

**(4) Proposed Finding Documents**

**- June 13, 1984**



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

JUN 13 1984

REPLY REFER TO:

Tribal Government Services-FA

## MEMORANDUM

To: Assistant Secretary - Indian Affairs

From: Acting Deputy Assistant Secretary - Indian Affairs (Operations)

Subject: Recommendation and Summary of Evidence for Proposed Finding Against Federal Acknowledgment of the Kaweah Indian Nation, Inc., Pursuant to 25 CFR 83.

### Recommendation

We recommend that the Kaweah Indian Nation, Inc. (hereinafter "KIN") not be acknowledged as an Indian tribe entitled to a government-to-government relationship with the United States. We further recommend that a letter of the proposed determination be forwarded to the KIN and other interested parties, and that a notice of the proposed finding that they do not exist as an Indian tribe be published in the Federal Register.

### General Conclusions

The Kaweah Indian Nation, Inc. is a recently formed organization which did not exist prior to 1980. The organization was formed under the leadership of a non-Indian, Malcolm L. Webber, as the result of the breakup of a similar organization, the United Lumbee Nation, Inc. The KIN is primarily an urban Indian interest group in Porterville, California, which has no relation to the aboriginal Kaweah Indians and did not evolve from a tribal entity which existed on a substantially continuous basis from historical times until the present.

The KIN has no characteristics of an Indian tribe which has maintained tribal relations from historical times. No evidence was submitted by the petitioner or found by the staff which indicates the organization ever had a political existence prior to or after its founding in 1980.

The present membership of the KIN is composed of individuals who claim Indian ancestry but none of whom claim Kaweah or Yokuts ancestry. Its present activities consist primarily of civil activities directed toward urban Indian causes; genealogy of members; and Indian history and culture projects.

The organization has claimed to have as high as 2,000 members, but many, if not most, those appear to be names of individuals from other groups Webber previously formed and names taken from subscription lists to various newspapers Webber has published.

Webber moved to Oatman, Arizona, in the Spring of 1981 and continued to run the KIN group in Porterville, California, from there. While in Oatman, he claimed large sections of land in and around Oatman as a Kaweah Indian Reservation until the Oatman group disbanded.

The Porterville group, without Webber, continues to operate as an Indian-interest group at a reduced level of activity and is not pursuing Federal acknowledgment.

Theodore G. Frazier

**EVALUATION OF THE KIN PETITION  
BY THE CRITERIA IN PART 83 OF TITLE 25  
OF THE CODE OF FEDERAL REGULATIONS**

The following is a discussion of the KIN in light of the criteria in Section 83.7 of the Acknowledgment regulations. It is based on research by the Federal Acknowledgment staff, submissions by the petitioner, and interviews with the group's leadership and members.

**83.7 (a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian," or "aboriginal." A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of activity during various years.**

There is no evidence that the group was ever identified as having been an American Indian entity by recognized Indian tribes, governmental agencies, scholars or other sources. The lack of evidence is not caused by fluctuations in the group's activity. The petitioner presented no evidence, nor could any be found by the staff, that any predecessor groups to the KIN existed prior to 1980.

The KIN is neither part of, nor is it in any way derived from the aboriginal Kaweah or Yokuts Indians. Although some members claim to be of Indian ancestry, no relationship, historical or contemporary, was found by Acknowledgment researchers to exist between the KIN, as a group, and any other North American Indian tribe. The Tribal Council of The Tule River Tribes, Porterville, California, passed a resolution refusing to recognize, support or endorse the KIN or its activities. Letters from Malcolm Webber, officers of the ULN, and other documents clearly indicate the KIN did not exist prior to 1980.

We, therefore, conclude that the Kaweah Indian Nation has not been historically identified as Indian and does not meet the criterion in 25 CFR 83.7(a) of the Acknowledgment regulations.

**83.7(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area, and that its members are descendants of an Indian tribe which historically inhabited a specific area.**

The KIN does not presently and has not historically formed a community distinct from surrounding populations. It is an organization formed in 1980 by Malcolm L. Webber (Chief Thunderbird) as a result of an internal dispute in another organization formed by Webber in 1976.

Although many (not all) of the members of the KIN claim Indian ancestry from various tribes around the country, none claimed Kaweah or Yokuts ancestry and none submitted documented genealogical evidence of Indian lineage.

We find the KIN is a recently-formed organization of individuals interested in Indian affairs, that does not constitute a community which is distinct from surrounding populations and that there are no historical predecessor communities. We find, therefore, that the KIN does not meet the criterion in 25 CFR 83.7(b).

**83.7(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.**

The KIN did not provide a statement of fact or evidence to suggest the group maintained a tribal political influence or other authority over its members at any time during its existence since 1980, nor could the Acknowledgment staff find any such evidence.

The corporate charter of the KIN states that the "specific purpose of the group is to help an American Indian Nation be legal as to promote their history, etc. as a people." Although the group has a constitution there is no indication that it operates under the procedures set forth therein. The present leadership of the group disclaims any political activity asserting that it is simply an Indian-interest group concerned with civic activities and Indian affairs.

**83.7(d) A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedure through which the group currently governs its affairs and its members.**

An August 22, 1980, letter signed by leaders of the recently-formed KIN states that "the officers and board members of the United Lumbee Nation voted to drop the name and change it to Kaweah Indian Nation" and "that the petition on file for United Lumbee Nation of North Carolina and America, Inc...Exeter, CA...still holds."

Articles of Incorporation were prepared for the "new" organization using the KIN name and the Porterville (rather than Exeter), California address. Malcolm (Thunderbird) Webber was identified as the incorporator and was the sole signer.

In October 1980, the Bureau received a copy of the "new" KIN constitution and bylaws. This was essentially the same document that Webber submitted for the ULN organization several years earlier except for a few additions. All references to ULN and Lumbee in the document had been deleted and/or replaced with KIN. The size of the "Honowentee council (keepers of the law)" had been reduced from seven members to five. An executive board of five had been added to "look over hiring (sic) of officers and keep good officers honest." It is not clear whether the executive council was intended to be a new board and, if so, who its members would be. A statement regarding the prohibition of black arts or witchcraft was also added.

There was also a change in the role women would be permitted to play in the new organization. Under the KIN document, women were limited to holding office only "...when needed in office jobs but not the office of chief." This appears to be the result of Webber's lost contest with Eva Reed and Ruby Boyer over the control of the ULN. The KIN document was unsigned.

The October 1980, KIN governing document included an article setting out the group's criteria for membership (quoted below), which were identical to those used by the ULN except for changes to correct references to ULN or Lumbee.

**ARTICLE VI MEMBERSHIP**

Section: 1 Adopted into nation person must be know a KAWEAH. Those with negro blood must prove thier (sic) Indian blood.

Section: 2 Citizenship of nation; any tribal member can join any group.  
But KAWEAH people are allowed to carry roll card of our nation only.

A third "new" and unsigned KIN constitution and bylaws document was received from Webber on January 12, 1981. This document was vastly different from earlier governing documents. It described the organization as "a union of self-governing tribes (of U.S., Canada, and Mexico consisting)...of the following recognized tribes: Northern Kaweah, Kaweah, Southern Kaweah, Patwisha, Kroatan, Mayaca, Winyaw, Keowee, Coosa, Accomac, Lower Accomac, Chickamauga, Nottoway and Weanoc." Membership eligibility was defined as being all persons listed on a "census roll of the Kaweah nation as of September, 1980;" or children born after that date to Kaweah parents who are both KIN members; or children born to a Kaweah mother who is a member and father who is a member of another tribe. A blood degree requirement of one-fourth Indian is required; however, as written it appears to apply only to non-members who are adopted into the KIN. The membership requirements are so vague as to make effective administration impractical.

In June 1982, following the Executive Council's dismissal of Webber as Chief, a fourth KIN constitution was submitted by then "Grand Council Head Chief" Ray Washington. This document deals primarily with chiefs and councils and their powers, and internal societies (war and medicine). It makes no mention of KIN criteria for membership.

We conclude that the KIN has met the criterion in 83.7(d) by the submission of several governing documents. We note, however, that the document submitted by Webber is virtually the same document that he submitted when he petitioned under the name of the United Lumbee Nation of North Carolina and America, Inc. The content of all of these documents, the manner in which they appear to be adopted and rejected, as well as the nature and frequency of revisions, raise questions regarding their usefulness as organic documents.

**83.7(e) A list of all known current members of the group and a copy of each available former list of members based on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendance from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity.**

Specific information concerning the membership of the KIN was scarce. No addresses or genealogical information were provided by Webber or Washington. In his letter of August 24, 1981, Webber to the Acknowledgment staff stated that "It is against Kaweah Indian Nation laws to finish (sic) the US Govt. addresses of members and family histories which we have on file...."

Two KIN rolls were available for review, however. The first was submitted in July 1981, by Webber and contained the names and roll numbers of 1,530 persons. The second roll, submitted by Ray Washington in July 1982, contained the names and roll numbers of 1,204 persons. One thousand one hundred sixty-four of the names and their accompanying roll numbers were common to both rolls.

The two KIN rolls and the ULN roll (submitted by Eva Reed in February 1980) were compared by name and roll number in an effort to determine what similarity, if any, existed between the rolls. The Webber and Washington KIN rolls had the largest number of names (1,164) and corresponding roll numbers common to both rolls; 755 names and roll numbers were common to the Reed-ULN and Webber-KIN rolls, but did not appear

on the Washington-KIN roll. Thirty-three names and numbers were common only to the Reed and Washington rolls. Eight hundred fifty-three names could be identified on only one of the three available rolls.

The table which follows shows how the three rolls compared on overall total names, percent of the names shared with other rolls, and the percent of the names on each that were "new" (i.e., appeared on only one roll).

COMPARISON OF KIN AND ULN ROLLS

	<u>ULN</u> <u>(Reed)</u>	<u>KIN</u> <u>(Webber)</u>	<u>KIN</u> <u>(Washington)</u>
Total Names	1,321	1,530	1,204
Percent of total "shared"	64%	76%	99.5%
Percent "new" (this roll only)	36%	24%	.5%

Based on our limited analysis of the three rolls, it appears that the groups are claiming essentially the same members. Each of the rolls appear to have been prepared from the same original roll since the majority of the names listed carried the same roll number on each of the three rolls.

Membership criteria used by the KIN are vague or non-existent, depending on which governing document you utilize. No information was provided about how eligibility was being determined or what, if any, documentary evidence was requested or provided of an individual's ancestry.

Given the fact that Webber and Washington provided no genealogical information for KIN members and given the degree to which the KIN (Webber and Washington) and the ULN (Reed) share a common history and membership, it seems reasonable to refer to evidence gathered during active consideration of the ULN petition for acknowledgment. The following quote is taken from the Proposed Finding Against Federal Acknowledgment of the United Lumbee Nation of North Carolina and America, Inc., published April 12, 1984.

Leaders state that although all ULN members are required to possess 1/16 Indian blood, they do enroll some non-Indian spouses to avoid breaking up families.... Documentation of Indian ancestry is requested, but not required. Mrs. Reed states that they "try to verify Indian ancestry as best (they) can." (Reed/Shapard interview, 11/15/82) and that most of the ULN members are Cherokee or Choctaw descendants. She says the group has no illusions about being a tribe like the Hopis or the Navajos, but that they are rather a group of individuals of Indian ancestry who share a common interest.

Although the group provided lists of its members, it did not provide the genealogical information or documentation needed to establish the Indian ancestry of its members. We conclude that the KIN has not established the descent of its members from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity and, therefore, does not meet the criterion in 83.7(e). We further conclude that if genealogical information and documentary materials were

provided for individual members, it is unlikely that this evidence would establish the group's members to be predominantly Kaweah—or Lumbee—descendants.

**83.7(f) The membership of the petitioning group is composed principally of persons who are not members of any other North American Indian tribe.**

The petitioner did not directly address this criteria. However, research by the Acknowledgment staff, ULN and KIN publications and correspondence, and statements by present and former members all indicate that the KIN, like the ULN, is composed of individuals who claim membership in or descendancy from a variety of recognized and unrecognized Indian tribes and groups, as well as some non-Indians. Because no personal information was provided for KIN members, it was impossible to verify or determine the extent to which KIN members were or were not enrolled in other tribes whether recognized or unrecognized.

Based on what little is known about the character of the KIN at this time and what is known about its predecessor organization, the ULN, we conclude that the KIN does not meet criterion 83.7(f).

**83.7(g) The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.**

Based on information provided by Webber, the KIN states that it is not nor has it ever been terminated by Congress and that their membership does not belong to terminated tribes. The KIN does not appear on the Bureau's official list of "Indian Tribes Terminated from Federal Supervision." No legislation was found terminating or forbidding a Federal relationship with the KIN. However, due to the incomplete nature of the membership lists provided (Webber's KIN, Washington's KIN, and Reed's ULN) and the lack of information concerning the Indian ancestry of individual members, it has not been possible to determine if specific individuals have been terminated or are members of groups which have been forbidden the Federal relationship.

We conclude that the KIN organization has not been nor is it likely, based on what is known, that the group's members have been the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship. The group therefore, has met the criterion 25 CFR 83.7(g).

## KAWEAH BACKGROUND

The Kaweah Indian Nation (KIN) was formed in the summer of 1980 by Malcom L. Webber as a result of an internal dispute within a similar group formed by Webber in 1976, the United Lumbee Nation of North Carolina and America, Inc. (ULN).<sup>1</sup>

Webber's earlier organization (ULN) had achieved some success in recruiting members around the Exeter and Porterville, California area and was raising funds to purchase land for the ULN. A dispute about the handling of these funds and the financial records arose in early 1980 and continued until August when Webber and other leaders of the ULN, John and Eva Reed and Ruby Boyer, mutually exorcised each other.<sup>2</sup>

The Reed/Boyer faction held two meetings on August 20 and 25. At the August 25 meeting the group passed a motion to remove Webber and his wife from the ULN's "Principal offices and the Board of Directors."<sup>3</sup> On August 17 and 22, 1980, Webber countered with similar brief letters to the Reeds and Mrs. Boyer: "This letter is to inform you that you and your family and other kin have been removed from the nation. Also all Wolf Clan members who associated with you. We don't need you in our nation."<sup>4</sup> There was a brief struggle for control of the ULN in which Webber exhorted the membership by mail to "Please destroy your old Lumbee (ULN) roll cards."<sup>5</sup>

By December 1980, the ULN had divided into two factions. The members primarily from the Exeter area stayed with the Reeds and retained the name of the ULN. Those in Porterville remained loyal, for the most part, to Webber and took on the new name of Kaweah Indian Nation (KIN). The reorganized ULN now claims over 2,000 members and the KIN reports it has about "1500 members."<sup>6</sup>

By the end of January 1981, the Kaweah Indian Nation was incorporated in the State of California and had been granted tax exempt status based on the fact that the organization was operated exclusively for the promotion of social welfare.<sup>7</sup>

The KIN's first correspondence with the Branch of Federal Acknowledgment was from Webber, dated March 6, 1981. Webber noted that Robert Quire was the new Tribal Chairman of the Kaweah. Webber retained the title of "Grand Council Head Chief".<sup>8</sup> Webber also noted in a separate letter of the same date that there were over 2,000 Kaweah Indians in the vicinity who were not Lumbee.<sup>9</sup>

Although Webber claimed up to 2,000 members, many of them appear to be names collected over the years as he made contacts through the "tribes" he organized or were names taken from subscriptions to his newspaper and not participating members.

Associated with Webber in the Kaweah Indian Nation were a number of former ULN members mostly from around the Porterville area who claim Indian ancestry. At least some of these were members of the Native American Wolf Clan. These people formed the nucleus of an urban Indian-interest organization that continues to exist under the name of the KIN. Many of these people expressed an admiration of Webber and his work with Indians, and felt he was sincere in his efforts to "help Indians."<sup>10</sup> The Porterville group, however, focused on local Indian concerns, Indian history, crafts and genealogy. The group also focused efforts on fund raising activities such as yard sales, solicitations by mail to members, donations, bake sales, raffles, and country-western dances. An indeterminate amount of the money raised was given to Webber as "expense money" for such things as long distance calls, the KIN newsletter, and other similar expenses.

The group relied heavily on Webber for his expertise as "Chief," his purported rapport with State and Federal officials, and his self-proclaimed ability to get Federal recognition as an Indian tribe for the group.<sup>11</sup>

During the months of January, February, and March 1981, Webber wrote several letters to the Bureau of Indian Affairs explaining the new tribal organization history and tribal background.<sup>12</sup> Similar letters were sent to Morton C. Blackwell, Special Assistant to the President,<sup>13</sup> and to California State officials.<sup>14</sup> The letters and the responses by government officials were read at meetings of the group and apparently had substantial impact on the member's impression of Webber and his work.<sup>15</sup>

In the last week of March 1981, Webber made efforts to associate the newly formed KIN with the Tule River Tribes, a federally recognized tribe, and push for the ratification of an unratified 1851 treaty between the United States and the Taches and Cah-wai, with the help of the California Indian Legal Services.

According to members and staff of the Tule River Tribes, Webber suggested a private meeting between the "Kaweah Council" and the Tule River tribal leadership. When the Tule River delegation arrived at the meeting they were met by a contingent of reporters. Ensuing news articles, such as "Indians: Local Tribes are Seeking Ratification of 1851 Treaty,"<sup>16</sup> proved an embarrassment to the Tule River Tribe. Thereafter, the Tule River leadership refused to associate with Webber and the Tule River Tribal Council subsequently passed a resolution taking the position that the Tule River Tribes did not recognize, support or endorse the ULN or its activities. The California Indian Legal Services also apparently disassociated itself from Webber and his activities.<sup>17</sup>

In the Spring of 1981, about the time of the Tule River incident, an enrolled member of the Colorado River Tribes who associated with the KIN in California, began commuting to Oatman, Arizona, on weekends to sell Indian crafts displayed in the trunk of his car. Oatman is a tiny (year-around population: 70), abandoned mining town in western Arizona which dates back to the early 1900's. The town has been reinhabited and turned into a picturesque tourist attraction. Gradually, over a period of weeks, other Kaweah members began making the trip with the enrolled individual. Webber began coming with him on a regular basis,<sup>18</sup> and was able to make the acquaintance of several of the town's residents and businessmen and was living in Oatman by July 1981.

He apparently struck a deal with one of the residents in which he obtained a lease on a local store. Webber established the T & M Trading Post and, within months, began publishing the Oatman Burro News under the auspice of the trading post.

Webber and the KIN visitors were initially well received,<sup>19</sup> although the business community was concerned that the merchandise in Webber's store was of poor quality and might damage the town's reputation for quality. Informants generally agreed that Webber capitalized on the local merchants' desires to promote business in Oatman. His claims that he would move 500 Kaweah Indians into the area as residents portended a major additional tourist attraction. A number of local business people joined the Kaweah Indian Nation in support of Webber's activities, even though most were not known to have Indian ancestry. All those interviewed who paid the \$10.00 membership fee stated they joined for promotional purposes.<sup>20</sup>

It is significant to note that none of the long term residents of Oatman who were interviewed knew of any Kaweah Indian community in or near Oatman. Further, it is unclear from where the 500 tribal members would move. There was no community of Kaweah in or around Exeter or Porterville.

Webber brought a series of weekend visitors from his group in Porterville, but the most to visit Oatman at any one time was six couples. Oatman's citizens estimated that 12 to 20 non-Indian residents joined the group, primarily to support an activity which might increase the tourist trade in the community. The Kingman Daily Miner reported on May 14, 1982, that five Kaweah members were permanent residents in Oatman.<sup>21</sup>

Friction between the KIN and Oatman's citizenry developed slowly. Concern developed among the citizens that the KIN was a religious cult of sorts because of Webber's leadership in the formation of a new church, the Congregational Bible Holiness Church, in nearby Bullhead City, Arizona, and because some of the group handed out unusual religious literature on the Oatman main street. It was apparently not a religious cult but the thought continued to unnerve the citizens.<sup>22</sup> In December 1981 Webber commented indirectly on the rising agnosticism from some of the Oatman residents. He wrote in the Burro News, "On November 24, the BLM had a roundup of nine Burros... I think BLM should have taken some two legged ones also."<sup>23</sup>

In the same issue, Webber also claimed that the wild burro herd which roams Arizona Black Mountains belonged to the KIN, and announced that a member would be marking them with KIN ear tags.<sup>24</sup>

In the March 1982 issue of the Burro News, Webber announced, "A lot of new Kaweah Indian families moving into the area some are business people asset [sic] to the Black Mountains Area of Black Mountains Kaweah Indian Reservation."<sup>25</sup> No description was provided of the area included in the Black Mountains Kaweah Indian reservation.

Open opposition to Webber's activities and the KIN developed when word was spread that Webber was telling tourists that the KIN owned all the land in an area from Boulder City, Nevada, to a point east of Needles, California, and from Kingman, Arizona, west to the Colorado River (See attachment). Maps showing the "Black Mountain Kaweah Indian Reservation," an area which included Oatman and vicinity, were posted in Webber's Trading Post.<sup>26</sup>

Matters grew more tense when word spread that Webber allegedly told a member of the KIN that she could build on a vacant lot in Oatman without the consent of the owner. The situation was further aggravated when Webber posted a sign in his store announcing that the Kaweahs owned the town and the surrounding area and that residents could not buy or sell property without permission from the Kaweah Indian Council. Under the mounting pressure from the citizenry, Webber apparently brought in a "tribal policeman," who, dressed in loin cloth and holstered side arm and repleat with face paint, stood, arms crossed, in front of the T & M Trading Post until he was confronted by an angry Oatman citizen. At that time, he retreated into the store and remained there until rescued by the Mohave County police who were called in to cool the incident.<sup>27</sup>

The situation climaxed when Webber and the group sponsored Kaweah Indian Days, on March 26-28, 1982, one week before the town's primary tourist event, Oatman Old Timer Days,<sup>28</sup> thus detracting from the expected revenues of the larger, established event. Further, the Oatman-Goldroads Chamber of Commerce felt that the Kaweah Indian Days left a poor impression of the community because it was amateurish, not authentic, and marred by Webber and others attempting to sell KIN memberships to the tourists for \$10.00.<sup>29</sup> The celebration consisted primarily of a ten-entry parade, accompanied by tape recorded Indian music.<sup>30</sup> The then-President of the Oatman-Goldroads Chamber of Commerce, Barbara Super, said the day was saved for the tourists only by the efforts of the Oatman Gunfighters, a group of modern cowboys who do

mock battle with six-guns and blank cartridges on Oatman's main street,<sup>31</sup> and who have nothing to do with the KIN.

The event precipitated concerned comments about the Kaweahs and Webber from the long term residents in the nearby newspapers. Webber responded to the public criticism with letters to the Governor and the Secretary of State of Arizona and to the Bureau of Indian Affairs noting, "Our people (Kaweahs) are mad and we are trying to hold our warriors back from causing trouble in Oatman and against the Mohave County Sheriff's Department...before you know it the Mojaves and Hualapais will get into the act. It will make Wounded Knee look like and [sic] Sunday School picnic."<sup>32</sup>

Meanwhile the Porterville members were unaware of the controversy created by Webber 300 miles away in Oatman. When the leaders of the Porterville group received copies of Webber's letters to the Arizona state officials and learned of the situation, the group immediately disclaimed any knowledge of or interest in Webber's activities and threats.<sup>33</sup> The group subsequently removed Webber from the group's rolls for "taking off on his own."<sup>34</sup> The group made it clear that insofar as they were concerned Webber had had no following except the Porterville group and that they in no way supported Webber, his activities or his threats.

In turn, on June 14, 1982, Webber wrote the Secretaries of State for Arizona, California and Nevada that "the tribal office in Porterville, California has been ordered closed and all officers their [sic] have been removed from office as of June 12, 1982. All state papers and notices should be sent to the Nation [sic] Office at Oatman, Arizona...Note: Porterville, California has local band now disbanded."<sup>35</sup>

Webber drew his new officers from members and acquaintances in and near the Oatman area. In a June 14 letter to Ray Washington, which ordered him to send all "tribal papers and books plus treasurer [sic] records" to the new tribal secretary in Arizona, he noted that "The Central Kaweah Tribe is now merged into the Southern Kaweah Tribe of California...."<sup>36</sup>

The new organization, the Southern Kaweah Tribe of California, was short-lived however. On June 23, 1982, the Mohave Valley News published an article which stated Webber had been arrested on a morals charge.<sup>37</sup> He subsequently served a year in the Mohave County jail in Kingman.

Any semblance of group activity ceased among the Oatman area members of the KIN, except for a few individuals who maintained contact with the Porterville group and participated to some extent in that group's activities.

The Porterville group, although somewhat scattered now, has continued to operate as an urban Indian-interest group with a reduced level of activity. They maintain that Federal acknowledgment was incorrectly explained to the group by Webber, who convinced the members that acknowledgment was an achievable goal. No one in the group claims Kaweah Indian ancestry and only a few even claim Yokuts Indian ancestry. The group considers themselves to be an urban group and plans no further pursuit of Federal acknowledgment.<sup>38</sup>

## FOOTNOTES

1. Recommendation and Summary of Evidence for Proposed Finding Against Federal Acknowledgment of the United Lumbee Nation of North Carolina and America, Inc. Bureau of Indian Affairs, March 28, 1984, Washington, DC. Branch of Federal Acknowledgment (BFA) files.
2. Letter from "Chief Thunderbird" Webber to Mr. and Mrs. Reed and Mrs. Boyer, August 17, 1980, and meetings of ULN the Grand Head Council of principal officers and Directors of United Lumbee Nation of North Carolina and America, Inc., held August 20, and 25, 1980.
3. Minutes of ULN meetings, August 20 and 25, 1980.
4. Webber to Reeds and Boyer, August 17 and 22, 1980.
5. IMPORTANT NOTICE from "Chief Thunderbird" Webber to Roll Members undated, circa August 1980, Washington DC. BFA files.
6. John A. Shapard, meeting and individual interviews with members of the Kaweah Indian Nation, Porterville, California, November 7, 1982.
7. Letter from Bill Heston, Tax Auditor, California Franchise Tax Board, Sacramento, California to Kaweah Indian Nation, January 21, 1981. BFA files.
8. Letter from Chief Thunderbird Webber to John A. Shapard, Project Leader, Federal Acknowledgment Project, March 6, 1981. BFA files.
9. Letter from Chief, Thunderbird Webber to John A. Shapard, Project Leader, Federal Acknowledgment Project, March 6, 1981. BFA files.
10. Shapard meeting with KIN, Porterville, California, November 7, 1982.
11. Shapard meeting with KIN, Porterville, California, November 7, 1982.
12. Letters from M. L. Webber (Chief Thunderbird) to John Shapard, Bureau of Indian Affairs, miscellaneous letters, January - March, 1981. BFA files
13. Letter from Chief Thunderbird Webber to Morton C. Blackwell, Special Assistant to the President, April 13, 1981.
14. Interview with Rachel Joseph, Office of American Indian Coordinator, Governor's Office, Sacramento, California, November 10, 1982.
15. Shapard meeting with KIN, Porterville, California, November 7, 1982.
16. Eddie Ibarrolasa, "Indians: Local Tribes are seeking Ratification of 1851 Treaty" Hanford Sentinel, Hanford, California, March 27, 1981.
17. Shapard meeting with KIN, Porterville, California, November 7, 1982.
18. Shapard meeting and individual interviews with the citizens of Oatman, Arizona. Oatman, Arizona, November 2, 1982.

19. Oatman Burro News, T & M Trading Post, Oatman, Arizona. Vol 1. Number 5, December 1981.
20. Shapard meeting, November 2, 1982, Oatman Arizona.
21. Shapard meeting, November 2, 1982, Oatman Arizona, and Kerry McVeigh, "Oatmanites Fear Bogus Indians Taking Over Town," Kingman Daily Miner, May 14, 1982, Vol. 99, Number 165, Kingman, Arizona, page 1.
22. Shapard meeting, November 2, 1982, Oatman Arizona.
23. "Oatman Burro Roundup", Oatman Burro News, Vol. 1, Number 5, December 1981, page 3.
24. "Editorial Views", Oatman Burro News Vol. 1, Number 6, March 1982, page 4.
25. "Buffalo Chips," "Editorial Views", Oatman Burro News Vol. 1, Number 6, March 1982, page 4.
26. Shapard meeting, November 2, 1982 Oatman, Arizona.
27. Shapard meeting, November 2, 1982 Oatman, Arizona.
28. "Advertisements," Oatman Burro News. Vol. 1, Number 6, March 1982, page 1.
29. Shapard meeting, November 2, 1982, Oatman, Arizona.
30. Tony Carrol "Oatman Chamber Won't Recognize Indian Tribe," Mohave Valley News May 19, 1982 Vol. 18, Number 40, Bullhead City, Arizona, page A-1, and video tape of the Kaweah Indian Days loaned to BFA by Oatman-Goldroads Chamber of Commerce.
31. Kerry McVeigh, Kingman Daily Miner, May 14, 1982, page 1.
32. Letter from Chief Thunderbird Webber to Bruce Babbitt, Governor of Arizona, May 6, 1982; and to Rose Mafford, Secretary of State for Arizona, May 6, 1982; and to Project Leader, Federal Acknowledgment Project, May 8, 1982.
33. Telephone conversation with Ray Washington, Chief of the Porterville KIN, May 19, 1982.
34. Telephone conversation with Pamela Stall, Secretary, Porterville KIN, June 11, 1982.
35. Letter from Chief Thunderbird Webber to Secretaries of State of Arizona, California, Nevada, and BIA, Washington, DC, June 14, 1982.
36. Letter from Chief Thunderbird Webber to Ray Washington, June 14, 1982.
37. "Kaweah Chief Arrested for Child Molestation," Mohave Valley News, June 23, 1982, page A-3.
38. R. J. Cantwell, "Technical Report Regarding The Kaweah Indian Nation of Porterville, California," 1982. BFA files.

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### Books

- Hodge, Frederick W.  
Handbook of American Indians North of Mexico, New York: Rowman and Littlefield, Inc., 1965.
- Kroeber, A. L.  
Handbook of The Indian of California, New York: Dover Publications, Inc., 1925.
- Latta, F. F.  
Handbook of the Yokuts Indian, Santa Cruz, California: Bear State Books, 1949.

### Interviews

- 10-12-82 Telephone interview with R. J. Cantwell, Anthropologist, Pixley, California.
- 10-12-82 Telephone interview with Tom Burkett, Tulare County Department of Education, Visalia, California.
- 10-18-82 Telephone interview with Ray Washington, Chief, Kaweah Indian Nation, Porterville, California.
- 10-21-82 Telephone interview with Alec Harfield, Chairman, Tule River Tribes, Porterville, California.
- 11-01-82 Interview with Detective Don Geary, Mohave Conty Sheriff's Department, Kingman, Arizona.
- 11-01-82 Interview with Malcolm Webber, Chief, Kaweah Indian Nation, Kingman, Arizona.
- 11-02-82 Interview with Barbara Super, Former Executive Director, Oatman-Goldroads Chamber of Commerce, Oatman, Arizona.
- 11-02-82 Interview with Marcie Georgia, Executive Director of Oatman-Goldroads Chamber of Commerce, Oatman, Arizona.
- 11-02-82 Interview with various citizens of Oatman, Arizona, in Oatman, Arizona.
- 11-03-82 Interview with members of the Mayca Lumbee Tribe of the United Lumbee Nation, Quartzsite, Arizona.
- 11-1/3-82 Interviews with tribal leaders and staff of the Colorado River Indian Tribes, Parker, Arizona.
- 11-1/9-82 Interviews with law enforcement officials of Mohave County, Arizona; Colorado River Indian Reservation, Parker, Arizona; Tulare County, California.

- 11-05-82 Interview with Eva Reed and Ruby Boyer, Executives, United Lumbee Nation of North Carolina and America, Fall River Mills, California.
- 11-6/8-82 Interviews and discussions with R. J. Cantwell, Porterville, California.
- 11-07-82 Meeting, individual interviews and discussions with members of the Kaweah Indian Nation, Porterville, California.
- 11-08-82 Interviews with Su Wyatt Manuel, author of "Inside the 'Kaweah Nation'" and presently editor of the Tule River newspaper, Whispering Wind.
- 11-08-82 Interviews with tribal leaders and staff of the Tule River Indian Tribes, Tule River, California.
- 11-10-82 Interview with Rachel Joseph, Coordinator of California Governor's Office of American Indians, Sacramento, California.
- 11-18-82 Telephone interview with Leilani Thompson, ULN Historian, Santa Rosa, California.
- 1979-1984 Interviews with members of the United Lumbee Nation, the Kaweah Indian Nation and leaders of unrecognized groups in Florida, Alabama, Georgia, North Carolina, Mississippi and New Jersey.

**Petitioner's Documents**

- KIN Constitutions, August 1980, October 1980, January 1981, June 1982.
- KIN membership lists, July 1981 and July 1982.
- Map Photocopy of map of San Bernardino County, California, and Mohave County Arizona, with Kaweah Indian Reservation colored in. Source unknown.
- Map Photocopy of United States showing location of Kaweah Indian Tribe and Bands colored in red. Source unknown.
- Map Photocopy of Bureau of American Ethnology map from Bulletin 78, "The Southern and Central Yokuts." Penciled in by M. L. Webber: "Kaweah Tanoah Shoshonean Family of California."
- Map Photocopy of California Indian Education Association. Kaweah Territory penciled in by M. L. Webber 1978.
- Map Information Displays "Barstow to Las Vegas and Gallup" with "Black Mountain Kaweah Indian Reservation" penciled in.
- Articles of Incorporation for the KIN.
- Miscellaneous minutes of meetings of KIN.
- KIN membership forms.

### **Periodicals**

1. California Indian Journal. Fresno, California.
2. Hanford Sentinel. Hanford, California.
3. Kaweah Nation Times. Porterville, California.
4. Kingman Daily Miner. Kingman, Arizona.
5. Lumbee Nation Times. Fall River Mills, California.
6. Mohave Valley News. Bullhead City, Arizona.
7. Oatman Burro News. Oatman, Arizona.
8. Pahrump Valley News. Parump, Nevada.

### **Federal Records**

Federal Records about the KIN consist entirely of correspondence between the Bureau of Indian Affairs and members of the KIN, and interested parties with some related material such as maps and newspaper clippings held on file in the Branch of Federal Acknowledgment.