Indian Affairs - Office of Public Affairs

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For Immediate Release: May 23, 2008
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WASHINGTON – Assistant Secretary – Indian Affairs Carl J. Artman today announced that the Bureau of Indian Affairs has published in the Federal Register a notice providing guidance and direction to the Office of Federal Acknowledgment (OFA) to address recurring administrative and technical problems related to the processing of petitions under the Federal Acknowledgment Process (FAP). The notice does not amend the acknowledgment regulations at 25 CFR Part 83, Procedures for Establishing that an American Indian Group Exists as an Indian Tribe. The effective date of the notice is May 23, 2008.

“This guidance provides a clearer understanding of the respective responsibilities of OFA staff and petitioners,” Artman said. “This guidance brings greater efficiency and transparency to the Federal Acknowledgment Process.”

In the more than 29 years that the federal acknowledgment regulations have been in effect, the Department has confronted a number of recurring issues in the administration of the regulations which have hampered the OFA’s ability to efficiently process petitions for acknowledgment. The Notice of Guidance and Direction Regarding Internal Procedures addresses such issues which include: the emergence of splinter groups, the administration of technical assistance, requests for expedited processing for uniquely qualified groups, requests for a reduction of the time period for historical evidence, opportunities for streamlining the process through expedited decisions against acknowledgment and decisions against acknowledgment on fewer than all seven mandatory criteria, the handling of questionable submissions, and the designation of an “inactive” status.

The Department developed its federal acknowledgment regulations both as original regulations in 1978 and amended regulations that became effective in 1994. These regulations establish a uniform procedure and fact-based approach to acknowledgement. The Department subsequently published two notices in the Federal Register concerning internal procedures for managing and processing petitions. This notice supplements one published in the Federal Register on March 31, 2005, entitled “Office of Federal Acknowledgment, Reports and Guidance Documents, Availability, etc.”

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