



INTERIOR BOARD OF INDIAN APPEALS

In re Federal Acknowledgment of the Historical Eastern Pequot Tribe

38 IBIA 144 (10/22/2002)

Related Board cases:

41 IBIA 1

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United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

IN RE FEDERAL ACKNOWLEDGEMENT : Order Dismissing Request for
OF THE HISTORICAL EASTERN : Reconsideration
PEQUOT TRIBE :
: Docket No. IBIA 02-168-A
:
: October 22, 2002

On July 1, 2002, the Assistant Secretary - Indian Affairs published his Final Determination to acknowledge the historical Eastern Pequot tribe, represented by two petitioners, the Eastern Pequot Indians of Connecticut and the Paucatuck Eastern Pequot Indians of Connecticut. 67 Fed. Reg. 44234 (July 1, 2002).

On September 30, 2002, the Board of Indian Appeals received a filing concerning the Assistant Secretary's determination from the Towns of Brookfield, Colchester, Cornwall, Danbury, Darien, Easton, Fairfield, Greenwich, Kent, Monroe, New Canaan, New Fairfield, New Milford, Norwalk, Orange, Roxbury, Shelton, Stamford, Stonington, Trumbull, Weston, Westport, Wilton, and Woodstock, Connecticut (Towns). It was unclear from the filing whether the Towns were independently requesting reconsideration of the Final Determination, or whether they were seeking to participate in the appeals filed by others as amicus curiae. Out of an abundance of caution, the Board presumed that the Towns intended to file an independent request for reconsideration, and assigned the above docket number to their filing. However, the Board asked the Towns to clarify their intent.

The Board received the Towns' response on October 17, 2002. The Towns state that they "seek only to participate as amicus curiae in support of interested parties the State of Connecticut and the Towns of Ledyard, North Stonington, and Preston, Connecticut."

With this clarification, the Board finds that this request for reconsideration should be dismissed.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this request for reconsideration of the Assistant

Secretary's July 1, 2002, Final Determination to acknowledge the historical Eastern Pequot tribe is dismissed. This dismissal is without prejudice to the Towns' right to participate in other pending appeals as amicus curiae.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge