

Suggested Outline for Concise Written Narrative

The following outline suggests several topics a petitioner may wish to consider including in the “concise written narrative.” This outline does not guarantee a positive determination but may assist a prospective petitioner with thoroughly presenting its evidence as to how it meets each of the criteria identified in § 83.11(a–f).

I. Introduction regarding petitioning group

- A. Current official name of the petitioner and any previous names, if applicable;
 - B. Location/headquarters;
 - C. Other contact information;
 - D. Full names of current officers and members of governing body, including dates when each person's term began and will end;
 - E. Names of attorney(s) and other non-members authorized to represent group before the Department.
- ❖ NOTE: These details notify the Department of which members and/or non-members the Department may communicate with on matters relating to the petition. They will also help the Department distinguish the petitioner from other entities that may have similar names or shared histories.

II. Claim of historical Indian tribe

- A. Narrative description of the historical Indian tribe or historical Indian tribes that combined and functioned as a single autonomous political entity.
 - The description should be concise but include background information sufficient to identify the tribe or tribes in historical records and to identify the petitioner as a continuation of this historical Indian entity. This should include basic information such as the geographic location of the entity's territory prior to 1900. If the nature or composition of the historical entity evolved significantly prior to 1900, please describe this evolution in your narrative.
 - Supporting documentation must be provided. This may include evidence demonstrating political activity by the entity, as well as any evidence identifying members of the entity. The evidence must demonstrate that the petitioner's

members descend from the political entity.

- The “historical Indian tribe” for purposes of Part 83 is not simply an ethnic or linguistic description. It must be a specific, identifiable political entity. To meet the Descent criterion (§ 83.11(e)), the petitioner must show that its members descend from this political entity as it existed before 1900. This same entity will be evaluated for identification (§ 83.11(a)), community (§ 83.11(b)), and political influence or authority (§ 83.11(c)), beginning in 1900, during Phase II.

III. **[Optional:]** Claim of previous Federal acknowledgment (§ 83.12)

- A. Explanation of how the Federal Government previously acknowledged the petitioner, with “substantial evidence” of “unambiguous Federal acknowledgment.” This evidence should clearly document a relationship between the Federal government and an American Indian political entity (group). Interactions between the Federal government and American Indian individuals, acting in an individual capacity, are generally insufficient to establish unambiguous, previous Federal acknowledgment.
- B. If claiming previous Federal acknowledgment based on evidence prior to 1900, documentation must show that the historical Indian tribe (see previous section) is the same as, or a portion that evolved out of, the entity that was previously acknowledged. The petitioner’s members should descend from this entity.

IV. Thorough explanations of how the petitioner meets each of the criteria in § 83.11

- A. Criterion § 83.11(a): Indian entity identification.

To meet criterion § 83.11(a), the petition narrative and supporting documentation must provide identification of the petitioner as an American Indian entity on a substantially continuous basis since 1900. Documentation may include identification as an American Indian entity by Federal or State governments or government officials, scholars, newspapers, or other Indian tribes. The petitioner may also provide contemporary documentation that it identified itself as an American Indian entity. See 25 CFR § 83.11(a)(1–7) for a more detailed list of forms of evidence.

- B. Criterion § 83.11(b): *Community*.

The petitioner may meet criterion 83.11(b) at a given point in time through at least two of the forms of evidence listed under § 83.11(b)(1) or at least one of the forms

of evidence listed under § 83.11(b)(2). The petitioner need not demonstrate the existence of community at every point in time but must do so on a substantially continuous basis from 1900 until the present.

One straightforward way to discuss the evidence of distinct community is to organize the relevant section of the petitioner's narrative by time period. Natural divisions or eras in a community's history might serve as places to divide the discussion. Within the discussion of each time period, describe the community and the evidence used to demonstrate its existence.

C. Criterion 83.11(c): Political Influence or Authority

The petitioner may meet criterion 83.11(c) at a given point in time through at least two of the forms of evidence listed under § 83.11(c)(1) or at least one of the forms of evidence listed under § 83.11(c)(2). The petitioner need not demonstrate the existence of political influence or authority at every point in time but must do so on a substantially continuous basis from 1900 until the present.

One straightforward way to discuss the evidence of political influence or authority as an autonomous entity is to organize the relevant section of the petitioner's narrative by time period. Natural divisions or eras in a community's history might serve as places to divide the discussion. Within the discussion of each time period, describe the political leaders and processes and the evidence used to demonstrate their existence.

D. Criterion 83.11(d): Governing document

To meet criterion 83.11(d), the petition must provide a copy of the current governing document and membership criteria or (if there is no governing document) a written statement describing the current governing procedures and membership criteria.

E. Criterion 83.11(e): Descent

To meet criterion § 83.11(e), the petition must include documentation that its current members descend from a historical (before 1900) Indian tribe, as discussed in section II of this outline.

If the petition presents a claim of previous Federal acknowledgment prior to 1900, as discussed in section III of this outline, the current members should descend from

members of the previously acknowledged tribe. In other words, the historical Indian tribe from whom descent is claimed should be able to be documented as the same as, or an evolution of, the previously acknowledged tribe.

Past petitioners that have met this criterion have demonstrated that at least 80% of their current members descend from a historical Indian tribe.

An efficient way to demonstrate this descent is to include, as part of the petition, membership files for each member. Within this file, trace the member back to at least one member of the historical Indian tribe, identifying the parents of each generation, including name(s) and approximate dates of birth, marriage, and death, if known. If a member descends from multiple members of the historical Indian tribe, the membership file may document each of these lineages separately or use a “pedigree chart” clearly identifying members of the historical Indian tribe. Sample blank pedigree chart forms for use in genealogy are widely available for free online on genealogy-related websites.

For each generation between the current member and the pre-1900 member of the historical Indian tribe, provide reliable supporting documentation of the relationship between the parent and child in the direct line of descent. This documentation may include, but is not limited to, birth and death certificates, church records, obituaries, and census records.

Finally, for the pre-1900 members of the historical Indian tribe, provide documentation of their membership in the tribe. If a roll reflecting the tribal membership at some point before 1900 is available, this record may be used, provided the petitioner’s members descend from it. If no roll is available, or if some current members descend from historical members that do not appear on the available roll, provide other evidence that the claimed historical tribe members were in fact members of the tribe as a political entity.

The Department no longer uses proprietary genealogical database software, so please do not send genealogical databases in any format. Digital membership files in PDF (or another standard) format are recommended.

F. Criterion 83.11(f): Unique Membership

To meet criterion § 83.11(f), the petitioner must be *composed principally* of persons who are not members of a federally recognized tribe. Documentation that might help demonstrate that a petitioner meets this criterion includes membership criteria

that bar dual enrollment, signed membership applications or consent forms in which members affirm their membership in the petitioner and deny membership in any other group or tribe, and signed revocations of membership in a tribe by any dually enrolled members of the petitioner.

In addition, the Department may consider the historical context of the petitioner and its relationships with other tribes to determine the likelihood of a petitioner being composed principally of members of a federally recognized tribe.

Even if a petitioner is composed principally of persons who have been members of or associated with a federally recognized Indian tribe, the petitioner may still meet this criterion if it demonstrates that has functioned as a separate politically autonomous community by satisfying criteria 83.11(b) and (c) and if its members provide written confirmation of their membership in the petitioner.

G. Criterion 83.11(g): Congressional termination

The Department will conduct the research necessary to determine whether the petitioner meets this criterion, and the petitioner is not required to submit evidence to meet it. However, if the petitioner chooses to do so, the Department will accept it.

V. Bibliography

- ❖ Including a list of all of the supporting documentation included with the petition is a good way to ensure that the petitioner's evidence has been considered. In the bibliography, cite each document fully, including the author, title, etc. For archival records (private or public), also include the current location of the document or where it was obtained.
- ❖ If the petition narrative uses a cross-referencing system to identify documents, the bibliography is also a good place to describe that system.