

Office of the Assistant Secretary - Indian Affairs

FOR IMMEDIATE RELEASE October 12, 2005

CONTACT: Nedra Darling

202-219-4152

The Department of the Interior Issued Reconsidered Final Determination to Decline Federal Acknowledgment of the Eastern Pequot Indians of Connecticut and the Paucatuck Eastern Pequot Indians of Connecticut

WASHINGTON – Associate Deputy Secretary James E. Cason today announced that the Department of the Interior declined to acknowledge that the groups known as the Eastern Pequot Indians of Connecticut (EP) and the Paucatuck Eastern Pequot Indians of Connecticut (PEP) are Indian tribes within the meaning of Federal law. The Reconsidered Final Determination concluded that the Eastern Pequot Indians of Connecticut and the Paucatuck Eastern Indians Pequot of Connecticut did not meet two of seven mandatory requirements for Federal acknowledgment under 25 CFR Part 83, and therefore, did not meet the requirements for acknowledging a government-to-government relationship with the United States.

This decision reversed the June 24, 2002, Final Determinations to acknowledge the two petitioners, EP and PEP, as one group, known as the Historical Eastern Pequot Tribe. The State of Connecticut, the towns of Ledyard, North Stonington, and Preston, Connecticut, and a group known as the Wiquapaug Eastern Pequot Tribe challenged the Final Determinations before the Interior Board of Indian Appeals.

On May 12, 2005, the Interior Board of Indian Appeals vacated and remanded the Final Determinations to the Assistant Secretary - Indian Affairs for reconsideration, rejecting the use of state recognition of the Historical Eastern Pequot Tribe as evidence for criterion 83.7(b) "community" and 83.7(c) "political authority and influence" as defined in the regulations under 83.1. In response to the decision of the Interior Board of Indian Appeals, the Department reevaluated the specific state relationship with the Eastern Pequot to determine if it provided evidence of social interaction or political influence within the Eastern Pequot.

The reconsidered Final Determination found that the petitioners did not meet criterion 83.7(b), because of the division of the historical Eastern Pequot into two groups in the early 1980s. The two separate communities after the early 1980s are not the same community that existed before that time. Neither petitioner represented the entire Eastern Pequot group. The petitioners also

-Continued-

Pequot - Page 2

did not meet criterion 83.7(c), because there was insufficient evidence of political authority or influence for the period 1913-1973. Also, since the division in 1983, the two groups did not meet criterion 83.7(c).

The Reconsidered Final Determination is final and effective for the Department of the Interior upon the date of publication of a notice, in the <u>Federal Register</u>, pursuant to 25 CFR § 83.11(h)(3).



Office of the Assistant Secretary - Indian Affairs

FOR IMMEDIATE RELEASE October 12, 2005

CONTACT: Nedra Darling

202-219-4152

The Department of the Interior Issued Reconsidered Final Determination to Decline Federal Acknowledgment of the Schaghticoke Tribal Nation

WASHINGTON – Associate Deputy Secretary James E. Cason announced that the Department of the Interior declined to acknowledge the Schaghticoke Tribal Nation as an Indian tribe within the meaning of Federal law. This Reconsidered Final Determination concluded that the Schaghticoke Tribal Nation did not meet two of the seven mandatory requirements for Federal acknowledgment under 25 CFR Part 83, and therefore, the Department declines to acknowledge a government-to-government relationship between the United States and the Schaghticoke Tribal Nation.

On February 5, 2004, the Department of the Interior published in the Federal Register, a notice of the Final Determination to acknowledge the Schaghticoke Tribal Nation. The State of Connecticut, the Kent School Corp., Connecticut Light & Power Company, the towns of Kent, Danbury, Bethel, New Fairfield, Newton, Ridgefield, Stamford, Greenwich, Sherman, Westport, Wilton, Weston, and the Housatonic Valley Council of Elected Officials, the Cogswell family group, and a group known as the Schaghticoke Indian Tribe challenged that decision before the Interior Board of Indian Appeals.

On May 12, 2005, the Interior Board of Indian Appeals vacated and remanded the Final Determination to the Assistant Secretary - Indian Affairs for reconsideration. The Interior Board of Indian Appeals rejected the general use of state recognition in the Final Determination as evidence for criterion 83.7(b) "community" and 83.7(c) "political influence or authority." In response, the Department reevaluated the specific relationship between the State of Connecticut and the Schaghticoke Tribal Nation to determine if it provided evidence of social interaction or political influence within the Schaghticoke Tribal Nation. The conclusion of the reevaluation is that it did not provide such evidence.

Under criterion 83.7(b), community, the petitioner provided sufficient evidence from colonial times to 1920 and 1967 to 1996. The petitioner did not meet criterion 83.7(b), because there was insufficient evidence for the periods 1920-1967 and 1997 to the present. Under criterion 83.7(c), political authority or influence, the petitioner provided sufficient evidence from historical times to 1801. The petitioner did not meet criterion 83.7(c), because there was insufficient evidence

Schaghticoke - Page 2

for the periods 1801-1875, 1885-1967, and 1997 to the present. The Schaghticoke Tribal Nation petitioner failed these criteria from 1997 to the present because numerous Schaghticoke Indians refused to be members of the Schaghticoke Tribal Nation.

This Reconsidered Final Determination is final and effective for the Department of the Interior upon the date of publication of a notice in the <u>Federal Register</u>, pursuant to 25 CFR § 83.11(h)(3).