



NATIVE AMERICAN HERITAGE COMMISSION

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Draft Contact List Regulations Overview of Revisions

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On October 23, 2023, the Native American Heritage Commission released draft contact list regulations for a 90-day tribal comment and consultation period. At the January 19, 2024, meeting, the NAHC extended the comment and consultation period to March 1, 2024. During the 120-day tribal comment and consultation period the NAHC conducted four virtual and five in person listening sessions at Redding, Los Angeles, United Auburn Indian Community, Bishop, and Rincon. Additionally, the Commission engaged in individual consultation sessions with 23 tribes and 1 tribal consortium consisting of 12 tribes.

Based on the comments received, the Commission revised the draft regulations to, among other things, provide for the automatic inclusion of federally recognized tribes; remove race-based criteria for inclusion on the contact list; elicit tribal input and consultation when geographic areas overlap; create a process for addressing "splinter" groups of non-federally recognized entities; and enlarge public comment periods prior to Commission action.

One notable change from the first draft of these regulations is that the California Mission Rolls are no longer a criteria for consideration of inclusion on the Contact List. The Commission made this decision after receiving feedback during tribal consultation about the numerous problems with these records which were confirmed through our own review. Specifically, the majority of these records only indicate the race of an individual and not a tribal or cultural affiliation. Additionally, confirming the connection of a present-day individual to someone on the Mission Rolls is difficult because the Spanish speaking Catholic priests who prepared the documents did not always correctly spell Indigenous names. As such, proving these connections often requires the use of a genealogist and there are no clear standards as to what makes a genealogist legitimate.