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Assistant Secretary McCaleb says the petitioner meets the other five mandatory criteria for Federal acknowledgment. It has been identified consistently as an American Indian entity from 1900 to the present as required by criterion 83.7(a). In accordance with 83.7(d), it submitted a copy of its governing document and membership criteria. All current members descend from the historical Schaghticoke tribe (83.7(e)), and none are currently enrolled with any Federally acknowledged tribe (83.7(f)). The Schaghticoke have never been the subject of legislation terminating or forbidding the Federal relationship (83.7(g)).

The proposed finding is based on the available evidence in the administrative record. The Schaghticoke Tribal Nation petition #79 is being considered under a court-approved negotiated agreement in pending litigation which modifies the procedures in 25 CFR Part 83 but neither modifies the criteria nor the standards required to demonstrate that the criteria are met. The pertinent lawsuits are *Schaghticoke Tribal Nation v. Kent School Corp. et al.*, Civil No. 3:98 CVO1113 (PCD), *Schaghticoke Tribal Nation v. U.S. and the Connecticut Light and Power Company*, Civil No. 3:00 CV00820 (PCD) and *United States of America v. 43.47 Acres of Land et al.*, Civil No. H-85-1078 (PCD).

Parties to the litigation have six months from the date of the decision to provide comments, documents and arguments on the proposed finding to the Department. Interested and informed parties who are not also parties to the litigation have 180 days from the date of publication of the notice of the proposed finding in the *Federal Register* to provide comments to the Department.

Note to Editors: *The abbreviated version of the Mandatory Criteria for Federal Acknowledgment that accompanies this press release may be viewed via the Department's website at www.doi.gov.*

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