Indian Affairs - Office of Public Affairs

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WASHINGTON – Assistant Secretary-Indian Affairs Larry Echo Hawk today announced he has issued a final determination (FD) regarding the petition of the Central Band of Cherokee (Petitioner #227) for federal recognition as an Indian tribe. The final determination found that the petitioner, located in Lawrenceburg, Tenn., did not meet the mandatory criteria for acknowledgment under the Code of Federal Regulations.

The March 23, 2012, ruling is consistent with the Assistant Secretary's proposed finding, issued in August 2010, that recommended against acknowledgment because Petitioner #227 did not demonstrate that its members descend from a historical Indian tribe or historical Indian tribes that combined.

The evidence shows the petitioner, with 407 members on its 2007 membership list, is a voluntary association formed of individuals who claim but have not documented Indian ancestry. There is no evidence that Petitioner #227 existed under any name prior to its emergence in 2000 as the "Cherokees of Lawrence County, TN Sugar Creek Band of the Southeastern Cherokee Confederacy, Inc." Under the regulations, the Department may not acknowledge associations, organizations, corporations, or groups of any character formed in recent times.

The petitioner claims its members are descendants of Cherokee Indians who remained in Tennessee after 1806 when the historical tribe ceded its lands by treaty, or from Indians who returned to "their traditional lands" in the area of Lawrence County, Tenn., after evading or escaping from the Cherokee removal in the late 1830s. There is no primary or reliable secondary evidence to validate these claims. Instead, the evidence shows that the group's ancestors were consistently identified as non-Indians, primarily White settlers coming to Tennessee in the early and mid-1800s from disparate locations. At no time were they identified as Indians or living in an Indian community. The evidence submitted in response to the proposed finding does not support the petitioner's claims about its origins and do not demonstrate that Petitioner #227's members descend from a historical Indian tribe or tribes that combined.

The FD will become final and effective as provided in the regulations 90 days from publication in the Federal Register, unless a request for reconsideration is received by the Interior Board of Indian Appeals under the procedures set forth in Section 83.11 of the regulations within that time.

The Assistant Secretary-Indian Affairs has responsibility for fulfilling the Interior Department's trust responsibilities and promoting self-determination on behalf of the 566 federally recognized American Indian and Alaska Native tribal governments. The Assistant Secretary also oversees the Bureau of Indian Affairs, which is responsible for providing services to the tribes and their members, approximately 1.9 million individual American Indians and Alaska Natives, and the Office of Federal Acknowledgment, which administers the federal acknowledgment process.

The final determination and Federal Register notice will be posted to the Office of Federal Acknowledgment section of the Indian Affairs web site at: https://www.bia.gov/as-ia/ofa.