

Tribal Nations Grant Fund
Tribal Consultation Summary
Sacramento—Tuesday, June 29, 2017

The following questions/comments are a summary of the TNGF Tribal Consultation held in Sacramento at the California Gambling Control Commission. While we have done our best to accurately capture the comments made by the participants, we encourage all participants to provide written comments by July 13, 2017. There were twenty-nine people in attendance representing twenty tribes.

Application Process:

- How will grants for limited gaming and non-gaming tribes be evaluated to ensure competitiveness and non-bias?
- The funds belong to the tribes and some tribes are fundamentally opposed to any grant process. The government should have no authority in dispersing the funds.
- More tribes should be consulted for the TNGF.
- Community and local governments should not have input on the grant process, only tribes should have input.
- Are grants to be distributed pro rata?
- “Competitive” needs to be clearly defined.
- Equal distribution of funds won’t be productive nor will it be in the best interest of the tribes and tribal members.
- Were tribes consulted when the tribal compacts were negotiated for the TNGF?
- Can the funds be utilized for projects already in progress?
- True non gaming tribes are the tribes that need grant funds the most.
- In the original summary, it states that if there are no applicants, it would be discretionary whether the funds would be distributed or not, what does this mean?
- Feels fortunate for this opportunity and the tribe is used to competition.

- Some tribes are opposed to the TNGF.
- The money in the TNGF can be a true game changer for non-gaming tribes. Let's not fight about something we can't change. The fund is already in 18 compacts. The process should be supported so the money can be disbursed quicker, otherwise, it will delay the money getting to the tribes that need it.
- There will never be an unbiased process, but the application and decision-making processes should strive to create a fair process.
- There shouldn't be restrictive time limits on use of grants.
- Site visits would help to understand the applicant's needs.

Decision Making Committee/PANEL:

- A point system for evaluating and awarding grants would be best to reduce bias.
- Employ a two-phase process for selecting grants.
 - Phase 1: Determine the viability of grants.
 - Phase 2: Select from the grants deemed most viable.
- Neither a point system for awarding grants nor a timeframe for utilizing grant funds would be effective or fair. The tribes should be able to apply throughout the year, whenever they had a project.
- A review committee with a familiarity/background in grant writing, whose role and authority will be determined by the panel, should be created to assist the panel.
- The panel should be comprised of members selected by the Tribal Chairmen's Associations (North, Central, Southern).
- Not all tribes belong to the Tribal Chairmen's Associations.
- If the Governor selects the panel, his selection should adhere to criteria established by the tribes.
- The panel should be Tribal leaders.

- Mandating that panel members recuse themselves from grant requests from their region would eliminate bias and local politics from influencing decisions.
- Applications should not be read from tribes from the same region because politics could affect a tribe's application from being funded.
- An outside party should review the grants to ensure fairness.
- Is there a format for the submission of grants?
- Unbiased and clearly defined policy, procedures, and rules should drive the selection process and would ensure objectivity in awarding grants.
- An appeals process should be established via legislation to avoid litigation and provide clarity.
- The panel should establish all rules and procedures for the selection and awarding of grant funds through consultation with the tribes.
- Grants could be scored blindly (remove/black out the name of the tribe on the application during the review process) to prevent bias and politics from interfering in decision-making.
- A process for allowing every tribe to eventually receive a grant should be established.
- The panel should consist of members that ensure every type of tribe (gaming, non-gaming, landless, etc.) be represented.
- Keep in mind the hard work of previous tribal leaders who contribute to RSTF/TNGF.
- The tribes should select the panel, not the Governor.
- Regional representation doesn't work because central has half the amount of tribes for the whole state.
- Regional representation for the composition of the panel could work if criteria for representation included certain categories related to gaming/non gaming.

Administration/Audits:

- What is the role of the Tribal Advisor, and will that position have any authority/veto power over the panel?
- The bill language should clarify that audit reports should be narrow in scope and only pertain to grant funds, not to other tribal information or finances.
- An audit of some sort is supported to ensure accountability.
- Use of SDF for administration of the grant poses a legal question.
- The limited waiver of tribal sovereignty is strongly opposed by all tribes in the room.
- Remove the limited waiver of sovereign immunity and Tribal attorneys will submit language to ensure accountability.
- Language should be added to the bill to exempt the TNGF from the Public Records Act.
- The Tribal Advisor should be California Indian from a federally recognized tribe.
- Meetings should be done in open forum.
- There should be an appeals process in legislation.
- There needs to be a system designed for fair implementation.

Revenue Sharing Trust Fund (RSTF):

- What happens to the RSTF when the 1999 compacts expire?