



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

FILE COPY

IN REPLY REFER TO:

JAN 28 2008

Mr. Kenneth White
Council Chairman
Nipmuck Indian Council of Chaubunagungmaug
P.O. Box 275
Dudley, Massachusetts 01571

Dear Mr. White:

You have requested the Secretary to refer to the Assistant Secretary – Indian Affairs the issue that the Interior Board of Indian Appeals remanded to him for consideration. The Department's acknowledgment regulations provide that the Secretary has the discretion to direct the Assistant Secretary - Indian Affairs to reconsider the determination based on the issues remanded by the Board.

The Secretary has decided not to exercise his discretion to direct additional reconsideration by the Assistant Secretary.

Sincerely,

David L. Bernhardt
Solicitor

cc:

Interior Board of Indian Appeals
Assistant Secretary – Indian Affairs
Interested Parties