

U.S. House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
Bureau of Indian Affairs and Bureau of Indian Education FY 2020 Budget Hearing
April 30, 2019

Questions for the Record – Bureau of Indian Affairs and Bureau of Indian Education

Questions from Ms. McCollum

Tiwahe

McCollum Q1: Please describe the status of your corrective actions to ensure accurate Tiwahe funding to self-governance Tribes in order to resolve the DOI Inspector General recommendations. Please provide the performance measures used to monitor and track Tiwahe’s effectiveness. What consultation has been done with tribal nations that participated in the first round of the Tiwahe initiative on identifying or developing these measures? Have these metrics been applied to determine the effectiveness of the Initiative? If so, what were the results of the effectiveness of Tiwahe?

Answer: To address the issues identified in the OIG report, Indian Affairs is taking several actions. The Bureau of Indian Affairs (BIA) established a Memorandum of Understanding between the Office of Self Governance (OSG) and the Bureau of Indian Affairs’ (BIA) Office of Indian Services (OIS) clarifying the distribution of Social Services and Indian Child Welfare Act Program Initiative funding increases. In addition, OSG and OIS are drafting a formal policy to include in the Indian Affairs Manual to address the distribution of funding increases for all OIS programs. OSG is exploring options to enhance the Self Governance Database to facilitate easier calculation and display of funding amounts for self-governance Tribes and continues to work with a Self-Governance Advisory Committee Tribal/Federal Workgroup that is providing recommendations for all BIA program funding.

The BIA monitors Tiwahe program performance using the following overarching and Tribe specific measures.

Overarching Performance Measures (Measures tracked by all 6 pilot Tribes)

- Individuals participating in services that incorporate tribal culture
- Tribal youth program participants
- Ratio of clients to social worker
- Percent of Tribes submitting ICWA reports

- Percent of active child welfare cases represented by a guardian ad litem, child advocate or children's attorney
- Percent of child welfare cases with a parent defender/advocate assigned
- Percent of child welfare cases with a presenting officer assigned
- Percent of Tribes with tribal codes that authorize and require advocacy and legal representation for indigent parents and children
- Percent of AVCP tribal courts in operation (AK measure only)

Individual Tribal Performance Measures (measures tracked per each individual Tribe based on its Tiwahe plan priority areas)

Association of Village Council Presidents (AVCP) (AK)

- Percent of sub-regions managing their own child welfare cases
- Implementation of a client management system
- Communications plan implementation
- Percent of village courts with Children's codes

Fort Belknap Indian Community (FBIC) (MT)

- Reduction in the instances of Abuse of a Child, Assault of a Family Member and Abuse of an Elder (# of cases)
- Reduction in juvenile recidivism rate
- Reduction in reported Temporary Investigative Authority cases (# of cases)

Pascua Yaqui Tribe (PYT) (AZ)

- Percent of truant children who maintained attendance in school with completion of the Attendance Achievement Program
- Percent of Yaqui foster children placed with licensed Yaqui foster families
- Percent of General Assistance recipients returning to employment

Red Lake Nation (RLN) (MN)

- Reduction in the number of Juvenile suicides (# of suicides)
- Number of unified families
- Reduction in substance exposed newborns
- Reduction in the number of overdoses from opioids resulting in death
- Naloxone administration by community programs (law enforcement)
- Naloxone administration by community programs (emergency medical services)

Spirit Lake Tribe (SLT) (ND)

- Reduction in the number of families dependent on General Assistance (# of families off of GA)

- Number of families preserved or reunified by successful completion of a cultural program
- Reduction in homelessness

Ute Mountain Ute Tribe (UMUT) (CO)

- Increase youth leadership and multi-media career skill development
- Reduce homelessness among single parent families and veterans

The overarching performance measures tracked were developed in direct consultation and coordination with the pilot Tribes in June 2017. All six Tribes provided baseline data for each overarching measure (FY 2014 data) prior to the beginning of the Tiwahe Initiative. Data has been tracked for each measure each fiscal year.

In December 2017, the BIA OIS and Indian Affairs Office of Budget and Performance Management hosted a Tiwahe Performance Training session to assist Tiwahe pilot Tribes in establishing Individual Tribal Performance metrics to track the impact of the Tiwahe Initiative at each site. Each pilot Tribe established their individual metrics in accordance with its Tiwahe plan priority areas, including child and family services, ICWA, reducing recidivism, and tracking the impact of culture in service delivery.

Each pilot Tribe tracks these metrics against FY 2014 data to demonstrate the impact of program growth and development in the areas identified.

The Tiwahe pilot Tribes and OIS produce a Tiwahe Annual Performance Report that began in FY 2017, and reports on these performance metrics. Overall, Tiwahe has resulted in increased coordination of tribal programs to deliver child and family services, increased incorporation of culture into service delivery, and increased the number of tribal youth programs in operation at each site. Tiwahe has increased tribal, State, and national partnerships with the pilot Tribes resulting in increased funding opportunities from partner Federal agencies from grant sources such as the Substance Abuse and Mental Health Services Administration and the Coordinated Tribal Assistance Solicitation.

Tiwahe is producing real results in tribal communities. In Alaska, AVCP is sub-regionalizing its Indian Child Welfare Act (ICWA) services to ensure villages in sub-regions receive equitable care and children remain in their villages. AVCP is undertaking this effort hand-in-hand with the State of AK. AVCP has also invested in a client management system to connect services across its sub-region of 56 villages and focused on a communications plan.

In Minnesota, the RLN has expanded its Job Placement & Training programs adding new classes such as welding I, II, and III as well as certified nursing assistant course certifications. All new graduates of both programs had jobs on graduation day due to partnerships that RLN has established within the respective industries. This has reduced the number of people on General Assistance and Temporary Assistance for Needy Families, while at the same time increasing self-sustaining Indian families. Its Child & Family Services (CFS) program has leveraged and increased partnerships with the State of Minnesota; leading to the development of Adult Protection Services/ Elder Care services with a focus on traditional foods. The program connects tribal elders and children & youth with other programming developed by the RLN CFS. RLN has also developed partnerships that have moved a homeless encampment of RLN members from the Twin Cities back to RLN and has provided wraparound services to address their needs at home.

Public Safety and Justice Construction

In Fiscal Year 2018, the Committee encouraged the Bureau to develop a master plan that details the location and condition of existing facilities relative to the user population, and incorporates the use of existing tribally constructed facilities and regional justice centers. In Fiscal Year 2019, the Committee directed BIA to maintain a master plan and to use this plan to determine public safety and justice construction.

McCollum Q2: What is the status of the public safety and justice master plan?

Answer: With the reintroduction of funding for replacement detention centers in 2018, the BIA's Public Safety & Justice (PS&J) construction program is evaluating existing capacity and investigating what data and resources are necessary to develop a prioritization process for PS&J construction projects. The information collected through this evaluation will contribute to long range planning for the program.

Advance Appropriations

McCollum Q3: Do BIA and BIE have the processes and resources needed to manage advance appropriations? If not, what capacity is lacking? Have the agencies sought to coordinate with other Departments that currently have advance appropriations, such as Veterans Affairs or Education, about potential challenges and best practices?

Answer: Indian Affairs has been conducting a technical review of advanced appropriations which has included consultation with Veterans Affairs to understand

challenges and best practices. We will continue this engagement to better understand system and process requirements to incorporate planning for an additional fiscal year.

Education Construction

McCollum Q5: When will the Department begin establishing the next replacement school list? What is the process for developing the next replacement school list and what criteria will the Department use to develop the next list? Please send the Committee a 5 year spend plan based on the FY19 enacted level for school replacement and for facility replacement.

Answer: Indian Affairs initiated a pilot program in FY 2019 to thoroughly assess the needs of all BIE schools in “poor” condition based on their facility condition index (FCI). The comprehensive site assessment will be conducted by a diverse team of qualified subject matter experts that will conduct a multi-disciplinary review of the adequacy of each site. Each assessment will be conducted with school and tribal involvement and will address the criteria developed in 2011 through the negotiated rule-making process. The pilot program will begin with the 10 schools with the highest FCI (worst condition). The outcome of the assessments will be used to develop the next set of school replacement projects. Additionally, this process will identify which campuses are more appropriate for facilities replacement or major renovations to inform future planning.

Indian Affairs actively manages the projects on the current school replacement list and monitors cost estimates and schedule updates. The 2016 replacement list projects are prioritized based on readiness to proceed. The estimated cost to fund the remaining 2016 replacement list schools, after accounting for FY 2019 funding, is \$218.5 million. The estimated design and construction cost is a best estimate based on the results of the planning phase. As the design proceeds for each school, the total cost is subject to change.

McCollum Q6: The Fiscal Year 2020 budget proposes \$1 million for a new line item for replacement/new employee housing. What is the current need for employee housing? What is the average cost to replace/purchase a new home? Do you have a proposed spend plan in place that you can provide to the Committee so that we know what we may be funding before we appropriate funds?

Answer: Based on the Second Quarter FCI (Facility Condition Index) Summary Report there are 41 sites (47%) in Poor Condition as measured by the FCI. This equates to 825 quarters units across 87 BIE sites with quarters. Establishing this new line allows BIE to begin replacing units at critical need sites to help retain and attract skilled teachers and other staff to better deliver improved educational programs.

The baseline planning estimate to fully plan, design, build, and furnish a new 3-BR quarters unit is approximately \$350K. IA adjusts this estimate for different locations, configurations, and bedroom counts and it captures site infrastructure improvements for sewer, water, electrical, and other related systems. New units are highly energy efficient and comply with relevant Federal standards for sustainability, life safety, and durability.

IA intends to address the quarters requirements at Havasupai, Arizona, and is performing an overall site survey and quarters analysis at this. It is not yet known if identified funds will be sufficient to address the total requirement but IA estimates that 3-5 new quarters units are achievable depending on the cost factors noted above. For future funding, IA will plan and coordinate efforts to address needs at other high priority locations based on a combination of operational requirements and FCI ratings. We will work with the Committee to address questions.

Chemawa Indian School

A September 2016 report from the Department of Interior Inspector General identified systemic facility deficiencies at BIE schools, endangering the welfare of students. The report provided the Bureaus with recommendations to make sure that schools are operated and maintained properly for the students.

McCollum Q7: When was the last safety inspection of the Chemawa Indian School performed? What specific steps have BIE and BIA taken to implement the IG recommendations at the school and have you seen any results because of the actions taken to date?

Answer: In compliance with 29 CFR 1960, the most recent annual Safety and Occupational Health Inspection at Chemawa Indian School was conducted August 1-3, 2018. The next scheduled Safety and Occupational Health Inspection is tentatively scheduled for this summer.

Consistent with the Department of the Interior Office of the Inspector General and the Government Accountability Office recommendations, the BIE has made significant progress in its inspection program to ensure accurate and timely identification of facility deficiencies at school locations. Improvements include, but are not limited to: standardized inspection guidelines, implementation of mandatory inspector training requirements, increased oversight and accountability, on-site training for school staff to identify safety and health hazards, increased outreach and improved technical assistance response times.

As a result, one-hundred percent of safety and health inspections were completed for all BIE school locations in FY 2016, FY 2017 and FY 2018. The BIE is on-course to complete one-hundred percent of BIE school inspections in FY 2019.

In addition, IA, BIA and BIE have collectively improved coordination between the bureaus, outlined roles and responsibilities and provided school locations with timely and responsive technical assistance. A number of positive impacts have occurred as a result, such as, increased responsiveness to school locations, increased support, prioritized high-risk deficiencies, active involvement throughout the organizations and an improved investment decision making process.

McCollum Q8: The Administration has previously identified that the estimated cost of necessary renovations and maintenance of the Chemawa campus to keep students in their care safe is \$3,318,000. With the overall funding cuts to both BIE and BIA in the President's Fiscal Year 2020 budget request, will the BIE or BIA be able to address the deficiencies at Chemawa?

Answer: Indian Affairs will use \$3 million in FY 2019 funding for major renovations at the Chemawa Indian School to address necessary repairs to their water system, kitchen, and roofs. After FY 2019, IA will evaluate the need for other school improvements along with all other schools' needs against future appropriations.

McCollum Q9: What results can we expect to see on Chemawa's campus, should money be allocated to essential facilities maintenance, and how soon will we see these improvements?

Answer: IA is evaluating two primary alternatives for the Chemawa domestic water system. In either case, the improvements will mitigate findings for the site and reduce overall operations and maintenance expenses. Other authorized project work remodels the kitchen facilities for the home economics program and replaces the roofs on the primary academic and administrative buildings. DOI guidelines allow up to 4 years to plan, design, and construct a project of this size.

McCollum Q10: The BIE is responsible for providing thousands of Native students with a safe and supportive learning environment. How is financial oversight of the school conducted, and how can we be assured that the BIE is fulfilling its responsibility? When was the last periodic administrative audit conducted on school funds? What entity conducted the audit? What specific results of that audit have been implemented at the school?

Answer: To ensure the BIE is fulfilling its responsibility to Chemawa Indian School, financial oversight is conducted by the BIE Supervisory Financial Analyst and Financial Analysts assigned to the School Operations Division. A Financial Analyst is assigned to

Chemawa Indian School to provide budget guidance and technical assistance to the school’s Business Technician, Business Manager, Principal, Superintendent, and the leadership team.

Throughout the school year, financial reviews are conducted on a quarterly basis. As part of the review, undelivered orders, pending purchase orders, current balance of funds, expenditures to date, payroll, staffing and a forecast of funds are assessed for compliance. In addition, desk audits are conducted by the BIE Division of Performance and Accountability (DPA) and Education Resource Center (ERC) staff to assess Department of Education (DOE) and DOI appropriated funds.

The most recent fiscal review of Chemawa Indian School was conducted by the DPA and School Operations staff in November 2016. Fiscal review findings were addressed by the DPA, School Operations and school budget staff at the end of the fiscal review. A fiscal accountability plan was developed, the fiscal review team provided a root cause analysis and on-site technical assistance with the school’s leadership team on the implementation of internal controls. Chemawa Indian School has since implemented initiatives designed to improve financial accountability, student outcomes and school performance.

McCollum Q11: What is Chemawa’s total budget for the 2018-2019 school year, including Federal appropriations based on the BIE weighted student unit and outside income from business ventures on the school land? How has the appropriated budget for Chemawa through the BIE weighted student unit changed over the past 20 years, delineated by each individual school year?

Answer: The total budget for Chemawa Indian School for the 2018-19 school year is \$11,503,027. DOI began utilizing the Financial Business Management System (FBMS) as its financial system of record in fiscal year 2013 (school year 2013-14); therefore, budget information prior to school year 2013-2014 is not readily available.

The ISEP funds, which represent a portion of the budget, allocated to Chemawa through the BIE Weighted Student Unit (WSU) is as follows:

School Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Chemawa ISEP Budget	\$5,248,200	\$5,816,100	\$6,077,100	\$5,938,600	\$5,943,100	\$5,906,600

McCollum Q12: There are three other off-reservation boarding schools in the BIE system: Riverside Indian School in Anadarko, Oklahoma; Sherman Indian School in Riverside, California; and Flandreau Indian School in Flandreau, South Dakota. How do annual changes to

Chemawa’s budget compare to annual changes in the budgets of these other schools, or other similar, individual BIE schools?

Answer: In compliance with 25 CFR 39, budgets at all school locations, including off-reservation boarding schools, are driven by the student count for the entire school year, referred to as the Average Daily Membership (ADM) and the Weighted Student Unit (WSU). Distribution of funding is based on a dollar amount per WSU, which is calculated by dividing the ISEP formula funds appropriation by the total WSU after deductions for contingency funds and student count appeals are made.

School Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Flandreau ISEP Budget	\$ 4,038,400	\$ 3,993,400	\$ 4,051,000	\$ 4,251,500	\$ 4,353,800	\$ 4,008,200
Riverside ISEP Budget	\$ 8,362,200	\$ 8,413,600	\$ 8,179,700	\$ 8,014,900	\$ 8,282,400	\$ 8,360,300
Sherman ISEP Budget	\$ 5,648,500	\$ 6,135,100	\$ 6,290,500	\$ 6,575,100	\$ 6,839,800	\$ 6,838,300

Questions from Mr. Joyce

Opioids

It is heartbreaking to see the scale of the opioid epidemic in Ohio and across the nation. Indian Country has been particularly hard hit by this crisis. As a former prosecutor, I believe that we must increase our efforts to go after the dealers who are selling these deadly drugs in our communities and to ensure better coordination between Federal, State, local, and Tribal law enforcement.

Joyce Q1: How do jurisdictional complexities and resulting challenges to prosecution continue to make American Indian and Alaska Native communities disproportionately vulnerable to infiltration by drug cartels?

Answer: The jurisdictional complexity of Indian Country is a barrier for some tribal law enforcement agencies. There is much confusion among tribal, state, and local government law enforcement agencies regarding jurisdiction, both geographic and personal. Wrong doers take advantage of this confusion by crossing onto tribal land, as jurisdiction fluctuates dependent upon who does what crime and where. Hiring additional BIA Drug Agents working specifically on drug related crimes and having the Federal authority to enforce the law for both native and non-natives violating drug statutes on the reservation has been very successful.

Joyce Q2: How would the proposed establishment of Mobile Enforcement Teams allow the Bureau of Indian Affairs to strengthen enforcement capabilities and better address the opioid crisis throughout Indian Country?

Answer: BIA Mobile Enforcement Teams (MET) have been very successful at addressing illegal narcotic activity on reservations. METs are a force multiplier as they are able to focus specifically on drug related activity affecting tribal communities. METs are designed to gather intelligence, develop informants and identify criminal drug enterprises operating in Indian Country. This effort has already derived substantial drug related intelligence and has been successful in the prosecution of drug and alcohol related crimes on numerous reservations.

I introduced legislation to support first responders carrying and administering naloxone, which is a prescription drug used to rapidly reverse an opioid overdose.

Joyce Q3: Does the Bureau of Indian Affairs support efforts to equip first responders with naloxone, and, if so, how does the fiscal year 2020 budget request reflect this support?

Answer: BIA supports efforts to equip all Indian Country first responders with naloxone kits. The FY 2020 budget request continues collaborative efforts between BIA and the Indian Health Service to help supply law enforcement officers in Indian communities with access to naloxone, as well as training on its administration.

Tribal Courts

The U.S. Commission on Civil Rights reports that Tribal court funding is insufficient to allow for the hiring of key personnel such as prosecutors, public defenders, and probation officers. The Bureau of Indian Affairs budget to support 196 Tribal courts is roughly \$31 million, which works out to about \$160,000 per court. Some Tribes try to bridge the funding gap by competing for grants from the Department of Justice and are forced to eliminate positions when grants expire. Some Tribes ask staff to take on dual roles, such as law enforcement officers at three New Mexico pueblos who also served as prosecutors despite not having any legal training.

Joyce Q4: What is the Federal Government's fiduciary responsibility to fund Tribal courts, and, does the Federal Government have an obligation to do more than it is currently doing?

Answer: Pursuant to BIA's authority under 25 U.S.C. § 3601 et seq., the Tribal Justice Support Act, the BIA Office of Tribal Justice Support (TJS) was established to further the development, operation, and enhancement of tribal justice systems and BIA Courts of Indian Offenses. Specifically, 25 U.S.C. § 3611 tasks TJS with three primary functions: (1) schedule and coordinate independent tribal court reviews and complete these reviews annually; (2) schedule training and technical assistance to Tribes and tribal organizations focusing on setting up and empowering tribal courts; and (3) study and conduct research on tribal justice systems.

The FY 2020 President's Request includes \$22.3 million for the Office of Tribal Justice Support to fulfill TJS statutory responsibilities, as well as \$30.8 million for operational funding distributed directly to hundreds of tribal justice systems and seven Courts of Indian Offenses throughout Indian country..

Public Safety & Justice Facilities Replacement

This subcommittee restored the public safety and justice facilities replacement program to \$18 million in fiscal years 2018 and 2019. We did this in response to the Department of Justice (DOJ) scaling back and soon thereafter eliminating its construction grants. In fact, DOJ's

Coordinated Tribal Assistance Grants program no longer allows for construction grants. It is therefore disappointing to see the Bureau of Indian Affairs (BIA) program proposed for elimination as well.

Joyce Q5: Remind us of the Federal Government's fiduciary responsibility to replace public safety and justice facilities in Indian Country, and how the Federal Government proposes to do so in fiscal year 2020.

Answer: Indian Affairs' construction general authorization, contained within 25 U.S.C. § 13 (The Snyder Act of November 2, 1921), is the basic authority under which the Secretary provides services, including construction of facilities, to support operating programs to Federally recognized Tribes. This Act also provides for the enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects. In addition, most major projects have their own specific authorizations.

The FY 2020 request includes \$4.1 million to continue addressing high priority critical life and safety deficiencies and other facility needs through the Public Safety and Justice (PS&J) Facilities Improvement and Repair program. In addition, BIA has established protocols in response to changing local inmate populations and detention facility capacities to the extent practicable. This enables the BIA to utilize commercial contracts with tribal and county facilities as a component of an efficient approach to meeting the needs of inmate and detainee populations.

Joyce Q6: How is BIA interpreting and executing the fiscal year 2019 appropriation guidance, which was not limited solely to detention facilities as it was in fiscal year 2018?

Answer: We share the Congressional goal to ensure resources are applied to PS&J Facilities where the need is greatest, and in a manner that makes sense programmatically and financially. We understand that the intent of the appropriation report language is to ensure funding of the highest priority public safety facility projects. At this time, the current state of many detention facilities across Indian Country elevates them to the highest priority for replacement and repair to ensure a safe and humane environment for Indian Country inmates.

Law Enforcement Officers

We are hearing from Tribes about the high rate of turnover for Bureau of Indian Affairs (BIA) and Tribal law enforcement officers. Officers are hired and trained for a couple of years, and then recruited away by other Departments offering better salaries and benefits.

Joyce Q7: Does the BIA have the same hiring and salary authorities as other Federal agencies hiring police officers, and, if not, can you please highlight how the BIA is at a disadvantage?

Answer: BIA generally has the same hiring and salary authorities as other Federal agencies hiring police officers with the addition that BIA is required to comply with Indian Preference statutes. Issues related to recruitment and retention of BIA law enforcement officers issues arise for a variety of reasons: 1) the Indian Preference requirement often challenges BIA from getting an adequate or appropriate pool of candidates, 2) the rural and remote locations of the positions limits applicants, and 3) BIA and Tribal public safety positions are on an average one to two salary grades below other Federal law enforcement programs. External recruitment for law enforcement remains a high priority. Work to improve officer recruitment and retention is ongoing.

Joyce Q8: What is the current estimate of the percent of need met for law enforcement personnel in Indian Country?

Answer: The Report to the Congress on Spending, Staffing, and Estimated Funding Costs for Public Safety and Justice Programs in Indian Country, 2016, transmitted to Congress in June 2018, provides an estimate of total annual costs to operate appropriately-sized, fully staffed law enforcement programs in every tribal community. Excluding Public Law 83-280 (PL 280) States, where Indian reservations are under the criminal jurisdiction of State and local law enforcement, BIA appropriations meet 36 percent of estimated law enforcement program costs. The percentage drops to 22 percent when including PL 280 jurisdictions.

Energy

In an April 12, 2019 letter to Secretary Bernhardt, the Government Accountability Office (GAO) called attention to high priority open recommended actions for Interior to take to improve Department operations. One recommendation is to improve the Bureau of Indian Affairs' management of energy development on Indian lands. GAO recommends that Interior develop a documented process to track its review and response times to improve efficiency and transparency. Effective energy development programs help Tribes use and conserve natural resources and provide for greater revenue and job creation.

Joyce Q9: How does the fiscal year 2020 budget proposal address GAO's concerns and better assist Tribes in the management, development, and protection of Indian natural resource assets?

Answer: The 2020 Budget proposal addresses tribal concerns and provides the BIA the opportunity to improve internal controls, provide system enhancements, track processes,

and work with our Federal partners to align resources all in support of efficient and transparent energy development in Indian Country.

The GAO acknowledges BIA has developed TAAMS enhancements to document the submittal and approval dates of energy related documents. The system updates allow BIA to input data for various steps in the review process for oil and gas leases and agreements, communitization agreements and other energy related documents. In June 2019, BIA, Office of Trust Services will meet with the GAO to demonstrate the OTS Strategic Workforce Plan to address GAO Recommendation 17-43, Rec. 8.

Transparency

One of the complaints we often hear from Tribes is that they are kept in the dark about how funding is calculated and allocated. In January, the Government Accountability Office recommended that Indian Affairs develop a process so that all regional and agency offices consistently provide Tribes with documentation on calculations and methodologies to identify resources available to administer a program using a self-determination contract. The Department of the Interior agreed.

Joyce Q10: When does Indian Affairs plan to develop and publish updated procedures to respond to tribal inquiries regarding available resources?

Answer: Indian Affairs is currently developing a consolidated reference for funding allocation and calculation methodologies in order to more efficiently and accurately allocate funding to Tribes and address GAO recommendations. The current target date for completion of this effort is December 2019, however, we expect to begin using model efforts earlier to inform management actions.

Joyce Q11: For appropriations that are distributed by formula, is it reasonable to expect that all such formulas—and the data that feed into them—are published online for all Tribes to see?

Answer: Indian Affairs is exploring the best delivery mechanisms for communicating distribution formulas, with online access as one of the options.

School Construction – Leasing Program

In prior years, we discussed the backlog in construction for Bureau of Indian Education schools and the need for the Department, this Committee and Tribes to come up with ideas to stimulate construction of new school facilities in Indian Country. Last year, this Committee provided funding of up to \$2 million for a demonstration project for the first school construction/lease buy

project at the Department. I understand that construction for the first project is well underway at the Gila River Indian Community's Gila Crossing school.

Joyce Q12: What is the status of that project and is this a model that can be used throughout Indian Country?

Answer: The Gila Crossing school project is complete. The Gila River Indian Community anticipates opening the school in time to support the upcoming School Year 2019-2020.

Lessons learned from this demonstration project will inform procedures for future P. L. 93-638 Section 105(l) lease requests.

Joyce Q13: Is the Department requesting funding for this program in fiscal year 2020?

Answer: The FY 2020 budget submission did not include additional funding for this program. The FY 2019 appropriation bill was passed after the FY 2020 request was formulated and submitted to Congress, and any costs related to 105(l) leases were too uncertain.

Cold Cases

I understand that the Bureau of Indian Affairs (BIA) has launched an initiative to focus on violence in Indian Country and target significant and rising criminal justice issues plaguing Native American communities, particularly Native women.

Joyce Q14: How much funding is in BIA's budget for fiscal year 2020 and how do you plan to coordinate a broad group of Federal and Tribal stakeholders across Indian Country to address these issues, particularly unsolved cold cases?

Answer: Within available funding and in coordination with other agencies, Indian Affairs is taking a holistic approach to develop a multi-disciplinary task force to address cold cases, missing and murdered Native Americans and violent crimes throughout Indian Country.