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**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

**Opening Statement of**  
**The Honorable Don Young of Alaska**  
**Chairman, Subcommittee on Indian and Alaska Native Affairs**  
**At the Oversight Hearing on**  
***“Authorization, standards, and procedures for whether, how, and when Indian tribes should***  
***be newly recognized by the federal government”***  
**Wednesday, June 27, 2012**

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In today’s hearing we will hear the perspective of several groups seeking recognition as Indian tribes under federal law. We will also hear from a county supervisor in California with concerns over the federal recognition process.

The purpose of the hearing is not to determine the fate of any particular recognition petition, but to gather facts that may inform the Committee as to what a reasonable federal recognition policy for the 21<sup>st</sup> century should be.

Tribal recognition is one of the most solemn issues this Committee deals with. It has impacts on the federal budget, on the government’s trust responsibility, on other recognized tribes, and on states and their political subdivisions.

Rightly or wrongly, the Executive Branch through the Department of the Interior has wrestled control over Indian recognition from its rightful, constitutional authority: the Congress. Rather than establishing a recognition policy authorized by statute, the Department considers recognition cases in a closed, unaccountable system.

I acknowledge that Departmental regulations setting forth seven mandatory criteria for a group to be recognized do make some sense. And few people question the motives of the small but dedicated staff of professionals who who are tasked with reviewing recognition petitions and making recommendations on them.

The basic problem with tribal recognition is that decisions are ultimately made by political *appointees* and not by *elected* officials like Representatives and Senators, who are accountable to voters for the decisions they make.

In fact, the Department occasionally ignores its own regulations and decides recognition cases outside any transparent administrative or statutory process. This does not tend to increase public confidence in the current tribal recognition system.

Unfortunately, Interior declined my written invitation to provide a witness today. The only explanation given to my staff was that every Departmental official capable of testifying on recognition had scheduling conflicts.

I cannot accept this as a valid excuse, and the Department's failure to appear and answer questions strongly suggests there is something the Secretary wants to hide.

While we will take testimony from the witnesses who graciously accepted the Committee's invitation to testify today, several of whom had to fly many miles to be here, I do intend to hold the Administration's feet to the fire. We will hold a second hearing at a time to be determined, when someone from the Department can be made available to testify and answer questions.