

THE OFFICE OF FEDERAL ACKNOWLEDGMENT

Brief Overview
(as of 11/12/2013)

The Office of Federal Acknowledgment (OFA) within the Office of the Assistant Secretary - Indian Affairs of the Department of the Interior (Department) implements Part 83 of Title 25 of the Code of Federal Regulations (25 CFR Part 83), *Procedures for Establishing that an American Indian Group Exists as an Indian Tribe*. The acknowledgment process is the Department's administrative process by which petitioning groups that meet the criteria are given Federal "acknowledgment" as Indian tribes and by which they become eligible to receive services provided to members of Indian tribes.

Through the Department's Office of the Solicitor, OFA makes recommendations to the Assistant Secretary - Indian Affairs (AS-IA). The AS-IA has the authority to make the decision whether to acknowledge tribal existence and establish a government-to-government relationship or to deny acknowledging a petitioning group as an Indian tribe.

By applying anthropological, genealogical, and historical research methods, OFA reviews, verifies, and evaluates groups' petitions for Federal acknowledgment as Indian tribes. OFA makes recommendations for proposed findings and final determinations to the AS-IA, consults with petitioners and third parties, provides copies of 25 CFR Part 83 and its guidelines, prepares technical assistance review letters, maintains petitions and administrative correspondence files, and conducts special research projects for the Department. OFA also performs other administrative duties that include maintaining lists of petitioners and responding to appeals, litigation, and Freedom of Information Act requests.

Since 1978, 356 groups have stated their intent to seek acknowledgment through the administrative process. Of this number, 269 groups have submitted only letters of intent or partially documented petitions, and are not ready for evaluation. The remaining 87 have submitted completed petitions. Of this number, the Department has resolved 55 and 19 have been resolved by Congress or through other means; the current OFA workload consists of 7 petitions under active consideration, while 2 petitions are ready and waiting for active consideration. Four petitioners elected suspension until revised regulations are considered. Two resolved decisions are in litigation in Federal court and two before the Interior Board of Indian Appeals.