



NATIONAL CONGRESS OF AMERICAN INDIANS

September 7, 2016

The Honorable Rob Bishop, *Chairman*
U.S. House of Representatives
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Raul Grijalva, *Ranking Member*
U.S. House of Representatives
Committee on Natural Resources
1329 Longworth House Office Building
Washington, DC 20515

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EXECUTIVE DIRECTOR

Jacqueline Pata
Tlingit

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The Honorable Don Young, *Chairman*
Subcommittee on Indian, Insular, and
Alaska Native Affairs
1337 Longworth House Office Building
Washington, DC 20515

The Honorable Raul Ruiz, *Ranking Member*
Subcommittee on Indian, Insular, and
Alaska Native Affairs
1337 Longworth House Office Building
Washington, DC 20515

Dear Chairman Bishop:

On behalf of the National Congress of American Indians (NCAI), the nation's oldest, largest, and most representative organization of American Indian and Alaska Native tribal governments and communities, I am writing to express concerns about H.R. 3736 "Tribal Recognition Act of 2015."

The government to government relationship that is established between tribal nations and the federal government is dependent on federal support of tribal sovereignty, treaty rights, and the trust responsibility to tribes. Diminishing the Secretary of the Interior's authority to extend recognition to tribes will infringe on the long history of Secretarial Authority and tribal input and undermine a fair and orderly process required for the government to function effectively. Tribal Leaders spent years working with the Bureau of Indian Affairs to produce a fair and equitable process for federal recognition. The Secretary's authority to acknowledge the existence of Indian tribes as pre-existing sovereigns is deeply rooted in the laws passed by Congress and the structure of the Constitution. The Supreme Court and Congress have always recognized that the power of the Executive Branch to engage in diplomatic relations and recognize the existence of a foreign state or an Indian tribe.

NCAI supports the current process of the BIA to reform the "Part 83" federal acknowledgment process and that the NCAI supports, as a matter of long overdue justice and fairness, the BIA's efforts to review, address, and modify the particular areas of the regulations that have wrongfully become an obstacle to the recognition of legitimate tribes. We urge Congress to work with tribes and the administration to ensure the federal recognition process is transparent and equitable.

NCAI is willing to work with the committee to address these issues as this legislation moves through Congress.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline Pata". The signature is written in a cursive, flowing style.

Jacqueline Pata
Executive Director