Indian Affairs - Office of Public Affairs

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Ada E. Deer, Assistant Secretary for Indian Affairs signed a final decision denying recognition of the Golden Hill Paugussett Tribe. The decision was based on the determination that the Golden Hill Paugussett Tribe did not meet one of the mandatory criteria in the Code of Regulations (25 CFR 83.7(e)).

A notice of a Proposed Finding to Decline Recognition was published in the Federal Register on June 8, 1995 (60 FR 30430). A 180-day comment period was provided for public comment. Subsequently, a 60-day period was provided for the Golden Hill Paugussetts to respond to third-party comments resulting from this publication.

This decision is based upon a new analysis of all the information in the record. This includes the information available for the Proposed Finding, the information submitted by the petitioner in its response to the Proposed Finding, evidence and documentation submitted by interested and informed parties during the comment period, the petitioner's response to the third party comments, and new evidence and documentation collected by the BIA staff for evaluation purposes. None of the evidence and information used in this analysis demonstrated that the Golden Hill Paugussetts descended from a historic American Indian tribe.

The petitioner continued to claim ancestry from the historic Paugussett tribe through a single individual, William Sherman, a common ancestor of the entire present membership. Extensive research · by the petitioner, third parties, and the BIA has failed to document, using acceptable genealogical methods, that William Sherman was Paugussett or Indian. The evidence submitted in the Golden Hill Paugussett's response focused on William Sherman's ancestry. No document was submitted or located for the final determination that 0 identified the parents of William Sherman. No document was submitted or found for the final determination that provided sufficient evidence acceptable to the Assistant Secretary that William Sherman was descended from a historical Indian tribe, or had any Indian ancestry.

Therefore, it is determined that the Golden Hill Paugussett Tribe has not demonstrated that its membership descends from a historic tribe , or tribes that combined and functioned as a single autonomous political entity. For this reason, the Golden Hill Paugussett Tribe does not meet the mandatory criterion, which is set out in the Code of Federal Regulations, Section 83.7(e).

There are seven criteria that a petitioner for Federal acknowledgment as a tribe must meet, ensuring that the petitioner has existed continuously as a tribe since first sustained contact with non-Indians. These criteria, found in 25 CFR 83 (a)-(g), call for demonstrating through documentary and other evidence that the group has been identified by outsiders as an Indian community, that it has continuously formed a distinct community with political influence or authority over its members, has provided its governing document, that its members are descended from a historic tribe and are not primarily enrolled in another, already recognized tribe, and the petitioner is not subject to Congressional legislation terminating the Federal relationship.

The Golden Hill Paugussett decision was made under the provisions of the acknowledgment regulations (83.10(e)) which calls for an expedited decision where an initial review demonstrates that the petitioner clearly does not meet the requirements of criterion 83.7(e). Where a petitioner clearly cannot demonstrate that its members descend from a historical Indian tribe, an expedited finding is made based on this single criterion. A full consideration under all seven criteria is not made under these circumstances. This is the first final decision made under the expedited review process. Two proposed decisions have been made under the expedited process, to deny acknowledgment of the Mowa Band of Choctaw and the Yuchi Tribal Organization.

This final decision will be published in the Federal Register. It will become effective 90 days after the date of publication, unless a request for reconsideration is filed with the Interior Board of Indian Appeals (BIA) pursuant to 25 CFR 83.11.

Since the beginning of this Administration, 12 tribes have gained Federal acknowledgment status through the administrative process, Congressional recognition or restoration after previous termination. The Golden Hill Paugussett Tribe is only the second petitioner that has failed to meet the criteria for Federal acknowledgment during this Administration.
