

Dunlap Band of Mono Indians

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Sent via email to consultation@bia.gov

September 24, 2013

Ms. Elizabeth Appel, Acting Director
Office of Regulatory Affairs and Collaborative Action
U.S. Department of the Interior
1849 C Street, N.W.
MS-4141-MIB
Washington, D.C. 20240

**Re: Tribal Comments Submitted by the Dunlap Band of Mono Indians to
Proposed Changes to 25 CFR Part 83 (“1076-AF18”)**

Dear Ms. Appel:

On behalf of the Dunlap Band of Mono Indian Tribe we would like to thank the Bureau of Indian Affairs, Department of Interior, on recognizing that the existing procedures needed to be revised and that there is a need for transparency, timelines, efficiency and flexibility.

The Dunlap Band of Mono Indians is currently Petitioner #92 pursuant to 25 CFR Sec. 83.4(b), having originally filed a letter of intent in 1984 and re-filed in 2005. A petition under Part 83 is forthcoming from the Dunlap Band, though one has not yet been filed with the Office of Federal Acknowledgment. The proposed regulations at Section 83.4(b) eliminate the requirement for filing letters of intent. The Dunlap Band is greatly concerned about the implications and believes that petitioners like itself who filed letters of intent and who currently meet the definition of "Petitioner" under Section 83.1 should maintain both their place in line and their status as a "Petitioner" for purposes of Part 83.

In sum, any changes in Section 83.4(b) should clearly state that those tribes who previously filed letters of intent under 25 CFR Sec. 83.4(b), and have thereby been assigned a number in the queue, will not forfeit their place in line for consideration by the Office of Federal Acknowledgment when they submit their actual petition and that such tribes are deemed to be a "Petitioner" for purposes of Part 83.

We appreciate the Department of Interior's efforts to improve the Part 83 process. At the same time, we respectfully request that any changes to Part 83 preserve the status of all groups who are deemed to be "Petitioners" pursuant to the current 25 CFR Section 83.4(b) so that when the Tribe files its petition, OFA will review the Tribe's petition in accordance with the Tribe's current place in line (#92), rather than at the end of the queue.

If you have any questions or need additional information please feel free to contact me or our Tribal Secretary, Florence Dick at (559) 338-2482 or via email: flo_dick@icloud.com

Respectfully,

/s/ Benjamin Charley Sr.

BENJAMIN CHARLEY Sr.
Tribal Chairman, Dunlap Band of Mono Indians.