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July 19, 2024

Department of the Interior  
Office of the Assistant Secretary—Indian Affairs  
Attention: Office of Federal Acknowledgment  
Mail Stop 4071 MIB  
1849 C Street NW  
Washington, DC 20240

Dear Mr. Bryan Newland, JD:

I Xochitl Santillán Reyna urge the OFA to re-acknowledge the historical significance of the Gila Apache (Chihene Ndé) and the value of their presence in the Gila. This tribe has a rich history, having signed multiple treaties with Spain, México, and the United States under the names of the Rio Mimbres and Rio Gila Apaches (Ndé) and the Mimbres Bands of Gila Apaches (Ndé). Their historical presence and contributions to the region are undeniable and deserve recognition.

On February 15, 2024, the Office of Federal Recognition (OFA) approved the submission of the tribe, known as the Chihene Ndé Nation of New Mexico, to participate in the Department of the Interior's administrative process. The process examines whether the petitioning group meets the criteria required for Federal "acknowledgment" as an Indian Tribe and by which those tribes may receive services provided to the members of Indian Tribes.

The Gila Apache (Chihene Ndé) have historically inhabited communities in west-central and southwest New Mexico. The consolidation of Apache (Ndé) tribes on reservations and the exile of others from New Mexico have had significant adverse impacts. These actions have led to confusion and a loss of public identity for off-reservation Apaches (Ndé) like the Chihene Ndé Nation, who have largely remained unnoticed until now. Tribal elders have now directed the next generation to petition the federal government for re-recognition to preserve their ongoing culture.

Scholars have assessed the Chihene Ndé Nation over the decades, considering its people to be present-day descendants of the Gila Apache (Ndé), who entered treaties with three nations (Spain, Mexico, and the U.S.) and agreed to cede ancestral land in the Mimbres and Gila region to the U.S. With an unambiguous sovereign political identity and a separate history from any current reservation Apache (Ndé) tribe and direct lineage to treaty signers not spoken of in the history of other Apache (Ndé) tribes, makes the Chihene Nde a unique people. The petition includes the following points that distinguish the tribe:

- The tribe's leader signed treaties and compiled by confederating their bands into one political identity as the Eastern American Indian tribes

- The existing tribal members descend directly from the treaty signers with the U.S. in the 1852 Treaty with the Apaches (Ndé), the 1853 Treaty with the Rio Mimbres and Rio Gila Apaches (Ndé), and the 1855 with the Mimbres Bands of Gila Apache (Ndé).
- After the closing of the Tularosa Valley Indian Agency in 1874, the tribe remained separated in their agricultural villages in the Greater Gila and Mimbres region, Southwest New Mexico along the Rio Grande, and northern Mexico.
- The tribe farmed and ranched in their ancestral territories while maintaining their cultural heritage amidst economic change from a subsistence to a cash economy.
- The tribe had been recognized for almost 80 years before the U.S. government removed its name from the National List of Indian Tribes in 1941; treating them differently than reservation Apaches (Ndé).

Additionally, the petition demonstrates an ongoing presence and culture, including traditional language, crafts, and songs. For example, the tribe gathers annually in the tradition of its ancestors, documented in the 1850s by its U.S. Indian Agent, Michael Steck. The tribe has submitted evidence for all seven criteria but should be considered to have had unambiguous previous federal acknowledgment and to be a historical American Indian tribe. Given the tribe's unambiguous previous federal acknowledgment, it should only be assessed on the minimum three criteria described in 25 CFR Part 83.

The OFA should not base its decision on the opinion of any Apache (Ndé) tribe in the United States. The tribe was once recognized by the federal government and they remain Apaches (Ndé), despite being de-listed without reason. Please correct this historical oversight.

Respectfully,

Xochitl L. Santillán Reyna