3

Need

The Department is maintained by a staff of 31 employees - 14 BIA employees and 17 Tribal employees. The employees are: 1 chief of police, 17 police officers, 6 radio operators, 5 jailers, and 3 clerks. The tribal judge and his staff are also housed in the building.

The existing law enforcement facility consists of a cell block, with a maximum security cell, drunk tank, and 4 cells for men and 2 cells for women. There is one shower in the office area. There is no juvenile detention facility, therefore the juveniles are housed with the adults which violates the Civil Juvenile Code.

The court room is inadequate because the Judge and attorneys must enter through the spectators' entrance and there is no provision for a jury. The existing offices were converted from the jailer's quarters and garage area. They are not sufficient in size and are not properly located or heated.

The location of the building is in an extremely crowded area with the fire station, ambulance service, and Tribal Community Health Representative on three sides and a dead-end street terminating at the Municipal Center.

Description:

Construct a new 13,000 sq. ft. concrete and masonry law enforcement facility which will consist of 10 offices with a receptionist area, conference room, communications room, squad room, booking area with testing equipment, vault and evidence storage rooms, weapons and equipment storage, and kitchen and dining room with food storage area. The facility will contain a court room with a jury box, a room for each of the two attorneys, and two for the judge. It will have a maximum security cell, drunk tank, cells with capacity for 30

males, 20 females and detention facilities for 10 juvenile boys and 10 juvenile girls. Garage facilities for law enforcement and rescue vehicles plus storage space for tires and related equipment will also be provided.

Costs for the facility are estimated as follows:

Estimated cost (13,000 sq. ft.)	\$1,505,300
A-E design	75,000
Demolish existing building	20,000
Supervision and Contingencies	<u>185,000</u>
Total cost estimate (Based on cost/SF similar structures and location)	\$1,785,300

The design will be awarded in October 1981 with scheduled completion in March, 1982. A construction start is anticipated in April, 1982. Land is available for construction. Further permits or clearances are not required.

Benefits:

A new structure, as proposed, will conveniently house the functions of the court, a police system, and prisoner facilities. Efficiency of each function will be measurably increased as will the benefits to the entire community.

Cost of Completion:

Total cost of the project is \$1,785,300. No further costs or expansions are anticipated for building, site improvements, or utilities. Matching or supplementary funds are not available or required.

Annual estimated cost for Operation and Maintenance is \$90,000.

WISCONSIN

Keshena

Project Title: Menominee Court House Complex \$2,265.0

Need:

Court and detention facilities at this location are inadequate and in violation of building and safety codes. Inmates are presently housed in makeshift spaces in the basement of the structure.

There are no options available. The structure is too expensive to renovate and additions would not alter the unsatisfactory existing space.

Description:

This project consists of a courtroom and holding facility to replace the present inadequate, makeshift facility. The building will house holding cells, exercise room, kitchen and food service area, general storage, juvenile detention, counseling room, communications room, court room, judges offices and support facilities, utilities and site improvements. Costs are as follows:

Court and Holding Facility (19,660 sq. ft.) (including site and utilities)	\$1,920,565
A-E Design	115,235
Supervision and contingencies	<u>229,200</u>
Total project cost estimate (Based upon costs/SF, similar structures & location)	\$2,265,000

Design is scheduled for completion in April, 1982, with the design contract awarded in October, 1981. A construction start is anticipated in May, 1982. Land is available for construction. Further permits or clearances are not required.

Benefits:

Adequate court space will allow a more efficient court operation with better security control. The juvenile detention section will be constructed to Civil Juvenile Code while providing needed area for proper counseling, care of small children held for social or parental implications, and separating the young people from the adult influence.

The construction of this facility will serve to efficiently add to the services provided by the police department and the court system. The capability of being able to keep the enforcement of the laws and the court trials on their home reservation will be of significant benefit to the entire community.

Cost of Completion:

Total cost of the project is \$2,265,000. No further costs or expansions are anticipated for buildings, site improvements, or utilities. Matching or supplementary funds are not available or required.

Annual estimated cost for Operation and Maintenance is \$98,000.

FACILITY IMPROVEMENT AND REPAIR

Authorization:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including the repair, renovation and improvement of facilities to support operating programs to Federally recognized Indians

Proposal: Within this \$52,735,000 proposal are funds for the design and actual accomplishment of essential facility repair and for improvement at various sites within the responsibility of the Bureau. Included are needed repair tasks; updating buildings and utilities to correct existing functional or unsafe and/or unsanitary conditions; and bringing various structures up to the regulatory requirements for energy conservation and the handicapped.

Justification:

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

Repair projects were selected by an Intra-Departmental Steering Committee from the FY 1979 inventory survey at sites with critical safety violations. An annual boiler inspection program has been implemented and funds are necessary for their repair or replacement for continued safe operation. Funds are included under advance design to facilitate obligation of future year repair and improvement funds.

COST
(IN THOUS.)

Project Title: Facility Improvement and Repair Program \$52,735.0

Need:

(See Justification above)

Description:

Projects (Outlined below)		46,735.0
Functional Deficiencies	\$ 20,051.0	
Requirements for the Handicapped	2,156.0	
Energy Conservation Program	4,237.0	
Safety	6,380.0	
Environmental Protection	5,016.0	
Consolidation/Demolition	\$ 8,895.0	
Emergency Repair		1,500.0
Boiler Repairs		1,500.0
Advance Planning & Design		3,000.0
		<u>\$52,735.0</u>

Outline of proposed expenditures by Area and Improvement and Repair Category:

Area	Demolition and Renovation	Energy	Handicap	Regular	Safety	Environ.
Aberdeen	-0-	1,321,578	500,825	5,191,519	857,090	28,438
Albuquerque	943,130	116,165	16,595	614,015	248,925	66,380
Anadarko	646,332	57,980	32,904	506,745	203,944	1,450
Billings	227,383	208,837	12,285	393,104	393,100	49,138
Eastern	499,380	123,424	288,585	476,157	200,564	35,890
Juneau	721,900	324,855	288,760	1,299,420	794,090	180,475
Minneapolis	226,157	3,487	3,487	73,227	55,792	-0-
Muskogee	1,002,655	29,621	38,721	512,853	189,325	10,294
Navajo	2,959,683	1,836,913	712,523	9,668,165	1,241,480	4,361,815
Phoenix	1,501,620	155,340	181,230	1,035,600	2,122,980	181,230
Portland	128,960	52,500	78,825	226,015	52,550	94,590
Sacramento	37,800	6,300	1,260	54,180	20,160	6,300
Totals:	8,895,000	4,237,000	2,156,000	20,051,000	6,380,000	5,016,000
% of Programs:	19	09	04	43	14	11

Benefits:

The program provides needed repair, reduces the inadequacies of the facilities, corrects unsafe and unsanitary conditions, and reduces the level of energy consumption. Primary concern will continue to be the correction of life safety deficiencies in Bureau Facilities and increased utilization of facilities through consolidation and/or demolition of underused facilities.

It is the Bureau's goal to reduce its facility stock in the next few years by approximately 5-6 million square feet of unrepairable and/or underutilized space. The consolidation and demolition contained in this program will reduce the net square feet by approximately 300,000 square feet. With the FY 1980 closing of Chilocco, 476,826 square feet; and Seneca, 131,927 square feet; the subsequent FY 1980 closing of Fort Sill, 184,967 square feet; and Stewart, 366,245 square feet; the total reduction will be 1,460,975 square feet. This reduction represents 24 percent of the goal.

Inspections of high pressure vessels are funded through the Department's Facility Construction and Operation Improvement Division, a unit funded under the Office of the Secretary's budget. Annual inspections are made on 2,600 boilers and 500 L.P. tanks located at 215 sites. The \$1,500,000 described herein will cover actual repair and/or replacement costs of this equipment.

Funds for advance planning and design will be used to provide for the completion of project working drawings and specifications in advance of the proposed construction fiscal year. It will improve the rate of obligation because the construction contracts can be awarded in the first and second quarters of the fiscal year. In addition, projects can be coordinated to minimize classroom disruption, allow for climactic differences (for example, Alaska has an extremely short construction season), and provide for modifications required by curriculum changes.

Cost of Completion:

Total cost of the outlined program is \$52,735,000. Because of expected inflation and a deterioration rate of approximately \$35,000,000-\$40,000,000 per year, the total repair backlog will still be in the vicinity of \$400,000,000 at the end of FY 1982; but for the first time the program will stabilize the facility repair situation, while providing a reduction of the most critical items in the backlog.

PROGRAM MANAGEMENT

Authorization:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including construction of facilities to support operating programs to Federally recognized Indians.

25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act) Section 458 of this Act authorizes construction of public school facilities serving Indian children and permits expending not more than 25% of any funds appropriated for construction of previously private schools.

25 U.S.C. 631-640 Section 631 permits use of funds to construct facilities for programs serving the Navajo and Hopi Tribes.

Proposal: Expenditures of \$2,967,000 (including \$349,000 for October 1980 pay raise) are estimated for the purpose of providing program management, engineering, architectural and related technical and contractual services for the design and construction of new facilities and the major repair, rehabilitation and improvement of existing buildings and utilities. Contained within the \$2,967,000 is \$365,000 transferred as a base shift from Education funds (Operation of Indian Programs account) for directly related program management costs.

Justification:

It is the responsibility of the Bureau to provide adequate and safe facilities to eligible Indian Communities. Management and accomplishment of this responsibility requires personal services, equipment, travel, management and accountability systems, and general logistical needs.

Justification of Program and Performance

Activity: Irrigation Systems

(Dollar amounts in thousands)

	<u>1981 Appropriation Requested to Date</u>	<u>FY 1982 Estimate</u>	Incr.(+) or Decr.(-)
Navajo Indian			
Irrigation Project	11,480	5,116	- 6,364
Ak Chin Project	10,000	27,100	+17,100
Fallon Project	2,000	4,000	+ 2,000
Other Irrigation			
Projects	780	11,000	+10,220
Dam Safety Program	-0-	7,200	+ 7,200
October Pay Raise (1980)	-0-	490	+ 490
Surveys and Investi-			
gations	1,119	-0-	- 1,119
Engineering and			
Supervision	<u>1,686</u>	<u>1,900</u>	+ 214
	<u>27,065</u>	<u>56,806</u>	<u>+29,741</u>

Program Summary

The budget estimate of \$56,806,000 will provide \$27,100,000 for implementation of the Ak Chin Water Settlement Act (P.L. 95-328; 92 Stat. 409); \$4,000,000 for Fallon to implement P.L. 95-227 (92 Stat. 455); and \$25,706,000 for construction of other Indian irrigation projects and performance of the Bureau of Indian Affairs safety of dams program.

Program Goals

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

Justification

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

The President, in his water policy message of June 1978, pledged to increase Indian water development in conjunction with the emphasis on quantification of Indian rights to the use of water. To implement that policy, the FY 1982 request contains \$8.4 million earmarked for water resource projects or distinct units which can be completed in 1-2 years and where the total federal investment annually will not exceed \$10-15 million.

In addition, funding is requested to implement two projects mandated by legislation (Ak Chin and Fallon). The level of funding for the Navajo Indian Irrigation Project of \$5,116,000 will provide only for completion of on-going construction. No funding for contracts for Block 6 or for commencing any other project feature are proposed pending Administration agreement on final project scope.

The request for the Bureau of Indian Affairs safety of dams program includes \$1.5 million for inspections and evaluations and \$5.7 million for rectifying structural deficiencies previously found during field inspections.

Due to legislative and Departmental mandates, the irrigation funding priority system could not be applied in formulation of the FY 1982 budget. The system was developed to provide an objective basis for funding projects that are in need of rehabilitation and provide a livelihood for many reservation residents. No rehabilitation funds are requested in FY 1982.

Individual project and item justifications are presented following the summary of requested funding.

SUMMARY OF IRRIGATION CONSTRUCTION PROJECTS

PROJECT TITLE	FY 1982 REQUEST
<u>a. Irrigation and Power Construction and Rehabilitation</u>	
<u>ARIZONA</u>	
Ak Chin	\$27,100,000
Cocopah	1,250,000
Fort McDowell	500,000
Fort Mojave	2,200,000
White Mountain Apache (Canyon Day)	1,500,000
 <u>IOWA</u>	
Omaha (Blackbird Bend)	900,000
 <u>NEVADA</u>	
Fallon	4,000,000
 <u>NEW MEXICO</u>	
Navajo Indian Irrigation Project	5,116,000
 <u>NORTH DAKOTA</u>	
Standing Rock Sioux	1,000,000
 <u>SOUTH DAKOTA</u>	
Cheyenne River Sioux	500,000
Crow Creek Sioux	550,000
Lower Brule Sioux (Grass Rope)	<u>2,600,000</u>
Total Projects	\$ 47,216,000
 <u>b. Safety of Dams</u>	 7,200,000
 <u>c. Engineering and Supervision</u>	 2,390,000
Total Request	<u><u>\$ 56,806,000</u></u>

BUREAU OF INDIAN AFFAIRS
Irrigation Construction Projects
Fiscal Year 1982

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

Arizona

Project: Ak Chin \$27,100,000

Need:

The Ak Chin Water Settlement Act (P.L. 95-328 of July 8, 1978; 92 Stat. 409) specified a rigorous schedule for implementation. A July, 1979 report of the United States Geological Survey concluded that a water supply exists in each of three Basins underneath nearby Federal lands adequate to provide the prescribed 85,000 acre feet per year for a 25-year period. The Secretary entered into a contract with the Ak Chin Indian Community on May 20, 1980 to carry out provisions of the Act. An environmental impact statement will be completed during FY 1981 followed by commencement of construction.

The \$10.0 million provided in FY 1981 was for the Reservation link of the project which would be the same delivery system regardless of source(s) of water.

Description:

15 miles of conveyance system and appurtenant facilities	\$16,700,000
13 wells, pumps, and collection system	5,400,000
Initiate electrical system facilities	4,500,000
On-reservation well operation (as provided in contract of 5/20/80)	<u>500,000</u>
Total	<u>\$27,100,000</u>

Benefits:

The legislative settlement was made to avoid lengthy and costly litigation. The Ak Chin Community faced an emergency due to the rapidly declining groundwater level beneath the Reservation caused largely by increased non-Indian pumping adjacent to the Reservation. The Ak Chin Community relies upon its irrigated tribal farm to support tribal programs. Deliveries of water from the Central Arizona Project will reduce the amount needed to be pumped from the off-reservation well field.

Cost to Complete:

The estimated costs to complete based upon December 1979 prices are:

FY 1983	\$23.4 million
FY 1984	10.0 million
FY 1985	7.4 million

Project: Cocopah

\$1,250,000

Need:

By Federal Court Decree in 1973 and P.L. 93-320 in 1974, the Cocopah Tribe acquired title to approximately 1,230 acres (commonly referred to as the accreted area) adjacent to the West Cocopah Indian Reservation. This area can provide significant economic opportunities for the 400 Cocopahs residing on the original reservations which contain less than 450 acres of irrigable land. The Tribe has prepared development plans for irrigated intensive agriculture on the recently acquired lands.

Description:

Drilling and equipping three wells	\$300,000
On-farm development & clearing and leveling	950,000
	<u>\$1,250,000</u>

Benefits:

The land acquisition has provided a means to strengthen the economic base and improve the life-style. The Cocopah Project with the readily available water supply, and the nearly year-long growing season is one of the most feasible anywhere and is in the highest grouping on the irrigation funding priority system.

Cost to Complete:

The estimated cost of development based upon December 1980 prices is \$2.9 million with the remaining \$1,650,000 proposed for funding in FY 1983.

Project: Fort McDowell

\$500,000

Need:

A block of 1,000 acres of practicably irrigable Indian owned land is located on the Fort McDowell Indian Reservation. All of this land is located above the floodplain of the Verde River and is suitable for irrigation. Water would be pumped from the Verde River to serve the area with sprinkler irrigation systems. Development of this acreage is critical to the maintainance of a permanent tribal homeland on the Fort McDowell Reservation.

Description:

Main Delivery System	\$500,000
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Benefits:

This will enable the tribe to utilize some of its water resource for tribal benefit.

Cost to Complete:

The total completion cost is estimated to be \$2.2 million in December 1980 dollars with the remaining \$1.7 million proposed for funding in FY 1983.

Project: Fort Mojave

\$2,200,000

Need:

The 1964 Supreme Court decree in Arizona v. California provided Colorado River water rights for Fort Mojave lands. Appropriated

funds have never been provided to assist the tribe in irrigation development. Through long-term development leases and private financing, the tribe has placed most of the irrigable area into production. The tribe has prepared plans to develop an additional 4,500 acres as a tribal farm enterprise. This project is for 1,250 acres near the River. Fort Mojave relies upon income from irrigated agriculture to finance tribal programs and government.

Description:

River Pump Station	\$ 300,000
Canal and Pipeline	1,200,000
Land clearing, grubbing and leveling	700,000
Total	<u>\$2,200,000</u>

Benefits:

The frost free season ranges from 220-300 days providing for a wide range of suitable crops including permanent crops such as deciduous trees, nut trees, and grapes. With such suitable climate and the readily available and assured water supply, the benefit/cost ratio exceeds 1:1 on the basis of direct benefits only.

Cost to Complete:

The proposed funding will complete this project.

Project: White Mountain Apache (Canyon Day Unit) \$1,500,000

Need:

The White Mountain Apache Tribe has established a Tribal Farm enterprise to provide hay and grain to tribal livestock owners. This is an effort to balance summer grazing and winter feeding for the livestock economy. In addition, local production saves the costs of hauling hay to the reservation.

The Canyon Day Unit of 4,000 net productive acres is the largest block of undeveloped irrigable land on the White Mountain Apache Reservation. Its full development requires storage which can be provided adjacent to the irrigable lands near the confluence of the North Fork and East Fork White Rivers. A reservoir storing approximately 10,000 acre-feet of winter and spring run-off will provide a firm summer water supply benefitting the entire 4,000 acres. The structure will be built so that a low-head hydroelectric generating plant could be incorporated at some later date to provide electricity for the on-farm irrigation water distribution system.

During FY 1980 and 1981, on-farm development of 775 acres in this unit was accomplished through reprogramming and tribal funding. When the firm water supply becomes available, the Tribe plans to gradually place the remainder of the unit into crop production utilizing other sources to finance those on-farm costs.

Description:

Outlet Structure and Spillway	\$1,500,000
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Benefits:

Feasibility of irrigating the Canyon Day area has been recognized and recommended since 1913. Alfalfa and small grain grown locally will be sold to Indian livestock owner/operators at a cost adequate to pay the costs of production and a small return to the Tribe. Supplemental winter feed is a premium product on the Reservation. Its availability at reasonable cost will increase beef production and relieve pressure on the winter range. The benefit/cost ratio of the unit is 1.3 to 1 based upon direct benefits only using 7 3/8 per cent interest, a 20-year life for sprinklers, pumps and electrical items, and a 50-year life for pipeline and structures.

Cost to Complete:

Cost of the dam and reservoir is estimated to be \$4.2 million based upon December 1980 prices with the additional \$3.1 million proposed for funding in FY 1983. We do not anticipate requesting irrigation construction funding after FY 1983 for this unit.

Iowa:

Project: Omaha (Blackbird Bend Unit) \$900,000

Need:

On January 15, 1980 the Eighth Circuit Court of Appeals (on remand from the Supreme Court) settled title in the Omaha Indian Tribe of Nebraska to some 2,100 acres of rich Missouri River bottom farm land now in the State of Iowa. Approximately half of the area has only one inhibitory factor to raising bumper crops of corn and soybeans - that is, the sandy soil profile of the river-deposited alluvium has a low water holding capacity. Application of irrigation water (which is readily available in abundance from shallow wells) is vital to attainment of the lands' productive potential.

Description:

Shallow wells with pumps	\$350,000
On-farm development (center pivot sprinklers and related costs)	<u>550,000</u>
	<u>\$900,000</u>

Benefits:

Availability of irrigation water on an as-needed basis will quadruple the corn yields from 50 bushels per acre to 200 bushels per acre thus providing stable, longlasting economic development to the Omaha Tribe utilizing their land and water resources. The benefit/cost ratio using January 1981 prices and 7 3/8 per cent interest is 1.03 to 1.

Cost to Complete:

This proposed funding will complete facilities to serve the critical portion of the Blackbird Bend Unit.

Nevada:

Project: Fallon

\$4,000,000

Need:

The Secretary was directed in P.L. 95-337 (92 Stat. 455) to make as his first priority construction of works to serve the land added to the Fallon Indian Reservation by the Act and needed improvements to the existing irrigation system. The total cost of the improvements was estimated to be \$7.0 million at 1979 prices.

Plans and specifications for the mandated facilities were prepared during FY 1980. During FY 1981 the Indian conveyance canal into the reservation and initial drainage will be completed with the \$2.0 million provided.

Description:

Distribution System including structures	\$2.5 million
Drainage	0.5 million
Subjugation (on-farm clearing and leveling)	<u>1.0 million</u>
	\$4.0 million

Benefits:

Implementation of the Act will provide facilities to enable the Fallon Paiute-Shoshone Indians to utilize their irrigable lands with an efficient and water-conserving irrigation system. Accomplishments authorized by the Act fulfill the 1906 agreement made between the Tribe and the United States.

Cost to Complete:

FY 1983

\$1.0 million

New Mexico

Project: Navajo Indian Irrigation Project

\$5,116,000

Work Proposed

- (1) Gallegos Dam and Reservoir, \$800,000 - Noncontract costs to continue collection of field design data.
- (2) Pumping Plants \$330,000 - Provides \$30,000 for minor contracts and \$300,000 noncontract costs to continue collection of field design data.
- (3) Canals, \$400,000 - Provides \$50,000 for minor contracts and \$350,000 for noncontract costs to continue collection of field design data for issuance of specifications to construct Gallegos Reservoir feeder canal and increase capacity of Amarillo and Gravity Main canals.
- (4) Laterals, \$1,986,000 - Provides \$30,000 to relocate private property along the right-of-way; provides \$256,000 for minor contracts and \$1,700,000 for noncontract costs for construction supervision and for continued collection of field design data for construction of Blocks 7 and 8.
- (5) Drains, \$210,000 - Provides \$50,000 for construction of road protective drains; \$10,000 for minor contracts; and \$150,000 for noncontract costs.

- (6) Power Transmission System, \$390,000 - Provides \$53,970 for continued construction of distribution lines to serve Blocks 2 and 3 crossing Blocks 6 and 7 enroute; \$36,030 for minor contracts; and \$300,000 for noncontract costs for construction supervision and collection of field design data.
- (7) Other Project Cost, \$1,000,000 - Provides \$200,000 for BIA liaison office costs; \$90,000 to construct roads and bridges required by BIA; \$600,000 for survey and mitigation of archaeological sites on the project; \$10,000 for preparation of supplemental Environmental Impact Statement; and \$100,000 for consumptive use measurements.

North Dakota

Project: Standing Rock Sioux (Fort Yates Unit) \$1,000,000

Need:

A 1,200 acre block of practicably irrigable Indian owned land is located adjacent to the west edge of Lake Oahe formed by the Oahe Dam of the Missouri River just upstream from Pierre. Water would be pumped from that reservoir to serve 940 irrigated acres with center pivot sprinkler systems. Livestock feed crops are critically needed by tribal stockowners to supplement grazing. Total development cost of the unit is estimated to be \$2,000,000.

Description:

Pumps and motors (2) and power line	\$ 440,000
Pipelines	<u>560,000</u>
	<u>\$1,000,000</u>

Benefits:

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

Cost to Complete:

The cost to complete this unit in FY 1983 is estimated to require an additional \$1,000,000 in December 1980 dollars.

South Dakota:

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

Need:

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

Description:

Small off-stream storage reservoir	\$300,000
Sprinkler distribution system	<u>200,000</u>
	\$500,000

Benefits:

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

Cost to Complete:

Funding requested will complete the Moreau River Pilot Unit.

Project: Crow Creek Sioux (Tribal Farm Unit) \$550,000

Need:

The Crow Creek Tribal Farm has 2,950 acres of land currently developed. Increased production is needed by the Tribe to meet current financial obligations. Irrigable lands lie undeveloped on the Crow Creek Reservation. A block of approximately 600 acres is located near currently developed lands and is proposed to be developed to its productive potential in FY 82.

Description:

Sprinkler distribution system from Lake Sharpe formed by Big Bend Dam	\$550,000
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Benefits:

The additional acreage will enhance the economic base of the Crow Creek Sioux Tribe and provide livestock feed locally and save exorbitant hauling costs.

Cost to Complete:

The requested funding will complete this unit.

Project: Lower Brule Sioux (Grass Rope Unit) \$2,600,000

Need:

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

Description:

Main pumping plant	\$2,000,000
Initiate pipe distribution system	<u>600,000</u>
	\$2,600,000

Benefits:

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

Cost to Complete:

The total construction cost for the Unit (including all on-farm costs) was estimated to be \$9,460,000 at January, 1978 prices. Reprogramming of \$500,000 provided funding to prepare designs, plans and specifications during FY 1981. The remaining cost to complete - estimated to be \$6,360,000 is scheduled as follows:

FY 1983 - \$3,000,000
FY 1984 - \$3,360,000

b. Safety of Dams

\$7,200,000

On November 24, 1980 the Commissioner of Indian Affairs approved an agreement with the Water and Power Resources Service providing for safety of dams services by WPRS in implementation of Secretarial Order No. 3048 dated February 28, 1980. WPRS will, on a reimbursable basis, provide initial inspection and evaluation of 65 high and significant hazard dams and periodic examination and reevaluation of BIA's total of dams in the high and significant hazard categories.

In addition it is essential that corrective work be performed for safe operation of existing dams for which safety deficiencies have been identified.

Following is a summary of the dam safety program FY 1982 needs:

(1) Inspections and evaluation		\$1,500,000
(2) Structural Modifications		5,625,000
(a) Blackfoot Dam - Fort Hall, Idaho	\$5,200,000	
(b) Tsaille Dam - Navajo, Arizona	175,000	
(c) Nutria No. 2 - Zuni, New Mexico	175,000	
(d) Bonneau - Rocky Boys, Montana	75,000	
(3) Independent Review of Design and Construction		<u>75,000</u>
	Total	<u>\$7,200,000</u>

c. Engineering and Supervision

\$2,390,000

This item represents program management and is the amount required to pay salaries, travel and miscellaneous expenses incidental to execution of the irrigation construction program proposed for Fiscal Year 1982. Staff employees engaged in these activities are located in Bureau Areas which are headquartered in Albuquerque, New Mexico; Billings, Montana; Phoenix, Arizona; Portland, Oregon; Sacramento, California; Window Rock, Arizona and the Central Office in Washington, D. C.

APPROPRIATION LANGUAGE

Construction

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in land; preparation of lands for farming; and architectural and engineering services by contract, [\$100,182,000] \$118,791,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Water and Power Resources Service. (25 U.S.C. 13, 450, 465, 631-640; Public Law 96-514, making appropriations for the Department of the Interior and related agencies, 1981.)

ITEMIZATION OF ESTIMATE

DEPARTMENT OF THE INTERIOR

APPROPRIATION TITLE: Construction---Bureau of Indian Affairs

	Actual 1980	Estimate 1981	Estimate 1982	Increase (+) Decrease (-)
<u>Program and Financing:</u>				
10.00 Total Obligations....	115,646	144,270	119,791	-24,479
11.00 Offsetting collections from Federal Funds..	-2,718	-2,000	-2,000	---
21.40 Unob. balance available, start of year.....	-72,725	-53,088	-11,000	+42,088
24.40 Unob. balance available, end of year.....	<u>53,088</u>	<u>11,000</u>	<u>12,000</u>	<u>+1,000</u>
40.00 Budget Authority (appropriation).....	93,291	100,182	118,791	+18,609

Obligations by object:

BUREAU OF INDIAN AFFAIRS

Direct Obligations:

11.9 Total Personnel comp....	5,040	5,476	5,570	+94
12.1 Personnel benefits, civilian.....	430	467	473	+6
21.0 Travel & transportation of persons.....	654	650	650	---
22.0 Transportation of things	159	160	160	---
23.2 Comm. & utilities and other rent.....	154	160	160	---
25.0 Other services.....	32,199	32,200	32,200	---
26.0 Supplies & materials....	7,384	7,400	7,400	---
32.0 Lands and acquisition...	38,310	82,697	64,062	-18,635
33.0 Investments & loans.....	5,000	---	---	---
41.0 Grants, subsidies, and contributions.....	<u>1,962</u>	<u>2,000</u>	<u>2,000</u>	---
99.0 Subtotal, direct obligations.....	<u>91,292</u>	<u>131,210</u>	<u>112,675</u>	<u>-18,535</u>

APPROPRIATION TITLE: Construction---Bureau of Indian Affairs

	Actual 1980	Estimate 1981	Estimate 1982	Increase (+) Decrease (-)
Reimbursable obligations:				
11.1 Personnel compensation:				
Full-time perm. positions	92	92	92	---
12.1 Personnel benefits:				
Civilian.....	9	9	9	---
25.0 Other Services.....	<u>2,585</u>	<u>1,759</u>	<u>1,899</u>	<u>+140</u>
99.0 Subtotal, reimbursable obligations.....	<u>2,686</u>	<u>1,860</u>	<u>2,000</u>	<u>+140</u>
Total, Bureau of Indian Affairs.....	<u>93,978</u>	<u>133,070</u>	<u>114,675</u>	<u>-18,395</u>

ALLOCATION TO WATER & POWER RESOURCES SERVICE

Direct Obligations:

11.9 Total Personnel comp....	3,462	3,364	3,255	-109
12.1 Per. benefits: Civilian.	328	381	350	-31
21.0 Travel & transportation of persons.....	96	115	128	+13
22.0 Transportation of things	124	146	163	+17
23.0 Standard level user charges.....	154	170	260	+90
23.2 Commun. & utilities and other rent.....	147	161	78	-83
24.0 Printing & reproduction.	24	32	30	-2
25.0 Other services.....	1,212	1,589	662	-927
26.0 Supplies & materials....	169	176	53	-123
31.0 Equipment.....	110	91	137	+46
32.0 Lands & structures.....	<u>15,810</u>	<u>4,835</u>	<u>---</u>	<u>-4,835</u>
99.0 Subtotal, direct oblig..	<u>21,636</u>	<u>11,060</u>	<u>5,116</u>	<u>-5,944</u>

Reimbursable obligations:

25.0 Other services	<u>32</u>	<u>140</u>	<u>---</u>	<u>-140</u>
99.9 Total obligations.....	<u>115,646</u>	<u>144,270</u>	<u>119,791</u>	<u>-24,479</u>

Personnel Summary
Construction

	1980 Actual	1981 Estimate	1982 Estimate
BUREAU OF INDIAN AFFAIRS			
Direct:			
Total number of full-time permanent positions.....	135	135	135
Total compensable workyears:			
Full-time equivalent employment of other positions.....	203	200	200
Full-time equivalent of overtime and holiday hours.....	3	8	8
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
Average salary of ungraded positions..	\$16,417	\$18,090	\$18,271
Reimbursable:			
Total compensable workyears:			
Full-time equivalent employment.....	3	3	3
Full-time equivalent of overtime and holiday hours.....	(0)	(0)	(0)
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
ALLOCATION TO WATER & POWER RESOURCES SERVICE			
Total number of full-time permanent positions.....	132	132	132
Total compensable work years:			
Full-time equivalent employment.....	182	171	170
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	8.7	8.7	8.7
Average GS salary.....	\$22,459	\$24,280	\$24,550
Average salary of ungraded positions....	\$20,907	\$22,997	\$23,212

ROAD CONSTRUCTION

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

ROAD CONSTRUCTION

Appropriation, 1981.....	\$48,625,000
<u>Decreases:</u>	
Indian road system.....	<u>48,625,000</u>
Subtotal.....	- 0 -
<u>Increases:</u>	
Indian road system.....	<u>53,492,000</u>
Budget estimate, 1982.....	53,492,000

Analysis by Activities

Activity	Appropriation 1980	Appropriation 1981	No. of Perm. 1981	1982 Budget Estimate	No. of Perm. Pos.	Budget Estimate 1982 Compared w/ Approp. 1981	No. of Perm. Pos.
Indian Road System	\$66,479,000	\$48,625,000	370	\$53,492,000	370	+\$4,867,000	-0-

Justification of Program and Performance

Activity: Road Construction

	<u>1981 Appropriation Enacted to Date</u>	<u>FY 1982 Base</u>	<u>FY 1982 Estimate</u>	<u>Inc.(+) or Dec. (-)</u>
Road Construction \$	48,625	50,117	53,492	+3,375
FTP	(370)	(370)	(370)	(0)

AUTHORIZATION: 25 USC 13, (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including road construction to Federally recognized Indians. 25 USC 318a, authorizing "material, equipment, supervision and engineering.....in survey, improvement, construction.....of Indian reservation roads....." 23 USC 203, providing "Funds authorized for.....Indian reservation roads shall be available for contract upon apportionment....."

PROPOSAL (OBJECTIVE)

To upgrade and improve 26,000 miles of public roads and 750 bridges serving Indian reservations to equal those in surrounding communities, and to build new roads to new economic and housing developments. Adequate roads will promote better education, health, job access, and agricultural and commercial development.

JUSTIFICATION

The road construction funds are distributed equitably to the Areas and Agencies according to the generators of need: population, trust land, and miles of road for which the BIA is responsible. The funds are committed to road and bridge construction projects designated by the tribes as highest priority. This procedure is similar to the distribution of highway trust funds to states, with the local governments selecting projects to be constructed with the available funds.

Tentative distribution to Areas will be as follows:

Aberdeen	\$5,047,000
Albuquerque	4,550,000
Anadarko	1,046,000
Billings	4,987,000
Eastern	832,000
Juneau	2,023,000
Minneapolis	2,052,000
Muskogee	2,711,000
Navajo	13,504,000
Phoenix	8,933,000
Portland	5,328,000
Sacramento	679,000
	<u>\$51,692,000</u>
Program Administration	1,800,000
	<u>\$53,492,000</u>

Final distribution will depend upon updated information on mileage, population and trust land.

Roads are upgraded, improved or new roads built to Federal Highway Administration standards. FHWA reviews and approves plans before construction begins.

Reconstruction on existing roads with funds requested in FY 1982 will prevent significant deterioration. Reconstruction and improvement projects will compensate for annual deterioration.

Project costs are estimated on the basis of industry averages, and contracts awarded only if bids are comparable to the estimate. Forty per cent of BIA road construction is by Force Account at a substantial saving; however, isolated locations cause higher costs. BIA overall project costs are comparable to costs incurred by states and counties.

This program will generate direct and indirect employment for 5,200 persons, approximately 2,600 of them Indian.

ACCOMPLISHMENTS:

The following table provides selected data for the use of funds in the road construction program:

	<u>Unit of Measure</u>	<u>FY 79 Actual</u>	<u>FY 80 Actual</u>	<u>FY 81 Est.</u>	<u>FY 82 Est.</u>
Investigation and Planning	Miles	466	400	350	350
Grading and draining	Miles	345	296	250	170
Surfacing - Gravel	Miles	55	46	26	80
Surfacing - Paved	Miles	430	357	280	300
Bridge Construction & Replacement	Lin. Ft.	1,226	1,909	1,600	1,300

<u>Increase for 1982:</u>	<u>1982 Base</u>	<u>1982 Estimate</u>	<u>Increase</u>
\$	50,117	53,492	+3,375
FTP	(370)	(370)	(0)

The proposed increase of \$3.375 million over FY 1982 Base is expected to continue the level of work of FY 1981, which is projected to offset the current rate of deterioration.

The proposed program for fiscal year 1982 includes the following work items

	<u>Length</u>	<u>Av. Cost (\$000s)</u>	<u>Total \$s (\$000s)</u>
Investigation and Planning	350 miles	\$ 13	\$ 4,550
Grade and Drain	170 miles	92	15,640
Gravel Surfacing	80 miles	26	2,080
Paved Surfacing	300 miles	71	21,300
Bridge Construction & Replacement	1,300 Ln. ft.	2.6	3,380
Program Management	---	-	<u>6,542</u>
Total			\$53,492

APPROPRIATION LANGUAGE

ROAD CONSTRUCTION

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, and 25 U.S.C. 13, 318a, [\$48,625,000] \$53,492,000, to remain available until expended. (Public Law No. 96-514, making appropriations for the Department of the Interior and Related Agencies, 1981.)

Personnel Summary

Road Construction

	1980 Actual	1981 Estimate	1982 Estimate
BUREAU OF INDIAN AFFAIRS			
Total number of permanent positions.....	370	370	370
Total compensable workyears:			
Full-time equivalent of other positions.....	739	837	837
Full-time equivalent of overtime & holiday hours	36	38	39
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
Average salary of ungraded positions.....	\$16,417	\$18,090	\$18,271
ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION DEPARTMENT OF TRANSPORTATION			
	1980	1981	1982
	Actual	Estimate	Estimate
Total number of permanent positions.....	4	8	8
Total compensable workyears:			
Full-time equivalent of other positions.....	7	11	10
Full-time equivalent of overtime & holiday hours	(0)	(0)	(0)

ITEMIZATION OF ESTIMATE

DEPARTMENT OF THE INTERIOR

APPROPRIATION TITLE: Construction---Bureau of Indian Affairs

	Actual 1980	Estimate 1981	Estimate 1982	Increase (+) Decrease (-)
<u>Program and Financing:</u>				
10.00 Total Obligations.....	74,811	50,022	52,600	+2,578
11.00 Offsetting collections From:				
Federal Funds.....	-874	-600	-600	---
21.40 Unob. balance available, start of year.....	-8,255	-797	---	+797
24.40 Unob. balance available, end of year.....	<u>797</u>	<u>---</u>	<u>1,492</u>	<u>+1,492</u>
40.00 Budget Authority (Appropriation).....	66,479	48,625	53,492	+4,867

Obligations by object:

BUREAU OF INDIAN AFFAIRS

Direct Obligations:

11.9 Total Personnel compensation.....	14,170	16,373	16,582	+209
12.1 Personnel benefits Civilian.....	1,202	1,305	1,392	+87
21.0 Travel & transpor- tation of persons.....	462	525	585	+60
22.0 Transportation of things.....	986	1,059	1,193	+134
23.2 Communications, uti- lities & other rent....	1,029	1,500	1,500	---
24.0 Printing & reproduction..	73	50	50	---
25.0 Other services.....	39,091	16,569	19,198	+2,629
26.0 Supplies & materials.....	6,927	4,000	4,000	---
31.0 Equipment.....	2,091	1,000	1,000	---

	Actual 1980	Estimate 1981	Estimate 1982	Increase (+) Decrease (-)
31.0 Lands & structures.....	5,051	4,500	4,500	---
41.0 Grants, subsidies & contributions.....	863	---	---	---
42.0 Insurance claims & indemnities.....	11	---	---	---
99.0 Subtotal, direct obligation.....	<u>71,956</u>	<u>46,881</u>	<u>50,000</u>	<u>+3,119</u>
Reimbursable obligations:				
25.0 Other Services.....	<u>874</u>	<u>600</u>	<u>600</u>	<u>---</u>
Total, Bureau of Indian Affairs	<u>72,830</u>	<u>47,481</u>	<u>50,600</u>	<u>+3,119</u>
ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION DEPARTMENT OF TRANSPORTATION				
11.0 Personnel compensation.....	133	207	192	-15
12.0 Personnel benefits Civilian.....	13	19	18	-1
21.0 Travel & transpor- tation of persons.....	13	14	17	+3
22.0 Transportation of things.....	2	3	3	---
23.2 Communications, util- ities & other rent.....	6	13	10	-3
24.0 Printing & reproduction..	1	2	2	---
25.0 Other services.....	120	199	155	-44
26.0 Supplies & materials.....	8	12	12	---
32.0 Lands & structures.....	1,685	2,072	1,591	-481
99.0 Subtotal, direct obligations.....	<u>1,981</u>	<u>2,541</u>	<u>2,000</u>	<u>-541</u>
99.9 Total obligations.....	<u>74,811</u>	<u>50,022</u>	<u>52,600</u>	<u>+2,578</u>

EASTERN INDIAN LAND
CLAIMS SETTLEMENT

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 EASTERN INDIAN LAND CLAIMS SETTLEMENT FUND
 14-2202-0-1-806

Activity	FY 1980 Actual	FY 1981 Estimate	FY 1982 Estimate	Change-- 1982 Compared with 1981
Eastern Indian Land Claims Settlement Fund	-0-	\$81,500	-0-	-\$81,500

Analysis of Changes in Requirements
 (in thousands of dollars)

	Budget Authority	Outlays
FY 1980 Total.....	-0-	2,277
<u>Decreases</u>		
Program decreases:		
Rhode Island Indian Claims Settlement Fund.....	-0-	-1,054
<u>Increases</u>		
Program increases:		
Maine Indian Land Claims Settlement Fund.....	+81,500	+81,500
FY 1981 Total.....	81,500	82,723
<u>Decreases</u>		
Program decreases:		
Rhode Island Indian Claims Settlement Fund.....	-0-	-1,223
Maine Indian Land Claims Settlement Fund.....	-81,500	-81,500
FY 1982 Total.....	-0-	-0-

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed 280 passenger carrying motor vehicles of which 180 shall be for replacement only, which may be used for the transportation of Indians; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452), the Act of August 3, 1956 (25 U.S.C. 309), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions: Provided, That no part of any appropriations to the Bureau of Indian Affairs shall be available to continue academic and residential programs of the Chilocco, Seneca, and Fort Sill boarding schools, Oklahoma; and Stewart boarding school, Nevada: Provided further, That no part of any appropriation to the Bureau of Indian Affairs shall be used to subject the transportation of school children to any limitation on travel or transportation expenditures for Federal employees: [Provided further, That no action to develop and provide water for agricultural purposes on the Gila River Indian Reservation, when agreed to by the Gila River Indian Council, shall be a major Federal action under the National Environmental Policy Act]. (Public Law 96-514, making appropriations for the Department of the Interior and related agencies, 1981).

MISCELLANEOUS
APPROPRIATIONS

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
FY 1982

Project Title: Miscellaneous Appropriations

\$24,200

Description:

1. Claims and treaty obligations - \$200,000.

A. Fulfilling treaties with the Senecas of New York - \$6,000.

This money is to be paid in equal shares to members of the Seneca Nation as provided by the Act of February 19, 1831 (4 Stat. 442).

B. Fulfilling treaties with Six Nations of New York - \$4,500.

The Six Nations comprise the Senecas, Tonawanda Band of Senecas, Tuscarora, Onondaga, Oneida and Cayuga Tribes. This money is allocated as follows: \$2,700 to the New York Indians for the purchase of dress goods and \$1,800 is distributed per capita to the Oneida Indians under the jurisdiction of the Great Lakes Agency, Wisconsin, as provided by the Act of November 11, 1794.

C. Fulfilling treaties with the Pawnees, Oklahoma - \$30,000.

This money is distributed per capita to the Pawnees as provided by Article 2 as amended of the treaty of September 24, 1857.

D. Payments to Indians of the Sioux Reservation - \$159,500.

This is an annual charge against the general fund of the Treasury, the amount being indefinite until individual applications for payments are made and approved. Sioux benefits were originally for articles of farming equipment and stock or, more commonly today, the commuted cash value of such articles. The approved commuted value of an individual share of Sioux benefits for FY 1981 is \$3,372.73. The legal authority for these payments is found in the Act of March 2, 1889, section 17 (25 Stat. 894); Act of June 10, 1896 (29 Stat. 334); and the Act of June 21, 1906 (34 Stat. 326).

2. Operation and maintenance, Indian irrigation systems - \$11,000,000.

Funds are obtained from the collection of assessments against waterusers on the various projects and are deposited in the Treasury to the credit of the respective projects. Funds are used for such purposes as annual cleaning of canals and laterals to remove silt, moss and weed growth; repair and replacement of water control structures; operation and maintenance of reservoirs, dams and pumping plants, including the purchase of electrical energy; payment to other irrigation systems on Indian lands included and benefited; repair of flood damage; etc. The various projects located on Indian reservations are thus maintained in good operation, permitting the facilities constructed by the Government to be utilized by the Indian and non-Indian landowners within the project who depend upon proper operation and maintenance of the projects for irrigation farming and subsistence. The policy in administration of Indian irrigation projects is to base the assessments rates for the various projects on actual costs.

3. Power system, Indian irrigation projects - \$13,000,000.

Funds are obtained from earned revenue deposited in the Treasury to the credit of the respective projects. Funds are used for the operation and

maintenance of two hydrogenerating plants; a diesel power generating plant; transmission lines; distribution systems and pumping plants for the use of the project irrigation system; the purchase of power for resale and for all necessary expenses for operation of power systems on an actual cost basis. The project power systems serve their primary purpose of furnishing electrical energy to the projects for irrigation and drainage pumping and also furnish energy to mining and milling properties, public utilities and domestic consumers on the project proper, in nearby towns and villages, and in outlying farming areas. The energy supplied by these projects (San Carlos, Colorado River and Flathead Indian Reservations) in many instances is the only source of electrical energy available to the customers. The approximately 445 million kilowatt-hours which are transmitted over all project transmission and distributary systems annually serve approximately 25,500 domestic and commercial customers.

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 Miscellaneous Appropriations
 (Alaska Native Claims)

Appropriation, 1980.....	\$30,000,000
Appropriation, 1981.....	30,000,000
<u>Decreases:</u>	
Alaska Native Claims.....	-30,000,000
Budget estimate 1982.....

Miscellaneous Appropriations
 (Alaska Native Claims)

	Amount Available 1981	FY 1982 Budget Estimate	Total Available 1982 compared to total available 1981
Alaska Native Claims	\$30,000,000	...	-\$30,000,000

The final \$30,000,000 federal payment for settlement of land claims of Alaska Natives is included in the fiscal year 1981 appropriation. This completes the \$426,500,000 appropriation authorized by Sec. 6(a)(1) of the "Alaska Native Claims Settlement Act," Public Law 92-203 (85 Stat. 688), approved December 18, 1971. Pursuant to the Act of January 2, 1976 (Public Law 94-204) which amends the "Alaska Native Claims Settlement Act," funds which are appropriated in fiscal year 1981 will be transferred to and held in trust status until distributed in accordance with the "Alaska Native Claims Settlement Act."

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Analysis by Activities

Miscellaneous Appropriations

	FY 1980 Actual	FY 1981 Estimate	FY 1982 Estimate
Alaska Native Fund	\$30,000,000	\$30,000,000	. . .

MISCELLANEOUS APPROPRIATIONS
Program and Financing (in thousands of dollars)

Identification Code 14-9925-0-2-999	1980 act.	1981 est.	1981 est.
Program by activities:			
1. Alaska Native fund.....	30,000	30,000	. . .
2. Claims and treaty obligations.....	780	200	200
3. Operation and maintenance, Indian irrigation systems.....	11,363	10,000	11,000
4. Power systems, Indian irrigation projects.....	14,716	13,800	14,000
5. Indian arts and crafts fund.....	---	---	---
Total program costs.....	<u>56,859</u>	<u>54,000</u>	<u>25,200</u>
Change in selected resources (undelivered orders).....	<u>+1,693</u>	---	---
10.00 Total obligations.....	<u>58,552</u>	<u>54,000</u>	<u>25,200</u>
Financing:			
21.40 Unobligated balance available, start of year.....	-10,542	-10,543	-9,943
24.40 Unobligated balance available, end of year.....	<u>10,543</u>	<u>9,943</u>	<u>8,943</u>
Budget Authority.....	<u>58,553</u>	<u>53,400</u>	<u>24,200</u>
Budget Authority:			
Current:			
40.00 Appropriation.....	30,000	30,000	. . .
Permanent:			
60.00 Appropriation (indefinite).....	28,553	23,400	24,200
Distribution of budget authority by account:			
1. Alaska Native fund.....	30,000	30,000	. . .
2. Claims and treaty obligations.....	763	200	200
3. Operation and maintenance, Indian Irrigation systems.....	11,593	10,600	11,000
4. Power systems, Indian irrigation projects.....	16,196	12,600	13,000
5. Indian arts and crafts fund.....	6	---	---
Total.....	<u>58,553</u>	<u>53,400</u>	<u>24,200</u>
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	58,552	54,000	25,200
72.40 Obligated balance, start of year....	+3,172	4,286	5,986
74.40 Obligated balance, end of year.....	<u>-4,286</u>	<u>-5,986</u>	<u>-8,886</u>
90.00 Outlays.....	<u>57,438</u>	<u>52,300</u>	<u>22,300</u>

MISCELLANEOUS APPROPRIATIONS

Program and Financing (in thousands of dollars) (Continued)

Identification code 14-9925-0-2-999	1980 act.	1981 est.	1982 est.
Distribution of outlays by account:			
1. Alaska Native fund.....	30,000	30,000	. . .
2. Claims and treaty obligations.....	763	200	200
3. Operation and maintenance, Indian Irrigation systems.....	11,593	10,600	11,000
4. Power systems, Indian irrigation projects.....	16,196	12,600	13,000
Total.....	58,552	53,400	24,200

Object Classification (in thousands of dollars)

Personal compensation:			
11.1 Permanent positions.....	6,237	6,688	6,758
11.3 Positions other than permanent.....	2,172	2,635	2,666
11.5 Other personnel compensation.....	371	348	349
Total Personnel compensation.....	8,780	9,671	9,773
12.1 Personnel Benefits: Civilian.....	838	831	831
21.0 Travel and trans. of persons.....	104	74	83
22.0 Transportation of things.....	298	300	300
23.2 Communications, utilities, & other rent	8,040	8,000	8,000
24.0 Printing and reproduction.....	12	12	12
25.0 Other services.....	2,171	1,800	1,800
26.0 Supplies and materials.....	6,392	2,612	3,701
31.0 Equipment.....	1,107	500	500
32.0 Lands and structures.....	44	---	---
41.0 Grants, subsidies and contributions....	30,760	30,200	30,200
42.0 Insurance claims & indemnities.....	1	---	---
99.0 Total obligations.....	58,552	54,000	25,200

Personnel Summary

Total number of permanent positions.....	400	400	400
Total compensable work years.....	544	560	556
Full-time equiv. of overtime & holiday hrs..	(13)	(11)	(11)
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
Average salary of ungraded positions.....	\$16,417	\$18,090	\$18,271

MISCELLANEOUS
REVOLVING FUNDS

BUREAU OF INDIAN AFFAIRS
 REVOLVING FUND FOR LOANS

	Budget Authority			
	FY 1980 Available	FY 1981 Available	FY 1982 Estimate	Change ----- 1982 Compared with 1981
Revolving Fund for Loans	-0-	-0-	-0-	-0-

Revolving Fund for Loans: FY 1981, -0-; FY 1982, -0-; no change, no positions.

Proposal:

No new funds were requested in fiscal year 1981 and none are requested in 1982. Of the additional \$50 million authorized by the Indian Financing Act of 1974 (PL 93-262) for this fund, \$9 million remains to be appropriated. It is anticipated that the FY 1982 loan program will amount to \$14.8 million which will be funded from the unobligated fund balance available at the start of the 1982 fiscal year and from collections into the fund during the year.

PROGRAM DESCRIPTION

The Indian Revolving Loan Fund was established as three separate funds by the Indian Reorganization Act and other related acts with periodic appropriations of \$26.5 million over a period of years. The Indian Financing Act of 1974 (PL 93-262) combined these funds into one fund and authorized an additional appropriation of \$50 million for the fund, bringing to \$77 million the total authorization of the fund. Since 1975, \$61.8 million has been loaned from the fund. A total of 41 new tribal enterprises were started at an average cost of \$400,034. A breakdown by Area and purpose is included in Table I.

The FY 1982 program will provide \$14.8 in direct loans to Indian tribes and organizations, individual Indians, and Alaskan Natives for economic development purposes; and loans to tribes for relending to tribal members through their credit programs. In addition, the program will include funding for loans for expert assistance to assist tribes in the preparation and trial of claims pending before the Court of Claims.

Over the history of the program, \$139.6 million has been loaned and \$3.1 million of principal written off, about 2.2 percent of total loans. In addition, \$25.1 million of interest has been collected from the program. As of September 30, 1980, outstanding loans totaled \$74 million. Delinquent payments totaled \$8.8 million, about 11.8% of loan outstanding. This includes \$6.3 million of loans made to Southeast Alaska Native communities for the fishing industry. A negotiated settlement has been reached regarding two of these borrowers and action is underway to settle the remaining delinquencies.

TABLE I

REVOLVING FUND FOR LOANS
Funds allotted to Areas by Purpose
Selected data for FY 1975-1980
(\$Thousands)

Area	Relending	Tribal Enterprises New	Existing	Land	Cooperatives & Industrial	Credit Associations	Direct to Individuals	Total
Aberdeen	5,325.0	\$3,637.0		\$1,665.0			\$1,218.2	\$11,845.2
Albuquerque	400.0	1,333.8	3,348.3				2,004.4	7,086.5
Anadarko		310.0	400.0	840.7			503.6	2,054.3
Billings	2,885.0		380.0	1,168.0			565.4	4,998.4
Eastern	310.0	225.0						535.0
Juneau	1,215.0	1,000.0	1,200.0		\$500.0	\$300.0		4,215.0
Minneapolis		918.6	2,407.2	90.0			333.2	3,749.0
Muskogee		75.0	429.9		400.0	1,210.0	1,254.0	3,368.9
Nava jo			2,700.0					2,700.0
Phoenix	950.0	7,168.0	2,550.0	190.0	173.0	200.0	516.4	11,747.4
Portland	1,125.0	1,639.0	3,290.0	779.3	263.6		1,923.3	9,020.2
Sacramento		95.0					458.0	553.0
Totals	\$12,210.0	\$16,401.4	\$16,705.4	\$4,733.0	\$1,336.6	\$1,710.0	\$8,776.5	\$61,872.9

*

* 41 new Tribal Enterprises were started at an average cost of \$400,034

Status of Revolving Loan Fund
September 30, 1980

	<u>General Fund</u>	<u>Expert Assistance</u>	<u>Total</u>
Cash Balance as of 9/30/80	11,922,791	2,174,524	14,097,315
Less: Approved Loan Applications	2,462,124	714,750	3,176,874
Applications Authorized	<u>2,881,669</u>	<u> </u>	<u>2,881,669</u>
Available for new commitments	6,578,998	1,459,774	8,038,772

Approved Loan Applications - Represents the balance to be advanced on approved applications. Funds are advanced as the borrower requests them.

Applications Authorized - Represents funds reserved for loan applications authorized to be submitted by borrowers. Applications are not authorized unless funds are available to meet the commitment. When the applications are approved, they are recorded under Approved Loan Applications and funds advanced as requested by the borrower.

Available for New Commitments - The balance of funds available for new loan requests.

A Summary of Program and Funding Data for FY 1981 and FY 1982

	(\$ in Million)	
	<u>FY 1981</u>	<u>FY 1982</u>
	Estimates	Estimates
<u>Funds Available for Lending:</u>		
Cash Balances, Start of Year.....	14.0	9.6
Anticipated Appropriations.....	-	-
Anticipated Collections.....	<u>8.3</u>	<u>9.4</u>
Total Available.....	22.3	19.0
<u>Loan Program-Total Loans.....</u>	<u>12.7</u>	<u>14.8</u>
Cash balances, end of year.....	9.6	4.2

SUMMARY OF ACTIVITY - REVOLVING FUND FOR LOANS

BUREAU OF INDIAN AFFAIRS
THROUGH SEPTEMBER 30, 1980

	Collections			Loans	
	Loaned	Principal	Interest	Cancelled	Out- Standing
Through Sept. 30, 1979	\$127,650,039	\$59,279,373	\$20,894,185	\$3,060,419	\$65,310,247
FY 1980	<u>11,997,672</u>	<u>3,725,287</u>	<u>4,222,242</u>	<u>65,189</u>	
Through Sept. 30, 1980 Cumulative	<u>139,647,711</u>	<u>63,004,660</u>	<u>25,116,427</u>	<u>3,125,608</u>	<u>73,517,443</u>

Comparison of Fund Balances
FY 1979 and FY 1980

	General Fund	Expert Assistance	Total
Through Sept. 30, 1979	\$16,921,770 =====	\$1,743,272 =====	\$18,665,042 =====
Through Sept. 30, 1980	<u>12,444,622</u>	<u>2,174,524</u>	<u>14,619,146</u>

LOAN GURANTY

BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND

Activity	FY 1980 Available	FY 1981 Available	1982 Estimate	Change---- 1982 Compared with 1981
Loan Guaranty and Insurance Programs	-0-	-0-	-0-	-0-

Loan Guaranty and
Insurance Program: Fiscal Year 1981, -0-; Fiscal Year 1982, -0-; no change,
no positions.

Proposal:

Under current legislation, appropriations to the fund were authorized through fiscal year 1977. For fiscal year 1982, collections made during 1982 will be used to provide funds for interest subsidies, reserves for losses, cost associated with defaulted loans, and for technical assistance. Collections during fiscal year 1982 are estimated at \$300,000 from premiums on guaranteed loans, and \$1 million on sale of assets acquired in liquidation, making an estimated \$1.3 million available for programming. This, in addition to carryover funds from the previous year, will support a guaranteed loan program of \$30.7 million for fiscal year 1982 using an interest subsidy rate of 6 1/2% with a 10 year repayment. An increase of 1% in the subsidy rate would reduce the amount of loans that could be guaranteed by about \$3.5 million.

PROGRAM DESCRIPTION

The fund was established pursuant to the Indian Financing Act 1974. The purpose of the fund is to provide access to private money sources through guaranteeing or insuring loans which otherwise would not be available to Indian tribes and organizations, individual Indians, and Alaskan Natives for economic development purposes. To encourage the use of private capital, an interest subsidy is paid from the fund on loans guaranteed or insured to reduce the Indian borrower's rate of interest to the rate charged on direct loans from the Revolving Fund for Loans.

The first loan guaranty under the program was approved in August 1975. As of September 30, 1980, guarantees were approved on new 118 loans totaling \$76.1 million. The breakdown by fiscal year and current status is shown in Table I. Of the total loans, 35 were to Indian tribes, 28 to Indian-owned corporations, 55 to Indian individuals, and 9 were cancelled. To date, 146 lenders have been approved for participation in the program. As of September 30, 1980, 63 loans are outstanding, 16 have been paid off, and 30 loans have been defaulted. The total pay out for the defaulted loans, including interest, is \$4.3 million, or 5% of the total dollar amount guaranteed to date. This information is broken down by area in Table II.

Because of the high commercial lending interest rates and resulting high interest subsidy rates, we are unable to realize any significant leverage from the guarantee program. Considering a 6 1/2 percent subsidy and 10 year term loan, our leverage is only one program dollar to \$1.80 loan value.

TABLE I
 LOAN GUARANTY ACTIVITY
 FY 1976 - 1980

<u>Loans Guaranteed</u>							
<u>Year</u>	<u>No.</u>	<u>Amount</u>	<u>Defaulted</u>	<u>Repaid</u>	<u>Cancel</u>	<u>Modified</u>	<u>Current</u>
1976	55	\$14,854,439	17	12	4	3	19
1977	46	42,872,532					
+ Mod. <u>1/</u>	3	333,211	10	3	5	3	28
*1978	11	8,215,875					
+ Mod. <u>1/</u>	3	129,585	3	1			10
1979	5	1,640,000					
Additional loan <u>2/</u>		624					5
1980	1	8,500,000					
Additional loan <u>2/</u>		10,094					1
<hr/>							
Total	124	\$76,556,360	30	16	9	6	63
NEW	(118)						
MOD.	(6) <u>1/</u>						

*The Loan Guaranty Program was closed November 1978 to new loan applications. Loan applications on hand and commitments to guarantee \$36 million in new loans required reserving all available program funds. In FY 1981 the program will be re-opened, since two proposed guarantees for large loans were cancelled.

1/ Six original loans were completely modified and additional funds advanced.

2/ Funds were added to existing loans for protective advances.

TABLE II

Status of Loan Guarantees as of 9/30/80

Area	No.	Face Amount	No.	Current	Defaulted	Paid Off	Cancelled			
				Amount	No.	Amount	No.	Amount	No.	Amount
Aberdeen	10	1,659,113	6	575,678	2	360,826	1	500,000	1	2,900
Albuquerque	16	8,121,114	9	6,737,343	4	844,052	1	125,000	2	81,000
Anadarko	20	2,222,585	9	918,549	8	431,171	2	403,000	1	175,000
Billings	8	1,878,000	4	887,560	2	200,225	1	66,000	1	250,000
Eastern	11	4,090,900	9	1,827,234	2	1,671,860				129,291
Juneau	5	33,610,000	4	33,136,973					1	10,000
Minneapolis	10	975,815	3	127,347	4	62,068	3	455,751		
Muskogee	12	1,519,877	5	420,344	4	566,974	2	93,331	1	56,608
Navajo	2	16,700,000	1	8,500,000					1	8,200,000
Phoenix	5	1,889,154	1	415,546	1	12,140	2	1,035,154	1	230,000
Portland	16	2,477,992	11	1,145,286	1	44,535	4	725,620		
Sacramento	3	213,400	1	85,625	2	106,378				
Total	118	75,357,950	63	54,777,485	30	4,300,229	16	3,403,856	9	9,134,799
(Percent)		(100)*		(72.7)		(5.7)		(4.5)		(12.2)

*\$3,741,581 in repayments or 4.9% need to be included in order to total 100.0%

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
INDIAN LOAN GUARANTY AND INSURANCE FUND
Summary of Program and Funding Data
(\$ in million)

<u>Funds Available for Reserves and Costs:</u>		<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>
1	Fund Balance, start of year	24.8	18.9	16.9
2	Collections	.2	.3	.3
3	Liquidation of assets	.1	.3	1.0
4	Total Available	25.1	19.5	18.2
	Less:			
5	Net Reserves for loan losses (line 20 less 21)	-.7	+7	-3.1
6	Reserves for interest subsidies (line 13)	-3.9	-1.1	-12.8
7	Mgmt & tech assistance cost	-.1	-.3	-.3
8	Defaulted loan costs	-.1	-.1	-.1
9	Purchase of default loans	-1.4	-1.8	-1.2
10	Total needs for reserve and costs	<u>-6.2</u>	<u>-2.6</u>	<u>-17.5</u>
11	Fund Balance, end of year	18.9	16.9	.7
		====	====	====
<u>Status of Reserves and Obligations:</u>				
<u>For Interest Subsidies:</u>				
12	Obligated balance, start of year	6.3	9.3	9.4
13	Obligated during year	3.9	1.1	12.8
14	Expenditures	-.9	-1.0	-1.6
15	Obligated balance, end of year	<u>9.3</u>	<u>9.4</u>	<u>20.6</u>
<u>For Protective Advances:</u>				
16	Obligated Balance, start of year	.9	.8	.4
17	Expenditures	-.1	-.4	-.4
18	Obligated Balance, end of year	<u>.8</u>	<u>.4</u>	<u>0</u>
<u>For Defaults (Administrative commitments):</u>				
19	Reserve for losses, start of year	6.7	7.4	6.7
20	Reserved during year	1.1	.3	4.1
21	Reduction to the reserve during year	-.4	-1.0	-1.0
22	Balance, end of year	<u>7.4</u>	<u>6.7</u>	<u>9.8</u>
	Total reserves and obligations	17.5	16.5	30.4
		====	====	====
<u>Total Program Outlay:</u>				
	Mgt & tech assistance (line 7)	.1	.3	.3
	Defaulted loan costs (line 8)	.1	.1	.1
	Purchase of default loans (line 9)	1.4	1.8	1.4
	Interest subsidy expenditures (line 14)	.9	1.0	1.6
	Protective advances (line 17)	.1	.4	.4
	Total Outlay	<u>2.6</u>	<u>3.6</u>	<u>3.8</u>
	Less collections (line)			
	Less liquidation of assets (line 3)	-.1	-.3	-1.0
	Net Total Program Outlay	<u>2.3</u>	<u>3.0</u>	<u>2.5</u>
		===	===	===
<u>Guaranteed Loans:</u>				
	Outstanding, start of year	49.5	54.8	49.9
	New loans during year	8.5	2.5	30.7
	Repayments during year	-1.2	-5.4	-6.4
	Guarantees cancelled	-.2		
	Defaults during year	-1.8	-2.0	-1.5
	Outstanding, end of year	<u>54.8</u>	<u>49.9</u>	<u>72.7</u>
		====	====	====

MISCELLANEOUS
TRUST FUNDS

TRUST FUNDS

Highlight Statement

A. Tribal Funds

Tribal funds are deposited into a consolidated account in the U.S. Treasury pursuant to: (1) general or specific acts of Congress enacting the judgement awards of the Indian Claims Commission and the Court of Claims, and (2) Federal management of tribal real properties, the titles to which are held in trust for the tribes by the United States. Each of these two sources of funds contributes approximately 35% and 65%, respectively, of the tribal trust fund income. Approximately 300 Indian tribes, bands, or identifiable groups maintain funds in the U.S. Treasury account; these monies are separately identified and controlled in some 700 accounts by the Bureau of Indian Affairs (BIA).

Tribal funds are available to the respective tribal groups for various purposes, under various acts of Congress, and are subject to the provisions of tribal constitutions, bylaws, charters, and resolutions of the various tribes, bands, or groups. Tribal funds may be used for the conduct of tribal financial programs, enterprises, businesses, per capita payments and other tribal affairs.

The act of October 19, 1973 (87 Stat. 466) provides general authority for the distribution of funds appropriated in satisfaction of judgements of the Indian Claims Commission and the Court of Claims, subject to certain conditions, including the development of a plan for the use of the funds. Funds derived from the management of tribal trust properties are available for tribal use in accordance with approved budgets under annual/definite, annual/indefinite, or permanent/indefinite authorizations.

Funds programmed under annual/definite authorizations are not otherwise available for expenditure without Congressional action and the \$3 million requested for fiscal year 1982 is to provide the Secretary of the Interior with expenditure authority for the implementation of programs for those tribes which are not sufficiently organized to be represented by a recognized governing body, or to permit disbursements through a Regional Disbursing Office when no other legislative authority exists. Expenditures made under this authority are individually made through the Treasury Regional Disbursing Offices, subject to the same regulations and procedures as appropriations from the general fund of the Treasury.

The annual/indefinite authorization in the Appropriation Act, under the heading Tribal Funds, provides the necessary authority, on an annual basis, for the Secretary of the Interior to withdraw from tribal accounts in the Treasury those funds needed to carry out programs designated by a particular tribe and approved by the Secretary for the conduct of tribal operations including but not limited to: management of tribal resources and other programs designated to improve the situation of the general membership. These funds are advanced to tribes for disbursement by Indian Services Special Disbursing Agents or by bonded tribal treasurers under plans of operation.

Funds programmed under permanent/indefinite authorization are made available under legislation which gives the Secretary of the Interior continuing authority to carry out the provisions of specific acts, and can be disbursed through either the Regional Disbursing Office or the Indian Service Special Disbursing Agents' accounts, or advanced to tribes for disbursement by their bonded tribal treasurers under approved plans of operation. These funds do not require annual approval

by Congress but are reported annually in the budget schedule to give the Congress an opportunity to review the activity conducted under the authorities extended to the Secretary of the Interior.

B. Other Trust Funds

Included in this category are miscellaneous revenues derived from agencies and schools, which are not required to be used for other purposes, but are deposited in a Federal trust fund account (14X8500 "Indian Moneys, Proceeds of Labor, Agencies and Schools"--IMPL), and are used to support agency functions and schools. During fiscal year 1980, a task force, established by the Secretary of the Interior, developed proposed regulations governing the deposit and uses of IMPL funds (25 CFR 103a & 103b FR of November 3, 1980 (pp. 72699-72702)). As a result of the task force's study and discussions with the Office of Management and Budget, a large portion of funds previously deposited to the IMPL account for the North Star III shipping operations and the Navajo Warehouse will be transferred to reimburseable accounts under Operation of Indian Programs. The fiscal year 1981 collections of interest on special deposits, will be distributed on the same basis as special deposit principal, where possible, if the proposed regulations (25 CFR 103b) become final. Following the "Summary of Trust Fund Budget Authority," below, is a "Summary of IMPL Federal Trust Fund Budget Authority which reflects these proposed changes. A table detailing the "Expenditure of IMPL Federal Trust Funds" follows the tribal trust fund table entitled "Comparative Statement of Annual Definite Authorization by Tribe."

Two other accounts included in "Other Trust Funds" are 14X8563 "Funds Contributed for the Advancement of the Indian Race" and 14X8060 "Bequest of George C. Edgeter, Relief of Indigent American Indians."

C. Alaska Native Fund

This fund includes appropriations from the U.S. Treasury made in satisfaction of Sec. 6(a)(1) of the "Alaska Native Claims Settlement Act" (P.L. 92-203, December 18, 1971) and income deposited pursuant to Sec. 6(a)(3) and Sec. 9 of the same Act. The June 30, 1980 distribution of the Alaska Native Fund included an advance revenue payment from the State of Alaska which completed the \$500,000,000 revenue sharing limitation pursuant to Sections 6(a)(3) and 9 of the Alaska Native Claims Settlement Act. (See line D.2. below.). The final federal payment required to satisfy the \$462,500,000 limitation set forth in Sec. 6 (a)(1) was appropriated in FY 1981. Pursuant to Sec. 1414 (b) of the "Alaska National Interest Lands Conservation Act" (P.L. 96-487, December 2, 1980), the final distribution of funds to the Regional Corporations will be made March 31, 1981, the last day of the second quarter of FY 1981.

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Summary of Trust Fund Budget Authority

	<u>1980 Actual</u>	<u>1981 Estimate</u>	<u>1982 Estimate</u>
A. Tribal Funds:			
1. Annual Definite Authorization	\$2,874,403	\$3,000,000	\$3,000,000
2. Annual Indefinite Authorization	28,630,000	25,000,000	25,000,000
3. Permanent Authorization	490,781,569	445,550,000	429,151,000
B. Indian Moneys, Proceeds of Labor, Agencies and Schools (Permanent Indefinite):	12,612,463	7,450,000	7,450,000
C. Other Trust Funds - (Permanent Indefinite):	408,455	399,000	399,000
D. Alaska Native Fund -			
1. Permanent Definite	30,000,000	30,000,000	-0-
2. Permanent Indefinite	<u>403,645,188</u>	<u>-0-</u>	<u>-0-</u>
TOTAL	\$968,952,078	\$511,399,000	\$465,000,000

STATEMENTS OF RECEIPTS - IMPL (\$000)

<u>Category of Receipt</u>	<u>FY 1980 Actual</u>	<u>Adjustment for Effect of Regulations</u>	<u>FY 1980 Adjusted</u>	<u>FY 1981 Estimate</u>	<u>FY 1982 Estimate</u>
Interest	7,539,127	-4,314,000 <u>a/</u>	3,225,127	5,400,000	5,400,000
Fees for Svcs.	5,056,875	-3,013,000 <u>b/</u>	2,043,875	2,050,000	2,050,000
Sale of Agri. Prod.	16,460	---	16,460	---	---
TOTAL	<u>12,612,462</u>	<u>-7,327,000</u>	<u>5,285,462</u>	7,450,000	7,450,000

a/ North Star interest = \$24,600; Special Deposit interest = \$4,289,400

b/ North Star operating revenues = \$2,912,000; Navajo Warehouse Operations = \$101,000

Tribal Funds--Annual Definite: Fiscal Year 1981, \$3,000,000; fiscal year 1982, \$3,000,000; no change.

STATUS OF PROGRAMS

Funds programmed under the annual definite authorization as shown on the following tabulation are to be used for various education and welfare programs, resources management, construction and land acquisition and general tribal affairs, including taxes and attorneys' fees. All amounts in the FY 1982 estimate have been requested by the Indian tribal groups except the sum of \$1,653,000 for miscellaneous tribes. The amount under miscellaneous tribes is requested to provide for additional tribal requests that are anticipated during the fiscal year.

COMPARATIVE STATEMENT OF ANNUAL DEFINITE AUTHORIZATIONS BY TRIBE

<u>STATE-AGENCY TRIBE</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>
Arizona	827	10,000	10,000
San Carlos	827	10,000	10,000
Idaho	80,000	80,000	80,000
Nez Perce	80,000	80,000	80,000
Minnesota	62,094	25,000	25,000
Red Lake	62,094	25,000	25,000
Montana	513,186	500,000	500,000
Crow	513,186	500,000	500,000
Oklahoma	180,329	130,000	130,000
Choctaw	94,448	40,000	40,000
Creek	66,512	70,000	70,000
Osage	19,369	20,000	20,000
Washington	601,265	452,000	452,000
Colville	441,265	205,000	205,000
Spokane	10,000	-0-	-0-
Yakima	150,000	247,000	247,000
Wyoming	1,436,702	850,000	150,000
Arapaho	751,836	425,000	75,000
Shoshone	684,866	425,000	75,000
Miscellaneous Tribes	-0-	953,000	1,653,000
Grand Total	2,874,403	3,000,000	3,000,000

IMPL FEDERAL TRUST FUNDS OBLIGATIONS

	<u>FY 80 Actual</u>	<u>FY 81 Estimate</u>	<u>FY 82 Estimate</u>
Education	542,543	964,000	1,314,000
Indian Services	1,317,990	2,208,000	3,010,000
Resources Development	691,965	825,000	1,125,000
Trust Responsibilities	757,061	1,236,000	1,685,000
Facilities Operation & Maintenance	743,725	750,000	750,000
Executive Direction & Administration	829,837	830,000	830,000
North Star Operations	2,937,213	--- a/	--- a/
IMPL Enterprises	1,686,061	880,000	940,000
Emergency/Disaster Work	<u>134,257</u>	<u>107,000</u> b/	<u>146,000</u> b/
	<u>9,640,652</u>	<u>7,800,000</u>	<u>9,800,000</u>

a/ Deleted from this account beginning in FY 1981.

b/ Reduced to reflect removal of Navajo Warehouse operations from this account beginning in FY 1981.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

TRUST FUNDS

MISCELLANEOUS TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed \$3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights, compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391) including cash grants: Provided, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary.

(25 U.S.C. 123; Department of the Interior and Related Agencies Appropriation Act, 1981.)

DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS
 TRUST FUNDS
 14-9973-0-7-999

Analysis of Changes in Requirements
 (in thousands of dollars)

	<u>Budget Authority</u>	<u>Outlays</u>
FY 1980 Total.....	968,952	793,717
<u>Decreases</u>		
Program decreases:		
Advance to Indian Tribes.....	-3,630	-38,390
Other Trust.....	-5,172	-2,278
Miscellaneous Permanents (Tribal)	-45,232	-
Alaska Native Fund	-403,645	-403,645
<u>Increases</u>		
Program increases:		
Direct Program.....	+126	+126
Miscellaneous Permanent (Tribal).....	-	+55,970
FY 1981 Total.....	511,399	405,500
<u>Decreases</u>		
Program decreases:		
Miscellaneous Permanent (Tribal).....	-16,399	-53,700
Alaska Native Fund	-30,000	-30,000
<u>Increases</u>		
Program increases:		
Other Trust.....	-	+2,000
FY 1982 Total.....	465,000	323,800

DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
ANNUAL DEFINITE AUTHORIZATION---TRIBAL FUNDS

Statement Relating to FY's 1980, 1981, & 1982 Programs

1980 Appropriation.....	\$3,000,000
1981 Budget Estimate.....	3,000,000
Total Appropriation for 1981.....	3,000,000
Deduction: (None).....	-0-
Additions: (None).....	-0-
Total Estimate for 1982.....	<u>\$3,000,000</u>

Analysis of Annual Definite Authorization, Tribal Trust Funds, by Activity:

ACTIVITY/SUBACTIVITY	ACTUAL 1980	APPRO- PRIATION 1981	1982 Budget Estimate	Inc(+)/Dec(-) 1981 Compared w/1982
1. Education & Welfare Services	\$ 56,700	\$ -0-	\$ -0-	-0-
2. Resources Management	150,000	217,000	217,000	-0-
3. Construction & Land Acquisition	1,949,888	1,350,000	650,000	-700,000
4. General Tribal Affairs	<u>717,815</u>	<u>1,433,000</u>	<u>2,133,000</u>	<u>-700,000</u>
Total	<u>\$2,874,403</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>-0-</u>

TRUST FUNDS
Program and Financing (in thousands of dollars)

Identification code 14-9973-0-7-999	1980 act.	1981 est.	1982 est.
Program by activities:			
1. Direct program (limitation).....	2,874	3,000	3,000
2. Advances to Indian tribes (indefinite authorization).....	63,390	25,000	25,000
3. Miscellaneous permanent.....	280,546	335,400	282,000
4. Other trust funds.....	10,578	8,300	10,300
5. Alaska Native fund.....	433,645	30,000	Ø
Total program costs.....	791,033	401,700	320,300
Change in selected resources (unpaid undelivered orders).....	1,890	---	---
10.00 Total obligations <u>1/</u>	<u>792,923</u>	<u>401,700</u>	<u>320,300</u>
Financing:			
21.00 Unobligated balance available, start of period:			
Treasury balance.....	-639,189	-628,568	-738,267
U.S. securities (par).....	-11,537	-198,187	-198,187
24.00 Unobligated balance available, end of period:			
Treasury balance.....	628,568	738,267	882,967
U.S. securities (par).....	198,187	198,187	198,187
Budget authority.....	<u>968,952</u>	<u>511,399</u>	<u>465,000</u>
Budget authority:			
Current:			
40.00 Appropriation.....	2,874	3,000	3,000
Appropriation (indefinite).....	28,630	25,000	25,000
Permanent:			
60.00 Appropriation (Alaska Native fund).....	30,000	30,000	Ø
Appropriation (Alaska Native fund--indefinite).....	403,645	Ø	Ø
Appropriation (indefinite).....	503,803	453,399	437,000
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	792,922	401,700	320,300
72.00 Obl. balance, start of period..	8,234	7,439	3,639
74.00 Obl. balance, end of period....	-7,439	-3,639	-139
90.00 Outlays.....	<u>793,717</u>	<u>405,500</u>	<u>323,800</u>

1/ Includes capital outlays as follows: 1980, \$1,334 thousand; 1981, \$1,350 thousand; and 1982, \$1,350 thousand.

TRUST FUNDS

Object Classification (in thousands of dollars)

Identification code 14-9973-0-7-999	1980 act.	1981 est.	1982 est.
Personal compensation:			
11.1 Permanent positions.....	1,768	881	967
11.3 Positions other than permanent	1,024	769	778
11.5 Other personnel compensation..	643	592	597
11.8 Special pers. svcs. payments...	354	400	400
11.9 Total Pers. compensation..	3,789	2,642	2,742
12.1 Personnel Benefits: Civilian..	266	191	213
21.1 Travel and trans. of persons...	378	370	370
22.0 Transportation of things.....	173	175	175
23.2 Communications, utilities, and other rent.....	554	700	700
24.0 Printing and reproduction.....	360	500	500
25.0 Other services.....	14,885	13,950	13,950
26.0 Supplies and materials.....	1,364	1,400	1,400
31.0 Equipment.....	645	650	650
32.0 Lands and structures.....	689	700	700
41.0 Grants, subsidies, & Contrib..	227	250	250
44.0 Refunds.....	769,593	380,172	298,650
99.9 Total obligations.....	792,923	401,700	320,300

Personnel Summary

Total number of perm. positions.....	83	38	38
Total compensable workyears:			
Full-time equivalent employment....	139	93	98
Full-time equivalent of overtime and holiday hours.....	19	22	23
Average ES salary.....	\$48,798	\$49,285	\$49,778
Average GS grade.....	7.90	7.93	7.94
Average GS salary.....	\$18,157	\$20,008	\$20,208
Average salary of ungraded pos.....	\$16,417	\$18,090	\$18,271