Indian Affairs - Office of Public Affairs

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For Immediate Release: January 24, 2014
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WASHINGTON, DC – Assistant Secretary – Indian Affairs Kevin Washburn today issued a final determination not to acknowledge the petitioner known as the Tolowa Nation (Petitioner #85) located in Fort Dick, California, as an Indian tribe under the regulations governing the Federal acknowledgment process (at 25 Code of Federal Regulations Part 83).

The evidence provided is insufficient to demonstrate that the Tolowa Nation meets criterion 83.7(b), one of the seven mandatory criteria of the regulations. Under the regulations, the failure to meet all seven criteria requires a determination that the petitioning group is not an Indian tribe within the meaning of Federal law. Therefore, Department of the Interior (Department) declines to acknowledge Petitioner #85 as an Indian tribe.

To meet criterion 83.7(b), the petitioner must demonstrate a predominant portion of its group comprises a distinct community and has existed as a community from historical times until the present.

On November 24, 2010, the Department issued a proposed finding recommending against acknowledgment of Petitioner #85 for Federal acknowledgment for not meeting criterion 83.7(b). The Department made the final determination following a review of the petitioner's and public's comments on the proposed finding. The Department considered these comments and concluded they did not change the decision not to acknowledge Petitioner #85.

This final determination will become effective 90 days after its publication as a notice in the Federal Register unless the petitioner or any interested party requests reconsideration with the Interior Board of Indian Appeals within that period.

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 approximately 1.9 million individual American Indians and Alaska Natives from the federally recognized tribes, and the Office of Federal Acknowledgment, which administers the Federal acknowledgment process.

Copies of the Federal Register final determination notice will be posted on the Department of the Interior's Indian Affairs website at here.