

# DOI SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education

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June 22, 2018

Mr. James E. Cason  
Associate Deputy Secretary  
Office of the Secretary  
U.S. Department of the Interior  
Washington, DC 20240

## **RE: Elimination of Data Gathering for Unfunded Obligations (UO)**

Dear Associate Deputy Secretary Cason,

I write on behalf of the Department of Interior's Self-Governance Advisory Committee (SGAC), in response to your statements made at the March 2018 Tribal – Interior Budget Council (TIBC meeting, regarding the elimination of unfunded obligations (UO) data collection efforts intended to support the annual BIA budget request. SGAC finds your unilateral decision to halt these efforts deeply disappointing. For two years, BIA staff members have been working with Tribes, gathering data and refining the collection process. Identifying both qualitative and quantitative data was improving based on this collaboration, and the refined product had the potential to support increases to BIA programs through Tribal advocacy. These efforts should not have been halted when they were just beginning to yield promising results.

Accurate data on unfunded obligations is vital to achieving an adequate level of funding for BIA programs. Currently, there is no way to assess gaps in overall program funding, which prevents Tribes and the Bureau from advocating for full-funding for BIA programs. Understanding the true level of unfunded obligations in Indian Country will generate an informed and justified budget request from TIBC, as well as, individual tribes who are sending data to their Region for consideration. The data driven approach being used is consistent with OMB's longstanding position that funding increases need to be justified with data. Absent this data, it is impossible for our Federal trustee to measure how well it is fulfilling its Federal trust and treaty obligations.

The SGAC understands that the Bureau's longstanding position is that it must support the President's budget; however, the Bureau is also obligated to uphold the trust and treaty obligations to Tribes and to strongly advocate on behalf of Tribes for a budget that: 1. Funds Tribal programs and services at 100%; and 2. Funds inherent Federal functions at 100% in order that Federal trust services are operating

at the highest fiduciary level. Supporting the collaboration between the BIA and Tribes to perform UO data collection does not bind the BIA to immediately advocate for its findings, to the detriment of the President's initiatives; however, it does require that the BIA collaborate and coordinate with the Tribes and the Administration to formulate a budget request that meets both obligations to the respective governments.

On behalf of the SGAC, I ask that you not only reinstate the UO data collection practices, but also provide the BIA staff with affirmative support and guidance necessary to accomplish their task. Without the BIA acting as the central facilitator in this process, it is impossible to create a complete picture of the *Unfunded Federal Obligations* in Indian Country.

Sincerely,



W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe, and  
Chairman of the Self-Governance Advisory Committee

cc: John Tahsuda, III, Principal Deputy – Indian Affairs Exercising the Authority of  
the Assistant Secretary – Indian Affairs  
Sharee Freeman, Director, Office of Self-Governance  
Eugenia Tyner-Dawson, Senior Policy Advisor to John Tahsuda, III  
Ken Reinfeld, Senior Policy Analyst, Office of Self-Governance  
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