



**NJOMA 113th Congressional First Session
Legislative Briefing**

2013 Conference:

NJOMA – River of Many Nations

April 14-16, 2013

Minneapolis, MN



NJOMA 113th First Session Congressional Legislative Briefing

AGENDA

- Congressional Advocacy Efforts Since Albuquerque
- Status of Johnson O'Malley FY 2013 Funding
- What to Expect over the next 3 to 6 Months- and Beyond
- Looking Into the Crystal Ball: The Outlook for FY 2014 Funding and
Key Policy Issues & Challenges Facing JOM
- Congressional Budget, Appropriations and Authorization Processes
- What Can You Do??



NJOMA 113th Congressional First Session Legislative Briefing

Congressional Advocacy Efforts Since Albuquerque

- **Developed a Congressional “Warriors” Target List**
 - Members of the Appropriations, Senate Indian Affairs, House Natural Resources Committee;
 - Members with Native Populations
 - Number of Representatives and Senators on list - 160
 - Bonus Item: Have begun to identify Congressional Staff who were JOM students
- **Raised NJOMA Visibility in the U.S. Congress & Senate**
 - **Increased Hill Visits**
 - **Dec. 2012 visit** – 20 offices
 - **Feb. 2013 visit** – 52 offices
 - **March 2013 visit** – 26 offices
- **Number of offices visited to date - 98**



NJOMA 113th Congressional First Session Legislative Briefing

Congressional Advocacy Efforts Since Albuquerque

- What we've been pushing for:
 - 1) Create/authorize a funding mechanism to bring JOM funding in line with school year verses the federal fiscal year.
 - 2) Increase JOM baseline funding from \$21 to \$36 million for FY 2013, and maintain baseline level going forward.
 - 3) Conduct and update JOM student count annually.
 - 4) Re-establish a JOM Coordinator's position within the Bureau of Indian Affairs/Bureau of Indian Education; direct BIA/BIE to perform functions in lieu of ability to hire full-time staff.



NJOMA 113th Congressional First Session Legislative Briefing Status of Johnson O'Malley FY 2013 Funding

Committee Reports

112th Congress (2011-2012)

House Report 112-589

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

The Bureau of Indian Affairs and Bureau of Indian Education (Bureau) were founded in 1824 to establish a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over 1.7 million American Indians and Alaska Natives. In addition, the Bureau provides education programs to American Indians through the operation of 169 schools and 14 dormitories. The Bureau administers more than 56 million acres of land held in trust status. Over 10 million of these acres belong to individuals and 46 million acres are held in trust for Tribes.

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)-----Appropriation enacted, 2012 \$2,367,738,000 *Budget estimate, 2013, 2,379,431,000* Recommended, 2013, 2,404,672,000 *Comparison: Appropriation, 2012+\$36,934,000 Budget estimate, 2013+\$25,241,000

The Committee recommends \$2,404,672,000 for the Operation of Indian Programs, \$36,934,000 above the fiscal year 2012 enacted level and \$25,241,000 above the budget request. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the end of this report. Changes to the budget request follow.

Within Education, the bill includes the following increases: \$12,991,000 to make up half of the projected shortfall in administrative cost grants, which the Committee notes are also contract support costs; and \$1,000,000 for the Johnson-O'Malley (JOM) program.

The Committee is disappointed that the Bureau failed to update its count of students eligible for JOM program funding and to report back to the Committee as directed in House Report 112-331. The Committee directs the Bureau, in coordination with the Department of Education, and in consultation with the Tribes, to update its count of students eligible for the Johnson-O'Malley Program funding and to report the results to this Committee within 180 days of enactment of this Act. In addition, the Committee directs the Bureau to reestablish the full-time permanent Johnson-O'Malley coordinator position that was terminated in 2005.



NJOMA 113th Congressional First Session Legislative Briefing

Status of Johnson O'Malley Funding

FY 2012	FY 2013	Post Sequestration	FY 2014 House	FY 2014 Senate	FY 2014 President	NJOMA Request
\$21.4	\$21.3	\$21.1 (5% cut)	\$20.7	\$21.3+	\$21.2	\$36

House Budget:

- Limits growth in discretionary spending to 2.4% above Sequestration levels in FY 2014.
- Prohibits any general or continuing appropriation providing for advance appropriations that do not fall into certain specified exceptions.

Senate Budget:

- Would fully replace funding cut by Sequestration.
- Provides for an “unallocated increase” in Indian Education programs.

President's Budget:

- Reduces JOM by approximately 1.8% from the pre-sequestration level.
- Does not consider 2012 Student Count update in funding recommendation.

BIE Budget Justification for FY 2014 JOM Funding Recommendation

Johnson-O'Malley Assistance Grants (TPA) [\$13,286,000]:

The majority of American Indian and Alaska Native students attend public schools,. JOM grants provide these students with resources that help them stay in school and increase their chances of success. Typically, these funds provide remedial instruction, counseling, and cultural programs, but may also cover small but important needs such as school supplies and items that enable recipients to participate in curricular and extra-curricular programs. Support programs that increase parents' involvement in the school and in their child's education may also be funded. JOM grants serve students from federally recognized tribes from three years of age through the 12th grade. Priority is given to programs that are on or adjacent to Indian reservations or are located in Oklahoma and Alaska.

Eighty-eight percent of JOM funding is distributed directly to tribes via their base funding through the Self Governance compacts or the Consolidated Tribal Government Programs (CTGP) line item. The table below reflects where the JOM funding can be referenced in the budget.

FY 2013 JOM Funding (\$ 000s)

- JOM (Education) 13,286**
- JOM (Tribal Government — Self Governance) 7,197
- JOM (Tribal Government — CTGP) 895

TOTAL JOM Funding 21,396



**NJOMA 113th Congressional First Session
Legislative Briefing
Status of Johnson O'Malley FY 2013 Funding**

Proposed JOM Language for FY 2014:

The Committee directs the Bureau, in coordination with the Department of Education, and in consultation with the Tribes, to **continue to update its count of students eligible for the Johnson-O'Malley Program funding annually**, with special emphasis on counting the students in Alaskan villages and schools, and to report the results to this Committee within 180 days of enactment of this Act. In addition, **the Committee directs the Bureau to immediately begin performance of the duties and responsibilities otherwise performed under the Johnson-O'Malley coordinators position that was terminated in 2005** and to provide an annual program assessment to Congress as part of the President's budget submission.



NJOMA 113th Congressional First Session Legislative Briefing

What to Expect over the next 3 to 6 and Beyond

- BIE to provide final notice to School Districts and begin disbursing FY 2013 allocations by May 1.
- Allocations to be based on FY 2013 Post Sequestration funding level.
- FY 2014 Budget expected to be finalized through a House-Senate Conference Committee.
- Remaining Congressional Appropriations process to be very combative/contentious.
 - **Natural Resources & Indian Affairs Oversight** [April 15]
 - **Appropriations Committee Hearings** [May 15]
 - **Appropriations Subcommittee Markups begins** [June 1]
 - **Congress completes action on Appropriations Bill** [by Sept 30]

➤ P



NJOMA 113th Congressional First Session Legislative Briefing

Looking Into the Crystal Ball: The Outlook for FY 2014 Funding and Key Policy Issues & Challenges Facing JOM

- Sequestration may still be avoided.... but will still leave the Federal Government with some strict spending limits.
- Congress and Administration reading and implementing spending limits differently.
- Advocacy for program policy changes will be required to become more focused, obtain and present broader Indian Country support.
- Policy that evolves in 2013 likely to determine program direction for the next 4-5 years.
- Need to bring School Districts and students into advocacy efforts.



NJOMA 113th Congressional First Session Legislative Briefing

Looking Into the Crystal Ball: The Outlook for FY 2014 Funding and Key Policy Issues & Challenges Facing JOM

- Meet with Kevin Washburn, Assistant Secretary Indian Affairs
 - Create a working relationship with Secretary Washburn, as the JOM position would be in his office working under his direction

- NJOMA Reception on the Hill – Sept. 2013
 - Recognize Congressional Champions for JOM
Rep. Tom Cole, Rep. Betty McCollum, Rep. Ann Kirkpatrick
Rep. Cynthia Lummis, Sen. Tim Johnson, Sen. Jon Tester
 - JOM Alum Hill Staffers
Kenneth Martin (Rep. Johnson – went to summer camp on JOM)



NJOMA 113th Congressional First Session Legislative Briefing

Congressional Budget, Appropriations and Authorization Processes

Budget Process Dates

August 15th Agencies Begin Preparing
FY 08 Budget Plans

September 30th Agencies Present First Request
to OMB

November 1st OMB Responds to Agencies'
First Request

December 15th Agencies Submit Revised
Requests

January 15th OMB Responds to Agencies'
Revised Requests

January 30th Agencies Final Budget Request
Due to OMB

1 Monday in Feb President's FY 14 Budget
Presented to Congress

May 15th Congressional Budget
Resolution Due

N/A

N/A

September 30th Current Fiscal Year Ends

October 1 New Federal Fiscal Year Begins

Appropriations Process Dates

N/A

N/A

N/A

N/A

N/A

N/A

April 15th FY 14 Discretionary or "602 A"
Spending Allocation Set

May 15th Appropriations Subcommittees
Receive "602 B" Allocations

[May 15th Subcommittees May begin
"Mark-up"]

[June 1st Usual Date Subcommittees
Begin Mark-up]

September 30th Current Fiscal Year Ends

October 1 New Federal Fiscal Year
Begins



NJOMA 113th Congressional First Session Legislative Briefing

What Can You Do??

- ▶ Know Your Program
- ▶ Establish Policy and Advocacy Priorities
- ▶ Continue to push for funding and policy changes from affected sources- expand Congressional Warriors list.
- ▶ Provide better Project Information
- ▶ Understand the Congressional Processes for Budget and Appropriations....timing is everything
- ▶ Expand relationships with Key Players in Congress and Federal Agencies
- ▶ Get Ready to Travel- 4-5 More Trips to DC
- ▶ Generate Broader Community & Business Support
- ▶ Think Federal but act locally
- ▶ Be Realistic.....