



# **Investigative Report of BIE Reorganization Alleged Grant Fraud**

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This is a version of the report prepared for public release.

## **SYNOPSIS**

Pursuant to a complaint from a Bureau of Indian Education (BIE) official, we investigated allegations that then-BIE Director Charles “Monty” Roessel was using Sovereignty in Indian Education (SIE) and Tribal Education Department (TED) educational grants to induce Indian tribes and tribal organizations to lobby Congress in support of a proposed BIE reorganization. We also investigated whether Roessel and his staff violated anti-lobbying restrictions while allegedly seeking support from tribes.

Our investigation revealed no evidence that Roessel and his staff were using SIE and TED educational grants as inducements to have tribes and tribal organizations lobby Congress in support of the BIE reorganization proposal. We found, however, that Roessel instructed one of his staff members to draft letters of support on behalf of tribal governors and to send the letters to the tribes for them to revise and sign. The U.S. Department of Justice’s Public Integrity Section declined to pursue anti-lobbying violations under 18 U.S.C. § 1913, but we concluded that Roessel used questionable judgment when he instructed his staff member to draft the letters for the tribes.

## **DETAILS OF INVESTIGATION**

### **No Evidence of Educational Grants Used as Inducements to Tribes**

We investigated an allegation from a Bureau of Indian Education (BIE) official that Charles “Monty” Roessel, the BIE Director at that time, was using Sovereignty in Indian Education (SIE) and Tribal Education Department (TED) educational grants as inducements to have Indian tribes and tribal organizations lobby Congress in support of a proposal to reorganize BIE. Our investigation revealed no evidence that Roessel and his staff were using these grants to induce tribes and tribal organizations to lobby Congress in support of the proposal.

A review of BIE documentation revealed that Roessel and his staff solicited letters of support from 10 Pueblo tribes. Of the four that sent letters, none received SIE or TED grants. Only two of the tribes—the Acoma Pueblo and the Santa Clara Pueblo—received education grants for the 2015 – 2016 school year, but neither wrote a letter of support for the BIE reorganization.

Roessel said that he did not award SIE or TED grants to tribes in return for their support of the reorganization. No one we interviewed during this investigation had any knowledge of grants being used as inducements for support of the reorganization.

We interviewed the governors of the two tribes who received education grants but did not provide letters of support. The former Acoma Pueblo governor said that no one, including Roessel or anyone else at BIE, asked him to express his support for the reorganization. The Santa Clara Pueblo governor said that his tribe was not promised any grants in return for support of the reorganization.

We attempted to contact the four tribal governors who sent letters of support, but three of them were no longer in office and could not be reached, while the fourth did not respond to our requests for an interview.

### **Roessel’s Instruction to a Staff Member To Draft Letters on Behalf of Tribes Suggests Questionable Judgment but No Clear Violation**

During our investigation, we learned that Roessel instructed a member of his staff to draft letters of support on behalf of tribal governors and to send these letters to the tribes for them to revise and sign. We believed that Roessel’s instruction to his staff member illustrated questionable judgment, but it was unclear whether this action violated anti-lobbying laws. We consulted with the U.S. Department of Justice, Public Integrity Section, which declined to pursue 18 U.S.C. § 1913 anti-lobbying violations.

Roessel confirmed that he asked his staff member to provide “draft” letters of support for the tribes to revise and sign. Roessel said that due to Congress’ request for clarification of some details of BIE’s proposal for reorganization in the fall of 2015, he participated in several meetings with Kristen Sarri, Principal Deputy Assistant Secretary, Policy, Management and Budget, and Kevin Washburn, then-Assistant Secretary, Indian Affairs, among others. Roessel said that they decided in these meetings to contact tribes and obtain letters of support for the reorganization proposal.

Roessel said that the tribes had already agreed to support the reorganization proposal but they did not have the staff to write letters, so he directed his staff member to provide draft letters for the tribes to rewrite. Regarding instructions he gave her to make each letter “different,” Roessel said he meant that each letter should be written to address each tribe’s specific concerns.

Sarri confirmed that she had taken part in meetings with Roessel and Washburn where they discussed obtaining letters of support from tribes, but stated she did not personally contact any of the tribes. She said that she was not aware that Roessel had instructed his staff to draft letters on behalf of tribes, and she considered this “inappropriate.” Sarri said that the suggestion to write letters on behalf of the tribes would not have come up during these meetings. “That is definitely a line that we wouldn’t cross,” Sarri said.

Roessel’s staff member said that he directed her to contact specific Pueblo tribal governors who already supported the proposed reorganization and ask them to write letters to Congress voicing this support. She said that she contacted the governors directly, but despite their support for the proposal, they failed to write letters. When she notified Roessel of this, he directed her to write letters for the governors to sign. In an email dated October 9, 2015, Roessel instructed her to “start these [letters] and I can add. Try to make each different.” She said that the instruction to make the letters “different” was so they would not appear to be form letters.

According to Roessel’s staff member, she requested support from her own staff to draft the letters for the governors, and they used an earlier letter as a template. Her October 9, 2015 email to her staff asking for assistance in “drafting support letters for the Pueblos to sign” corroborated this. Her email further explained that each letter would be sent to Congressman Ken Calvert (R-CA), Chair of the House Subcommittee on Interior, Environment, and Related Agencies, and added that “each one needs to be worded differently.”

Roessel’s staff member said that once the letters were prepared, she emailed them to their respective tribal governors for signature. A review of emails and documentation revealed that she contacted or attempted to contact 10 tribal governors, but ultimately only received four signed letters of support. Of these, one letter was a verbatim reproduction of the draft letter included in her original email, while the remaining three had been significantly rewritten by the tribes. According to the staff member, the governors returned the signed letters via email as PDF attachments, and she faxed them to Calvert’s office.

### **SUBJECT**

Charles “Monty” Roessel, former Director, BIE, U.S. Department of the Interior.

### **DISPOSITION**

We provided this report to Lawrence Roberts, Principal Deputy Assistant Secretary, Indian Affairs, for review and action.