

(7) Federal Register Notice of Final Determination

- February 2, 1983
- February 23, 1983 (correction)

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Determination for Federal Acknowledgement of Narragansett Indian Tribe of Rhode Island

February 2, 1983.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(h) notice is hereby given that the Assistant Secretary acknowledges that the Narragansett Indian Tribe, c/o Mr. George Watson, Route 2, Charlestown, Rhode Island 02813, exists as an Indian tribe. This notice is based on a determination that the group satisfies the criteria set forth in 25 CFR 83.7.

The Narragansett Indian Tribe is the modern successor of the Narragansett and Niantic tribes which, in aboriginal times, inhabited the area which is today the state of Rhode Island. Members of the tribe are lineal descendants of the aboriginal Niantic and Narragansett Indians. The Narragansetts, once a large and powerful tribe, and the smaller Niantics, were culturally very similar and generally closely allied in historic times. Political structure was organized around leaders, referred to as sachems, who were drawn from high-ranking families.

Evidence indicates that the Narragansett community and its predecessors have existed autonomously since first contact, despite undergoing many modifications. A series of leaders and then tribal councils represented the tribe or its predecessors in its dealings with outside organizations and governmental bodies. These leaders and councils both responded to and influenced the group in matters of importance.

The tribe has a documented history dating from 1614. It was dealt with as an independent nation after 1622 by England and the Rhode Island colony. The Niantics and Narragansetts came increasingly under the authority of the English Crown in the 17th century, and its size and influence decreased steadily. After the Narragansett nation was essentially destroyed in 1675 in King Phillip's War, the Niantics combined with the remnants of the Narragansetts. The tribe was placed under a form of guardianship by the colony of Rhode Island in 1709, a relationship which continued until 1880, when the state legislature of Rhode Island enacted a so-called "detrribalization" act. This ended the state's relationship with the tribe except for retention of two acres surrounding the Narragansett Indian church which continued to be held in special status.

After 1880, there continued to be a Narragansett community on or near the former state reservation in southern Rhode Island. There continued to be both identified leaders who had standing as community leaders and, for some periods, a tribal council. The Narragansett Church organization was an important focus of community organization in this period. In 1934, the group created a new formal organization, which was incorporated under the state of Rhode Island. The state again effectively recognized the group beginning in 1934.

No evidence was found that members of the group are members of any other Indian tribes or that the group or its members have been forbidden the Federal relationship by an Act of Congress.

Essentially all of the current membership are believed to be able to trace to at least one ancestor on the membership lists of the Narragansett community prepared after the 1880 Rhode Island "detrribalization" act. Most members are in fact expected to be able to trace to several ancestors. These lists are source documents currently used to determine eligibility for membership.

Proposed findings that the Narragansett Indian Tribe exists as an Indian tribe were published on page 35347 of the Federal Register on August 13, 1982. Interested parties were given 120 days in which to submit factual and legal arguments to rebut the evidence used to support the findings that the Narragansett Indian tribe exists as an Indian tribe. During this period only two comments were received, both opposing the findings and both from the same

party. This individual expressed the opinion that the Narragansetts could not meet a blood degree requirement. While eligibility for benefits under some Federal statutes is limited to tribal members with a certain blood degree, and the right of non-tribal Indians to organize is limited to those with 1/4 or more degree Indian blood, Federal law imposes no general blood degree requirement for tribal membership. Moreover, under the Federal regulations for determining eligibility as a tribe, a blood quantum requirement is not included in the criteria. While blood degree may be some evidence of social and cultural cohesion and maintenance of tribal relations, it is more definitely not conclusive as to the existence of tribal relations. Accordingly, the opinions submitted were given limited consideration. The findings focused instead on the larger and more important question of maintenance of tribal relations. No factual evidence not already considered was provided in these comments, and they were considered to have no effect on the findings of fact and the decision to recommend the tribe for Federal acknowledgment.

The determination is final and will become effective 60 days from the date of publication, unless the Secretary of the Interior requests the determination to be reconsidered pursuant to 25 CFR 83.10.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

(FR Doc. 83-3680 Filed 2-4-83; 8:45 am)

BILLING CODE 4310-02-M

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Correction

In FR Doc. 83-3680 beginning on page 6177 in the issue for Thursday, February 10, 1983, the following correction should be made on page 6178: in the middle column, the seventeenth line from the bottom, the word "and" should have been "and".