



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

NOV 21 2015

Ms. Cheryl Schmitt  
P.O. Box 355  
Penryn, California 95663

Dear Ms. Schmitt:

Thank you for your letter of October 19, 2015, regarding the Juaneno Band of Mission Indians (Petitioners #84A or #84B) and the Southern Sierra Miwuk Nation (Petitioner #82). Your letter envelope is postmarked November 12, 2015, and the Office of Federal Acknowledgment (OFA) received your letter on November 17, 2015. You requested clarification and posed questions.

The Department initially classified your letter as a Freedom of Information Act (FOIA) request, however, you neither asked for copies of any records, nor invoked FOIA. Nevertheless, we are providing you courtesy copies of certain publicly releasable letters in our response [16 images].

For clarification, you on behalf of *Stand Up For California* ("Stand Up") formally requested "informed party" status for Petitioner #84A and #84B on May 31, 2006, (copy attached). By letter of December 14, 2006, we added your name and address to the list of contacts as an informed party for both Petitioners #84A and #84B (copy attached). Of the two Juaneno Band of Mission Indians petitioners, only Petitioner #84A is now before the Department. Petitioner #84B's Final Determination against Acknowledgment was effective on June 20, 2011. Currently, Ms. Teresa M. Romero represents (Petitioner #84A).

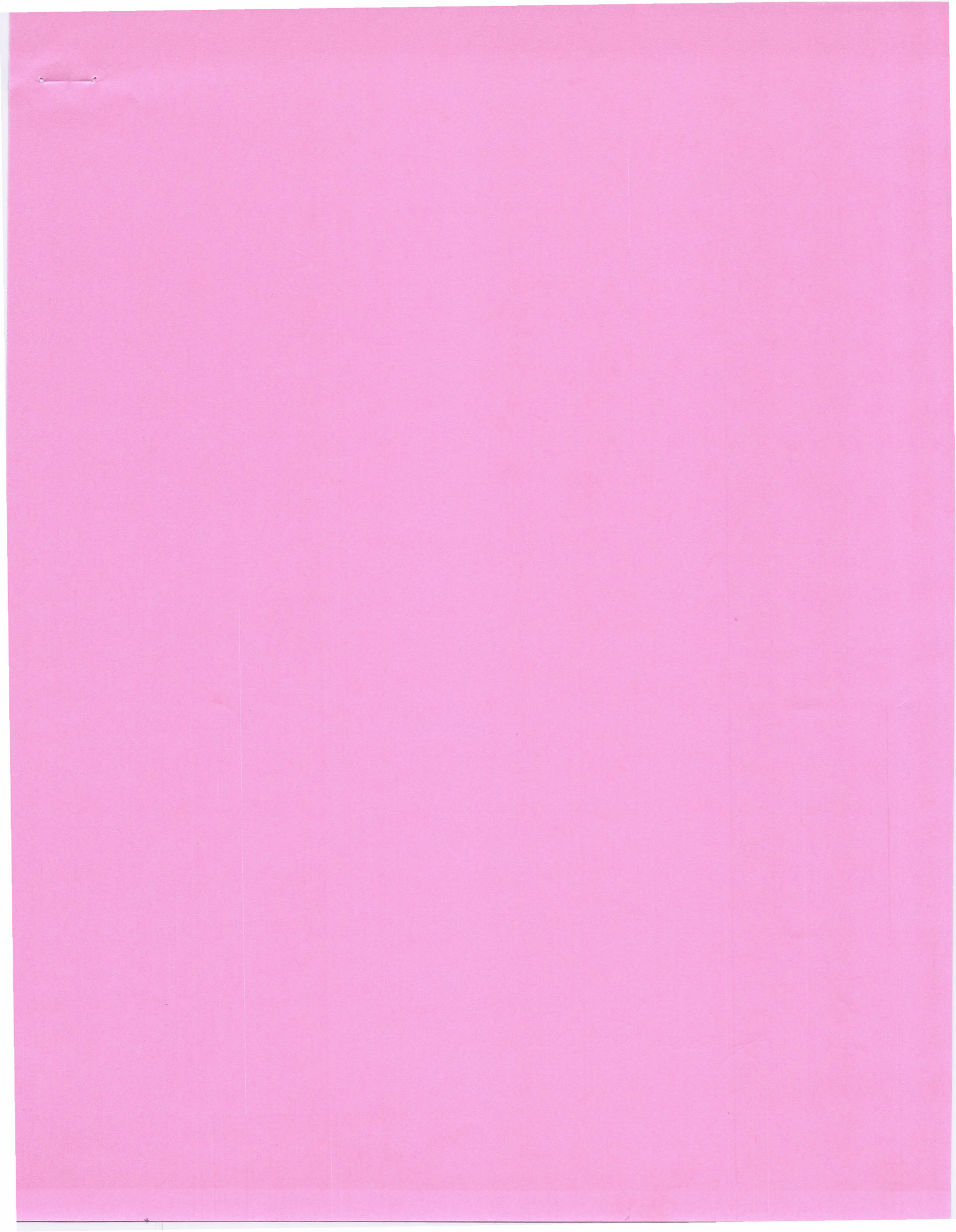
With respect to Petitioner #82, we could neither locate a letter on file from you formally requesting either interested or informed party status, nor could we find an OFA response. However, our records show that sometime between November 2010 and November 2011, your name and address appears on the list of contacts to Petitioner #82 as an "informed party."

Last, you asked, "Did these petitioning groups choose to complete the federal process for acknowledgment under the (1994) regulations or proceed under the new regulations?" Petitioner #82 chose to continue under the 1994 regulations and Petitioner #84A chose to proceed under the current 2015 regulations (copies of letters designating choices attached). You will also find information recently uploaded on OFA's Web site: <http://www.bia.gov/WhoWeAre/AS-IA/OFA/index.htm>.

Sincerely,

Director, Office of Federal Acknowledgment

Enclosures



5/31/2006

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JUN 13 2006

AS-IA, Office of Federal  
Acknowledgment

P.O. Box 355  
Penryn, CA 95663

# Stand Up For California!

“Citizens making a difference”

standupca.org

May 31, 2006

Honorable Lee Fleming- Director  
Office of Federal Acknowledgment  
United States Department of the Interior  
1951 Constitution Ave. N. W.  
Mail Stop 34B-SIB  
Washington, D.C. 20240  
FAX: 202-219-3008

**RE: Request to be an “Informed Party” –  
Juaneno Petitioning Groups 84 A and 84 B**

Dear Mr. Fleming:

Stand Up For California has been involved with issues associated with Indian gaming for many years in California and frequently serves as a resource to policymakers and elected officials at the local, state and national level.

The “**Active Consideration**” of the Juaneno is one of the first in California’s recent history. This particular acknowledgement process is complicated by high profile members within the tribal group membership and a significant opportunity for the promotion of gaming in a metropolitan/urban area in two of our states most populated counties that have no other federally recognized tribes. The tribal group is divided into factions and has filed separate petitions. Each of these factions has gained in recent months some sort of financial support, reportedly from gaming interests.

As a statewide organization concerned about the impacts of gaming on the public, we formally request “Informed Party” status.

Sincerely,



Cheryl A. Schmit – Director  
916-663-3207  
[schmit@hughes.net](mailto:schmit@hughes.net)

CC: Andrea Lynn Hoch, Legal Affairs Secretary  
Stephanie Shimazu, Deputy Legal Affairs Secretary  
Robert Mukia, Senior Asst. Attorney General  
Sara Drake, Supervising Deputy Attorney General

#6/20

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To:

Honorable Lee Gemeny - Director  
Office of Federal Acknowledgement  
United States Dept of Interior  
1951 Constitution Ave. N.W.  
Mail Stop 34B-S1B  
Washington D.C. 20240

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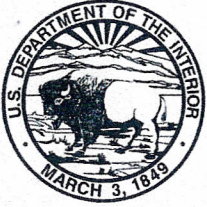
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# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

DEC 14 2006



Ms. Cheryl A. Schmit  
P.O. Box 355  
Penryn, California 95663

Dear Ms. Schmit:

Thank you for your letter of May 31, 2006. In this letter you requested, on behalf of the organization known as "Stand Up For California," informed party status for the Juaneno Band of Mission Indians, Acjachemen Nation (Petitioner #84A) and Juaneno Band of Mission Indians (Petitioner #84B) petitions for acknowledgment. The Department received your letter on June 13, 2006.

The acknowledgment process is regulated under Part 83 of Title 25 of the Code of Federal Regulations (25 CFR Part 83), *Procedures for Establishing that an American Indian Group Exists as an Indian Tribe*. As used in the regulation cited above:

***Informed Party*** means any person or organization, other than an interested party, who requests an opportunity to submit comments or evidence or to be kept informed of general actions regarding a specific petitioner.

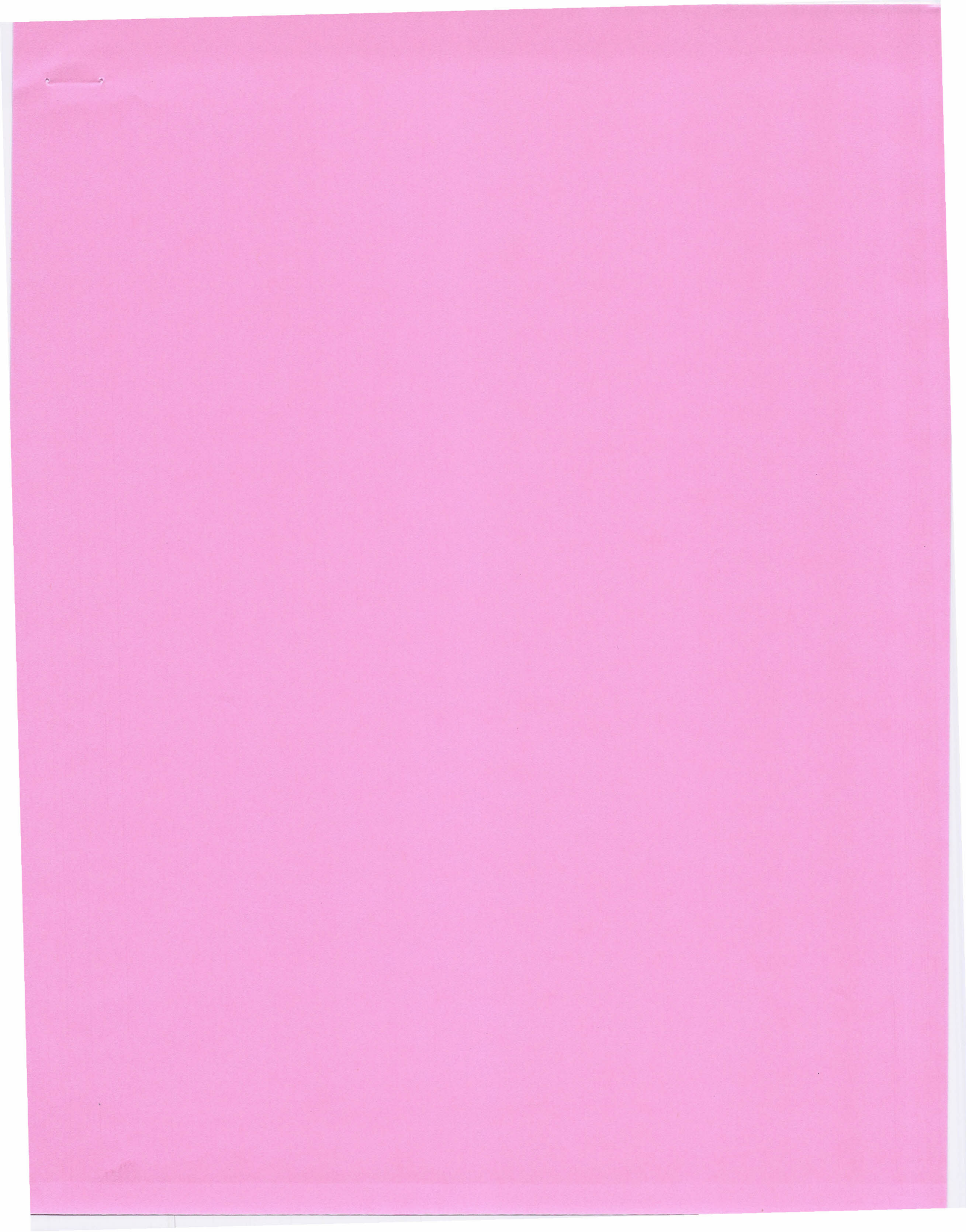
Your name and address will be added to the list of contacts as an informed party for the respective petitioning groups. Any arguments and evidence that you submit to the Assistant Secretary – Indian Affairs must be provided also to the petitioners (see 25 CFR § 83.10(2)).

If you have any additional questions please contact the Office of Federal Acknowledgment, 1951 Constitution Avenue, N.W., MS-34-SIB, Washington, D.C. 20240, or call (202) 513-7650.

Sincerely,

Director, Office of Federal Acknowledgment

cc: Petitioner #84A  
Petitioner #84B  
Interested and Informed Parties





TILDEN MCCOY + DILWEG, LLP  
BOULDER | DENVER | LOS ANGELES

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SEP 16 2015  
ASIA-OFA

MARK C. TILDEN  
MCTILDEN@TILDENMCCOY.COM  
303.818.0310

September 14, 2015

Assistant Secretary – Indian Affairs Kevin Washburn  
Indian Affairs  
MS-3642-MIB  
1849 C Street, N.W.  
Washington, D.C. 20240

Director R. Lee Fleming, Office of Federal Acknowledgment  
Office of the Assistant Secretary – Indian Affairs  
United States Department of the Interior  
1951 Constitution Avenue, N.W., MS-34B-SIB  
Washington, D.C. 20240

Re: Request to Proceed under New Federal Acknowledgment Regulations

Dear ASIA Washburn and Director Fleming,

I am submitting this letter on behalf of the Juaneño Band of Mission Indians, Acjachemen Nation (the “Tribe”) in response to Director Fleming’s letter of August 31, 2015. That letter is consistent with the new regulations governing federal acknowledgment of Indian tribes (the “new regulations”) in requesting that we file a letter with the Office of the Assistant Secretary – Indian Affairs (“ASIA”) identifying our intent to proceed under the new regulations by September 29, 2015. In fact, we filed that letter, which was addressed to the ASIA, dated August 20, 2015 and received by the ASIA’s office on August 21, 2015. A copy of the letter and its attached Tribal resolution is attached hereto. Nonetheless, we herein reiterate the Tribe’s request to proceed under the new regulations. Specifically, the Tribe requests the following:

1. That the Department acknowledge the Tribe’s intention to proceed under the new regulations, pursuant to §83.7;
2. That the Department allow the Tribe to supplement its petition, pursuant to §83.7(c);
3. That the Department allow the Tribe adequate time to supplement its petition; and
4. That the Department begin its review of the Tribe’s reconsidered petition at Phase I, Technical Assistance of the Proposed Finding stage (§83.26(a)).

9-22

Your August 31, 2015 letter references a sample letter for tribes to use to identify their choice to your office. The Tribe has filled out the sample letter to further confirm its selection to proceed under the new regulations and additionally to supplement its petition. This completed sample letter is also attached hereto.

Per your letter of August 31, 2015 and the new regulations, the Tribe understands that this request to proceed under the new regulations at Phase I (§83.26(a)) means that review of the Tribe's petition will be delayed in OFA's order of review. The Tribe is also confirming that there is no deadline or time limitation in which to submit information and evidence supplemental to its petition. Additionally, the Tribe understands that it will be placed in OFA's order of review queue for petitions at Phase I (§83.26(a)) only at the time it submits its supplemental information.

Finally, thank you to the ASIA for meeting with Tribal Chairwoman Romero and the Tribe's counsel on September 10, 2015 by teleconference call. On the call, the ASIA raised the question whether any further action is required by him for consideration of the Tribe's petition to commence at the Phase I (§83.26(a)) stage. In the January 14, 2014 letter from the ASIA to the Tribe, the ASIA granted the Tribe's request that consideration of the petition be suspended until after enactment of the new regulations and, relevantly, asserted that regardless whether the Tribe elected to proceed under the new or old regulations, the Department agreed that it would "issue a decision within 120 days of receipt of the letter [making the election] from Juaneño." However, Director Fleming's letter of August 31, 2015 states that "[i]f [the Tribe] respond[s] that you wish to proceed under the 2015 regulations and that you wish to supplement your petition, the order of review will be based on the date the OFA receives the supplemented petition." Thus, based on Director Fleming's August 31, 2015 letter, that further action by the ASIA is not required for consideration of the Tribe's petition to be returned to OFA; rather, the Tribe's express elections to proceed under the new regulations is all that is required. Also, Director Fleming's August 31, 2015 letter identifies that in the event a petitioner elects to supplement its petition under the new regulations, no timeline applies in which to submit that supplement; thus, no action is required by the ASIA since the new acknowledgement regulations provide legal guidance.

If you have any questions, please contact me.

Sincerely,



Mark C. Tilden,  
*Attorney for Juaneño Band of  
Mission Indians, Acjachemen Nation*

cc: Tribal Council,  
*Juaneño Band of Mission Indians, Acjachemen Nation*



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SEP 16 2015

ASIA-OFA

Dear Director Fleming:

Pursuant to your August 31, 2015 letter, the Juaneño Band of Mission Indians, Acjachemen Nation is writing to inform you that we wish to have our petition evaluated as indicated by check mark below:

Under the 2015 regulations, "Federal Acknowledgment of American Indian Tribes" (80 FR 37862-37895) that became effective on July 31, 2015, we do not seek to supplement our petition.

OR

Under the 2015 regulations, "Federal Acknowledgment of American Indian Tribes" (80 FR 37862-37895) that became effective on July 31, 2015, we will supplement our petition and redact or remove from this supplement any privacy or other information protected under FOIA. We also will provide you a copy of those pages without redactions.

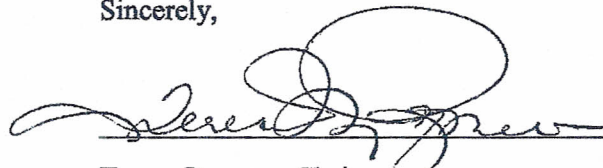
OR

Under the previous version of the acknowledgment regulations as published in 25 CFR Part 83, revised as of April 1, 1994.

The Juaneño Band of Mission Indians, Acjachemen Nation understands that this choice is made pursuant to § 83.7 of the regulations that became effective on July 31, 2015.

Dated: 9-11-15

Sincerely,



Teresa Romero, Chairwoman  
Juaneño Band of Mission Indians, Acjachemen Nation



TILDEN MCCOY + DILWEG, LLP  
BOULDER | DENVER | LOS ANGELES

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SEP 16 2015

ASIA-OFA

MARK C. TILDEN  
MCTILDEN@TILDENMCCOY.COM  
303.818.0310

August 20, 2015

Assistant Secretary-Indian Affairs Kevin Washburn  
United States Department of the Interior  
Office of the Secretary  
Washington, DC 20240

Re: Request to Proceed under New Federal Acknowledgment Regulations

Dear ASIA Washburn,

I am submitting this letter on behalf of the Juaneño Band of Mission Indians, Acjachemen Nation (the "Tribe") in response to your letter of January 14, 2014, which suspended reconsideration of the Tribe's Final Determination (the "FD") until after enactment of the new regulations governing federal acknowledgment of Indian tribes (the "new regulations"). As you know, on December 3, 2013, Secretary Sally Jewell signed a memorandum directing your office to review five issues referred to her by the Interior Board of Indian Appeals (the "IBIA") and to consider suspending your reconsideration until after enactment of the new regulations. By your January 14, 2014 letter, you effectuated that suspension.

The new federal acknowledgment regulations were published in the Federal Register on July 1, 2015. Thus, the applicable deadline for the Tribe to submit a letter identifying for the Department whether it should proceed under the new or the old regulations is ninety (90) days after the July 1, 2015 date of publication of the (the "New Regulations"), or September 29, 2015. Fed. Reg., Vol. 80, No. 126, pg. 37862 (July 1, 2015). This is consistent with your January 14, 2014 letter, which provided the following timeline and instructions:

within 90 days of publication of the finalized Part 83 regulations in the Federal Register, Juaneño [shall] file a letter instructing us whether we should proceed with the current referral process based on the original grounds outlined by the IBIA, or whether any changes in the regulations merit consideration of additional grounds. In the meantime, if Juaneño decides it wishes to forego suspension and resume the existing referred process, it may likewise submit a formal request.

By this letter, the Tribe would like to formally request that the Department process its federal acknowledgment petition under the new regulations and to make further related requests

regarding supplementation of its petition. Your January 14, 2014 letter states that should the Tribe submit a letter choosing to proceed under the New Regulations, we should state in that letter "whether any changes in the regulations merit consideration of additional grounds." This is supported by Section 83.7(c) of the new regulations, which provide that "[a]ny petitioner who has submitted a documented petition under the previous version of the acknowledgment regulations and chooses to proceed under these revised regulations does not need to submit a new documented petition, but may supplement its petition." As explained below, this letter is to further advise you that changes in the regulations merit consideration of additional grounds.

The FD concluded, and the IBIA affirmed, that the Tribe failed to satisfy the following four criteria: (a) Indian Entity Identification; (b) Distinct Community; (c) Political Autonomy; and (e) Descent.<sup>1</sup> 57 IBIA 149, 162 (06/27/2013). The IBIA referred five grounds outside of the IBIA's jurisdiction to the Secretary, and the Secretary referred those five issues to you for reconsideration. In addition, the Secretary highlighted the following error:

With regard to the fifth ground, the IBIA pointed out that in the transmittal of materials to the [IBIA] for its review of the reconsideration petition, OFA had acknowledged that it had overlooked evidence in the record regarding Uriol Mireles and had acknowledged that an additional 249 persons have documented descent from the historical SCJ Indian tribe. ... Given this unique acknowledgment of an error made in preparing the [FD], and given the questions raised regarding due process and burdens of proof, I am exercising my discretion to request that you reconsider the Juaneño [FD]. While unsubstantiated allegations of bias or misconduct are not a valid basis for seeking reconsideration, I am nevertheless requesting that you address all five grounds referred by the IBIA to ensure that the Department's final decision in this matter benefits from a full analysis and comports with notions of a full and fair evaluation of the Juaneño petition.

Secretary memorandum to ASIA, dated December 3, 2013.

The Department has made clear that the Tribe has the option to proceed under the New Regulations. This is consistent with prospective application of the new regulations. *Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204, 208 (1988) ("Retroactivity is not favored in the law. Thus, congressional enactments and administrative rules will not be construed to have retroactive effect unless their language requires this result."). Under the Old Regulations, the Department has, to this point, concluded that the Tribe did not satisfy the following four criteria: (a) Indian Entity Identification; (b) Distinct Community; (c) Political Autonomy; and (e) Descent.

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<sup>1</sup> In the Old Regulations, the relevant mandatory criteria are articulated as follows: "(a) The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900. ...; (b) A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present. ... (c) The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present. ... (e) The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity." For clarity, we use the mandatory criteria titles as articulated in the New Regulations throughout this memorandum: (a) Indian entity identification; (b) Community; (c) Political influence or authority; and (e) Descent.

However, the new regulations make significant revisions to the requirements under (b), (c), and (e). In addition, although the requirements under (a) are substantially the same as in the old regulations, they include the important change that allows for demonstration of Indian identity by the petitioner itself. These substantial changes to the analysis of the Tribe's petition together with the Secretary's acknowledgment that OFA overlooked evidence in the record regarding Uriol Mireles affecting the documented descent from the historical tribe of an additional 249 persons means that a full and fair evaluation of the Tribe's petition under the new regulations can only be had if the Tribe's petition is returned to the Proposed Finding stage.

Obtaining a fully and fairly considered review under the new regulations requires, and therefore **the Tribe requests, that the Tribe's supplemented petition be returned to OFA for commencement of the Phase I technical assistance review under §83.26.** This return to the Proposed Finding stage is warranted because:

- It is a necessary follow on to the Department's agreement to allow the Tribe to proceed under the new regulations;
- It would allow the Tribe to utilize the full review process contemplated in new regulations (rather than facing a reconsidered final determination without benefit of first having the two-phased technical assistance under the new regulation's requirements under the criteria);
- Changes to analysis of criteria and evidence under the criteria are extensive enough to warrant allowing Tribe to proceed linearly through the new process rather than jumping into the new process mid-stream;
- Because the process deletes the IBIA reconsideration hearing and moves the hearing process to the PF stage, the Tribe should be allowed to utilize this review mechanism, if necessary, under the new regulations and their revised analysis of the criteria; and
- It would be inconsistent for the Department to allow petitioners to proceed under the substance of the new regulations without allowing them to proceed under the procedures of the new regulations.

The Tribe's request to return to the PF stage is supported by the language of §83.7 of the new regulations, which acknowledges that the default is for petitioners to proceed under the new regulations, and the Department's comments to the new regulations:

- Comment E(2): "*Response:* The final rule streamlines the phased review and expedites the entire process by providing for a review first of criteria (d) (governing document), (e) (descent), (f) (unique membership), (g) (termination), and any claim to previous Federal acknowledgment; and second of criteria (a) (identification), (b) (community), and (c) (political influence/authority). *See* final § 83.26. These two phases combine evaluations of the criteria that are most likely to be evaluated together even in the absence of defined phases."
- Comment E(3): "*Response:* The final rule limits the number of TA reviews to two, at the most: One for each phase."
- Comment E(4): "*Response:* The final rule includes the proposed approach allowing a petitioner to respond to comments prior to the issuance of a PF and ensuring OFA

provides the petitioner with any material used in the PF, to the extent allowable under Federal law.

- Comment E(5): “*Response*: The final rule takes the approach that when the petitioner is preparing information to submit in response to technical assistance, no timeline applies. This negates the need for the petitioner to request a suspension from the Department; rather, the petitioner may take whatever time it needs. ... There is no need to provide that a petitioner does not lose their place in line if the withdrawal is less than a certain timeframe, because the petitioner always has the option of taking as long as they like to respond to technical assistance, in lieu of withdrawal.”
- Comment F(1): “*Response*: Ensuring that petitioners see and respond to any evidence before a PF is issued may, in fact, add time to the process; however, the Department believes this is an instance where the need for transparency, fairness, and rigor outweighs the need for promptness.”
- Comment G(1): “*Response*: The final rule implements the proposal to delete the limited IBIA reconsideration process and to allow for a hearing on a negative PF. This procedure will require the parties to pinpoint specific findings that they dispute and provide evidence from the record, from testimony based on the record, or cite to precedent in support of their positions in a setting that is well-suited to objective consideration of discrete issues in a transparent manner. Rather than making the process more adversarial, a hearing will help crystalize the issues in preparation for consideration by the AS-IA. Since it occurs before an objective forum without any preconceived notion of an outcome, it will further insulate the process from criticisms of perceived bias.”
- Comment G(4): “*Response*: These limits will afford the parties the opportunity to clarify the record, without expanding the record beyond what was before OFA when it issued the PF and comments and responses submitted following issuance of the PF. The limits will encourage the petitioner and all others to be diligent in gathering and presenting to OFA all their relevant evidence and discourage strategic withholding of evidence, which will further ensure that OFA’s PF is based on the most complete record possible, allowing the ALJ to focus on discrete issues in dispute if a hearing is requested.”

The January 14, 2014 letter and the New Regulations do not provide explanation about the procedure for or timing of supplementation. Given the Tribe’s resource constraints, the significant changes to the regulations, and the need for the petitioners, under the new regulations, to provide specific evidence, a significant extension of time for supplementation is warranted. The Tribe therefore primarily requests that its petition be returned to the PF stage for consideration under the new regulations.<sup>2</sup>

Based on the foregoing, then, the Tribe respectfully requests the following:

1. That the Department acknowledge the Tribe’s intention to proceed under the new regulations, pursuant to §83.7;

---

<sup>2</sup> In the alternative, the Tribe requests an extension of at least one year to submit its supplemental materials with the additional request that you not begin your 120-day review until you have received the Tribe’s supplemental information.

2. That the Department allow the Tribe to supplement its petition, pursuant to §83.7(c);
3. That the Department allow the Tribe adequate time to supplement its petition; and
4. That the Department begin its review of the Tribe's reconsidered petition at Phase I, Technical Assistance of the Proposed Finding stage (§83.26(a)).

Sincerely,



Mark C. Tilden,  
*Attorney for Juaneño Band  
of Mission Indians,  
Acjachemen Nation*

cc: Teresa Romero, Chairwoman,  
*Juaneño Band of Mission Indians, Acjachemen Nation*  
Tribal Council,  
*Juaneño Band of Mission Indians, Acjachemen Nation*



# Juaneño Band of Mission Indians Acjachemen Nation

Tribal Council  
Teresa M. Romero – Chairwoman  
Anthony Vaughn – Vice-Chairman  
Kim Olivares Leone – Secretary/Treasurer  
Ruthie Ann “Cookie” Stoffel – Member at Large

## Resolution No. 08182015, Resolution to Request the Department to Process the Tribe’s Petition Under the New Federal Acknowledgment Regulations and Related Matters

WHEREAS, on December 3, 2013, Secretary of the Interior Sally Jewell directed the Assistant Secretary for Indian Affairs (the “ASIA”) to review five issues referred to her by the Interior Board of Indian Appeals (the “IBIA”) and to consider suspending the Tribe’s reconsideration until after enactment of new federal acknowledgment regulations;

WHEREAS, on January 14, 2014 the ASIA effectuated the Tribe’s petition’s suspension and provided the following timeline and instructions:

“within 90 days of publication of the finalized Part 83 regulations in the Federal Register, Juaneño [shall] file a letter instructing us whether we should proceed with the current referral process based on the original grounds outlined by the IBIA, or whether any changes in the regulations merit consideration of additional grounds. In the meantime, if Juaneño decides it wishes to forego suspension and resume the existing referred process, it may likewise submit a formal request”;

WHEREAS, the new federal acknowledgment regulations were published in the Federal Register on July 1, 2015;

WHEREAS, the ASIA’s January 14, 2014 letter states that should the Tribe submit a letter choosing to proceed under the new regulations, we should state in that letter “whether any changes in the regulations merit consideration of additional grounds” and Section 83.7(c) of the new regulations provides that “[a]ny petitioner who has submitted a documented petition under the previous version of the acknowledgment regulations and chooses to proceed under these revised regulations does not need to submit a new documented petition, but may supplement its petition”;

WHEREAS, the new regulations make significant revisions to the requirements under (b), (c), and (e) and, the requirements under (a) now allow for demonstration of Indian identity by the petitioner itself which is a significant revision; and

WHEREAS, the new regulations do not make it clear how a petition should supplement its petition, but because of the significant substantive and procedural changes in the new regulations, it may provide the best opportunity to fully supplement the petition by requesting that the Tribe’s petition begin to be reviewed upon reconsideration at commencement of the Phase I technical assistance review under §83.26.

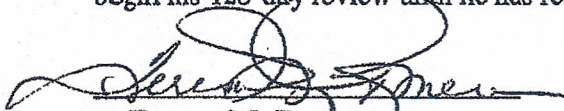
NOW, BE IT THEREFORE RESOLVED, that the Tribe officially request that the Department process its petition for federal acknowledgment under the new regulations, pursuant to new §83.7; and

BE IT FURTHER RESOLVED, that the Tribe officially elect to supplement its petition, pursuant to §83.7(c); and

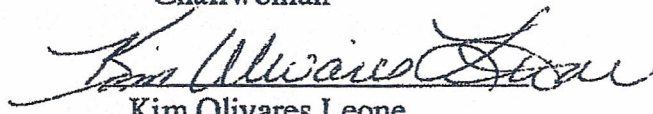
BE IT FURTHER RESOLVED, that the Tribe expressly request that the Department allow the Tribe adequate time to supplement its petition; and

BE IT FURTHER RESOLVED, that the Tribe request that the Department begin its review of the Tribe's reconsidered petition at Phase I, Technical Assistance of the Proposed Finding stage (§83.26(a)); and

BE IT FURTHER RESOLVED, that, in the alternative, the Tribe request an extension of at least one year to submit its supplemental materials with the additional request that the ASIA not to begin his 120-day review until he has received the Tribe's supplemental information.



Teresa M. Romero  
Chairwoman



Kim Olivares Leone  
Secretary/Treasurer



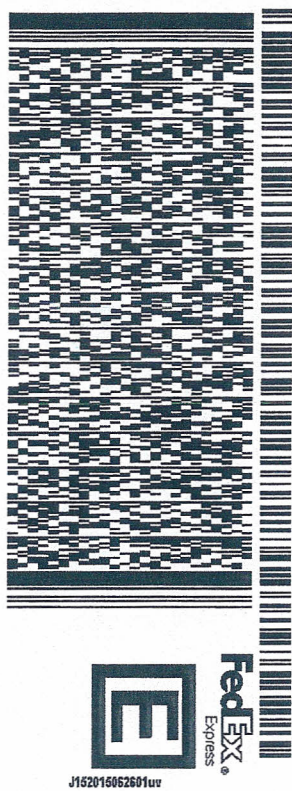
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## SOUTHERN SIERRA MIWUK NATION

aka

American Indian Council of Mariposa County, Inc.  
4630 Ben Hur Rd. • P.O. Box 186  
Mariposa, CA 95338

Chairperson  
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Director At Large  
**Richard Hogan**

September 28, 2015

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SEP 30 2015

**ASIA-OFA**

R. Lee Fleming  
Office of Federal Acknowledgment  
MS-34B-SIB  
1951 Constitution Avenue, NW  
Washington, DC 20240

Dear Director Fleming,

Pursuant to your August 31, 2015, letter, the Southern Sierra Miwuk Nation, petitioner #82, is writing to inform you that we wish to have our petition evaluated as indicated by check mark below:

Under the 2015 regulations, "Federal Acknowledgment of American Indian Tribes" (80 FR 37862-37895) that became effective on July 31, 2015. We do not seek to supplement our petition.

OR

Under the 2015 regulations, "Federal Acknowledgment of American Indian Tribes" (80 FR 37862-37895) that became effective on July 31, 2015. We will supplement our petition and redact or remove from this supplement any privacy or other information protected under FOIA. We also will provide you a copy of those pages without redactions.

OR

Under the previous version of the acknowledgment regulations as published in 25 CFR Part 83, revised as of April 1, 1994.

The Southern Sierra Miwuk Nation (petitioner #82) understands that this choice is made to pursuant to § 83.7 of the regulations that became effective on July 31, 2015.

Dated: September 28, 2015

Sincerely,

Lois M. Martin

Lois M. Martin, Chairperson  
Southern Sierra Miwuk Nation  
aka American Indian Council of Mariposa County, Inc.

4630 Ben Hur Road • P.O. Box 186 • Mariposa, Ca. 95338  
209-742-2244 • 209- 742-2233 FAX  
Email: mariposamiwuk@sti.net

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