

# Senate panel recommends abolishing BIA

Native American News Service

WASHINGTON, D.C. — A special Senate committee charged with investigating fraud and mismanagement in the Bureau of Indian Affairs has recommended adoption of what it calls "a new federalism," in which the federal government would abolish the BIA and allocate funds directly to tribal governments annually.

The panel said new agreements are needed between the federal government and the tribes that allow Native Americans to run their own affairs and pledge permanent

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federal support for tribal governments.

These new agreements, as envisioned by committee members, would be completely voluntary and would not affect any existing treaty rights or alter the legal status of tribal governments.

The special committee will submit legislation to create and fund an Office of Federal-Tribal Relations within the executive office of the president.

The office would be responsible for negotiating and overseeing implementation of formal agreements with federally recognized Indian tribes.

"The agreements will allow any tribe that so chooses to exit the current bureaucracy of federal Indian programs and to receive and use at its own discretion a proportional share of the federal Indian budget," the recommendation said.

The committee proposes that funding be allocated to tribal governments based solely on population figures, to "depoliticize" the funding process.

The legislation would provide the office with the authority to negotiate agreements that include:

- Recognizing tribes' permanent rights to exercise self-government.

- Relinquishing all its existing paternalistic powers to review and approve or disapprove tribal constitutions, legal codes, contracts and other transactions entered into by tribes.

- Providing tribes with an annual Tribal Self-Government Grant equal to their proportional share of the current federal Indian budget as a permanent entitlement.

- Transferring from the Bureau of Indian Affairs, Indian Health Service and other federal Indian programs to the tribes the assets necessary to carry out the responsibilities they would assume under the new agreements.

Under the proposed agreements, Indian tribes would:

- Assume full responsibility for self-government.

- Declare their governments and members ineligible for all other federal programs specifically targeted to Indian tribes or individuals.

- Adhere to standards of accountability as established by the office.

- Operate their governments in accordance with written constitutions that adhere to the Indian Civil Rights Act and have been approved by a majority of voting members.

- Publicly report certified financial statements analyzing the budgets of their governments and all tribally owned businesses.

The special committee also recommended that the House and the Senate each create a permanent full Committee on Indian Affairs, with additional staff specifically assigned to perform oversight and investigation.