

# United States Senate

September 17, 2019

The Honorable James Inhofe  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

The Honorable Adam Smith  
Chairman  
Committee on Armed Services  
United States House of Representatives  
Washington, DC 20515

The Honorable Mac Thornberry  
Ranking Member  
Committee on Armed Services  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Inhofe, Chairman Smith, Ranking Member Reed, and Ranking Member Thornberry,

As you negotiate the National Defense Authorization Act (NDAA) for fiscal year 2020, I respectfully ask that you include language to restore federal recognition to the Little Shell Tribe of Chippewa. I am appreciative and proud that this bipartisan language was included in the Senate-passed version of the NDAA.

The Little Shell Tribe is a state-recognized tribe in the State of Montana that has sought restoration of its federal recognition for more than a century. The Tribe is a political successor to the 1863 Pembina Treaty, along with the federally recognized Turtle Mountain Band of Chippewa and the Chippewa-Cree Tribe of the Rocky Boy Reservation.

In the 1930s and 1940s, the Little Shell Tribe petitioned the federal government for a formal reservation and to be allowed to organize under the Indian Reorganization Act of 1934. During that time the Commissioner of Indian Affairs John Collier determined that the Little Shell Tribe should be eligible to organize under the Indian Reorganization Act and should receive reservation lands. However, Collier's findings were at the height of the Great Depression and Congress was unable to dedicate funds toward purchasing reservation lands for the Tribe. The lack of a formal land base eventually led the federal government to consider the Little Shell Tribe unrecognized.

The Little Shell Tribe has toiled for nearly four decades in the Department of the Interior's broken Part 83 process. In 2000, the Tribe received a proposed positive finding in favor of recognition. However, in an unprecedented move, the Department reversed course nearly nine years later and issued a negative finding against recognition.

When I arrived in the Senate in 2007, federal recognition for the Little Shell Tribe was the first piece of legislation I introduced. Every Congress since, I have introduced this legislation. The Senate Committee on Indian Affairs passed legislation to federally recognize the Little Shell Tribe four times. In September 2018 and again in March of this year, companion legislation to my Senate bill passed the House of Representatives. It is clear both chambers agree that this important legislation should be signed into law.

It is time to right this historical wrong and restore federal recognition to the Little Shell Tribe. Thank you for your leadership on this important issue and consideration of this request. I am happy to speak with you and provide assistance if further information is needed.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Jon Tester