

**OPENING STATEMENT
OF
SENATOR DANIEL K. INOUE
CHAIRMAN
COMMITTEE ON INDIAN AFFAIRS
BEFORE THE
JUNE 11, 2002 OVERSIGHT HEARING
ON THE WORK OF THE
BRANCH OF ACKNOWLEDGMENT AND RESEARCH
WITHIN THE
BUREAU OF INDIAN AFFAIRS**

The Committee meets this afternoon to receive testimony from the Bureau of Indian Affairs on the process established by the Branch of Acknowledgment and Research for the review of petitions of Tribal groups that are seeking federal recognition.

This hearing is the first in a series of hearings that will be held on the federal acknowledgment process.

Today, the Committee wants to develop for the permanent records of the Senate, an understanding of the basic process that the Branch of Acknowledgment follows in acting upon the petitions of Tribal groups.

In the next hearing, the Committee will receive testimony on the seven criteria that are used by the Branch of Acknowledgment and research from experts in the fields

of genealogy, history and anthropology, as well as testimony on the manner in which the criteria are being applied.

In a later hearing, the Committee will receive testimony on various legislative initiatives that propose to revise the federal acknowledgment process.

This Committee understands that attendant to any process is criticism in the way the process works, and the process of the federal acknowledgment of petitioning Tribal groups is no different.

When the challenges associated with a process become too much for some to bear, inevitably there will be those who will seek ways around the process or who will find clever ways to frustrate the process.

The process entailed in the acknowledgment of petitioning Tribal groups is no different in that respect either.

And so, over the years, Tribal groups have come to the Congress seeking a legislative recognition of their status.

In some instances, litigation relating to the acknowledgment process has been initiated, and more recently, the Freedom of Information Act has been used as a means of diverting the staff of the Branch of Acknowledgment away from their primary charge as they attempt to produce thousands of pages of documents requested by interested parties.

The Congress is primarily responsible for the inadequate resources, both financial and personnel resources, that are provided to the Branch of Acknowledgment

to carry out its work.

Thus today, in addition to developing an understanding of the underlying process, the Committee wants to know what is needed, in terms of resources, to assist the Branch in fulfilling its responsibilities.

With these considerations in mind, we leave for another day the issues associated with the seven criteria and the manner in which the criteria are applied, as well as the frustrations that have consistently been expressed to this Committee that the acknowledgment process needs to be more transparent and more timely.

The Committee expresses its appreciation to the General Accounting Office for its helpful assessment of the Tribal recognition process, and equally as important, we thank the Bureau of Indian affairs for appearing before the Committee today.