

TRIBAL CONSULTATION MEETINGS

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A P P E A R A N C E S

Bruce Loudermilk, Acting Deputy Assistant Secretary for Management

Bryan Rice, Deputy Director for the Bureau of Indian Affairs Office of Trust Services

Beth McGarry, Director of Federal Services for the Bronner Group

Kallie Hanley, Senior Advisor to the Assistant for Indian Affairs

1 P R O C E E D I N G S

2 MS. HANLEY: Good morning, everybody. I think
3 that we are going to get started if we are all ready. My
4 name is Kallie Hanley, and I am here from the Office of
5 the Assistant Secretary of Indian Affairs. I am new in
6 that office. I started about three weeks ago as a policy
7 advisor. The current Assistant Secretary is Del
8 Laverdure, and he is acting in that position. As you all
9 probably know, Larry Echo Hawk, who was the Assistant
10 Secretary, left that post to go and serve in his church.

11 Before joining Indian Affairs, I was at the
12 Department of the Interior with the Deputy Secretary,
13 David Hayes, where I worked on the consultation policy and
14 Cobell implementation and some other issues for him. So
15 today we are here discussing two important items. One is
16 the administrative assessment, and the second is the BIA
17 streamlining. So the administrative assessment was
18 something that was commissioned by former Assistant
19 Secretary, Larry Echo Hawk.

20 One of the things that Larry did when he was with
21 us, was go out and meet with a lot of different tribal
22 leaders across the country. And one of the things that he
23 kept hearing was that a lot of the administrative work had
24 been moved up and centralized in D.C., which took a lot of
25 control away from the regions and away from tribes. So he

1 thought that one thing that he could do was to commission
2 an assessment of our administrative duties at DOI and at
3 Indian Affairs. So that was why he hired the Bronner
4 Group to come in and conduct this administrative
5 assessment.

6 So we're going to talk about property, human
7 resources, procurement, contracting, EEO, and IT. And
8 then Bryan will talk about the BIA streamlining. So I
9 think I will hand it over. Beth? Should we introduce
10 ourselves first? Yes.

11 MS. MCGARRY: Yeah. So, thank you, Kallie. I'm
12 Beth McGarry; and I'm the director of federal services for
13 the Bronner Group and also the project manager for this
14 assessment for Indian Affairs.

15 MR. LOUDERMILK: My name is Bruce Loudermilk, I'm
16 the acting Deputy Assistant Secretary for Management with
17 Indian Affairs.

18 MR. RICE: Morning, my name is Bryan Rice; I'm
19 the Deputy Bureau Director for Trust Services out of the
20 D.C. office. Some in the room might remember me, I worked
21 in the Juneau office. I was one of the inventory
22 foresters for the -- for the regional office up here in
23 Alaska. So I'm glad to be back, for a little bit at
24 least, for a short visit.

25 But I want to add a couple more things onto what

1 Kallie was just talking about. So we have -- we have the
2 administrative assessment that we're going to be talking
3 about this morning. Let me -- let me frame a little bit
4 of what our day is going to look like here. We have the
5 administrative assessment. We'll -- we'll have a
6 presentation from the -- from Beth McGarry and the Bronner
7 Group. We'll have discussion about that element.

8 And once we move through that, we'll move into
9 the BIA's streamlining piece. There'll be presentations,
10 some slides that go with that; we'll have discussion,
11 question and answer, comments. Then from there there's
12 going to be a final piece that's going to deal with the
13 Johnson-O'Malley program. And we have one of our BIE,
14 Bureau of Indian Education colleagues that's in the back
15 corner that'll -- that'll come up and talk about it when
16 we're -- when we get to that point.

17 So then, couple other things just logistically.
18 We'd like to go around the room and just have everybody
19 introduce themselves and -- and say either who you're
20 representing or what village you're from. And -- and --
21 and part of it is, we have a court reporter here. So you
22 can -- you can see all -- we'll have transcripts of this
23 happening. So we want to be able to ensure that the right
24 comments are attributed to the right person and to the
25 right organization.

1 And so just to aid in having names and having
2 clarity in terms of all of this information, if you're
3 going to give comments as -- as we go out -- go throughout
4 the day, please say your name, again; where you're from;
5 and then give your comments. And then that way it allows
6 us to really capture, you know, the essence of what's
7 being discussed here. So with that, I guess, we can go
8 around the room real quick and -- and do just a quick, you
9 know, name and -- and where you're from.

10 So maybe we'll start right over here and work our
11 way around. On the spot.

12 MS. AMODO: Oh, no, I'm fine with that. Good
13 morning. My name is Linda Amodo, I'm from the Native
14 Village of Akhiok. I am the tribal president. And I am
15 anxious to find out what more we can learn from here to
16 better serve our community.

17 MS. ZEEDAR: I'm Sandra Zeedar, from the Native
18 Village of Akhiok, I'm the tribal secretary/treasurer.

19 MR. AMODO: I am Randy Amodo, I'm the [sic]
20 Native Village of Akhiok and a tribal member.

21 MR. SIMEONOFF: Good morning. I'm Speriodon
22 Simeonoff, Native Village of Akhiok and vice president.

23 MR. BACA: Good morning. My name is Joe Baca,
24 I'm from the Quim [phonetic] of Santa Clara, New Mexico.
25 I'm the intertribal liaison and public relations director.

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1 MS. BRENTESON: I'm Alyssa Brenteson; I'm from
2 the -- I'm from Akhiok -- Village of Akhiok, but I
3 represent the Kodiak Tribal Council; I'm the tribal
4 administrator.

5 MS. BROWN-SCHWALENBERG: Good morning. I'm Patty
6 Brown-Schwalenberg; I'm executive director of Chugach
7 Regional Resources Commission. And we serve the seven
8 tribes in the Chugach region.

9 MS. McMILLAN: Carrie McMillan, Cook Inlet Tribal
10 Council.

11 MS. LINDGREN: Alexandra Lindgren, Kenaitze
12 Indian Tribe and director of tribal government.

13 MS. LUNDY: Charmaine Lundy, Kenaitze Indian
14 Tribe -- education and --

15 MR. WALSH: Good morning. I'm Bob Walsh; I'm the
16 -- Senator Murkowski's office.

17 MS. MILLER: Good morning. I'm Glenda Miller,
18 I'm with the Office of the Special Trustee here in
19 Anchorage.

20 UNKNOWN SPEAKER: -- with the Bronner Group.

21 MS. GALVIN: And Margaret Galvin with the
22 consortium with 13 tribes, the Aleutian Tribal Islands
23 Association.

24 MS. BEDWELL: Good morning. I'm Janie Bedwell; I
25 work with the Bureau of Indian Education. And I'm here to

1 do the Johnson-O'Malley section of the presentation.

2 MS. BEAN: Lori Bean, the Alaska Region Program
3 assistant in EKROM [phonetic].

4 MS. CHANEY: And Holly Chaney, BIA, also with the
5 Alaska region.

6 MR. BRINK: My name is Zack Brink, I'm the
7 executive director for our hotel -- in Bethel.

8 MS. DUSHKIN: Good morning. My name is Colleen
9 Dushkin, I'm with the Aleutian Cook Island Association,
10 I'm the executive assistant for the human services
11 department.

12 MR. BROWN: Good morning. Charles Brown, Native
13 -- vice president council.

14 MR. VIRDEN: Good morning. Gene Virden, I'm the
15 regional director of BIA in Alaska, stationed in
16 Anchorage.

17 MR. THOMAS: Good morning. My name's Ed Thomas,
18 president of the Kaniva Central Council; I'm not acting.

19 MS. FOSDICK: Good morning. I'm Rose Fosdick,
20 I'm from Nome, Alaska; I'm a tribal member of Nome Eskimo
21 Community. I work at Kawerak, Incorporated as VP for
22 natural resources. Also the program director for a trust
23 resource, the reindeer -- thank you.

24 MR. HARRISON: Good morning. I'm Rick Harrison;
25 I'm vice president of Chickaloon Native Village and the

1 vice president of Cook Inlet Tribal Council.

2 MR. RICE: Okay, great. I appreciate everybody
3 doing that. I know it'll help -- help organize all the --
4 the comments and -- and one other thing about all the --
5 the -- the comments and the presentations that you see,
6 there's handouts that are in the back if -- I think
7 everybody has them; but just in case, there should be two
8 handouts for the PowerPoint presentations; there's a -- a
9 DVD that's back there as well that'll have the full --
10 full report on it as well.

11 And then that information is also hosted on the
12 BIA.gov Web site. So BIA.gov and then there's a
13 consultation tab, and all that -- all that information
14 will be there. You can download it, if you don't have it
15 here. Also, the transcripts, as they are processed, and
16 -- and made available, those will be also posted on the
17 Web as well.

18 So with that, maybe, Beth, you want to talk about
19 the -- the administrative assessment.

20 MS. MCGARRY: Okay. Well, it's certainly an
21 honor to be here today. Beautiful Alaska. It's been 10
22 years since I've been here, and such -- you have such
23 [sic] beautiful community. A little background on me. I
24 was an attorney with the Department of Justice and retired
25 last year. I've been both an assistant U.S. attorney in

1 San Francisco and then a deputy assistant attorney general
2 in the Office of Justice Programs.

3 And the Office of Justice Programs was the grant
4 making research arm of Justice. And we did a lot with the
5 communities in Alaska about justice issues and violence
6 against women. So I am somewhat familiar with your
7 issues; I cannot say that I am an expert, but some
8 background.

9 So, of course, our purpose today is consulting
10 with you. None of the recommendations that we've put
11 forward have been finalized, accepted; they're just that,
12 recommendations. We want your input, feedback. Will
13 these -- do they work for you, not work for you? After we
14 have -- this is the final consultation. So all the
15 comments from the leaders will be -- they're all, you
16 know, recorded by the court reporter, will be analyzed;
17 and then I will write an addendum to the final report that
18 we submitted in March. And the addendum will include the
19 comments of the leaders about what -- what they agreed
20 with, didn't agree with, and the way forward. So that's
21 the plan.

22 So as of a background, back -- way back in 1999,
23 the Indian Affairs commissioned a study by the National
24 Association of Public Administrators to look at their
25 support functions. At that time, BIA was providing all

1 the administrative or support functions. And when I use
2 that term, it's a global term to include, you know, HR,
3 accounting, budget, finance, property; everything in --
4 you know, put into one pot of administrative or
5 operational services.

6 So BIA provided those services, and they were
7 decentralized. And they also serviced BIE. So the
8 National Association of Public Administrators made some
9 recommendations about centralizing some functions, mostly
10 around budget and finance and some about HR and EEO. And
11 that -- nothing happened for quite a while. So come 2003,
12 2004, that time period, the last administration was -- was
13 dealing with Indian Affairs having a negative of financial
14 statement reviews.

15 So as many of you have, you have independent
16 auditors, KPMG, Price Waterhouse. They come in and look
17 at your books and give an opinion about the -- you know,
18 the stability or the correctness of your financial
19 statement. Well, the same thing happens in the
20 government. And in the early 2000s, this was becoming
21 more and more important. And the independent auditors
22 were finding material weaknesses, deficiencies in the
23 financial condition of Indian Affairs. So that, of
24 course, is a big concern.

25 Every federal department is look -- you know,

1 looked on by the Office of Management and Budget if
2 they're good stewards of their finances. So with that
3 pressure about having these material weaknesses, the prior
4 administration decided they would centralize everything in
5 support services, not just finance and budget, but
6 everything. So the -- this was the organizational chart
7 that resulted from that total decentralizing of support
8 services. A new position was created, the Deputy
9 Assistant Secretary, Management.

10 And, of course, everything in government, as you
11 know, has to have an acronym. So that's called DAS-M. So
12 when -- I know I will slip into the acronyms. So Bruce
13 here is the now acting Deputy Assistant Secretary of
14 Management or DAS-M. And created offices of chief
15 financial officer, or OCFO, under which was budget;
16 acquisition and property; financial management, which is
17 really the accounting side; and audit and evaluation. And
18 that's the internal function -- you know, your internal
19 check. Are -- is there waste, fraud, and abuse; are you
20 doing your processes correctly?

21 Over time the Office of Management and Budget,
22 they put out a regulation called A1-23, very elaborate,
23 internal review processing. That office manages that
24 process. Office of Planning and Policy Analysis; human
25 capital management, or HR; facilities, environmental,

1 cultural resources; and then the Chief Information
2 Officer, IT; with a bunch of divisions under it.

3 So when we were hired last year, our first thing
4 we did was to see if that approved organizational
5 structure from 2004 was the structure that was the one,
6 the as is, what's being done now. And, of course, over
7 time it had morphed into a slightly different
8 organization. So we still had the DAS-M secretary, with a
9 couple people doing FOIA responses of reporting to the
10 DAS-M.

11 Then we have Indian Affairs Information
12 Technology, with even more subgroups. Office of the Chief
13 Financial Officer, still budget, contracts and property,
14 finance. But this internal evaluation and assessment
15 office became its own office reporting directly to the
16 DAS-M. So that's because you -- part -- a lot of what
17 you're doing is internal review of checking the -- are the
18 processes done correctly so that there's no waste, fraud,
19 and abuse. You really can't report to the CFO, because
20 that's one of the groups you're looking at. So they
21 separated them out and -- to make them more independent.

22 Then HR, facilities, environmental, cultural
23 resources; and then this new office appeared, Office of
24 Homeland Security and Emergency Services. So looking at
25 that -- let's go back a minute. So this is the -- the --

1 the group that we ended up taking a look at. And our
2 charge was to do an assessment of the entire organization.

3 Now, feel free, if you want to interrupt me, you
4 don't have to wait to the end to -- to give any comments.
5 It's -- we're such a nice, small group, that we can have a
6 good conversation. So I'm going to tell you the end of
7 the story before we get to all the findings and
8 recommendations.

9 I mentioned that in the -- before 2004, all the
10 support functions were very decentralized. So there was
11 this lack of internal controls. That's what was -- that
12 was what was causing the financial problems with the
13 material concerns. And then we were -- in our
14 assessments, that BIE felt that they were receiving
15 disparate services for administrative support, because
16 they were being performed by BIE and BIA employees; and as
17 sometimes happens naturally, you know, you service your
18 organization first and the other second, because BIE did
19 not have their own support staff working for them.

20 Now, this -- when -- when all the support
21 services got centralized, that was another extreme. Went
22 from complete decentralization to total centralization. So
23 there was a perceived program disconnect. The folks that
24 were doing contracts, budget, finance, were not connected
25 to the community, and to the mission; because their

1 leadership was all back in Reston, Virginia, outside
2 Washington, and not in the community.

3 Because what happened, there were budget,
4 finance, property employees that were located locally.
5 But their bosses were back in Reston. So someone like
6 Bruce -- Central Plains, right?

7 MR. LOUDERMILK: Great Plains.

8 MS. MCGARRY: Great Plains. Had people in his
9 office down the hall from him who were doing contract
10 work. HR. He would get a call from a tribal leader,
11 "Hey, we have this problem. You know, we haven't gotten
12 our funding; there's a delay." He couldn't walk down the
13 hall to the budget person and say, "Hey, what's going on?"
14 Because they didn't report to him. He had to either call
15 the person back in Reston or the budget person in his
16 office did, delay, delay, delay, by trying to get this
17 problem solved for the local community. So we see that as
18 a -- a big problem.

19 And then the folks working in DAS-M really never
20 coalesced around an identity of who they were. Some
21 people were in the field; some people were in Reston. No
22 -- they never really felt as one group servicing,
23 supporting BIA and BIE.

24 MR. THOMAS: I have a question.

25 MS. MCGARRY: Yes.

1 MR. THOMAS: Now, when you did your research and
2 you did your review, you -- you're talking about shifting
3 positions, shifting dollars. Did you look at the
4 effectiveness? Because when we did have the shift under
5 the Bush Administration to the centralization, things
6 didn't improve in finance. So what -- what -- what is the
7 problem here?

8 MS. MCGARRY: Over time the accounting side of --
9 and if I could ask you for the court reporter -- it's
10 really helpful if you could state your name so that she
11 can keep your comments to you.

12 MR. THOMAS: I'm Ed Thomas.

13 MS. MCGARRY: Over time the finance function in
14 DAS-M did improve. Over the last several years they've
15 had no material weaknesses, no significant deficiencies.

16 MR. THOMAS: I'm talking about from the tribal
17 side. My funding got delayed until March in 2010. And
18 last year we barely got it the end of January. And, you
19 know, the fiscal year starts on the federal side in
20 October.

21 MS. MCGARRY: Right.

22 MR. THOMAS: So what improved there? I don't see
23 an improvement.

24 MS. MCGARRY: I don't think on the budget side
25 there has been improvement. When there is a continuing

1 resolution -- you know, when Congress doesn't pay us a
2 full budget --

3 MR. THOMAS: Exactly.

4 MS. MCGARRY: -- you should be getting
5 incremental funding along with the continuing resolution
6 or the CR, so that you get a proportional amount to let
7 you -- until the full budget is passed.

8 MR. THOMAS: Yeah, I understand that part. So
9 there's really not that much to figure out. I mean, you
10 know what your funding was; you know what your percentage
11 is, but we still can't get it out the door to the tribes.
12 So I'm just really trying to get you to respond to what
13 improved there. I really haven't seen the improvement.

14 MS. MCGARRY: I don't think -- what we found is
15 it didn't improve. The centralization did not improve
16 services to the tribes.

17 MR. THOMAS: Okay.

18 MR. LOUDERMILK: One other thing, if I might add,
19 is that my permanent position is the regional director out
20 of the Great Plains Region. A lot of times I see these
21 same issues, these same types of things happening to where
22 the DAS-M programs have a stovepipe effect to Washington,
23 D.C. Same thing with Mr. Virden here. If there is an
24 issue on the finance side, the accounting side, I can't go
25 directly to them and say, "Do this." They're not within

1 my reporting or my line authority.

2 So there's really no accountability there for us
3 to -- to work together, if you will. I mean, we need to
4 work together but you have these different management
5 lines and these different authorities that conflict. So
6 by going through and looking at what we're doing now, you
7 would have one person to go to who would be the regional
8 director, who would then have the authority over all these
9 problems that support the BIA programs in tribal
10 communities to be able to pull those resources together in
11 a more timely manner and -- you know, a timely fashion to
12 help get those projects, these things accomplished,
13 without having to run to different management lines and
14 chains of communication to get those accomplished.

15 MS. MCGARRY: And frankly, as far as performance
16 metrics, there really -- we asked for them, they're weak.
17 And so there should be -- you should be able to say, if,
18 you know -- okay, there's a continuing resolution, how
19 many days until there's that percentage funding; how long
20 does it take; what's our target? Those are the things
21 we're recommending be implemented with this new design.
22 So that there's a good handle on how long things take,
23 who's accountable and responsible for that.

24 MR. THOMAS: Thank you.

25 MS. MCGARRY: So that's what we're recommending

1 is this balanced approach. We're not recommending that
2 the DAS-M disappear, but that there be a shared
3 responsibility. That the DAS-M been responsible for
4 central policy oversight. You do have a lot of
5 regulations, we all know in the federal government; and a
6 lot of mandates. Someone needs to be responsible for
7 ensuring that they are all recorded, that there's accurate
8 policies and procedures, and that those are disseminated
9 out to people in the field. So there's -- things are done
10 fairly.

11 What's done in one region is the same as another
12 region. When you call up, you're not getting three
13 different answers for your question, so that you don't
14 know what to do. So we want to sure up that central
15 policy oversight in DAS-M, but there be regional staff
16 supervision of these -- of the employees that are out in
17 the region. We -- the policies and procedures for the
18 most part are not updated; that's especially true in the
19 budget/finance area.

20 A lot is done by e-mail, phone call; they're not
21 -- they're not updated on the Indian Affairs Intranet so
22 that anybody can go onto the computer and find out, "Oh, I
23 have this issue; what do I need to do?" It's -- they're
24 -- they -- so this should be an opportunity to update,
25 streamline the policies and procedures. We think there'll

1 be better communication, certainly for you, the leaders in
2 the field, because you'll be able to go to the regional
3 director; and he or she will be responsible for those
4 folks doing admin services for this area.

5 And we are recommending a new focus on BIE needs.
6 They are trying to run a school system in a federal
7 bureaucracy environment. The federal fiscal year, October
8 1 to September 30, that's not a school year. They need to
9 get books to the students when the school year begins;
10 that could be August or September. And they don't -- so
11 all their administrative operational needs are unique;
12 they're not the same as the rest of BIA.

13 So our recommendation is that they have dedicated
14 support staff that focus on the children and their needs
15 so that teachers are hired on time, books are at the
16 schools on time, and that the -- they are -- their -- they
17 are on a completely different schedule; and they need
18 staff that's focused on that support schedule for them.
19 So this is what we're recommending as the new
20 organizational charts.

21 As I said, we don't recommend that DAS-M go away,
22 but that the -- that it be shrunk. Still the -- the
23 Deputy Assistant Secretary, Management. So in the CFO
24 office, financial management/accounting; split
25 acquisitions and property. They're very different really,

1 and they -- they -- we're -- our recommendations are that
2 folks be -- become more specialists instead of
3 generalists. That they really get to know their subject
4 area and not know a little about a lot, but know a lot
5 about a focused area.

6 So we're recommending that budget management move
7 to be a direct report to the Deputy Assistant Secretary of
8 Management. Budget is so important in -- you know, in any
9 organization, but definitely in the federal sector. The
10 -- the formulation of the budget, what programs are we
11 going to find? What's working? What's not? What's our
12 direction? It really needs to be articulated clearly;
13 have input from the tribes and the Alaska Native
14 communities; and then be presented through the Department
15 of Interior, to Office of Management and Budget; and then
16 that becomes the President's budget.

17 Indian Affairs will have great credibility when
18 their budgets are well documented, on time; and then they
19 are your advocate for funding in the Department of
20 Interior. To do that, our recommendation is that they not
21 be, you know, one of five, but that they become a -- an
22 office that reports directly to the Deputy Assistant
23 Secretary of Management. Keep this internal evaluation
24 and assessment function independent. HR, facility and
25 environment, and then the IT group.

1 So as I said, we [sic] looking at DAS-M is
2 currently is -- you know, the big dog in support services.
3 We'd like to see it shrink, and that the support staff be
4 supporting their mission in BIA or BIE. And that that,
5 we're hoping, improve service and accountability. So if
6 the recommendations are followed, over the next 12 months
7 all these folks that are already out in the field would
8 change their line of supervision, their reporting
9 relationship to the BIA or the BIE where they are locally.

10 As you can see, that's -- you know, we've got
11 budget employees, accounting, facilities management,
12 property, and HR specialties that are for BIE. They are
13 19 personnel specialists currently in Albuquerque that
14 support BIE, hiring teachers; but they don't report to
15 anybody in BIE management. Their reporting is back in
16 Washington. We just don't think that's good government.

17 So there have been -- you know, we've been
18 working with Indian Affairs for several months now, and
19 some things just as part of a -- the organizational life
20 have happened already. One being, the splitting of
21 acquisition and property management. None of those
22 reporting relationships have changed, but the -- the
23 people in the DAS-M Reston office are now in basically two
24 different teams. The teams have been split. We think
25 that's a good idea that they're focused on their specific

1 areas.

2 The other was this Office of Homeland Security
3 and Emergency Services, it just appeared over the years.
4 That is really a problematic function. We have
5 recommended, you'll see in our report, that they go to
6 BIA. And that's a process that's already underway.
7 Because there's a Justice Services in BIA, this is a good
8 link for them.

9 If you're following along in the PowerPoint
10 that's a handout, I'm a little off. There's some slides
11 that are included in your PowerPoint that I've done in a
12 different order. So you have the complete set. And, of
13 course, the -- the DVD or the CD has the full report.

14 So IT transformation. This last year the
15 Department of Interior as a whole wanted to look at their
16 IT services. So this is an initiative that covers all the
17 Department of Interior, Park Service, Fish and Wildlife,
18 BLM, everything, including Indian Affairs. So although in
19 our report we made findings and recommendations about IT
20 services, we have provided them to the department's IT
21 transformation team, and they're going to be managed as
22 part of the whole I T department-wide changeover. So
23 we're not going to focus on them in the next 12-month
24 period.

25 So the first is budget. We talked about the

1 budget formulation process being -- and what we found for
2 Indian Affairs is that it's reactive. The budgets are on
3 three years -- you know, you're working three budgets at
4 one time. So right now Indian Affairs is executing the
5 FY12 budget that passed; it is answering questions about
6 the FY13 budget that's up on the Hill, and they're
7 formulating the FY14 budget. And so you've got to manage
8 three budgets at one time. And you'll see in the appendix
9 to our report, we gave some suggestions on how to, in
10 every month, manage all three tasks at one time.

11 So for the budget formulation, often you -- a
12 federal agency waits for the Office of Management and
13 Budget, or OMB, to give you the guidelines. What is your
14 targets? What are your percentages? And sometimes that
15 comes late. And our recommendation is that Indian Affairs
16 start working on their budget formulation early, right
17 away, November/December. Do a lessons learned from last
18 year. Start working on your templates, reaching out to
19 TIBC, reaching out to the programs in BIA and BIE.

20 And even though you don't have that final number,
21 you can start communicating about what the needs are; what
22 programs are working, are not working; and not wait till
23 the last minute. So that these write-ups -- and they're
24 extensive, that have to be done when you're putting the
25 budget together -- aren't done at the last minute. So to

1 do that, we're recommending a new model for the budget
2 office.

3 Right now everyone in budget are -- as I said,
4 they're generalists. So if you call about, "Why aren't I
5 getting my money?" you might get someone who has been
6 working all day on budget formulation, and not focused on
7 the execution side. So we're recommending that those
8 teams be split, and that they -- there be a team for
9 formulation, one of execution. But also, they be assigned
10 program areas. So that they really drill down and know
11 their program area. They be assigned Trust Services, so
12 that when they're formulating a budget for Trust Services,
13 they know the program managers; they know the issues; and
14 that there be a backup, so that if they're gone there's
15 always somebody that is ready and available to answer your
16 questions. Same with execution.

17 Now, on the -- you saw there was that Office of
18 Policy and Performance Management; we're recommending that
19 that office not be -- of independent report to the DAS-M
20 anymore, but that it merge into budget. Because what do
21 they do? They're doing all the analytics on the current
22 programs. I -- many of you've heard of GIPRA, there --
23 and when you do your programs, you have certain
24 performance expectations, targets. What is this -- a
25 program going to achieve with the funding?

1 This office, Performance Management, looks at
2 those metrics. So our recommendation is they need to be
3 in, not only close proximity, but part of the
4 conversation. So when you're formulating a budget, you
5 need to know what programs are working well, what aren't,
6 what money -- should we keep putting money in this
7 program? If -- if it's not working well, what needs to be
8 fixed? If it's working great, maybe that's a program that
9 you get more funding. So we think this conversation and
10 feedback with the Performance Management folks shouldn't
11 be separate, should be integrated within the budget
12 office.

13 So as I mentioned, it -- there's more extensive
14 discussion about how you run a three-year budget cycle at
15 the appendix to our report. But it's a lot -- it's all,
16 you know, communication, constant cycle, developing
17 guidance templates, consulting with TIBC, distributing
18 them; them having thoughtful budget decisions that aren't
19 at the last minute; and then look at your lessons learned
20 every year.

21 It's all continuous improvement, make changes; so
22 that when you start again, each year gets better. It's
23 not going to be -- you know, a miracle the first year, but
24 each year should get better year. Yes, sir?

25 MR. THOMAS: Yeah, Ed Thomas again. One of the

1 -- I guess, very institutional problems we have, is when
2 you do this cycle, you leave out need.

3 MS. MCGARRY: I didn't hear you, sir.

4 MR. THOMAS: You leave out need.

5 MS. MCGARRY: Need. Right.

6 Mr. THOMAS: The need of the people. And so we
7 continuously base the budgets on lessons learned from the
8 limited amount of money that is available for a particular
9 task, and you disregard the need. And so you say, "Well,
10 it was once very effective; and the other is not." Well,
11 oftentimes they're not effective because there's not --
12 not enough money to make it work.

13 Probably more importantly, in Alaska anyway, is
14 we have the high cost of living increasing as energy costs
15 goes up. There's absolutely no methodology for correcting
16 that in the national budgets process. So I -- I -- I see
17 where you're going here, but I -- I just don't understand
18 why we get locked into these kinds of methodology that
19 leaves out need.

20 MS. MCGARRY: Very good point. And I think that
21 the consolidation with the TIBC is --

22 MR. THOMAS: That -- that -- I served on that for
23 --

24 MS MCGARRY: Yeah.

25 MR. THOMAS: -- 10 years, and that is so

1 deficient, I just can't even say it with a straight face.
2 I mean, you -- you get locked into the limitations of what
3 is provided you as a matter of fact of the budget. And
4 there again, no consideration given need. You can consult
5 all you want with the TIBC -- if you're saying, "Oh,
6 here's your limitation; we're going to cut you three
7 percent; so do what you can." And do you know of
8 everybody's {sic] been on there that can tell you anything
9 different? That's the rules you play by when you get in
10 that group. And that's why I'm saying, we need to get
11 past that and talk a little bit about need in the cycle,
12 because those are lessons learned.

13 MS. MCGARRY: Excellent points. Thank you.
14 Okay. So we did -- I did mention this already, splitting
15 budget out so that there is more focus on the budget. And
16 then having the reporting relationship of the employees
17 that are in the field change so that they're have [sic]
18 local supervision. Same with financial management. This
19 is the, you know, accounting, paying invoices function,
20 that they should be -- the local employees should be
21 supervised locally for that.

22 And then this is what -- for DAS-M, these are all
23 the tasks that are integral with having a successful
24 financial audit by one of those independent auditors. And
25 so we're recommending that these duties and tasks remain

1 centralized. And -- so that the very positive changes
2 that Indian Affairs have made in their financial position,
3 integrity of it be maintained. We don't want there to be
4 any backsliding, since they've done such a fantastic job
5 with their financial statements in the last several years.
6 But the folks that are doing the operations accounting in
7 the field, again, that they be supervised locally.

8 So acquisition and contract management. We -- I
9 would say almost all of our feedback that we received is
10 that the -- the staff was -- you know, in their response
11 was slow and that they were not customer focused. And so
12 -- so this is an area that, you know, really needs -- we
13 need to realign. There are acquisition and property
14 employees in the field, but they're in odd little pods.
15 There could be a lot of people in Seattle or Portland, but
16 they're supervising people 2,000 miles away.

17 And in contacting, there's a lot of regulations
18 that if -- you have to be certified, you have to have
19 warrants. There's a lot of requirements. I couldn't be
20 the first line supervisor of a contracts officer, 'cause I
21 don't have a warrant. So we have to work together to get
22 this -- these folks realigned reporting locally. And
23 that's what our recommendation is; and during this
24 implementation period, that we work with Indian Affairs to
25 get this straightened out, to get back to the mission of

1 customer focus, timely support. Their metrics are also
2 not consistent.

3 So we have to really drill down into the type of
4 contracts folks are doing, how quickly they're doing them.
5 Each region keeping that data -- or each subset keeps that
6 data differently. And so it is hard to compare. But
7 that's something we're, you know, looking forward to
8 digging into. So property. You know, if there's an issue
9 with property management in a region and the regional
10 director, again, goes down the hall and says, "Hey, look
11 we got this big problem, let's fix it," he/she doesn't
12 have the authority. Have to go back to Washington or
13 Albuquerque. I -- Bruce has a great example.

14 MR. LOUDERMILK: Well -- well, another issue of
15 that is that property, who works for another entity, if
16 you will, the DAS-M, will have reports forms that the
17 regional director needs to sign off on. Well, I mean, the
18 regional director is signing off on documents that they
19 have no authority or no -- no responsibility or
20 accountability in the development of and making sure that
21 everything is correct and true. So, I mean, it -- it --
22 it gets to be a little bit of a -- a -- accountability
23 issue on those respects.

24 So -- and that's part of the problems too. You
25 know, we have -- Great Plains Region again, very large

1 diverse region also. You've got property folks in the
2 regional office that sometimes have a hard time
3 coordinating with folks out at the agencies to get the
4 necessary reports and reviews done. And without having a
5 central point of contact to get the agencies and regional
6 offices all in alignment to work together, it creates some
7 deficiencies for us. So it's a real challenge here. So
8 this here should -- should help alleviate that also.

9 MS. MCGARRY: So there's currently approximately
10 36 field property staff, and that we would have them
11 report locally to improve customer service and
12 accountability. I mean, these are the themes you're going
13 to hear me say over and over again. But that's what we --
14 you know, would recommend.

15 So facilities management is -- it's a very
16 difficult area. When we talk about shrinking funding, the
17 Inspector General for Interior spoke -- testified before
18 Congress and said, "Each of the components within Interior
19 have a long list of facilities with safety conditions and
20 backlogged maintenance that is not being addressed because
21 there's just not enough money for it."

22 And Indian Affairs is part of that issue, because
23 they will do the safety evaluations and prioritize them;
24 but there's just not enough money to do the -- the
25 corrections. So at the beginning, at least, let's just

1 get these regional facilities managers reporting locally
2 to try to get some -- as many -- as much quick response as
3 we can. And I think in our recommendations, we also
4 recommended that local authority for facilities, repairs,
5 be increased locally, so that there's less -- you know, a
6 lot in the government is, you know, three people have to
7 sign off on something. And it evolves over time. You
8 know, so if it's only \$10,000, a regional director should
9 be able to approve that. It shouldn't have to go back to
10 Washington.

11 So in doing these policies and procedures redo,
12 let's -- we're recommending that Indian Affairs really
13 look at streamlining. How many signatures are required
14 for something? Certainly if it's a big purchase, you want
15 -- you know, a lot of people looking at it. But if it's
16 not that big and it's a crisis, let it be handled locally.

17 MS. HANLEY: That's --

18 MS. MCGARRY: Yes.

19 MS. HANLEY: -- if I may? Not even just a crisis
20 though and \$10,000; as I understand it right now, local
21 offices have to go all the way to D.C. to get approval to
22 buy light bulbs for their offices. That's how much of a
23 problem the centralization is.

24 MR. LOUDERMILK: And -- and one of the things
25 too, I mean, with the centralization process, a lot of our

1 folks have -- have come into such a short focus on the
2 processing, that there's really no policies, procedures;
3 there -- there's no direction coming out of the central
4 office like there should be. That has gone kind of the
5 way -- you know, to the side, while they focus on audit
6 issues and so much of those things.

7 And, you know, I hate to say -- you know, use
8 this analogy, but throwing the baby out with the bath
9 water. We focus so much on audit and making sure that all
10 that's in -- in compliance, that we've almost gone away
11 with, you know, common sense to a certain effect. So when
12 we start having things come up like this, we need to start
13 looking at these and start driving the organization to
14 better meet these needs. So these are good examples.

15 MS. MCGARRY: So -- and in -- you know, as we
16 talk about going forward, our recommendation is that we
17 have employee run teams. So the best change comes from
18 the ground up. The people doing the work every day know
19 what the problems are; they know what good fixes are. So
20 we would like to see representation across Indian Affairs
21 geographically for, let's say, its budget. Well, then
22 let's get team members, not just supervisors and managers,
23 but people who do the work, be part of this change team
24 and have a team leader that is an Indian Affairs employee
25 that is leading the team; and then we, as Bronner, would

1 be the support for that.

2 Looking at policies and procedures, changes
3 supervision, streamlining, come up with those ideas and --
4 because the change in 2004 was topped down. "We are going
5 to do this; it shall be done." Boom. It never works. It
6 has to be inclusive so that change will last. And a lot
7 of great ideas -- I mean, at Justice I ran a lot of these
8 -- I was the executive on a lot of these teams. And
9 really great ideas came from the employees; and we did a
10 lot of streamlining, a lot of customer focus. What --
11 especially in the grant world. You know, what makes it
12 easier for the grantee? Same here, what makes it easier
13 for the, you know, Native American communities to serve
14 the people? So that's the goal.

15 So same thing. This -- this -- this central
16 office, they're in charge of policies, dissemination of
17 the funds. But there's -- this is technical and it's in
18 the report in kind of detail. But to change some -- you
19 know, that there be -- as the budget formulation, changing
20 the -- how operational assistance is done, the
21 percentages. And I think this dissemination of funds
22 needs to change the -- a little -- a little bit, because
23 if your money -- if you don't have enough money to operate
24 your facilities, you're dragging money from your --

25 MR. LOUDERMILK: Programs.

1 MS. MCGARRY: -- program and maintenance funds.

2 And you're never going to do the maintenance 'cause you're
3 using the money for operations. All right.

4 HR is an issue. The feedback we got, not
5 responsive to problematic needs. And when I say that, I
6 mean, if a program, if they need to fill a position, you
7 need to get somebody hired fairly quickly. It's very slow
8 and often not responsive to the needs. There's a lot of,
9 you know, bureaucratic rules around hiring. But sometimes
10 the HR specialists, in my experience, not just Indian
11 Affairs, get again, focused so much on the process, they
12 don't see the big picture; and they don't see the
13 flexibility that they have.

14 So it is very possible to write a very enticing
15 vacancy announcement, have good job descriptions that
16 really tell you what the person's doing, and get them
17 security cleared quickly. Six weeks is very doable. And
18 Indian Affairs doesn't really have a consistent,
19 comprehensive employee development program. The
20 investment in the employees is not -- it's not really
21 there.

22 So every year the federal government does an
23 employee viewpoint survey. Ask -- every employee gets
24 this Web-based survey: What do you think about your job?
25 You know, it's about -- I don't know, 150, 200 questions.

1 And it's anonymous, so the response rate's pretty good.
2 Well, unfortunately, Indian Affairs does not rank well on
3 their -- this survey. So there -- out of 228 agencies,
4 you know, and subagencies, Indian Affairs' overall ranking
5 is 189. And of particular disturbance is this ranking
6 almost dead last in teamwork.

7 So that is another reason we're recommending that
8 the implementation teams be employee driven, to try to
9 address this feeling that it's not a team -- this lack of
10 team and -- and joint coalescences around the mission.
11 Training and development, also very low. And, you know,
12 effective leadership, which I think this goes into our
13 other finding, which is that the communication between the
14 leadership and the employees is fractured. So I think
15 that these numbers reflect that disconnect in
16 communication.

17 So areas of improvement, this is a very busy
18 slide; because there's a lot that needs to be done. So
19 first off, the -- the Indian Affairs job page -- have any
20 of you ever looked at that? Boring, boring, boring. It
21 is just static. There are all these great jobs in Indian
22 Affairs. And there's so much now with technology that's
23 easy to do. Let's do a day in the life of, you know, a
24 forestry employee. Let's -- let's talk about, you know,
25 the services to the community, the partnership with the

1 tribes. Let's have tribal Native Alaskan leaders have a
2 Web interview. Talk about, you know, the relationship.

3 There's so much that can be done to entice, you
4 know, new graduates, young people to the mission of Indian
5 Affairs. So that's one area that can be done very easily,
6 not too expensive, in-house, and really, you know, zoop up
7 that Web page. Talked before about metrics. There's not
8 good metrics on hiring. Every time a manager requests a
9 position be filled, that should start the transparent
10 metrics. There should be goals for each step in the
11 process. It should be transparent on the Internet, so
12 everybody knows when that request was made; how long's the
13 process taking? It's pretty easy to do, simply on an
14 Excel spreadsheet.

15 You know, the proactive vision for employee
16 recruitment and retention, that again goes back to the,
17 you know, not dynamic Web page. There's a lot that can be
18 done to get -- to do recruiting retention. You know,
19 recruitment for sure and retention goes to the, you know,
20 investing in your -- in your employees with employee
21 development. We think that, you know, they're -- it's
22 very fractured, the recruitment and hiring. We think
23 there can be more partnerships.

24 You know, and if part of the problem is the, you
25 know, the personnel specialists are all behind the time,

1 we'll assess their skill set, provide training to fill the
2 gaps so that they can meet that need. Now, you'll hear a
3 little later, but at the time -- we took the picture last
4 year, 13 percent of all Indian Affairs employees were
5 eligible to retire right now. Yes?

6 MS. LINDGREN: I -- I -- I have a question.

7 MS. MCGARRY: Could you state your name? Sorry.

8 MS. LINDGREN: Alexandra Lindgren, Kenaitze
9 Indian Tribe. And I -- I would like to know how -- what
10 percentage of the BIA budget and BIE budget ends up in
11 direct services to American Indian Alaska Native people
12 and how much is invested in the -- in this? Do you have
13 an answer?

14 MR. LOUDERMILK: You know, I think what we're
15 going to end up doing is when we start talking about the
16 BIA streamline, and correct me if I'm wrong here, is that
17 Bryan will have breakouts on some of -- more of the budget
18 items in this respect, and the employees. Is that what
19 you're talking about? Or am I missing the point --

20 MS. LINDGREN: Well -- well, I -- my -- because
21 I'm a tribal member.

22 MR. LOUDERMILK: Right.

23 Ms. LINDGREN: I would be interested in your
24 streamlining progress, if it was going to result in more
25 direct service, more direct funding to tribes and -- and

1 our programs. That's the goal. That -- that should be
2 the goal. And so I think your presentation on this should
3 show us -- because you're consulting us -- with us, how
4 this is going to assist us as tribes. And that's what I'm
5 looking for. And so you say that's coming later?

6 MR. LOUDERMILK: Well, you know, what we're
7 addressing right here is how our improvement of services,
8 what the realignment of the admin functions is going to
9 help improve services to the tribes. Now, what we're
10 going to be talking about with the BIA streamlining, is
11 where we're going to be looking at the potential for
12 budget cuts that are going to be forthcoming; and how
13 those are going to impact; and how we can, you know,
14 minimize the impact; improve the services type of deal; do
15 more with less. And I hate that terminology. But we'll
16 be getting more into that on the -- the streamlining side,
17 okay?

18 MS. MCGARRY: What -- what the -- these internal
19 support functions that we're looking at are sort of that
20 background that then is -- if that works better, then the
21 people providing the direct services in the -- you know,
22 the funding could increase if this can function better.
23 Then you're going to free up money for more program work.
24 But it's not working now. So to try to get this
25 underpinning or structural part of Indian Affairs fixed,

1 first to have better services, and then hoping that --
2 that using technology you're streamlining and it costs
3 less money.

4 But it is a -- my -- my review was of that
5 support function, that underpinning. And it is a little
6 more tangential.

7 MR. THOMAS: I have a question. Ed Thomas. When
8 -- when -- these least two slides are very important
9 slides in dealing with any reorganization or even looking
10 at the job duties right now; what is the reaction of OMB
11 on this? You know, one of the problems I have with OMB,
12 is they become more a controller as opposed to being a
13 management. They totally ignore their responsibilities
14 under their job description as managers.

15 And -- so they have to oversee management. And
16 yet -- and you know and I know that when they participate
17 in the meetings, they're telling you what your limitations
18 on budget is, as opposed to saying, "Well, we really need
19 to fix this or -- I'm glad you shared this information
20 with me; let's see what we can do." I think a lot of the
21 discord that we have in the BIA, is we set the managers up
22 to become targets because of OMB's absence of leadership
23 in -- in the whole department.

24 And -- and we don't like to talk about them
25 because we don't want to offend them. Well, those years

1 are over for me. I mean, those guys really need to come
2 on -- on board or be part of the team. The teamwork thing
3 that you're talking about is largely driven by OMB, and
4 you need to come to grips with that. That's the biggest
5 problem in our relationship, not only with the BIA, but
6 with the Department of the Interior.

7 Those guys will come to a meeting, show up and
8 give a report, and walk out. That's really not
9 management. It might be a little different on the budget
10 side. But they really don't know the problems here in
11 Alaska; they don't know the problems in some of the
12 Midwest states or Plains states. They simply know that
13 they looked at a budget one time, and they know the best.

14 So I'm throwing that out there, not -- not that
15 anybody's going to do anything about it. But I think you
16 need to understand that large -- a large part of the
17 problem in all of these last two slides, is driven with
18 OMB's philosophies.

19 MR. LOUDERMILK: And -- and just to kind of
20 reiterate on that also, is that -- one of the things we're
21 doing right now is setting up a -- a meeting with OMB that
22 we'll probably be having in the next several weeks to
23 discuss these exact things. So glad you brought that up.
24 We do have them on the agenda that we will be discussing
25 the admin assessment study, some of the restructuring and

1 reorganizing that we're looking at doing. So that is on
2 the agenda.

3 Likewise, we will be setting up meetings with the
4 Department first week of June to also go through these --
5 this type of -- you know, these things that we're talking
6 about here today, okay.

7 MR. THOMAS: Thanks.

8 MS. MCGARRY: So because of the, you know,
9 impending retirements, our recommendation is that Indian
10 Affairs do look at a work force and succession plan and to
11 have a path going forward. So I mentioned the 19 HR
12 specialists in Albuquerque. We believe they should report
13 to the BIE assistant deputy for administration and to have
14 that accountability and oversight over those employees,
15 rather than their supervision be, you know, somewhere else
16 in the country.

17 So the commitment to employee development. The
18 -- the Department of Interior has a -- a supervisor skills
19 leadership course. We had recommended that Indian Affairs
20 nominate employees to participate in this course. And one
21 of the feedback we got from doing -- from tribal leaders
22 was that when new employees come into the Indian Affairs,
23 they're not well grounded in cultural competency. They
24 don't know how the different tribal governance works; what's a
25 direct service tribe; 638; how the Alaska Native

1 communities are organized.

2 And so we're recommending that there be a
3 Web-based orientation program that these issues are
4 addressed, the history of Indian Affairs, so that every
5 new employee, no matter what part of the country they're
6 in, can go on the Intranet side and get this orientation
7 so that they're -- if they're servicing, you know,
8 communities, that they know more about the communities
9 that they're servicing.

10 And then finally, there's these DOI learn
11 courses, you know, desktop training programs. They exist,
12 but they're not really integrated in the -- each
13 employee's employment development program. And we are
14 recommending that the supervisors, you know, work with the
15 employees, identify their training needs, and set aside
16 time during the day or month for them to take these
17 desktop training programs. You don't always have to fly
18 somewhere to go for training; a lot of it is on the
19 desktop now.

20 So as much as we would like to recommend that the
21 HR staffing resources or those specialists be supervised
22 locally, they are so disjointed right now. There's a lot
23 of employees in Anadarko, there's other ones in
24 Portland --

25 MR. LOUDERMILK: Billings.

1 MS. MCGARRY: -- Billings. They're very
2 fractured, and you -- the -- the kind of thumbnail go by
3 is for every a hundred employees, you should have one
4 personnel specialist. Those numbers are -- you know, they
5 may exist; but they're out of whack. So there needs to be
6 more work and -- to figure out how to get this alignment
7 of the HR specialists locally.

8 MR. LOUDERMILK: One of the biggest things we
9 found out is that our inability -- and I'm going to call
10 it as it is -- our inability to fill jobs timely has a
11 direct impact on the services provided at the tribes. And
12 the way our HR offices are functioning right now is a --
13 is a huge hindrance to that. And, I mean, it just has to
14 deal with the ebb and flow of the way things were
15 streamlined before and to what we're looking at doing now.

16 I'll give you an example. I have one employee
17 relation specialist in the Great Plains region for
18 approximately 650 employees. Rocky Mountain region has
19 six HR people that report to different supervisors
20 throughout the nation. Okay. They don't all report to
21 one person. So you can see the fractionation of that
22 program is really hindering our ability to backfill and
23 fill these positions, and -- and do the jobs that are so
24 important to provide services to the tribes. And that's
25 something we've got to take a look at.

1 I mean, we need to look at our -- our ratios,
2 employee relation specialists, staffing specialists, you
3 name it, to make sure that we're adequately staffed. And
4 then, plus, we need to have those folks in the right area.
5 I mean, we have an employee relations specialist in
6 Portland who oversees all the employee relation
7 specialists throughout the nation.

8 We have a budget person located in Nashville,
9 Tennessee, who oversees budget folks throughout the -- the
10 nation. We have a property management specialist located
11 in Phoenix who oversees other regions throughout the
12 nation too. So there's no consistency there. And in my
13 view, accountability, when working with the regions and
14 working with the tribes and pushing our services and
15 providing services that we need to after the tribes and
16 the users. So a big hindrance.

17 MS. MCGARRY: Yeah. And a lot of work -- you
18 know, sometimes things evolve over time, employee wants to
19 move and so they move, and nobody's really thinking about
20 the organization. And so now's the time to really drill
21 down and look at that. And HR is one area that really --
22 it's so fractured that we couldn't make specific
23 recommendations but to -- you know, there are things that
24 can be done about bringing new employees in, get some
25 metrics involved. But the exact moving of supervision of

1 HR specialists right now, it can't be done on a dime.

2 So the EEO office -- switching gears, was
3 originally managed by BIA. And unfortunately, about four
4 years ago -- three, four years ago, they were not able to
5 keep up with all their investigations. And by failing to
6 meet the regulatory time for investigations, cases were
7 going to EEO hearing and they just weren't being managed
8 well. So the Department of Interior, Office of Civil
9 Rights, put the EEO office under what's called
10 receivership. So the EEO office is now staffed -- managed
11 by employees of the Office of Civil Rights for Interior.

12 And there is a plan to have -- the things that
13 have to be accomplished by Indian Affairs to get back
14 ownership of the EEO office. So our recommendation is to
15 get a strategic plan so that Indian Affairs manages its
16 own antidiscrimination obligations. And this is from
17 posting antidiscrimination policies and procedures on the
18 Internet, have sufficient EEO counselors managing
19 complaints. I mean, it's -- we think that, you know, a
20 strategic plan to really address this to get back
21 ownership of this program.

22 So safety is another issue. There's just another
23 area where there's insufficient resources. The safety
24 officers are -- there's insufficient safety officers.
25 You'll see in our report, we map out where they are all

1 located. They have a huge portfolio. One of which is
2 managing Worker Comp claims. They -- I think they're just
3 so overwhelmed that they don't have enough time to really
4 manage them as well as they should be done.

5 So how do reinvigorate this program. One of our
6 suggestions is even with limited funding, that you don't
7 fund the safety programs, that you fund them directly to
8 BIA and BIE. Again, having that local responsibility.
9 They're consider [sic] sharing resources with other
10 agencies. So the National Park Service and Fish and
11 Wildlife have a very vigorous safety program. They're
12 often located very close to Indian Affairs facilities and
13 employees. Maybe partnering with them to share some of
14 the safety resources that they have, rather than just
15 hiring new people. You know, develop a strategic plan by
16 doing instep study and then trying to see how in an error
17 of limited budget resources to commit more resources to
18 the safety program.

19 So internal control and evaluation. We talked
20 about that being a separate group. Many of you who have
21 federal -- received federal funding have to do single
22 audits. You have the single audits come in; you get
23 single audit reports. Sometimes those reports say they
24 are disallowed costs or question costs. Those reports
25 then go to the program manager, generally at BIA or B --

1 you know, not here BIE, but -- and then that program
2 manager has one year to decide if those question costs are
3 allowable or not.

4 Sometimes they are, sometimes they -- you know,
5 auditors that are looking at your program don't know the
6 ins and outs, the program manger will say, "Yes, those
7 costs are allowable. It's okay." Or they'll say, "Um,
8 no, that was a -- you know, misuse of funds; those aren't
9 allowable; they're owed back to the government." But
10 there's a time clock on that. And unfortunately, Indian
11 Affairs in FY2010 did not make those decisions timely. So
12 they were time barred from collecting potentially \$10
13 million in disallowed or questioned costs. So we're
14 recommending that there be more attention and rigor put on
15 making those decisions on the single audit reports, GAO
16 recommendations, IG recommendations.

17 So the first thing we'd like to see is the
18 Assistant Secretary issue a national policy or memorandum
19 concerning management accountability. When an Assistant
20 Secretary does that, it puts a big emphasis on that area
21 and that -- get everybody know [sic] that this is an
22 important -- and that this work has to be done timely.
23 That they -- there be better metrics. Some -- they have
24 metrics, but they're very static. And a manager wants to
25 really look at something and say, "You know what are in

1 the red -- what are in the green zone things are timely?
2 What are yellow? This is what I need to be concerned
3 about. What are red that I better get this done or we'll
4 be time barred?" So I just think if they do their metrics
5 differently, then communicate better to senior managers,
6 the senior managers will be better informed on how to stay
7 on top of this.

8 Ultimately, in an internal evaluation process,
9 you would like your employees, let's say in one region, to
10 go look at the programs and policies in another region so
11 that you're helping each other out, learning the best
12 practices from each other. Indian Affairs isn't there
13 yet, I don't believe. But that's a goal.

14 MR. LOUDERMILK: You know, we used to do that in
15 the past. We used to do these cross-regional reviews,
16 cross-agency reviews, if you will. And somewhere along
17 the line we got away from that. But we used to have
18 contracting officers would get together and they would go
19 and review another contracting office at another region.
20 Of course, none of the members were from within that
21 region. So they would go in and do an independent review,
22 provide a report, and look at deficiencies. And that
23 would be going to the regional director when the regional
24 director actually overseen [sic] contracting.

25 So, I mean, those are some of the things that we

1 want to instill again. We want to get back into the
2 cross-reviews with all functions, if you will, budget,
3 property, accounting, contracting, you name it, in order
4 to start creating a more -- you know, not necessarily
5 unique, but a more standardized review process throughout
6 the nation for Indian Affairs.

7 MS. MCGARRY: And, you know, where I come from,
8 the Department of Justice, that's how it's done by -- in
9 U.S. attorneys' offices; there's teams that look at each
10 other. But you have to have your policies and procedures
11 set. You have to have the local supervision. I mean,
12 these are building blocks that Indian Affairs has to
13 establish first; and then can get them as goals of peer
14 reviewed internal process. But it's something to reach
15 for.

16 MR. THOMAS: Ed Thomas. This -- I'm struggling
17 with this, because it -- it appears to me there's already
18 the policy memorandum in place, the -- when we submit our
19 Single Audit Act, and their response was to get it out to
20 the agencies internally. It didn't work for us last year.
21 And -- so what happens when you have the -- the makings of
22 this -- it's also covered in the Single Audit Act, when
23 they don't abide by them, then what do you do?

24 MR. LOUDERMILK: Well, that's where we need to
25 have the accountability within the offices in regards to

1 the compliance. So, I mean, that's something we have to
2 work on. We need to start adhering to that to make sure
3 that there is accountability, that we are making sure that
4 we're doing what we're supposed to be doing when we're
5 supposed to be doing it. And right now we don't have
6 that.

7 MR. THOMAS: So let me give you an example. Last
8 year we got a letter from south government saying we had
9 10 days to get our audit -- single audit to them, because
10 we were out of compliance. We found out that we sent it
11 three months before that, and they didn't have a record of
12 it. And so it really is kind of -- you know, begs the
13 question, if you have a policy -- and so we had our
14 lawyers dig up the policy and -- and transmit it all to
15 the Assistant Secretary. But -- I'm -- I'm just asking
16 the question, what do you do when they don't compliance
17 [sic] with or any --

18 MR. LOUDERMILK: Yeah. No, I mean, there -- you
19 know, that's something we have to take a look at. I mean,
20 that's something that we need to make sure that we are --
21 that our communication is up and that we are, you know,
22 getting the information in and that we are responding
23 timely. And obviously we haven't been doing that. So all
24 we can do -- we'll look into that.

25 MS. MCGARRY: So our other finding was on

1 internal communications as being about -- fundamentally
2 about support offices, policies, and decisions are -- are
3 fractured. As I said, often it's by e-mail or phone call
4 and who you call. And much of the feedback we've been
5 getting through these consultations is, I call up, I get
6 one answer from one person; I call somebody else, I get
7 another answer; what I am supposed to do? Who do I
8 follow? So we -- we got that feedback through the
9 assessment phase, and that feedback continues through the
10 consolidation phase. So this is something that needs to
11 be addressed.

12 So Assistant Secretary Larry Echo Hawk had a
13 practice of doing weekly messages to the employees over
14 the Internet. They were very well received. We think
15 this is something that can continue on a weekly basis.
16 Really keeping all the employees informed, what's going
17 on, what's happening, what's new? Of course, the support
18 office's Intranet pages have to be updated; they're
19 woefully out-of-date. And at a minimum, they have to have
20 the current policies and procedures. So -- but I think
21 that means first revising them and getting them current
22 and then getting them published and then having a
23 mechanism that they stay current.

24 It just involves making someone responsible with
25 backup to ensure that that happens. You waste a lot of

1 time when you're searching around trying to find an answer
2 to the question -- to a question. And you want to be able
3 to call up your person, get the right answer, proceed.

4 And then we're recommending that Indian Affairs
5 establish an employee work -- work/life committee to drill
6 down onto what are the fundamental reasons for these poor
7 rankings in the employee viewpoint survey. Listen
8 honestly to the feedback and then make changes that will
9 help improve the employees' view of their -- of their work
10 environment.

11 So if the recommendations are accepted and after
12 the feedback from all these consultations are taken into
13 account, the -- kind of the basics of what needs to be
14 done with these implementation teams that we're
15 recommending, is that they look at the supervisory chain
16 of command, policies and procedures, budget allocations.
17 So if the employees were now in DAS-M, they're FTE; and
18 the funding that goes along with it has to move over to
19 the BIA or BIE. So they have to do the switching of the
20 funding. And that's how, you know, DAS-M will shrink and
21 BIA or BIE will be bigger, because those employees will no
22 longer be in DAS-M, they'll be in BIA or BIE.

23 MR. LOUDERMILK: And the fact of the matter is,
24 is that the employees are already out there with BIA, the
25 majority of them. I mean, they're housed out there;

1 they're already sitting out there. Under the last NAPA
2 study in the -- the last administration's restructuring,
3 they just gave them different line of -- line of authority
4 and line reporting, if you will. So a lot of it's going
5 to be -- I don't know if you used the term "a sleight of
6 the pen" just yet. But, I mean, on some of that, it's
7 just doing the -- the -- the changing of SF50 actions and
8 moving them back and to who their direct line --

9 MS. MCGARRY: Right.

10 MR. LOUDERMILK: -- of supervisors are. So the
11 real challenge is going to be at the central office where
12 that office has grown exponentially over the last few
13 years to support some of these functions, and then how we
14 overwork with that.

15 MS. MCGARRY: Yeah, and that change, you know,
16 change of their paperwork really comes after the policies
17 and procedures, because you have to clearly articulate,
18 okay, you're in the field but what -- what are -- what are
19 you doing now? And are you responsible for? And what is
20 the central office responsible for? Because you can't
21 have that mixed match of roles and duties, because then
22 it'll be as nonresponsive as it is now.

23 So everybody has to be clear from the get-go
24 what's their job and what's their, you know, peer's job.
25 And then it's a successful change. And then finally, a

1 training for staff and supervisors as to, you know, who
2 does what; who you call; what the processes are in place.
3 So that everybody is clear and the change is effective.

4 So this is just information about us, where I can
5 be reached. But all the official comments -- written
6 comments that are going to Bryan Rice, he's the official
7 Federal Register comment person. And then, any other
8 questions, comments? Yes, sir?

9 MR. THOMAS: Ed Thomas, again. I -- I appreciate
10 your executive summary. And I did bring this question up
11 to the former Assistant Secretary, as well as the Rigon
12 [phonetic] people. But on page 3 of your background you
13 start off saying, "The Department of the Interior has a
14 unique responsibility among federal agencies to administer
15 a broad array of programs for American Indians." But yet
16 we don't have any information on the Department of
17 Interior's budget.

18 The Department of Interior has been a growing
19 entity since approximately 2000. So 2004 to 2012, BIA
20 grew about eight percent. And during that same period of
21 time, Fish and Wildlife grew by 30 percent. And when we
22 look at that eight percent, we're not taking into
23 consideration the inflation issue. And so we've been
24 flatlined. And -- and yet we say, "Well, what happened in
25 the Department of Interior's budget." We really need to

1 tighten our belts.

2 So all of a sudden now, we transfer -- down to
3 BIA -- say, "Okay, you guys hold your own." In the
4 meantime, these other budgets in the Department of
5 Interior stay fairly static. I have not heard any
6 discussion about reducing any of the budgets or
7 streamlining anything at all. And so we're playing with
8 the -- an empty deck of cards. Because once again, we're
9 locked into that little window of eight percent. And if
10 you want to get into the real dollars, we're talking about
11 a substantial amount of dollars that we have lost as a
12 result of inflation during that same period of time, while
13 National Park Service went up approximately \$140 million.

14 And if you walk around Washington, D.C., you can
15 see some of the projects. But the point is -- is that in
16 your opening comments you made, that, well, when we get to
17 points of where we're going to have some cutbacks and have
18 to tighten our belts, streamline is going to be very
19 important to us. And so I think we need to have the whole
20 deck of cards here. And I just don't see it anywhere.

21 And I'm not sure what we're afraid of in -- in
22 going forth and talking about the big picture. Because on
23 the national level, they're going to be talking about the
24 big picture. And then we're going to be locked into our
25 little box again. And so I -- I really, you know, need to

1 make that statement very clear here, that when you do your
2 analysis based on your background, it really needs to be
3 an entire picture.

4 And you do talk of some -- of these other
5 agencies in this executive summary, and that's why I said
6 I appreciate it. But I think we really must be honest and
7 fair with ourselves when we're going through these kinds
8 of consultation when it deals with budgets. And so
9 anyway, I -- I -- I know I'm giving you a mixed message
10 here, because on -- on the one side, I appreciate your
11 executive summary; but on the presentation side, we seem
12 to once again get locked into our little window. And so
13 we got to look for what we have.

14 MR. LOUDERMILK: You know I -- I wish
15 Mr. Mike Smith was here to comment. But I'll just kind of
16 reiterate the -- the meeting that he was called to with
17 Secretary Salazar here last year when the budget was
18 rolling out. He basically called in all the bureau heads
19 and they were getting ready to go through the budget. And
20 he -- you know, handed out the paperwork; and he said,
21 "Before anybody gets started," he says, "I just want to
22 make you clear, there's not to be any whining." And
23 pretty much all the other bureaus got cut significantly,
24 except the bureau -- or except Indian Affairs, which was
25 held to less than one half of one percent of a cut.

1 All the others, Park Service, Bureau of Rec,
2 Bureau of Land Management, Fish, all of them took
3 substantial cuts. So this Administration has been very
4 supporting of the Indian Affairs' budget. So I just
5 wanted to throw that story out there for you too.

6 MR. THOMAS: Well --

7 MR. LOUDERMILK: I think that's worth mentioning.

8 MR. THOMAS: I -- I'd like to say I really want
9 to celebrate that. But if you look at the 2012 budget,
10 the one I'm talking about, Park Service did not get a cut
11 in their 2012 budget. And so while we're saying
12 significant, I don't know what significant means. They
13 must have had one heck of a budget if they're only going
14 to, you know, be reduced down to an increase of \$140
15 million.

16 It -- it -- it's really something that -- I'm a
17 doubting Thomas; I got to see those numbers. And that's
18 why I say, if -- you're going to come in make those
19 statements; show me the numbers. I'll be happy to go
20 around and celebrate with you. But what I look at when I
21 look at the budgets on the national level, they don't --
22 they don't pencil out to having those kinds of cuts. And
23 so maybe 2013. I haven't had the chance to look at those
24 budgets. But you'll let me do that.

25 But if you look at that growth and the amount of

1 money encompassed in that growth for those agencies, you
2 know, to cut back, you know, the Fish and Wildlife
3 30 percent, I don't think that's happening this year. You
4 know I -- maybe I'm wrong. But I'd like to see that. And
5 I'd like to support your statement. I just need to see
6 the numbers.

7 MS. MCGARRY: Yes.

8 MS. AMODO: Hi, this is Linda Amodo. I'm really
9 happy to see something like this in place. And I
10 understand this is just a consultation on, you know, what
11 will be brought back to BIA and say, "Okay, these are, you
12 know, certain things that need to take place." And I'm
13 really happy to see that, because there -- you know,
14 there's -- there's been a lot of disconnect between tribes
15 and BIA.

16 And so we're -- you know, we're trying to build a
17 bridge with them again. Because I think there just has
18 been a lot of disconnect between the tribes and -- and
19 BIA. You have -- you actually have some good people
20 working there. But I think -- you know, from what I've
21 witnessed is -- let -- let's use this one story for
22 example. There -- realty specialists, in one year -- in
23 one year I have been given three different realty
24 specialists to work with.

25 The first year we gave them all the information,

1 everything that they needed. And we sat around and waited
2 for about three weeks. And I say, "Okay, well, I think
3 that was plenty of enough time," you know, if it were me,
4 I would have got right back to the person and said, "Okay,
5 well, let me research this; let me see what I can come up
6 with." The following week I would have followed up again
7 just to let them know that, "Hey, I am doing something."

8 We never got nothing back from then. Three weeks
9 later I e-mailed them again. But, yeah, like you said --
10 I mean, there's -- you know, I'm not sure if they're
11 properly trained. And so that's going to -- I'm actually
12 going to go over there and I'm going to ask this realty
13 specialist, "Show me that you are exactly one. And what
14 -- who's holding you accountable to do what I'm asking?"

15 I work for a tribe. I am a tribal member. But I
16 don't -- you know, but see that -- that's where there's a
17 lot of disconnect. I'm not sure if it's because the
18 people that get hired into these positions have no clue of
19 what they're supposed to be doing. You know, maybe
20 there's not enough job description or enough support --
21 internal support on where they could go to get answers.
22 And, you know, I'm not sure what it is.

23 But in one year, this is the third realty
24 specialist I'm working with. And what's kind of
25 discouraging to me is, I have a friend from the City of

1 Kodiak who actually has been working with BIA realty
2 specialist for seven years and still no result. So that's
3 kind of disheartening. And so -- you know, so I think --
4 you know, I think something like this -- this -- this I
5 think is a good step in the right direction to help BIA,
6 you know, to better -- better able to work with their --
7 with their tribes to better understand what their roles
8 and responsibilities are and who they need to answer to,
9 you know; but I think this is -- this is an -- you know,
10 gone in a good direction.

11 MS. MCGARRY: Anyone else? Of course -- oh,
12 sure.

13 MS. BROWN-SCHWALENBERG: I have a question.
14 Patty Brown-Schwalenberg, Chugach Regional Resources
15 Commission. So with the -- with the streamlining and the
16 -- the recommendations that you're putting forth, I want
17 to just give you two examples; and then you can tell me if
18 this is going to be addressed by what you've presented
19 here. Is number one, getting back to the budgets and
20 timely receipt of our funds. The way it usually happens
21 -- now, we didn't get our money until April this year in
22 our 638 contract.

23 And the only reason we got it in April is because
24 I was in contact with the people in Juneau and the people
25 in the Anchorage; they were kind of waiting for some

1 paperwork. They didn't know where it was. I ended up
2 calling Washington, D.C., talking with my contacts there
3 and asked them to send them the paperwork, which I knew
4 they had gotten it once already. And they called and
5 thanked me, oh, thanks we -- you know, contacted, got the
6 paperwork, whatever.

7 So is that something that is going to be
8 changing? I don't feel like I need to be the go-between
9 between the two different bureau offices just so that we
10 can get a funding in a -- in a more timely manner.

11 MS. MCGARRY: I mean, certainly that's my hope
12 that by having more accountability --

13 MR. LOUDERMILK: Well, a lot of it still rests
14 with the -- rests with the Offices of Self-governance also
15 out in D.C. I would imagine you called up there and
16 talked to the head of that office, correct?

17 MS. BROWN-SCHWALENBERG: Well, actually it was
18 the Natural Resource --

19 MS. HANLEY: In any case, we would hope that you
20 would not have to be an intermediary between two of the
21 offices within Indian Affairs, whether it's in D.C. or
22 here in Alaska. That sounds kind of ridiculous. And we
23 can understand your frustration. And that's what we're
24 trying to fix.

25 MS. MCGARRY: And you had another example?

1 MS. BROWN-SCHWALENBERG: Yeah, the other -- and
2 it's -- it's not really a big deal. But -- and I'm sure
3 some of the tribes probably have it to a greater extent
4 than I do, because I strictly deal with Natural Resource
5 and environmental issues. But -- so we have a -- a
6 program officer, if you will, whatever they're called in
7 Juneau for one of our programs; and then one in Anchorage
8 for another one of our programs; and a different one in
9 Anchorage for another program.

10 Is there any effort to try and have one point of
11 contact person in a certain area? You know, maybe in
12 education -- or I don't know. But if it's forestry it's
13 one person; if it's fishery -- fish hatchery maintenance,
14 it's another person; if it's natural resource management
15 it's another person.

16 MR. LOUDERMILK: That's something we'd have to
17 visit with Gene about.

18 MS. BROWN-SCHWALENBERG: I'm sorry. I --

19 MR. LOUDERMILK: Gene.

20 MR. VIRDEN: Gene Virden. I can address CRRC,
21 they were earmarked. Ted Stevens earmarked. And they got
22 cut here a few years ago. So we've been -- we never
23 received the funding at the regional office. This last
24 year was the best. She didn't give the worst examples,
25 when I got it in July. And years before that they had to

1 take that out of the BIA director's budget and send us the
2 money, because it was earmarked, it was cut from the
3 budget.

4 And it was a 638 contract; you can't just cut it.
5 With all -- especially when the vital services -- so the
6 other part, our natural resource branch is in Juneau; and
7 we can get you a contact in Juneau. The natural resource
8 branch makes sense to stay in Juneau; that's where our --
9 our big forests are, the big dollar value of timber in
10 Alaska. We do have a fire manager up in Anchorage.
11 Although, fire up in Alaska is under BLM, and BIA
12 supports. But the big funding comes out of BLM.

13 I don't know if that helps. But I -- I know I'm
14 very aware of your problem. But this year they -- they
15 got it off quicker.

16 MS. BROWN-SCHWALENBERG: Well, plus we're in the
17 green book for 2013. So if we stay in there, we'll be
18 okay.

19 MR. VIRDEN: Yeah.

20 MS. BROWN-SCHWALENBERG: Thank you.

21 MS. MCGARRY: Anything else? Okay. You know,
22 for sure if you want to do written comments, the -- it's
23 open to June the 1st.

24 MR. RICE: June 1st.

25 MS. MCGARRY: And then I think if we take a

1 little break now, and then Bryan would start his.

2 MR. LOUDERMILK: Back in 15 minutes. 10 after.

3 (Thereupon, a brief recess was held at 9:56 a.m.
4 and meeting resumed at 10:21 a.m.)

5 MR. RICE: Okay. I think we're -- we're going to
6 get started here. I think everybody's back in the room
7 and -- and eager; I can see it. So we're going to talk
8 about the -- the Bureau of Indian Affairs' streamlining
9 initiative in this next -- in this next section. And just
10 like in the first part of the day, if you have questions
11 as we're going through, don't hesitate to -- to, you know,
12 stop me and ask or interject with comments. The -- the
13 presentation is fairly short. And it's -- if everybody
14 has the handouts, it's the maroon page. There's two
15 slides per page. 10 pages of that, there's -- followed by
16 roughly eight pages of a narrative which describes the
17 content of the slides a little further. And then at the
18 end of that there's eight pages of maps that show the
19 country and show the Bureau of Indian Affairs' duty
20 locations across the country and some of the staffing
21 levels at each of those organizations.

22 So let's -- let's -- let's dive into this.
23 Originally we had set up different time schedules on how
24 we would go about and discuss. But this is -- this is
25 fluid; we have a good-sized group here in terms of talking

1 and discussing. So we can -- we can move ahead into some
2 of the different areas of this streamlining initiative.

3 I want to jump ahead a couple slides. I want to
4 show you -- I'll come back to some of these. But one of
5 the things that I -- I want to talk about, I want to -- I
6 want to preface this conversation with -- with how -- how
7 this came about. So within the -- the budget process, the
8 fiscal year 2013 proposed President's budget was -- was
9 made public on February 6th of this year. And within that
10 there was a line in it that talked about streamlining, and
11 it was called the streamlining initiative.

12 And so the caption on here is taken from that
13 place -- from that budget justification or that
14 description in the budget. And it talks about staffing
15 levels; it talks about the duty stations; it talks about
16 cost savings and finding efficiencies. And so one of the
17 things that I want to -- to overlay this conversation
18 with, is that this is not in place yet. We know -- we
19 know the budget process and how it works; we need two
20 house -- two houses that -- that agree and -- and if -- we
21 think that's going to happen by October 1st, which is when
22 the new fiscal year starts, we need to be prepared to deal
23 with this particular piece of the budget.

24 Will that happen? Are we going to end up with
25 more continuing resolutions, are -- you know, what's -- we

1 don't know that. But what we do need to do, is we need to
2 have a conversation, if that does come to be, if that
3 being -- this -- this particular part of the proposed
4 budget comes to be, how do we deal with -- with this type
5 of -- how do we deal with this scenario?

6 Let me back up then a couple -- a couple slides.
7 So when we look at the history of the organization within
8 the Bureau of Indian Affairs and any other types of -- of
9 realignments or streamlining or reorganizations or any of
10 the different terms that -- that deal with this, we can go
11 back to the mid '90s when there was a huge reduction in
12 force that was roughly the -- the time frame when some of
13 the offices up here in Alaska, the Bethel office, the Nome
14 office -- there was a separate southeast office in
15 Juneau -- all those were -- were either consolidated or
16 closed; there were positions -- and -- and part of that
17 was education, and then there was other problematic areas.
18 So that was back in the mid '90s.

19 We go to 2004. There was another type of
20 reorganization that happened, which is partly of -- what
21 you were talking about this morning, some of the results
22 of that. And then so now here we are, 2012. So we're on
23 these -- these cycles in terms of budget and what types of
24 things can happen. And so the difference that I want to
25 point out, is that nothing is in place yet. Like we're

1 having -- we're having that conversation right now about
2 what are some of the options? What are the different
3 areas we can look at? And how do you move forward
4 considering the up and coming potential budget situation
5 or anything else that will come with it?

6 So we can -- we can discuss this further as we go
7 on in here. Let me go ahead -- we'll come back. So if --
8 if you look at the -- the streamlining amounts, we're only
9 focusing on the -- the 14.5 million that's within the
10 Bureau of Indian Affairs. There's these other pieces
11 which are for the assistant secretary's office and then
12 the Bureau of Indian Education. But what we're talking
13 about that -- that middle item. And within that -- that
14 effects -- in the -- the Bureau of Indian Affairs
15 directory, this is the directory of the Bureau Director,
16 which is where that arrow points to. And then underneath
17 you have the four deputies.

18 You have Bureau -- Deputy Bureau Director for
19 Field Operations, who covers all the superintendents and
20 the regional directors; the law enforcement or Office of
21 Justice Services Deputy; the Indian Services Deputy; and
22 I'm the deputy for Trust Services, which covers forestry,
23 fire, probate, title, realty, natural resource damage
24 assessment, endangered species, natural resources. You
25 know, basically the land management programs.

1 The Bureau of Indian Affairs has 5,000 employees,
2 for conversation sake, the -- the numbers, you know, a
3 little above or below, depending on -- on what day we're
4 actually looking and who's coming and going. All of
5 Indian Affairs -- if you included Indian Education, Bureau
6 of Indian Affairs, and the Assistant Secretary's Office,
7 that number's right around 10,000; but we're talking about
8 5,000 employees. There's 12 regional offices; there's 85
9 agency offices across the country and then there's over
10 180 duty stations. So -- and within that, there's roughly
11 a hundred duty stations that have 10 or less employees.
12 So you can see we have, you know, a wide range of -- of
13 sites and locations. And those are all located on those
14 maps that are on the back of that -- of that packet of
15 what we're looking at.

16 As the -- if the budget comes into being and we
17 have to deal with this streamlining initiative, we've been
18 looking at some of the different scenarios. Some of the
19 different themes that we need to discuss on how that could
20 actually be implemented, how we can look at the -- these
21 actual budget reductions if it were to come to be. So
22 we're looking at staffing levels; we're looking at duty
23 stations; we're looking at programs, and -- and by -- and
24 each one of those has many different facets to it.

25 So within the employee area are the staffing

1 levels. We have a huge amount of the population -- the
2 Bureau of Indian Affairs has roughly 30 percent of its
3 staff that is eligible, either for retirement or an early
4 separation. So we have a very tenured staff with a lot of
5 years of experience. And that's one area that we can look
6 to start bringing in other staff, start developing current
7 staff. So we're looking at, you know, the VERA and VSIP,
8 which is the early-out and buyout authority. So that --
9 and that's really for the federal staff.

10 We can look those up. If you go to that
11 narrative within your packet, you'll see there's some
12 links for -- some Web links for OPM; and it gives more
13 information about the early-out and buyout incentives.
14 Another area we're talking about is the -- on that second
15 bullet, we're talking about regional offices and agency
16 offices and the duty stations. There should be an extra
17 -- it says regions -- regions and agencies. But then it
18 should also say, "and other duty stations."

19 So we're looking at all these different duty
20 stations that -- are they close together? Are there staff
21 that have high numbers of -- are the staffing levels high
22 percentages of retirement eligible? Are -- you know, what
23 does that look like? And if -- if a certain duty station
24 that was in close proximity to another one had the
25 majority of the staff, either retire, move, separate,

1 whatever it is, how would we deal with that? If we close
2 an office, would we consolidate a program? Would the
3 program be managed out of another area? These are all
4 questions that -- that needs to be discussed.

5 And -- and then the other important caveat in all
6 this, is that without tribal leadership's buy-in, without
7 tribal leadership's input, you know, we would just be
8 making decisions; and that -- that's not the intent;
9 that's not going to happen here. So really hoping to have
10 some -- some robust dialogue and then ultimately have
11 comments that are either captured through this discussion
12 or you take the information from here and discuss it with
13 either, you know, councils or some of the executive boards
14 and submit written comments so it's included into these
15 discussions.

16 A -- you know, we're talking about the -- the
17 staffing levels and a very short time approach, if we were
18 just going to talk about budget numbers and say, "Listen,
19 you know, budget comes into being; and we have to find
20 \$14-and-a-half million in reductions. We have this huge
21 amount of staff that are eligible for retirement. What
22 would that look like if we had those staffing level
23 reductions?" And if -- we could estimate that roughly 300
24 positions would have to take incentives, either early-out,
25 buyouts, separate; and then from that, we would only

1 replace roughly 75 of those.

2 And those -- those difference in salary savings
3 would -- would cover some of the incentives and -- and be
4 able to cover the costs -- but that's a -- that's just
5 very short term. That's a -- on top of a much bigger
6 problem. Because the issue is, how do we deal with the
7 functions that need to be done? How do we deal with the
8 realty packages that have to be vetted? How do we look at
9 developing forest management plans? How do we -- how do
10 we adjudicate probates? You know, there's -- there's all
11 these functions that need to happen. And so just strictly
12 cutting staff numbers is not, in and of itself, the way to
13 solve the problem. But it's one element that can -- that
14 can be involved.

15 When we looked at the duty stations, we looked at
16 staffing levels. On those maps that are in the back of
17 your packet you'll see that each duty station has a circle
18 on it. It's basically a pie chart. And then those show
19 staff that are eligible to retire today, staff that are
20 eligible to retire within the next five years; and then
21 it'll show the total amount of staff there. So we start
22 looking at those numbers and those duty stations and say,
23 "What are these -- what are the areas? Are they close
24 proximity to each other? What programs do they manage?
25 How does that -- how does that all fit together?"

1 And one of the things that we came up with, the
2 common denominator seemed to be that these offices that
3 had 10 or less employees, seem to have high numbers of
4 retirement-eligible, separation-eligible staff. It's
5 something to look at.

6 I mean, you can see that, you know, we didn't put
7 Fairbanks on here; Fairbanks has a small staff amount.
8 And -- and one of the things to keep in mind, is when we
9 looked at Alaska, you know, we've pretty much,
10 organizationally, in terms of duty stations and staffing
11 levels, we've sustained about as much as we can take up
12 here in terms of -- of any of the -- you know, any types
13 of loss in staffing levels or -- or duty stations. I
14 mean, we have Fairbanks, Anchorage, and Juneau. And
15 that's -- those are -- that's it. I mean, that covers the
16 major areas. And -- you know, so we really didn't look
17 that much further into the four duty stations up here.

18 Down south though, you know, there's lots of
19 agencies that are within close proximity to each other.
20 When you look at the -- the locations and the proximities
21 to each other, these duty stations -- that list that I had
22 up here, just the -- the lease space and the utilities and
23 all those -- all those -- what we'll call them overhead --
24 all those costs alone, just for this group right here, is
25 a million-and-a-half dollars a year. And we can have --

1 we have the numbers for all the other duty stations across
2 the country. So that's something else we can look at
3 here.

4 Regional offices. You know, the regional
5 office -- we have, you know, the regional director here,
6 Gene, he's in -- in Anchorage. When we look at the
7 regional offices, we can look at the programs. And the
8 example that I've been using so far, and it's applicable
9 for the Lower 48, it's more of a -- a -- a conversation
10 starter up for up here. The forestry program out of the
11 Great Plains Region, which is Aberdeen, South Dakota, is
12 actually managed out of the Rocky Mountain Regional office
13 in Billings. So all the forestry staff in Billings do all
14 the forestry work rather than foresters in Aberdeen.

15 Could that work up here? You know, could you
16 have foresters in -- in Portland that would actually do
17 forestry work up here in Alaska? Probably not. But are
18 there other -- are there other programs where if we had
19 probate packages that were completely electronic, could
20 somebody adjudicate that down south? In -- we send boxes
21 back and forth with files. Could you do it with title?
22 Could you do it with realty? You know, and these are --
23 these are functions, these are areas that we need to look
24 at and study further.

25 So we're talking about the differences between

1 realignment of programs. You know, maybe there's a --
2 realignment sort of ties a little into this morning's vein
3 of, you know, how do we make programs more efficient? How
4 do we have a more streamline for lack of a batter term, in
5 terms of having better communication, having something be
6 more efficient centralization of programs? And that
7 doesn't necessarily mean move it to a central spot but
8 having that function centralized.

9 And then the other piece for the Lower 48, you
10 know, the duties that you find in these smaller agencies,
11 could you pick up those duties? If there was someone, for
12 example, in Polson, Montana, there was one person, you
13 know, the superintendent -- that's the federal position
14 that's there -- could that function be carried out from
15 another site? You know, that's something to -- to
16 discuss.

17 Across the region, when we look at the staffing
18 levels, we can see the differences between which areas
19 have staff with longer years of service. You know, we can
20 see Western Region has probably one of the higher; the
21 Navajo Region has a high amount. The Navajo Region has
22 actually probably the highest percentage out of them all.
23 And then you look at Alaska, and we're -- we're fairly low
24 compared to the rest. So, I mean, we're -- I don't -- I
25 don't necessarily see any kind of adverse situation up

1 here in terms of staffing levels, duty stations.

2 So in a nutshell, in summary, I wanted to say, so
3 we're -- we're looking at this in a linear approach in
4 terms of looking at staffing levels; how does that affect
5 what's going on in the duty stations? How does that
6 affect what's happening in terms of the programs? And
7 then the important find, and especially for up here,
8 looking at self-determination and self-governance and
9 ensuring that that function -- that -- that service is
10 continuing to -- to be provided for and it's continued to
11 be supported as is or better. You know, that -- and
12 that's the intent behind all of this, that we ensure that
13 service delivery continues and is further developed.

14 We're at the end of the road. Yeah, so this is
15 -- this has been our -- our -- our trail so far. These
16 are the sites we've been to; we've had discussions across
17 the country. We've had groups at Rapid City, South
18 Dakota; that was 260 people. And then here I think I
19 counted we have roughly 30 people today. So, I mean, lots
20 of different dynamics. This is a small group, which
21 really, you know, aids in -- in better -- sort of more
22 intimate discussions.

23 And so any comments that aren't captured here, if
24 -- if you're taking any of this information back to your
25 -- your colleagues or to your senior leadership or anyone

1 else, and -- and there's written comments to be submitted,
2 please submit them to me. The original Federal Register
3 notice that -- May 23rd, I believe; but since we added the
4 Alaska consultation date, we've moved it to June 1st. So
5 please, you know, send me comments. You can -- several
6 people in here have been e-mailing me about, you know, the
7 -- the time frame for today and -- and just all of the
8 logistical information. So I'm a point of contact for
9 this.

10 So there's basically three ways that this
11 information will be disseminated from here out. One is
12 going to be, you know, direct interaction with me if you
13 -- of you -- since I got tagged as the point of contact.
14 You know, I'm -- I'm more than happy to -- to respond and
15 -- and provide as much as I can. The other way on BIA Web
16 site, so BIA.gov; and there's a consultation tab. So --
17 you know, I'm sorry, I don't have that link up here. But
18 BIA.gov and then the tab is consultation. That has all
19 these documents or even the documents in front of you are
20 on that site that you can download, send the links to
21 other folks who may -- who maybe were not able to attend
22 today.

23 The minutes from these consultations as they are
24 processed and provided, they will also be uploaded on
25 there. So all the information will be available there.

1 And then, finally, anything that comes out from -- from
2 the headquarters in D.C. will go out either through me
3 directly to, you know, folks who have asked for it; posted
4 on the Web site; or the third way will be through the
5 regional director, through Gene here in -- in Anchorage.
6 And he'll provide to the -- to the tribal leadership.

7 So -- so with that I'd like to, you know, open up
8 the floor for -- for discussion here. Any thoughts, any
9 questions of -- of clarification on -- on, you know, how
10 we move forward in discussing this? Yes, Ed?

11 MR. THOMAS: Ed Thomas for the record. First of
12 all, let me say I appreciate you bringing this session to
13 Alaska. You know, it's very important for us, even though
14 you talk about a small impact. I think when you look at
15 the total picture, of not just the total BIA, but
16 Department of the Interior, the impact is great; because
17 we get frozen while we see growths in other parts of the
18 government.

19 But I also have difficulty with the term
20 "consultation." And I realize -- but a lot of this has
21 not been implemented. And the biggest problem I have with
22 this streamlining scenario, is that you don't have a clear
23 plan on what happens with funds that are made available as
24 a result of streamlining. And when we get into
25 budget-cutting scenarios with Congress, that if you give

1 them a blueprint on how to cut, that's where they're going
2 to cut. I think we need to turn that around and give them
3 a blueprint on where to grow and do as much as you can to
4 provide the streamlining resources to go to those boxes.

5 And so I -- I really struggle with that, because
6 we've gone through cuts, you've pointed out, in your
7 chart, you know, '96 and thereabouts. Even in the '80s we
8 went through some cut period whereby -- that's all we're
9 doing is giving them blueprint on how to cut. And so we
10 really need to keep that in mind. I -- I appreciate your
11 comment on the -- on the minutes. But, you know, when we
12 do consultation, it seems like we should have the benefit
13 of what others have already said so we can either build on
14 it or disagree with it or not have to duplicate the same
15 comments made in other regions.

16 So I -- I -- I really think those things are
17 important. Because what happens here, is we get into
18 where you have -- how many meetings did you have across
19 the country? Is that five?

20 MR. RICE: Seven.

21 MS. HANLEY: Seven.

22 MR. RICE: This is seven.

23 MR. THOMAS: Right. Then you have all these
24 records, all this testimony; it gets very convoluted. So
25 you can't even pick a priority out of them. We end up

1 just saying, "Well, gee, this is a -- now, we're stuck in
2 the middle of noplac because we have all these comments;
3 we've got to somehow transcribe; and somehow somebody's
4 got to make a decision, what makes sense, what doesn't."
5 And instead of finding a few from each region, what makes
6 sense and what we can do about improving streamlining
7 movement.

8 While you were out, I talked about the Department
9 of Interior Bureau's growth. And, you know, those budgets
10 -- you know, particularly are the budgets from 2004 to
11 2012, are very important in -- in being able to discuss
12 budget issues through good education. And it's very
13 important that those budgets be available. Same way with
14 the movement of money from -- the field offices, as well
15 as TPA, through central office from 2002 to 2008. TPA
16 lost about eight percent, and central office grew by
17 201 percent. And, of course, those are taken into
18 inflation as a factor. But it still is a big disparity
19 for those years. And we don't talk about it here, only
20 talk about today.

21 I think that we also need to talk about areas
22 within the Bureau that now appear to be deficient from the
23 perspective of the tribes. Let me give you an example.
24 Office of Self-governance. I spoke a little bit about the
25 inability for them to get moneys through to us in a timely

1 manner. And on the one side, you're signing your --
2 funding agreement. It requires at least five signatures,
3 and if you have roads and 477s, then it's eight
4 signatures. And nobody has been able to tell me what the
5 reason is.

6 Is that because you don't trust the Office of
7 Self-governance? When we first got involved in
8 self-governance, Bill Lavell signed one document; that was
9 the end of the story. And his -- his responsibility was
10 to make sure that, you know, the government upheld its
11 part of the act -- or the -- that particular document.
12 Probably more importantly, is that if you read our
13 self-governance compacts and the annual funding
14 agreements, there are so many savings clauses in there.
15 The government can make a mistake and they can correct it
16 by the stroke of a pen.

17 And so why do we hold up to this -- things
18 worrying about numbers on Johnson-O'Malley, for example?
19 Holding up the entire compact over, you know, little
20 things that don't matter. And once you got that result,
21 oh, great, you gotta have eight more signatures. And so
22 it really is -- it doesn't have any common sense to it.
23 And on the other hand, you know, in self-governance when
24 we have 477 dollars and somebody has a little bit of a
25 heartbreak about something -- or a heartburn rather,

1 everything's held up.

2 On our side, it should not be that the tribes and
3 their clients have to drudge the burden; it should be the
4 government. If they're -- since they're confused about
5 things. You know, it just really is bizarre. And so
6 those kinds of things need to be talked about in this
7 streamlining effort in my judgment.

8 Finally, on the IT, I -- on one hand I agree that
9 it -- its movement to -- to the Department of the Interior
10 to have the benefit of the Interior Department. But we're
11 about 10 to 15 years we've been taxed, if you may, one
12 percent of all of our funding in the BIA for IT purposes.
13 There's no accountability for that; there's nobody told us
14 what happened with those dollars.

15 One year -- I -- I can't remember what year it
16 was, about five or six years ago, all of a sudden the
17 Bureau said, "Gee whiz, we've got a lot of IT money; so
18 we're going to offer that to tribes for having the few
19 computers and things of that nature." And -- and -- and
20 so that begs the question, if you're taxing us that one
21 percent, and you don't need it, why not just put it back
22 into TPA and let us decide whether we want the computers
23 or not or whether somebody needs more assistance in -- in
24 your general offer assistance program. And those are the
25 kind of things that we really got to talk about.

1 Finally, I started out talking about the plan for
2 getting funding back within the field offices or even
3 within the tribal TPA. It's very important, I think, for
4 the government to come forward with some priorities. When
5 we end up with simply having for the past five or
6 six years, law enforcement; well, we don't have law
7 enforcement in Alaska. And so we end up paying for other
8 people's law enforcement. Why not have us have a priority
9 also? And I -- I -- I totally support law enforcement;
10 don't get me wrong. I'm just saying that the
11 distribution -- if you hang onto a single priority for 10
12 years and -- and you end up getting short-changed when our
13 cost of living is going up so dramatic here in Alaska.

14 I don't want to drag it out. But I -- I want to
15 say, I appreciate you being here. But I hope that in some
16 way we can come up with some points on testimony from
17 across the country and find four or five points that make
18 sense. Otherwise, you know, by the time you get all these
19 testament -- testimony copies to everybody and -- and we
20 look at it, then you'll have to a -- a Department of
21 Justice look at it again. You know, they -- that seems
22 like the way it goes, is when we [sic] confused about
23 something, turn it over to lawyers. I think they make it
24 more confusing. I don't know if you're a lawyer or not.

25 MR. RICE: Thank you. No, I'm a forester. So

1 that might be worse.

2 MR. THOMAS: So we're all confused, just turn it
3 over to lawyers; and they'll provide clarity for us.

4 MR. RICE: Thanks for those comments. You know,
5 there's a -- there's a lot there; and I think one of the
6 -- one of the topics -- if I can respond just in -- in
7 general. It's a theme that has -- has gone through all
8 the consultations; it's something that's come up; it even
9 came up earlier when Linda was talking about realty
10 issues. And -- and one of the things that I've -- that I
11 look at, at least from my perspective in the Office of
12 Trust Services, is looking at the programs and looking at
13 what are the areas that we can -- I mean, I -- I always
14 sort of facetiously say, "Just do our job," really.

15 You know, I mean, we -- there -- there's a
16 function we need to perform; there's a way to do it, and
17 there's a way to be successful. So there's certain
18 things, like in the realty program, there hasn't been a
19 lot of training; there hasn't been a well-defined
20 progression of -- of ascension within that program.

21 And -- and I come from a forestry background,
22 which is very hierarchical. You start as a field
23 forester; you work up through the ranks; you're mentored
24 by a senior person, and you continually build experience
25 in our training; and you grow up. And so one of the

1 things that we're looking at doing within the forestry
2 program -- within the next year you should see roughly 12
3 or 15 different online training courses that -- that
4 actually will start looking at that incremental growth
5 within that program.

6 That type of -- of look at these programs, is one
7 of the ways -- you know, we -- we can gain efficiency; we
8 can get better at -- at the job that we're supposed to do.
9 To speak to the point on any savings, you know, and sort
10 of handing that -- that -- that blanket blueprint that
11 says, "Here you go, cut it and sweep it away." That's --
12 that's one thing we're being very cautious about,
13 realizing that that does happen; and that's sort of the
14 norm for the way this -- this can -- can play out.

15 And so what we're looking at doing with the
16 Bureau in terms of these duty stations and the
17 organization as a whole, looking at it and saying, "What
18 -- you know, what -- let's work backwards." Let's say,
19 "What's that service that we need to provide, and what do
20 we actually need to do it?" And, you know, the
21 14-and-a-half million is -- is a reduction that's --
22 that's lined out. So that's -- that's a hard number, if
23 the budget is approved. If -- you know, I mean, there's
24 all those -- all those ifs that lead up to that.

25 Anything that would come above and beyond that,

1 that's something we can plow right back into, whether it's
2 TPA, whether it's the program, whether it's training,
3 development, compacts; those are some -- what -- you know,
4 whatever it is. That's -- that's the intent, and that's
5 the spirit of what we're talking about in -- in -- on how
6 this would all work out.

7 I wanted to make a -- a comment that Mike Smith,
8 who is the Deputy Bureau Director for Field Operations.
9 He's been at most of the other consultations. And it's an
10 example that he has laid out in talking about the budget
11 overall for Interior. And it's -- it's really -- it's
12 really apropos for this discussion. And it's that, when
13 the -- when the discussions were in place for this '13
14 proposed budget, the Secretary called in all of the
15 assistant secretaries. And so we're talking assistant
16 secretary for -- for Lands and Minerals, which covers, you
17 know, BLM and Fish and Parks, which is Park Service and
18 Fish and Wildlife Service.

19 And assistants then -- at that time, Assistant
20 Secretary Echo Hawk was out of the office; Del Laverdure
21 was out of the office; Mike Black was out of the office.
22 Everyone was out doing these -- these things on the road.
23 And Mike Smith was the -- the highest ranking Bureau
24 official. He went to represent Indian Affairs. And so he
25 tells his story. And he says, "You know, I'm sitting

1 there; and I'm in the Secretary's office," which is, you
2 know, this grand room; and it -- and it -- you know, it
3 evokes a -- you know, a presence.

4 And -- and he says, "The Secretary looked at all
5 of us; and he said, 'Okay, we're going to talk about the
6 budget, about the '13 proposed project. And I don't want
7 to hear any whining. This is my proposal to OMB, you
8 know, to be included in the President's budget. I support
9 this. And I don't want to hear any whining.'" And what
10 he was talking about -- what he was referring to was, all
11 of the other Bureaus within the Department were receiving
12 anywhere from an eight percent reduction overall, to some
13 as high as, I believe, 11 -- 10, 11 percent.

14 MS. HANLEY: 13.

15 MR. RICE: 13 percent. So within that, Indian
16 Affairs was reduced one half of one percent. And that's
17 what he was referring to. He didn't want to hear it from
18 any of the other Bureaus on how it was -- you know, on
19 what their thoughts were on -- on the Bureau of Indian
20 Affairs -- or Indian Affairs as a whole. And so I think
21 that that's pretty representative of the kind of support
22 we have right now to make this happen.

23 A reduction is a reduction, and it's -- you know,
24 it's not pleasant to deal with. But in the -- in the
25 macro level view of this, it -- it seems like we're in as

1 okay a spot as we can be.

2 MR. THOMAS: Yeah. And -- Ed Thomas again. I
3 wish that I could see the numbers so I could believe you.
4 But I'm doubting Thomas. 'Cause you were out of the room
5 when I talked about this before. And I've heard the story
6 before. But if you look at the 2012 budget, I haven't had
7 the chance to look at '13 yet, the National Park Service
8 had a \$140 million increase. The BIA had a decrease of
9 about 125 million. That's last year. This year we're
10 operating.

11 And -- and I heard the statement that even
12 Secretary Echo Hawk, before he left, made a very similar
13 comment. And when -- when we ask for the budget, why not
14 just bring it and show us where those cuts are? That --
15 that was part of what I was getting at. You know, when we
16 look, we're going to made some decisions and we're going
17 to go out here with the good faith, we really need to see
18 those numbers.

19 And I think that -- I -- I commented also on the
20 -- the Bronner Group's executive summary. It talks about
21 some of those things in there, that the next step is going
22 to be inclusive of those departments. But for us, the --
23 in consultation, we really should see those numbers and be
24 able to talk intelligently about them.

25 MR. RICE: It's awfully quiet.

1 MS. FOSDICK: I --

2 MR. RICE: Yes.

3 MS. FOSDICK: Hi, I'm Rose Fosdick; I work at
4 Kawerak, Incorporated, which is the tribal consortium of
5 plain tribes in -- in Bering Straits Region. I work in
6 the natural resources division as the vice president. And
7 I applaud -- or we applaud the efforts that you are making
8 to get the information out and see recommendations and
9 comments from the tribes. That's very good. A lot of the
10 information that has been provided by the report has been
11 in relationship to the internal processes.

12 However, the decisions that are made definitely
13 affect the external services, the work and the services
14 and programs to the tribes. In looking at the -- some of
15 the options that are being considered for streamlining,
16 there are considerations for staffing and for the
17 different locations. Some of the staffing reductions in
18 the past has -- have greatly impacted the service
19 delivery; and, for example, the Reindeer Herders
20 Association that I work for, which is the last of the
21 reindeer operations pretty much that is very active.

22 The Reindeer Act of 1937 is an act in which the
23 BIA, the federal government, will assist the reindeer
24 herders. And yet, when the staff reductions were made,
25 the person that was the reindeer agent was -- his position

1 after he left the BIA, his position was changed to Fish
2 and Wildlife biologist, I believe. And now our
3 relationship in regards to -- as trust owners of trust
4 property -- our relationship now is with the biologist in
5 Juneau. So that's how the changes that you make in
6 staffing decisions directly impacts the ability of
7 reindeer herders to do the things like try to get
8 additional funding that had been promised in the Reindeer
9 Act and have -- have not been appropriated yet.

10 And the other comment I wanted to make is that
11 one of -- up at two tribal budgeted advisory committee
12 represented to our -- to our president was one of those
13 advisors for Alaska. Her comments in some of her
14 correspondence was that one of the recommendations she was
15 making is that -- that tribal budget advisory committees
16 should be able to look at the amount of funds that are
17 available for carryover or funds that are unspent or
18 unobligated in error funds, that committees should take --
19 be able to take a look at that and make recommendations
20 for how those funds should be spent.

21 The other impact that some of the decisions you
22 make have -- have affected land management or realty
23 services in our region. Because of the fact that so many
24 archeological -- so many of our Native allotments are in
25 such remote sites and some of the archeological digs have

1 been going on with -- you know, in remote sites. And the
2 fact that there is no law enforcement -- the law
3 enforcement is nonexistent pretty much in -- because the
4 Alaska State Troopers have other priorities that -- and so
5 we're not able to access someone who can -- who we can
6 offer comments to and map out where the destruction is
7 being done on our land.

8 We will provide comments, I would like to know,
9 in writing, by the deadline. I'd like to know who to
10 address them to. I do have this BryanRice@BIA.gov.

11 MR. RICE: That's me.

12 MS. FOSDICK: You. Okay.

13 MR. RICE: Yes. Okay. Thanks for the -- thanks
14 for the comments. You know, talking about the -- the
15 reindeer in Alaska -- and that's always a -- it's always
16 an interesting conversation back in D.C., because it's a
17 -- it's a story that you have to tell continually. If I
18 remember right there's 5 -- roughly 5,000 head?

19 MS. FOSDICK: About 10,000.

20 MR. RICE: Is it 10,000, okay. And -- and, you
21 know, we have Jackie Martin who's the biologist down in --
22 in Juneau. And she's -- she's done a really great job at
23 ensuring -- you know, we have -- we have records there
24 that are a hundred years old. And making sure that we
25 have that linkage to, you know, what's happening, where

1 we're going. It's -- it's -- it's a challenge that it's
2 really -- you know, whether it's buying fuel for the camps
3 or, you know, some of the other functions that it's --
4 it's -- you bring up some really good points there.

5 The carryover topic, that's something that has
6 come up in other consultations as well in other -- at some
7 of the other venues. There has been actually, you know,
8 lists that have been generated that said, you know, we've
9 -- we've pulled your -- you carryover balances; and, you
10 know, what's this money being used for? And what's this
11 money being used for? And a lot of the big-ticket
12 carryover items that we had that sit in carryover are tied
13 up, either with a specific legislation; construction, like
14 the Navajo irrigation project is a big one that tends to
15 come up quite often, because the money has -- is
16 specifically for that project. So they can't -- we can't
17 use it for anything else. And even though it's been
18 sitting there for several years, because of the --
19 whatever processes are in place. It does come to the
20 surface. And -- and looks like a viable source. But in
21 many instances there -- you know, there are specific
22 things identified for those dollars.

23 But it's something to look at. I mean, we have
24 to look at everything. Everything's -- everything's on
25 the table in terms of, how do we deal with, you know, any

1 type of reduction that would come? So thank you for those
2 comments. Do you have another one?

3 MS. FOSDICK: Yeah.

4 MR. RICE: Yeah.

5 MS. FOSDICK: Can I make one more comment?

6 MR. RICE: Please.

7 MS. FOSDICK: That I meant to make. Because --
8 the tribal consortium and working with 25s in our region,
9 and we also have roads and transportation funds -- and
10 because we work with some of the tribes to help them do
11 their projects. Some of the correspondence that is being
12 sent from BIA offices are being sent directly to the
13 tribes, as opposed to the consortium; and then there's a
14 lack of -- it becomes very inefficient.

15 So we can include that in the comments also,
16 where consortiums are involved in, say, roads projects.
17 And we're responsible for getting the roads project money
18 spent. And we would like to receive it -- as opposed to
19 the tribes who are working for -- in their transportation
20 projects.

21 MR. RICE: Okay. No, I appreciate that. And --
22 and one of the challenges that I found, even when I was up
23 here in the forestry program, was that in some instances,
24 when -- when either villages or -- or, you know, IRA
25 tribes would enter or leave the consortiums, sometimes

1 that -- that gap or that lag would -- would create the
2 situation like you're talking about. But then in other
3 instances, like with the highways program, I know that
4 that -- sometimes it -- federal highways or DOT would --
5 would drive that. So that's something we can -- we can
6 improve on.

7 MS. FOSDICK: Thank you.

8 MS. O'NEILL: So I have some comments.

9 MR. RICE: Please.

10 MS. O'NEILL: Gloria O'Neill. I think it was in
11 2003 or '4, I can't remember the year, that I got pulled
12 into serving on the TIBC as one of Alaska's
13 representatives. That's the tribal budget advisory
14 committee for the state and region. And, you know, it's
15 really interesting, because we'd had -- we've had several
16 conversations around streamlining and reorganization, you
17 can call it whatever it is. But we -- we've tried and
18 attempted many times. So I do appreciate you having this
19 conversation with us. And at least lining out a plan and
20 -- and showing us that, you know, you're going to find
21 your savings in maybe early-outs and buyouts and
22 realigning, centralizing, and consolidating. And looking
23 how you can cluster some of the duties maybe in the
24 regional offices.

25 Because we've had -- we haven't really had a --

1 an approach that really made sense before. And I think Ed
2 is right, is really understanding how the programs and the
3 dollars are -- you know, flow from Washington central
4 office to the regional offices and ultimately out to the
5 communities. And so I think that as you look at this
6 overall budget and the people that it's going to impact,
7 meaning the functions, that you really need to understand
8 the work flow and the process flow; so that when we are
9 here in our communities trying to get essential services
10 out to people and resources, that we're not waiting months
11 and months to get the money reimbursed to us or to get our
12 contracts signed. I think that's extremely important.

13 So I'm not sure if you -- it might be you -- but
14 I'm not sure if there's somebody in the Bureau that really
15 understands the complexity of how that can flow and
16 looking at how you're efficient, but ultimately what's the
17 impact in the community level. So I'm hopeful that you're
18 being really thoughtful about it, as you're also taking
19 comment.

20 At the last TIBC meeting I think I asked Mike
21 Black, I said, "So -- so do you have a plan?" And he's
22 like -- no answer. I said, "Do you have a plan?" He's
23 like, "No, but we want to come out and talk to everyone."
24 And again, going to Ed's point, it's really difficult for
25 us to react to something unless we see a plan. Because

1 the way that we organize and administer our programs, we
2 try to do it in a thoughtful way that we would approach it
3 -- that the same work flow and constructing a budgets in
4 the same way, working with the BIA so we could give some
5 thoughtful feedback.

6 And I'd also say is, when you -- when we talk
7 about consolidating that -- that just makes me a little
8 fearful, because being a part of the TIBC during the Bush
9 Administration, where I don't know how many assistant
10 secretaries we went through; but it was a lot. And I want
11 to say it was five or six maybe. And, you know, so what
12 happened is we all know during that Administration is that
13 there was a lot of consolidation at the central office.

14 And -- and it really was at the detriment of the
15 regions and the tribal communities. So what I'm really
16 hoping is that as you look at how you can align program
17 function and think about efficient work flow, that you
18 just say, "Okay, we're not going to pull it back to
19 Washington because it doesn't work." And so everyone
20 needs to remember and have it fresh in their -- their
21 memory, of what happened under the Bush Administration.
22 And how, I believe, the BIA took a huge step backwards.

23 Now, I -- I think Assistant Secretary Larry Echo
24 Hawk has been fabulous over the last three years. I'm
25 really sad to see that he's gone, and some of the other

1 leadership. You know, it makes me pause to wonder what
2 the next year is going to look like. Quite frankly, what
3 can we get done in -- under the BIA. And these are really
4 important decisions. So I'm asking everyone who's there,
5 is that we -- we -- we take this responsibility really
6 seriously.

7 Because, you know, I don't -- I've never worked
8 in Washington, D.C., but I'm sure it's complicated;
9 there's a lot of politics. But we have to remember that,
10 with every decision that it's about people; and it impacts
11 people. And, you know, I think that as you look at work
12 flow and what really makes sense in getting the dollars
13 out, in getting the work done, you might want to also
14 think about empowering the regional offices to -- to look
15 at contracting out some of their services to tribes or
16 tribal organizations that they work with. So you can move
17 more to performance-based contracts. And that can maybe
18 save the -- the -- the Bureau some money.

19 So just kind of be a little bit more progressive
20 and thinking of working in a different way than, you know,
21 maybe the -- the Bureau hasn't thought of. And then, you
22 know, I -- I note that recently Carrie attended the budget
23 subcommittee meeting; and -- and what I heard back from
24 that is that -- you know, of course, I was there, not this
25 year but the -- the prior year, where they throw you into

1 a room; and they say, "You've got to cut 130 million
2 dollars out of the budget." We're like deer in the
3 headlights, you know.

4 So, of course, we -- we want to protect all
5 resources going to tribes and tribal communities. So
6 where do we look? We look at administration. But the way
7 that the Bureau tries to -- you know, they -- they employ
8 this strategy, that in my mind doesn't really make sense,
9 and that is -- is, "Well, let's cut out JOM; let's cut out
10 HIP, because we know Congress will restore that in the
11 budget."

12 I don't think we can operate the way that we've
13 operated in the past. The world has changed. And what I
14 mean by that is, I don't think Congress is going to go
15 back and just say -- because they have in the past -- and
16 restore these programs. I mean -- you know, again, that
17 -- that's taking a big bet on Congress doing something
18 where I think Congress has changed. And it impacts people
19 again.

20 So I just ask that as we think about the 2013 and
21 2014 budgets, that we're really thoughtful of how we go
22 about it and not play a game that really impacts people on
23 the other side of things. And is -- as I've always said,
24 from Alaska's perspective, we get more, I think equity in
25 the budgets if most of our money goes into TPA; because we

1 do not receive BIE money, nor do we receive law
2 enforcement money. So when we prioritize at the national
3 level, and if BIE and law enforcement are in that -- those
4 top priority line items, that's not good for Alaska. And
5 we have some of the most neediest communities in the
6 nation.

7 So I -- I think that just keeping all of that and
8 taking all -- keeping -- keeping it all -- you know, I
9 know it's a big legged jigsaw puzzle, but really
10 understanding Alaska and how we are unique as it relates
11 to the budget process. And, you know, I just want to
12 thank the Alaska Regional Office. I've really enjoyed
13 working with Gene. I think he's trying to put together a
14 good team to really support all of the tribes and tribal
15 organizations that BIA works with.

16 So whatever you can to support Alaska's Regional
17 Office, we appreciate.

18 MR. RICE: Okay. Thank -- thanks for -- you
19 know, one of the -- the -- the point that I'm -- I'm
20 thinking of here -- if I can add a comment, I guess. You
21 know, with -- we're -- we're looking at staffing levels
22 and programs and the duty stations, you know, trying to
23 take a -- you know, a pragmatic approach to, you know,
24 what makes sense. But then there's the other element that
25 you're talking about, and that's the -- it's almost like

1 the workload analysis. What are those functions that
2 actually need to be done?

3 And it -- it sort of puts us in a -- a time right
4 now where we can look at how we're organized, how we're
5 deployed in terms of staffing levels, contracts with --
6 with tribes or -- or actually moving those functions out
7 into some of the compacts. However -- however it could
8 work. I mean, it's an opportunity to -- to find
9 efficiencies to, you know, continue to maintain where
10 we're at without losing anything. And so I -- you know,
11 that -- that mind-set or the -- the spirit of your
12 comments is involved in everything that we're -- we're
13 talking about within these discussions. So I appreciate
14 that.

15 MR. LOUDERMILK: Part of the -- and I just want
16 to throw in a couple things here too. Part of the
17 streamline process that we're looking at too, all of us,
18 you know, as we started looking at the VERA and the VSIP,
19 we all realized that we have programs that are kind of on
20 the edge where a lot of folks can retire and move on.
21 And, I mean, it's not going to be a one plan fits all in
22 carte blanche across the nations -- across the regions;
23 but it's going to be up to the regional directors to
24 provide input in that when they start looking at the VERA
25 and the VSIP.

1 Because, you know, out of Rocky -- or Great
2 Plains Region, my natural resources office could all
3 leave, you know; and where would that leave us? I mean,
4 those are some of the things that we have to look at as we
5 move forward. So I just wanted to throw that in.

6 MS. HANLEY: I would just like to add: We all
7 commend Assistant Secretary Echo Hawk for the work he did
8 when he was with us. The current acting assistant
9 secretary is Del Laverdure, and he was the Principal
10 Deputy Assistant Secretary for the last three years. And
11 he does take the work that we do very seriously. We all
12 take it very seriously and take it to heart, because it
13 affects people. And we know that. So I know that there's
14 a lot of movement with the management right now, but be
15 rest -- rest assured that that's the case in D.C.

16 MR. RICE: All right. We have some more time for
17 -- for discussion here.

18 MR. THOMAS: I don't want you to get bored, so
19 I'll keep asking questions.

20 MR. RICE: Perfect. All right.

21 MR. THOMAS: One of the things that I was able to
22 find in your documentation somewhat answers my question,
23 but creates another problem. In the beginning of this
24 meeting you stated that these are just ideas; they're not
25 embedded in stone and our efforts are make [sic] a

1 difference. But then on page 6 of the handout it says,
2 "The fiscal year 2013 includes \$65,000,000 in reductions;
3 streamlining's 19.7; Administration savings, 13 million;
4 and then the program reductions of 33 million."

5 So I guess I'm not getting it. If -- are these
6 in -- if -- once it's in the budget it seems to me like
7 the decision's been made.

8 MR. RICE: So the -- there's -- within that
9 document there's a couple pages that were put together
10 just to take, basically distilled the -- the green book,
11 instead of having a huge document included, just try to
12 throw the numbers in there and show the debt and the
13 credit to show that there's basically a zero -- a zero
14 level. So for all the decreases that you're -- you're
15 pointing out, there was increases to TPA and some of the
16 elements.

17 And then the area that we were talking about was
18 the straight reduction of the -- the streamlining, which
19 actually identifies in the description, you know,
20 reduction of staff, closure of offices, all those -- all
21 those elements. So the -- the bigger budget picture which
22 you're talking about, that's -- I mean, that exists; and
23 those are other topics to discuss.

24 MR. LOUDERMILK: It's proposed.

25 MR. RICE: Yeah, and it's proposed. That's the

1 other -- that's the other piece of it. And then the
2 streamlining part of it is very specific on, you know,
3 affecting the people and -- and -- and not just federal
4 people, but the services that are provided out of that.
5 And that -- and that was the basis for this discussion.
6 So in an attempt not to -- to muddy the waters in terms of
7 trying to say, "Okay, we're talking streamlining; that's
8 not part of the administrative cost savings; that's not
9 part of, you know, any of the reductions," it's this
10 element that we're talking about. But it's -- and it's a
11 bigger topic.

12 MR. LOUDERMILK: And I think you mentioned this
13 already too; and correct me if I'm wrong here, but this is
14 a proposed budget; it's not final. As he had mentioned
15 before, you've got the Senate and the Congress that still
16 have to vote on this. So there's a lot of variables that
17 come into play here, and we all know what those variables
18 are. We're in an election year. We've got the House;
19 we've got the Senate. So there's a lot of variables
20 before you -- you -- this budget will go into play, if you
21 would. So -- but we have to do our due diligence, if you
22 will, to go with an -- a plan, if you will, or to try to
23 come to some kind of plan, that if this budget were to be
24 enacted, what do we do?

25 MR. THOMAS: Well, I -- I didn't want to give the

1 sense that I don't understand how the budgets work. This
2 is the President's budget, and that's what we're talking
3 about. It's not necessarily one that's passed Congress.
4 That's the 2012 one. So I'm not confused about that part.
5 And I thought you said you weren't a lawyer; you gave a
6 good lawyer answer there.

7 When we have -- have the issues that I'm speaking
8 about and then the balancing act that takes place in the
9 documentation, I made my comment earlier about the law
10 enforcement that we don't have in Alaska; and that --
11 that's not what we're here for. But in -- in the whole
12 scheme of things, it's mentioned again that, you know, we
13 -- is it called TIBC now or is it --

14 UNKNOWN SPEAKER: TIBC, I think you said.

15 MR. THOMAS: So we're back to TIBC; it was
16 something -- and when I attended the meeting last summer,
17 there was a motion made and agreed to by the BIA officials
18 there that we would not include in the BIA component of
19 the budget that's being debated, some of these issues that
20 -- settling claims. But now I'm seeing them in here
21 again. So if there is a claim, that should be into, you
22 know, the trust fund component of the entire federal
23 budget, not into the problematic side; because a
24 settlement of a claim is not a problematic issue; it's
25 settlement of a lawsuit.

1 And so to kind of distort those kind of things is
2 really not good. And the TIBC agreed that it was not a
3 good thing to do, and so did the Administration at the
4 time. But now we're seeing them back in here again. I
5 know it sounds like splitting hairs, but I think a couple
6 years ago it was a fairly substantial amount of money that
7 was in settlements and put into the BIA budget; and say,
8 "Okay, here's part of your budget." And really is not a
9 part of the problematic or even the administration. It's
10 a settlement of a suit or a claim.

11 So I just wanted to throw that out for the record
12 again, because I -- I just don't -- I just don't agree it
13 should be part of the debate.

14 MR. RICE: No, and it's -- I don't take it as
15 splitting hairs. It's part, you know, this is --
16 discussions are on those tough topics. So we need to look
17 at all these aspects. And we haven't -- we hadn't had
18 that element of the discussion yet. So I'm glad you
19 brought it up. Yes?

20 MS. ENGLER: I'm Celeste Engler. I'm a
21 self-governance director for Tanana Chiefs Conference.
22 Tanana Chiefs Conference is a consortium of 37 villages in
23 the BIA compact. I'm here to gather information, and we
24 will be submitting written comment. But I also want to
25 encourage you to keep in mind how important the working

1 relationship is with both the northwest field office and
2 the Fairbanks Agency Office. The northwest field office,
3 they not only service all compactors throughout the State
4 of Alaska, and there are many consortiums. And there are
5 many minute intricacies to these consortiums with
6 marriages and divorces.

7 The staff there have a longevity of -- there, and
8 they know the history of the various compacts. So that is
9 essential for -- as things change, staffing will be at a
10 -- at the consortium level or at the SOG level. It does
11 have an effect, so please be mindful of that -- of the
12 fine nuances to Alaska's compacts. With regard to the
13 Fairbanks Agency Office, our relationship with that office
14 is integral in -- with regard to Native allotments.

15 And we have a checkerboard, if you will, within
16 your region of both, six Title 1 and -- and Title 4
17 villages. We work with that office. We're coming upon
18 negotiations now; so when we get wind of who's going to be
19 married or divorcing within the negotiations, Kathy's
20 office is the first line there. So I just want to express
21 that you maintain that relationship, encourage that
22 relationship to -- to continue on.

23 And I also want to extend my appreciation to
24 Gloria and all the hard work that she's done for the State
25 of Alaska on the TIBC, especially with the hard work with

1 the contract support. Thank you.

2 MS. O'NEILL: Oh, I had -- had a great teacher in
3 Ed. And Rick Harrison actually is -- is going to be
4 transitioning into my seat beginning early next year. So
5 he's been making the transition and attending all the
6 meetings. He's been fabulous. So thank you.

7 MR. RICE: Great, thank you. I -- you know,
8 those -- great comments. And I want to recognize, you
9 know, Tanana Chiefs' forestry and natural resource
10 program; because they've really been a -- a shining star
11 within the -- the natural resource field in terms of, you
12 know, dealing with timber resources and -- and other
13 natural resources on the Native allotments in Alaska. And
14 they've done, you know, a great amount of work even
15 working with, you know, Kawerak and -- and the Bering
16 Strait's forest management plan that was put in place a
17 couple years ago. So, I mean, it's a great example.
18 Appreciate that. Thank you. All right. Anything on this
19 side of the room?

20 MS. AMODO: Maybe I'll go ahead and add. This is
21 Linda Amodo again. We were talking about how -- what --
22 you know, what are the steps that are needed to hold --
23 you know, for BIA to actually be held more accountable for
24 their things. And I'm always thinking of this when we
25 start making changes, who is going to -- who is going to

1 hold the governing body accountable?

2 And BIA is -- you know, it's so encompassing and
3 they have so much to offer to all the different
4 communities. You know, my -- my question is
5 accountability; where -- you know, how is that going to
6 come into play? Who exactly is going to be following up
7 on this? And, you know, I just have one recommendation,
8 that BIA have a yearly meeting with the tribes from around
9 the state to talk about the progress that had been made,
10 talk about the things that are not working, and get
11 recommendations from the tribe on how do they see things
12 can be done differently for each different operation that
13 they have.

14 But, you know, that -- that's always been my
15 biggest thing is accountability. Who is going to hold
16 them accountable? Because who was holding them
17 accountable in the past?

18 MR. RICE: Those are -- those are great
19 questions. You know, I think one of the -- one way to
20 address it is, you know, through the -- through the
21 organization of the program or realignment, however --
22 however a program's set up. You know, there's performance
23 elements; there's -- you know, we can structure a program
24 in a way that can address some of those points -- but it's
25 -- it's not just the --

1 MS. AMODO: And then I think, you know, there --
2 there still needs to be feedback from the people that they
3 are serving -- serving, not just the accountability from
4 their -- what they're doing to Washington, D.C.

5 MR. RICE: Sure.

6 MS. AMODO: But to also hear back from -- from
7 the communities; because BIA may think something is
8 working, when actually out here we're not seeing it.

9 MR. RICE: Right.

10 MR. LOUDERMILK: You know, like, Great Plains,
11 you know, and Rocky Mountain Region, you know, they have
12 -- out of Rocky Mountain they got Montana, Wyoming Tribal
13 Chairmen's Association, tribal leaders; Great Plains you
14 have Great Plains Tribal Chairmen's Association, where
15 they have regular meetings with the BIA to communicate
16 some of these things. Is there anything like that here in
17 Alaska? Is that something that you -- you think might be
18 something that you're looking at? Or -- well, what are
19 your thoughts on that?

20 MS. AMODO: Well, I actually just -- I haven't
21 been serving as the tribal president for a long time now.
22 You know, it hasn't been all that long. And so I'm -- I'm
23 not too aware of, you know, what representation we have.
24 But we are actually requesting more meetings with BIA. We
25 actually have one scheduled tomorrow. You know, because

1 there is just more information that I feel we need to
2 better serve our community.

3 And, you know, so -- but if you're looking at BIA
4 as a whole and with a lot of the disconnect that's there
5 and you start on this -- on -- on -- you know, because
6 this sounds like it -- you know, it can actually work; but
7 you're going to need some sort of follow-up.

8 MR. RICE: Okay. Well -- all right. All right.
9 So if there's not anything else. What are we at? We're
10 at 11:30. We can take five minutes and then -- or do we
11 want to break -- have a longer break and a longer lunch
12 and then come back and do the JOM piece?

13 MS. LINDGREN: I would rather do JOM after a
14 five-minute break and be able to go home earlier --

15 MR. RICE: Okay. So let's -- let's -- it's
16 11:30; let's take a five-minute break, and then we'll come
17 back in; and we'll -- we'll talk JOM.

18 (Thereupon, a brief recess was held at 11:29 a.m.
19 and meeting resumed at 11:39 a.m.)

20 MS. BEDWELL: My name is Janie Bedwell; and I
21 work for the Bureau of Indian Education in Seattle,
22 Washington. And this section is about updating our
23 Johnson-O'Malley student count. We actually are asking
24 input from the tribes for three questions. How should the
25 JOM count be conducted? Which students should be included

1 in the new Johnson-O'Malley count? And if we reestablish
2 the full-time permanent Johnson-O'Malley coordinator
3 position, where would that position be located.

4 And so in the House report, we -- that
5 accomplished -- that was accompanying our 2012
6 appropriations, we were directed to do an update of our
7 Johnson-O'Malley student count and to report the results
8 of our new count to Congress. And we were also directed
9 that we were to, at this time, reestablish the full-time
10 permanent Johnson-O'Malley coordinator position that we
11 terminated back in 2005.

12 And according to the CFR, the purpose of the
13 Johnson-O'Malley program is to provide specialized and
14 unique educational programs for Indian children who are
15 attending public schools and some BIA-funded tribal
16 schools through the use of supplemental education
17 programs. So -- so that's the program we're looking at.

18 These supplemental programs are supposed to be
19 designed at the local level through the purview of the
20 local education committee. And the contractors who can
21 apply for these funds are states, school districts,
22 tribes, tribal organizations, and BIA-funded previously
23 private schools. Students who are eligible for the
24 Johnson-O'Malley at the current time are those who are
25 three years of age up through grade 12, who are in public

1 school and previously private BIE-funded schools, except
2 for the ones that are enrolled in BIE-funded schools who
3 aren't previously private, and sectarian-operated schools.
4 Eligible students for this program must be a member of a
5 tribe or one-quarter degree of Indian blood in a tribe
6 that's recognized by the Secretary of the Interior as
7 eligible for services.

8 In 1988, the Bureau started looking at various
9 methods for funding their Johnson-O'Malley program that
10 was equitable and fair. And based on the new formula that
11 they had approved by Congress in bill 100-466, they came
12 up with a weighted factor. And it was phased in over a
13 three-year period. So in 1989, all states received a 1.1
14 weighted factor. In 1990, it moved up to a 1.2 weight;
15 and in 1991, the weight went up to 1.3. And right now,
16 the current maximum amount given for Johnson-O'Malley is
17 the 1.58 weight for here in Alaska.

18 Before 1995, the way the Johnson-O'Malley program
19 was funded, was each of the line officers would collect a
20 list of all of the tribes of contractors who wanted to
21 operate a program. Then from them we would get a list of
22 the Johnson-O'Malley students who were going to be served
23 along with their birth date, and a certification statement
24 that the contractor -- from the contractor saying that the
25 students on the lists were JOM-eligible students. This

1 number was then turned in to the education line officer,
2 who turned it in to our BIE central office in Washington,
3 D.C. And from that, a master list of Johnson-O'Malley
4 programs was created.

5 So back in 1995, both the House and the Senate
6 told us that we needed to move the Johnson-O'Malley
7 program out of the other recurring programs portion of the
8 budget and into each of the tribes' base tribal priority
9 allocation funding category. So in the House report,
10 103-551, and the Senate report, 103-299, specific language
11 talked about how we were to transfer the Johnson-O'Malley
12 funding. And with the transfer of the Johnson-O'Malley
13 out of the other recurring programs into the tribal
14 priority allocation system of the budget, there was no
15 further need for the annual Johnson-O'Malley count that we
16 had done every year.

17 So in 1995 -- it was actually fiscal year 1995 --
18 it was in the fall of 1994, we took one last final
19 Johnson-O'Malley count for the purpose of the distribution
20 of the funds. And at that point, when we took that last
21 count, there were 271,884 students. This chart shows how,
22 starting back in 1990, when we had 217,414 students, each
23 of the years there was an increase to Johnson-O'Malley up
24 until we took the final count in 1995, when that was
25 271,884 students. And by averaging that out, they figured

1 there was an average yearly increase of 4.59 percent.

2 So this is the estimated Johnson-O'Malley funds
3 for 2013's budget. For education and TPA funds, they're
4 projecting \$13,286,000 for Johnson-O'Malley funding next
5 year. To give you some kind of an idea of where Alaska
6 fits into this, last year in 2012, Alaska had 45 TPA
7 Johnson-O'Malley programs and 11 school district programs.
8 And you had a total of \$1,131,918 that came up here to
9 Johnson-O'Malley under those two categories last year.

10 For the Office of Self-governance, next year
11 they're projecting \$7,197,000. And the consolidated
12 tribal government programs line is expected to have
13 \$895,000. And I don't have the numbers for Alaska for
14 those other two categories.

15 So here are the questions. How should we take
16 the count by June 18th, 2012? Which is like three weeks,
17 maybe. And by the due date, we have to get all the JOM
18 contractors, the self-governance compacting tribes, the
19 public law 102-477 grantees, public schools, and
20 previously private schools to submit a brand-new
21 Johnson-O'Malley count of children that were either served
22 during the '11/'12 school year or could have been served
23 during the '11/'12 school year if you had a program in
24 place. Then once we gather all of these numbers, they
25 will be aggregated by state, by JOM contractor, and by

1 number of students; and that number will be reported to
2 Congress.

3 And then at a second date, which hasn't been
4 determined, there will be -- have to be submitted by
5 school, the name, the student name, the grade level, and
6 the birth date and tribal membership for each of these
7 students. And along with this list, we're going to have
8 to have a certification that all of the students on the
9 list are eligible for the Johnson-O'Malley program.

10 We need to know who we should count and how will
11 we -- can we notify all the current and new JOM
12 contractors, the self-governance compacting tribes, the
13 102-477 grantees, public schools, and previously private
14 schools of the count? In 1995 we counted students in 33
15 different states. And if you look at the Department of Ed
16 data, there were over 1,300 Title 7 programs. And the
17 final question is: Where should the new JOM coordinator
18 position be located?

19 And then the last slide, it says here that if you
20 want to make further comments, you can contact Brian
21 Drapeaux, Chief of Staff, Bureau of Indian Education, at
22 that phone number. His e-mail actually also is
23 Brian.Drapeaux@BIE.edu. And it says here, if you want to
24 make comments on all of the consultation topics -- and one
25 of them was the BIE streamlining, which is the \$3 million

1 decrease to our budget for the coming fiscal year. If
2 that comes into play, we will also be looking at some of
3 the same things that the BIA are looking at as far as
4 reductions in force, looking at the -- the people who are
5 eligible for retirement, looking at consolidating offices,
6 possibly even eliminating strategic positions.

7 And the other thing that we're consulting on is a
8 copy of the assurances, which is just an assurance that
9 we're going to add to our public law 102-97 grant schools;
10 and there aren't too many of those in Alaska. So that
11 wouldn't be something that you guys would probably comment
12 on.

13 But if you want to make further comment or see
14 more on those other issues, you can go to our Web site,
15 www.BIE.edu and click on the consultation link. And you
16 can have all of the data. Again, the written comments
17 have to be in by June 1st, if you want to make written
18 comments on any of those issues.

19 And that is all of it. Any questions or comments
20 that you might have?

21 MS. AMODO: This is Linda Amodo. I've actually
22 worked up at the school at -- on Kodiak Island. And I
23 work for the Kodiak Island Borough School District out in
24 my village. And I've -- I've worked with that school for
25 18 years. And during the time I was working there, we had

1 a JOM program. And then -- it was shortly after I left
2 the school, that I was told that there was no JOM
3 programs, there was no funding available for our schools;
4 so I was surprised to see JOM. I thought they were done
5 and dead and gone.

6 MS. BEDWELL: Okay. Yeah, they're still alive
7 and well. There's still programs up here in Alaska.

8 MS. AMODO: So how do we get our kids to get back
9 on? Because we have a school and our school is actually
10 growing with Native children that are enrolled in our
11 tribe.

12 MS. BEDWELL: And are you under TPA, Office of
13 Self-governance, or consolidated tribal government
14 programs, or 100-477?

15 MS. AMODO: Let me -- let me think about those.
16 David -- I was going to say, David Aluska [phonetic] has
17 been on tribe 40 years; same with Speriodon. And like I
18 said, I just got on not too much -- a couple of years ago.
19 So I'm still trying to learn things. But, you know, when
20 I worked up at the school, I know we had a JOM program.

21 MS. BEDWELL: Okay.

22 MS. AMODO: And that was through the school
23 district in Kodiak.

24 MS. BEDWELL: Okay. Because I handle all the
25 school districts, and I don't have a Kodiak School

1 District within the 11 school districts that -- that I
2 handle. So you must be -- have been under one of the
3 other, either 477 or -- and those -- the funding is
4 determined by the tribe. When they go through the budget
5 process they determine how much money to put in.

6 But you're definitely going to want to get your
7 kids in on this count that we're going to have to turn in
8 in June.

9 MS. AMODO: And would you send it to that -- to
10 that -- I know you had the comments going to this other --

11 MS. BEDWELL: Brian Drapeaux, yeah.

12 MS. AMODO: So who do we send the count to?

13 MS. BEDWELL: You will send the count to me. I'm
14 going to -- as soon as I get home from this consultation,
15 start working on -- on contacting people to get -- this
16 first go-around, we don't have time to get lists of
17 student names, birth dates, school districts, tribal
18 numbers, or any of -- any of the specifics. We're just
19 going to try to get a number to Congress by June 18th.

20 And so for this go-around, I'll be contacting all
21 of the tribes, all of the 477 people, all of the
22 self-governance office; I'm working with them as well and
23 trying to get as much accurate data as I can from Alaska
24 to put in on the numbers that I'll be submitting to our
25 office in D.C., who will then be submitting them to

1 Congress. So we're definitely going to want to go there.

2 In the meantime, if I can get your name and
3 number, I'll find out where your Johnson-O'Malley -- where
4 it comes from.

5 MS. AMODO: Okay.

6 MS. BEDWELL: Yes.

7 MS. DUSHKIN: Colleen Dushkin, Aleutian Pribilof
8 Islands Association. How can -- our tribal count for
9 RCCF, 477 program -- we're getting ready to send those
10 letters out. How can we streamline the -- the process?
11 And is it going to give us any requirements that we have
12 for CCDF count for the 477 program? Are you going to put
13 information together that tells us exactly what we need
14 for your count?

15 I guess, I just don't want to go to the tribes
16 and say, "We're getting our CCDF count," and then submit
17 them to our federal partners and then have to ask them
18 again, and will that information suffice for your --

19 MS. BEDWELL: Yeah, I'll be putting a letter
20 together.

21 MS. DUSHKIN: Okay.

22 MS. BEDWELL: As soon as I get back. And you're
23 with Francis Dunne?

24 MS. DUSHKIN: Aleutian Pribilof Islands.

25 MS. BEDWELL: Oh, okay. Francis Dunne, I think,

1 is the 477 person up here. He's -- he's offered to work
2 with me --

3 MS. DUSHKIN: Okay.

4 MS. BEDWELL: -- to make sure it gets out to all
5 the 477 people.

6 MS. DUSHKIN: Okay, great.

7 MS. BEDWELL: But I like I said, this first go --
8 go-around, all we need are numbers by the 18th so that we
9 can get those turned in. And then we'll be coming back
10 later -- at a later time asking you for which school the
11 student was in and what the student name is and their
12 birth date and their tribal affiliation, so that we can
13 have more data. And at that time we'll also ask for
14 certifications saying that these students are eligible for
15 the program. Yes?

16 MS. LINDGREN: Okay. You're counting children
17 three --

18 MS. BEDWELL: Uh-huh.

19 MS. LINDGREN: -- up, and they won't be in the
20 school; but they'll be enrolled in the tribes. So that --
21 there -- that will be a valid count?

22 MS. BEDWELL: Yeah. We used to count Head Starts
23 and kindergartens. We count any -- any eligible child who
24 was age three by December 31st up until they're -- they're
25 12th grade.

1 MS. LINDGREN: Okay. Okay.

2 MS. BEDWELL: Yeah.

3 MS. McMILLAN: Carrie McMillan, Cook Inlet Tribal
4 Council. Gloria really wanted me to -- our presidency
5 actually really wanted to express that we're happy that
6 you're taking time to look at the -- the student count,
7 because it -- since 1995 our youth population has really
8 exploded, our student population.

9 I think we can get a preliminary number together
10 by June -- by June 1st. But it's going to be virtually
11 impossible in the Anchorage School District to get -- I
12 think to go individually student by student. Are you guys
13 looking at any other strategies as far as -- are there any
14 other options for that student count, that certification?

15 MS. BEDWELL: I don't think so. I think we're
16 going to have to have a list of students --

17 MS. McMILLAN: Do you know if Indian Education,
18 do you know if they track that Native School District at
19 all?

20 UNKNOWN SPEAKER: I imagine they do.

21 MS. BEDWELL: I don't know what they do.

22 MS. McMILLAN: Okay. That's going to be really
23 difficult.

24 MS. BEDWELL: How many students do you think
25 you're talking about actually in Anchorage?

1 MS. McMILLAN: In the Anchorage School District,
2 I'm actually not quite sure. But thousands, right?
3 5,000? Yeah, so I -- I'm not really sure how we're going
4 to get our arms around that. That's something we'll
5 probably have to --

6 MS. BEDWELL: Yeah, we'll have to talk about that
7 later, 'cause right now we just need the numbers. They
8 have to get them to Congress. And then after that, we'll
9 go out and figure out how to get those specifics.

10 MS. McMILLAN: Yeah, I don't know how we'll get
11 them. We'll have to use our resources. That's -- that's
12 going to be a burden on -- so we'll have to continue that
13 discussion.

14 MS. BEDWELL: And I understand how she would be
15 glad we're doing another Johnson-O'Malley count. See,
16 Johnson-O'Malley, before 1995, was based on the student
17 count. So your tribal allocation for Johnson-O'Malley
18 would go up and down every year based on the number of
19 students that you counted that year. And so it -- it
20 wasn't a solid number that could be moved into the tribal
21 priority allocation system for the tribe. And so they
22 asked us to consult with tribes and to come up with a way
23 to stop that movement of up and down every year and switch
24 it on over to the tribal priority allocation, so we did
25 that.

1 We took one final count, stopped it right there,
2 and moved the funding into the base funding of -- of the
3 tribes. But what that did is, every year when we would
4 have a consultation, when they would open it up to
5 questions at large -- and I don't know if that happened up
6 here in Alaska -- but the consultations I was going to,
7 somebody inevitably would stand up and say, "We have more
8 students in our JOM program than we had in 1995. We've
9 added another school district since 1995. We need another
10 count, because our numbers are way too low right now."

11 And so, I think, that's where this item came
12 from. And now we're being told to take another student
13 count so -- so, yeah, I understand why she wanted -- was
14 glad to see another count. Because you saw how the growth
15 was, 4.59 percent. And if you go back to 1995 to the
16 present and -- and add basically five percent more per
17 year, that's quite a difference. Yes?

18 MS. ENGLER: Celeste Engler, Tanana Chiefs
19 Conference. Do you have a list -- is -- is your
20 presentation going to be available online?

21 MS. HANLEY: It is.

22 MS. ENGLER: Cause it varies from -- from --

23 MS. BEDWELL: Is it?

24 MS. ENGLER: -- this document here.

25 MS. HANLEY: The -- the BIA PowerPoint that was

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1 just done is online. It's available at the BIE Web site.

2 MS. ENGLER: Okay, okay.

3 MS. HANLEY: Yes. And if there's any additional
4 information you'd like, just e-mail Brian Drapeaux; he is
5 the Chief of Staff for BIE and very knowledgeable. And
6 he'll be able to get back to you on anything.

7 MS. ENGLER: Okay.

8 MS. BEDWELL: And that Web site again is,
9 www.BIE.edu and then click on consultation.

10 MS. ENGLER: Okay. Thank you.

11 UNKNOWN SPEAKER: Can you give Brian's e-mail
12 address again?

13 MS. BEDWELL: It's first name dot last name at
14 BIE.edu.

15 MR. RICE: Why don't you go back to the slide
16 that had his --

17 MS. HANLEY: It's B-r-i-a-n.D-r-a-p-e-a-u-x, I
18 believe.

19 MR. RICE: Yeah.

20 MS. BEDWELL: There you go.

21 MS. HANLEY: Can everyone see that okay?

22 UNKNOWN SPEAKER: At edu.gov?

23 MS. BEDWELL: At BIE.edu. Any other questions?
24 Yeah.

25 MS. LINDGREN: What is -- what is the

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1 recommendations for the JOM coordinator position? What --
2 is there -- reestablished the permanent JOM coordinator
3 position that was terminated in 2005? Okay, what -- what
4 is this position do? What is -- what does the JOM --

5 MS. BEDWELL: I think --

6 MS. LINDGREN: Alexandra Lindgren --

7 MS. BEDWELL: -- I think their -- their main
8 purpose was to give everyone a central person to go to if
9 you had Johnson-O'Malley concerns or questions. One
10 person who would be the expert on Johnson-O'Malley, so
11 that if somebody was having issues they could go to one
12 person who was well trained, well up on the latest
13 Johnson-O'Malley information and could give you an answer
14 immediately. I think that's the main purpose.

15 MS. McMILLAN: Carrie McMillan again. What was
16 the question around whether it was an eligible JOM
17 student? It seems like there's a regulation. Is there
18 any consultation around that?

19 MS. BEDWELL: Yeah, it's on here as -- as one of
20 the consultation items. So I'm thinking that if you have
21 an opinion that age three up through grade 12, would it be
22 a -- a good decision, you could certainly make comment on
23 that. Or if you thought having to be enrolled or
24 one-quarter degree of Indian blood, if you wanted to make
25 comment on any of the requirements right now for a

1 Johnson-O'Malley-eligible student, they would listen to
2 that.

3 MS. McMILLAN: Yeah, I think the Indian structure
4 of Alaska and the kids that are coming up aren't
5 necessarily enrolled in a tribe because of the corporate
6 structure and what have you. And we want to make sure
7 they're not left behind so --

8 MS. BEDWELL: Yeah?

9 MR. HARRISON: Rick Harrison, Chickaloon Native
10 Village. I know our tribe would also disagree with the
11 Blood Quantum, having that restriction. We believe that's
12 sort of divide-and-conquer tactic. And our children,
13 whether they're a quarter, a full, or an eighth or a 16th,
14 are still our Native people. And to exclude one and not
15 their cousin, or something, that's just another
16 divide-and-conquer tactic.

17 MS. BEDWELL: Okay. That's a good comment. Does
18 anyone else have comments on the quarter degree of Indian
19 blood or the -- the age? Yes?

20 MS. AMODO: I think -- just from what I know, and
21 I -- I necessarily don't see this as divide and conquer.
22 But a lot of the way the BIA money comes in and is
23 allocated to, you know, different programs and stuff, to
24 be eligible for them, you have to provide proof because
25 it's for Natives. And, you know -- but I can see his

1 point, you know, do we only go -- do we say a quarter is
2 the lowest we can go? Because, you know, so many Natives
3 are marrying outside of their cultures. And so, you know
4 -- so I -- I could see where -- where, you know, that can
5 be an argument.

6 But as far as government goes, you have to be
7 able to show proof that you are actually eligible for that
8 money. Otherwise you'll have every Dick, Jane, and Harry
9 coming in and saying, "Well, I'm eligible."

10 MS. BEDWELL: Yes?

11 MR. HARRISON: Rick Harrison again. No, I agree
12 with you. I think they have to be able to -- have a BIA
13 card and -- but to have a percentage on how much --

14 MS. AMODO: Yeah.

15 MR. HARRISON: -- Native they are is -- is
16 something that we would disagree with.

17 MS. BEDWELL: Okay. Yeah?

18 MS. LINDGREN: And -- and we dis -- there are --
19 there are -- when you -- and the reason that we're -- we
20 are against Blood Quantum, is because the base rule that
21 was established is based on old records that did not
22 determine Blood Quantum; and arbitrary Blood Quantums were
23 associated with those records. Which might have been
24 their -- the church rolls, baptism records, birth
25 certificates, that were filled out by people who really

1 did not know the actual Blood Quantum.

2 So that's why we're against Blood Quantum,
3 because it's really not a true document. It's not -- it
4 doesn't stand. You have brothers who have different Blood
5 Quantums who have the same mother and father based on what
6 the birth certificate or the baptism record in the church
7 said. So that's why, you know -- against it. And that's
8 why.

9 MS. BEDWELL: Okay. Yeah, I know as someone
10 who's worked with -- with the records from Alaska for like
11 the last five or six years, the certificate of Indian
12 Blood Forms for up here sometimes get very tricky.

13 Any other comments on Johnson-O'Malley? And
14 again, if -- if you want to see the BIE streamlining and
15 assurances that we're going to be adding to our school
16 grants, you can go to our Web site and -- and look those
17 up and make comments on them as well. Make sure your
18 written comments are in by June 1st. Yeah.

19 MS. FOSDICK: Hi, Rose Fosdick from Nome. My
20 question -- it's a question. For clarification, you're
21 saying that you will be contacting tribal governments
22 asking them for a specific count on eligible JOM students;
23 and then later -- sometime later you'll contact the tribes
24 again and ask for the details of -- and certifications?

25 MS. BEDWELL: Yeah. Yeah, that's the way it is.

1 Because we've got such a quick turnaround right now, we're
2 just going to try to get the numbers in. And then after
3 we do that, we'll be approaching the tribes one more time
4 and asking for the eligible student lists and the
5 certification that these students are eligible for the JOM
6 program.

7 MS. AMODO: Or in our case, could be eligible,
8 because we don't have a JOM program.

9 MS. BEDWELL: Yeah. Well, we're going to do --
10 is as -- we're going to ask if you had a JOM program in
11 the '11/'12 school, how many student were eligible? If
12 you didn't have a JOM program in the '11/'12 school year,
13 how many students would have been -- would have been
14 eligible had you had one? So that we can get all the best
15 numbers so that we can submit an accurate count to
16 Congress of JOM-eligible students. Yeah?

17 MR. HARRISON: When are the tribes going to be
18 contacted to ask this?

19 MS. BEDWELL: Right away. It's my very next
20 thing to do as soon as I get back to my office is to start
21 getting the numbers consolidated and -- and I'll be
22 contacting everybody.

23 MR. HARRISON: And the deadline to get the
24 numbers is June 18th?

25 MS. BEDWELL: June 18th is when, I think, it has

1 to go to Congress which --

2 MS. AMODO: So you said June 1st.

3 MS. BEDWELL: Yeah. Which means we're going to
4 need them a little more quickly than that, so that --
5 because all the data has to be aggregated by state.

6 MR. HARRISON: That's some pretty high
7 expectations; that's a quick turnaround for a week notice.

8 MS. BEDWELL: Yeah. And -- and by tribe,
9 so we're going to have to manipulate the numbers a little
10 bit before they go -- go -- submitted, so --

11 MS. AMODO: You got to give our secretary a
12 couple days to get back home first.

13 UNKNOWN SPEAKER: Is this the first that we're
14 hearing about this?

15 MS. BEDWELL: It actually first came up when the
16 President submitted his budget to Congress this year in
17 the 2013 green book, I think is where it first showed up
18 as something that we were being told we had to do.

19 UNKNOWN SPEAKER: Okay.

20 MS. BEDWELL: And so it -- yeah, it's fairly
21 recently that we even learned about it. Yeah?

22 MS. DUSHKIN: Colleen Dushkin, Aleutian Pribilof
23 Islands Association. What's the proposed outcome of the
24 new count? Are they looking at an increase -- if you're
25 talking about a little under a five percent increase per

1 year in the last seven years, are you looking -- does the
2 green book state that there is a possible increase to the
3 JOM funding?

4 MS. BEDWELL: Yeah, that's a good question. My
5 understanding at this point, all we're doing is getting
6 the new numbers to Congress so that they have some kind of
7 data to base their decision-making on. And what Congress
8 decides to do with that number after they look at where it
9 was in the last count in 2005 -- or 1995, and where it is
10 today, I am -- I have no idea what they will do at that
11 point with the numbers. All I know is they want the new
12 numbers so that they can have solid -- solid figures to
13 look at when they're thinking through what to do with
14 them.

15 So we actually don't know if there will be
16 additional money that will come out based on the new count
17 or where it will go.

18 Okay. Thank you very much for your input. And
19 I'll probably be talking to most of you again real
20 shortly.

21 (Thereupon, the proceedings were concluded at
22 12:14 p.m.)

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CERTIFICATE

I, BROOKLENDE D. LEAVITT, notary public for
the State of Alaska, and Certified Shorthand Reporter, do
hereby certify that the foregoing proceedings were taken
before me at the time and place herein set forth; that the
foregoing is a true record of the proceedings taken at
that time; and that I am not a party to, nor do I have any
interest in, the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto set my
hand this 4th day of June, 2012.

Brooklende D. Leavitt
Notary Public, State of Alaska
My commission expires: 1/30/2016

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