

Caddo Nation Retrocession

What is retrocession?

The following information is taken from the Code of Federal Regulations (CFR), Title 25, Volume 1, as revised 1 April 2003. You can view the CFR through the National Archives and Records Administration's electronic GPO access here. This link will allow you to browse the entire contents of the CFR.

PART 900--CONTRACTS UNDER THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT--Table of Contents Subpart P--Retrocession and Resumption Procedures

Sec. 900.240 What does retrocession mean? A retrocession means the return to the Secretary of a contracted program, in whole or in part, for any reason, before the expiration of the term of the contract.

Sec. 900.241 Who may retrocede a contract, in whole or in part? An Indian tribe or tribal organization authorized by an Indian tribe may retrocede a contract.

Sec. 900.242 What is the effective date of retrocession? The retrocession is effective on the date which is the earliest date among: (a) One year from the date of the Indian tribe or tribal organization's request; (b) The date the contract expires; or (c) A mutually agreed-upon date.

Sec. 900.243 What effect will an Indian tribe or tribal organization's retrocession have on its rights to contract? An Indian tribe or tribal organization's retrocession shall not negatively affect: (a) Any other contract to which it is a party; (b) Any other contracts it may request; and (c) Any future request by the Indian tribe or tribal organization to contract for the same program.

Sec. 900.244 Will an Indian tribe or tribal organization's retrocession adversely affect funding available for the retroceded program? No. The Secretary shall provide not less than the same level of funding that would have been available if there had been no retrocession.

Sec. 900.245 What obligation does the Indian tribe or tribal organization have with respect to returning property that was used in the operation of the retroceded program? On the effective date of any retrocession, the Indian tribe or tribal organization shall, at the request of the Secretary, deliver to the Secretary all requested property and equipment provided under the contract which have a per item current fair market value, less the cost of improvements borne by the Indian tribe or tribal organization, in excess of \$5,000 at the time of the retrocession