



SHAWNEE TRIBE

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VIA ELECTRONIC MAIL TO: consultation@bia.gov

March 31, 2021

The Honorable Deb Haaland
U.S. Department of the Interior
1849 C Street NW
Washington, DC. 20240

Re: Comments regarding reconsideration on the ban for re-petitioning for federal recognition

Dear Secretary Haaland:

On behalf of the Shawnee Tribe, I respectfully submit that we oppose lifting the ban on forcing tribes to re-submit to the federal acknowledgment process. The tribal recognition process is stringent, and it should be so; to do otherwise cheapens and weakens tribal sovereignty everywhere.

The federally recognized tribes of our nation all possess unique languages, cultures, and histories. Further, each one of us can demonstrate that we are the governmental bodies that Indigenous peoples possessed during the era of statecraft, diplomacy, and international recognition whereby our peoples brokered treaties and agreements between ourselves and the sovereigns of Europe.

Specifically, if a tribe lacks the ability to prove that they are the descendant government borne out of the diplomacy between nations, they cannot be a government. For many of the earlier petitioners denied recognition, it was because they lack the rigorous historical proof that my tribe and other federally recognized tribes can provide. The Shawnee negotiated under international law between ourselves and the foreign powers of Spain, France, England, as well the western hemisphere's sovereigns of Mexico, the Republic of Texas, and of course, the United States of America.

I urge the Secretary to direct the Office of Federal Acknowledgement to maintain the ban against re-petitioning. To lift the ban would lead to the creation of new, fictional governmental entities out of peoples that never historically were a government and are unable to substantiate who they have been this entire time. There are numerous examples of petitioners with nebulous and ever-morphing claims to identity, and I ask the Secretary to take a firm, hard look at these petitioners.

Finally, granting recognition to new, fictional claimant communities burdens Indian Country and the American taxpayer. I would direct the Secretary to the Government Accountability Office's report, GAO 12-348, where just 26 of these fake groups with nebulous histories cost the federal government over 100 million dollars between 2007 and 2010.

Niyaawe. Thank you in advance for your prompt consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'BJ Barnes', with a long horizontal flourish extending to the right.

Benjamin J. Barnes
Chief of the Shawnee Tribe

cc: Darryl Lacounte, Assistant Secretary-Indian Affairs (darryl.lacounte@bia.gov)

Elizabeth Appel, Director, Office of Regulator Affairs & Collaborative Action, Bureau of Indian Affairs (elizabeth.appel@bia.gov)