



FISCAL YEAR 2021 INDIAN COUNTRY BUDGET REQUEST: **ADVANCING SOVEREIGNTY THROUGH CERTAINTY & SECURITY**

EXECUTIVE SUMMARY

This Fiscal Year (FY) 2021 Indian Country Budget Request outlines federal programs and services that are critical components of strong tribal governments, economies, and communities. The programs highlighted in this document are an integral part of fulfilling the federal government's treaty and trust obligations. They have been identified by experts at national and regional tribal organizations and through FY 2021 budget formulation consultations between tribal leaders and federal agencies.

Tribal nations are resilient and provide services to about two million people; however, we cannot continue to provide for our communities without our federal partners. The often partisan debates affecting the federal appropriations process have an outsized impact on the daily lives of American Indian and Alaska Native people who already contend with chronic underfunding of tribal programs and severe deficits in physical infrastructure – all of which fall under the federal treaty and trust obligations. NCAI urges Congress and the Administration to work on a bipartisan basis during the FY 2021 appropriations cycle to help Indian Country overcome these challenges to ensure the health, safety, and economic security of tribal communities.

FULFILLING PROMISES

Like all other governments, tribal nations strive to build strong economies and ensure the health and wellbeing of their citizens and all those who reside in their communities. As part of tribal nations' responsibilities to their people, they provide a range of governmental services. These include education, law enforcement, judicial systems, healthcare, environmental protection, natural resource management, and basic infrastructure such as housing, roads, bridges, sewers, public buildings, telecommunications, broadband and electrical services, and solid waste treatment and disposal. Tribal nations are assuming greater levels of governmental responsibility to meet their citizens' needs in culturally appropriate ways, but receive inadequate federal funding for roads, schools, police, and other public services.

Tribal nations seek only those things promised to them and their citizens by the solemn treaties and agreements reached between tribal nations and the United States. When tribal nations ceded millions of acres of land, the federal government promised

to safeguard their right to govern themselves, and to provide them adequate resources to deliver essential services effectively. These obligations are the foundation of the government-to-government relationship that exists between tribal nations and the United States.

In December 2018, the U.S. Commission on Civil Rights issued its report titled *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*. The report found that over the past 15 years, efforts undertaken by the federal government have resulted in only minor improvements across Indian Country, that federal programs serving Indian Country continue to be woefully underfunded, and that, in some ways, federal initiatives for Indian Country have regressed. *The Broken Promises* report emphasizes what tribal leaders have known for a long time – that the federal government is not living up to its treaty and trust obligations to tribal nations.

Heading into the FY 2021 budget cycle, tribal nations and citizens remain determined to overcome the challenges that tribal communities face across Indian Country. We urge our federal trustee to assist our efforts by making good on its promises. Doing so requires providing adequate funding for programs serving Indian Country and ensuring the funding reaches tribal communities on time, every time.

While prosperity in the minds of many Americans may evoke a version of the American Dream based solely on building personal financial wealth, prosperity for most Native people centers on the preservation and practice of Native cultures and languages, active participation in sacred clan and kinship systems, vibrant tribal communities, and close stewardship of tribal homelands. Despite several eras of hostile federal policies towards tribal nations and severe underfunding, tribal nations are making significant progress in their efforts to build sustainable tribal economies and rebuild tribal communities in accordance with their cultural values. If the United States lives up to its commitments to support Indian Country in the ways that it has promised, tribal nations will be able to accomplish so much more. Tribal nations call for the inclusion of the following recommendations in FY 2021 appropriations.

SUPPORT FOR TRIBAL GOVERNMENTS

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Ensuring tribal nations have the tools and resources for effective governance is critical to fulfilling the promise of the Indian Self-Determination and Education Assistance Act (P.L. 93-638) (ISDEAA). ISDEAA promotes self-determination and self-governance, and this nation’s trust and treaty obligations, by enabling tribal nations to enter into contracts and compacts with the federal government to operate certain federal programs. Those tribal shares of federal programs make up the “base funding” for tribal governments and provide certainty and security to those governments. Congress must support tribal self-determination by increasing tribal base funding, providing funding directly to tribal nations as opposed to passing funds through states, providing formula based funding rather than difficult to navigate competitive grant programs, and promoting accurate data collection so that funding can better target the needs of Indian Country. Additionally, funding for Section 105(l) lease agreements must be provided through mandatory spending that does not affect discretionary spending caps on tribal programs.

Support for Tribal Governments

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
Department of the Interior (DOI)	Interior, Environment	BIA Funding to Tribal Governments	Provide increases via tribal base funding instead of through grants.
DOI/Indian Health Service (IHS)	Interior, Environment	ISDEAA Section 105(l) Lease Agreements	Provide such sums as may be necessary through mandatory spending.

PUBLIC SAFETY & JUSTICE*(MORE INFORMATION ON PAGE 31)*

The public safety problems that continue to plague tribal communities are the result of decades of gross underfunding of tribal criminal justice systems; a uniquely complex jurisdictional scheme; and the historic failure by the federal government to fulfill its public safety obligations on American Indian and Alaska Native lands. Residents and visitors on tribal lands deserve the safety and security that is taken for granted outside of Indian Country. Congress has taken historic steps in recent years – with the passage of the Tribal Law and Order Act in 2010 and the Violence Against Women Reauthorization Act of 2013 (VAWA 2013) – to begin to address some of the structural barriers to public safety in tribal communities. However, for the promise of these laws to be fully realized, they must be fully executed. Implementation cannot occur without sufficient resources for tribal justice systems. Increased and targeted funding in the following program areas will have a significant impact on safety in tribal communities for tribal citizens, residents, and visitors to tribal lands.

Public Safety & Justice

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	Base funding for tribal courts and the Indian Tribal Justice Act, including courts in Public Law (P.L.) 280 jurisdictions	\$83 million
DOI	Interior, Environment	Bureau of Indian Affairs (BIA) Law Enforcement and Detention	\$553 million
Department of Justice (DOJ)	Commerce, Justice, Science	Tribal Grants: Eliminate competitive grant funding process and utilize Justice Department appropriations as base funding so that tribal nations can determine their own priorities	Use DOJ appropriations as base funding.
DOJ	Commerce, Justice, Science	Tribal Set-Aside from Office of Justice Programs (OJP)	Create a 10 percent tribal set-aside for all discretionary OJP programs.
DOJ	Commerce, Justice, Science	Tribal Youth Program under the Juvenile Accountability Block Grants Program	\$25 million
DOJ	Commerce, Justice, Science	Tribal Set-Aside from Crime Victims Fund	Create a five percent set-aside for tribal governments.
DOJ	Commerce, Justice, Science	Tribal Civil and Criminal Legal Assistance, Training and Technical Assistance (TCCLA) Grant Program	\$3 million
DOJ	Commerce, Justice, Science	Community Oriented Policing Services (COPS) Tribal Law Enforcement	\$52 million
DOJ	Commerce, Justice, Science	Tribal programs under the Violence Against Women Act (VAWA), including the grants to Indian Tribal Governments Program	Provide full authorized amount.
DOJ	Commerce, Justice, Science	Indian Country Sexual Assault Clearinghouse	\$500,000

HOMELAND SECURITY & EMERGENCY SERVICES

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Department of Homeland Security (DHS) outreach and communication has vastly improved due to the consistent presence of tribal affairs points of contact. However, funding has stagnated for the past ten (10) years, which places Indian Country and the entire United States at risk until tribal nations achieve greater capacity equal to the states for homeland security and emergency management purposes. Congress and the Administration have a trust obligation to assist tribal nations in protecting all citizens, Native and non-Native, within their jurisdictions. However, this obligation has not been met as shown in the recent report by the U.S. Commission on Civil Rights, which demonstrates the extreme shortfalls in programs that have a direct bearing on homeland security and emergency management. For instance, one of the report's case studies identifies the lack of adequate housing on the Pine Ridge reservation,¹ yet in 2018, the Federal Emergency Management Agency (FEMA) denied federal disaster assistance to the Oglala Sioux to meet basic tribal housing needs following a major winter storm due to an arbitrary FEMA monetary threshold.

Despite extreme funding shortfalls, tribal officials accept their duty to do the best they can to protect everyone in their jurisdictions. In many cases, the first and only responders to natural disasters and national threats are individuals employed by tribal nations. Until parity is achieved, tribal communities will be unable to fully participate in the national homeland security strategies, and will continue to unnecessarily and unfairly be a weak link in protecting vital infrastructure from domestic and international terrorist attacks, natural disasters, and related threats, placing all Americans at risk.

Homeland Security & Emergency Services

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DHS	Homeland Security	Tribal Homeland Security Grant Program	\$40 million
DHS	Homeland Security	Tribal Resiliency Continuity Funding	\$206.28 million
DHS	Homeland Security	Western Hemisphere Travel Initiative, Tribal IDs	\$10 million
DHS	Homeland Security	Western Hemisphere Travel Initiative	Provide technical assistance and materials for tribal nations to produce tribal IDs.
DHS-FEMA	Homeland Security	Creation of National Tribal Advisory Council	\$2 million
DHS-FEMA	Homeland Security	Emergency Management Training	\$1 million
DHS-FEMA	Homeland Security	Tribal Cultural Sensitivity Training for Department of Homeland Security Personnel	\$10 million
DHS-FEMA	Homeland Security	Homeland Security and Emergency Management Curriculum at Tribal Colleges and Universities (TCUs) and Tribal Non-Profits	\$3 million
DHS-FEMA	Homeland Security	Tribal Homeland Security Centers of Excellence	\$2 million

EDUCATION*(MORE INFORMATION ON PAGE 42)*

Access to quality education is more important today than it has ever been. It is an essential strategy for creating jobs and securing the nation's future prosperity – particularly in tribal communities. An educated tribal citizenry serves as a catalyst to boost tribal economic productivity and growth through a more highly-skilled competitive workforce, which can attract new businesses, reduce high unemployment, stimulate reservation economies through direct spending, and foster a greater entrepreneurial spirit among all tribal citizens to become more self-sufficient. Education cultivates personal growth and wellness, which in turn enhances social welfare and cohesion, and strengthens tribal communities – all of which are essential to protecting and advancing tribal sovereignty.

Extensive evidence confirms that tribal culture-based resources and opportunities in the classroom provide American Indian and Alaska Native students the critical skills and knowledge to lead communities in the 21st century. This means they must have ample, local access to quality educational opportunities.

To give tribal nations an essential foundation for economic growth and prosperity, the federal government must fulfill its trust and treaty responsibilities by adequately funding quality Native education and strengthening tribal self-determination in education. The requests below detail the minimum funding needed to improve a system that is currently struggling and underfunded.

Education

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
Dept. of Education (ED)	Labor-Health and Human Services (HHS)-Education	Title I, Part A (Local Education Agency Grants)	\$20 billion
ED	Labor-HHS-Education	Student Assessment Systems under the Every Student Succeeds Act (ESSA)	\$35 million to develop assessments and \$20 million yearly for assessment and maintenance
ED	Labor-HHS-Education	State-Tribal Education Partnership (STEP) Program	\$5 million
ED	Labor-HHS-Education	Title VII Funding, ESSA (Impact Aid Funding)	\$2 billion
ED	Labor-HHS-Education	Indian Education Formula Grants, Every Student Succeeds Act (ESSA) (culturally-based education) Title VI, Part A, Subpart 1	\$198 million
ED	Labor-HHS-Education	Alaska Native Education Equity Assistance Program, Title VI, Part C	\$42 million
ED	Labor-HHS-Education	Native Hawaiian Education Program, Title VI, Part B	\$42 million
ED	Labor-HHS-Education	Indian Education Language Immersion Grants, Title VI, Part A, Subpart 3	\$13 million

Education

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
ED	Labor-HHS-Education	Special Projects for Native Student, Including Native Youth Community Projects, Title VI, Part A, Subpart 2	\$68 million
ED	Labor-HHS-Education	Title III-Part A & F grants under the Higher Education Act for TCUs	\$75 million
ED	Labor-HHS-Education	TCUs: Adult/Basic Education	\$8 million
ED	Labor-HHS-Education	Tribally Controlled Post-Secondary Career and Technical Institutions	\$12 million
ED	Labor-HHS-Education	Tribal Education Departments (Department of Education)	\$10 million
DOI	Interior, Environment	Tribal Education Departments (Department of the Interior – DOI)	\$10 million
DOI	Interior, Environment	Construction/Repair of Bureau of Indian Education (BIE) Schools	\$430 million
DOI	Interior, Environment	Johnson O'Malley Program	\$42 million
DOI	Interior, Environment	Student Transportation	\$73 million
DOI	Interior, Environment	Tribal Grant Support Costs (Administrative Cost Grants)	\$90 million
DOI	Interior, Environment	Facilities Operations (BIE)	\$109 million
DOI	Interior, Environment	Facilities Maintenance (BIE)	\$76 million
DOI	Interior, Environment	Indian School Equalization Formula	\$431 million
DOI	Interior, Environment	Education Management: Education IT	\$40 million
DOI	Interior, Environment	BIE Immersion Demonstration Grants	\$5 million
DOI	Interior, Environment	Juvenile Detention Education	\$620,000
DOI	Interior, Environment	TCUs' Institutional Operations, Titles I, II, and III of the Tribally Controlled Colleges and Universities Assistance Act	\$81.696 million
DOI	Interior, Environment	Institute of American Indian Arts and Center for Lifelong Education & Museum (AIANNH Culture and Art Development Act)	\$10.71 million

Education

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	Haskell Indian Nations University & Southwestern Indian Polytechnic Institute (Snyder Act)	\$25 million
DOI	Interior, Environment	TCUs Infrastructure Improvement	\$35 million
Dept. of Agriculture (USDA)	Agriculture	1994 Institutions Extension Program (NIFA)	\$9 million
USDA	Agriculture	1994 Institutions Research Program	\$5.8 million
USDA	Agriculture	1994 Institutions Educational Equity Grants	\$6 million
USDA	Agriculture	Native American Endowment Account (Corpus Payment)	\$15 million
USDA	Agriculture	Tribal Colleges and Universities Essential Community Facilities Program	\$8 million
HHS	Labor-HHS-Education	Indian Head Start Program	\$10.81 billion
HHS	Labor-HHS-Education	Tribal Colleges and Universities Head Start Partnership Program	\$8 million
HHS	Labor-HHS-Education	Native Languages Preservation (NLP), with Esther Martinez Program (EMP)	\$15 million for NLP, with \$6 million for EMP
National Science Foundation (NSF)	Commerce, Justice, and Science	Education and Human Resources Funding for TCUs	\$16 million

HEALTHCARE

(MORE INFORMATION ON PAGE 53)

The survival and prosperity of tribal communities depends on the safety, health, and wellness of our citizens. American Indian and Alaska Native (AI/AN) people have long experienced significant health disparities when compared with other Americans. The federal promise to provide healthcare for our people is a sacred agreement that was provided by the United States to tribal nations in exchange for land and peace. Unfortunately, as stated in the *Broken Promises Report: Continuing Federal Funding Shortfall for Native Americans*, which was released in December 2018 by the U.S. Commission on Civil Rights, “Due at least in part to the failure of the federal government to adequately address the wellbeing of Native Americans over the last two centuries, Native Americans continue to rank near the bottom of all Americans in health, education, and employment outcomes.”²

The Indian Health Service (IHS) has been and continues to be a critical institution in securing the health and wellness of tribal communities. Devastating consequences from historical trauma, poverty, and a lack of adequate treatment resources continue to plague tribal communities.

Tribal leaders on the National Tribal Budget Formulation Workgroup (TBFWG), representing all twelve IHS Areas, met on March 14-15, 2019, to develop the national Indian Health Service budget recommendations for the FY 2021 budget year. We want to thank our partners at the National Indian Health Board (NIHB) for providing the budget priorities highlighted below, which are consistent with TBFWG's recommendations. For additional information on NIHB budget priorities, please contact Carolyn Angus-Hornbuckle, Esq., Chief Operating Officer, at chornbuckle@nihb.org.

Healthcare

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HHS	Interior Environment	Total FY 2021 Indian Health Service Funding	Total: \$9.145 billion Services: \$6.825 billion CSC: \$922.3 million Facilities: \$1.398 billion
HHS	Labor-HHS-Education	On the TRAIL to Diabetes Prevention program	\$1 million
HHS	Labor-HHS-Education	Health Resources and Services Administration (HRSA) Native Hawaiian Health Care Systems Program	\$25 million

CHILD WELFARE

(MORE INFORMATION ON PAGE 66)

Tribal child welfare programs are comprised of a number of discrete yet interconnected functions that include child abuse prevention, child protection, in-home services, case management, foster care, kinship care, guardianship, adoption, court hearings, coordination and collaboration, and referrals to other services such as healthcare or housing. Tribal child welfare programs work tirelessly to successfully serve children and families through holistic, strengths-based, culturally responsive, and family-centered services. In providing these services, tribal nations serve a critical role not only for tribal citizens living within their tribal lands, but also play an important role in helping state agencies provide services to tribal citizens living off tribal lands. The assistance tribal nations provide in this respect reduces state costs and administrative burdens.³

By investing in tribal services that can reach children and their families before or shortly after child abuse or neglect has occurred, we can help curtail the pervasive effects of long term, unresolved trauma that can create increasing physical and emotional damage for children and cost tribal governments and the federal government much more to treat. Because child welfare families have extensive needs, this requires intensive collaboration with other service providers, and specialized services to effectively address child maltreatment and help families rehabilitate. Although important, the current federal investment in child welfare for both tribal nations and states has been heavily weighted, and limited in scope, towards crisis interventions that do not work well to prevent abuse and neglect from occurring or re-occurring. These crisis services also utilize some of the most expensive services in child welfare, such as out-of-home placement.

Recent changes in federal law provide an opportunity to create more balance in the federal child welfare finance system by providing new funding for prevention services for tribal nations and states. The funding, as part of the Bipartisan Budget Act of 2018, supports eligible prevention services to avert removal of children who were at risk of out-of-home placement. Accessing the funds require many tribal nations to develop new prevention services and infrastructure in child welfare. The investment can help spur reductions in out of home placements, reduce trauma to children and families, but to achieve these important goals, will require additional funding in FY 2021 outside of the new prevention funding.

Congress has unequivocally recognized that there is nothing “*more vital to the continued existence and integrity of Indian tribes than their children.*”²¹ Therefore, Congress must produce a budget that empowers tribal nations to provide programs and services necessary to safeguard their children and strengthen their families. The recommendations below suggest funding increases that would provide tribal nations with more workable funding levels after years of little or no increase and improve outcomes for AI/AN children and families, whether in tribal or state systems.

Child Welfare

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	BIA Indian Child Protection and Family Violence Prevention Act	\$93 million
DOI	Interior, Environment	BIA Welfare Assistance	\$80 million
DOI	Interior, Environment	Indian Child Welfare Act On or Near Reservation Program	\$22 million
DOI	Interior, Environment	Off-Reservation Indian Child Welfare Act Program	\$5 million
DOI	Interior, Environment	BIA Social Services Program	\$55 million
HHS	Labor-HHS-Education	Promoting Safe and Stable Families, Title IV-B, Subpart 2 discretionary funds (3 percent tribal allocation reserved from this amount)	\$110 million (Tribal allocation: \$3.3 million)
HHS	Labor-HHS-Education	Tribal Court Improvement grant program (authorized under Title IV-B, Subpart 2)	\$3 million
HHS	Labor-HHS-Education	Child Abuse Discretionary Activities (tribal nations and states eligible to compete for these grant funds)	\$38 million
HHS	Labor-HHS-Education	Community-Based Child Abuse Prevention (tribal nations share one percent reserved from this amount with migrant populations)	\$60 million (\$600,000 shared with migrant populations)
HHS	Labor-HHS-Education	Child Welfare Services, Title IV-B, Subpart 1 (tribal allocation reserved from this amount)	\$280 million (Tribal allocation: \$5.5 million)
HHS	Labor-HHS-Education	Maternal Infant and Early Childhood Home Visiting Program (tribal allocation from reserved portion)	\$420 million (Tribal allocation: \$12.6 million)
HHS	Labor-HHS-Education	Substance Abuse and Mental Health Services Administration (SAMHSA) Programs of Regional and National Significance, Child and Family Programs	\$8 million (\$6.5 million reserved for Circles of Care grants)
HHS	Labor-HHS-Education	SAMHSA Garrett Lee Smith Grants, State/Tribal Youth Suicide Prevention and Early Intervention Grant	\$40 million
HHS	Labor-HHS-Education	SAMHSA Garrett Lee Smith Grants, Campus Suicide Prevention Program	\$9 million

Child Welfare

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HHS	Labor-HHS-Education	SAMHSA American Indian and Alaska Native Suicide Prevention	\$5 million
HHS	Labor-HHS-Education	SAMHSA Tribal Behavioral Health Programs (mental health and substance abuse programs)	\$50 million (\$25 million for each program)
HHS	Labor-HHS-Education	Children's Mental Health Initiative -Systems of Care (tribal nations and states eligible to compete for these grant funds)	\$135 million

ELDERS

(MORE INFORMATION ON PAGE 81)

Elders are our culture bearers, and are held in the highest regard in tribal communities. However, it is these same elders in Indian Country that comprise the most economically disadvantaged elderly minority in the nation. Tribal nations have little or no access to the agencies, departments, ombudsman, or programs that are available to states for elder services. In addition, state programs seldom serve Native elders due to cultural and geographic barriers. Despite being insufficiently funded to meet existing elder needs in tribal communities, tribal nations have a history of strong program management and resourceful use of program dollars. Increased and dedicated funding is needed to address these disparities and build on tribal successes.

Elders

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HHS	Labor-HHS-Education	Older Americans Act (Title VI- Part A, B), Native American Nutrition and Supportive Services	\$43 million
HHS	Labor-HHS-Education	Older Americans Act (Title VI- Part C), Native American Caregiver Support Program	\$12.1 million
HHS	Labor-HHS-Education	Older Americans Act (Title VII-Subtitle B), Protection of Vulnerable Older Americans	Create a five percent tribal set-aside and recommend tribal nations and tribal organizations be eligible for the Elder Justice Initiative.
HHS	Labor-HHS-Education	Older Americans Act (Title V), Senior Community Service Employment Program	\$434.371 million

DISABILITIES*(MORE INFORMATION ON PAGE 84)*

AI/AN people have the highest rate of disabilities, yet have the lowest opportunity to access critically important programming.⁵ AI/ANs with disabilities deserve comprehensive care that includes access to culturally sensitive programs and quality resources. State-led and non-tribal programs contain multiple barriers for individuals with disabilities living on or near reservations and villages, including lack of cultural awareness, research, accommodations, and opportunities. Services needed by individuals with disabilities range and overlap with the need for transportation, home modification, long-term services and supports, and other crucial supportive services.

Programs specifically for tribal nations, like the American Indian Vocational Rehabilitation Services (AIVRS) program, ensure that accessible opportunities such as employment are available to AI/ANs with disabilities. However, these programs currently do not receive enough funding to support all of the programming and outreach required to service individuals with disabilities, leaving them without access to essential resources.

Disabilities

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HHS	Labor-HHS-Education	Vocational Rehabilitation Services	\$3.6 billion and award full tribal 2% set aside

ECONOMIC & WORKFORCE DEVELOPMENT*(MORE INFORMATION ON PAGE 86)*

Creating economic and workforce development opportunities in Indian Country requires a comprehensive, multi-agency approach. Indian Country continues to face daunting challenges – notably high rates of unemployment and poverty – which primarily stem from longstanding shortfalls in federal funding obligations, and unnecessary barriers to private and philanthropic investments on tribal lands. Adequate federal funding, coupled with reduced regulatory burdens, will empower tribal nations' efforts to develop robust, sustainable economies through increased access to capital resources and programs designed to train their workforces. These FY 2021 budget requests seek appropriation levels that are essential to the federal government honoring its trust responsibility to support tribal nations as they work to seed economic prosperity and increased job opportunities across their tribal communities and prepare their citizens to take advantage of those opportunities.

Economic & Workforce Development

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
Dept. of Commerce (DOC)	Commerce, Justice, Science	Minority Business Development Agency	\$42 million grant set-aside for Native business assistance
DOC	Commerce, Justice, Science	Office of Native American Affairs	\$2 million
Small Business Administration (SBA)	Financial Services	Office of Native American Affairs	\$2 million
Dept. of Defense (DOD)	Defense	American Indian Procurement Technical Assistance Program	\$4.5 million

Economic & Workforce Development

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOD	Defense	Indian Incentive Payment Program	\$25 million
Treasury	Financial Services	Community Development Financial Institutions Fund	\$30 million and waiver of non-federal match requirement for Native American CDFI Assistance Program.
Treasury	Financial Services	Community Development Financial Institutions Fund, New Markets Tax Credit Program	Provide a ten percent set-aside and revise 'service area' to include Indian Country.
DOE	Energy and Water	National Nuclear Security Administration (NNSA) Minority Serving Institutions Partnership Program (MSIPP) Tribal College Initiative (Advanced Manufacturing)	\$5 million
DOI	Interior, Environment	Office of Indian Energy and Economic Development's Indian Loan Guarantee Program	\$25 million
DOI	Interior, Environment	Office of Indian Energy and Economic Development	\$25 million
DOI	Interior, Environment	Community and Economic Development Program	\$1.4 million
HHS	Labor-HHS-Education	Administration on Native Americans (ANA) Social and Economic Development-Related Grants	\$40 million
Dept. of Labor (DOL)	Labor-HHS-Education	YouthBuild Program	\$89 million
DOL	Labor-HHS-Education	Employment and Training Administration, Indian and Native American Program (INAP)	\$60.5 million
DOL	Labor-HHS-Education	Native American Employment and Training Council	\$125,000 from non-INAP resources

TELECOMMUNICATIONS

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Tribal communities are among the most underserved populations in the nation with respect to broadband deployment.⁶ Congress must create a Tribal Broadband Fund in order to empower new market opportunities and direct spending in Indian Country for its highest and best purpose. The Federal Communications Commission’s (FCC) Office of Native Affairs and Policy states that, “[u]nderstanding the complexity of the digital divide in Indian Country requires an appreciation of the unique challenges facing Tribal Nations, which include deployment, adoption, affordability, and access to spectrum, as well as lack of investment dollars and access to credit and start-up or gap financing.⁷ The ability for tribal nations to obtain credit and financing is limited by difficulty in collateralizing assets that are held in trust by the federal government that is coupled with the difficulty accessing investment dollars for use in tribal communities.⁸ Creation of a Tribal Broadband Fund will promote education, economic opportunity, health, public safety, and governance in tribal communities that continue to be the most unserved and underserved populations in the United States with respect to broadband deployment.

In order to address the digital divide in Indian Country, Congress must also create an interagency committee that focuses on the existing challenges in Indian Country, with representation from the FCC’s Wireless and Wireline Bureaus, USDA’s Rural Utilities Service, DOC’s National Telecommunications and Information Administration, and DOI’s Office of the Assistant Secretary for Indian Affairs. The goal of this committee should be to report on how to best coordinate federal resources from the various agencies to achieve broadband connectivity in Indian Country. This recommendation is consistent with the FCC’s National Broadband Plan, which recommends that “Congress should consider establishing a Tribal Broadband Fund to support sustainable broadband deployment and adoption on Tribal lands, and all federal agencies that upgrade connectivity on tribal lands should coordinate such upgrades with Tribal governments and the Tribal Broadband Fund grant-making process.”⁹

Telecommunications

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
FCC	Financial Services	Tribal Broadband Fund	\$1 billion
FCC	Financial Services	Office of Native Affairs and Policy	Provide fixed annual budget of \$500,000.
Corporation for Public Broadcasting (CPB)	Labor-HHS-Education	American Indian and Alaska Native Public Radio Community Service grants	\$7 million
CPB	Labor-HHS-Education	Native Public Media	\$500,000
CPB	Labor-HHS-Education	Koahnic Broadcast Corporation	\$500,000

AGRICULTURE & RURAL DEVELOPMENT

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Agriculture is a major economic, employment, and nutrition sector in Indian Country. In 2017, there were at least 79,198 American Indian farm and ranch operators on more than 59 million acres of land. These farms and ranches sold \$3.5 billion of agricultural products, including more than \$1.4 billion of crops and \$2.1 billion of livestock and poultry. As a result of the huge agricultural footprint across Indian Country and the fact that more than 35 percent of American Indian and Alaska Native peoples live in rural communities, tribal governments and farmers look to active partnerships throughout the U.S. Department of Agriculture to sustain and advance common interests across the broad array of services that this federal agency provides to tribal governments.

Agriculture & Rural Development

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
USDA	Agriculture	Office of Tribal Relations	\$1.5 million
USDA	Agriculture	Rural Development	\$3.2 billion
USDA	Agriculture	Rural Utilities Service	\$783.545 million
USDA	Agriculture	Rural Housing and Community Facilities Programs	\$28 billion
USDA	Agriculture	Natural Resources Conservation Service (NRCS), Environmental Quality Incentives Program	\$1.75 billion
USDA	Agriculture	NRCS, Conservation Stewardship Program	\$725 million
USDA	Agriculture	Federally Recognized Tribal Extension Program	\$6 million
USDA	Agriculture	Food Distribution Program on Indian Reservations (FDPIR)	\$200 million
USDA	Agriculture	FDPIR, Traditional Foods Market Development	\$5 million
USDA	Agriculture	FDPIR, Demonstration Project for Tribal Organizations	\$5 million
USDA	Agriculture	Industrial Hemp Production, Regulation, and Research	Amounts as necessary to implement authorizing provisions

ENVIRONMENTAL PROTECTION*(MORE INFORMATION ON PAGE 102)*

Tribal nations and their citizens maintain strong physical, cultural, spiritual, and interdependent relationships with their homelands and natural resources. As a result, tribal communities face direct and often disproportionate impacts of environmental degradation. Federal funding to support environmental protection for Indian reservations was not forthcoming until more than 20 years after the passage of the Clean Water and Clean Air Acts. Tribal nations are still trying to achieve equity, and significant gaps remain. The federal government must ensure tribal nations have fair and equal opportunities to preserve and enhance the environmental quality of Indian Country for present and future generations. In the recommendations below, NCAI requests that Environmental Protection Agency (EPA) tribal programs receive sufficient resources to achieve parity with states through sustainable, targeted base funding.

Environmental Protection

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
EPA	Interior, Environment	Indian Environmental General Assistance Program	\$99.5 million
EPA	Interior, Environment	Safe Drinking Water State Revolving Funds	Provide five percent set-aside for tribal nations
EPA	Interior, Environment	Clean Water Act State Revolving Fund, tribal set-aside	Provide \$46.5 million tribal set-aside and permanently lift the funding cap on tribal set-aside for wastewater facilities.
EPA	Interior, Environment	Tribal Water Pollution Control, Clean Water Act Section 106	Increase the tribal allocation to 20 percent.
EPA	Interior, Environment	Nonpoint Source Pollutant Control, Clean Water Act Section 319	Eliminate cap on tribal funding and provide \$13 million.
EPA	Interior, Environment	Exchange Network	Provide 10 percent set-aside for tribal nations.
EPA	Interior, Environment	Great Lakes Restoration Initiative, tribal allocation	\$3 million

NATURAL RESOURCES

(MORE INFORMATION ON PAGE 106)

To varying degrees, tribal nation cultures, traditions, lifestyles, communities, foods, and economies depend upon diverse natural resources. Yet, many critical natural resources are disappearing faster than they can be restored. Given the state of the economy and national priorities, along with the increasing negative impacts of climate change, the vitality and sustainability of natural resources must be safeguarded, as it is vital to the health of American Indian and Alaska Native peoples and the strength of their economies.

Tribal nations can cite numerous examples of spearheading successful restoration and sustainable management projects of threatened and fragile natural resources and ecosystems. Foundational to these successes is a commitment to stewardship based in traditional knowledge, which requires complicated yet rewarding collaboration with states, regional organizations, local governments, and other stakeholders. Tribal nations, as proven and effective managers of their own resources, must be provided with appropriate funding and support that is consistent with its treaty and trust responsibilities toward tribal nations.

For tribal nations to fully manage their natural resources and establish and maintain natural resource management programs, funding for BIA natural resource programs must increase. BIA programs represent a significant source of funding to protect tribal lands. Further, BIA's trust resource management practices should be modernized in a manner consistent with the Indian Trust Asset Reform Act (P.L. 144-178). Instead of being provided with increased funding, many of the BIA trust and natural resources programs discussed in this section have suffered substantial cuts over the past decade. The most supportive role the federal government can play is as a resource-provider – facilitating independent, self-governed decision-making by tribal nations.

Natural Resources

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	Rights Protection Implementation	\$56.5 million
DOI	Interior, Environment	Tribal Climate Resilience Program	\$30 million
DOI	Interior, Environment	Water Management, Planning, and Pre-Development Program	\$10.5 million
DOI	Interior, Environment	Water Resources Program (TPA)	\$14 million
DOI	Interior, Environment	Water Rights Negotiation/ Litigation program	\$12 million
DOI	Interior, Environment	Endangered Species Program	\$4.5 million
DOI	Interior, Environment	Tribal Management and Development Programs	\$25 million
DOI	Interior, Environment	BIA Fish, Wildlife and Parks - Fish Hatchery Operations	\$7 million
DOI	Interior, Environment	BIA Fish, Wildlife and Parks - Fish Hatchery Maintenance	\$8 million

Natural Resources

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	BIA Fish, Wildlife and Parks – Wildlife and Parks Tribal Priority Allocation (TPA)	\$10 million
DOI	Interior, Environment	BIA Natural Resources (TPA)	\$12 million
DOI	Interior, Environment	BIA Invasive Species Program	\$12 million
DOI	Interior, Environment	Fish and Wildlife Service (FWS) Tribal Wildlife Grants Program	\$12 million
DOC	Commerce, Justice, Science	Pacific Coastal Salmon Recovery Fund	\$110 million
EPA	Interior, Environment	Geographic/Ecosystem Program in Puget Sound	\$50 million
DOI	Interior, Environment	BIA Forestry (TPA and Forestry Projects)	\$112 million
DOI	Interior, Environment	Office of Wildland Fire, Fuels Management	\$206 million
DOI	Interior, Environment	Office of Wildland Fire, Disaster Fire Funding	Ensure wildfires are treated like other natural disasters and emergencies.
USDA	Interior, Environment	U.S. Forest Service (USFS)	Encourage support for expanded Anchor Forest initiatives.
USDA	Interior, Environment	USFS	Make USFS implementation of the Tribal Forest Protection Act a priority.
USDA	Interior, Environment	USFS	Appropriate additional funding to support P.L. 93-638 contracts for forestry.

ENERGY

(MORE INFORMATION ON PAGE 117)

Tribal energy resources are vast, largely untapped, and critical to America’s efforts to achieve energy security and independence, reduce greenhouse gases, and promote economic development both inside and outside of Indian Country. As part of a nation-wide commitment to a diversified approach to energy development, energy infrastructure is essential to many tribal nations’ efforts to create jobs, build infrastructure, and improve lives of their citizens. DOI estimates that undeveloped traditional energy reserves on Indian lands could generate up to \$1 trillion for tribal nations and surrounding communities, most of which are located in rural areas. In 2014, DOI reported that Indian energy resources provided over \$1 billion in revenue to tribal nations and individual Indian resource owners.¹⁰ This sector of tribal economic development continues to grow, but remains relatively underdeveloped. For tribal nations to take the next steps to becoming serious contributors to their own and the United States’ energy futures, tribal nations need to be afforded greater control over their energy management decisions. One way to assist this goal is increased federal funding for tribal energy programs, particularly in areas where the cost of energy is 275 percent or higher than the national average.

There are three key components to future tribal success in this arena. First, the federal government must remove economic barriers to growth. Specifically, NCAI requests that where possible, Congress reduce or completely eliminate the 50 percent cost-sharing requirements that burden tribal nations. Second, the federal government must continue its commitment to technical and financial assistance programs that not only support infrastructure development but also the capacity of tribal programs and offices to carry out their responsibilities – including addressing staffing issues. Lastly, additional support is needed to bolster the tribal workforce in the energy sector in addition to existing liaison employees within the Department of Energy (DOE).

Energy

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HHS	Labor-HHS-Education	Low Income Home Energy Assistance Program (LIHEAP)	\$51 million tribal set-aside
DOE	Energy and Water Development	Office of Indian Energy Policy and Programs	\$30 million
DOE	Energy and Water Development	Office of Indian Energy Policy and Programs – Credit Subsidy Costs	\$2.5 million
DOE	Energy and Water Development	Office of Indian Energy Policy and Programs – Administrative Costs	\$2 million

HOUSING

(MORE INFORMATION ON PAGE 120)

The foundation of healthy tribal communities is access to safe, culturally relevant, and quality affordable housing. Yet, Native Americans still face some of the worst housing and living conditions in the United States. In 2013, the National American Indian Housing Council estimated that 70 percent of homes in Indian Country were in need of upgrades and repairs, many of them extensive.¹⁰ Households in Indian Country are more than twice as likely to be overcrowded, compared with the nation as a whole.¹¹ According to the U.S. Department of Housing and Urban Development, between 2003 and 2015, the number of overcrowded households, or households without adequate kitchens or plumbing, grew by 21 percent.¹² During that same period, the number of families in Indian Country with severe housing costs grew by 55 percent.¹³ As part of HUD’s 2017 Congressional Justifications, it explained that “the lack of housing and infrastructure in Indian Country is severe and widespread, and far exceeds the funding

currently provided to [tribal nations].”¹⁴ The Native American Housing Assistance and Self-Determination Act (NAHASDA) is intended to help bridge the gap in housing needs in Native communities and allow tribal nations to exercise self-determination at the local level.

Tribal programs under NAHASDA have been successful in allowing tribal nations the self-determination necessary to provide effective programs for their citizens. NAHASDA effectively replaced the various Indian housing programs under the 1937 Housing Act and consolidated federal housing funds through direct block grants to tribal nations and their Tribally Designated Housing Entities (TDHEs). Tribal nations are now exercising their right of self-determination to design and implement their own housing and other community development infrastructure programs. NAHASDA has resulted in the construction of tens of thousands of new housing units, as well as increased tribal capacity to address related infrastructure and economic development challenges. Today, there are close to 500 TDHEs in Indian Country. NAHASDA authorizes several programs and activities that are in need of additional funding, they include the Indian Housing Block Grant; Indian Community Development Block Grant; Sections 184 and 184A Guaranteed Loan Programs; Title VI Guaranteed Loan Program; and NAHASDA’s Training and Technical Assistance Funding. In addition to NAHASDA and other programs administered by the U.S. Department of Housing and Urban Development (HUD), critical tribal housing funds are supported by programs within the U.S. Department of Veterans Affairs (VA), USDA, and DOI.

Housing

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
HUD	Transportation, HUD	Indian Housing Block Grant	\$955 million (but not less than \$755 million)
HUD	Transportation, HUD	Indian Community Development Block Grant	\$100 million
HUD	Transportation, HUD	NAHASDA Title VI Loan Guarantee Program	\$2 million
HUD	Transportation, HUD	Section 184 Loan Guarantee Program	\$10 million
HUD	Transportation, HUD	Tribal HUD-Veterans Affairs Supportive Housing Program	Not less than \$7 million
HUD	Transportation, HUD	NAHASDA Section 703 Training and Technical Assistance	\$7 million
USDA	Agriculture	Rural Development 502 Direct Loan Program for Tribal Relending Demonstration	\$50 million tribal set-aside
DOI	Interior, Environment	BIA Housing Improvement Program	\$23 million
HUD	Transportation, HUD	Native Hawaiian Housing Block Grant	\$20 million
HUD	Transportation, HUD	Section 184A Loan Guarantee	\$1 million
VA	Military Const., VA	Veterans Benefit Administration, Native American Direct Loan Program	\$10 million

TRANSPORTATION

(MORE INFORMATION ON PAGE 124)

Transportation programs are critical to ensure tribal governments can provide for economic development and social well-being of their tribal citizens and to ensure the safety of non-tribal citizens who travel on tribal roads.

Surface transportation in Indian Country involves hundreds of thousands of miles of roads and highways and hundreds of bridges. According to the latest National Tribal Transportation Facility Inventory (NTTFI), there are approximately 160,000 miles of roads and trails in Indian Country owned and maintained by tribal nations, the BIA, states and counties. Of those, tribal nations own and maintain 13,650 miles of roads and trails, of which only 1,000 (or 7.3 percent) are paved, with another 12,650 miles consisting of gravel, earth, or primitive materials. Of the 29,400 miles owned and maintained by the BIA, 75 percent are gravel, earth, or primitive. When combined, the roads owned and maintained by tribal nations and the BIA are among the most underdeveloped and unsafe road networks in the nation, even though they are the primary means of access to American Indian and Alaska Native communities by Native and non-Native residents and visitors alike.

According to the December 2018 U.S. Commission on Civil Rights report evaluating the budgets and spending of federal agencies that administer Native programs, deficiencies in transportation system infrastructure in Indian Country diminishes opportunities for development, which further impairs the ability of tribal communities to thrive.¹¹ Unmet needs in transportation infrastructure increases the safety risk on roads used by tribal and non-tribal motorists, and dampens the local and regional economies of the communities that rely on access to and use of roads and trails throughout Indian Country. Chronic underinvestment, and the growing backlog of critical infrastructure projects not only negatively impacts the social, physical, and mental wellbeing of tribal and neighboring communities, it hampers the ability of tribal nations to fully leverage their economic potential, and the ability of their citizens to fully participate in the American economy. Due to deficiencies in transportation funding for Indian Country, there are projects that have been shovel-ready for years, and in some cases decades, that remain unfunded. Investment in tribal transportation infrastructure is an investment in American infrastructure that promotes commerce and public safety.

Transportation

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
Dept. of Transportation (DOT)	Transportation, HUD	Tribal Transportation Program	\$600 million (but not less than \$565 million)
DOT	Transportation, HUD	Tribal Technical Assistance Programs	\$5 million
DOT	Transportation, HUD	Tribal Transit Program Formula Grants	\$50 million
DOT	Transportation, HUD	Tribal High Priority Projects Program	\$30 million
DOI	Interior, Environment	BIA Road Maintenance	\$75 million (but not less than \$50 million)

HISTORIC & CULTURAL PRESERVATION

(MORE INFORMATION ON PAGE 127)

Increasing federal funding for the following programs remains a paramount priority for tribal nations, and is necessary to support the repatriation of sacred objects and ancestral remains, preservation of tribal cultures, and protection of sacred and historical tribal places. Preserving and protecting the histories, cultures, and traditions of tribal nations is also necessary for preserving America’s history as a whole.

Historic & Cultural Preservation

AGENCY	APPROPRIATIONS BILL	PROGRAM	NCAI FY 2021 REQUEST
DOI	Interior, Environment	Tribal Historic Preservation Officer Program	\$20 million
DOI	Interior, Environment	Native American Graves Protection and Repatriation Act (NAGPRA)	\$4 million
DOI	Interior, Environment	Investigations into Failure to Comply with NAGPRA	Provide a 10 percent increase for investigations into failure of institutions to comply with NAGPRA, and create a line-item for investigations of complaints made by tribal nations.