

110TH CONGRESS
2^D SESSION

H. R. 6087

To sunset the Federal recognition and acknowledgment process within the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2008

Mr. CAMPBELL of California introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To sunset the Federal recognition and acknowledgment process within the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SUNSET OF ADMINISTRATIVE RECOGNITION OF**
4 **INDIAN TRIBES.**

5 (a) DEADLINE FOR SUBMISSION OF LETTER OF IN-
6 TENT.—If, not later than 180 days after receiving notice
7 under subsection (b), a group seeking or eligible to seek
8 Federal tribal acknowledgment under part 83 of title 25,
9 Code of Federal Regulations does not submit a letter of

1 intent to the Secretary, that group shall be barred from
2 petitioning for or receiving status as a federally recognized
3 Indian tribe through any administrative process.

4 (b) NOTICE OF NEED TO SUBMIT LETTER OF IN-
5 TENT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary shall notify—

9 (A) by first class mail, each group with a
10 pending petition for Federal tribal acknowledg-
11 ment, active or inactive, of the need to submit
12 a letter of intent to the Secretary; and

13 (B) shall publish in the Federal Register
14 the need of any group to submit a letter of in-
15 tent to the Secretary.

16 (2) CONTENT.—Notice under paragraph (1)
17 shall state that if, not later than 180 days after the
18 Secretary sends notice by first class mail or by pub-
19 lication in the Federal Register, a group does not
20 submit a letter of intent to the Secretary, that group
21 shall be barred from petitioning for or receiving sta-
22 tus as a federally recognized Indian tribe through
23 any administrative process.

24 (c) MULTIPLE PETITIONS.—When multiple petitions
25 are submitted by groups claiming the same name, the Sec-

1 retary shall inform each group that all such petitions shall
2 receive no consideration and such petitions shall not be
3 considered.

4 (d) EXPEDITED DENIAL.—The OFA may expedite a
5 finding declining to acknowledge a group if the OFA de-
6 termines that the group clearly did not demonstrate in the
7 application that the group meets at least 3 of the 7 re-
8 quired criteria set forth under part 83 of title 25, Code
9 of Federal Regulations. A group that has an application
10 denied under this subsection may appeal the denial to the
11 Board of Indian Appeals in accordance with part 83 of
12 title 25, Code of Federal Regulations.

13 (e) SUBMISSION OF APPLICATION.—Each group that
14 is eligible for consideration under part 83 of title 25, Code
15 of Federal Regulations after the 180 day deadline set
16 forth in subsection (a) and that has not been removed
17 under subsection (c) or (d) may submit a complete appli-
18 cation to the OFA not later than 12 months after the expi-
19 ration of the 180 day deadline set forth in subsection (a).

20 (f) DEADLINE FOR CONSIDERATION OF PETI-
21 TIONS.—Not later than 3 years after the date of the enact-
22 ment of this Act, the OFA shall complete all final deci-
23 sions and notifications regarding petitions for Federal rec-
24 ognition under part 83 of title 25, Code of Federal Regula-
25 tions.

1 (g) SUNSET OF OFA.—Not later than 3 years after
2 the date of the enactment of this Act, or upon the comple-
3 tion of all final decisions by the OFA, whichever is earlier,
4 the Federal Recognition and Acknowledgment Process
5 shall be terminated and no groups shall thereafter be ac-
6 knowledged as federally recognized Indian tribes through
7 an administrative process.

8 (h) EFFECT ON REGULATIONS.—

9 (1) IN GENERAL.—Where in conflict, the dead-
10 lines and processes in this Act supercede those set
11 forth in part 83 of title 25, Code of Federal Regula-
12 tions.

13 (2) NO CHANGE IN CRITERIA.—Nothing in this
14 Act shall be construed to change the criteria set
15 forth under part 83 of title 25, Code of Federal
16 Regulations or any other policies established by the
17 Department of the Interior to determine whether a
18 group meets the requirements to be a federally rec-
19 ognized Indian tribe.

20 (i) DEFINITIONS.—In this section:

21 (1) GROUP.—The term “group” means an
22 American Indian Group, as that term is used in part
23 83 of title 25, Code of Federal Regulations.

1 (2) LETTER OF INTENT.—The term “letter of
2 intent” has the meaning given that term in part 83
3 of title 25, Code of Federal Regulations

4 (3) OFA.—The term “OFA” means the Office
5 of Federal Acknowledgment.

6 (4) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

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