



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240



Surname

<i>McIntyre</i>
<i>12/2/96</i>
<i>Records</i>
<i>Dr. [unclear]</i>

DEC 15 1996

Ms. Joan Ortez
P.O. Box 419
Steilacoom, Washington 98388

Dear Ms. Ortez:

The Branch of Acknowledgment and Research has reviewed documentation submitted by the Steilacoom to demonstrate previous acknowledgment. The purpose of this research is to determine whether the Steilacoom can utilize Section 83.8 of the acknowledgment regulations by demonstrating previous Federal acknowledgment in the 19th and 20th Centuries.

If a petitioner can demonstrate past acknowledgment, the requirements to be acknowledged are reduced, in accord with section 83.8(d). A previously acknowledged petitioner need only demonstrate tribal existence from the point of last Federal acknowledgment. Further, the demonstration of tribal existence between last acknowledgment and the present-day community requires only a demonstration of criterion 83.7(c), using a reduced burden of evidence. The petitioner must still show that modern-day group meets the full requirements of criteria 83.7(b) and (c). Tribal ancestry under criterion 83.7(e) must still be shown tracing from the group at the point of last Federal acknowledgment or earlier.

A determination of previous acknowledgment has two general elements. One is to show a past Federal action which constitutes unambiguous Federal acknowledgment. The second is to establish on a preliminary basis that the present group is the same as or has evolved from the group as it existed at the point of last acknowledgment.

Based on the documentation provided by the petition and materials located by the Bureau of Indian Affairs' researchers concerning Federal acknowledgment in Washington between 1853 and 1934 (see enclosed), we have concluded on a preliminary basis that the Steilacoom villages were recognized in 1855, at the Treaty of Medicine Creek. However, the evidence in the petition and from our initial research is insufficient to determine whether or not today's petitioner members are descended from the people living in these villages. Thus, we cannot establish on a preliminary basis that the petitioner's descendants and the descendants of the Steilacoom villages are the same.

The evidence reviewed to date also does not show that the Steilacoom were recognized as a tribe during the 1930's. The BIA cannot therefore conclude today's petitioner descends from a previously-recognized group, and cannot therefore conclude previous recognition. The active consideration phase of this petition will be conducted from earliest historical contact to modern times.

This letter is a determination of eligibility to be evaluated under 25 CFR §83.8, not a determination that the Steilacoom meet the requirements of the acknowledgment regulations, 25 CFR §83.7, as modified for previously acknowledged groups by 25 CFR §83.8. The latter determination will be made at the time of the proposed finding.

While we have tried to make this determination as conclusive as possible, a determination of the point of last Federal acknowledgment under 25 CFR §83.8 is subject to review during the preparation of the proposed finding and to challenge and review in the final determination comment process. Such review and challenge is afforded any other question bearing on a determination concerning acknowledgment.

If you would like further information, please contact the Bureau of Indian Affairs, Branch of Acknowledgment and Research, 1849 C Street, N.W., Mailstop 4603-MIB, Washington, D.C. 20240, or call (202) 208-3592.

Sincerely,

/s/SGD/ DEBORAH J. MADDOX

Director, Office of Tribal Services

cc: Dr. Nile Thompson

cc: 440BSurname;Chron;Hold;400

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