



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

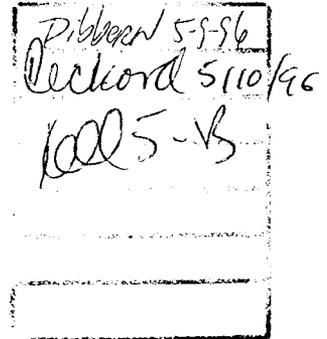


IN REPLY REFER TO:

Tribal Government Services - AR
MS-4641

Ms. Sonia Johnston
P. O. Box 25628
Santa Ana, Callifornia 92799

MAY 15 1996



Dear Ms. Johnston:

Thank you for submitting a documented petition for Federal acknowledgment as an Indian tribe for the Juaneno Band of Mission Indians (#84-B). The Bureau of Indian Affairs (BIA), Branch of Acknowledgment and Research (BAR) has completed an initial review of your petition, as required under section 83.10(b) of the acknowledgment regulations (25 CFR Part 83). This technical assistance letter describes any obvious deficiencies or significant omissions apparent in your petition.

The technical assistance (TA) review is a limited, preliminary review by a staff anthropologist, genealogist, and historian. Only when a petition is placed under "active consideration" is it reviewed and evaluated in depth by the BAR staff to determine whether or not the petitioning group meets the requirements to be acknowledged as an Indian tribe. Thus, the TA review is not a preliminary determination of the merits of your case.

The acknowledgment regulations provide a TA review to ensure that your petition will be considered on its merits and will not be rejected after active consideration because of technical problems in your petition or your lack of awareness that you need to provide evidence that you meet the seven mandatory criteria for Federal acknowledgment. The TA review gives you an opportunity to do further work on your documented petition and to submit additional information and clarification prior to the active consideration period when your case will be evaluated on its merits.

Your documented petition consists of a "Petition" volume, a "Revision & Clarification" volume, and a "Brief Narrative" received on March 8, 1996, and an "Addendum" volume received on February 24, 1995; an "Updated Base Tribal Membership List" and a "Supplemental A Tribal Membership List" received on February 24, 1995, and an "Updated Supplemental A Membership List" received on October 6, 1995; two volumes of "Ancestry Charts for the Base Enrollment" received on March 8, 1996, and two volumes of "Ancestry Charts for the Supplemental A Membership List" received on October 6, 1995; and two packages of computer disks of genealogical information.

As required by criterion (d), you have submitted a copy of your 1979 constitution, which includes your membership criteria. As required for the evaluation of criterion (e), you have supplied a membership list for your group. It appears that you also have provided an ancestry chart for each individual on the membership list. Thus, you have submitted the basic information we will need to identify your members and to trace their descent from an historical Indian tribe. During active consideration of your petition, we may request samples of the supporting documentation and evidence you have used to establish an individual's Juaneno descent. The BAR genealogist also will visit your group to examine the documentation in your membership files.

Whether you have supplied sufficient evidence for us to evaluate your petition under criteria (a), (b), and (c), however, is much less clear. Your Petition, Revision, and Addendum volumes provide some information about the historical tribe and its relation to the mission at San Juan Capistrano in the 19th century, and some information about dealings on behalf of Juaneno descendants with outside organizations in the 20th century. You have not given us, however, any description of the Juaneno community itself during the 20th century. To evaluate your petition, especially under criterion (b), we will need some examples of how members interact with other members in community activities, and some examples of the practices or events which demonstrate that your members are part of a community which is distinct from the surrounding population. With the sole exception of a detailed account of the leadership dispute with David Belardes over the last several years, you have not given us any description of leadership or political influence, whether formal or informal, within the group. To evaluate your petition, especially under criterion (c), we will need some examples of how the group has maintained political influence over its members throughout history.

In addition, you have supplied copies of very few of the historical documents cited in your Petition volume. Since many of these items are from collections which are not easily accessible to the BAR researchers, it would improve our ability to evaluate your petition if you were able to make copies of these documents available to us.

After considering this TA review of your petition, you have two options. You may respond in part or in full to the TA review by supplying additional text and documentation, or you may request, in writing, that the Assistant Secretary - Indian Affairs proceed with the active consideration of your documented petition using the materials you already have submitted. Despite the concerns we have expressed above, if you request that we put your petition on the list of petitions considered to be "ready" for active consideration, we will do so.

If you respond to the TA review, this does not imply in any way that your group meets the seven mandatory criteria simply by submitting additional data. You may request that the BAR also review the materials you submit in response to the TA review for their adequacy. An additional TA review will not be automatic, but will be conducted only at your request. However, you must take into consideration the limitations of these preliminary reviews. They cannot anticipate all of the questions that an in-depth review during active consideration might raise about your petition.

The BAR staff will fully evaluate your petition when it is placed under active consideration. The BAR's research during the active consideration period is to verify or elaborate on your already completed petition. The BAR's case load no longer permits it to do the research necessary to fill in gaps in your petition on your behalf to the extent it sometimes has done in the past.

Once you have had an opportunity to review this letter thoroughly and to share its contents with your members and researchers, we recommend that you contact the BAR staff so that we can make arrangements to provide additional technical assistance to you and your researchers. Please contact the Bureau of Indian Affairs, Branch of Acknowledgment and Research, 1849 C Street N.W., Mail Stop 4641-MIB, Washington, D.C. 20240, or call (202) 208-3592.

Sincerely,

/S/ Deborah J. Maddox

Director, Office of Tribal Services

cc: David Belardes
Steve Feldman
ACCIP, ATTN: Dena Magdaleno
BIA Riverside, ATTN: Frances Muncy

Surname; 440B; 440 Chron; 400 Hold; JDIBBERN:jd; x3592;
5/8/95; TA#84B; Dibbern #2; ret:jac 05-09-96