Indian Affairs - Office of Public Affairs

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For Immediate Release: July 5, 2002
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WASHINGTON - Interior Assistant Secretary - Indian Affairs Neal A. McCaleb today announced that he has signed a reconsidered final determination which declines to acknowledge the Chinook Indian Tribe / Chinook Nation (formerly the Chinook Indian Tribe, Inc.) of Chinook, Washington, as an Indian tribe for federal purposes. This decision concludes that the Chinook petitioner did not demonstrate that it meets all seven mandatory criteria to be acknowledged as a tribe with a government-to-government relationship with the United States.

Assistant Secretary McCaleb says he has a deep appreciation of the legacy of the Chinook Indian Tribe in American history but says that complete evaluation of important evidence presented by the tribe does not fully support federal recognition. The earlier final determination was based upon an inappropriate interpretation of important evidence and, once removed from consideration, the supporting evidence remaining was not sufficient to warrant federal recognition. The reconsidered determination announced today is final and effective upon publication of a notice of the determination in the Federal Register.

This final determination is a reconsideration that reverses an earlier final determination to acknowledge the Chinook petitioner. The reconsidered final determination found that the January 2001 determination departed from acknowledgment precedent and acknowledged the Chinook petitioner based on an improper interpretation of a 1925 claims act, a 1912 claims act, and a 1911 allotment act. Today's decision also concludes that the original final determination incorrectly relied on claims organizations as sufficient evidence for satisfying the criteria, and improperly relied on a small number of the petitioner=s members or ancestors living in Bay Center, Washington, to find that the petitioner had met a requirement that a predominant portion of the petitioning group comprises a distinct community. With the rejected arguments removed from the original final determination, the Assistant Secretary concluded that the remaining evidence was not sufficient to meet the acknowledgment criteria.

The Chinook petitioner did not satisfactorily demonstrate that it meets all seven mandatory criteria. The purpose of the regulations is to provide a means to acknowledge Indian tribes that have continuous historical existence. The petitioner failed to meet criteria (a), (b), and (c) of the acknowledgment regulations - failing to demonstrate that it has maintained political influence over its members from historical times to the present [criterion (c)], that a predominant portion of its members comprise a distinct social community at present, or since 1950 [criterion (b)], or that it has been identified historically as an Indian entity by outside observers on a substantially continuous basis [criterion (a)].

A proposed finding against acknowledgment of the Chinook petitioner was issued in August 1997. After a public comment period, a final determination to acknowledge the Chinook petitioner was issued in January 2001. The Quinault Indian Nation requested reconsideration of the final determination before the Interior Board of Indian Appeals (IBIA). The IBIA referred to the Secretary of the Interior nine issues that it found to be outside of its jurisdiction. Secretary Norton then referred eight of those issues to Assistant Secretary McCaleb and asked him to issue a reconsidered final determination on the basis of his resolution of those issues.

The Chinook petitioner's members descend from the historical Lower Band of Chinook that lived at the

mouth of the Columbia, and from several other historical Chinook bands. The regulations, however, require more than descent from a historical tribe to acknowledge the continuous tribal existence of a petitioner. Various historical Chinook bands lived along the lower Columbia River and Shoalwater Bay prior to the arrival of European and American traders and settlers. Lewis and Clark made a winter camp in 1805-1806 among the Clatsop near the mouth of the Columbia and met with several Chinook leaders and commented on Chinook villages. The United States negotiated treaties with separate Chinook bands in 1851, but the Senate did not ratify them. Chinook representatives refused to sign a treaty negotiated in 1855. The population of the Chinook bands was severely reduced by a series of epidemics in the 1780's, the 1830's, and the late 1850's. By 1900, some Chinook descendants were listed on the censuses of the several area reservations, but many other descendants were living among the general population. From the mid-1850's until 1951, when Chinook descendants organized to pursue historical claims, there is insufficient evidence to show that any Chinook entity or informal process of leadership existed among the ancestors of the petitioner.

Many Chinook descendants today are members of the Shoalwater Bay Tribe, Quinault Indian Nation, Confederated Tribes of the Grande Ronde Community, Confederated Tribes of the Chehalis Reservation, and other reservation tribes. The Chinook petitioner, however, consists predominantly of non-reservation Chinook descendants.
