



CALIFORNIA INDIAN LEGAL SERVICES

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TRIBAL ALERT

Revised January 12, 2010

Upcoming opportunities for tribal leaders to meet with the Bureau of Indian Affairs (BIA) and the Department of Interior (DOI).

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UPCOMING BIA CONSULTATION ON REVISIONS TO INDIAN REORGANIZATION ACT (“IRA”) REGULATIONS

The BIA is conducting tribal consultations on draft revisions to 25 CFR Part 81 – Tribal Reorganization under a Federal Statute and 25 CFR Part 82 – Petitioning Procedures for Tribes Reorganized under Federal Statute and Other Organized Tribes. The BIA’s consultations seek oral and written comments about the proposed revisions to Parts 81 and 82.

Key issues in the current draft regulations that may be of interest for tribes with IRA constitutions include:

1. Amendments to the IRA removing the requirement of a Secretarial election to ratify new charters; and
2. Eliminates distinctions between Indians reorganized as historical tribes and those reorganized as communities of adult Indians; and
3. Clarifies that an IRA tribe may amend its constitution to remove Secretarial approval of future amendments

Several of these issues have been clarified by Congressional statute, but the BIA’s regulations have not been updated to reflect the new statutes. Additionally, the new draft regulations include changes to: definitions; the required format for petitions; and requirements for casting votes at polling sites.

California meeting dates and times:

1. January 12, 2010 at the Rumsey Rancheria, Cache Creek Casino & Resort from 9 a.m. to 4:30 p.m.;
2. February 2, 2010 at the Pala Casino Resort and Spa from 9 a.m. to 4:30 p.m.

Related documents can be found at:

- <http://www.bia.gov/DocumentLibrary/index.htm>

UPCOMING DOI CONSULTATION ON PRESIDENT OBAMA'S MEMO ON TRIBAL CONSULTATION AND EXECUTIVE ORDER 13175

The DOI is conducting **one** tribal consultation in California about President Obama's Memo on Tribal Consultation and Executive Order 13175 (President Clinton's Executive Order also addressing tribal consultation). This is the only meeting addressing this issue California, however (there are several scheduled throughout the country).

As stated in the 'Dear Tribal Leader' the DOI is seeking comments about how to 'develop a consultation action plan that respects tribal sovereignty, self-governance, and self-determination and maximizes tribal input and coordination.'

California meeting date and time (*NOTE LOCATION CHANGE*):

1. January 14, 2010 at the Palm Springs Convention Center from 9 a.m. to 4 p.m.

Related documents can be found at:

- <http://www.indianaffairs.gov/idc/groups/public/documents/text/idc002746.pdf>
- <http://www.indianaffairs.gov/idc/groups/public/documents/text/idc002694.pdf>
- <http://www.indianaffairs.gov/idc/groups/public/documents/text/idc-002460.pdf>