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Assistant Secretary of the Interior Eddie F. Brown today announced approval of historic agreements giving five Indian Tribes greatly increased authority in the budgeting and spending of federal funds for Bureau of Indian Affairs (BIA) programs. "This is a major step toward giving tribal governments full authority and responsibility for governing their reservations," according to Brown, assistant secretary for Indian Affairs. "These agreements are historic for these tribes and for the BIA."

The tribes are the Quinault Indian Nation, Taholah, Wash.; Lummi Indian Nation, Bellingham, Wash.; Jamestown Klallam Indian Tribe, Sequim, Wash.; Hoopa Valley Indian Tribe of Hoopa, Calif.; and the Cherokee Nation of Tahlequah, Okla. Brown signed the three-year agreements as part of a self-governance demonstration project authorized under a 1988 law. "The tribes will assume the responsibility for budgeting and spending most BIA funds being spent on their behalf at the agency, area and central office levels. The tribes will also have the ability to operate programs with minimal regulation and record-keeping requirements and will have the ability to shift funds between programs. These agreements reflect the dynamism of tribal governments as they establish new relationships with the Bureau that transfer the administration of BIA programs to themselves. I congratulate those tribes for their desire to move out front in this big step," Brown added.

Terms of the agreements allow the five tribes to administer and redesign existing BIA programs according to tribal priorities and to receive direct funding from BIA's annual budget appropriations. Under the terms of the authorizing legislation, a total of 20 tribes can participate in the demonstration project. William Bettenberg, an assistant to Interior Secretary Manuel Lujan, acted as Interior's chief negotiator with the · Indian tribes.

"I was impressed with the level of sophistication of the tribes," Bettenberg said. "I found all of the tribes interested not only in their individual demonstration program but also in the viability of the self-governance concept. They all want the demonstration to succeed and to use the agreements and their performance to 'showcase' the viability of this new approach." While the agreements with the five tribes are similar in format, they differ somewhat in the specific programs and funds that are being transferred to the tribes and those that the United States is retaining. The agreements provide adequate audit and recordkeeping provisions, and exclude funds for programs that are specifically restricted. Authorizing legislation also required that the Secretary of the Interior not "waive, modify or diminish in any way the trust responsibility of the United States." Each agreement provides for the Secretary to monitor trust resources to insure that they are protected.

Other key provisions of the agreements include program consolidation, program flexibility and redesign, program standards or rules, and the effect of current regulations. Essentially, each tribe starts with the program rules currently in place but is then given broad flexibility to establish its own standards and to shift resources based on its own priorities and procedures. An expedited process is provided for securing waivers of Federal regulations. The demonstration projects will be monitored over the next several years to document changes in program direction and performance. The total funds to be administered by the five tribes for fiscal year 1991 beginning on October 1 when the agreements become effective are: Quinault, $3.9 million; Lummi, $2.2 million; Hoopa Valley, $2.0 million;

Jamestown Klallam, $687,000; and Cherokee, $6.1 million. New annual funding agreements will be negotiated for the two remaining fiscal years of the agreement. If at any time a tribe decides that it does not want to continue to administer any, or all, of the programs, it may retrocede the programs and funding to the Department.

The agreement with the Cherokees will have the effect of eliminating the BIA agency office. In the case of the other four tribes, some programs at both the area and agency levels are assumed but, since those tribes are served by multi-tribe agencies, no agency offices would be eliminated at this time. It is estimated that the changes will result in the elimination of 20-30 full-time BIA positions.
