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September 25, 2013

Elizabeth Appel  
Office of Regulatory Affairs and Collaborative Action  
U.S. Department of the Interior  
1849 C Street, NW., MS-4141-MIB  
Washington, DC 20240

Dear Ms. Appel:

I am writing to comment on the proposed criteria for federal recognition of an Indian Tribe. As a scholar who studies and works in collaboration with several New England tribes, both federally and state recognized, I am continually reminded how the powerful and well-funded assault on an agency by states like Connecticut can lead to a reversal of well-considered and reasoned decisions. These reversals were made easier to justify by a beleaguered agency as a result of the increasingly complex and onerous interpretations of the current recognition criteria. With this precedent, current petitioners can not expect an unbiased outcome if their state opposes them.

Indeed, I would assert that the very cumbersome and costly nature of this process is what has led to a frequent linkage of potential casino developers and federal recognition applications and is in and of itself sufficient reason for reform. If petitioning tribes can not reasonably assemble a petition for under several millions of dollars, regardless of how well documented their history has been, then it only stands to reason that they must seek financial support for this endeavor.

Very few petitioning tribes have entered this process with gaming as their main objective, but rather seek federal recognition to have clear, unambiguous acknowledgement that in spite of colonial, state, and federal action to the contrary, they have survived. They are looking for protection of their children under the Indian Child Welfare Act, their ancient remains and cultural patrimony under the Native American Graves Protection and Repatriation Act, protection of their religious freedom and spiritual practices under the American Indian Religious Freedom Act, and a degree of self-determination which most states would fight vigorously minus status as a federally recognized tribe.

For these reasons, I support wholeheartedly the revisions to the Regulations for Federal Acknowledgement of Indian Tribes 25 CFR 83.

Sincerely,

  
J. Cedric Woods, Ph.D.

Director, Institute for New England Native American Studies