

(3) Technical Assistance Letter(s)

- 5/18/1979

Tribal Government Services

Mr. Neal McCormick
Route 1 Tama Reservation
Calro, Georgia 31728

MAY 18 1979

Dear Mr. McCormick:

Pursuant to 25 CFR 54.9(b), preliminary review has been completed of Part 1 of the petition for Federal acknowledgment recently submitted by the Lower ~~Creek Muscogee Tribe~~ East of the Mississippi, Inc. Part 2, which deals with the group's membership and Indian ancestry, is still being reviewed and will be reported on as soon as the initial review is complete. Several deficiencies in Part 1 are apparent, however, which the staff believes should be brought to your attention immediately.

A serious deficiency exists in the area of historical proof that the group has existed from historical times and has been identified as "American Indian" or "aboriginal," as required in Section 54.7(a) of the Federal regulations dealing with acknowledgment. While there is a coherent narrative and adequate documentation to prove the existence of a Creek Nation or Confederacy in Alabama and Georgia down to the time of Indian removal west of the Mississippi, there is virtually no history or documentation provided for the period of 1840-1973. The historical existence of the Creek Confederacy is not at issue. The continuing existence of the Lower Creek Muscogee Tribe, however, must be established for this period of the group's history. The current petition does not do this.

In relation to Section 54.7(b), there is little description or supporting evidence to establish the post-1830 existence of the community within which tribal political relations have been maintained.

Those statements which deal with how the present-day or post-1973 group meets the community and tribal political influence criteria, Sections 54.7(b) and (c), have little supporting evidence. The group's constitution is not enough in itself to show that the group meets these criteria.

This initial review of the group's petition does not constitute active consideration, nor is it a determination of the group's status. It is a notation of the obvious deficiencies found in the initial review of the petition as required by 25 CFR 54.9(b). The group may withdraw its entire petition or a portion of it at this time for further work, or can submit additional information or a clarification which will reinforce the areas in which the staff has noted obvious deficiencies.

The Federal Acknowledgment staff would be happy to discuss these problem areas with you if you have any questions.

Sincerely,

RAYMOND V. BUTLER

Director, Office of Indian Services

Acting

cc:Mr. John Wesley Thomley
Governor George Busbee
Attorney General Arthur K. Bolton
Wm. Hammack, Georgia Commission on Indian Affairs
Mr. Claude Cox, Okla Creek Nation
Eastern Area Office
Alan E. Lubel

cc:Surname

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