



240 E. First Street, Pomona CA 91766 9223 Archibald Ave, #C, Rancho Cucamonga CA 91730 Office: 909.623.7889 Fax: 909.6296081

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August 14, 2013

Bureau of Indian Affairs, Department of the Interior

C/O Elizabeth Appel, Office of Regulatory Affairs & Collaborative Action,

U.S. Department of Interior

1849 "C" Street, NW, MS 4141, Washington D.C. 20240

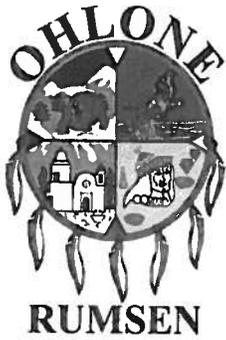
RE: Preliminary Discussion Draft Comments

Federal Recognition Meeting – Solvang, CA July 25<sup>th</sup>, 2013

First of all, we would like to express our appreciation to the Bureau of Indian Affairs, Department of the Interior, in recognizing that the existing procedures needed to be revised and that there is a need for transparency, timelines, efficiency, and flexibility.

Our recommendations are:

- The term "Indigenous" should not be deleted from section 83.1 Definitions in the *Procedures for Establishing That an American Indian Group Exists as an Indian Tribe* due to the term Indigenous being in the title of the United Nations Declaration on the Rights of Indigenous Peoples and its innate and inherent significance as a symbol of Indigenous sovereignty.
- A timely response should be given to any Indigenous Tribe in the United States that submits a petition for recognition. The Bureau of Indian Affairs (BIA) should provide requested information to let the Indigenous Tribe know that their materials were received; to designate a specific BIA contact person regarding the Tribe's petition; and that the BIA identify and furnish a specific person who can provide all needed technical assistance in completing the petition.



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Page Two  
August 14, 2013

- The BIA should consider recognizing a tribe that has gone through the state process of recognition as a 501(c)3 nonprofit organization.
- Special consideration should be given to tribes petitioning from California due to the extraordinarily high number of tribes petitioning from California. It is a fact that no federally recognized tribes are from the California Central Coast and that the California Treaties regarding recognition were never ratified.
- The BIA staff should be increased in order to be able to give a timely response to tribes that have already petitioned and have waited for many years for a response.
- If a tribe is denied and needs to appeal, an arbitration/mediation process should be implemented to avoid the costly process of going to court. This would further expedite the process. An arbitration team should be composed of equal members from recognized, non-recognized, and terminated tribes to oversee the arbitration/mediation process. This process ensures that federally recognized tribes would not have a disproportionate influence.



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Page Three  
August 14, 2013

The Costanoan Rumsen Carmel Tribe would like to specifically thank Larry Roberts, Deputy Assistant Secretary; Kaitlyn Chinn, Office of the Solicitor; Elizabeth Appel, Office of Regulatory Affairs; the Bureau of Indian Affairs; the Department of the Interior; and the Office of Regulatory Affairs & Collaborative Action for allowing the non-federally recognized tribes to participate in the process to revise the existing procedures and that would allow the BIA & the Department of the Interior to be more transparent, timely, efficient, and flexibility. We appreciate your openness, receptiveness, and intelligence to engage in and appreciate the history and culture of Indigenous Peoples in the United States.

Shururu (Thank you and Blessings in Rumsen)

Tony Cerda

CC: Sally Jewell - Interior Secretary  
Congresswoman Gloria Negrete McLeod  
Governor Jerry Brown  
Senator Dianne Feinstein  
Senator Barbara Boxer