



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WASHINGTON, D.C. 20245

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IN REPLY REFER TO:

Tribal Government Services - AR

*acting*

<i>Lawson 4/8/88</i>
<i>Spicer 4/8/88</i>
<i>Jha 4/11</i>

APR 11 1988

Mr. Nicholas E. Brocchini  
P.O. Box 1200  
Mariposa, California 95338

Dear Mr. Brocchini:

The Branch of Acknowledgment and Research has conducted a review of the information and documentary materials submitted by Barbara E. Karshmer on December 3, 1986, and by yourself on July 14, 1987 on behalf of the American Indian Council of Mariposa County. These materials were submitted in response to our letter of May 25, 1985, which identified certain obvious deficiencies and significant omissions in the group's petition for Federal acknowledgment. As we outlined in our conference call of February 11 with you, Ms. Karshmer, and Dr. Lowell Bean, there continue to be significant deficiencies and omissions in the petition. As a consequence, we are providing you with a second review, which we hope will give clearer guidance regarding the specific information needed to provide us with a minimum basis upon which to evaluate the petition fairly.

Although we have done so in the past, the Branch of Acknowledgment and Research does not now have the resources to conduct basic research for a petitioner. The staff's research during active consideration is only for the purpose of verifying and/or elaborating on an already complete petition. The Acknowledgment staff may be unable to do the research necessary to fill in the gaps in the petition on behalf of the petitioner to the extent they have done in the past. Therefore, it is absolutely essential that your researchers provide us with as much data as possible regarding those areas which we have noted as being deficient.

Although you have the option of asking us to proceed with the petition and supplementary data which we presently have, if we were to place this petition on active consideration and issue a proposed finding based solely on the evidence submitted to date, we would have to conclude that there is not sufficient information regarding the group's membership roll and membership criteria to meet the mandatory criteria for Federal acknowledgment. The deficiencies listed below as critical might also preclude the meeting of one or more of the other criteria.

In order to facilitate your response, we have divided our requests for further information and/or documentation into three categories: 1. ESSENTIAL (criteria cannot be met without it); 2. CRITICAL (criteria may not be met without it); and 3. IMPORTANT (necessary to clarify and/or strengthen the petition but not necessarily critical to meet the criteria).

## ESSENTIAL

### 1. Membership Roll

It is essential that a list of all individuals whom the group considers to be members be submitted. The list must include not only those adult-voting members but also all minor children whom the group considers to be members. If the group is acknowledged, the list of members submitted for acknowledgment purposes will be regarded as the group's complete, base roll for purposes of Federal funding and other administrative purposes upon acknowledgment. The list will be binding for some time to come, except for minor corrections.

The membership list should include for each member the following:

1. Full name (including maiden name for married females)
2. Current residential address
3. Complete date of birth or at least year of birth.

It would be helpful to the Acknowledgment staff to have the genealogical number assigned to each member included on the list. However, this is optional.

If the group has not already devised a format for their membership list, the group may want to use the membership roll form suggested in the Acknowledgment guidelines. A copy of this form is enclosed for your convenience.

### 2. Membership criteria

In response to criterion 83.7(d), the petition refers to the By-Laws of the American Indian Council of Mariposa County, the draft proposed Constitution and By-Laws which at the time had not been adopted, and "the amended criteria for membership." This last document was not included in the petition. We will need a copy of "the amended criteria for membership" that is being referred to in the petition.

## CRITICAL

Materials for any of these questions may be provided from ethnographic, interview or documentary sources.

3. Question 9 of our original letter, concerning the modern community, remains of critical importance. The petition contains some important but very briefly stated descriptions of the modern community which should be elaborated on and/or more detail or description provided. This description may include the community in recent years as well as the immediate present. Please elaborate particularly on the patterns of visiting and informal contact described on pages 210 to 212 of the petition and the patterns of economic assistance which are mentioned. Please provide some description of the traditional social, recreational and religious events, which are mentioned, focusing on social participation, and any other formal or informal

gatherings of members. In describing the modern group, it is important to indicate features of social organization such as social distinctions from other populations (e.g., geographical or other), major family groupings recognized, etc. Include more complete descriptions of local settlements or geographical clusterings which are recognized by the group, such as those briefly described on pages 179 and 209.

4. We have regrouped the questions from our previous letter concerning the political processes within the Yosemite. This question replaces items 7, 8 and the portion of item 4 referring to political processes. The kinds of information and concerns addressed in the petition in discussing the political system are, by and large, appropriate. It is important to continue to include, as the present discussion does, multiple leaders of different types and the scope of their influence, e.g., formal and informal, religious and civil. The description of political process need not be limited to leadership per se, but may include descriptions of how influence is gained and maintained, decisions are made and political transitions are achieved.

Please elaborate on the role of leaders, as indicated in the petition, as "managers of community affairs in economic and ritual matters," "boundary players" and informal influencers and decision-makers. In describing the present political system, and the transition from earlier decades, please indicate how the "sense of what a leader is and how they are selected" have remained the same. It may be useful to describe, if possible, the processes by which Yosemite leaders maintain and have maintained in the past the "ritual congregation," e.g., mobilizing and managing assistance, economic support and political ties.

It is particularly important to provide more detail for the period between 1930 and 1975, i.e., covering the period of transition and "revitalization." If possible expand the history of the 1960's (pages 175-177) which describes the activities of individuals who were subsequently active on the American Indian Council of Mariposa County. More information, documentary or otherwise, is needed (item 8 of our previous letter) about the formation of the Yosemite-Mariposa Intertribal Council and the Miwok-Paiute Tourist Development Association as part of the context of political leadership and change in the 1960's and early 1970's. Please indicate which members of the Yosemite were involved with each of these organizations.

As an overview of the political system of the Yosemite throughout its history, we request a summary review describing, as far as is known, which persons performed what kind of leadership roles in which periods of time, such as is partially done on pages 237-38.

5. Questions 3 and 4 of the original letter were intended, in part, to outline needed additions to and clarifications of the description of the historical evolution of local settlements. An outline of where every individual lived, or the specific composition of each settlement, was not requested but it is important to outline and synthesize the available data on settlement patterns since the 1850's. A brief textual outline such as that on pages 240-42 (but covering the full historical span) summarizing what settlement areas were, as far as known, active during what periods would be extremely useful in understanding the history and social organization of the Yosemite.

It is important to include in the descriptions detail concerning settlements and populations located outside the valley. This is important since many of those from Yosemite proper lived outside the valley in later historic times, and, as the petition makes clear, the present Yosemite, although apparently centered around the Awahneechee, represent in part a merging with families from other Southern Sierra Miwok as well as other local tribes.

Please also address the following specific questions. Some historical description is needed of the settlements on the John C. Fremont land (dating from 1847) and the Sarah Priest allotment described in the petition narrative as locations where various Indian families have lived since first contact with Anglo-Americans (pages 209-10 and 179): These are described as important community centers today. However, no reference is made to these in the historical narrative. In addition, is there better, more direct evidence available concerning the occupation between the 1850's and 1900 of the settlements inside or outside of the valley, some of which are described by Merriam and others as continuing into the 20th century? Please also elaborate on the statement referring to settlements of "lineally-based core groups among which others could reside seasonally or as the occasion demanded (page 226)."

#### IMPORTANT

6. You have provided copies of most of the documents requested in the appendix to our first letter. However, we ask that you also provide us with those listed below which were not included in your response exhibits if possible.

- AICMC 1971
- Binnewies 1981
- Bunnell 1911
- Kelsey 1971
- Leidig 1960
- Merriam 1917
- Rockville 1942
- Yeager 1948.

7. We also ask again that you provide copies of the following categorical documents requested in our previous letter:

- Samples of Minutes
- Incorporation papers
- List of current leaders and certification of petition.

8. Please provide copies of the following censuses, which were not included in your response:

- Anonymous 1933
- Anonymous 1935
- Bingamon 1956
- Genealogical chart, 1953
- Moe 1952.

In addition, please provide us with another copy of Wegner 1930, as the copy you sent is illegible.

8. We are returning copies of some of the "newsclippings to 1930" which are illegible. Please provide us with better copies if possible.

Once the Branch of Acknowledgment and Research has received the requested information and/or documentation, the staff will review the materials in order to determine whether they respond sufficiently to this letter. The Acknowledgment staff will be in touch with you by telephone to discuss the information requested above. They will be happy to answer any question you may have at that time. Should additional data be needed or should questions arise as a result of research during the active consideration period, we reserve the right to request this information. If you have any questions regarding this letter and the information that has been requested, please contact Michael Lawson, the Acknowledgment staff member who has administrative responsibility for California petitioners. You may call him at (202) 343-3568, or write him c/o Bureau of Indian Affairs, Branch of Acknowledgment and Research, Mail Stop 1352-MIB, 18th and C Streets, N.W., Washington, D.C. 20240. Please note that there has been a slight change in our mailing address.

Sincerely,

Hazel E. Elbert

Deputy to the Assistant Secretary -  
Indian Affairs (Tribal Services)

Enclosure

cc: Barbara Karshner  
Lowell Bean  
Sacramento Area Office  
Central California Agency  
Congressman Tony Coelho

cc: ~~██████████~~; Chron; RF440; 440; 440B  
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