

Via Electronic Communication

April 24, 2024

The Honorable Deb Haaland
Secretary
United States Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland:

I write to bring to your attention the urgent need for a systemic overhaul within the Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) following serious allegations and findings of wrongdoing at Haskell Indian Nations University. Located in Lawrence, Kansas, Haskell is the sole Tribal Nations college in the country and provides Native American students the opportunity to receive a tuition-free higher education in an environment that understands and prioritizes Native American heritage and culture. The Department of Interior must compel meaningful improvements to Haskell's operations to ensure the success of tribal students and preserve this unique and highly valued educational institution.

In April of 2022, serious allegations leveled against employees of Haskell were brought to my attention. In addressing these claims, I contacted the Office of Congressional and Legislative Affairs (OCLA). Despite several follow-up requests, I never received a substantive response or any evidence of institutional change at Haskell or within the BIA.

The situation became more alarming. In March of 2023, students and former staff at Haskell notified my office of allegations that University leadership had worked with BIE personnel to cover up student harassment and sexual assault, had inappropriately terminated the contract of an employee and had failed to respond to allegations of Haskell's staff wrongdoing in a time-sensitive manner.

On October 31, 2023 my staff met with BIE Director Tony Dearman, Haskell representatives, and BIE officials and were informed that the Bureau of Indian Affairs Administrative Investigation Board initiated an investigation in July of 2022, and had concluded that investigation in January of 2023. In response to the investigation's findings, Haskell was working to improve its processes to oversee student wellbeing.

On April 16, 2024, I received the report, titled, "Haskell Indian Nations University – Administrative Investigation Report, January 13, 2023" after it was subjected to a FOIA request by a third-party government watchdog nonprofit organization.

In their report, the Bureau of Indian Affairs Administrative Investigation Board found that:

- 1) Haskell had failed to implement a sufficient sexual assault policy and had not correctly or consistently applied current sexual assault policies and procedures;
- 2) Corrective action such as discipline and reassignment of certain Haskell executives would be necessary in response to the investigation and additional Haskell employee training was required;
- 3) Haskell students were subjected to intimidation by members of Haskell's leadership team;
- 4) The contracts of certain Haskell employees had been wrongfully terminated;
- 5) Haskell leadership had on various accounts undermined staff, targeted specific coaches and employees;
- 6) Haskell leadership had applied unwritten processes and were ill informed or unknowledgeable about BIE and DOI policies and procedures;
- 7) Staff of the Haskell athletic department had failed to remain accountable for security practice;
- 8) Public records had been inappropriately disclosed by Haskell's faculty;
- 9) Haskell leadership had inappropriately authorized federal employees to perform less instruction than the required 12 hours per semester; and
- 10) Among various other concerns, the University was found by the Bureau of Indian Education to be severely dysfunctional.

By failing to respond to the findings of this report in a timely and appropriate fashion, federal employees at the Department of Interior – specifically the BIA and BIE – have failed to uphold the federal government's responsibilities to Native American students.

One of the primary concerns outlined in this report that I believe requires immediate attention is communication. I am certain the lack of responsiveness to tribal concerns have eroded trust between the BIA and Indigenous communities, especially Haskell students and staff. The failure to notify my office, students, and other stakeholders of the severity of finding in the report has diminished any confidence that the issues raised will be adequately addressed.

Furthermore, I urge the Department to prioritize transparency and accountability in its operations. This includes providing accessible information about policies, programs, funding allocations, and decision-making processes.

In otherwise addressing my grave concerns about the findings of this report, I respectfully request a response to the following questions no later than May 8, 2024:

- 1) When did the Department become aware of the findings of this report?
- 2) What steps were taken in implementing meaningful change at Haskell?
- 3) What areas at Haskell are still in need of reform? And what steps does the Department plan to take to ensure that the appropriate changes are made?
- 4) How is the Department of Interior prioritizing Haskell student and staff safety, wellbeing and academic success?

- 5) How do you plan to hold federal employees accountable for the wrongdoing outlined in this report?
- 6) What policies does the Department plan to implement to improve communication with Haskell students, staff and Congress?
- 7) How does the Department plan to tackle the persistent challenges and deficiencies within the BIA and BIE, specifically those that hinder its ability to fulfill its responsibilities adequately?
- 8) What steps is the Department taking to ensure transparency in decision-making processes, enhance accountability mechanisms and foster greater collaboration with Congress?

Addressing the longstanding issues faced by the Haskell community requires immediate and decisive action. Since 2017, and on multiple occasions, I have called on leadership at the Department of Interior to address the wide array of issues at Haskell. This report and the mismanagement it describes has reaffirmed my long-held belief that there is a pressing need to improve transparency and accountability within the BIA.

I urge you to prioritize reform within the BIA to enhance accountability, improve bureaucratic delays and improve outcomes for Native American students. Significant action within the BIA is not only a matter of justice and fairness, but also a crucial step towards fulfilling the federal government's obligations to Native Americans.

Haskell University must be an institution in which young adults can receive a quality education in a safe environment. Anything that undermines these basic principles must be decisively addressed.

Sincerely,



Jerry Moran
United States Senator