

Testimony
Dr. Ronald J. Graham
Former President, Haskell Indian Nations University (2020-2021)
Before
Committee on Natural Resources
Committee on Education and Workforce
House of Representatives
July 13, 2024

I am Dr. Ronald Graham, a proud member of the Eastern Shawnee of Oklahoma Tribe.

Members of the Committees. Thank you for the opportunity to testify today regarding the ongoing fraud, waste, abuse, and criminal conduct at Haskell Indian Nations University (HINU).

I come before you today with a deep sense of responsibility to shed light on serious existing and continuing corruption and violations of rights and accountability issues at HINU. These violations affect students, workers, and the public, and they undermine the institution's responsibility to the governmental agencies tasked with its oversight and donors who have made significant financial contributions.

Before I proceed, I must express my profound concern about potential retaliation for my testimony here today. I have already experienced previous instances of retaliation, which have dramatically affected my career as a college administrator, my personal life, the safety of my administration, faculty, students and the public. I respectfully request assurances from this Subcommittee that I will be protected from any form of retaliation or adverse action because of my testimony here today.

I understand that by testifying, I am performing my civic duty and contributing to the essential oversight function of Congress. However, I also recognize that my testimony may place me at personal and professional risk. Therefore, I ask that this Subcommittee and Congress use all available means to ensure my protection.

With these concerns noted, I am prepared to provide full and truthful testimony about the issues at HINU, in the hope that my disclosures will lead to necessary reforms and accountability to break the cycle of corruption and retaliation that currently exists at HINU and rebuild its public trust."

Summary of Testimony

Background

My career includes military service, local law enforcement, and education positions at multiple universities.

My tenure as the 8th President of Haskell began on February 21, 2020. I considered this appointment the pinnacle of my 20-plus years of service as an educator, and, very personally, I was honored to follow in my father's footsteps as he was an educator.

On the Job at Haskell

When I was hired, I was cautioned by BIE Director Tony Dearman and BIE HR Director Jackie Shamblin that there were chronic problems facing Haskell involving a “runaway faculty” and other institutional issues that continued to plague this institution.

I came on board ready to face the challenges and make the challenging decisions to enable Haskell to become an outstanding institution of hiring learning for the American Indian community. From the moment I stepped on campus on May 11, 2020, during the COVID 19 Pandemic, I worked hand-in-hand with BIE and the Haskell Administration, faculty and Alumni to build a better Haskell. My success in this regard was evidenced by my positive BIE Annual Evaluation, December 2020, by Director Dearman who rated my performance as “Exceeding Expectations” and above.

On January 1, 2021, to carry out the directives given to me by BIE Director Dearman, I hired the Vice President of Academic Affairs, Dr. Melanie Daniel who immediately implemented my policy directives and communicated the same to administrators, faculty and staff through regularly-schedule weekly meetings with faculty.

Disturbing Information Surfaces

Money – Irregularities Reported

From January to March 2021, I received information as to some of the problem areas at Haskell, including gross mismanagement of donations (\$1+ Million unaccounted for); payroll fraud (some 350+ counts in a single year), abuse of authority and other irregularities.

Each of these problem areas were immediately disclosed upon discovery to my immediate supervisor, BIE Director Dearman and his surrogate, HR Director Shamblin.

Retaliation / Prohibited Personnel Practices

On April 1, 2021, the Haskell Faculty Senate voted “no confidence” under highly questionable circumstances. Within days, Dearman and Shamblin initiated a series of retaliatory actions.

Both, utilizing their respective positions and control over the assets and personnel of the BIE assembled a biased and predetermined investigative committee under BIE Chief Academic Officer, Tamarah Pfeiffer to “...*examine allegations that, inter alia, Ronald Graham, Ed.D., President of Haskell Indian Nations University (Haskell or HINU) engaged in misconduct...*”

The purpose of this investigative committee was never disclosed to me and I was never given an opportunity to address the specific allegations brought against me. This surreptitious report was kept secret until the Agency disclosed it in a recent MSPB proceeding.

This report was utilized by Tamarah Pfeiffer to terminate me 36 days later, on May 7, 2021, and Pfeiffer was named President of Haskell.

At the end of the day, my tenure at Haskell revealed the major flaw at Haskell – the systemic coverup of existing and on-going fraudulent actions by those in power, which block and prevent Haskell from carrying out its basic goal: *Putting American Indian Students First* and me from carrying out my duties of transparency, accountability and protection of Haskell Students, Employees, affiliated American Indian communities and the general public.

Supporting Statement

As I come before you today, I have a case pending at the Merit System Protection Board (MSPB) asking to be reinstated as President, Haskell Indian Nations University. After I was terminated as President, BIE posted the position on USAJOBS web site and I reapplied. I was considered eligible, but was denied an interview. Due process failures engulfed my termination.

Notwithstanding serial retaliation, absence of due process and a long list of schemes, tricks and devices by numerous faculty members and administrators, I was – and today am – committed to our young American Indian students – our next generation of American Indian leaders. I seek reinstatement to further the mission of making Haskell a first-class educational institution and because our students deserve a whole lot better.

Hired as President

Initial Marching Orders

On February 21, 2020, following the second of two interviews, BIE Director, Tony Dearman offered the position of President of Haskell to me, and on that same day, directed me to prepare a Five-Year Strategic Plan for Haskell. He also told me that my biggest challenge would be to deal

with what he called a “*Runaway Faculty*” at Haskell and specifically directed me to update personnel (Chain of Command) policy. And finally, he identified student retention and student population growth as a major priority.

On the Job

Addressing the Issues with Action

I approached my duties as President with the intent and commitment to *Put Haskell Indigenous Students First*.

My vision for Haskell included improving our current degree programs and, per Dearman’s priority recommendation adding programs to increase enrollment and add programs to meet the needs of our stakeholders in Indian Country; to protect our students health, safety and welfare while in our care on campus; updating and creating policies and procedures to address system-wide fraud, waste, and criminal conduct on campus; and to build Haskell into the leading educational institution for Indigenous peoples here in the US.

On May 11, 2020, my first day on campus my position as President, began as COVID exploded into a global crisis. By direction of the Interior Department and BIE, Haskell closed its campus, and we were operating in a "crisis" environment. Extraordinary challenges existed. One example: the computer system at Haskell was so antiquated, that faculty was unable to communicate with Haskell. Students were unable to do the same. Distance learned was crippled. Emergency funding was obtained to enable the University, its faculty and students to communicate with one another.

BIE Evaluated My Performance

Exceeds Expectations

I progressed at Haskell for the first nine months without significant issues. On December 08, 2020, BIE Director Dearman issued my first Performance Evaluation in which I was graded, “Exceeds Expectations” in four separate categories and awarded a cash bonus. Significantly, in his Evaluation, Director Dearman expressly identified and cited, 51 specific accomplishments. The highest grading was given for my performance involving COVID. Inexplicably, several months later, my termination declared my work on COVID to be a failure and termination justification without explanation of the obvious contradiction and/or absent any discussion.

DISTURBING NEW INFORMATION SURFACES

My relationship at Haskell with Director Dearman eroded shortly after I reported various instances of fraud, waste and abuse during the January to March 2021 period.

Beginning late December and January 2021, I learned:

- That a \$500,000 contract was being mismanaged.
- From Haskell Alumni, I was informed that, as much as \$1 million of donated funds was unaccounted for.
- By an anonymous call, I was told that a member of the Haskell staff was engaged in ethical misconduct.
- From a senior member of the Haskell Administrative staff, I learned that 14 instructors were submitting pay vouchers for teaching a full load, Over the course of a year, that amounted to more than 350 counts of alleged payroll fraud. The Haskell payroll ledger, for instance revealed that in one instance, an instructor was “teaching” four classes as required, but the fourth had but a single student enrolled.

In each instance, within 24 hours of learning of specific instances of allegations of fraud, waste, abuse, and other criminal conduct, each was reported to BIE Director Dearman and HR Director Shamblin as required by law, policy and/or procedure. With their concurrence, appropriate and necessary reviews, audits and/or investigations were requested and, to the best of my knowledge, initiated. Later, I learned that no affirmative actions were taken to address any of these issues after my termination on May 7, 2021.

Specific Issues

Haskell Board of Regents

A robust and active Board of Regents, based on my experience, was critical for any University President. As soon as I arrived at Haskell, in May 2020, and only after pressing Shamblin for an explanation, he revealed that the Regents only met twice a year and the Board had an undisclosed problem – a major one.

Background checks for the Haskell Board of Regents, required by Federal law, had not been performed in 10 years and, in some cases, longer. Criminal background checks are required per 25 CFR 63 and BIE personnel security regulations to ensure the safety and welfare of persons on campus and at all BIE controlled schools.

I immediately banned all Board members from entering campus until they successfully passed background checks. As a result, I was denied the benefit of a Board’s support, particularly acute during the COVID shutdown. Shamblin did not agree but stopped short of prohibiting my decision. Later in 2020, the new investigations revealed three Regents who failed to pass, at least one of whom was a convicted felon. Four passed the background checks, and two were still in progress upon my wrongful termination. One who did not pass remained on the Board after BIE terminated me.

The issues involving background checks were repeatedly raised with Dearman and Shamblin numerous times. To protect Haskell’s university accreditation, I preemptively contacted the Higher Learning Commission (HLC), Haskell’s Accrediting agency, to ensure our accreditation

would be protected. I was accused of putting Haskell's accreditation at risk by the Haskell Faculty Senate four months after Haskell hailed my initiative with HLC was considered one of the 51 Accomplishments in my Annual Evaluation.

Payroll Fraud

To prepare for the Fall 2021 semester, Haskell's Registrar provided my office with projections for classes, instructors and students, a normal and typical management action. In December 2020, at my request, the Registrar prepared a report containing course loads for each faculty member. The policy governing faculty course loads at Haskell required every faculty member to teach at least four courses, or 12 credit hours each semester. The Registrar's report revealed 14 faculty members who taught less than the required minimum but collected the salary for teaching a full course load.

As Federal employees, we were paid bi-weekly. That amounted, during my tenure, approximately 350+ violations or payroll fraud.

An existing process for faculty members to obtain "Course Release" required approval from the Haskell Vice-President of Academics which was, to the best of my knowledge, never requested by any faculty member.

Director Dearman and HR Director Shamblin both were immediately informed of these financial discrepancies based on falsified Haskell payroll records. Shamblin requested the records and documentation be provided to his office and advised that the over-payments had to be reimbursed. Those records were assembled and immediately provided to his office.

I reported the on-going violations to Director Dearman. As indicated, for the one year I reviewed, the payroll malfeasance amounted to more than 350 false document submissions. I requested that Shamblin and Dearman authorize an investigation immediately. To the best of my knowledge, that investigation had yet to commence by the time of my wrongful termination.

Unaccounted for Financial Donations

During the first week of March 2021, I met with an alumnus and former Board of Regents President who described how, before I arrived at Haskell, four Tribal Nations donated over \$1 million, possibly up to \$7 million, for the Haskell football program. I was told the former President terminated Haskell's football program after donated funds were received, but those funds, according to what I was told, remained unaccounted for. The alumnus advised that the former President called upon the Lawrence Police Department, which then executed a search

warrant at his home and confiscated those records.

Reported Unaccounted for Funds, Initiated Internal Investigation

I immediately reported the information to Dearman and Shamblin. This matter became the subject of numerous discussions. I recommended that BIE request assistance from the FBI. At Haskell, I directed finance and grants staff to conduct a review. I began my internal review but did not locate the funds or a paper trail regarding them before my wrongful termination. Whether or not Dearman and Shamblin actually initiated an investigation is not known to me. If an investigation was ordered, all indications are that it was dropped after my termination. Shamblin did not investigate before I departed from Haskell.

Retaliation for Prohibited Personnel Practices

At the time of my respective disclosures, I did not know my reports of wrongdoing were met with silent, but defiant, opposition from BIE administrators Shamblin and Dearman, who espoused their support for me to my face and after certain faculty members became upset, than knowingly and willfully took affirmative steps to undercut my position as President due to my actions to report and correct illegal activity.

My professional dream began to turn into a nightmare

Death Threats

During this same January-to-March 2021, when wrong-doing was being reported, I received two death threats, both my telephone. I reported both to Director Dearman and HR Director Shamblin. Their response: they did nothing.

Biased Investigation Ordered to Investigate Me for Reporting Wrong-Doing

On or about April 1, 2021, BIE assembled an investigative committee under BIE Chief Administrative Officer, Tamarah Pfeiffer to “...*examine allegations that, inter alia, Ronald Graham, Ed.D., President of Haskell Indian Nations University (Haskell or HINU) engaged in misconduct...*” The purpose of this investigative committee was never disclosed to me and I was never given an opportunity to address the specific allegations brought against me. This surreptitious report was kept secret until the Agency disclosed it in a recent MSPB proceeding in July 2024.

Termination – One Hour’s Notice, But Not By My Supervisor

On May 07, 2024, without notice, discussion, or any due process, I received a hand-delivered fax copy of a termination letter signed, not by Tony Dearman, the BIE Director and my direct

supervisor, but by Tamara Pfeiffer, BIE's Chief Academic Officer in Albuquerque, who is not in my Chain of Command. Pfeiffer met me on one occasion, April 12, 2021, interviewed me but then excluded every single statement and explanation. She then prepared a slanted report which I saw for the first time only a few weeks before this hearing.

On May 7, 2021, without a single discussion and without any notice,

I was abruptly terminated and ordered off campus within the hour. Some of my personal effects remain unreturned. I was smeared in the media and subject to a vicious whisper campaign, I have suffered personally and professionally.

Reported Misconduct – Reports to BIE Ignored, Unanswered Termination Followed

BIE terminated my employment after I informed, alerted and disclosed to the Director and HR Director serial violations of law, regulations, and policies at Haskell. Despite the egregious nature of the numerous issues at Haskell, my pleas for assistance went unanswered. I lost my position as punishment for my assertiveness in identifying and trying to correct the fraud, waste, abuse, and other criminal conduct

Putting American Indian Students First

After my termination, Haskell readvertised the position. I applied. In that application, I included a "*Supplemental Statement to Accompany Application for President, Haskell Indian Nations University, Lawrence, KS.*" That statement is attached to my testimony today. The concluding paragraph reads:

“Notwithstanding retaliation, serial violation of my rights, absence of due process, and a willful cover-up of financial misconduct by numerous faculty members, I remain committed to our American Indian Students – First, Foremost and Always. These students – these young men and women deserve far better. My goal was to rebuild am prepared to resume that effort, and, because of the students, submit my application to serve as President.”