Indian Affairs - Office of Public Affairs

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WASHINGTON – Associate Deputy Secretary James E. Cason announced that the Department of the Interior declined to acknowledge the Schaghticoke Tribal Nation as an Indian tribe within the meaning of Federal law. This Reconsidered Final Determination concluded that the Schaghticoke Tribal Nation did not meet two of the seven mandatory requirements for Federal acknowledgment under 25 CFR Part 83, and therefore, the Department declines to acknowledge a government-to-government relationship between the United States and the Schaghticoke Tribal Nation.

On February 5, 2004, the Department of the Interior published in the Federal Register, a notice of the Final Determination to acknowledge the Schaghticoke Tribal Nation. The State of Connecticut, the Kent School Corp., Connecticut Light & Power Company, the towns of Kent, Danbury, Bethel, New Fairfield, Newton, Ridgefield, Stamford, Greenwich, Sherman, Westport, Wilton, Weston, and the Housatonic Valley Council of Elected Officials, the Cogswell family group, and a group known as the Schaghticoke Indian Tribe challenged that decision before the Interior Board of Indian Appeals.

On May 12, 2005, the Interior Board of Indian Appeals vacated and remanded the Final Determination to the Assistant Secretary - Indian Affairs for reconsideration. The Interior Board of Indian Appeals rejected the general use of state recognition in the Final Determination as evidence for criterion 83.7(b) “community” and 83.7(c) “political influence or authority.” In response, the Department reevaluated the specific relationship between the State of Connecticut and the Schaghticoke Tribal Nation to determine if it provided evidence of social interaction or political influence within the Schaghticoke Tribal Nation. The conclusion of the reevaluation is that it did not provide such evidence.

Under criterion 83.7(b), community, the petitioner provided sufficient evidence from colonial times to 1920 and 1967 to 1996. The petitioner did not meet criterion 83.7(b), because there was insufficient evidence for the periods 1920-1967 and 1997 to the present. Under criterion 83.7(c), political authority or influence, the petitioner provided sufficient evidence from historical times to 1801. The petitioner did not meet criterion 83.7(c), because there was insufficient evidence for the periods 1801-1875, 1885-1967, and 1997 to the present. The Schaghticoke Tribal Nation petitioner failed these criteria from 1997 to the present because numerous Schaghticoke Indians refused to be members of the Schaghticoke Tribal Nation.

This Reconsidered Final Determination is final and effective for the Department of the Interior upon the date of publication of a notice in the Federal Register, pursuant to 25 CFR § 83.11(h)(3).