

LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS

Tribal Council Member Travel Report

2016 Mid west Region

PARTNERS IN ACTION CONFERENCE

5th Annual

SAULT SAINT MARIE, MICHIGAN

July 19, thru July 21, 2016

The conference was hosted by the Bureau of Indian affairs, Midwest Region Co-hosted by Sault Ste Marie Tribe of Chippewa Indians.

There are 36 Tribes in the Midwest Region. Not all Tribes were represented.

This conference serves mainly as a networking medium for the most part.

Attach is the agenda along with agendas and some subjects covered.

1. Introduction of the Office of the Solicitor; See attached as it was reads from printed out power point.
2. Two sessions on BIA History/BIA Today presentations were on an overhead and read to us. These can be all found on the BIA web sites.
3. Midwest Region Records and Land Status (LTRO) Basics Mapping Support. GIS. All information can be found on the web.
4. National Alliance for Drug Endangered Children (DEC) this sessions can be seen at sread@nationaldec.org.
5. Core DEC Awareness – Identifying Drug Endangered Children this session can be seen at sread@naaationaldec.org.
6. Indian Gaming Revenue Allocation Plan (RAP) provisions that is favorable to Tribes. tray.woodard@bia.gov.
7. Gaming best Practices: Compact Provisions Favorable to Tribes. Troy.woodward@bia.gov.

8. Budget Formulation. See attached. Can go on line as well to review and see attached.

9. Honoring the Past, Treasuring the Present, and Shaping the Future!!
Doug Craven LTBB Natural Resources, Director, spoke on the Eagle Project specifically and how the USGS needs to reach out to Tribes on these issues. He was then appointed to a Midwest committee.

Thanks to the Tribe and its Citizens for this opportunity to learn and serve.

Miigwech

A handwritten signature in black ink, appearing to read "Bea Law", written in a cursive style.

Tribal Council Member, Bea Law 0860

7/19/16

Introduction to the Office of the Solicitor

2016 Partners in Action
July 19-21, 2016
Sault Sainte Marie,
Michigan

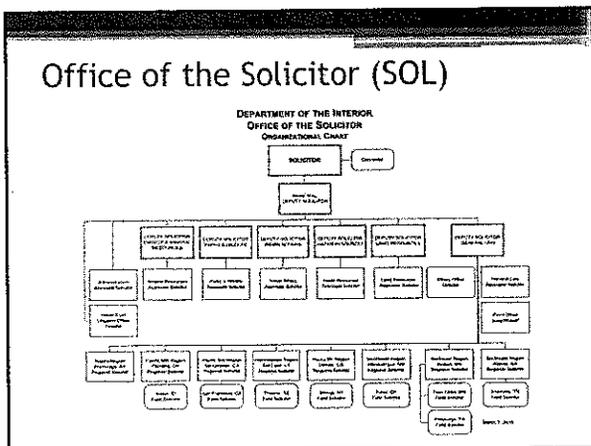
<p>Gigi Christopher, Attorney-Advisor Matthew Kelly, Attorney-Advisor Branch of Environment and Lands Division of Indian Affairs Office of the Solicitor United States Department of the Interior</p>	<p>Tony Sullivan, Field Solicitor Kara Pfister, Attorney-Advisor Alex Dysta, Attorney-Advisor Twin Cities Field Solicitor's Office United States Department of the Interior</p>
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Office of the Solicitor

Who are we?

- The Office of the Solicitor is organized into the Immediate Office of the Solicitor, the Ethics Office, the Indian Trust Litigation Office, six legal divisions, an administrative division, and twenty-one regional and field offices located throughout the United States.
- The Solicitor is the chief attorney for the Department of the Interior. She is assisted by Senior Counselors, a Principal Deputy Solicitor, six Deputy Solicitors, an Ethics Office Director, seven Associate Solicitors, an Indian Trust Litigation Office Director, eight Regional Solicitors, eight Field Solicitors and a staff of more than three hundred attorneys and four hundred total employees.
 - About half of the attorneys are assigned to regional and field offices.
 - The other attorneys are assigned to divisions located at headquarters in Washington, DC.
- The legal divisions located in Washington, DC include General Law, Parks and Wildlife, Land Resources, Water Resources, Mineral Resources, and Indian Affairs.

21 field offices across the US



SOL - What do we do?

- The Office of the Solicitor (SOL) maintains the focal mission of providing quality legal counsel and advice to the Department of the Interior (Department) and inspiring high ethical standards.
- SOL provides advice, counsel, and legal representation to the Immediate Office of the Secretary, the Assistant Secretaries, and all other bureaus and offices overseen by the Secretary, ensuring that the Department's bureaus carry out their responsibilities in accordance with the law.
- SOL attorneys act as in-house counsel and represent the Department in administrative hearings and appeals, and provide subject matter expertise and work in conjunction with the Department of Justice in representing the Department in judicial proceedings.

SOL Division of Indian Affairs (DIA) Washington, DC

- DIA is responsible for legal matters related to the programs and activities of the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education and also provides legal assistance and counsel to the Assistant Secretary - Indian Affairs.
- DIA has an Associate Solicitor and four branches, each headed by an Assistant Solicitor, with a total of approximately 30 attorneys.
- DIA's four branches include:
 - Branch of Tribal Government Services;
 - Branch of Trust Services;
 - Branch of Self-Governance and Economic Development; and
 - Branch of Environment & Lands.
- The Branch of Environment & Lands, among other things, does the following:
 - Land into Trust, Review Gaming Opinions, *Caroieri* Legal Opinions, Land Claims, Trust Land Acquisition, Federal Land Transfers, Environmental Issues, Indian Lands Determinations, Reservation Boundaries, Trust Land Leasing and Realty, Natural Resources Management, and Alaska.
 - Fields issues of national importance on work in fee-to-trust.

SOL Regional and Field Offices

- To the extent practicable, legal services are provided based on bureau regional boundaries, rather than SOL regional boundaries.
- Because regional boundaries vary from bureau to bureau, the actual areas served by the Solicitor's Regional and Field Offices overlap to a considerable extent, with the result that more than one Regional or Field Solicitor's Office may handle legal matters for different bureaus within a single state.
- In addition, Regional and Field offices are responsible for legal matters arising in Interior's offices within their jurisdiction, including all elements of the Office of the Secretary, the Assistant Secretary - Policy, Management, and Budget, and organizations affiliated with Interior.

rep.
 Elaine Rosen - office
 & Great Basin Region

SOL's role in litigation

- SOL attorneys act as in-house counsel and represent the Department in administrative hearings and administrative appeals.
- Additionally, SOL attorneys provide subject matter expertise and work in conjunction with the Department of Justice (DOJ) in representing the Department in judicial proceedings.
 - SOL attorneys work with DOJ attorneys at all steps throughout the life of litigation, from initiation to trial and, if applicable, settlement.

What SOL does with its time?

- How an SOL attorney spends his or her time greatly depends on whether the attorney sits in Washington, DC or in a Regional or Field Office.
- SOL attorneys in Washington, DC work on issues that will have a national impact or alternatively affect multiple tribes.
- Regional or Field SOL attorneys work on issues that directly impact the tribes and programs in their regions.
- Often SOL attorneys in Washington, DC, Regional and Field Offices work together on legal issues.

A day in the life of an SOL Attorney-Advisor at Main Interior...

- Administrative Appeals
- Litigation
- Rulemaking
- Congressional Issues
- Indian Lands Opinions
- *Carcieri* Opinions
- Meetings with Tribal Leaders and Counsel
- Develop Training Materials

A Day in the Life of a Field Solicitor

Twin Cities

Staff: 10 Staff Attorneys, 1 Administrative Assistant, 1 Paralegal

CLIENTS: BIA-MRO; BIA-GPRO; BIE; OJS; FWS-R3

WORKLOAD: Average 1030 New "Matters" Per Year
Currently 398 Pending/83 MRO Matters

Field Solicitor Responsibilities: Partner With Clients to Help Them Achieve Their Missions; Maximize Work on Highest Priority Matters; Work with Department of Justice on Judicial Litigation, Manage A Group of High Functioning Attorneys

.....A "Typical" Day

10 Staff attorneys
1 admin person
1 research person
36 new matters next week
1,030 matters average over a 1 yr. period

How to work with SOL

- SOL attorneys take the trust responsibility seriously.
- Make it easy for the Department (and DOJ if necessary) to support your position.
 - SOL has a finite number of attorneys working on Indian law issues.
 - Help SOL help you by providing SOL attorneys a synthesized package of all information and arguments.
- Be ready to answer tough questions. And know that the reason for the tough questions is to give SOL the opportunity to understand all arguments in support of and in opposition to tribal asks.

Kara Pester - presenter

How to work with SOL

- Bring your issues to the Regional/Field Offices if they are appropriately before the Region/Field.
 - DC, Regional and Field Offices speak to each other and respect the proper procedures and protocols for various legal issues. All offices will coordinate to ensure the proper office is taking on appropriate issues.
- Tribes, feel free to keep DC officials and employees informed of your issues, but work through your Regional Director and Regional Solicitor on issues appropriately before them.

How to work with SOL

- Build relationships with the SOL attorneys in both the Washington, DC and your local Solicitor's Office.
 - You will provide critical "on the ground" perspective that can assist SOL attorneys in working on your issues.

Questions?

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Indian Affairs Fiscal Year 2017 Budget Formulation Guidelines

September 2014

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Introduction

Indian Affairs (IA) deals with multiple fiscal-year budgets concurrently as reflected in **Attachment A**, Budget Formulation Process Timeline. The IA budget formulation process is comprised of annual forums for Indian Tribes to interact with IA to provide tribal initiatives, policies, and budget recommendations.

Budget Formulation

Indian Affairs will solicit the active participation of Indian Tribes and organizations in the formulation of the IA budget request.

Timeframe

In order to ensure that Indian Tribes are able to provide meaningful input into the budget request, we shall use the following timeframe to coincide with the Department of Interior (DOI) schedule:

Date	Workgroup Activity
SEPT-DEC 2014	Tribal/Regional budget formulation work sessions for FY 2017.
JAN-FEB 2015	Tribal/Regional budget development sessions.
FEBRUARY 13 2015	Regional submissions due.
MARCH 2015	Review submissions via WebEx with Regions.
MARCH 2015	Tribal presentations of regional submission at the Tribal Interior Budget Council (TIBC) National Budget Meeting, including Department Officials.
APRIL 2015	TIBC Budget Subcommittee work session via WebEx.
APRIL 2015	Formal consolidated presentation of draft testimony and recommendations to the Assistant Secretary – Indian Affairs.
MAY 2015	TIBC Budget Meeting, review/revise Subcommittee recommendations.
MAY/JUNE 2015	Indian Affairs will assist in the development of a meeting among the co-chairs of the TIBC Workgroup, representatives, and the Director of the Office of Management and Budget (OMB).
JUNE 2015	Department submission for FY 2017.
JULY 2015	TIBC Budget Meeting, Location TBD.
SEPT 2015	FY 2018 Budget Formulation begins.

Regional Formulation Budget Teams

Regional budget formulation teams will provide ongoing support to the budget formulation activities at the Region level. Each team shall

consist of TIBC members or their designee, and regional members.

Indian Affairs Central Office provides standard instructions to the Regions for the development of tribal initiatives:

- The team solicits Region-wide input in establishing tribal initiatives for the Region.
- The tribal initiatives provide the basis for developing the Indian Affairs budget request.

Central Office Budget Formulation Work Team

Provides staff support to the Deputy Assistant Secretary – Management, Director, Bureau of Indian Affairs, and Director, Bureau of Indian Education for budget formulation.

- Develops the Indian Affairs budget request in accordance with DOI and Office of Management and Budget guidelines.
- Provides information on the formulation process and budget requests as it becomes needed.
- Ensures tribal initiatives are included at the National Budget Meeting and recommendations provided by the working sessions of the tribal budget sub-committee.
- Team includes budget, performance, and program staff.

National Budget Meeting

The National Budget Meeting is conducted yearly to consolidate budget and priority recommendations into a comprehensive set of national priorities for the Indian Affairs proposed budget request.

TIBC Tribal Budget Sub-Committee

The workgroup consists of a diverse group of 638, direct service, and self-governance tribal volunteer representatives from TIBC as identified at the National Budget Meeting. The sub-committee will:

- Provide input and recommendations to the Indian Affairs budget to develop a consolidated budget submission and testimony.
- Meet with the Assistant Secretary and present the consolidated budget and testimony.

Costs incurred by the Tribe(s) for the purpose of participating in the TIBC Budget Sub-Committee shall be the responsibility of Indian Affairs.

Budget Information Disclosure

Indian Affairs provides the Indian Tribe(s) with the following budget-related information annually: appropriations, allocations, expenditures, for programs, functions, and activities. Tribal requests for additional information shall be reviewed and answered to the extent practicable, unless embargoed and/or prohibited by law.

Budget Formulation Evaluation

To effectively evaluate the budget formulation process and the ability of Indian Affairs to incorporate tribal recommendations, IA will assess:

- The effectiveness of the methods used to receive verbal comments from participating Indian Tribes, Indian organizations, Indian Affairs management, and other invited participants regarding the process used to formulate the budget;
- The results summary obtained from the evaluation forms provided to participating Indian Tribes, Indian organizations, and other invited participants to collect written feedback regarding the process used to formulate the budget;
- The effectiveness of the method implemented, including IA and tribal views regarding the level of attendance and the

number of responses received from tribal officials;

- The effectiveness of IA activities related to promoting tribal input regarding the process used to formulate the budget;
 - The effectiveness of collaboration with Indian organizations and other federal agencies to resolve issues for the mutual benefit of Indian Affairs and Indian Tribes;
 - The recommendations received from Indian Affairs, Indian Tribes, and other federal agencies to improve the formulation process and promote meaningful outcomes.
-

REGIONAL BUDGET FORMULATION SESSIONS: DETAILED INSTRUCTIONS

Indian Affairs Budget Formulation Process

Regional Budget Formulation Teams ensure tribal programs input to begin the Indian Affairs (IA) budget formulation process. Each Region convenes on an annual basis, during September through December to determine their respective budget recommendations. A unified regional submission is prepared to reflect those recommendations.

Regional submissions are collected and compiled by the Central Office Budget Formulation Work Team to review during the Tribal Interior Budget Council (TIBC) National Budget Meeting. At this session, regional representatives agree on a set of national recommendations for the upcoming budget year to advocate for the IA budget.

Tribal testimony is formally presented to the Department of the Interior during the TIBC National Budget Meeting, in March.

The Budget Subcommittee convenes and develops the national budget submission and testimony, presenting these to the Assistant Secretary – Indian Affairs, based on consolidated rankings and recommendations from TIBC.

Regional Budget Formulation Team

For FY 2017 process, in order to ensure that Indian Tribes are able to provide meaningful input for the IA budget request, IA shall use the timeframe to coincide with the Department of the Interior’s schedule as mentioned under **Timeframe**, page 3.

The role of regional representatives during the National Budget Meeting:

- Attend and participate in the IA FY 2017 National Budget Meeting.
- Be familiar with the details of their regional recommendations and be prepared to

present and actively discuss recommendations.

- Have authority to negotiate regional tribal priorities in order to produce National budget recommendations and initiatives to the Assistant Secretary – Indian Affairs and the Secretary of the Interior.

Regional Instructions

All Regions are required to complete and submit budget recommendations and tribal initiatives, using the worksheets provided. Following these instructions will ensure that the data used at the National Budget Meeting is complete and comparable; assisting the Regional Budget Teams in accomplishing their charge of producing a national set of FY 2017 tribal initiatives for IA funded programs.

Each Region will provide:

- Annual training on the Federal Budget Process to budget teams as necessary;
- Performance Measures/Assessments.

Upon request, Central Office Budget Formulation Work Team will provide training materials on the Federal budget process and Performance Measures and Assessments; additional one-on-one training may be provided by the Regional Budget Officer, or regional team member designated.

The following identifies the deliverables to be submitted by each Region:

- Budget Funding Table
- Budget Recommendations (top 10)
- Budget Recommendations Narrative (+10%)
- Regional Budget Initiatives Narrative
- Success Story
- New or Expiring Legislation
- List of Budget Formulation Teams/POCs
- Other Tribal Concerns
- Evaluation

Budget Recommendations

Each Regional Team is to submit budget recommendations by budget line (activity/subactivity) using the rationale of (a) where budget increases will be most effective in addressing problems/programs and (b) where decreases will have the least negative impact. During the National Budget Meeting, Regional Budget Formulation Teams will provide a summary of regional programs and budget recommendations.

To complete regional budget recommendations, Regions should:

- Discuss and agree upon any budget changes/recommendations *by budget line (activity/subactivity)* for a flat budget, level with the FY 2015 President's Budget.
- Discuss and agree upon budget recommendations *by budget line (activity/subactivity)* at 10 percent increase from the FY 2015 President's Budget.
- Submit the top 10 budget increases in rank order and amounts (CO will tally all regions and rank with points system #1=10pts, #2=9 pts, #3=8pts, etc.)
- Submit completed detail of changes worksheet.

Budget Funding Table

Attachment B.

Each Regional Team will submit a Budget Funding Table that distributes the recommended budget change amounts for two budget scenarios, flat and +10% at the **national** level, as well as the regional budget initiatives prepared at the **region** level.

Narrative of Budget Recommendations(+10%)

Attachment C.

Each Regional Team will submit one consolidated narrative document that includes:

- List of the recommended top 10 budget increases at the +10% budget level in rank order;

- A consolidated narrative for the Region for each of the top 5 is required, 6-10 optional;
- How the amounts should be allocated;
- Why the increase is important;
- What is the long-term goal;
- What makes this a good investment.

Regional Budget Initiatives

Attachment D.

Each Regional Team must submit a narrative document that identifies budget initiatives and describes them at the regional level as follows:

- Recommended initiatives with amounts allocated, i.e., why each increase is important;
- What makes this a good investment;
- How the funds could be spent in the allotted time period (one fiscal year); or describe the multi-year approach to get to the desired level.

Success Story

Tribal testimony is presented during the National Budget Meeting in March. Regions are encouraged to submit one compelling budget related success story.

- The success story should be budget related, e.g., testimony demonstrating a service not being provided because of insufficient funds, performance stories may also be submitted that demonstrate what can be achieved with a certain amount of funding, etc.
- Written consent must be obtained from the individual and/or family to share a personal story.
- Photos are encouraged.

New or Expiring Legislation

If aware of any new or expiring legislation, please identify by program areas. List any new or expiring legislation with citation.

List of Regional Budget Formulation Teams

Individuals who are involved in the Budget Formulation process, both federal employees and tribal representatives.

Other Tribal Concerns

Regional Teams are encouraged to submit a list of concerns or suggestions on the budget formulation process, to be considered when the process is updated for future years.

Evaluation Forms**Attachment E.**

Each Region will submit evaluation forms completed by the tribes participating in the Regional Budget Formulation Work Sessions.

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