

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

May 22, 2019

Mr. Mark Cruz
Deputy Assistant Secretary, Indian Affairs for Policy and Economic Development
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Mr. Mark Cruz:

Thank you, again, for testifying before the House Natural Resources Subcommittee for Indigenous Peoples of the United States hearing, entitled "Investigating the Health and Safety Risks of Native Children at BIE Boarding Schools," On Thursday, May 16, 2019. As a follow-up to your testimony, please find enclosed additional questions submitted by Congressional Members for inclusion in the final hearing record. Please provide your written responses to: Victor Lopez-Carmen, Subcommittee Clerk, **no later than May 30th, 2019**. Committee Rule 3(o) requires responses within 10 business days of the last day of the hearing.

We appreciate your time and insight, and we remain grateful for your contribution to the Subcommittee's work. Should you have any questions, please feel free to contact the Subcommittee about this request.

Sincerely,



Ruben Gallego
Chairman
Subcommittee for Indigenous Peoples of the US

Enclosure

Questions for the Record by Democrat Members

Questions from Representative Bonamici

1. What steps are Chemawa, BIE, and BIA currently taking to proactively communicate to parents of Chemawa students that there are limits on what information about student health can be shared without a student's explicit consent?
2. What limitations—statutory or otherwise—currently prevent Chemawa, BIE, or BIA from notifying parents that their child has had a medical appointment? Are there any scenarios in which Chemawa, BIE, or BIA tells parents their child has sought health care and the school has knowledge of it? Are these policies consistent across physical health, mental health, and substance use? Does this process differ for treatment provided by IHS?
3. What steps are taken to make sure that students at Chemawa understand the limits on health information that will be shared with their families if the student does not provide a signed privacy release?
4. What steps are taken to encourage students and their parents to communicate about their healthcare and options to involve and inform the parents about health care diagnoses and treatments?
5. Are students given the option to fill out a privacy release form when they seek medical care or treatment? If not, why not?
6. In a letter from IHS to the Oregon delegation received on July 10, 2018, IHS outlined a joint workgroup between Chemawa and the Western Oregon Service Unit (WOSU) established in 2016 to improve information sharing processes. We understand this includes collaborative case management meetings. Can you please provide an update on the work of this group and any new policies that the work group has adopted to improve information sharing? Is parent input considered in this group?

Questions from Representative Schrader

1. I have heard repeated references to the “chain-of-command,” procedures to resolve staff complaints at the lowest possible level, in my letters with Indian Affairs and in this hearing. In detail, please describe the chain-of-command procedures for addressing complaints made by staff.
 - a. What is the process for staff to report issues to BIE superiors outside of the school if a staffer feels their concern was not properly honored through the chain-of-command?
 - b. How does BIE address retaliation that may occur after a concern is submitted through the chain-of-command? When an employee needs to go to the external ombudsman or other avenues outside of the chain-of-command?

- c. Given that BIE supervisors may be hundreds of miles away from a school (for example, one of our witnesses from Chemawa cited supervisors in the chain-of-command in Albuquerque and Seattle), how does BIE plan to address this lack of proximity and familiarity within the supervisory structure?
 2. It has been very difficult for myself and my colleagues to gain any information about the school board.
 - a. Please list the names, tribal affiliation, and term duration for all current school board members.
 - b. Please provide us with the Chemawa School Board's charter or other governing documents.
 - c. How does the Chemawa School Board coordinate with the Parent Advisory Board and Student Council?
 - d. In my latest letter with Indian Affairs, the agency said that Chemawa was forced to seat volunteers on the school board because three of the tribes with the highest enrollment did not seat board members. When the letter was written on March 15, 2019, three of the five tribes had responded and only two representatives had been contacted.
 - i. What is the updated status of the search for school board members?
 - ii. Is Chemawa's difficulty in recruiting school board members typical of BIE schools?
 - iii. What is BIE doing to have a more robust relationship with tribes who send their students to BIE boarding schools in order to avoid such recruitment delays?
3. I was disappointed that Lora Braucher, Chemawa Superintendent, did not participate in the hearing. I know that she is frequently detailed out to other BIE schools or BIE working groups to develop policies and practices, which requires her to be absent from Chemawa's campus for months at a time.
 - a. Please provide us with a full list of all the projects to which Ms. Braucher has been assigned during her time as superintendent, and the length of time each project kept her off Chemawa's campus.
 - b. Is this amount of off-campus work standard for a BIE boarding school superintendent?
 - c. What does BIE plan to do to reduce the amount of time the superintendent spends away from campus, and to alleviate the strain placed on other members of the school's administration when the superintendent is detailed out on a project?
4. In my correspondence with Indian Affairs, the agency described an annual staff survey and a thrice-yearly school climate/improvement survey for staff and students to provide input and report concerns. The agency noted that some of the concerns raised in the surveys were a lack of parental communication; a lack of communication between residential life staff and academic staff; food quality; and peer behavior.
 - a. What specific actions is the school taking to remedy the areas of concern identified in the survey?
 - b. What specific actions is the school taking to implement suggestions from staff and students in the survey?

Questions for the Record by Republican Members

Questions from Representative Bishop

1. Could you please clarify for the hearing record why the Bureau of Indian Education school superintendent at a the Chemawa Indian School was unable to participate at the May 16, 2019 hearing on Indian Boarding Schools?
2. Are Bureau of Indian Education Superintendents required to work beyond the school year?
3. The Trump Administration separated the Bureau of Indian Education budget from the Indian Affairs budget in the FY2020 proposal.

Question: Can you discuss why the Administration chose to do this and how it will impact how the Bureau of Indian Education operates?

Question: Are most BIE schools, and Chemawa specifically, experiencing staffing shortages?

Question: What is the Department doing to address ongoing hiring and retention issues?

Question: What can this committee do to aid in the Department's work in this area?

4. Members of Congress have been seeking information on events that have occurred at Chemawa.

Question: What challenges does the agency experience with releasing certain information to Members or to the general public relating to these events?

Question: Are there certain liabilities of which the Department needs to be cognizant in cases where a school is acting in a parental capacity?