

United States Department of Interior
Office of the Secretary
Washington, DC 20240

Distributed to: consultation@bia.gov

Re: E.O. 13871, 82 Fed. Reg. 13959

MORONGO
BAND OF
MISSION
INDIANS



A SOVEREIGN NATION

**Morongo Band of Mission Indians
Comments on the Proposed Reorganization of the Department of the Interior**

July 15, 2017

On behalf of the Morongo Band of Mission Indians, I am pleased to submit the below testimony in response to the Department's request for information on how it can better fulfill its trust responsibility to Native American tribes.

With the election of President Donald Trump, and clear majorities in both the House and Senate, it is clear that the American people have embraced the Republican Party principles of limited federal government and self-reliance. It is our hope that the Department of the Interior will embrace these principles and incorporate them into any potential restructure of the Department.

As you know, there are two ways for tribal governments to receive assistance from the federal government: direct service and self-governance. At Morongo, we believe in self-governance.

In our experience, tribal programs are best run by Tribal leaders, not BIA employees. That is why we were one of the first tribal governments in the nation to take over the day-to-day operation and management of all our federal programs under a Self-Governance Compact. The experience has been unambiguously positive. Not only have programmatic outcomes improved, so has the capacity of our tribal government and employees.

As the Department of the Interior looks to reorient its structure to better meet the needs of tribal governments in the 21st Century, Morongo encourages the Bureau of Indian Affairs (BIA) to double down on its commitment to Self-Governance.

Robust implementation of Self Governance policy must begin by re-examining the fundamental way that the BIA interacts with tribes. For generations, the BIA has perpetuated a "ward-trustee" relationship. Under this mentality, tribal interests--the wards--are dependent on the Department for services. As policies and funding levels change, the Department (i.e., the trustee) makes a determination on how their wards will be impacted. This is backwards. Moreover, it is offensive.

It assumes that tribal governments and tribal members are incapable of fulfilling the promise of Self Governance.

Instead, the Department should re-orient itself to treat tribal governments more like state governments--a "sovereign-trustee" relationship. Under this arrangement, Tribes will be free to allocate resources more freely and efficiently, taking into account local conditions in a way that the Federal bureaucracy has never been capable of doing.

Only after the Department adopts a clear mission to empower tribal governments should the Department consider a formal restructure of its organizational chart. The sequence is important; restructuring alone is not likely to achieve the long-term benefits that the Administration envisions and tribes deserve.

To enhance tribal sovereignty, the Department of the Interior should elevate the Office of Self Governance into the Secretary's office. By doing so, the Department will send a clear message to tribal leaders that it values self-determination and that it will support any tribe that wishes to undertake the considerable responsibility of operating its own government programs. This action would mimic what was done with the Office of Indian Gaming; once it became clear that many, if not most, tribes would pursue this option.

Relying on tribal governments rather than Washington bureaucrats for the administration of tribal programs often leads to cost savings. This savings must be reinvested to build capacity within tribal governments. The Department should incorporate this principle into future self-governance contracts and compacts. By reinvesting savings into Technical Assistance programs for self-governance tribes, the Bureau will ensure that it can continue to reduce the size of the federal bureaucracy for years to come.

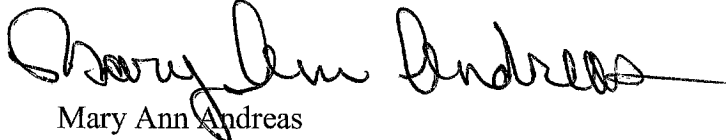
A final thought on self-governance: tribal self-governance does not mean that the trust and treaty obligations of the government should diminish in any way. Tribal governments gave up their lands, often down the barrel of a gun, in exchange for the promise of certain benefits from the government in perpetuity. These benefits must continue.

The only question is how tribal benefits are distributed. Are they handed out by the federal government? Or by the tribal government? It is imperative that Congress and the Administration continue to provide the financial resources for these programs regardless of how a tribe elects to provide service to its members.

Finally, I also want to take a moment to affiliate the Morongo Band of Mission Indians with the request from the a representative from the Chickasaw Nation during the Consultation that occurred in Tulsa, Oklahoma: the BIA website needs to be improved and updated so that it provides better information and transparency. The current website is often years out of date and fails to provide our staff and representatives with timely and accurate information about BIA actions and policies. A concerted effort to improve the website would go a long way towards building trust among tribal leaders, BIA staff and the general public.

Thank you for your attention and we look forward to working with you to improve the way the Department serves the Morongo Band of Mission Indians and other Native American tribes.

Respectfully,

A handwritten signature in black ink that reads "Mary Ann Andreas". The signature is written in a cursive style with a long horizontal line extending to the right.

Mary Ann Andreas
Vice-Chairwoman
Morongo Band of Mission Indians

Cc: Karen Woodard, Realty Administrator
Devin Rhinerson, Pace-Capstone