

Opposition to HR3697, 3742, S1703. Request for Investigation of the SOI.

Today's Date:

The Honorable Nick J. Rahall, II
The Honorable Doc Hastings
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515
(202) 225-6065 Fax: (202) 225-1931

Re: Opposition to HR 3697,3742, S 1703 "Cover-up Bills". Request investigation of SOI breaches of fiduciary duty to the Native Americans and the US Tax Payers.

We are opposed to these amendments to the Indian Re-organization Act of 1934 giving the Secretary of Interior unlimited power to identify new tribes and take land into trust.

The Secretary of Interior and the BIA have proven to be rogue government agencies by seizing and abusing power never delegated to them by Congress. With this power the Secretary committed further abuses on the Indians. Without Congressional over-sight, the Secretary, in any administration, has failed to administer the 1934 IRA as Congress and the US Tax Payers intended.

Secretary of Interior's Breaches are stunning

Even without the Carcieri decision the intent of the Congress and the US Tax Payer was obvious: to care for all Indian peoples identified at the time of the 1934 IRA. Those tribes who participated were to submit a constitution within one year. If no constitution was submitted the Secretary was to seek out these Indians and help them submit a constitution within one year so they can receive their appropriations. It seems the Secretary simply interpreted this to mean, ignore those people until they die off and can be replaced with "created" tribes. The Secretary made up his own rules by which to identify "new" groups and qualify them as "tribes". Even with that interpretation, his duties and seized powers, the Secretary has failed to consistently follow his own rules and administer to the Indians a timely manner. This has had the effect of starving out the historic tribes and entire generations needlessly suffering and dying off.

Now the Secretary wants Congress to absolve him of all decisions made since the 1934 IRA without any explanation of his actions to the Congress, IRA Indians still waiting to be administered to and the US Tax Payer. The Secretary favored "newly organized" groups over historic tribes, allowing entertainment backed non-indian "groups" to take on Indian identities and open Casinos when the real Tribe was right under his nose. He has allowed many Indian groups to file non-IRA constitutions which provide for disenrollment of tribal members thus failing to insure that all Indians are administered to equally.

Though the Honorable Nick Rahall says in his opening statement on November 4th that, "all Indian peoples recognized or not are under Federal Jurisdiction". We know this just isn't true. An unrecognized tribe is denied Indian Gaming Funds and Federal assistance. Many historic tribes are still trying to get the Secretary's attention for their promised appropriations and countless Indian individuals are suffering

Opposition to HR3697, 3742, S1703. Request for Investigation of the SOI.

from dis-enrollment or closed memberships. Without recognition or membership in a tribe, a disproportional number of Indian people have been denied funding and care they need and were promised. The very fact that these Indians are suffering from denied appropriations illustrates the hollowness of Mr. Rahall’s statement.

Congress must stop ignoring this matter...it will only get worse.

The Secretary needs immediate and constant oversight by the Congress. The Secretary does not follow Federal Court orders and today is virtually unaccountable to anyone but Congress. New tribes organized after the 1934 IRA create new “government to government” relationships and according to Article 1 Section 8 of the Constitution only Congress has the power ratify those new relationships and issue appropriations. The Secretary has over-reached his power causing more devastation, rivalry and greed to Indian Country.

Before Congress even considers amending the 1934 IRA to make all tribes “equal”, Congress must first review all tribes identified by the Secretary to determine if those were the intended people for the appropriations set aside for them according to the 1934 IRA and if they are properly being administered to as many tribes are not reaping the benefit of their lands leased by large corporations.

Once the IRA tribes are properly administered to then Congress needs to review all the newly created “groups” identified to determine if they are indeed Indians, with the heritage and ancestry they claim or are they groups of people backed by entertainment companies or other industries. Once their authenticity has been verified by Congress the group can be ratified and a “government to government” relationship can be established before more appropriations are given to them and “land taken into trust”.

Prayer for Relief

We ask Congress to step up to the plate and do the work that needs to be done to make this fair and bring justice to the native peoples and the Tax Payers of the United States.

Sincerely,

The People of the United States

On this day: _____

Print Name: _____

Address: _____

City: _____, State: _____ Zip Code: _____