



FORT SILL - CHIRICAHUA - WARM SPRING - APACHE TRIBE

PHONE: (580) 588-2298 / 2314 • FAX: (580) 588-3133

TOLL FREE: 1-877-826-0726

43187 US Highway 281 • APACHE, OKLAHOMA 73006-8038

RECEIVED

MAR 17 2016

DOI/AS-IA/OFA
Washington, DC

Transmitted via Fax (202-219-3008) and First Class Mail

Assistant Secretary - Indian Affairs
Attn: Office of Federal Acknowledgment
Mailstop MS-34B-SIB
1951 Constitution Avenue, NW
Washington, D.C. 20240

Dear Assistant Secretary - Indian Affairs:

Pursuant to 25 CFR 83.8, the Fort Sill Apache Tribe ("Tribe") hereby requests an extension of the 120 day period for submitting comments and evidence supporting or opposing the documented petition for federal recognition of the Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan Guadalupe ("Petitioner"). See 25 CFR 83.22(b)(1)(v).

On November 27, 2015, notice of the Piro/Manso/Tiwa's documented petition was published in the Federal Register. 80 Fed. Reg. 74,123 (Nov. 27, 2015). The November 27, 2015, notice provided that individuals and entities would have 120 days from the date of the notice to submit comments and evidence supporting or opposing the petitioner's request for acknowledgment. Thus comments on the Piro/Manso/Tiwa's documented petition are due on March 27, 2016. However, the Tribe respectfully requests an additional 120 days (until July 25, 2016) to adequately provide informed comments on this petition.

Good cause exists to grant this extension. As an initial matter, the Tribe did not receive proper notification of the documented petition. 25 CFR 83.22 (b)(2)(iv) requires that notice be provided to "[a]ny recognized tribe...that appears to have a historical or present relationship with the petitioner or that may otherwise be considered to have a potential interest in the acknowledgment determination." Based on this criteria, it appears your office sent notice of this petition to the Ysleta Del Sur Pueblo (Tigua Tribe), whose lands are located in El Paso, Texas and border Dona Ana County, New Mexico, the county where the Petitioner is headquartered. The Tribe's Reservation is also located in Luna County, New Mexico, and is adjacent to Dona Ana County. Therefore, as was the case with the Tigua Tribe, the Tribe's Reservation has a physical proximity to the lands claimed by the Petitioners and on that basis should have received proper notice under 25 CFR 83.22.

MOUNTAIN SPIRIT DANCER

Mountain Spirit Dancer represents the Mountain Spirit Ceremony which is used by the Chiricahua and Warm Springs Apache. It was given to the Apaches by the Mountain Spirits for blessings, protection, curing and warding off disease. Th Ceremony is stillused today.

#03-35

The Tribe also has a well established historical relationship with the Petitioner. The Tribe's aboriginal territory and former reservation lands are located in Las Cruces, New Mexico, which is also the headquarters of the Petitioner. The decisions of the U.S. Indian Claims Commission and U.S. Court of Claims in *Fort Sill Apache Tribe et. al. v. United States*, 19 Ind. Cl. Comm. 212; 25 Ind. Cl. Comm. 382; 26 Ind. Cl. Comm. 98; and *United States v. Fort Sill Apache et. al.*, 480 F.2d 819; and 533 F.2d 531 confirmed that the site of Petitioner's headquarters is in the Tribe's aboriginal and former Indian title lands. Given its well-established claim to the same lands claimed by the Petitioner, the Tribe has an "historical" and "present relationship" with the Petitioner and a "potential interest" in the acknowledgment determination.

Moreover, the petition and supporting evidence submitted by the Petitioner is extensive and requires more than the allotted time for review. The petitioning documents are comprised of over 1,000 pages and the supporting documents include over 1,000 pages of purported governing documents, archival evidence, historic and anthropological reports and other detailed information. Understandably, the Tribe will have to devote a large amount of time to review the over 2,000 pages of documents to be in a position to provide informed, knowledgeable and responsive comments on the petition. In addition, because of the anthropological claims asserted by the Petitioner, it will be necessary for the Tribe to secure qualified experts to review and assess the accuracy of the Petitioner's claims, which will add to the time necessary to prepare fully informed comments.

Finally, it should be noted that Tribe is currently engaged in litigation against the Department of the Interior, which is demanding of the Tribe's time, personnel and resources. A 120-day extension would enable the Tribe to properly comment on the Piro/Manso/Tiwa petition as well as meet the demands of the litigation.

In order to ensure that the Tribe is kept informed of any future actions regarding the Piro/Manso/Tiwa's petition for federal acknowledgment, the Tribe is also submitting the enclosed letter requesting interested party status.

The substantial impacts potentially resulting from the Petitioner's claims underscores the importance of the Tribe being provided with adequate time to fully address the arguments and evidence submitted in this matter. In light of these considerations, we respectfully request your prompt considerations of this request for an additional 120 days time to file comments.

Sincerely,


Jeff Haozous, Chairman
Fort Sill Apache Tribe

RECEIVED

MAR 11 2016

DOI/AS-IA/OFA
Washington, DC

FAX TRANSMISSION

March 11, 2016

TO: Assistant Secretary - Indian Affairs
Office of Federal Acknowledgment

Phone:

Fax: (202)-219-3008

From: Jeff Haozous Chairman, Fort Sill Apache Tribe

Phone: (580) 588-2298

Please see attached correspondence.

403-23



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March 11, 2010

Page 3

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Jeff Haozeus, Chairman
Fort Sill Apache Tribe

大成 DENTONS

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525 Market Street
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SAN FRANCISCO
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