

Congress of the United States
House of Representatives
Washington, DC 20515-1013

July 25, 2025

The Honorable Doug Burgum
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

The Honorable Scott Davis
Assistant Secretary
Bureau of Indian Affairs
1849 C Street NW, MS-4660-MIB
Washington, DC 20240

Dear Secretary Burgum and Assistant Secretary Davis:

I write to oppose the Bureau of Indian Affairs' (BIA) past decisions rejecting federal recognition petitions from by the Georgia Tribe of Eastern Cherokee and Lower Muskogee Creek Tribe ("the Tribes").¹ The BIA's record of rejection has effectively barred these Tribes from accessing federal grants and program funding while simultaneously threatening their cultural existence and future viability.² I urge you to immediately reconsider their petition for federal recognition with the nuance, respect, and thorough review afforded to other American Indian tribes.

The BIA's rejection of the Georgia Tribes underscores the inaccessibility and inflexibility of the federal recognition process. Despite obtaining official state recognition from the Georgia General Assembly in 1993³, the Tribes have been denied federal recognition due to gaps in documentation and technical interpretation of governance structures or social cohesion. This disparity perpetuates a two-tier system that marginalizes certain Native communities and fosters inequality between recognized and unrecognized tribes. The rejection also highlights BIA's rigid criteria overlooking significant historical disruptions and forced assimilation that fractured many tribal institutions.

BIA's current federal recognition process denies entities formed in recent times or who may have splintered from a recognized tribe—unless they provide proof that they have functioned as a politically autonomous community since 1900.⁴ Many such communities avoided documentation to escape removal or prosecution, leaving few written records. The BIA's heavy reliance on genealogical and documentary evidence disadvantages oral cultures and poorer tribes lacking the resources to generate extensive historical records. This structural bias is being used to penalize the

¹ Petitioner #008: Lower Muskogee Creek Tribe-east of the Mississippi, GA. *Office of Federal Acknowledgment, Bureau of Indian Affairs*, US Interior Dept. of the, 21 Dec. 1981, Retrieved from <https://www.bia.gov/as-ia/ofa/008-lowmus-ga>; Petitioner #041: Georgia tribe of Eastern Cherokees, Inc. (aka Dahlonga, Cane Break Band), GA. Retrieved from <https://www.bia.gov/as-ia/ofa/041-gtechr-ga>

² Crepelle A. Federal Recognition. In: *Becoming Nations Again: The Journey Towards Tribal Self-Determination*. Cambridge Studies in Economics, Choice, and Society. Cambridge University Press; 2025:231-248. [LINK](#)

³ Pendered, David. "Georgia's 'Lost Tribes' State law officially recognizes Indian groups—Controversial move: Some Native Americans say the measure will only benefit 'Indian wannabees,' not long-established tribes." *The Atlanta Journal and Constitution*, 29 April, 1993, [AJC LINK](#). Accessed July 10, 2025.

⁴ Revisions to Regulations on Federal Acknowledgment of Indian Tribes (25 CFR Part 83). *Office of Federal Acknowledgment*, Bureau of Indian Affairs, US Interior Dept. 29 June 2015 (final rule); originally proposed May 2014, www.bia.gov/as-ia/raca/revisions-regulations-federal-acknowledgment-indian-tribes-25-cfr-83-or-part-83.

Georgia Tribes who were forced to hide their ancestry in order to remain in their homelands and preserve what little they had left.

The American Indian tribes of Georgia possess a profoundly rich cultural legacy. Archaeological evidence, including the Ocmulgee and Etowah Mounds near Macon and Cartersville, Georgia, dates Indigenous presence to around 900 CE—though some scholars argue their origins date back much earlier to 17,000 years ago.⁵ For generations, these communities have worked tirelessly to preserve their languages, honor their ancestral traditions, and maintain civic and spiritual lifeways despite centuries of displacement and marginalization. They have done so largely without federal support, relying on internal strength and community resilience. In denying their petition, the BIA's federal recognition process is prioritizing bureaucratic rigidity over cultural understanding.

Federal recognition is not merely symbolic. It is an acknowledgement that in spite of our nation's legacy of forced removals and disregard for tribal communities, we can still correct a historical injustice. Federal recognition is a gateway to fundamental rights, protections, and resources that are vital to tribal survival and advancement. Without recognition, the Tribes remain locked out of critical federal agency resources and federal funding—such as the Indian Health Service, housing, education and economic development programs—which other recognized tribes are able to receive. The BIA's decisions have also imposed real-world consequences for the Georgia Tribes when it comes to tribal governance assistance, historical preservation funds, and essential cultural revitalization efforts. Effectively isolating them from the greater American Indian community at large and denying them opportunities to reestablish themselves after decades of hiding to survive.

Every tribal community deserves to have its identity, history, and self-determination evaluated on the same rigorous yet respectful basis. The Georgia Tribes are no different. BIA's denial of federal recognition should not rest on inflexible interpretations or procedural shortcuts, but rather on a full and just accounting of the evidence, lived experience, and continuity that define tribal existence.

I urge the BIA to reconsider its decision to reject the Georgia Tribe of Eastern Cherokee and the Lower Muskogee Creek Tribe's petition and immediately reopen the recognition process for these petitions. Thank you for your attention to this important matter. I look forward to your response.

Sincerely,



David Scott
Member of Congress

⁵ Roberts, R. (2012). Georgia. In *Native America: A State-by-State Historical Encyclopedia* (Vol. 1, pp. 230-231). Santa Barbara, CA: ABC-CLIO.