

(7) Federal Register Notice of Final Determination

- April 11, 1985

Final Determination That the Principal Creek Indian Nation East of the Mississippi Does Not Exist as an Indian Tribe

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

Pursuant to 25 CFR 83.9(f), notice is hereby given that the Assistant Secretary had determined that the Principal Creek Indian Nation East of the Mississippi does not exist as an Indian tribe within the meaning of Federal law. This notice is based on a confirmed determination, following a public comment period on the proposed findings that the group does not satisfy all of the seven mandatory criteria set forth in 25 CFR 83.7 and, therefore, does

not meet the requirements necessary for a government-to-government relationship with the United States.

Notice of the proposed finding to decline to acknowledge the group was published on page 25311 on the Federal Register on June 20, 1984. Interested parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the finding that the Principal Creek Nation East of the Mississippi does not exist as an Indian tribe. The initial 120 day comment period was subsequently extended for an additional 120 days and the notice of the extension appeared in the Federal Register on November 1, 1984 on page 44024. The extension was provided because of deficiencies in the initial distribution of the proposed finding.

No rebuttals or other comments were received during the comment period and its extension and no evidence was submitted which would warrant changing the conclusion that the Principal Creek Indian Nation East of the Mississippi does not exist as an Indian tribe within the meaning of Federal law.

In accordance with 25 CFR 83.9(j) of the Acknowledgment regulations, an analysis was made to determine what, if any, options other than acknowledgment are available under which the Principal Creek Indian Nation East of the Mississippi could make application for services and other benefits. No viable alternative was found.

With regard to future claims awards to individual Eastern Creek Indian descendants, we are unable to predict, at this time, what the eligibility requirements might be or who will be the eligible beneficiaries.

This determination is final and will become effective 60 days after publication unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR

83.10(a-c).

John W. Pitts,

Deputy Assistant Secretary, Indian Affairs.

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