

Regulations, Guidelines and Policies
for
Federal Acknowledgment
as an American Indian Tribe

25 CFR 83
Formerly 25 CFR 54) *

For Information:

Bureau of Indian Affairs
Branch of Acknowledgment and Research
Mail Stop 4627-MIB, 18th & C Streets, N.W.
Washington, D.C. 20240

(202) 343-3592

- * Part 54 of Title 25 of the Code of Federal Regulations was officially redesignated Part 83 by Final Rule which was published as FR Doc 83-8496 on pages 13326-13328 of the Federal Register Vol. 47, No. 61, on Tuesday, March 30, 1982. All references to Part 54 and/or its subsections contained herein should be interpreted as part or subsections of 83 until such time as on-hand supplies of the attached publication are exhausted. There has been no change in the wording of the regulations themselves.

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Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 54—PROCEDURES FOR ESTABLISHING THAT AN AMERICAN INDIAN GROUP EXISTS AS AN INDIAN TRIBE

Final Rule

AUGUST 24, 1978.

AGENCY: Bureau of Indian Affairs, Interior Department.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs publishes final regulations which provide procedures for acknowledging that certain American Indian tribes exist. Various Indian groups throughout the United States have requested that the Secretary of the Interior officially acknowledge them as Indian tribes. Previously, the limited number of such requests permitted an acknowledgment of the group's status on a case-by-case basis at the discretion of the Secretary. The recent increase in the number of such requests before the Department necessitates the development of procedures to enable the Department to take a uniform approach in their evaluation.

EFFECTIVE DATE: October 2, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. John A. Shapard, Jr., Division of Tribal Government Services, Branch of Tribal Relations, telephone, 202-343-4045, principal author, Mr. John A. Shapard, Jr.

SUPPLEMENTARY INFORMATION: Various Indian groups throughout the United States have requested that the Secretary of the Interior officially acknowledge them as Indian tribes. Heretofore, the limited number of such requests permitted an acknowledgment of the group's status on a case-by-case basis at the discretion of the Secretary. The recent increase in the number of such requests before the Department necessitates the development of procedures to enable the Department to take a uniform approach in their evaluation.

Proposed regulations were published on June 16, 1977. Revised proposed regulations were published on June 1, 1978 (43 FR 23743). The period for public comment closed on July 3. Throughout this period, from June 16, 1977, the amount of consultation and discussion with tribes and other groups on Federal acknowledgment has been unprecedented. Since June 16, 1977, our records show a total of 400 meetings, discussions, and conversations about Federal acknowledgment with other Federal agencies, State government officials, tribal representatives, petitioners, congressional staff members, and legal representatives of petitioning groups; 60 written comments on the initial proposed regulations of June 16, 1977; a national conference on Federal acknowledgment attended by approximately 350 representatives of Indian tribes and organizations; and 34 comments on the revised proposed regulations, published on June 1, 1978.

This is a project in which the Congress, the administration, the national Indian organizations, and many tribal groups are cooperating to find an equitable solution to a longstanding and very difficult problem.

Most of the changes made in the final regulations from the revised proposed regulations were for clarification. The one concept which has been more strongly emphasized in these final regulations is found in §§ 54.8 and 54.9. In these two sections, provision is made for a wider and more thorough notice of receipt of petition. Provision is also made for parties, other than the petitioner, to present evidence supporting or challenging the evidence presented in the petition or in the proposed findings.

This inclusion is in response to numerous requests from the public in the comments on both the initial and the revised regulations. Further, it is a continuation of the policy of open and candid communication with all parties concerned with the Federal acknowl-

edgment project. We, therefore, have included measures which will keep all known concerned parties fully informed.

Persons interested in obtaining information about a petition or comments made in support of or in opposition to a petition should so request in writing. These records will be available on the same basis as other records within the Bureau.

A number of other comments were submitted by the public on the revised proposed regulations which bear a specific response. It must be emphasized that the Department is not attempting to resolve administratively problems which were not resolved by Congress when the Indian Reorganization Act was passed.

There will be groups which will not meet the standards required by these regulations. Failure to be acknowledged pursuant to these regulations does not deny that the group is Indian. It means these groups do not have the characteristics necessary for the Secretary to acknowledge them as existing as an Indian tribe and entitled to rights and services as such.

Groups in Alaska are entitled to petition on the same basis as groups in the lower 48 States. These regulations, however, are not intended to apply to groups, villages, or associations which are eligible to organize under the Alaskan Amendment of the Indian Reorganization Act (25 U.S.C. 473a) or which did not exist prior to 1936.

It must again be emphasized that terminated groups, bands, or tribes are not entitled to acknowledgment under these regulations. Even though many of these groups would be able to easily meet the criteria, the Department cannot administratively reverse legislation enacted by Congress.

It should also be noted that recognition by State government officials or legislatures is not conclusive evidence that the group meets the criteria set forth herein.

The Department received a number of comments concerning § 54.9(f). Some felt that the Assistant Secretary should be required to notify the petitioner of his decision within a specified time after receipt of the petition. Because of the large backlog of petitions presently on file, the size of the staff and other research considerations, the time requirement was considered impractical. We strongly feel the fairest and most practical approach is the one taken in the regulations.

The Department must be assured of the tribal character of the petitioner before the group is acknowledged. Although petitioners must be American Indians, groups of descendants will not be acknowledged solely on a racial basis. Maintenance of tribal rela-

tions—a political relationship—is indispensable.

Finally, the definitions are an integral part of the regulations and should be carefully read as such.

This is a new part 54 to subchapter G of chapter I of title 25 of the Code of Federal Regulations to read as follows:

- Sec.
 54.1 Definitions.
 54.2 Purpose.
 54.3 Scope.
 54.4 Who may file.
 54.5 Where to file.
 54.6 Duties of the Department.
 54.7 Form and content of petition.
 54.8 Notice of receipt of petition.
 54.9 Processing the petition.
 54.10 Reconsideration and final action.
 54.11 Implementation of decisions.

AUTHORITY: 5 U.S.C. 301; and sections 463 and 465 of the revised statutes 25 U.S.C. 2 and 9; and 230 DM 1 and 2.

§ 54.1 Definitions.

(a) "Secretary" means the Secretary of the Interior or his authorized representative.

(b) "Assistant Secretary" means the Assistant Secretary—Indian Affairs, or his authorized representative.

(c) "Department" means the Department of the Interior.

(d) "Bureau" means the Bureau of Indian Affairs.

(e) "Area Office" means the Bureau of Indian Affairs Area Office.

(f) "Indian tribe," also referred to herein as "tribe," means any Indian group within the continental United States that the Secretary of Interior acknowledges to be an Indian tribe.

(g) "Indian group" or "group" means any Indian aggregation within the continental United States that the Secretary of the Interior does not acknowledge to be an Indian tribe.

(h) "Petitioner" means any entity which has submitted a petition to the Secretary requesting acknowledgment that it is an Indian tribe.

(i) "Autonomous" means having a separate tribal council, internal process, or other organizational mechanism which the tribe has used as its own means of making tribal decisions independent of the control of any other Indian governing entity. Autonomous must be understood in the context of the Indian culture and social organization of that tribe.

(j) "Member of an Indian group" means an individual who is recognized by an Indian group as meeting its membership criteria and who consents to being listed as a member of that group.

(k) "Member of an Indian tribe" means an individual who meets the membership requirements of the tribe as set forth in its governing document or is recognized collectively by those persons comprising the tribal govern-

ing body, and has continuously maintained tribal relations with the tribe or is listed on the tribal rolls of that tribe as a member, if such rolls are kept.

(l) "Historically," "historical" or "history" means dating back to the earliest documented contact between the aboriginal tribe from which the petitioners descended and citizens or officials of the United States, colonial or territorial governments, or if relevant, citizens and officials of foreign governments from which the United States acquired territory.

(m) "continuously" means extending from generation to generation throughout the tribe's history essentially without interruption.

(n) "Indigenous" means native to the continental United States in that at least part of the tribe's aboriginal range extended into what is now the continental United States.

(o) "Community" or "specific area" means any people living within such a reasonable proximity as to allow group interaction and a maintenance of tribal relations.

(p) "Other party" means any person or organization, other than the petitioner who submits comments or evidence in support of or in opposition to a petition.

§ 54.2 Purpose.

The purpose of this part is to establish a departmental procedure and policy for acknowledging that certain American Indian tribes exist. Such acknowledgment of tribal existence by the Department is a prerequisite to the protection, services, and benefits from the Federal Government available to Indian tribes. Such acknowledgment shall also mean that the tribe is entitled to the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their status as Indian tribes as well as the responsibilities and obligations of such tribes. Acknowledgment shall subject the Indian tribe to the same authority of Congress and the United States to which other federally acknowledged tribes are subjected.

§ 54.3 Scope.

(a) This part is intended to cover only those American Indian groups indigenous to the continental United States which are ethnically and culturally identifiable, but which are not currently acknowledged as Indian tribes by the Department. It is intended to apply to groups which can establish a substantially continuous tribal existence and which have functioned as autonomous entities throughout history until the present.

(b) This part does not apply to Indian tribes, organized bands, pueblos or communities which are already ac-

knowledged as such and are receiving services from the Bureau of Indian Affairs.

(c) This part is not intended to apply to associations, organizations, corporations or groups of any character, formed in recent times; provided that a group which meets the criteria in § 54.7(a)-(g) has recently incorporated or otherwise formalized its existing autonomous process will have no bearing on the Assistant Secretary's final decision.

(d) Nor is this part intended to apply to splinter groups, political factions, communities or groups of any character which separate from the main body of a tribe currently acknowledged as being an Indian tribe by the Department, unless it can be clearly established that the group has functioned throughout history until the present as an autonomous Indian tribal entity.

(e) Further, this part does not apply to groups which are, or the members of which are, subject to congressional legislation terminating or forbidding the Federal relationship.

§ 54.4 Who may file.

Any Indian group in the continental United States which believes it should be acknowledged as an Indian tribe, and can satisfy the criteria in section 54.7, may submit a petition requesting that the Secretary acknowledge the group's existence as an Indian tribe.

§ 54.5 Where to file.

A petition requesting the acknowledgment that an Indian group exists as an Indian tribe shall be filed with the Assistant Secretary—Indian Affairs, Department of the Interior, 18th and "C" Streets NW., Washington, D.C. 20245. Attention: Federal acknowledgment project.

§ 54.6 Duties of the Department.

(a) The Department shall assume the responsibility to contact, within a twelve-month period following the enactment of these regulations, all Indian groups known to the Department in the continental United States whose existence has not been previously acknowledged by the Department. Included specifically shall be those listed in chapter 11 of the American Indian Policy Review Commission final report, volume one, May 17, 1977. The Department shall inform all such groups of the opportunity to petition for an acknowledgment of tribal existence by the Federal Government.

(b) The Secretary shall publish in the FEDERAL REGISTER within 90 days after effective date of these regulations, a list of all Indian tribes which are recognized and receiving services from the Bureau of Indian Affairs.

Such list shall be updated and published annually in the FEDERAL REGISTER.

(c) Within 90 days after the effective date of the final regulations, the Secretary will have available suggested guidelines for the format of petitions, including general suggestions and guidelines on where and how to research for required information. The Department's example of petition format, while preferable, shall not preclude the use of any other format.

(d) The Department shall, upon request, provide suggestions and advice to researchers representing a petitioner for their research into the petitioner's historical background and Indian identity. The Department shall not be responsible for the actual research on behalf of the petitioner.

§ 54.7 Form and content of the petition.

The petition may be in any readable form which clearly indicates that it is a petition requesting the Secretary to acknowledge tribal existence. All the criteria in paragraphs (a)-(g) of this section are mandatory in order for tribal existence to be acknowledged and must be included in the petition.

(a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian," or "aboriginal." A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of tribal activity during various years. Evidence to be relied upon in determining the group's substantially continuous Indian identity shall include one or more of the following:

- (1) Repeated identification by Federal authorities;
- (2) Longstanding relationships with State governments based on identification of the group as Indian;
- (3) Repeated dealings with a county, parish, or other local government in a relationship based on the group's Indian identity;
- (4) Identification as an Indian entity by records in courthouses, churches, or schools;
- (5) Identification as an Indian entity by anthropologists, historians, or other scholars;
- (6) Repeated identification as an Indian entity in newspapers and books;
- (7) Repeated identification and dealings as an Indian entity with recognized Indian tribes or national Indian organizations.

(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area, and that its members are descendants of an Indian tribe which historically inhabited a specific area.

(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

(d) A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs and its members.

(e) A list of all known current members of the group and a copy of each available former list of members based on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendency from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity. Evidence acceptable to the Secretary of tribal membership for this purpose includes but is not limited to:

- (1) Descendency rolls prepared by the Secretary for the petitioner for purposes of distributing claims money, providing allotments, or other purposes;
 - (2) State, Federal, or other official records or evidence identifying present members or ancestors of present members as being an Indian descendant and a member of the petitioning group;
 - (3) Church, school, and other similar enrollment records indicating the person as being a member of the petitioning entity;
 - (4) Affidavits of recognition by tribal elders, leaders, or the tribal governing body, as being an Indian descendant of the tribe and a member of the petitioning entity;
 - (5) Other records or evidence identifying the person as a member of the petitioning entity.
- (f) The membership of the petitioning group is composed principally of persons who are not members of any other North American Indian tribe.
- (g) The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.

§ 54.8 Notice of receipt of petition.

(a) Within 30 days after receiving a petition, the Assistant Secretary shall send an acknowledgment of receipt, in writing, to the petitioner, and shall have published in the FEDERAL REGISTER a notice of such receipt including the name and location, and mailing address of the petitioner and other such information that will identify the entity submitting the petition and the date it was received. The notice shall

also indicate where a copy of the petition may be examined.

(b) Groups with petitions on file with the Bureau on the effective date of these regulations shall be notified within 90 days from the effective date that their petition is on file. Notice of that fact, including the information required in paragraph (a) of this section, shall be published in the FEDERAL REGISTER. All petitions on file on the effective date will be returned to the petitioner with guidelines as specified in § 54.6(c) in order to give the petitioner an opportunity to review, revise, or supplement the petition. The return of the petition will not affect the priority established by the initial filing.

(c) The Assistant Secretary shall also notify, in writing, the Governor and attorney general of any State in which a petitioner resides.

(d) The Assistant Secretary shall also cause to be published the notice of receipt of the petition in a major newspaper of general circulation in the town or city nearest to the petitioner. The notice will include, in addition to the information in section (a) of this part, notice of opportunity for other parties to submit factual or legal arguments in support of or in opposition to the petition. Such submissions shall be provided to the petitioner upon receipt by the Federal acknowledgement staff. The petitioner shall be provided an opportunity to respond to such submissions prior to a final determination regarding the petitioner's status.

§ 54.9 Processing the petition.

(a) Upon receipt of a petition, the Assistant Secretary shall cause a review to be conducted to determine whether the petitioner is entitled to be acknowledged as an Indian tribe. The review shall include consideration of the petition and supporting evidence, and the factual statements contained therein. The Assistant Secretary may also initiate other research by his staff, for any purpose relative to analyzing the petition and obtaining additional information about the petitioner's status, and may consider any evidence which may be submitted by other parties.

(b) Prior to actual consideration of the petition, the Assistant Secretary shall notify the petitioner of any obvious deficiencies, or significant omissions, that are apparent upon an initial review, and provide the petitioner with an opportunity to withdraw the petition for further work or to submit additional information or a clarification.

(c) Petitions shall be considered on a first come, first serve basis determined by the date of original filing with the Department. The Federal acknowl-

edgement project staff shall establish a priority register including those petitions already pending before the Department.

(d) The petitioner and other parties submitting comments on the petition shall be notified when the petition comes under active consideration. They shall also be notified who is the primary Bureau staff member reviewing the petition, his backup, and supervisor. Such notice shall also include the office address and telephone number of the primary staff member.

(e) A petitioning group may, at its option and upon written request, withdraw its petition prior to publication by the Assistant Secretary of his finding in the FEDERAL REGISTER and, may if it so desires, file an entirely new petition. Such petitioners shall not lose their priority date by withdrawing and resubmitting their petitions later, provided the time periods in paragraph (f) of this section shall begin upon active consideration of the resubmitted petition.

(f) Within 1 year after notifying the petitioner that active consideration of the petition has begun, the Assistant Secretary shall publish his proposed findings in the FEDERAL REGISTER. The Assistant Secretary may extend that period up to an additional 180 days upon a showing of due cause to the petitioner. In addition to the proposed findings, the Assistant Secretary shall prepare a report which shall summarize the evidence for the proposed decision. Copies of such report shall be available for the petitioner and other parties upon written request.

(g) Upon publication of the proposed findings, any individual or organization wishing to challenge the proposed findings shall have a 120-day response period to present factual or legal arguments and evidence to rebut the evidence relied upon.

(h) After consideration of the written arguments and evidence rebutting the proposed findings, the Assistant Secretary shall make a determination regarding the petitioner's status, a summary of which shall be published in the FEDERAL REGISTER within 60 days from the expiration of the response period. The determination will become effective in 60 days from publication unless earlier withdrawn pursuant to § 54.10.

(i) The Assistant Secretary shall acknowledge the existence of the petitioner as an Indian tribe when it is determined that the group satisfies the criteria in § 54.7.

(j) The Assistant Secretary shall refuse to acknowledge that a petitioner is an Indian tribe if it fails to satisfy the criteria in § 54.7. In the event the Assistant Secretary refuses to acknowledge the eligibility of a petitioning group, he shall analyze and forward

to the petitioner other options, if any, under which application for services and other benefits may be made.

§ 54.10 Reconsideration and final action.

(a) The Assistant Secretary's decision shall be final for the Department unless the Secretary requests him to reconsider within 60 days of such publication. If the Secretary recommends reconsideration, the Assistant Secretary shall consult with the Secretary, review his initial determination, and issue a reconsidered decision within 60 days which shall be final and effective upon publication.

(b) The Secretary in his consideration of the Assistant Secretary's decision may review any information available to him, whether formally part of the record or not; where reliance is placed on information not of record, such information shall be identified as to source and nature, and inserted in the record.

(c) The Secretary may request reconsideration of any decision by the Assistant Secretary but shall request reconsideration of any decision, which in his opinion:

(1) Would be changed by significant new evidence which he has received subsequent to the publication of the decision; or

(2) A substantial portion of the evidence relied on was unreliable or was of little probative value; or

(3) The petitioner's or the Bureau's research appears inadequate or incomplete in some material respect.

(d) Any notice which by the terms of these regulations must be published in the FEDERAL REGISTER, shall also be mailed to the petitioner, the Governors and attorney generals of the States involved, and to other parties which have commented on the proposed findings.

§ 54.11 Implementation of decisions.

(a) Upon final determination that the petitioner is an Indian tribe, the tribe shall be eligible for services and benefits from the Federal Government available to other federally recognized tribes and entitled to the privileges and immunities available to other federally recognized tribes by virtue of their status as Indian tribes with a government-to-government relationship to the United States as well as having the responsibilities and obligations of such tribes. Acknowledgment shall subject such Indian tribes to the same authority of Congress and the United States to which other federally acknowledged tribes are subject.

(b) While the newly recognized tribe shall be eligible for benefits and services, acknowledgment of tribal existence will not create an immediate entitlement to existing Bureau of Indian Affairs programs. Such programs shall

become available upon appropriation of funds by Congress. Requests for appropriations shall follow a determination of the needs of the newly recognized tribe.

(c) Within 6 months after acknowledgment that the petitioner exists as an Indian tribe, the appropriate Area Office shall consult and develop in cooperation with the group, and forward to the Assistant Secretary, a determination of needs and a recommended budget required to serve the newly acknowledged tribe. The recommended budget will be considered along with other recommendations by the Assistant Secretary in the usual budget-request process.

GEORGE V. GOODWIN,
Deputy Assistant Secretary—
Indian Affairs.

[FR Doc. 78-24674 Filed 9-1-78; 8:45 am]

[8320-01]

Title 38—Pensions, Bonuses, and
Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 2—DELEGATIONS OF AUTHORITY

Authority to Issue Subpoenas

AGENCY: Veterans Administration.

ACTION: Final regulation.

SUMMARY: This amendment delegates subpoena authority to the General Counsel and the Deputy General Counsel and redesignates positions already exercising subpoena authority to reflect the recent implementation of the Office of the Inspector General within the Veterans Administration. While the exercise of this authority within the Office of the General Counsel is expected to be infrequent, a need has been experienced in connection with the conduct of certain investigations and cases by that office. In addition minor editorial changes have been made.

EFFECTIVE DATE: August 25, 1978.

FOR FURTHER INFORMATION
CONTACT:

Neal C. Lawson, Assistant General
Counsel, Veterans Administration,
Washington, D.C. 20420, 202-389-
3294.

SUPPLEMENTARY INFORMATION:
On page 12892 of the FEDERAL REGISTER of March 28, 1978, there was published notice of proposed regulatory development to amend § 2.1 relating to delegation of authority to employees to issue subpoenas.



BY REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C. 20245

DEC 19 1978

Dear Interested Party:

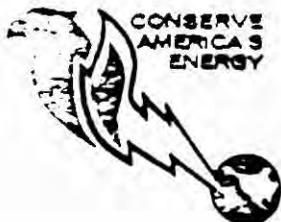
Enclosed is a copy of "Guidelines for Preparing a Petition for Federal Acknowledgment as an Indian Tribe." These are required by 25 Code of Federal Regulations Part 54.6(c). The guidelines are designed to assist petitioning groups in the preparation of a petition for Federal acknowledgment. These are not additional requirements for petitioners, but we recommend that those groups preparing petitions for Federal acknowledgment follow the guidelines as closely as possible.

If there are questions, call the Acknowledgment staff at (703) 235-2360 or write: Commissioner of Indian Affairs, Department of the Interior, 1951 Constitution Avenue N.W., Washington, D.C. 20245 Attention: Federal Acknowledgment Project, Mail Code 440.

Sincerely,


Acting Deputy Commissioner

Enclosure



v

Save Energy and You Serve America!



IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D. C. 20245

GUIDELINES
FOR PREPARING
A
PETITION FOR
FEDERAL ACKNOWLEDGMENT
AS AN INDIAN TRIBE

December 1978



Save Energy and You Serve America!

INTRODUCTION

Background

In the past, there was no standard procedure for acknowledging Indian groups which requested to be recognized as Indian tribes. On September 5, 1978, the Department of the Interior published regulations to provide "Procedures for establishing that an American Indian Group exists as an Indian tribe." The regulations, which became effective on October 2, standardize and clarify the procedure and the criteria to be used for submitting and considering requests for acknowledgment.

Section 54.6(c) requires that guidelines be available to assist interested groups in submitting petitions for acknowledgment and to provide a suggested format.

Guidelines are not additional requirements

These guidelines are intended to explain and clarify the regulations, as well as to provide suggestions to groups which are interested in petitioning for acknowledgment. They are not additional regulations or requirements. A petition may be filed in any form which the petitioner believes most strongly presents the group's case.

To petition for Federal acknowledgment

A request for the Secretary of the Interior to acknowledge that a particular group exists as an Indian tribe begins with a petition from the leaders of the group.

Suggestions to speed processing of petitions

While the petition may be in any form, much less time will be needed for the Bureau to process the petition and publish a decision if the following items are kept in mind:

- (1) Use the suggested format as far as possible.
- (2) Use footnotes to show where the information was found. List books, articles and newspapers by name, location and page numbers. Give file numbers, subjects, and the location of the

files. If the information used was given verbally, note who gave it and when, their address, and tell why they are considered to be expert.

(3) Send at least three copies of your petition. This will allow several specialists to work on your petition at the same time. It is recommended that petitions be sent by certified mail with a return receipt requested. Petitions and documentation must be clear and readable.

(4) Include copies of important documents with the petition. Do not send originals of any documents. If originals are needed, the Federal Acknowledgment Project staff will contact the petitioner.

Public Review of the Petition

It should be noted that the petition will be available for public review and that any information contained in a petition will be available to interested parties on the same basis as other records of the Bureau of Indian Affairs. Personal data about tribal members is protected by the Privacy Act. Examples of personal data to be withheld from public review include, but are not limited to, addresses, phone numbers, dates and places of birth, marriage and death, social security numbers, health and benefit records, and military service records.

Assistance in preparing a petition

In the section entitled "Discussion of Criteria" which follows later in the guidelines, suggestions are made regarding where the petitioner may be able to find professional assistance for researching and preparing the petition. Suggestions on how to locate help are included in these guidelines. Technical advice and answers to specific questions will be available from the Federal Acknowledgment staff by telephone or letter.

DISCUSSION OF CRITERIA IN §54.7(a)-(g)

In order to be acknowledged as an Indian tribe by the Department of the Interior, a petitioner must meet all seven of the criteria found in §54.7 of the regulations, subsections (a) through (g). It is very important for the petitioner to thoroughly discuss how the group meets each criterion.

The following is an explanation of the seven criteria in §54.7, Subsections (a) through (g). The criterion as found in the regulations is cited first, followed by a discussion.

54.7 The petition may be in any readable form which clearly indicates that it is a petition requesting the Secretary to acknowledge tribal existence. All of the criteria in paragraphs (a)-(g) of this section are mandatory in order for tribal existence to be acknowledged and must be included in the petition.

- (a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian," or "aboriginal." A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of tribal activity during various years. Evidence to be relied upon in determining the group's substantially continuous Indian identity shall include one or more of the following:

In this section the petitioners should show the group has been known as Indian from the first contact with non-Indians until

the present. A year-by-year history is not necessary, but give as much detail as possible.

The following are the kinds of evidence which should be used to show that the group has been identified as American Indian all through history until the present. The petitioner need not use all of the types of evidence listed in §54.7(a). Although it might be possible to establish continuous Indian identity using only one type of evidence, it would strengthen the petition if more were used.

54.7(a)(1) Repeated identification by Federal authorities;

Repeated identification by Federal authorities can be shown through the use of treaties, agreements, old Army records, contacts with the Bureau of Indian Affairs, Federal court records, Federal land records and maps, annuity rolls, Indian school records, services received as an Indian entity from other Federal agencies, census records, records of Federal Indian trading systems, Indian depredation claims records, Indian census lists, and tribal rolls. This list is not complete; it merely illustrates the various kinds of records available to the petitioners.

Most of these records will be found in the National Archives and its branches or the Library of Congress.

54.7(a)(2) Longstanding relationships with State governments based on identification of the group as Indian;

Longstanding relationships between state governments and the group can be shown by the existence of state reservations; dealings with state Indian commissions; inclusion in state budgets and periodic ceremonies with state officials. In addition, special mention of the group in state laws; records pertaining to state censuses, state school systems, the state militia, state courts, and social services and law enforcement can be useful. Records of colonial governments may be helpful. These are only examples of the kinds of records which can be used. There may be others which will be just as useful.

Most of these records can be found in state archives. It would also be useful to examine the records of state and local libraries and historical societies. Ask employees in these offices for advice and additional suggestions about where to look.

54.7(a)(3) Repeated dealings with a county, parish, or other local government in a relationship based on the group's Indian identity;

Repeated dealings as a group with county, parish, or other local governments can be shown by the existence of various types of records. These include the following: land held in trust; special services provided for the group; local courts; land and tax offices; law enforcement services; inclusion in local budgets and periodic ceremonies with local officials; and local ordinances referring to the group.

These records are generally found in local courthouses.

Some may be found in state archives.

54.7(a)(4) Identification as an Indian entity by records in courthouses, churches, or schools;

There are a number of different kinds of records held in courthouses, by churches or church groups, and by schools which may be helpful in identifying the group as Indian.

It is suggested that the petitioner talk with the county clerk, secretary of the school board, and area religious leaders. A more complete discussion of these types of records can be found in other sections.

Many churches did social and religious work with Indian groups. Talk to state and local historical societies or local religious leaders about the location of these types of records. See the section entitled "Reference Books and Guides" for directories.

54.7(a)(5) Identification as an Indian entity by anthropologists, historians, or other scholars;

Anthropologists, historians, and other scholars who specialize in American Indian history and ethnology may have identified the petitioner as "American Indian", or "aboriginal." Books, articles, and unpublished graduate papers, doctoral dissertations, masters' theses, field notes and items of this nature would be valuable pieces of evidence for a petitioner.

Talk to state and local historical societies or local librarians about the location of these types of records. Consult the section "Reference Books and Guides" for appropriate directories.

54.7(a)(6) Repeated identification as an Indian entity in newspapers and books;

Identification of the group as Indian in books, newspaper articles, magazines, and other periodicals may aid the petitioner. Some of this material may not be as reliable

as other types of evidence, and it would not be desirable to base an entire petition on it.

See "Reference Books and Guides" section and ask your local librarian for additional suggestions.

- 54.7(a)(7) Repeated identification and dealings as an Indian entity with recognized Indian tribes or national Indian organizations.

Repeated identification of the petitioning group may be found in the resolutions, minutes of meetings, membership lists and other records of recognized tribes, and national or regional Indian organizations.

- 54.7(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area, and that its members are descendants of an Indian tribe which historically inhabited a specific area.

In this section the petitioning group should demonstrate that a sizeable number of its members live close enough to each other to meet, associate, and conduct tribal business on a regular basis, and that they do so. One way the petitioner can establish this is to show that there are social and religious activities and meetings of organizations which are

attended entirely or predominantly by members of the group. Maps showing where members live will also be useful in demonstrating that they live close enough to maintain tribal relations.

Also, the community should be of such a nature that it is viewed by itself, and others, as American Indian and distinct from other populations living in the same area. Members of the community must be descendants of an Indian tribe which inhabited a specific area. It is not necessary for the present group to be located in the same area as its aboriginal ancestors. Information gathered for subsections (a) and (e) could also apply to this section.

The petitioner may want to seek professional assistance from anthropology, political science, or urban/rural planning departments of nearby colleges, universities or high schools. See other suggestions under §54.7(c) and "Reference Books and Guides."

54.7(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

The petitioner should demonstrate that there exists now and has existed throughout history a method of dealing with group

problems and making group decisions. Evidence should be provided regarding how decisions were made and carried out,

Indian self-government may take a variety of forms. Some examples are formal or informal selection of leaders or spokesmen, group meetings, enforcement of group decisions, and group relations with outsiders. This can be demonstrated by showing the group has formal or informal leaders or councils and that they control the group or influence and guide it. Examples of group decisions are settlement of disputes, control of land or property, and trade or other dealings with outsiders. It is desirable to provide more than one example and to provide examples for as many years as possible.

It should also be shown that the petitioner's actions are independent of the authority of other Indian groups. Much of the information for this section may be obtained from the same sources and using the same methods as outlined in §54.7(a) and (b).

- 54.7(d) A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs and its members.

Petitioners who are currently governed by written documents such as constitutions and bylaws, charters, or rules of order should include up-to-date copies of them with the petition. If the governing document does not include a statement of how the group determines its membership, a separate statement must be provided.

If there is no written governing document, describe how the group governs its affairs, determines its membership, and records its elections. The discussion under §54.7(c) indicates the kinds of questions which should be answered.

54.7(e) A list of all known current members of the group and a copy of each available former list of members based on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendancy from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity. Evidence acceptable to the Secretary of tribal membership for this purpose includes but is not limited to:

The petitioner must provide a current list of the group's members according to its own membership requirements.

A suggested form called "Membership Roll of (petitioner's

name) as of (date)" is included in the "Sample Letter and Forms" section. In addition to the current list of members, the petitioning group must also send a copy of each available previous membership list.

The petitioner should prove that the group's current members are descended from an Indian group which existed historically or from groups which combined in the past and now act as a single independent group. Two forms have been designed to aid the petitioner in gathering the necessary descendency information on members' families and ancestors. These forms are the "Individual History Chart" and the "Ancestry Chart." Both forms are important. For your convenience, blank copies suitable for reproduction appear in the section entitled "Sample Letter and Forms."

Individual History Chart

Active adult members of the tribe (18 years or older) are requested to provide individual information about themselves and members of their immediate family on the Individual History Chart. Unmarried children who appear on their parents' Individual History Chart need not complete a similar chart in their own behalf. Married children should complete a separate chart in their own behalf.

Ancestry Chart

The Ancestry Chart will show how a family descends from its ancestors. Only one Ancestry Chart need be prepared for the members of a family. Ask the individual who is most knowledgeable about the family's history to complete the chart. Detailed instructions are printed on the form. Individual History Charts which relate to one Ancestry Chart should be grouped together when submitted with the petition.

Descendancy must be proved using evidence acceptable to the Secretary of the Interior. The petitioner need not use all of the types of evidence listed in §54.7(e)(1)-(5). Such evidence includes, but is not limited to the following items:

- 54.7(e)(1) Descendancy rolls prepared by the Secretary for the petitioner for purposes of distributing claims money, providing allotments, or other purposes;

Descendancy rolls are prepared by the Secretary of the Interior to distribute money awarded to Indian tribes by the Court of Claims, the Indian Claims Commission, or under Congressional authority. Evidence of direct Indian ancestry is usually a requirement for enrollment on descendancy rolls. Therefore, individuals who are not members of recognized Indian tribes may meet the requirements for enrollment to share in

payments made as the result of such awards. In some cases lists of descendants were also prepared to distribute land allotment proceeds and for other purposes. Individuals who have received a payment as a descendant as the result of an Indian Claims Commission or other award may obtain personal information from these rolls about themselves or their immediate family from the Bureau of Indian Affairs.

54.7(e)(2) State, Federal, or other official records or evidence identifying present members or ancestors of present members as being an Indian descendant and a member of the petitioning group;

Also acceptable are records or evidence that identify present members or their ancestors as Indian and as members of the petitioning group. These may be Federal, state, or other official records.

Such evidence includes records of birth, death, marriage, divorce, estate settlements, court suits (especially equity cases), land and tax records, Federal, state, and territorial population and mortality census schedules, military service and benefit records, and records of the Bureau of Indian Affairs.

Records here may be found in the National Archives and its regional centers; state archives and libraries; local court-houses; and at the various area and agency offices of the Bureau of Indian Affairs.

- 54.7(e)(3) Church, school, and other similar enrollment records indicating the person as being a member of the petitioning entity;

A variety of church groups in different periods of history did social and religious work with Indians. Useful church records include those of ceremonies performed (marriages, baptisms and funerals), membership, and other church activities.

Records of public, private and religious schools may provide helpful information.

These records may be in state and local historical societies, in central church archives, in Bureau of Indian Affairs area and agency offices, or in the National Archives. Public school records will generally be found in the local community.

- 54.7(e)(4) Affidavits of recognition by tribal elders, leaders, or the tribal governing body, as being an Indian descendant of the tribe and a member of the petitioning entity;

Older affidavits will be more valuable in establishing Indian

ancestry than ones taken recently. Affidavits are the weakest method of establishing Indian ancestry and should be used only when nothing else is available. Affidavits are best used to support documentary evidence.

54.7(e)(5) Other records or evidence identifying the person as a member of the petitioning entity;

Other types of evidence include, but are not limited to, published family histories, family bibles, cemetery records, newspapers, and employment records; state, county, and local area histories; and unpublished manuscript collections.

Family histories and bibles may provide records of birth, marriage and death not found elsewhere. Some of these are personal records which are often privately held. Cemetery records may be deposited with local churches, libraries and historical societies, state agencies, and private cemetery associations. Some information may also be obtained from tombstones. Employment records, which are generally available only to relatives, are usually held by the employing company. Newspapers may be found in public libraries, historical societies, and the sales office of the newspaper. Unpublished manuscript collections, which are somewhat more difficult to locate, may contain valuable material.

54.7(f) The membership of the petitioning group is composed principally of persons who are not members of any other North American Indian tribe.

The membership of the petitioning group must not be composed mainly of individuals who are members of federally-recognized tribes. Petitioners should assure themselves that their members are not affiliated with another tribe. Individuals should be urged not to give up their membership in federally-recognized tribes believing the unrecognized group may be acknowledged. If the group is not acknowledged, the individuals will be without tribal affiliation.

54.7(g) The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.

The petitioning group should submit a statement that they have not been terminated by Congress and that their membership does not belong to terminated tribes.

SUGGESTED FORMAT FOR A PETITION

I. Introduction

Each petition should begin with an introduction which includes (1) A statement indicating that it is a petition for Federal acknowledgment; (2) the name and address of the group; (3) the name and telephone number of a member of the group who can act as its spokesman; and (4) any other person authorized to act on behalf of the group.

II. Historical Overview of the Group

A discussion of the history of the group from early times until the present should be submitted in as much detail as the petitioner feels is necessary.

III. Description of Current Group

The petition should include a description of the group as it exists today, its location and composition, and any other information the petitioner wishes to emphasize.

IV. Response to Criteria

The petitioner must make a thorough response to each of the criteria in Section 54.7(a)-(g) of the regulations. A separate discussion of each of the criteria will be found in the previous section.

V. List of Sources

The petitioner must show where he found his evidence.

VI. Important Documents and Other Exhibits

These should be included in a separate section. When sending copies of documents, write where the original documents can be found on the front page of the copy.

GENERAL SUGGESTIONS FOR RESEARCH

For anyone doing research, a major problem is how to get started. You must decide what you want to do and how you are going to do it. As much as possible, research should be planned. This will save time and avoid having to do the work twice because something was missed. Careful planning will help to keep you from being swamped by the resources of major libraries and archives.

A good place to start is with a library. A librarian will be able to provide assistance on standard reference works, loans from other libraries, and other facilities.

The section entitled "Reference Books and Guides" includes lists of historical and anthropological societies, archives, libraries, and professional associations that may have individuals willing to help. Anthropology departments, Indian studies programs, and history departments of universities, colleges and high schools may have students and faculty who would also be willing to aid the group with the research. A sample letter to organizations and educational institutions has been included in the section called "Sample Letter and Forms." The letter can be adapted for the petitioner's own use. The petitioner should understand that some individuals and groups charge for their services. Also listed are directories of foundations to which the petitioner may wish to apply for financial aid.

The largest portion of the information for a petition may be gathered by documentary research in original written records and documents left by people who took part in events important to the history of the petitioning group. These are the cornerstones upon which a petition must be based. Books and articles about the petitioning group which have been based on these written documents are less valuable in supporting petitions than the original written documents themselves. However, such books may be used as a starting point for locating the original records and evidence.

There may also be written sources which the petitioner can use as evidence concerning its current organization. These may include scholarly articles or reports, newspaper or magazine articles, or studies made by Federal, state or local government agencies. If existing written materials do not provide

sufficient information, the petitioning group may want to make (or have made) a study of their group to provide the evidence required by the regulations. It is highly recommended that professional assistance be obtained for such a study.

In order to provide as much evidence as possible, the petitioner may find it both useful and necessary to gather information by talking with individuals knowledgeable about the group. Useful information may be gathered by interviewing members of the tribe and others such as government officials and missionaries who have knowledge of the group and its history. The most valuable interviews are generally with older individuals and those who were in important positions. Interviews should be carefully planned and recorded. To be most useful, interview questions should concern the history of the group's leadership, past locations and contacts with other portions of the same tribe, other Indian groups, and whites. Archival sources may contain documents which record interviews made in the past. These would be particularly valuable sources.

It is important that, wherever possible, information from interviews be supplemented and supported by written documents. The petitioner should not rely entirely on oral evidence. Information gathered from interviews can be a valuable means of locating useful documentary sources by suggesting where and when the group had contact with government officials, missionaries, schools, etc.

In conclusion, there are some rules of evidence petitioners should always remember. (1) It is always better to have more than one source of information to back up a critical point. (2) The reliability of sources should always be considered. (3) Always present the best evidence possible, and always tell where it came from.

LIST OF REFERENCE BOOKS AND GUIDES

I. Books and Articles

A. Anthropology

Guide to Departments of Anthropology, American Anthropological Association (includes major museums), 1978-79.

Abstracts in Anthropology, 1965-.

Curtis, E. C., The North American Indian, 1924-26.

Dockstader, F. J., The American Indian in Graduate Studies: A Bibliography of Theses and Dissertations, 1957.

Fenton, W., et al., American Indian and White Relations to 1839: Needs and Opportunities for Study, 1957.

Hodge, F. W., Handbook of American Indians North of Mexico, 1907-10.

Murdock, G. P., Ethnographic Bibliography of North America, (3rd or 4th editions), 1960 and 1972.

New York Public Library Reference Department, Dictionary Catalog of the History of the Americas Collection, 1961.

Nichols, P. S., Index to Schoolcraft's "Indian Tribes of the United States," 1954.

Peabody Museum of American Archaeology and Ethnology, Catalog of the Library of the Peabody Museum, 1963.

Schoolcraft, H. R., Information Respecting the History, Condition, and Prospects of the Indian Tribes of the United States, (see also Nichols), 1853 (reprinted).

Sturtevant, William, The Handbook of North American Indians, 1978-.

Swanton, J., The Indian Tribes of North America, 1953.

I. Books and Articles - (cont'd)

B. Genealogy

The American Society of Genealogists, Genealogical Research: Methods and Sources, 2 vols., 1960 and 1971.

Board for Certification of Genealogists,
"Roster of Persons Certified," 1307 New Hampshire
Avenue, N. W., Washington, D. C. 20036

The Genealogical Helper, Vol. 32., No. 4, July-
August 1978. UT: Everton Publishers, Inc.
(P. O. Box 368, Logan, UT 84321)

"1978 Directory of Genealogical Societies,
Libraries, Periodicals and Professionals"

"Genealogy and the Public Library"

"How to Use Your Public Library"

Bowker, American Library Directory, annual.

Colket, Meredith B., Jr. and Frank E. Bridgers,
Guide to Genealogical Research in the National
Archives, 1964.

Doane, Gilbert H., Searching for Your Ancestors:
The How and Why of Genealogy, 1974.

Everton, George B., Sr., The Handy Book for
Genealogists, 1971.

Filby, P. William, American & British Genealogy
and Heraldry: A Selected List of Books, 1975.

Greenwood, Val D., The Researcher's Guide to
American Genealogy, 1973.

Gregory, Winifred, American Newspapers 1821-1936:
A Union List of Files Available in the United
States and Canada, 1937.

Kirkham, E. Kay, A Survey of American Church
Records, 2 Vols., 1960 and 1971; revised 1978.

I. Books and Articles - (cont'd)

B. Genealogy

Meyer, Mary Keysor, Directory of Genealogical Societies in the U.S.A. and Canada, with an appended list of Independent Genealogical Periodicals, 1978.

Milner, Anita Cheek, Newspaper Indexes: A Location and Subject Guide for Researchers, 1977.

Schreiner-Yantis, Netti, Genealogical & Local History Books in Print, 2 Vols., 1975.

Stevenson, Noel C., Search & Research, 1977.

"Where to Write for Birth and Death Records" (PHS)78-1142

"Where to Write for Marriage Records" (PHS)78-1144

"Where to Write for Divorce Records" (PHS)78-1145
(Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. 20402)

Williams, Ethel W., Know Your Ancestors: A Guide to Genealogical Research, 1960.

C. History

Directory of Historical Societies and Agencies in the United States and Canada. Available from American Association of State and Local History, 1975 edition.

Dissertation Abstracts: Abstracts of Dissertations and Monographs in Microfilm, 1961 to date.

Gray, Wood, and others, Historian's Handbook, 1964.

Hamer, Philip, M., A Guide to Archives and Manuscripts in the United States, 1961.

Library of Congress, A Catalog of Books Represented by Library of Congress Printed Cards Issued from August, 1898 to July 31, 1942, 1943.

I. Books and Articles - (Cont'd)

C. History

Library of Congress, The Library of Congress Catalog: Books: Subject, 1955 and 1960, with quarterly supplements.

Library of Congress, National Union Catalog of Manuscript Collections, 1959-1961, and supplements.

Library of Congress, National Union Catalog: A Cumulative Author List, 1947 and supplements.

National Archives, Guide to the National Archives of the United States, 1974.

The New York Times Index, 1913 to present.

Reader's Guide to Periodical Literature, 1900 to present.

Schlesinger, Arthur M. and others, The Harvard Guide to American History, 1954 and 1973.

D. General

Bush, Alfred, Guide to American Indian Periodicals in the Princeton University Library, 1975.

Freeman, J. F. and Murphy D. Smith, A Guide to Manuscripts Relating to the American Indian in the Library of the American Philosophical Society, 1966.

Jennings, F., gen. ed., The Newberry Library Center for the History of the American Indian Bibliographical Series, (separate selective bibliographies by region, tribe and subject), 1977-.

Kappler, Charles J., Indian Affairs, Laws and Treaties, 1903-38 (reprinted in 1972 as Indian Treaties).

Klein, B. and Daniel Icolari, eds., Reference Encyclopedia of the American Indian, 1967.

I. Books and Articles - (Cont'd)

D. General

Ronda, J. P. and J. Axtell, Indian Missions
(bibliography), 1978.

Sutton, Imre, Indian Land Tenure: Bibliographical
Essays and a Guide to the Literature, 1972.

E. Sources of Support

Annual Register of Grant Support, (published yearly).

The Foundation Directory, (current edition).

Handbook for American Indians: a listing of federal
and non-federal agencies offering services to
American Indians. Available from the Bureau of
Indian Affairs, Washington, D. C.

II. Historical and Anthropological Societies

A. National

American Anthropological Association
1703 New Hampshire Avenue, N.W.
Washington, D. C. 20009

American Association for State and Local History
1400 8th Avenue South
Nashville, Tennessee 37219

American Historical Association
400 A Street, S. E.
Washington, D. C. 20016

American Indian Historical Society
1451 Masonic Avenue
San Francisco, California 94117

American Society for Ethnohistory
Arizona State Museum
University of Arizona
Tucson, Arizona 85721

Organization of American Historians
112 North Bryan Street
Bloomington, Indiana 47401

B. Regional

Central States Anthropological Association

Northeastern Anthropological Association

Northwestern Anthropological Association

Southern Anthropological Association

Southwestern Anthropological Association

Each of the above regional associations can be reached:

c/o American Anthropological Association
1703 New Hampshire Avenue, N.W.
Washington, D. C. 20009

II. Historical and Anthropological Societies - (cont'd)

Alabama	Alabama Historical Association 3121 Carlisle Road Birmingham, Alabama 35213
Alaska	Alaska Historical Society 635 Alder Street Juneau, Alaska 99801
Arizona	Arizona Historical Society 949 E. 2nd Street Tucson, Arizona 85719
Arkansas	Arkansas Historical Association History Department University of Arkansas Fayetteville, Arkansas 72701
California	California Historical Society 2090 Jackson Street San Francisco, California 94109
Colorado	State Historical Society of Colorado 200 14th Avenue Denver, Colorado 80203
Connecticut	Connecticut Historical Society 1 Elizabeth Street Hartford, Connecticut 06105
Delaware	Historical Society of Delaware 505 Market Street Wilmington, Delaware 19801
Florida	Florida Historical Society University of South Florida Library Tampa, Florida 33620
Georgia	Georgia Historical Society 501 Whitaker Street Savannah, Georgia 31401
Idaho	Idaho State Historical Society 610 North Julia Davis Drive Boise, Idaho 83706

II. Historical and Anthropological Societies - (cont'd)

Illinois	Illinois State Historical Society Old State Capitol Springfield, Illinois 62706
Indiana	Indiana Historical Society 140 N. Senate Avenue Indianapolis, Indiana 46204
Iowa	State Historical Society of Iowa 402 Iowa Avenue Iowa City, Iowa 52240
Kansas	Kansas State Historical Society Memorial Building 120 West 10th Topeka, Kansas 66612
Kentucky	Kentucky Historical Society 200-202 Broadway Frankfort, Kentucky 40601
Louisiana	Louisiana Historical Society 509 Cotton Exchange Building 231 Carondelet New Orleans, Louisiana 70130
Maine	Maine Historical Society 485 Congress Street Portland, Maine 04111
Maryland	Maryland Historical Society 201 W. Monument Street Baltimore, Maryland 21201
Massachusetts	Massachusetts Historical Society 1154 Boylston Street Boston, Massachusetts 02215
Michigan	Historical Society of Michigan 2117 Washtenaw Avenue Ann Arbor, Michigan 48104
Minnesota	Minnesota Historical Society 690 Cedar Street St. Paul, Minnesota 55101

II. Historical and Anthropological Societies - (cont'd)

Mississippi	Mississippi Historical Society Post Office Box 571 Jackson, Mississippi 39205
Missouri	State Historical Society of Missouri Hitt and Lowry Streets Columbia, Missouri 65201
Montana	Montana Historical Society 225 N. Roberts Helena, Montana 59601
Nebraska	Nebraska State Historical Society 1500 R. Street Lincoln, Nebraska 68508
Nevada	Nevada State Historical Society 1650 N. Virginia Street Reno, Nevada 89503
New Hampshire	New Hampshire Historical Society 30 Park Street Concord, New Hampshire 03301
New Jersey	New Jersey Historical Society 230 Broadway Newark, New Jersey 07104
New Mexico	Historical Society of New Mexico 1201 Madeira S. E., Apt. 193 Albuquerque, New Mexico 87108
New York	New York State Historical Association Lake Road Cooperstown, New York 13326
North Carolina	North Carolina Literary and Historical Association, Inc. 109 East Jones Street Raleigh, North Carolina 27611
North Dakota	State Historical Society of North Dakota Liberty Memorial Building Bismarck, North Dakota 58501

II. Historical and Anthropological Societies - (cont'd)

Ohio	Ohio Historical Society I-71 and 17th Avenue Columbus, Ohio 43211
Oklahoma	Oklahoma Historical Society 2100 N. Lincoln Boulevard Oklahoma City, Oklahoma 73105
Oregon	Oregon Historical Society 1230 S. W. Park Avenue Portland, Oregon 97205
Pennsylvania	Historical Society of Pennsylvania 1300 Locust Street Philadelphia, Pennsylvania 19107
Rhode Island	Rhode Island Historical Society 52 Power Street Providence, Rhode Island 02906
South Carolina	South Carolina Historical Society 100 Meeting Street, Fireproof Building Charleston, South Carolina 29401
South Dakota	South Dakota State Historical Society Soldiers' and Sailors' Memorial Building East Capitol Avenue Pierre, South Dakota 57501
Tennessee	Tennessee Historical Society 403 7th Avenue, North Nashville, Tennessee 37219
Texas	Texas State Historical Association Sid Richardson Hall 2/306 University Station Austin, Texas 78712
Utah	Utah State Historical Society 603 East South Temple Salt Lake City, Utah 84102
Vermont	Vermont Historical Society State Street Montpelier, Vermont 05602

II. Historical and Anthropological Societies - (cont'd)

Virginia	Virginia Historical Society 428 North Boulevard Richmond, Virginia 23220
Washington	Washington State Historical Society 315 North Stadium Way Tacoma, Washington 98403
West Virginia	West Virginia Historical Society 400 East Wing, State Capitol Charleston, West Virginia 25305
Wisconsin	State Historical Society of Wisconsin 316 State Street Madison, Wisconsin 53706
Wyoming	Wyoming State Archives and History Department Barrett Building Cheyenne, Wyoming 82002

III. Libraries and Record Centers

The Library of Congress
Washington, D. C. 20540

The National Archives
Central Reference Service
Washington, D. C. 20408

The Genealogical Society of the Church
of Jesus Christ of Latter-Day Saints
50 East North Temple
Salt Lake City, Utan 84150

The National Anthropological Archives
Department of Anthropology
National Museum of Natural History
Smithsonian Institution
Washington, D. C. 20560

Yale Collection of Western Americans
Yale University Library
New Haven, Connecticut 06520

The Newberry Library Center for the History
of the American Indian
60 West Walton Street
Chicago, Illinois 60610

Bancroft Library
University of California at Berkeley
Berkeley, California 94720

New York City Public Library
New York, New York 10022

The Peabody Museum
Harvard University
11 Divinity Avenue
Cambridge, Massachusetts 02138

IV. State Archives

Alabama	Alabama Department of Archives & History 624 Washington Avenue Montgomery, Alabama 36104
Alaska	Archives and Records Management Division of General Services Department of Administration Pouch C Juneau, Alaska 99811
Arizona	Department of Administration Division of Library, Archives and Public Records 1700 West Washington Phoenix, Arizona 85007
Arkansas	Arkansas History Commission 300 West Markham Street Little Rock, Arkansas 72201
California	California State Archives Office of the Secretary of State 1020 O. Street Sacramento, California 95814
Colorado	Division of Archives and Public Records Department of Administration 1530 Sherman Street Denver, Colorado 80203
Connecticut	Archives, History and Genealogy Unit Connecticut State Library 231 Capitol Avenue Hartford, Connecticut 06115
Delaware	Division of Historical and Cultural Affairs Hall of Records Dover, Delaware 19901
Florida	Bureau of Archives and Records Management Division of Archives, History and Records Management Department of State The Capitol Tallahassee, Florida 32304

IV. State Archives - (cont'd)

Georgia	Department of Archives and History Secretary of State 330 Capitol Avenue Atlanta, Georgia 30334
Idaho	Idaho State Historical Society 610 North Julia Davis Drive Boise, Idaho 83706
Illinois	Illinois State Archives Division Office of the Secretary of State Archives Building Springfield, Illinois 62706
Indiana	Archives Division Indiana State Library 140 North Senate Avenue Indianapolis, Indiana 46204
Iowa	State Historical Department Historical Museum and Archives Division Historical Building East 12th and Grand Avenue Des Moines, Iowa 50319
Kansas	Archives Division Kansas State Historical Society Memorial Building 120 West 10th Street Topeka, Kansas 66612
Kentucky	Division of Archives and Records Department of Library and Archives 851 East Main Street Frankfort, Kentucky 40601
Louisiana	State Archives and Records Service Office of the Secretary of State P. O. Box 44422 Capitol Station Baton Rouge, Louisiana 70804
Maine	Maine State Archives Library, Museum, Archives Building Augusta, Maine 04330

IV. State Archives - (cont'd)

Maryland	Hall of Records Commission P. O. Box 828 St. John's Street and College Avenue Annapolis, Maryland 21404
Massachusetts	Archives of the Commonwealth Office of the Secretary State House Boston, Massachusetts 02133
Michigan	State Archives Michigan Historical Division Department of State State Archives Library 3405 North Logan Street Lansing, Michigan 48918
Minnesota	Minnesota Historical Society State Archives 117 University Avenue St. Paul, Minnesota 55155
Mississippi	Archives and Library Division Mississippi Department of Archives and History Archives and History Building 100 South State Street P. O. Box 571 Jackson, Mississippi 39205
Missouri	Records Management & Archives Service Office of the Secretary of State P. O. Box 778 1001 Industrial Drive Jefferson City, Missouri 65101
Montana	Montana Historical Society 225 North Roberts Street Helena, Montana 59601
Nebraska	State Archives Division State Historical Society 1500 R. Street Lincoln, Nebraska 68508

IV. State Archives - (cont'd)

Nevada	Division of State, County, and Municipal Archives Secretary of State Capitol Building Carson City, Nevada 89701
New Hampshire	New Hampshire Division of Records Management and Archives 71 South Fruit Street Concord, New Hampshire 03301
New Jersey	Archives and History Bureau New Jersey State Library 185 West State Street Trenton, New Jersey 08625
New Mexico	New Mexico Records Center and Archives 404 Montezuma Street Santa Fe, New Mexico 87501
New York	New York State Library and Education Building Manuscripts and History Section Albany, New York 12225
North Carolina	Archives and Records Section Department of Archives and History 109 East Jones Street Raleigh, North Carolina 27611
North Dakota	State Historical Society of North Dakota Liberty Memorial Building Bismarck, North Dakota 58501
Ohio	Archives and Library Ohio Historical Society I-71 and 17th Avenue Columbus, Ohio 43211
Oklahoma	Division of Archives and Records Oklahoma Department of L 200 N. E. 18th Street Oklahoma City, Oklahoma 73105

IV. State Archives - (cont'd)

Oregon	Archives Division Secretary of State 1005 Broadway N. E. Salem, Oregon 97310
Pennsylvania	Pennsylvania Historical and Museum Commission Post Office Box 1026 Harrisburg, Pennsylvania 17120
Rhode Island	Archives Division Office of the Secretary of State Room 314, State House Providence, Rhode Island 02903
South Carolina	South Carolina Department of Archives and History Post Office Box 11, 188 1430 Senate Street Columbia, South Carolina 29211
South Dakota	Archives Resource Center Records Management Building East Highway Bypass Pierre, South Dakota 57501
Tennessee	Tennessee State Library & Archives 403 7th Avenue North Nashville, Tennessee 37219
Texas	Archives Division Texas State Library Box 12927, Capitol Station Austin, Texas 78711
Utah	State Archives & Records Services Department of Finance Room B-4, State Capitol Building Salt Lake City, Utah 84114

IV. State Archives - (cont'd)

Vermont	Public Records Division Agency of Administration State Administration Building 133 State Street Montpelier, Vermont 05602
Virginia	Archives Division Virginia State Library 12th and Capitol Streets Richmond, Virginia 23219
Washington	Division of Archives & Records Management Department of General Administration Washington State Archives & Records Center Building 12th and Washington Streets Olympia, Washington 98501
West Virginia	Department of Archives and History 400 East State Capitol Charleston, West Virginia 25305
Wisconsin	Division of Archives & Manuscripts State Historical Society of Wisconsin 816 State Street Madison, Wisconsin 53706
Wyoming	Archives and Historical Department Archives, Records Management and Centralized Microfilm Division State Office Building Cheyenne, Wyoming 82002

Sample Letter requesting Professional Assistance

Dear Sir:

I represent a group of Indian descendants which would like to present a petition to the Department of the Interior to secure Federal acknowledgment that our group exists as an American Indian tribe. The petition requires considerable anthropological and historical research. We must prove, among other things, that we have maintained a substantially continuous existence as a group since historical times and that others have also identified us as American Indian or aboriginal.

We feel that our request would have a better chance of success if we had professional assistance. We would greatly appreciate help from members of your faculty or graduate student body. If any of them are interested, please ask them to contact me for further information.

The (name of group) thank you for your help in this matter.

Sincerely,

(name)
(title)

MEMBERSHIP ROLL OF _____ AS OF _____
 (name of group) (month, day, year)

Roll Number	Name and Address	Sex	Birth Date	Birth Place	Tribe	Blood Degree	Name of Parents	Birth Date	Birth Place	Tribe	Blood Degree
							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				
40							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				
							Fa.				
							Mo.				

S A M P L E
 (Final reproduction will be full size)

INDIVIDUAL HISTORY CHART

(To be completed by each adult member of the group)

MEMBER'S NAME: _____

NAME OF MEMBER'S WIFE/HUSBAND: (If wife, give name before marriage) _____

NAMES OF MEMBER'S CHILDREN: (Indicate whether child is male or female)

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____

NAME OF MEMBER'S FATHER: _____

NAME OF MEMBER'S MOTHER: (Give name before marriage) _____

NAMES OF MEMBER'S BROTHERS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____

NAMES OF MEMBER'S SISTERS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____

(Name of person preparing this chart if not a member of the group) (Date prepared)

Person preparing chart

Name _____

Address _____

Telephone (____) _____

ANCESTRY CHART

CHART NO.

Printed No. 1 on this chart is the same
printed on No. 1 on chart No. _____

KEY TO ABBREVIATIONS:

b. Date of Birth
 p.b. Place of Birth
 m. Date of Marriage
 p.m. Place of Marriage
 d. Date of Death
 p.d. Place of Death

Write dates as month, day,
 year [Oct 2, 1970]
 Write places as city or
 town, (county), state
 [Chicago (Cook) Illinois]

HOW TO USE THIS FORM: Begin by entering the information about yourself at No. 1, your father at No. 2, his father at No. 4, and so on. If you need to trace your ancestry farther back than this form allows, simply enter the name of your relative which appears in the column numbered 8 through 15 in blank No. 1 on another chart and continue. Documentary evidence must be furnished.

1	b. p.b. m. p.m. d. p.d.	2	(Father of No. 1) b. p.b. m. p.m. d. p.d.	3	(Mother of No. 1) b. p.b. d. p.d.	4	(Father of No. 2) b. p.b. m. p.m. d. p.d.	5	(Mother of No. 2) b. p.b. d. p.d.	6	(Father of No. 3) b. p.b. m. p.m. d. p.d.	7	(Mother of No. 3) b. p.b. d. p.d.	8	(Father of No. 4) b. p.b. m. p.m. d. p.d.	9	(Mother of No. 4) b. p.b. d. p.d.	10	(Father of No. 5) b. p.b. m. p.m. d. p.d.	11	(Mother of No. 5) b. p.b. d. p.d.	12	(Father of No. 6) b. p.b. m. p.m. d. p.d.	13	(Mother of No. 6) b. p.b. d. p.d.	14	(Father of No. 7) b. p.b. m. p.m. d. p.d.	15	(Mother of No. 7) b. p.b. d. p.d.
---	--	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	----	---	----	---	----	---	----	---	----	---	----	---

cont. chart



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 16 1979

Dear Petitioner and Interested Party:

The Federal Acknowledgment staff's review of some of the initial petitions submitted for consideration has brought out some problem areas about which petitioners should be aware. This letter should be attached to your copy of the guidelines and considered as a part of them.

The following are specific problem areas which have been encountered.

1. PETITION CERTIFICATION

The petition should be certified as the official petition by the group and the certification should be signed by the group's governing body or appropriate tribal officials.

2. MEMBERSHIP LIST CERTIFICATION

The group's membership list should have a separate but similar certification signed by the governing body or membership committee.

3. INCOMPLETE OR INACCURATE MEMBERSHIP LISTS

The staff has found cases in which groups have omitted the names of substantial numbers of people who were previously considered members. This gives the appearance that the group does not know its membership or may be deliberately excluding some members for one reason or another.

To present the clearest picture, the group should discuss in its petition any changes it has made in its membership requirements and the effect these changes have had on their membership. The importance of submitting a complete membership list with the petition cannot be emphasized too strongly.

It is extremely important to review the membership list to insure that all those included meet the group's membership requirements. If the group is federally acknowledged, the membership list could logically become the group's base roll for Bureau purposes.

4. PUBLICATION OF MEMBERSHIP LISTS

The acknowledgment regulations define a member of an Indian group as an individual who is recognized by an Indian group as meeting its membership criteria and who consents to being listed as a member of that group. The list of names submitted by the governing body as members of the group will, therefore, be published in a local newspaper. This will give individuals who do not wish to be included an opportunity to have their names removed from the list. Individuals whose names are not included on the published list, but who wish to be included, should take the matter up with the group's governing body.

5. NARRATIVE HISTORY

Some petitions contain a collection of documents but have no explanation or narrative history of the petitioner. A narrative history of the group is needed to ensure that reviewers understand the relevance of the documents submitted. Footnotes or citations should show where the evidence used came from.

6. GAPS IN RESEARCH

One of the most serious problems found in some of the early petitions is the failure to relate the modern group to the historical tribe from which the group traces. Some groups have provided good information concerning early periods of their history but have failed to show how the modern group traces back to the historical tribe. It is especially important to show how the modern group evolved both socially and politically from the original tribe. Large generation-sized gaps should be avoided or thoroughly explained.

7. DESCRIPTION OF MODERN GROUP

Several of the petitions currently under study by the Acknowledgment staff do not adequately describe the group today or do not provide enough evidence to support the description. Evidence is needed to show that a sizeable number of the group's members live close enough to each other to meet, associate and conduct tribal business on a regular basis and that they do so. The petition should describe how the group operates today socially and politically. Explanation and examples should be provided of how leaders are selected and how decisions are made and carried out.

Careful attention should be given to the areas described above. If you are having trouble completing work in any area of the petition for your group, please contact the Federal Acknowledgment staff and discuss your problems with them.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Henzke". The signature is written in a cursive style with a large, sweeping initial "T".

Acting Deputy Commissioner



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:

Tribal Government Services

AUG 30 1979

Dear Petitioner and Interested Party:

Section 54.7(e) of the acknowledgment regulations sets out the types of documents acceptable to the Secretary to establish Indian ancestry of members of a petitioning group.

Our initial experience with petitions for Federal acknowledgment indicates that documentation of the genealogical portion is causing major delays in submission and processing. In an effort to speed up the process and to reduce the petitioner's workload, we are modifying the procedure for handling the genealogical portion of the petition.

It will not be necessary to send copies of the genealogical documentation such as birth certificates, marriage licenses, bible records, etc., with the initial submission of the petition. We will, however, need to have the following included in the initial submission:

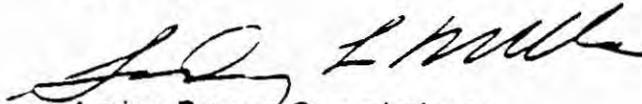
- 1) a copy of the group's present governing document or a statement describing the group's membership criteria in full;
- 2) each of the group's past and present membership lists;
- 3) an Individual History Chart for each adult member of the group; and,
- 4) an Ancestry Chart for each family or group of families who trace their descent from a common ancestor.

Following a review of items one through four above, the Federal Acknowledgment staff will contact the group's leader(s) for detailed genealogical documentation of selected families. At that time the petitioner should provide the necessary documentation as soon as possible. Delay in providing the documents will delay processing of the petition. Failure to provide the necessary documents can contribute to a recommendation against acknowledgment.

This letter should be attached to your copy of the guidelines and considered as a part of them.

If you have questions, please feel free to contact the Acknowledgment staff directly at (703) 235-2360 or write Commissioner, Bureau of Indian Affairs, 1951 Constitution Avenue, N. W., Washington, D. C. 20245.

Sincerely,



Acting Deputy Commissioner



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245



IN REPLY REFER TO:

Tribal Government Services - AR

100 - 10791

Dear Petitioner:

Included in the "Regulations, Guidelines and Policies for Federal Acknowledgment as an American Indian Tribe" are three sample optional forms to assist petitioning groups in gathering the information needed concerning the group's current members as well as genealogical information concerning the members' ancestry. The three optional forms are titled "Membership Roll," "Ancestry Chart," and "Individual History Chart." If you are considering using these optional forms as part of your documented petition, please be advised that you should use the forms with the new expiration date of May 31, 1993.

There has been no change in the format of the forms, only the number identifying the form has changed. For your convenience, we are enclosing samples of the forms with the new expiration date (OMB No. 1076-0104, expiration date May 31, 1993, BIA-8304, 8305, and 8306) which can be reproduced by you as needed. If you have already filled out [the] forms [with the old] having an earlier date [of] i.e., September 30, 1989 or May 31, 1990, do not transfer that data to the new forms. We suggest that you use the new forms for entering any data from this point forward.

The three sample optional forms were designed only to assist groups that did not have forms for gathering the necessary information required in Section 83.7(e) of the Acknowledgment regulations. Section 83.7(e) requires that a petitioning group provide a current list of all members as well as genealogical information concerning the members' ancestry. The data being gathered is used by the Acknowledgment staff to verify family relationships within the group, to determine that the group's members are Indian and descended from an historical tribe or tribes which combined, are not substantially enrolled in other Indian tribes, and have not individually or as a group been terminated or otherwise forbidden the Federal relationship. Instructions for completing these forms can be found in the "Regulations, Guidelines, and Policies for Federal Acknowledgment as an American Indian Tribe" on pages 11 through 16 and 43 through 48.

If you have any questions about the use of these forms, please feel free to contact the Acknowledgment staff directly at (202) 208-3592 or write to them at Bureau of Indian Affairs, Mail Stop 2614-MIB, 18th & C Streets, N.W., Washington, D.C. 20240, Attention: Branch of Acknowledgment and Research.

Sincerely,

Chief, Division of Tribal Government
Services

INDIVIDUAL HISTORY CHART

(To be completed by each adult member of the group)

MEMBER'S NAME: _____

NAME OF MEMBER'S WIFE/HUSBAND: (If wife, give name before marriage) _____

NAMES OF MEMBER'S CHILDREN: (Indicate whether child is male or female)

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- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____

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- 7 _____
- 8 _____
- 9 _____
- 10 _____

