

**Administration, Bipartisan Members Outline
Support for Bishop's Tribal Recognition Act**
*Bill Creates a Consistent, Accountable and Efficient
Process for Federal Tribal Recognition*

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Washington, D.C. – Today, the Subcommittee on Indian, Insular and Alaska Native Affairs held a legislative hearing on H.R. 3744, Chairman Rob Bishop's (R-UT) "Tribal Recognition Act of 2017."

"The Department of the Interior appreciates the Chairman's work on this important issue and supports the goals of improving the overall administrative recognition process as reflected in H.R. 3744," **Principal Deputy Assistant Secretary for Indian Affairs at the Department of the Interior (DOI) John Tahsuda stated.**

The bill establishes a statutory process within the Department of the Interior (DOI) for examining evidence submitted by groups seeking recognition and codifies the Constitutional authority of tribal recognition as solely vested with the legislative branch.

"Everyone can agree that Congress has never established a statutory framework for tribal recognition. H.R. 3744 establishes such a framework which prevents the criteria from changing at the whim of an administration and reclaims Congress's plenary power under Article I of the Constitution," **Subcommittee Chairman Doug LaMalfa (R-CA) said.**

This process rectifies the bureaucratic logjam of tribal recognition and gives tribes seeking federal recognition a clear roadmap. The bill requires the Secretary of the Interior to examine the evidence in support of the petition using clearly defined criteria, timelines and procedures outlined in the bill.

In response to questions on the efficiency of the tribal recognition process from Rep. Darren Soto (D-FL), Tahsuda answered: *"If we have clear statutory guidance, that makes the process much clearer for us, our legal authority much clearer. And we are able to address the minutia... of a particular matter."*

"The Department believes there is great merit in examining the overall federal acknowledgement process and identifying ways to bring increased transparency and

consistency to the current standards,” **Tahsuda added.**

Under the current recognition framework within DOI, tribal status determinations are fraught with delays, lacks public transparency and remain susceptible to political manipulation by unelected officials.

“Allowing Congress to make the final decision on [BIA’s] recommendation on tribal recognition simply is an Article I authority. It would provide a sense of rationality and finality to the process. As it has been said some of the processes under the current situation are taking decades, certainly Congress would not move any slower than that.” **Bishop (R-UT) stated.**

Tahsuda acknowledged that *“Congress has the authority to revise and amend the federal administrative recognition process”* adding that the administration *“welcome[s] the opportunity to engage with [the] Committee in ways to improve the transparency, efficiency and accountability of the overall process.”*

Reps. Jack Bergman (R-MI) and Gregorio Sablan (D-CNMI) voiced support for Congress establishing a more coherent and transparent process as outlined in the legislation.

The Committee also discussed two other tribal recognition bills: H.R. 3535 (Rep. LaMalfa), the “Ruffey Rancheria Restoration Act of 2017,” and HR. 3650 (Rep. Robert Pittenger, R-NC), the “Lumbee Recognition Act.”

Click [here](#) for full witness testimony.

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