Indian Affairs - Office of Public Affairs

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The Deputy Assistant Secretary - Indian Affairs, Michael J. Anderson, on Monday will issue a new decision (technically described as a "reconsidered final determination," even though it is not a final determination) on the petition of the Golden Hill Paugussett for acknowledgment as an Indian tribe.

The reconsideration decision concludes that the earlier decision of Assistant Secretary Deer in 1996 rejecting the petition needs to be reconsidered.

The earlier decision was reached under what is called an "expedited review process" called for in the regulations, which is a procedural way of reaching a quicker decision on a petition when it is clear (after an initial investigation) that petition does not meet one of three specified criteria. (Overall, a petition must meet seven criteria in order to be granted; but only three can be examined under the expedited review.) Anderson's decision also cites the fact that new historical information that could affect the petition had been identified during this reconsideration, and warranted full evaluation.

The effect of Anderson's decision is that the Golden Hill petition will now be evaluated under all seven criteria. The decision does not reach the merits of whether the petitioner is an Indian tribe or even whether its members are descendants of the Golden Hill Paugussett which once inhabited the area around Stratfield (modern Bridgeport), Connecticut.

Golden Hill filed its petition for acknowledgment in April 1993. Several months earlier, in September 1992, Golden Hill had sued the State of Connecticut, the Federal government and various land owners claiming it was entitled to certain lands in the state. In January 1993 the court held that Golden Hill had no standing because it was not a federally recognized Indian tribe. Golden Hill appealed (as well as filing the petition for acknowledgment), and in October 1994 the federal court of appeals remanded the case to the district court but directed it give the Department some time to consider the petition.

Following the Assistant Secretary's September 1996 decision rejecting the petition under the "expedited review process," Golden Hill appealed to the Interior Board of Indian Appeals (IBIA). In June 1998, IBIA generally affirmed the decision, but referred five issues back to the Secretary for further consideration. The Secretary of the Interior sent the matter back to the Assistant Secretary's office. (Assistant Secretary Gover recused himself from this matter because he had represented Golden Hill in private law practice.) Anderson's decision found that four of the five issues submitted did not require reconsideration.