



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 10 2019

Mr. William H. Leonard
4630 Ben Hur Road
PO Box 186
Mariposa, California 95338

Dear Mr. Leonard:

Please find enclosed a copy of an agenda for the on-the-record Technical Assistance (TA) meeting scheduled for Wednesday, April 24, 2019, at the Department of the Interior (Department). We will hold the meeting from 10 am to 1 pm in the North Penthouse of the Department's Main Interior Building (MIB), located at 1849 C Street, NW, in Washington, DC. All guests will need to enter on the C Street (south side of the MIB) and have a government-issued photo identification. The purpose of this meeting is to provide TA on the Department's Proposed Finding (PF) regarding the petition of the Southern Sierra Miwuk Nation (SSM, Petitioner #82).

The Office of Federal Acknowledgment (OFA) arranged the questions that you submitted to create an agenda that will facilitate the flow of discussion. OFA did not include some of these questions because they were outside of the scope of discussion as set forth in OFA's longstanding published guidelines for formal TA meetings (Guidelines), attached with this letter and available online at:

https://www.bia.gov/sites/bia.gov/files/assets/as-ia/ofa/admindocs/25CFRPart83_1994_GuidelinesFormalTA.pdf

In accordance with the Guidelines, the enclosed agenda shows the questions submitted that fall within the discussion parameters, and an order for addressing them. The moderator will allow follow-up questions to agenda items as time and the flow of discussion permits. If you raise an issue that is fully discussed in the PF, OFA may refer you to the PF rather than repeat this material in the meeting.

The purpose of the meeting is for OFA to provide on-the-record TA to the petitioner and other interested parties and *further explain the reasoning, analyses, and factual bases of the PF*. The upcoming meeting is not an adjudicatory hearing, but a TA meeting. OFA will not discuss issues beyond the scope of the PF, such as the legality of the regulations or the deliberative process that went into issuing of the decision. The moderator will be responsible for seeing that the meeting is conducted in a fair, impartial, and professional manner, that all questions are addressed, and that the meeting proceeds in a timely way. OFA reserves the right to make minor modifications to this agenda if deemed appropriate to achieving the goals of the on-the-record meeting.

OFA will ensure that copies of the PF and Federal Register notice are available for reference. At this meeting, OFA will not provide or discuss documents in its files covered under the Privacy Act or under a Freedom of Information Act (FOIA) exemption, except as provided in the formal meeting guidelines. Documents used for the PF are available to the petitioner at any time during

the comment period, even after this meeting, and they may be obtained by submitting a standard FOIA request to this office. Petitioners and interested parties may also obtain informal TA from OFA through scheduled teleconference, letter writing, or—time permitting—informal TA meetings.

On the day of the meeting, please enter the Department's MIB at the "C" Street first floor entrance. Again, please have a government-issued photo identification, such as a California driver's license or a US passport. The Department's security will deny entrance to individuals without appropriate identification. You will have to check in with Security and obtain a visitor's badge. When all individuals have arrived, OFA will provide an escort to the North Penthouse, Seventh Floor.

Please note that the comment period closes on May 23, 2019. Should you have any questions, please do not hesitate to contact the OFA, 1849 C Street, NW, MS-4071 MIB, Washington, DC 20240 or call (202) 513-7650.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Lee Fleming".

Director, Office of Federal Acknowledgment

Enclosures (2)
OTR Meeting Agenda
Formal TA Guidelines

cc: Interested Parties

**On-The-Record Technical Assistance Meeting
Southern Sierra Miwuk Nation (Petitioner #82) Proposed Finding
Agenda**

Wednesday, April 24, 2019, from 10:00 a.m. to 1:00 p.m.
Main Interior Building, North Penthouse, Seventh Floor

Codes in brackets at the end of each question indicate the party submitting the question. Code key is "SSM" for Petitioner #82 and "OFA" for Office of Federal Acknowledgment. OFA put all agenda items in question format. In paraphrasing each agenda item, OFA quoted and italicized as much as it could from SSM's original agenda items.

I Introductory Statements by OFA

Introductions.

Representing SSM:

Designated Spokesperson Stephen V. Quesenberry
Chairman William Leonard
Former Chair Lois Martin
Secretary Irene Vasquez
Member Tisina Parker
Consultant Dr. Albert Hurtado

Representing OFA/Department:

Director R. Lee Fleming
Anthropologist Dr. Wendi-Starr Brown
Genealogist Darcie Hind Posz
Historian Dr. Arthur Leighton
Moderator Elizabeth Appel
Solicitors

How Meeting will be handled.

Overview of the proposed finding.

II. Historical Indian Tribe/Unambiguous Previous Federal Acknowledgment

1. Can OFA clarify SSM's concerns regarding any "*ambiguity and uncertainty*" regarding "*the historical Indian tribe*" as presented in the PF? [SSM Item 4, January 15, 2019]
2. How does the petitioner define its historical Indian tribe and demonstrate that it existed as such? [OFA]

3. What “*specific documentation*” in the current record did OFA consider “*relevant to and supportive of previous federal acknowledgment*”? [SSM Item 5, January 15, 2019]
4. “*What significance [did] OFA attach to the So. Sierra Miwuk’s more than 100-year relationship with the National Park Service and its continuing presence in Yosemite Valley and surrounding areas of Mariposa County*”? [SSM Item 6, January 15, 2019]

III. Break: 11:00 am – 11:15 am

IV. Criterion 83.7(b)

5. Can OFA explain the Department’s decision to analyze only 83.7(b) “at present” and “*its appropriateness and consistency with the 1994 federal regulations*”? [SSM Item 1, January 15, 2019]
6. How did OFA define the petitioner’s community at “*the present*” . . . (see *PF Report at 12*)”? [SSM Item 3, January 15, 2019]
7. “*How did the OFA ensure that the partial finding regarding the ‘modern’ or ‘present community’ of the SSMN be ‘understood in the context of the history, geography, culture, and social organization of the group,’ as required by § 83.1?*” [SSM Item 8, January 15, 2019]
8. “*For purposes of determining whether a ‘predominant portion’ of the petitioner comprised a distinct community during the ‘present community’ period selected by OFA (1982-2011), how did the OFA consider fluctuations in tribal membership?*” [SSM Item 9, January 15, 2019]

V. Bibliography

VI. Administrative Procedures

Formal Name: Could the petitioner provide sufficient evidence that accounts for the transformation or evolution of the AICMC to SSM?

Membership List: Can OFA provide additional TA on what is required of the group’s membership list as specified in § 83.7(e)?

VII. New Non-Agenda Issues from Meeting Discussion and Final Questions from the Petitioner

VIII. OFA Closing Remarks

What to expect after the OTR under the regulations.