



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

**MAR 25 2016**

Honorable Jeff Haozous  
Fort Sill Apache Tribe of Oklahoma  
43187 US Highway 281  
Apache, Oklahoma 73006-8038

Dear Chairman Haozous:

Thank you for two letters dated March 11, 2016, that the Office of Federal Acknowledgment (OFA) received on March 17, 2016, and March 18, 2016, respectively. Both of these letters are in reference to the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan Guadalupe (PMT petitioner).

The PMT petitioner is seeking Federal acknowledgment as an Indian tribe under the Department's 2015 regulations that became final and effective on July 31, 2015. You requested (1) "interested party" status, (2) to add Mr. Phillip E. Thompson as a contact person, and (3) a 120-day extension to the comment period which closes on March 28, 2015.

With regard to the first two items, the 2015 regulations do not have a category known as "interested party," but provides that OFA publish on its Web site "contact information for any other individuals and entities that request to be kept informed of general actions regarding the petitioner." (25 C.F.R. § 83.22(c)(5)). By March 28, 2016, OFA will update the PMT petitioner's contact information section under the heading, "Federally Recognized Indian Tribes," to include as follows:

Honorable Jeff Haozous  
Chairman  
Fort Sill Apache Tribe of Oklahoma  
43187 US Highway 281  
Apache, Oklahoma 73006-8038  
Phone (580) 588-2298 / 2314  
Fax (580) 588-3133

Mr. Phillip E. Thompson  
Thompson Associates  
P.O. Box 467  
Point of Rocks, MD 21777  
Phone (301) 535-0488  
Fax (202) 905-0057  
e-mail: philliptho@me.com

With regard to item three, the Department of the Interior (Department) published on November 27, 2015, a Federal Register notice of the "Receipt of Documented Petitions for Federal Acknowledgment of American Indian Tribes." Enclosed please find a copy for your quick reference. The November 27, 2015, publication date of this notice started a 120-day comment period. The notice stated, "Comments and evidence must be postmarked March 28, 2016." OFA will also be posting any comments or materials by third parties to OFA relating to the documented petitions on its Web site.

To justify "good cause" for an extension, you note that OFA had not provided you notice of the 120-day comment period after the November 27, 2015, Federal Register publication by mail, but

had done so to the federally recognized Indian tribe, Ysleta del Sur Pueblo. The Fort Sill Apache Tribe, however, is not on similar footing with Ysleta Del Sur Pueblo.

When the Department promulgated the Federal acknowledgment regulations in 1978, the PMT petitioner was one of 40 petitioners that the Department published a Federal Register notice of the "Receipt of Petition for Federal Acknowledgment of Existence as Indian Tribes" on January 2, 1979. As early as 1992, the Ysleta Del Sur Pueblo contacted the Department regarding its relationship with this petitioner and periodically has provided comment and evidence. OFA was fully aware of "a historical or present relationship with the petitioner or that may otherwise be considered to have a potential interest in the acknowledgment determination" and therefore provided it notice. In contrast, OFA was unaware, and the Fort Sill Apache Tribe of Oklahoma never informed OFA, of its claims of "a historical or present relationship with the petitioner or that may otherwise be considered to have a potential interest in the acknowledgment determination," until just week or so before the close of a comment period.

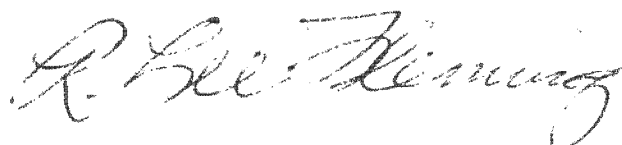
You also note that the Fort Sill Apache Tribe of Oklahoma is currently in litigation with the Department, and that an extension "would enable the Tribe to properly comment on the Piro/Manso/Tiwa petition as well as meet the demands of the litigation." The AS-IA does not find your current litigation is "good cause."

The *Federal Register* notice of November 27, 2015, provided the Department's public notice. In addition, OFA provided further notice by publishing on its Web site various information and documents, as well as opportunities "for individuals and entities to submit comments and evidence supporting or opposing the petitioner's request for acknowledgment within 120 days of the date of the Web site posting," as well as "opportunities for individuals and entities to request to be kept informed of general actions regarding a specific petitioner," under § 83.22.

Under § 83.8, the AS-IA may extend deadlines in this part upon a finding of good cause. After careful consideration, the AS-IA found that the Fort Sill Apache Tribe of Oklahoma, all parties, potential parties, and the general public, had the same opportunity to respond in a timely fashion. The AS-IA also found that you have not articulated "good cause" to justify an extension beyond March 28, 2016, the end of the 120-day comment period as provided in § 83.22.

Enclosed please find a copy of the 2015 regulations. Please be advised that they provide other opportunities for individuals and entities to provide comments and evidence during other phases of the Federal acknowledgment process, such as § 83.35. We look forward to your continued interest in the Federal acknowledgment process and will be updating OFA's Web site by March 28, 2016. Please review, and if any corrections need to be made to the contact information, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Lee Kiming". The signature is fluid and cursive, written over a white background.

Director, Office of Federal Acknowledgment

Enclosures