
AGENCY OVERVIEW**316 Indian Affairs Commission****Date:** 12/07/2012**Time:** 13:51:00

Statutory Authority

North Dakota Century Code Sections 54-36-03 to 54-36-09.

Agency Description

The North Dakota Indian Affairs Commission is the liaison between the executive branch and the tribal nations of North Dakota. Duties include coordination and mediation service with tribal nations and the state and its agencies regarding interagency communication, protocol, and jurisdictional issues. Additionally, the agency works with tribal governments, their people and communities to enhance capacity in working with the state.

The agency also is responsible for the maintenance and publication of several documents, including but not limited to the, Statewide Directory of American Indian Resources, and historical and contemporary information and research about North Dakota's American Indian citizens. These materials are available in print and for download on the website.

Agency Mission Statement

The Indian affairs commission shall have the power to assist and to mobilize the support of state and federal agencies in assisting Indian individuals and groups in ND, especially the five tribal councils, as they seek to develop their own goals, project plans for achieving those goals, and implement those plans. The Commission's duties are:

- To investigate any phase of Indian affairs and to assemble and make available the facts needed by tribal, state, and federal agencies to work effectively together.
- To assist tribal, state, and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.
- To assist tribal groups in developing increasingly effective institutions of self-government.
- To work for greater understanding and improved relationships between Indians and non-Indians.
- To seek increased participation by Indian citizens in local and state affairs.
- To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.
- To encourage and propose agreements and accords between federal, state, and local agencies and the several tribal governments, and, pursuant to chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when asked by an affected tribe.

Agency Performance Measures

The performance of the North Dakota Indian Affairs Commission is premised upon the goals\pillars of the Governor and those priority issues articulated by tribal leaders. The efficacy of the North Dakota Indian Affairs Commission Offices' efforts and its projects are conducted through monthly correspondence with the Governor's staff-liaison designee, as well as summative reviews as reported to the Governor in cabinet reports and ND tribal leaders through quarterly Commission meetings. Most of the Commission staff work is based on either legislation, statutorily mandated involvement (representation on the Tribal-State Relations Interim legislative Committee for example), state regulatory requirements, or legislation, e.g. Preparation for First Nations Day, specific requests made in Commission meetings; or issues arising out of State Agency or tribal requests.

In 2006, the North Dakota Indian Affairs Commission engaged in a Strategic Planning Process. The goals and objectives are in the developmental stages, and will be subject to change and dependent upon the approval by the Commission. Based on the North Dakota Indian Affairs Commissions' overall Strategic Plan the proposed 2009-11 performance measures are as follows:

1. Develop and Implement a written public relations campaign\plan to create a greater role and clarify its responsibilities, create an awareness of the needs and issues of American Indians in North Dakota; to celebrate the accomplishments of Indian individuals, programs and projects.
2. Gather and facilitate the dissemination of data and statistics and research issues, concerns, and needs that pertain to the American Indian population in the North Dakota.

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3. Facilitate a collaborative relationship between and among private, state/federal agencies and tribal communities as it relates to legislation, education, roads, corrections, state parks, housing, taxation, gaming, commerce, game and fish, social and health needs.
4. Advocate for the design, development and implementation of Tribal initiatives that may include but not limited to water issues, gaming, education, taxes, social and health needs, corrections, state parks, road systems, and housing.
5. Develop a six-year strategic plan in clarifying and narrowing down all areas of on-going projects. Providing long term direction and protocols for achieving successful projects and a format for new ones.

Major Accomplishments

1. Established and completed the 2010, 2011 and 2012 ND Indian Youth Leadership Academy. Forty high school students from across North Dakota participated in a five-day leadership camp. During the camp, nationally known native American speakers came and provided sessions on wellness, spirituality, leadership, career development, values and culture.
2. Reorganized the American Indian Business Development Office with the ND Department of Commerce. Completed inventory of all native American owned businesses in North Dakota. Developed the new Indian Business Alliance of North Dakota and hosted Tribal Economic Summits/Conference.
3. Continued creating partnerships and memorandums of agreements and understanding between tribal entities and non-tribal entities.
4. Continued building and fostering working relations between state government agencies and tribal agencies.
5. Updated the Resource Information Guide (formerly called the Indian Affairs Directory) that became available in the fall of 2009. The NDIAC Resource Information Guide can be viewed on the NDIAC website. This guide will be updated every tribal election.
6. Established and continued to co-chair the ND Indian Education Advisory Committee in partnership with ND Department of Instruction, and continued to work directly with all ND Tribal Colleges and the ND University Systems.

Future Critical Issues

American Indians within the state are the only naturally growing segment of the population. This growth is having an increased impact on infrastructure, oil-energy development, schools and human services in North Dakota. A state-embraced and formalized structure to address these increasingly complex issues is imperative to the future of North Dakota. While the issues confronting state-tribe relations are increasingly more complex, the ability for the NDIAC to singularly respond to these issues is increasingly more challenging. Until the authorization of one FTE (American Indian Education Program Administrator), the staffing of the Commission office has remained unchanged since its inception. The small NDIAC staff is inadequate compared to other agencies having similar functions and responsibilities. The Commission staff, at times, is limited in its capacity to address issues beyond basic information sharing, networking and coordination functions. From an administrative leadership standpoint, the ability to provide focused and sustained support is challenging but is being performed at a much higher level than in previous years. The Executive Director spends 85,0 percent of his time in meetings between state and tribal committees, boards and on travel throughout North Dakota.

REQUEST SUMMARY

316 Indian Affairs Commission
Biennium: 2013-2015

Bill#: SB2005

Date: 12/07/2012

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
By Major Program					
Indian Affairs Administration	660,119	825,206	(65,963)	759,243	161,507
Total Major Program	660,119	825,206	(65,963)	759,243	161,507
By Line Item					
Salaries and Wages	524,460	603,701	18,994	622,695	154,564
Operating Expenses	117,659	221,505	(84,957)	136,548	6,943
Federal Stimulus Funds-2009	18,000	0	0	0	0
Total Line Items	660,119	825,206	(65,963)	759,243	161,507
By Funding Source					
General Fund	642,119	825,206	(65,963)	759,243	161,507
Federal Funds	18,000	0	0	0	0
Special Funds					
Total Funding Source	660,119	825,206	(65,963)	759,243	161,507
Total FTE	4.00	4.00	0.00	4.00	1.00

REQUEST DETAIL316 Indian Affairs Commission
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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	373,584	429,548	21,364	450,912	111,288
Temporary Salaries	9,393	9,428	(9,428)	0	0
Overtime	390	100	(100)	0	0
Fringe Benefits	141,093	164,625	7,158	171,783	43,276
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
Total	524,460	603,701	18,994	622,695	154,564
Salaries and Wages					
General Fund	524,460	603,701	18,994	622,695	154,564
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	524,460	603,701	18,994	622,695	154,564
Operating Expenses					
Travel	26,246	50,000	(10,000)	40,000	5,000
Supplies - IT Software	1,032	600	0	600	5,000
Supply/Material-Professional	3,703	7,000	(6,000)	1,000	0
Food and Clothing	1,193	10,000	(4,000)	6,000	0
Bldg, Ground, Maintenance	0	0	0	0	0
Miscellaneous Supplies	3,402	15,200	(10,000)	5,200	0
Office Supplies	7,216	10,000	(1,500)	8,500	1,000
Postage	674	2,000	(1,000)	1,000	0
Printing	5,512	3,500	(2,500)	1,000	0
IT Equip Under \$5,000	0	3,500	0	3,500	0
Other Equip Under \$5,000	1,171	2,000	0	2,000	0
Office Equip & Furn Supplies	7,065	11,000	(9,957)	1,043	5,000
Insurance	1,405	1,000	0	1,000	0
Rentals/Leases - Bldg/Land	1,326	11,000	(7,000)	4,000	6,000
IT - Data Processing	8,712	10,000	0	10,000	0
IT - Communications	13,541	12,000	0	12,000	720
IT Contractual Srvcs and Rprs	1,234	705	0	705	0
Professional Development	17,334	47,000	(23,500)	23,500	(15,777)
Operating Fees and Services	5,909	20,000	(5,000)	15,000	0
Fees - Professional Services	10,968	5,000	(4,500)	500	0
Medical, Dental and Optical	16	0	0	0	0
Total	117,659	221,505	(84,957)	136,548	6,943

Operating Expenses

REQUEST DETAIL

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
General Fund	117,659	221,505	(84,957)	136,548	6,943
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	117,659	221,505	(84,957)	136,548	6,943
Federal Stimulus Funds-2009					
Grants, Benefits & Claims	18,000	0	0	0	0
Total	18,000	0	0	0	0
Federal Stimulus Funds-2009					
General Fund	0	0	0	0	0
Federal Funds	18,000	0	0	0	0
Special Funds	0	0	0	0	0
Total	18,000	0	0	0	0
Funding Sources					
General Fund	642,119	825,206	(65,963)	759,243	161,507
Federal Funds	18,000	0	0	0	0
Special Funds	0	0	0	0	0
Total Funding Sources	660,119	825,206	(65,963)	759,243	161,507

CHANGE PACKAGE SUMMARY

316 Indian Affairs Commission
Biennium: 2013-2015

Bill#: SB2005

Date: 12/07/2012

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
<u>Base Budget Changes</u>						
One Time Budget Changes						
A-E 1 Remove Suicide Prevention Program		0.00	(75,000)	0	0	(75,000)
Total One Time Budget Changes		0.00	(75,000)	0	0	(75,000)
Ongoing Budget Changes						
A-A 1 Operational Changes		0.00	(9,957)	0	0	(9,957)
Base Payroll Change		0.00	18,994	0	0	18,994
Total Ongoing Budget Changes		0.00	9,037	0	0	9,037
Total Base Budget Changes		0.00	(65,963)	0	0	(65,963)
<u>Optional Budget Changes</u>						
Ongoing Optional Changes						
A-C 1 Native American Health System Program Administra	2	1.00	184,284	0	0	184,284
Total Ongoing Optional Changes		1.00	184,284	0	0	184,284
Total Optional Budget Changes		1.00	184,284	0	0	184,284
<u>Optional Savings Changes</u>						
A-G 1 3% Optional Savings	1	0.00	(22,777)	0	0	(22,777)
Total Optional Savings Changes		0.00	(22,777)	0	0	(22,777)

BUDGET CHANGES NARRATIVE

316 Indian Affairs Commission

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Change Group: A	Change Type: A	Change No: 1	Priority:
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Operational Changes

Reduced office equipment and furniture, do not anticipate as high a need in the upcoming biennium.

Change Group: A	Change Type: C	Change No: 1	Priority: 2
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Native American Health System Program Administrator

The need for an FTE with the ND Indian Affairs Commission will be vital link in establishing routine contact with the CMS Regional Office Native American Contact. Become an expert on health care initiatives impacting Native Americans, including provisions of the Indian Health Care Improvement Act and the Affordable Care Act. Monitor the discussion and actions taken by Interim Legislative Committees (Human Services, Health Services, Health Care Reform). Learn the Department of Human Services programs and funding sources and assist Tribes in ensuring that reimbursement is sought for appropriate services (targeted case management, transportation, home and community-based services, health management, tobacco cessation counseling, etc.). Facilitate responses from Tribes to Medicaid consultation opportunities. Assist in capturing agenda items and foster involvement in Tribal Health/IHS/Indian Affairs Commission/DHS meetings (3 times per year). Work directly with ND American Dental Association. Channel concerns about access to services, quality of services, or eligibility activities from the Tribes to the Department of Human Services and Dept. of Health. Help monitor and create stronger communication systems between state, tribe, county for Social Service Programs. Monitor federal grant opportunities and work with Tribes to explore submission of requests. Work with the Department of Human Services, Medical Services Division to explore options for using the work of the Streamlined Provider Screening and Enrollment vendor to improve the IHS provider credentialing process. Work with the ND Tribal Colleges and partner with the NDSU-Master in Public Health Program and also with the UND INMED Program. Help conduct research and studies throughout the ND Tribes. Work directly with Sanford Behavioral Health program and the ND Hospital Association. Serve on various State, Tribal and local health boards/committees assigned by the Executive Director. Participate with the Great Plains Tribal Chairman's Health Board. These areas of systems are complex and at times do not relate to the betterment of a health system for tribal members living on and off the reservations throughout ND.

Change Group: A	Change Type: E	Change No: 1	Priority:
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Remove Suicide Prevention Program

The ND Indian Affairs Commission (NDIAC) is very grateful to the ND Legislators for their commitment in providing support and appropriations of 75K for suicide prevention that relates to our ND Tribes.

In evaluating the allocation and the programming of these funds, it is my recommendation that the NDIAC will not be seeking additional funding for the upcoming 2012-14 biennium. The NDIAC has worked very closely with all the ND Tribes and the ND Department of Health and Human Services (NDHS) in providing short term grants to the ND tribes for their suicide prevention efforts. I feel confident that NDHS will continue that role in the coming 2012-14 biennium and will support their efforts to do so.

Change Group: A	Change Type: G	Change No: 1	Priority: 1
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3% Optional Savings

The North Dakota Indian Youth Leadership Academy (NDIYLA) creates and fosters an environment for Native youth to learn and develop leadership skills which will open doors for them in their local communities, the State of North Dakota, and throughout the United States. The mission of NDIYLA is to design, develop, and implement a wide range of leadership programs that will advance the spiritual, intellectual, emotional, and physical growth of Academy students. The goals of NDIYLA are as follows.

To begin and sustain a process of developing future leaders from within the North Dakota's existing Native youth population.

To build positive relationships between students so that they can share with, and learn from, each other, as well as learn about the other tribes in the State.

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To teach students about topics important to Native communities such as education, the environment, water rights, land and realty, tribal constitutions, the ND Constitution, public speaking, acting, group dynamics, leadership, teamwork, cultural events participation and much more.

To invite NDIYLA alumni and Native American speakers to mentor youth and serve as role models for developing future Native American Leaders for tomorrow.

The appropriated budget has been \$60,000 per biennium since 2009. By cutting this budget by 3% would dramatically change the course of NDIYLA and effect the growing student participation by more than half. It is my hope that this 3% would remain for this coming biennium.

Change Group: R	Change Type: A	Change No: 1	Priority:
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Native American Health System Program Administrator

Provides funding for 1.00 FTE as a liaison between tribal populations and human services, health department and other state programs; and to assist the director with representation on various boards and committees.

Change Group: R	Change Type: A	Change No: 100	Priority:
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Executive Compensation Package Adjustment

This budget change provides funding for recommended 2013-15 compensation adjustments. Compensation adjustments for each agency were calculated following the recommendations of the Hay Group developed through the 2011 study of the state's classified employee compensation system. Pursuant to those recommendations, compensation adjustments were calculated to provide funding to allow for both performance-based salary adjustments and market-based salary adjustments. This funding allows for increases of 2% to 4% for employees in the first quartile of the pay range and 1% to 2% for those in the second quartile of the range. For employees in the third and fourth quartiles, which are above the market policy position, no market policy increase is funded. Performance-based increases are assumed to be 3% for employees meeting performance standards and up to 5% for employees exceeding performance standards. No performance-based increases are provided for employees that fail to meet performance standards.