



Bureau of Indian Affairs Highlights

Introduction

The Bureau of Indian Affairs (BIA) is the primary agency of the Federal government charged with the responsibility to administer Federal Indian policy and to discharge the Federal trust responsibility for American Indian Tribes, Alaska Natives, and tribal organizations. Federal Indian policy and the trust responsibility are derived from the special legal and political relationship between the Tribes and the Federal government. Across the Nation, there are 558 Federally recognized American Indian and Alaska Native Tribes. While the Tribes are as different as the lands they occupy, each retains inherent governmental authority derived from their original sovereignty.

BIA Mission

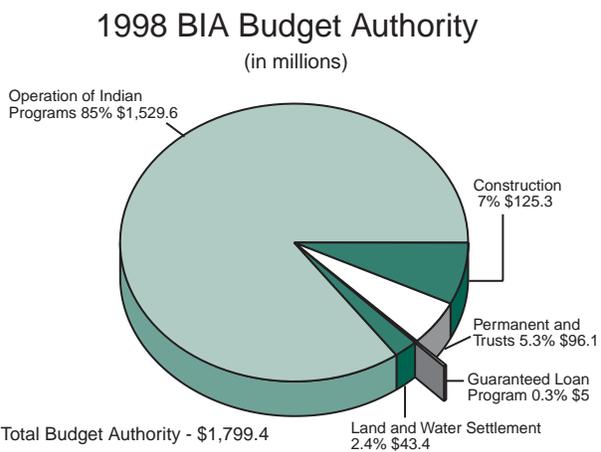
"To fulfill trust responsibilities and promote self-determination on behalf of Tribal Governments, American Indians, and Alaska natives."

Today, the BIA provides services directly, or through self-determination contracts, grants, and compact agreements with Tribes, to more than 1.2 million American Indians and Alaska Natives in 31 States. The scope of BIA programs is extensive, covering virtually the entire range of State and local government services, including:

- elementary, secondary, and post-secondary education
- social services
- law enforcement
- judicial courts
- business loans
- tribal government support
- forestry, agriculture, and rangelands development
- water resources
- fish, wildlife, and parks
- roads and housing
- adult and juvenile detention facilities
- irrigation and power systems
- land and heirship records

More important, BIA's programs are funded and operated in a highly decentralized manner, with more than 90 percent of all appropriations expended at the local level and an increasing amount controlled by Tribes and tribal organizations under contracts or self-governance compacts. In addition, BIA administers more than 43 million acres of tribally-owned land, over 11 million acres of individually owned land held in trust status, and 443,000 acres of federally owned land.

The BIA's most basic responsibilities are fulfilling its trust obligations and facilitating tribal self-determination. However, while the protection of trust resources is a fundamental responsibility, tribal communities struggling to meet the basic needs of their communities must compete for the same limited resources BIA uses to protect trust resources. The BIA's success relies on judiciously balancing these competing needs.



Indian Self-Determination and Self-Governance

Consistent with the Government Performance and Results Act (GPRA), a primary objective of the BIA is to support the sovereignty, self-determination, and self-governance of federally recognized Indian Tribes. The Indian Self Determination and Education Assistance Act of 1974 (Public Law 93-638, as amended) authorizes tribal governments and organizations to operate Federal programs under contract, grant, and compact agreements. Under these agreements, Tribes deliver program services to their members and have the flexibility to reallocate program resources to meet their local needs and priorities. The number of Tribes operating Federal programs under self-determination contract or grant agreements has increased significantly over the past six years, from an estimated 317 Tribes in 1991 to 449 Tribes in 1995. In 1996, a large number of those Tribes chose to convert from contract and grant agreements to the more flexible self-governance compact agreements; 34 percent of all Tribes, including most of the Alaska Native villages, entered into compact agreements. In 1998, 37 percent of the Tribes were under compact agreements.



Jalesa Lee Eriacho climbs a wall while parents Alex and Dawn watch proudly (photo by Eastern Navajo Mountain High Program).

In 1998, BIA obligated \$1.107 billion to Tribes and tribal organizations under self-determination contracts, grants, and compacts, accounting for 50.1 percent of all obligations. For the Operation of Indian Programs and Construction accounts, the total obligations under contracts, grants, and compacts have continued to grow reaching more than \$957 million in 1998 and comprising 54.6 percent of the total obligations.

Tribal Services

BIA continues to make progress on the Delegation of Authority Initiative. This initiative delegates authority for the administration of non-construction contracting under the Indian Self-Determination and Education Assistance Act to the lowest level of BIA. Presently, there are 46 agencies and 2 field offices authorized to administer self-determination contracts under a delegation of authority from Area Directors. Fiscal year 1998 was a year for consolidation and planning for the strengthening and expansion of the initiative. Efforts will continue in 1999, focusing on providing increased training on BIA policies, practices, procedures, and regulations.

Education

Nearly one-third of BIA's annual appropriations in the Operation of Indian Programs account support Indian education. These funds provide elementary and secondary education and residential programs for Indian students not served by public and sectarian schools; residential care for some Indian students attending public schools; and special services to meet the needs of Indian students in such areas as early childhood development, bilingual education, counseling, and guidance. Johnson-O'Malley Education Assistance Grants provide special education programs for Indian students attending public and private schools. BIA also operates two post-secondary schools—Haskell Indian Nations University and Southwestern Indian Polytechnic Institute—and provides financial support to 25 Tribally Controlled Community Colleges (TCCCs). Scholarship programs assist Indian students in pursuing undergraduate and graduate degrees at public and private colleges and universities. Adult education programs are also available for high school equivalency diplomas.

Elementary and Secondary Education:

About 90 percent of all Indian elementary and high school students attend public or private schools, with the remaining 10 percent attending BIA-funded schools. During the 1997-98 school year, BIA's school operations programs supported 185 schools; these schools served more than 50,000 students. The BIA directly operated 79 of these facilities, while the Tribes operated 106 facilities under self-determination grants and contracts. Most school operations funds are allocated by three program formulas: Indian School Equalization Program (ISEP), Student Transportation, and Administrative Cost Grants for the tribally operated schools. ISEP supports the basic instructional activities of the schools, with funds being allocated according to weighted student units (WSUs). Students are assigned weights that reflect the relative costs of different grade-levels and special education programs.



"Circle Time" - A teacher reads a story in a Navajo classroom (photo by Ramah Navajo FACE Program)

Since the 1993-94 school year, BIA schools have had an average growth rate of approximately 3 percent in the number of students and 3.5 percent in the number of weighted student units. The annual ISEP allocations have increased an average of about 2.9 percent per student and 2 percent per WSU. The ISEP formula program has kept pace with recent increases in service population and has partially covered inflationary cost increases.

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In the 1997-98 school year, 95.5 percent of BIA-funded schools met State, regional and/or BIA academic standards. State and regional accreditation requirements usually exceed the academic standards that BIA has established as a minimum criteria for its funded schools. Among the BIA's special education programs, the Family and Child Education (FACE) Program has received national and international recognition since it was initiated in 1991. FACE provides educational training to preschool children, their parents, and school staff. More than 1,800 families participated in this program at 22 school sites during the 1997-98 school year.

Post-Secondary Education: The Haskell Indian Nations University in Lawrence, Kansas, and the Southwestern Indian Polytechnic Institute in Albuquerque, New Mexico, provide a variety of educational opportunities for Indian students at the college level to prepare them to enter four-year colleges and universities. These national institutions attract Indian students from throughout the United States. TCCCs are chartered by tribal governing bodies, governed by local boards of regents, and promote educational goals that are compatible with the needs of the Tribe and its members. In 1998, there were 25 TCCCs eligible for Federal assistance. Most funds are distributed based on the number of enrolled students and their credit hours. Some Tribes supplement the Federal grant for their TCCC through their Tribal Priority Allocations (TPA) funding.

Scholarships: Undergraduate scholarship assistance is provided through funds available in TPA. In TPA, the Tribes set funding priorities for the various programs based on local needs and priorities. The scholarship programs may be administered by the BIA's agency or area offices or operated by the Tribes under self-determination contracts, grants, or self-governance compacts. While all Indian students attending accredited post-secondary institutions are eligible to apply, the amount of an award is based on each student's certified financial aid requirement for Title IV Federal assistance, such as the Pell Grant and National Direct Student Loan Program.

Adult Education: Tribes also support continuing adult education through the TPA program. Tribal members are encouraged to attend courses that prepare individuals for the General Education Development examination, and that provide employment skills such as drivers training, typing and computer literacy, as well as basic skills such as household budgeting and State and Federal tax forms preparation. In 1998, the Tribes allocated \$2.7 million to support adult education.

Economic Development

The BIA provides financial assistance to American Indian Tribes, Alaska Natives, and individuals for the establishment, acquisition, or expansion of business enterprises on or near American Indian reservations, or land held by Alaska Natives incorporated under the provisions of the Alaska Native Claims Settlement Act, as amended. This financial assistance helps Tribes, corporations, and individuals achieve greater economic self-sufficiency in their communities and expands employment opportunities for tribal members and Alaska Natives. Financial assistance is made available through the Indian Loan Guaranty Program as authorized by the Indian Financing Act of 1974 (P.L. 93-262), as amended.

In 1998, the BIA awarded and subsidized 31 new loan guarantees for a cost to the government of approximately \$3.5 million. BIA's subsidy provided leverage for a total of \$26.8 million of private sector funding for businesses that created or sustained 415 jobs. American Indian Tribes and Alaska Native Villages received 86 percent of the total capital provided for various businesses, including oyster farming, convenience stores, medical clinics, apartments to rent, and manufacturing facilities. Individual Indians received the remaining 14 percent of total capital for a travel agency, a restaurant, a trucking company, and a fishing vessel, and other businesses.

Law Enforcement

In 1998, the groundwork was laid by the BIA and the Department, the Department of Justice, and the Administration, to begin a major initiative to halt the escalating crime rates in Indian country through increased staffing levels and increased appropriations. An Executive Committee for Indian Country Law Enforcement Improvement was appointed, consisting of tribal leaders and officials from BIA and the Department of Justice. The Committee issued a detailed report in October 1997, which was primarily based on tribal leader testimony at consultation sessions. It became clear that Indian communities lack basic police services other American communities take for granted. To begin focusing on avenues for alleviating the problem, a solid partnership was established with the Department of Justice in 1998 to focus on improving the delivery of services to Indian communities. This partnership serves as the primary foundation for the Presidential Initiative on Law Enforcement in Indian country. It has brought attention to the need for significant improvements in the delivery of basic law enforcement services. In 1998, a total of approximately \$80 million was appropriated for law enforcement in Indian country, providing appropriations for 203 law enforcement programs across the Nation.



Harvesting greens in a bio-intensive demonstration garden (photo by Ramah Navajo FACE Program)

Trust Lands and Resources Management

The BIA's trust lands and resources management programs protect, develop, and enhance the management of over 56 million acres of Indian trust lands, including all ownership interests and rights to surface and subsurface resources, for the benefit of Tribes and their members.

Forest Resources Management and the President's Forest Plan: A major responsibility of the BIA is maintaining Indian trust forestlands in a perpetually productive state. The BIA assists Tribes and individual Indian forest landowners in managing, developing, and protecting their forest resources through the use of sound ecosystem, silvicultural, and economic principles. These activities provide employment for and revenue to the Indian owners. The BIA is responsible for presale, contract compliance, and other administrative activities associated with the sale of forest products. During 1998, an estimated 650 million board feet of timber with a value of \$130 million was harvested. The application of silvicultural treatments to Indian commercial forests land is necessary to maintain these lands at their full productive level. Forest development activities include preparing sites for reforestation, planting tree seedlings, and maintaining optimal stocking levels (timber stand improvement) to protect forest health. During 1998, an estimated 15,000 acres were planted and approximately 65,000 acres were improved.

Long-range forest management planning is essential for maintaining Indian forests in a perpetually productive state while harvesting timber resources to achieve tribal economic development goals. Planning is an ongoing process that responds to changing tribal needs. One hundred ninety-one Indian reservations require forest management plans. During 1998, 10 forest management plans were completed and an estimated 6 forest management plans expired. The total number of current plans increased to an estimated 75.

BIA participation in the President's Forest Plan has two main components: ecosystem restoration projects and timber harvest initiatives in the Pacific Northwest and Northern California regions. Ecosystem restoration projects improve the quality of fish and riparian habitats in watersheds and streams. During 1998, approximately 175 miles of streams were enhanced and an estimated 70 jobs were created for displaced forest workers. The harvesting of additional timber from Indian forests increased wood supplies for the domestic and export markets and helped the Northwest commercial economy recover from the court-ordered restrictions on timber harvests on Federal lands. During 1998, Indian Tribes received an estimated \$50 million from the additional 100 million board feet of timber that was harvested. Approximately 20 additional jobs were created on or near Indian reservations.

Agricultural and Rangeland Management: The BIA provides technical assistance to the Tribes and over 125,000 Indian operators and producers on improving agriculture and rangeland management practices. Indian irrigation and power systems also support the agricultural and rangeland economies. With about 85 percent of Indian trust lands in active production, Indian operators and producers use about 45 percent of the irrigated acreage, 30 percent of the dry farming acreage, and 75 percent of the rangelands. The remaining lands are leased to non-Indian operators and producers, with emphasis placed on further development of Indian agricultural resources.

Mineral Resources Management: The BIA provides technical assistance and information through geological and economic studies and marketing and training programs to support Indian landowners seeking to manage and develop their mineral resources. The program has been especially active in promoting the production of oil, coal, precious metals, granite, gypsum, sand and gravel, and natural gas resources on Indian lands nationwide that have been identified through four phases of mineral assessment studies. Nationwide revenues from mineral royalties, rents, and other revenues on Indian lands increased from \$166.8 million to \$213.8 million during calendar year 1997. Revenues during the second quarter decreased by \$5.0 million due to a drop in oil prices.

The BIA administered 3,771 mineral leases, licenses, permits, and applications on 1.9 million acres of Indian lands. Indian minerals agreements, and leases continue to have a higher average royalty rate than Federal on-shore leases due to geotechnical studies performed prior to leasing, availability of large blocks of land, and effective negotiations by the major oil and gas-producing Tribes.

Environmental and Cultural Resources Management: The BIA is responsible for environmental and cultural resources management on 56 million acres of Trust lands. The BIA and the Environmental Protection Agency (EPA) have signed a Compliance Assistance Project Memorandum of Understanding, under which EPA will pay to have environmental audits performed at four to six BIA facilities and BIA will undertake corrective actions. The audits will count toward the BIA's progress in meeting a Departmental mandate to institute an auditing program and conduct baseline audits of 100 percent of facilities by the end of 2002. The BIA has formed a workgroup, composed of BIA staff from various parts of BIA and tribal representatives, to develop its ongoing audit program. Major accomplishments during 1998 were achieved in the area of Natural Resource Damage Assessment and Restoration (Restoration Program) on Indian lands. For example, the Washoe Tribe of California and Nevada has taken the responsibility as the Lead Administrative Trustee and the BIA is about to assume the role as Authorized Official, at the Leviathan Mine Site. A Multiple Response and Restoration Program Agreement was established with the responsible party, and remedial action and damage assessment activities are in progress. A nationwide review of Superfund sites in Indian country was also accomplished and work to determine an Restoration Program position at these locations is ongoing.

Real Estate Services: The BIA has significant responsibilities for the management and administration of 56 million acres of tribally owned land and land owned by individual Indians. Major functions include leasing and permitting, lease compliance, rights of way, land acquisition and disposal, preparation and administration of probates, and land records. These activities provide Indian landowners with essential data and assistance to support the management and development of their surface and subsurface land resources, consistent with the trust management role of the Federal government. Trust land leasing activities are a major part of the real estate program and provide a major source of income to owners.

The General Allotment Act of 1887 transferred Indian lands in 40, 80, and 160-acre parcels to individual tribal members and families and opened the remainder of tribally owned lands to non-Indian settlement, resulting in checkerboard patterns of Indian and non-Indian ownership. Over 100 million acres of the Indian trust land base was lost between 1887 and 1934 when enactment of the Indian Reorganization Act of June 18, 1934, stopped further allotment of tribal lands. As the land allotted to individual Indians passed from generation to generation, ownership often has been divided among an increasing number of heirs. It is common for as many as 100 to 300 individuals to hold undivided interests in a single allotment. This division of ownership interest is referred to as fractionation. Currently, it is estimated that there over one million fractionated interests, with many of these interests at two percent or less. Secretary Babbitt submitted a draft bill "...to reduce the fractionated ownership of Indian lands..." to the Congress recommending that the bill be enacted. If enacted, this legislation will reduce further fractionation of ownership in Indian allotments.

Facilities Management

The BIA's Facilities Management and Construction program covers the construction, renovation and repair, maintenance, and operation of educational facilities, residential dormitories, law enforcement, employee quarters, utility and telecommunications systems, and site maintenance. It also oversees the leasing of space for BIA operations where BIA-owned facilities are not available. The management and administration of the BIA's facility program involves many diverse functions that were transferred from the Department to BIA in October 1997. The BIA's Facilities Management and Construction Center is responsible for managing BIA's facilities programs, which includes construction, repair, and operations and maintenance for buildings and other related

facilities such as utility systems, roads, and grounds needed to carry out BIA-funded programs and functions. In 1998, the BIA made tremendous progress in reducing the unobligated balance in its construction projects, mainly because of an increasing emphasis on tribal contracting and grants for projects. The unobligated balance at the end of 1998 was the lowest in seven years—71.1 percent of funds totalling \$158.3 million were obligated.

Deferred Maintenance

In 1998, the BIA began an assessment of its deferred maintenance on a nationwide basis. It was found that over \$8.8 billion was required to meet the maintenance needs of its buildings, schools, detention centers, roads, and bridges. This is in sharp contrast to the \$359.5 million appropriated to BIA in 1998 for these maintenance needs.



Learning computer keyboard skills (photo by Bureau of Indian Affairs)