Pyramid Lake Paiute Tribe

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February 16, 2017

RE: Status of Tribe Appeal of BIA Refusal to Approve Per Capita Economic Stimulus Payment

Dear Tribal Members:

As some of you may know, in 2016 I made a formal written request to the BIA Office of the Special Trustee seeking release of several million dollars from the Tribe's TROA Economic Development Fund for the purpose of a one-time economic stimulus payment for all eligible Tribal Members. In December 2016, the BIA Western Regional Director in Arizona formally denied that request and refused to release the funds to the Tribe. In January 2017, the Tribe formally appealed the BIA's decision to the Interior Board of Indian Appeals (IBIA).

On January 26, 2017, the Tribe received a "Pre-Docketing Notice" from the IBIA Office of Hearings and Appeals. The Pre-Docketing Notice explains that pursuant to Dept. of Interior appeals regulations (43 C.F.R. § 4.335), the Regional Director is required to send a copy of the entire administrative record (i.e. all documents that the Regional Director used or considered in making his final decision to deny the request for a per capita distribution) to the IBIA.

Within 20 days of the Pre-Docketing Notice, the IBIA should assign a docket number to the Tribe's appeal, unless the Assistant Secretary of Indian Affairs assumes jurisdiction over the appeal pursuant to 25 C.F.R. § 2.20(c) and 43 C.F.R. § 4.332(b), and issues a decision on his own instead of allowing the IBIA to decide the appeal. That 20-day deadline is very near, and we should know soon whether or not the Assistant Secretary of Indian Affairs will assume jurisdiction over this appeal, or whether he will allow the IBIA to assign a docket number to the Tribe's appeal and issue a schedule for the Tribe to prepare a written brief.

We will keep the Tribal Membership updated on this very important case.

Sincerely,

Vinton Hawley

Chairman Vinton Hawley