
(5) Federal Register Notice of Proposed Finding

- May 6, 1993

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Proposed Finding for Federal Acknowledgment of the Snoqualmie Indian Tribe

April 26, 1993.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of proposed finding.

SUMMARY: Pursuant to 25 CFR 83.9(f), notice is hereby given that the Assistant Secretary proposes to acknowledge that the Snoqualmie Indian Tribe, c/o Mr. Ronald Lauzon, 18525 Novelty Hill Road, Redmond, Washington 98052, exists as an Indian tribe within the meaning of Federal law. This notice is based on a determination that the tribe meets the seven mandatory criteria set forth in 25 CFR 83.7. Therefore, the Snoqualmie Indian Tribe meets the requirements necessary for a government-to-government relationship with the United States.

DATES: As provided by 25 CFR 83.9(g), any individual or organization wishing to challenge the proposed finding may submit factual or legal arguments and evidence to rebut the evidence relied upon. This material must be submitted within 120 calendar days from the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: Holly Reckord, (202) 208-3592.

SUPPLEMENTARY INFORMATION: This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

The Snoqualmie Indian Tribe is based in King County, Washington, on or near land that was traditionally and aboriginally Snoqualmie. The tribe's first sustained contact with Euro-Americans began in 1833. Extensive settlement by non-Indians in the Puget Sound area began in the late 1840's, leading to the 1855 Treaty of Point Elliott between the Snoqualmie and other neighboring tribes and the United States. From that time until the present, the petitioner has been identified repeatedly as being American Indian by Federal authorities, State and local governments, civil, religious, and recreational organizations, scholars and other writers, newspapers and books, federally recognized Indian tribes, and national and regional Indian organizations. The petitioner has also been viewed historically as being distinct from other Indian tribes in western Washington, as well as from other populations in that area.

The Snoqualmie are classified culturally and linguistically as Southern Coast Salish, a subdivision of the Coast Salish of the Puget Sound region. At the time of the treaty, and for several decades before, the Snoqualmie consisted of at least 18 winter villages located along the Snoqualmie River. These villages were centered on one or several multi-family longhouses.

The Snoqualmie tribe was a single, distinct social unit, united by kinship and other ties. The tribe shared a common name and territory and was somewhat distinct from neighboring Coast Salish tribes in culture and language. Until the mid-1840's the Snoqualmie may not have been a single political unit in the sense of having an overall leader. Within the tribe, a distinction was made between the Upper Snoqualmie in the villages on the prairie above Snoqualmie Falls, and the Lower Snoqualmie in the villages below the Falls.

Marriage outside the village and tribe was the norm for the Snoqualmie and other Coast Salish. Puget Sound tribes traditionally were cohesive groupings within a broader network of kinship, social, and economic relationships. The social organization of these tribes has retained much of this character up to the present. The acknowledgment criteria regarding community and political influence have in this case been evaluated in terms of this particular Coast Salish social organization and culture.

After traditional settlements were disrupted by white settlers in the 1860's, the Snoqualmie reestablished three distinct settlement areas: on the Upper Snoqualmie prairie, including a settlement called Meadowbrook; in the Lower Snoqualmie area near the aboriginal villages at Tolt and Fall City; and at Lake Sammamish, outside but adjacent to traditional Snoqualmie territory. Community longhouses were maintained in each of these areas and much of the traditional culture was retained, including language, religion, and social organization and marriage patterns. There were few marriages with non-Indians.

Some Snoqualmie moved to the Tulalip Reservation after 1860, but most did not because of its limited land and the fact that it was outside of Snoqualmie territory. Those tribal members who moved to the reservation maintained social and political ties with those in the off-reservation settlements and the Snoqualmie remained a distinct social community.

By 1914, when the tribe began a political reorganization under Jerry Kanim, the distinct tribal settlement

areas had largely dispersed and more tribal members and moved to reservations. After the turn of the century the geographically distinct Snoqualmie settlements began to break up. Dispersion of the Snoqualmie continued over the next 50 years (1914-1956), although most members remained within or adjacent to traditional Snoqualmie territory. The membership narrowed in the 1940's and 1950's as many reservation residents affiliated with the Snoqualmie shifted allegiance to the reservations, which were becoming distinct social and political units. There continued to be an off-reservation centered social and political body of Snoqualmie.

Although they no longer had separate settlements, there is strong evidence that the tribe maintained a distinct social community during this period. This evidence includes continued intermarriage with Snoqualmie or other Puget Sound Indians, closeness of kinship ties linking major family groupings, maintenance of a distinct culture, including language and religion, and the existence of strong internal political processes under the leadership of Jerry Kanim. Additional evidence of long-term social relationships and interaction is the regular tribal social gatherings held at certain holidays. Supporting evidence is the observations of knowledgeable contemporary observers, such as Charles Roblin and other Indian agents, that the Snoqualmie were a distinct social community.

There is less detailed and extensive evidence for social community for the period between 1956 and 1981 than there is for the time periods before and after. However, the available evidence is sufficient to demonstrate that a significant level of social community was maintained. The Snoqualmie did not become more widely dispersed geographically during this period, remaining within an area close enough to allow maintenance of community social relations.

There continued to be a considerable degree of close kinship ties within the tribe and kin and social linkages with other Puget Sound Indians, since marriage within the Snoqualmie was common until the 1920's and within Puget Sound Indian society until the 1950's. However, the degree of social interaction and social ties was somewhat diminished from previous eras. A significant, though diminishing amount of distinct culture was also maintained. The clearest evidence of this was Snoqualmie participation in the Indian Shaker Church, the Indian Smokehouse religion, and some

continued traditional religious beliefs among the older generation. Membership in the tribe required demonstration of $\frac{1}{4}$ or more Snoqualmie blood degree, and the average blood degree in practice was higher. This demonstrates that the Snoqualmie were more than merely a group of distantly related descendants of Indians.

There was more evidence for continuing political processes for the period between 1956 and 1981 than there was concerning social community. This evidence establishes that significant, noncoercive political processes continued. These provide evidence for community because they required and were based on the existence of social ties and communication in order to operate. The evidence for community from political processes was less strong between 1956 and 1970, in part because this was a low point in political activity following the death of Chief Jerry Kanim in 1956.

Considerably more detailed evidence was found for the modern Snoqualmie community, defined for the purpose of this evaluation as being from approximately 1981 to the present. There is strong evidence that significant social relationships have been maintained in the modern community. The geographical distribution of the tribe has not changed substantially from that of previous decades. About 70 percent of the membership lives within a 50-mile radius, which is close enough to allow significant social interaction. The continued existence of cultural differences among a substantial minority of the membership provides evidence that there is more than a minimal distinction between the Snoqualmie and non-Indians. The tribe has maintained a clear membership boundary, socially distinguishing it from non-members, reinforcing evidence from other sources that this is more than a formal organization of Snoqualmie descendants. There is limited direct evidence that informal, though not necessarily intense, social contact is maintained broadly among the membership. Snoqualmie kinship relationships are still close enough to provide supporting evidence that significant social relations exist. Family line groupings are socially defined and there is a significant degree of social knowledge and involvement among Snoqualmie members. This is partly expressed in their awareness of the history, character, and actions of the major family lines, which is evidence of continuing social ties as well as social contact. The available data regarding family groups and their social

significance is particularly strong concerning how they manifest themselves in political contexts. Conflicts between family groups are considered a prominent political element.

The evidence of Snoqualmie political processes in the modern community, which is more clearly and extensively documented than is direct evidence of social community, demonstrates that significant social relationships and a significant degree of social contact exist.

At the time of first sustained contact with Euro-Americans in the 1830's, leadership and other political processes within the Snoqualmie were exercised at the village level and/or within nonlocalized kinship groups. The Snoqualmie tribe probably did not constitute a single political unit in the sense of having an overall leader until the early or mid-1940's, when Pat Kanim became chief of the entire tribe. Kanim's authority was recognized by non-Indian governmental authorities and by the Snoqualmie themselves. Kanim was second signer of the 1855 Treaty of Point Elliott, a reflection of his importance.

After Pat Kanim's death in 1858 until 1914, the Snoqualmie were led by a variety of local leaders. Most prominent of these was Sanawa, chief of the Upper Snoqualmie under Pat Kanim. Sanawa's authority was recognized by the Federal government. He lived until 1875 and was succeeded by his son John Senaa. Political influence was also exercised through informal leaders, community meetings and the cooperative effort necessary to construct and maintain community longhouses and communal religious ceremonies. The existence and maintenance of culturally and territorially distinct communities throughout this period is further evidence that political influence through either formal or informal leaders and group decision-making processes was maintained throughout the latter part of the 19th century and the first decade of the 20th century.

Between 1914 and 1916, a political reorganization of the political system of the Snoqualmie took place. A strong chief of the entire tribe, named Jerry Kanim, was put into office and under his leadership a council and general council of the entire membership were instituted to help govern the Snoqualmie. The process by which the political reorganization took place is itself strong evidence of the exercise of political influence because it resulted from the mobilization of community opinion, involving influential informal leaders, over an extended period of

time, and reflected shared community values concerning leadership.

Kanim was a strongly influential figure within the Snoqualmie throughout his tenure from 1914 until his death in 1956. He was a strong speaker, enjoyed high prestige throughout the group, and was known for his ability to influence community opinion on political and social issues.

Two critical issues that Kanim addressed throughout his tenure were seeking land for the Snoqualmie to settle upon and maintenance of fishing and hunting rights under the treaties. Land was of critical importance for the Snoqualmie because they had lost their lands during the first decade of the 20th century, and there was insufficient reservation land to allot to them. Hunting and fishing rights were of great importance because the Snoqualmie hunted and fished extensively for subsistence purposes but access to traditional hunting and fishing grounds was becoming limited because of competition with non-Indians and increasingly restrictive game and fish laws. Kanim pursued these issues with Federal, state, and local authorities throughout his tenure. Political influence is thus demonstrated because he and the Snoqualmie councils dealt with issues which were clearly of significance and concern to the Snoqualmie as a whole.

Additional strong evidence of political influence among the Snoqualmie between 1914 and 1956 is that knowledgeable governmental authorities external to the group consistently recognized Jerry Kanim's political influence and dealt with him as a leader who represented the interests and concern of the Snoqualmie.

The level of exercise of political influence during Jerry Kanim's tenure very substantially exceeds the minimal requirements of the Acknowledgment regulations.

Although Jerry Kanim was not replaced as chief in the decades after his death in 1956, there continued to be leaders among the Snoqualmie who had been active during Kanim's tenure. The tribal chairman, an existing position, became the main leader of the Snoqualmie, and the tribal council and general council took a more important role. Although a Snoqualmie chief was appointed in 1986, it was not demonstrated that this individual has a significant political role.

There is clear evidence that community opinion on a variety of matters has existed and been expressed through various political processes throughout the period from 1956 up until and including the present. There is

good evidence, consistent over a long period of time (1960's to the present), that opinion and concern over the actions of the Snoqualmie leadership and the form of that leadership have existed at large among the membership. This has been evidenced from time to time by generational differences concerning the Snoqualmie leadership and the form of government. Major family lines function within the political system to a limited degree, playing a role in formation of opinion and being one dimension along which conflicts take place. A strong example of internal political influence occurred in 1980 when community opinion was mobilized to oust the tribal chairman, whose behavior in this role violated community norms. These processes illustrate the existence of the flow of political opinion within the Snoqualmie and between leaders and members, and thus a bilateral political relationship, a requirement of criterion (c).

Political influence and a bilateral political relationship is also demonstrated by the major role played by the general council, a meeting of the general membership which is the final arbiter of political issues and conflicts within the Snoqualmie. The general council is a decisionmaking body which connects the tribal council and chairman to the Snoqualmie members, by electing these officers and by reviewing actions and issues which are considered critical or controversial.

Hunting and fishing rights have continued to be a concern addressed by the Snoqualmie council and leadership, throughout the period from 1956 to the present. It is likely that fishing remained an important part of Snoqualmie subsistence until World War II, and for some time later for some Snoqualmie. There is good evidence that fishing rights is a political issue of substantial significance and concern among a wide portion of the Snoqualmie because the effective loss of access to these rights is recent and there is continued

widespread interest among the members.

There exists substantial evidence between 1956 and 1968 and strong evidence from 1968 through the present that political influence has been exercised within the Snoqualmie, that the leaders and council have a significant political connection with the membership, i.e., a bilateral political relationship, and that political issues of significance to a broad portion of the membership have been addressed.

The petitioner's governing document describes how membership is determined and how the tribe governs its affairs and its members. Present members of this organization are predominantly lineal descendants of the Snoqualmie Indians whose ancestors have inhabited Western Washington since first sustained contact with Euro-Americans. Ninety-six percent of the petitioner's 313 members have established or can be expected to establish descent from an ancestor identified as Snoqualmie in historical records. The remaining 4 percent of the membership consists of 11 members who have not satisfactorily established Snoqualmie descent, and 3 members who are non-Indians adopted by the tribe. Eighty-two percent of the members possess the one-eighth or more Snoqualmie blood required by the petitioner's membership criteria. Members who possess less than one-eighth Indian blood have been adopted by the petitioner.

Twenty percent of the membership (63 members) is currently enrolled in a federally recognized tribe, leaving a substantial majority (80 percent) of the membership who are not enrolled in a federally recognized tribe. Because concurrent membership in more than one tribe or group is prohibited by the petitioner's governing documents, these members technically do not meet the criteria for membership in the Snoqualmie Indian Tribe. The membership of the 20 percent who are enrolled in a federally recognized tribe

is dispersed among seven tribes serviced by the BIA's Puget Sound Agency, and the majority are based primarily on the member's descent in another line from a non-Snoqualmie Indian ancestor who was affiliated with the tribe. There is no evidence that suggests that these 63 individuals represent a faction or factions who are attempting to break away from their tribes in order to establish another tribe.

No evidence was found to show that the Snoqualmie Indian Tribe has been the subject Federal legislation which has expressly terminated or forbidden a Federal relationship with the United States Government.

Based on this preliminary factual determination, we conclude that the Snoqualmie Indian Tribe meets all the criteria in 25 CFR 83.7. We therefore conclude that the tribe should be granted Federal acknowledgment under 25 CFR part 83.

As provided by 25 CFR 83.9(f), a report summarizing the evidence for the proposed decision will be provided to the petitioner and other interested parties, and is available to other parties upon written request. Comments on the proposed finding and/or requests for a copy of the report of evidence should be addressed to the Office of the Assistant Secretary—Indian Affairs, Bureau of Indian Affairs, 1849 C Street, NW., Washington, DC 20240, Attention: Branch of Acknowledgment and Research, Mail Stop 2611—MIB.

After consideration of the written arguments and evidence rebutting the proposed finding and within 60 days after the expiration of the 120-day response period described above, the Assistant Secretary—Indian Affairs will publish the final determination of the petitioner's status in the Federal Register as provided in 25 CFR 83.9(h).
Eddie F. Brown,

Assistant Secretary—Indian Affairs.
[FR Doc. 93-10694 Filed 5-5-93; 8:45 am]
BILLING CODE 4310-02-01