MAY 2022 TRIBAL CONSULTATION FOLLOW-UP QUESTIONS FOR OMB

OMB's Tribal Consultations are in accordance with OMB's Tribal Consultation Plan of Actions, which was developed pursuant to President Biden's January 26, 2021, "Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships." OMB is committed to implementing these actions, and as a follow-up from our May Tribal consultation on the President's 2023 Budget, OMB has provided the following responses to some of the questions received during the consultation.

TRIBAL QUESTION	RESPONSIBLE OFFICE	OFFICE RESPONSE
Can Indian Health Service (IHS) explain why there were not more funding increases in President's Budget?	Public Health Branch	Building on the Administration's commitment to Indian Country, the Budget significantly increases funding over the next ten years to address unmet health needs Indian Country. It makes high-impact investments that will expand access to healthcare services, modernize aging facilities and information technology infrastructure, and address urgent health issues, including HIV and Hepatitis C, maternal mortality, and opioid use. It also includes funding to improve healthcare quality, enhance operational capacity, fully fund operational costs for Tribal health programs to support tribal self-determination, and recruit and retain healthcare. After FY 2023, the Budget continues to grow the IHS to keep pace with healthcare costs and population growth and gradually close longstanding service and facility shortfalls over a five-year period. This historic proposal will allow IHS to provide a more equitable level of care to Native Americans and Alaskan Natives, and to efficiently plan the use of its resources to deliver quality care to patients. We look forward to engaging in more dialogue with Tribes on this topic during
How will the new IHS special funds be administered? Grants, recurring tribal shares, or recurring HQ funding?	Public Health Branch	future consultations. The Budget does not propose any changes to current IHS allocation and execution policies or structures. IHS would continue to distribute funding under existing mechanisms, including Indian Self-Determination and Education Assistance Act agreements with Tribal Health Programs and Federal

¹ To view OMB's April 2021 Plan of Actions, please visit: https://www.whitehouse.gov/wp-content/uploads/2021/07/OMB-Tribal-Consultation-Plan-of-Actions.pdf.

² To view President Biden's January 26, 2021, "Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships," please visit: Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships | The White House.

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		Acquisition Regulation contracts with Urban Indian Organizations. As always, if any new funds or programs are appropriated or authorized, IHS will engage in consultation prior to the administration and execution of the funds.
How will the resources reach everyone in Indian Country?	Interior Branch	More than ten bureaus and offices within DOI receive funding to support American Indians and Alaska Natives. The benefits of the funding, both discretionary and mandatory, are provided in a variety of ways, including funding provided directly to Tribes through compacts/contracts, Federal FTEs that support Tribal programs, loan guarantees to support economic development, and funding to support Tribal infrastructure. Funding amounts by bureau and office, as well as a description of how the funds are expended, are provided in the FY 2023 Native American Funding Crosscut and the accompanying FY 2023 Native American Funding Crosscut Appendix located at: Tribal Consultation The White House. Further details on DOI programs can be found in each respective bureau's and office's Congressional Justification located at: https://www.doi.gov/budget/appropriations/2023 . We look forward to engaging in more dialogue with Tribes on this topic during future consultations.
Does the \$36 Billion in IHS include third party collections?	Public Health Branch	No. The Budget does not propose changes to the allocation or distribution of third-party collections.
Will CSC, 105(1), and Special Diabetes Program for Indians (SDPI) compete with the IHS for mandatory funding dollars?	Public Health Branch	No, as is current practice, these programs will not compete with other IHS accounts or programs for mandatory funding. The Budget proposes to shift all IHS accounts from discretionary to mandatory. The CSC and section 105(1) leases accounts will continue to be indefinite and separate from the IHS Services and Facilities accounts. For SDPI, the Budget assumed current law funding levels for FY 2023.
The IHS budget proposal needs additional work. Can IHS, HHS, and OMB commit to continued engagement with the national work group to refine the proposal?	Public Health Branch	The Administration looks forward to working in consultation with tribes, urban Indian organizations, and Congress to refine this historic proposal through the legislative process and ensure funding is implemented properly. HHS is currently in the process of setting up a federal and tribal workgroup to refine this historic proposal. HHS will also continue its practice of holding annual Tribal Consultation to inform formulation of the President's Budget.
Why did BIE and BIA request less of a fixed cost	Interior Branch	In general, Fixed Costs represent increases in non- programmatic, obligatory costs Bureaus/Offices incur as part of day-to-day operations (salary, benefits,

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increase than other agencies?		unemployment, rent, Departmental Working Capital Fund central bill charges, etc.). Fixed Costs are calculated centrally to ensure consistent application of calculation methodologies across Bureaus/Offices in the Department for each Fixed Cost Category. Fixed Cost levels will naturally vary between Bureaus and Offices based on relevant factors in the calculation. For example, pay-related impacts (pay raise, changes in number of paid days, impact of employer contribution for FERS, etc.) will vary based on the number of FTE in a given Bureau/Office. Though the approach to calculating each Fixed Cost variable is consistently applied across the Department, the results will vary based on the inputs from each Bureau/Office.
Will OMB consider hosting Zoom consultations in place of over the phone?	Interior Branch	OMB is considering using Zoom as an option for hosting Tribal consultations in the future. Given constraints, with staff capacity and Zoom functionality, we have used the AT&T phone option. This option provides most of the logistical support such as a project operator, who assists with managing the speakers, guest, and overall quality of the consultation, minimizing any possible technical issues during the consultation. OMB looks forward to engaging in more dialogue with Tribes on ways to improve our consultation experience.