

# THE OFFICE OF FEDERAL ACKNOWLEDGMENT

Brief Overview  
(as of 09/22/2008)

The Office of Federal Acknowledgment (OFA) within the Office of the Assistant Secretary - Indian Affairs of the Department of the Interior (Department) implements Part 83 of Title 25 of the Code of Federal Regulations (25 CFR Part 83), *Procedures for Establishing that an American Indian Group Exists as an Indian Tribe*. The acknowledgment process is the Department's administrative process by which petitioning groups that meet the criteria are "acknowledged" as Indian tribes and their members become eligible to receive services provided to members of federally recognized Indian tribes. The acknowledgment regulations are the result of a rulemaking process that included notice and extensive public comment.

The OFA professional staff includes anthropologists, genealogists, and historians. These professionals use the standards of their respective disciplines to review, verify, and evaluate, under the criteria found in the regulations, the petitions for Federal acknowledgment as Indian tribes. The OFA prepares recommended proposed findings and final determinations for the Assistant Secretary – Indian Affairs (AS-IA). These documents are reviewed by the Department's Office of the Solicitor. The AS-IA makes the decision whether to acknowledge the petitioner as an Indian tribe and thereby establish a government-to-government relationship with it.

The OFA also consults with petitioners and third parties, provides copies of the regulations and its guidelines, prepares technical assistance review letters, maintains petitions and administrative correspondence files, and conducts special research projects for the Department. OFA also performs other duties that include assisting in the Department in appeals and litigation, preparing the administrative record of the decision, maintaining lists of petitioners and responding to Freedom of Information Act requests.

Since 1978, 82 groups have submitted completed petitions. Of this number, the Department has resolved 47 and 19 have been resolved by Congress or through other means. The current OFA workload consists of 7 petitions under active consideration, while 9 petitions are ready and waiting for active consideration. Three resolved decisions are in litigation in Federal court. An additional 250 groups have submitted only letters of intent or partially documented petitions, and are not ready for evaluation.