

# 2012 Current Fiscal Year Report: No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee

Report Run Date: 04/27/2024 04:58:55 AM

<b>1. Department or Agency</b>		<b>2. Fiscal Year</b>	
Department of the Interior		2012	
<b>3. Committee or Subcommittee</b>		<b>3b. GSA Committee No.</b>	
No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee		72547	
<b>4. Is this New During Fiscal Year?</b>	<b>5. Current Charter</b>	<b>6. Expected Renewal Date</b>	<b>7. Expected Term Date</b>
No	01/04/2010	01/04/2012	01/04/2012
<b>8a. Was Terminated During Fiscal Year?</b>	<b>8b. Specific Termination Authority</b>		<b>8c. Actual Term Date</b>
Yes			01/04/2012
<b>9. Agency Recommendation for Next Fiscal Year</b>	<b>10a. Legislation Req to Terminate?</b>		<b>10b. Legislation Pending?</b>
Terminate	No		
<b>11. Establishment Authority</b> Statutory (Congress Created)			
<b>12. Specific Establishment Authority</b>	<b>13. Effective Date</b>	<b>14. Committee Type</b>	<b>14c. Presidential?</b>
25 U.S.C. 2001 et seq.	01/08/2002	Continuing	No
<b>15. Description of Committee</b> Regulatory Negotiations Committee			
<b>16a. Total Number of Reports</b> 1			
<b>16b. Report Date</b>	<b>Report Title</b>		
12/01/2011	Broken Promises, Broken Schools: Report of the No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee		
<b>Number of Committee Reports Listed:</b> 1			

17a. 0 17b. Closed0 17c. Partially Closed0 Other Activities0 17d. Total0  
Open

### Meetings and Dates

No Meetings

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$2,806.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$48,265.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$8,779.00	\$0.00
18d. Total	\$59,850.00	\$0.00
19. Federal Staff Support Years (FTE)	0.20	0.00

### 20a. How does the Committee accomplish its purpose?

The No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee accomplishes its purpose by meeting to prepare reports for the Secretary of the Interior regarding Bureau-funded school facilities.

### 20b. How does the Committee balance its

**membership?**

The Secretary chose from nominations submitted by Indian tribes and others whose students attend Bureau-funded schools (operated either by the Bureau, or by a tribe through a contract or grant). To the maximum extent possible, the proportional representation of tribes on the committee reflects the proportionate share of students from tribes served by the Bureau-funded school facilities. In addition, the Secretary considered the balance of representation with regard to geographical location, size, and type of school and facility, as well as the interests of parents, teachers, administrators, and school board members, in selecting tribal committee representatives.

**20c. How frequent and relevant are the Committee Meetings?**

The Committee prepared their report and submitted it to the Secretary of the Interior. There were no meetings in FY 2012.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

The NCLB school facilities negotiated rulemaking committee will prepare and submit to the Secretary of the Interior the following: (1) A catalog of school facilities that includes the components required by 25 U.S.C. 2005(a)(5)(A)(i)(I)“C(V);(2) A report that determines the school replacement and new construction needs of the interested parties, and a formula for the equitable distribution of funds to address those needs, based on the requirements of 25 U.S.C. 2005(a)(5)(A)(ii);(3) A report that determines the major and minor renovation needs of the interested parties, and a formula for the equitable distribution of funds to address these needs, based on the requirements of 25 U.S.C.

2005(a)(5)(A)(iii); and(4) Proposed revisions to the national facilities standards for home-living (dormitory) situations, based on the requirements of 25 U.S.C. 2002(a)(1).

**20e. Why is it necessary to close and/or partially closed committee meetings?**

N/A

**21. Remarks**

The Committee prepared their final report and submitted it to the Secretary. The report contains comprehensive information about the conditions and funding needs of facilities at Bureau of Indian Affairs funded schools, as required by the No Child Left Behind Act of 2001. Costs were incurred this fiscal year by Federal Staff and Consultants in finalizing the report before the Committee terminated on January 4, 2012.

**Designated Federal Officer**

Michele F. Singer DFO

Committee Members	Start	End	Occupation	Member Designation
Anderson, Gregory	01/04/2010	01/04/2012	Muscogee (Creek) Nation of Oklahoma	Representative Member
Azure, Janice	01/04/2010	01/04/2012	Turtle Mountain Band of Chippewa	Representative Member
Begay, Jimmy	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Begay, Margie	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Blueeyes, Faye	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Brown, Gerald	01/04/2010	01/04/2012	Confederated Salish and Kootenai Tribe	Representative Member
Cheek, Jacquelyn	01/04/2010	01/04/2012	Bureau of Indian Education	Regular Government Employee (RGE) Member

Clausen-Jensen, Kim	01/04/2010	01/04/2012	Oglala Sioux Tribe	Representative Member
Colhoff, Fred	01/04/2010	01/04/2012	Oglala Sioux Tribe	Representative Member
Culbreath, Joy	01/04/2010	01/04/2012	Choctaw Nation of Oklahoma	Representative Member
DeHose, Judy	01/04/2010	01/04/2012	White Mountain Apache Tribe	Representative Member
Eskeets, Emerson	01/04/2010	01/04/2012	Office of Facilities Management and Construction	Regular Government Employee (RGE) Member
Gilbert, Regina	01/04/2010	01/04/2012	Office of Regulatory Affairs and Collaborative Action	Regular Government Employee (RGE) Member
Gross, Shirley	01/04/2010	01/04/2012	15 Tribes of North Dakota, South Dakota and Nebraska	Representative Member
House, Jerald	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Hudson, Lester	01/04/2010	01/04/2012	Navajo Nation	Representative Member
In The Woods, Bryce	01/04/2010	01/04/2012	Cheyenne River Sioux Tribe	Representative Member
Leader Charge, Fred	01/04/2010	01/04/2012	Rosebud Sioux Tribe	Representative Member
Lovesee, Alan	01/04/2010	01/04/2012	Choctaw Nation of Oklahoma	Representative Member
Lujan, Frank	01/04/2010	01/04/2012	Pueblo of Isleta	Representative Member
Martine-Alonzo, Nancy	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Ojaye, Betty	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Porter, James	01/04/2010	01/04/2012	Office of the Solicitor / Division of Indian Affairs	Regular Government Employee (RGE) Member
Redman, Alfred	01/04/2010	01/04/2012	Northern Arapaho Tribe	Representative Member
Rever, John	01/04/2010	01/04/2012	Office of Facilities, Environmental and Cultural Resources	Regular Government Employee (RGE) Member

Riel, Brenda	01/04/2010	01/04/2012	Office of the Solicitor / Division of Indian Affairs	Regular Government Employee (RGE) Member
Roessel, Charles	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Tah, Andrew	01/04/2010	01/04/2012	Navajo Nation	Representative Member
Talayumptewa, David	01/04/2010	01/04/2012	Bureau of Indian Education	Regular Government Employee (RGE) Member
Taylor, Arthur	01/04/2010	01/04/2012	Nez Perce Tribe	Representative Member
Tracey, Willie	01/04/2010	01/04/2012	Navajo Nation	Representative Member
White Bull, Merrie	01/04/2010	01/04/2012	Cheyenne River Sioux Tribe	Representative Member
Witt, Jerome	01/04/2010	01/04/2012	Oglala Sioux Tribe	Representative Member
Wright, Catherine	01/04/2010	01/04/2012	Hopi Tribe	Representative Member
Yazzie, Albert	01/04/2010	01/04/2012	Navajo Nation	Representative Member
York, Kennith	01/04/2010	01/04/2012	Mississippi Band of Choctaw Indians	Representative Member
Zah Bahe, Lorena	01/04/2010	01/04/2012	Navajo Nation	Representative Member

### **Number of Committee Members Listed: 37**

### **Narrative Description**

The objective of the Committee is to prepare and submit to the Secretary of the Interior: A. A catalog of school facilities ((25 U.S.C. § 2005(a)(5)(A)(i));B. A report on the school replacement and new construction needs of the interested parties, and a formula for the equitable distribution of funds to address those needs (25 U.S.C. § 2005(a)(5)(A)(ii));C. A report on the major and minor renovation needs of the interested parties, and a formula for the equitable distribution of funds to address such needs (25 U.S.C. § 2005(a)(5)(A)(iii)); andD. Revised national standards for heating, lighting, and cooling in home-living (dormitory) situations (25 U.S.C. 2002(a))

**What are the most significant program outcomes associated with this committee?**

	Checked if Applies
Improvements to health or safety	<input checked="" type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

**Outcome Comments**

A negotiated rulemaking committee is a permissible means of revising home living (dormitory) standards, as mandated at 25 USCS § 2002(a)(1), and authorized by 5 U.S.C. § 563.

**What are the cost savings associated with this committee?**

	Checked if Applies
None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

**Cost Savings Comments**

**What is the approximate Number of recommendations produced by this committee for the life of the committee?**

0

**Number of Recommendations Comments**

The Committee prepared their final report and submitted it to the Secretary. The report contains comprehensive information about the conditions and funding needs of facilities at Bureau of Indian Affairs funded schools, as required by the No Child Left Behind Act of 2001. Facilitators, committee members and federal staff will continue to: -Finalize report and distribute to Congress, Secretary, and others (Fall/Winter 2011) -Prepare and publish Federal Register Notice, including consultation themes and responses -Convert recommendations into updated Indian Affairs policies -Consider regulations for formulas

**What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?**

0%

**% of Recommendations Fully Implemented Comments**

The Committee prepared their final report and submitted it to the Secretary. The report contains comprehensive information about the conditions and funding needs of facilities at Bureau of Indian Affairs funded schools, as required by the No Child Left Behind Act of 2001. Facilitators, committee members and federal staff will continue to: -Finalize report and distribute to Congress, Secretary, and others (Fall/Winter 2011) -Prepare and publish Federal Register Notice, including consultation themes and responses -Convert recommendations into updated Indian Affairs policies -Consider regulations for formulas

**What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?**

0%

**% of Recommendations Partially Implemented Comments**

The Committee prepared their final report and submitted it to the Secretary. The report contains comprehensive information about the conditions and funding needs of facilities at Bureau of Indian Affairs funded schools, as required by the No Child Left Behind Act of 2001. Facilitators, committee members and federal staff will continue to: -Finalize report and distribute to Congress, Secretary, and others (Fall/Winter 2011) -Prepare and publish Federal Register Notice, including consultation themes and responses -Convert recommendations into updated Indian Affairs policies -Consider regulations for formulas

**Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?**

Yes ☒ No ☐ Not Applicable ☐



## Agency Feedback Comments

The Bureau of Indian Affairs and the Bureau of Indian Education works closely with the Committee.

## What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

## Action Comments

The Committee prepared their final report and submitted it to the Secretary. The report contains comprehensive information about the conditions and funding needs of facilities at Bureau of Indian Affairs funded schools, as required by the No Child Left Behind Act of 2001.

## Is the Committee engaged in the review of applications for grants?

No

## Grant Review Comments

No grants were reviewed.

## How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

## Access Comments

<http://www.bia.gov/WhoWeAre/ASIA/ORM/Rulemaking/index.htm>

