

Evidence for Proposed Finding against Federal Acknowledgment

of the

Southeastern Cherokee Confederacy, Inc. (SECC),

Northwest Cherokee Wolf Band, SECC, Inc. (NWCWB),

and

Red Clay Inter-tribal Indian Band, SECC, INC. (RCIB)

Prepared in response to petitions submitted to the Secretary of the Interior for Federal acknowledgment that these groups exist as Indian tribes.

Signature: 

Date: 3/26/85

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INTRODUCTION

This report has been prepared in response to petitions received by the Assistant Secretary - Indian Affairs from three separate but related Indian organizations who are seeking Federal acknowledgment as Indian tribes under Part 83 of Title 25 of the Code of Federal Regulations. The petitioning organizations are the Southeastern Cherokee Confederacy, Inc., the Northwest Cherokee Wolf Band, and the Red Clay Inter-tribal Indian Band and all of their respective bands and clans.

Part 83 (25 CFR) establishes procedures by which unrecognized Indian groups may seek Federal acknowledgment of an existing government-to-government relationship with the United States. To be entitled to such a political relationship with the United States, the petitioner must submit documentary evidence that the group meets the seven mandatory criteria set forth in Section 83.7 of 25 CFR. Failure to meet any one of the seven criteria will result in a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

A summary under the criteria of each of the three petitions considered follows. Reports detailing the evidence relied upon are also attached. Where similarities exist between the three groups (SECC, NWCWB, and RCIIB), the groups may be discussed collectively. Where differences exist each group will be discussed as a separate entity.

Publication of the Assistant Secretary's proposed finding in the Federal Register initiates a 120-day response period during which factual and/or legal arguments and evidence to rebut the evidence relied upon are received from the petitioner and any other interested party. Such evidence should be submitted in writing to the Office of the Assistant Secretary - Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, Attention: Branch of Acknowledgment and Research, Code 440B.

After consideration of all written arguments and evidence received during the 120-day response period, the Assistant Secretary will make a final determination regarding the petitioner's status, a summary of which will be published in the Federal Register within 60 days of the expiration of the 120-day response period. This determination will become effective 60 days from its date of publication unless the Secretary of the Interior requests the Assistant Secretary to reconsider.

Note to the reader about abbreviations used

Organizational name changes for Acknowledgment staff:

BAR Branch of Acknowledgment and Research (1984 to present)

BFA Branch of Federal Acknowledgment (1981 to 1984)

FAP Federal Acknowledgment Project (1978 to 1981)

BIA Bureau of Indian Affairs

FRC Federal Records Center, East Point, Georgia (all records center references are to East Point unless otherwise noted.)

NARS National Archives and Records Service, Washington, DC

RG Record Group (NARS records classification system)

SUMMARY UNDER THE CRITERIA (83.7(a-g))

Evidence submitted by the petitioners and obtained through independent research by the Acknowledgment staff clearly demonstrates that the petitioning organizations (the Southeastern Cherokee Confederacy, Inc., the Northwest Cherokee Wolf Band, and the Red Clay Inter-tribal Indian Band and all of their related clans and bands) do not individually or collectively meet four of the seven criteria required for Federal acknowledgment. In accordance with the regulations set forth in 25 CFR 83, failure to meet any one of the seven criteria results in a determination that the group or groups do not exist as an Indian tribe or tribes within the meaning of Federal law.

In the summary of evidence which follows, each of the criteria has been reproduced in bold face type as they appear in the regulations. Summary statements of the evidence relied upon follow the respective criterion.

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 tribal activity during various years.

(Due to the fact that responses to the criteria are being written for three petitioning entities simultaneously, it was decided to treat each group with a separate paragraph under each criterion. The reader will notice a repetition in the wording as a result, owing to the similarity of the three groups described.)

The Southeastern Cherokee Confederacy, Inc., (SECC) of Leesburg, Georgia, was established as an organization in November of 1976, and has had a continuous existence of less than nine years. Prior to that date, no predecessor group existed. A claim is made in the SECC petition for Federal acknowledgment that the SECC is a re-establishment of the Cherokee Nation of 1839. However, this claim appears to ignore the fact that a historical and legal successor to the Cherokee Nation has existed in Oklahoma since 1839, and has existed in the East solely as the Federally acknowledged Eastern Band of Cherokees in western North Carolina. The SECC and the historical record as a whole have failed to show that any Cherokee groups existed as a tribe in south central Georgia from 1839 to 1976, or that any such group was identified on a continuous basis as "American Indian" or "aboriginal" during that time. Rather, the SECC is a recently formed, overtly multi-tribal voluntary association of individuals recruited into membership who believe themselves to be of Indian descent, with 14 different bands spread over four states, and members-at-large in another 37 states.

The Northwest Cherokee Wolf Band (NWCWB) of Talent, Oregon, began as a band of the SECC in August of 1980, and in July of 1982 dissociated itself from the SECC and formed a separate and autonomous organization. It has had a separate, continuous existence of less than three years. No predecessor group was known to have existed in Oregon or elsewhere. Nothing was submitted by the petitioner to indicate, nor does the historical record show, that any Indian entity or group of people having this name or constituency was ever identified from historical times until the present on a substantially continuous basis as "American Indian" or "aboriginal." Instead, the NWCWB

is a recently formed, overtly multi-tribal voluntary association of individuals recruited into membership who believe themselves to be of Indian descent, with five different bands spread over three states.

The Red Clay Inter-tribal Indian Band (RCIIB) of Ooltewah, Tennessee, began as a band of the SECC in July of 1982, and in April of 1984 dissociated itself from the SECC and formed a separate and autonomous organization. It has thus had a separate, continuous existence of less than one year. No predecessor group was known to have existed in Tennessee or elsewhere, since no historical connections can be made to the historic Red Clay settlement of the Cherokees. Nothing was submitted by the petitioner to indicate, nor does the historical record show, that any Indian entity or group of people having this name or constituency was ever identified from historical times until the present on a substantially continuous basis as "American Indian" or "aboriginal." Rather, the RCIIB is a recently formed, overtly multi-tribal voluntary association of individuals whose Indian descent could not be established, with two different bands in two states.

Neither the SECC, the NWCWB, nor the RCIIB has been identified as an American Indian group from historical times until the present and, therefore, none of these organizations has met the criterion in 25 CFR 83.7(a).

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 Southeastern Cherokee Confederacy, Inc., (SECC) of Leesburg, Georgia, submitted evidence showing that a substantial portion of their membership does not inhabit a specific area or lives in a community or communities viewed as American Indian and distinct from other populations in the area. Moreover, independent research conducted by the B.I.A. reached the same conclusion. The tribal office of the SECC is the residence of William Jackson, the group's Principal Chief, and the house is in a development area of Leesburg in which no other members of the SECC reside. There are several other members of the SECC in Leesburg, and some in nearby Albany, but most members are scattered over Georgia, Florida, Indiana, California, Oregon and 36 other states. There are no residential clusters of members. Joining the SECC often stems from responding to an advertisement in a newspaper or on radio and submitting an application and membership fee through the mail. Similarly, there are no communities of SECC members who are distinct from other populations in the area—residentially or otherwise. Since there are no restrictions on tribal affiliation placed on new members, the part of this criterion which requires members to be "descendants of an Indian tribe which historically inhabited a specific area" cannot be met. Even if membership in the SECC were limited to Cherokee descendancy, under their present system of approving new members no documentary proof of Indian descent is required, making it impossible to assert that the SECC's membership is descended from any given tribe, Cherokee or any other.

The Northwest Cherokee Wolf Band (NWCWB) of Talent, Oregon, submitted evidence in the form of written statements which show that a substantial portion of their membership does not inhabit a specific area or lives in a community or communities viewed as American Indian and distinct from other populations in the area. Moreover, independent research conducted by the B.I.A. confirmed the same conclusions. Talent is one of the

small towns, in which some NWCWB members reside, situated among a constellation of towns in southwestern Oregon, others being Medford, Gold Hill, Phoenix, Central Point, and Ashland. While there is a relatively high number of NWCWB members resident in these towns, there are no residential clusterings of members in neighborhoods. Other members of the NWCWB are scattered across Oregon, with satellite bands in Idaho and Georgia. Most members join the NWCWB through responding to an advertisement in a newspaper or on radio and submitting an application and membership fee through the mail. Similarly, there are no communities of NWCWB members which are distinct from other populations in the area--residentially or otherwise. Since there are no restrictions on tribal affiliation placed on new members, the part of this criterion which deals with members being "descendants of an Indian tribe which historically inhabited a specific area" has not been satisfied.

The Red Clay Inter-tribal Indian Band (RCIIB) of Ooltewah, Tennessee, submitted evidence showing that a substantial portion of their membership does not inhabit a specific area or lives in a community or communities viewed as American Indian and distinct from other populations in the area. Moreover, independent research conducted by the B.I.A reached the same conclusion. The RCIIB is somewhat different than the SECC and the NWCWB with regard to "community," in that Ooltewah is essentially a suburb of Chattanooga, and most members of the RCIIB in Tennessee and Georgia are urban or suburban dwellers. They are clearly not distinct as a community, since they come from different neighborhoods within the greater Chattanooga area, which has a population of 426,540. The tribal office of the RCIIB is the residence of John Neikirk, the group's Principal Chief. Between the one band of the RCIIB in Tennessee and the one band in Oregon, there are no residential clusters of members. Joining the RCIIB often stems from responding to an advertisement in a newspaper or on radio and submitting an application and membership fee through the mail. Similarly, there are no communities of RCIIB members which are distinct from other populations in the area--residentially or otherwise. Since there are no restrictions on tribal affiliation placed on new members, and since in the RCIIB one can be a member and even hold office without being Indian at all, the part of this criterion which deals with members being "descendants of an Indian tribe which historically inhabited a specific area" has not been met.

Neither the SECC, the NWCWB, nor the RCIIB forms a community distinct from other populations in the area. Its members are not descended from any one historic or specific Indian tribe. We conclude, therefore, that neither the SECC, the NWCWB, or the RCIIB has met 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.

Because of the fact that the Southeastern Cherokee Confederacy, Inc., (SECC) of Leesburg, Georgia has not existed as an "autonomous entity throughout history until the present," there is no history of a "tribal political influence or other authority". There has been a limited authority within the organization since the establishment of the SECC nine years ago. In fact, the history of the organization is largely one since its beginning of a governing structure. This structure does not govern a community, but governs an organization. The SECC has adopted three different sets of bylaws during its brief existence, and has conducted numerous elections for officers and held an annual meeting each year. The SECC has had the same Principal Chief since 1977, and it has also had a Council of Chiefs, whose powers and

responsibilities were ambiguous and which conflicted at times with the actions of the Principal Chief. In the absence of a historically continuous community, however, the recent governmental structure or authority of the SECC is not relevant in relation to the criteria for Federal acknowledgment.

Owing to the fact that the Northwest Cherokee Wolf Band (NWCWB) of Talent, Oregon, has not existed as an "autonomous entity throughout history until the present," there is no history of a "tribal political influence or other authority." There has been a limited authority within the organization since the establishment of the NWCWB three years ago, however. In fact, the history of the organization since that point is largely one of a governing structure. This structure does not govern a community, but governs an organization. The NWCWB has adopted one set of comprehensive bylaws during its brief existence, and has conducted elections for officers and held annual meetings and encampments each year. The NWCWB has had three Chiefs during its existence as the Wolf Band of the SECC and as a separate, autonomous organization. It also has a council, whose powers and responsibilities are specified in the governing document. In the absence of a historically continuous community, however, the recent governmental structure or authority of the NWCWB is not relevant in relation to the criteria for Federal acknowledgment.

Due to the fact that the Red Clay Inter-tribal Indian Band (RCIIB) of Ooltewah, Tennessee, has not existed as an "autonomous entity throughout history until the present," there is no history of a "tribal political influence or other authority". There has been a limited authority within the organization since the establishment of the RCIIB in April of 1984, however. In fact, the history of the organization since that point is largely one of a governing structure. This structure does not govern a community but governs an organization. The RCIIB has adopted one set of comprehensive bylaws drafted principally by their attorney Vice-Chief since their incorporation as a separate entity, and has conducted an election for officers. The RCIIB has had only one Principal Chief during its existence—a non-Indian. It also has a council, whose powers and responsibilities are specified in the governing document. In the absence of a historically continuous community, however, the recent governmental structure or authority of the RCIIB is not relevant in relation to the criteria for Federal acknowledgment.

We conclude that no tribal political influence or authority has existed "throughout history until the present" within the SECC, NWCWB, and RCIIB organizations and that, therefore, none of these organizations has met the criterion in 25 CFR 83.7(c).

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 procedures through which the group currently governs its affairs and its members.

Each of the petitioning organizations submitted a copy of their present governing document which includes the criteria currently being used to determine eligibility for membership and the procedures through which the group governs its affairs and its members. Therefore, we conclude that the Southeastern Cherokee Confederacy, the Northwest Cherokee Wolf Band, and the Red Clay Inter-tribal Indian Band each meet criterion 83.7(d) of the regulations.

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, descendency from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity.

Current membership lists were submitted by each group, as well as former lists where they existed. Although their rolls were essentially closed for acknowledgment purposes when active consideration of their petition began, the groups continued to recruit and accept new members and notified the Acknowledgment staff of on-going additions, deletions, and corrections throughout much of this period.

All groups use the same statement regarding membership, e.g., that it is open to persons of at least 1/16th Indian blood of any recognized American Indian tribe. Although Cherokee is the predominant Indian ancestry claimed by members, ancestry is also claimed in as many as 37 other recognized and unrecognized tribes and groups. Virtually all of this Indian ancestry appears to be unverifiable. Little if any documentary evidence could be found to document a member's Indian heritage. This is undoubtedly due to the fact that their ancestor(s) did not maintain a relationship with their hereditary tribe(s) but rather mingled with non-Indians or were assimilated into the non-Indian community.

We find that although each of the petitioning organizations did submit current as well as former membership lists, their memberships consist of individuals who have not established their descendency from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity. Therefore, we conclude that the SECC, the NWCWB, and the RCIIB and their affiliated bands and clans do not meet criterion 83.7(e) of the regulations.

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.

Based on information provided by the petitioning organizations as well as research conducted by the Acknowledgment staff, only two or three members from the total combined memberships of the three petitioning groups were found to be also enrolled members of federally recognized tribes. Therefore, we find that the respective memberships of the SECC, the NWCWB, and the RCIIB are composed principally of persons who are not enrolled members of other North American Indian tribes. We conclude that each of the petitioning groups meets criterion 83.7(f) of the regulations.

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.

The SECC, the NWCWB, and the RCIIB do not appear on the Bureau's official list of "Indian Tribes Terminated from Federal Supervision." No legislation is known to exist which terminates or forbids a Federal relationship with any of these groups. Because of the varied and diverse ancestry claimed by the individual members of these groups, it has not been practicable to determine whether individual members have been members

of terminated tribes. We find that the organizations known as the Southeastern Cherokee Confederacy, Inc., the Northwest Cherokee Wolf Band, and the Red Clay Inter-tribal Indian Band have not been, nor is it likely that the groups' members have been, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship. Therefore, we conclude that each of the petitioning organizations (SECC, NWCWEI, and RCIB) meets criterion 83.7(g) of the regulations.

**TECHNICAL ETHNOHISTORICAL REPORT ON THE SOUTHEASTERN
CHEROKEE CONFEDERACY, INC., THE NORTHWEST CHEROKEE WOLF
BAND, AND THE RED CLAY INTER-TRIBAL INDIAN BAND**

L Brief History of the Cherokee Indians from Pre-contact to 1839

Specialists in the pre-history of North American peoples describe the Cherokees as a tribe originally of Iroquoian stock which was pushed south of the Ohio River at some undetermined date in antiquity. According to Roy Dickens, certain recognizable aspects of historic Cherokee culture appeared over a millennium ago in the western part of North Carolina (King 1979).

Both prior to and at the time of European contact with the Cherokees, dated by the arrival of Hernando De Soto to Cherokee country in 1540, the woodland Cherokees were a sedentary people who farmed the soil and lived in wooden structures in organized village settings. The area under Cherokee domination included approximately 40,000 square miles of hunting reserve on both sides of the Southern Appalachian summit region, in what are today the states of Georgia, Alabama, Kentucky, Tennessee, the Carolinas and the Virginias. Cherokee villages were loosely organized into three principal geographical divisions which corresponded for the most part to the three dialects of the Cherokee language: the Elati or Lower dialect, spoken around the headwaters of the Savannah River in South Carolina and Georgia; the Kituhwa or Middle dialect, spoken around western North Carolina on the waters of the Tuckasegee River; and the Alati, variously referred to as Upper, Western, or Mountain dialect, spoken in east Tennessee and northwest Georgia.

Notwithstanding the three geographical/dialectal differences, life throughout the Cherokee villages was basically the same. The villages were permanent settlements, built along the rivers and streams of the mountainous region, and the wood and clay dwellings of the residents were built around a larger seven-sided clan house in which meetings of religious, social, and governmental import were conducted. The sacred fire of the village burned continuously in the clan house.

The economy of the Cherokees was diversified, and the male-female division of labor revolved to a large extent around the acquisition of food. The horticultural produce grown by the Cherokees included beans, squash, sweet potatoes, and corn. They also grew tobacco for ceremonial purposes. The farm produce was supplemented by hunting and gathering, and of this food deer meat was the primary staple. Other small game, in addition to fish and fowl, was hunted, and edible flora such as wild fruit, tubers and nuts grew abundantly in the region and were gathered as a food resource.

The Cherokees were a matrilineal society, with the clan and supervision of children determined by the clan of the mother. Of clans the Cherokees had seven, translated as Paint, Wolf, Long Hair, Holly, Deer, Bird, and Blind Savannah. There was a dual (moiety) structure of war (red) and peace (white) divisions. Life centered around the ceremonial complex which was informed by the religious and mythological beliefs of the people, and certain festivals within the belief system marked the main events of the annual calendar. After sustained contact with Europeans, certain changes

and modifications to the aboriginal political system occurred, so that late eighteenth- and early nineteenth-century Cherokee society was a product of both the aboriginal ways and a response to changing conditions brought by the Euro-Americans.

Though European contact was first made with the Cherokees in 1540 by De Soto, and made again in 1566 by Pardo, the first sustained contact was made only after the English colonists settled Virginia, and a permanent trade route was established. Shortly after the settlement of the Carolina colonies, the first treaty between the Cherokees and the colonists was concluded in 1684 in Charlestown, South Carolina by representatives of the Lower towns of Toxawa and Keowa. From this point in time onward, history shows more contact between the white colonists and the Cherokees, and a growing degree of cultural assimilation on the part of the Cherokees, as dependancy on European trade goods only fostered a desire for more. Early traders and rural settlers began taking Cherokee wives, and a large mixed-blood population eventually took control of Cherokee affairs.

Prior to the domination of the Cherokee mixed-bloods in Cherokee society, their history was marked by a series of both alliances with and skirmishes against the European/American inhabitants of the coastal regions. By 1700 the deerskin trade had reached sizable proportions, and Cherokee-English relations were relatively good. In 1713 a force of over 300 Cherokee warriors joined Moore in his campaign against the Tuscaroras in North Carolina. In 1721 a delegation of thirty-seven Cherokee chiefs met in Charlestown with Governor Francis Nicholson, at which time they agreed to accept one "Emperor" and agreed to cede land to the English. Nine years later, in 1730, Sir Alexander Cuming took seven Cherokees with him to England, after having arranged for the election of a new Emperor. The decade of the 1730's ended with an outbreak of smallpox which reduced the number of Cherokees, according to most estimates, to nearly 50% of their former number.

During the 1750's, the Cherokees fought with the British in the French and Indian War, and distinguished themselves in combat. Upon their return from the Virginia frontier, several Cherokees were killed by Virginians. Clansmen of the Cherokee victims, according to their own justice, exacted blood revenge upon certain whites. Unfortunately, these whites were Carolinians. This precipitated the war with Carolina, which the Cherokees ultimately lost, but not without first capturing Ft. Loudon, a post in the heart of their "overhill" country. During this war, the Middle region of Cherokee villages was burnt to ashes, its inhabitants killed and scattered. This was a lesson which the Cherokees were not to forget for some time.

With the advent of the American Revolution, the Cherokees took the side of the British, with whom they had been accustomed to dealing for over a century. Even after the ratification of the Treaty of Paris in January of 1784, however, the Cherokees fought the Americans for a full decade in small skirmishes. During this period they were driven further west, down the Tennessee River, where they made new towns and settlements. Much of the hostility towards the post-Revolutionary Americans was due to a growing encroachment of Cherokee territory by land-hungry whites.

The year 1794 marked the official end of hostilities between the Cherokees and the Americans, and this was a turning point in Cherokee history. From this time onward, many Cherokees began a process of conscious, voluntary acculturation. Shortly after the arrival of the nineteenth century, missionary work began in earnest in Cherokee country, and along with it a sizable educational program of Cherokee children. In the space of the first two decades of the nineteenth century, the Cherokees achieved a great deal toward their goal of acculturation. A society parallel to that of the

dominant white culture of the Southeast was almost completely realized, complete with churches, schools, a constitutional and democratic form of government, and large plantations with a significant slave population for a labor force.

In 1820 the Cherokee government was officially established, and the following year the mixed-blood Cherokee Sequoya created and disseminated a syllabary by which the Cherokee language could be read and written. Several newspapers in Cherokee were begun shortly thereafter, and within the span of several years a high percentage of Cherokees were literate. By the mid-1820's the Cherokees had reached a height of "civilization" by white standards.

These achievements, however, were not to last. During this period of their history, gold was discovered within the Cherokee nation, and the agitation which had existed prior to this to obtain Cherokee lands now exploded into a relentless and irresistible force. This agitation led to the most bitter years of Cherokee occupation of the Southeast, the period from 1828 to 1835, in which repressive laws and abusive treatment of the Cherokees characterized the behavior of the non-Indians toward their Cherokee neighbors. After a long and eventually fruitless struggle to retain possession of their lands, two major factions of Cherokee thought developed on the subject of removal. Finally, bowing not only to the pressure brought to bear by the State of Georgia but to that of the United States as well, reflected by passage of the Indian Removal Act of 1830, the Cherokees acquiesced. A minority faction usually referred to as the "Treaty Party" signed a treaty with the United States on December 29, 1835, at New Echota, and thus signed away the entire Cherokee tribal territory east of the Mississippi River.

Notwithstanding the protests of a majority of Cherokees—those of the "Ross Party"—the U.S. Congress ratified the treaty, thereby setting up a program of remuneration for and removal from the lands ceded in the treaty. The removal of the Cherokees began in June of 1838, and lasted throughout the Fall and Winter of that year. In the cold winter of that year, approximately one-fourth of the Cherokees who made the march from their aboriginal homelands to Oklahoma died along the way. The survivors of this trip, in addition to other Cherokees who had moved voluntarily to Indian Territory years before, formed the new Cherokee Nation there in 1839.

But not all the Cherokees went to Indian Territory. Some defied the forced removal, and hid in the hills of their Appalachian homeland. Others simply moved to other areas of the Southeast and blended in with the local non-Indian population, though these were mostly mixed-bloods who had already achieved some degree of acculturation. The Cherokees who hid later organized with the help of a local benefactor, William H. Thomas, and eventually managed to get and retain a Federal reservation for themselves in western North Carolina—the Qualla Reservation.

The mixed-blood Cherokees who blended into the non-Indian society of the Southeast after several generations now have descendants numbering in the tens of thousands, scattered all over the Southeastern states. Of the former Cherokees, writes John R. Finger, "...the majority were unacculturated fullbloods who were forced onto less desirable lands owned by friendly whites or the state" in the vicinity of Quallatown, North Carolina. Of the latter Cherokees, most "...resided in nearby areas of Georgia, Tennessee, and Alabama. These included a number of mixed-bloods and whites who were Cherokees only by marriage. They often owned their own land, sometimes a few slaves, and in general were more acculturated than their North Carolina kinsmen" (Finger 1984:29). Of all those unenrolled descendants who

today claim to be part Cherokee, most of those who in fact are part Cherokee probably descend from these acculturated mixed-bloods. It should be added, however, that the contemporary descendants of these people do not necessarily comprise the membership of any of the modern Indian organizations today, Cherokee or otherwise.

II. Prehistory of the Southeastern Cherokee Confederacy, Inc.

The Southeastern Cherokee Confederacy, Inc. (SECC) was begun in 1976, and its history prior to that point in time is non-existent. The beginnings of the SECC are vague, since few external documentary sources exist relative to its origins and even its current existence. What documentary historical sources do exist consist mainly of internally generated documents--letters, memoranda, newsletters, and transcriptions of interviews--plus some local newspaper accounts. Many of these documents are undated and difficult to read and/or understand. Moreover, there are varying accounts of the same incidents, depending upon the source from which the information is taken. Therefore, it is difficult to ascribe any degree of accuracy to the collective record even for the brief "historic" period of the SECC, i.e., from 1976 through 1984. Because the reader will be faced in the following pages with numerous details concerning frequent organizational changes which, when taken collectively, comprise a complex and confusing story, a short summary history of the group will be helpful in the outset.

Taking the example of other Indian organizations in south Georgia at the time, William Jackson helped establish the Southeastern Cherokee Confederacy, Inc., and within two years became its Principal Chief. The organization grew in size, with additions in the numbers of both individual members and bands/clans. Jackson involved the SECC in a number of Indian coalitions in the early years of his tenure as Chief, but none of these lasted. Jackson's personal relationships with certain people or certain bands/clans appear to have had a greater influence in the affairs of the SECC than its codified procedural system, since Jackson's unawareness or arbitrary override of certain provisions of his own by-laws led to serious problems within the organization. The two most salient of the problems stemming from this characteristic of Jackson's administration were the secessions from the SECC of the Northwest Cherokee Wolf Band (NWCWB) in 1982 and the Red Clay Inter-tribal Indian Band (RCIIB) in 1984. The election to office and performance of the elected officials in the SECC were also influenced by Jackson's personal relationships with individual members.

Most members of the SECC subscribe to the same theory about what happened to Cherokee descendants during the period from removal to the mid-twentieth century. Those members of Cherokee descent (Cherokee ancestry is not a requirement for membership in the SECC) claim that they and their immediate forebears had to suppress their Cherokee heritage under threat of reprisals. Thus, those who claim Cherokee or other Indian ancestry assert that they lived in denial of their Indian heritage, and were compelled never to mention it. While this claim is probable and in consonance with the general history of the area during the period in question, it is impossible to verify. In fact, it is impossible to verify whether all those members of the SECC who claim Indian ancestry are actually Indian descendants. Whatever the legitimacy of their claims to Indian descent, there is a hiatus in the historical record regarding what happened to these alleged Cherokee descendants between 1839 and 1976.

It is difficult to pinpoint exactly the genesis of the SECC prior to its formal or official beginning as a corporate entity on November 12, 1976. Approximately two years before this date, a flurry of activity occurred and continued to occur in southern Georgia until around 1979 regarding the establishment of Indian organizations. These organizations were clearly interconnected through having or sharing common members--notwithstanding the fact that both Creek and Cherokee tribal designations

were used—and used the same methods for attracting their members, i.e., recruitment. It is significant, moreover, that the beginnings of these groups occurred during a time period—the 1970's—which saw the rise of both a renewed national interest in Indian identity and protests by militant Indian organizations.

During the mid-1970's there was an organization located in Quitman, Georgia, (Brooks County) referring to itself as an Indian entity, the title of which was Etowah Cherokee Nation. This organization was headed by a Chief Malcolm "Thunderbird" Webber, who subsequently claimed to be a Lumbee and a Kaweah Indian and in April of 1980 petitioned the United States as Principal Chief of the Kaweah Indian Nation under 25 CFR 83 for Federal acknowledgment. Chief "Thunderbird" Webber's Kaweah Indian Nation was found not to be an Indian Tribe and his petition was denied (see Smith 1984). At the same point in time, located in Cairo, Georgia (Grady County), just 35 miles west of Quitman, was the Tama Reservation, headquarters of the Lower Muskogee Creek Tribe—East of the Mississippi, Inc. This group was headed by Chief Neal McCormick and his wife Peggy. Like Webber, the McCormick's petitioned the United States for Federal acknowledgment as an Indian tribe under 25 CFR 83 and also were denied (Smith 1981). What these two groups shared in common, other than proximity, were that they recruited openly for members to join the "tribes" and that—though limited in the case of the Creeks—they accepted people as members who were not of the tribal designation indicated by their organizational names. Moreover, the leaders of these two groups knew each other personally, and according to Peggy McCormick Venable, Malcolm Webber visited her on several occasions at Cairo during Creek powwows and even indicated a desire to join the Creek group.

Both these Indian-named organizations were equidistant from Moultrie, Georgia in Colquitt County, the birthplace and family home of William R. Jackson and his brother James Jackson. As adults, however, James had moved some 30 miles southeast and had settled in Quitman where he farmed, while William had moved some 30 miles northwest and settled in Albany where he has worked for 20 years as a civil servant in a local Federal facility. No documentary evidence has been provided or found which indicates that the Jackson brothers were involved with any Indian organizations prior to the mid-1970's. William R. Jackson, now Chief William "Rattlesnake" Jackson, joined both organizations—Creek and Cherokee—during this period. In a notarized affidavit on Lower Creek Muskogee Tribe letterhead stationary, signed by Chief Neal McCormick and dated September 29, 1977, is the following: "To Whom It May Concern: William R. Jackson is a member of the Lower Creek Muskogee Tribe East of the Mississippi. He is a 1/2 Cherokee Indian with a Federal Roll Number" (McCormick 1977). William "Rattlesnake" Jackson mentions joining Webber's organization in an undated letter sent to John A. Shapard, Chief of the Branch of Federal Acknowledgment, B.I.A.: "The first I ever heard of Webber was in 1975 or 1976. My brother, Jim 'Little Hawk' Jackson was a member of Webber's so called nation, they persuaded me to join. Webber moved from Atlanta, Ga. to Quitman, Ga."

Jim "Little Hawk" Jackson, it appears, was more than just an ordinary member of Webber's Etowah Cherokee Nation. During his involvement with this group, he was Chief Jim "Running Deer" Jackson, National Vice Principal Chief of the Nation. After Webber moved to Albany, Georgia in the fall of 1976, Jackson still retained the same title and Indian name, and a new addition was placed on the letterhead as well as a significant change. The organization was now the United Cherokee Nation, and listed as Grand Council Chief Medicine Man was Chief Charles "Little Eagle" Capach, a man who was to figure prominently in the establishment of the SECC after Webber left Albany. Though records do not show that Jim Jackson was ever a member of the Lower Creek Muskogee Tribe, he does credit this group with helping

to start the SECC: "But it was the Lower Creek Muscogee Tribe east of the Mississippi that got us going. Six or eight years ago at a Creek powwow in Cairo, we got organized" (Wilkins 1970).

Regardless of the type of relationship these three groups may have had in their formative periods in southern Georgia during the mid-1970's, by late 1977 they were all at odds with each other. Sometime after the formation of the SECC, William Jackson wrote a "Open Letter to M. L. Webber," in which he claims he is a "registered Cherokee" and challenges Webber to "prove your Cherokee blood." At this point in time, William Jackson apparently did not know that Webber was claiming to be a Lumbee, not a Cherokee, and that Webber's production of a newsletter titled The Lumbee Nation Times was published under Lumbee auspices. Having disposed of any ties with Webber and the United Cherokee Nation, the dissociation of the SECC with the Lower Muscogee Creek Tribe was to follow. In a joint letter dated somewhat later than the general period under discussion, Chiefs William and Jim Jackson and Charles "Little Eagle" Capach wrote to the B.L.A. stating that the Lower Muscogee Creeks had everyone in Georgia believing that they were "true Federal roll Indians." They further alleged that the Creeks had a monopoly on state and Federal funds for Indians in Georgia, and that the Creeks had told them if the Jacksons and Capach didn't join them, they would "stop at nothing" to keep the Cherokee organization from growing (Jackson, Jackson & Capach 1978). Relations with the Creeks had obviously been ended sometime before this letter.

Whatever the nature of the relationships between these groups in southern Georgia and however long these relationships lasted, it is at least certain that these groups were mutually influential. All of them recruited members through advertising, the organization structures were similar, and the assumption of perceived Indian names, dress, artifacts, and speech was well established in each group. In fact, this genre of Indian organization was becoming known as a standard phenomenon within the Indian community. Sometime in the late summer or early fall of 1976, Chief Malcolm "Thunderbird" Webber moved his Etowah Cherokee Nation operation from Quitman to Albany, Georgia. There, with the support of Capach and William Jackson, Webber continued soliciting memberships and accepting money from his new recruits. For part of this time, Webber was the guest of William Jackson. This situation lasted only a matter of weeks, until, as William Jackson stated, the local members in Albany got "disgusted" and "just quit" (Field Data 1984a). The exact time of Webber's departure from Albany was never recorded, but it probably occurred around mid to late September of 1976.

It would appear that Chief Malcolm "Thunderbird" Webber left Albany, Georgia sometime prior to September 24, 1976, the date of a local newspaper story titled "Redskins invade city; to cleanse earth of palefaces." Webber is not mentioned in this story, while three other Cherokee "chiefs" are, so it is roughly at this point in time that Webber and his influence no longer make themselves felt on the SECC. This local newspaper account (source not cited) tells of plans to reactivate the Cherokee tribe in the State of Georgia with a large gathering of Indian leaders in Albany on January 1 of 1977. Along with Chief "Little Fish" Evans, "Chief William Rattlesnake Jackson, Jr. and Chief Council Medicine Man Charles Little Eagle Capach, in a recent interview, told of plans to resume the Sacred Council Fire and Pip [sic] Ceremony.... Part of the ceremony involves purification of the body and spirit in the Stana Lodge." With Webber now out of the picture, the local Cherokees—principally Jackson and Capach—turned their attention to organizing and formalizing the SECC.

III. Ethnohistory of the Southeastern Cherokee Confederacy, Inc., from Its Inception to 1982

November 12, 1976, is the date of the official incorporation of the Southeastern Cherokee Confederacy, Inc. The public record for this date shows a certificate, signed by Georgia Secretary of State Ben W. Fortson, stating that the SECC was "...duly incorporated under the laws of the State of Georgia...for a period of perpetual years" (Fortson 1976). Accompanying the certificate of incorporation, and also dated November 12, were the bylaws of the new corporation, prepared by Albany attorney Lynward S. Bussey. This date is also given by representatives of the SECC as that for the formation of the first "clan," the Bear Clan, located in Albany, which was later to change its name to the Eagle Clan. Throughout the existence of the SECC, the number of clans and bands has never been constant, but did at one point reach a high of seventeen. In terms of organizational structure, the clans and bands located in all parts of the United States are central to the SECC, yet they are at the same time the cause of most of the organization's problems. The designation "clan" was reserved for groups within the State of Georgia, while "band" indicated a group of the SECC outside the State of Georgia.

In November of 1976 former Georgia Governor Jimmy Carter was elected President of the United States, an event which triggered—at least for the Indian population of Georgia—a flurry of activity in terms of the availability of grants, programs, and the like. On November 23 of that year, for example, the Atlanta Journal ran an article by Leonard R. Teel titled "Georgia Gets Grant for Indian Hunt." This article described a triple-purpose \$97,722 grant to the Georgia Department of Human Resources from the U.S. Department of Labor which provided for 1) seventeen minimum-wage jobs for Indians, 2) registration of any person of at least 1/32 of Indian blood, and 3) education of Indians about antipoverty services available to them, such as food stamps, welfare, health and day care. It appears that this grant and a renewed interest in Indian affairs in general precipitated an even greater interest among Georgia's Indian descendants to organize, since several such organizations were established after this period.

The following month, on December 20, Georgia Governor George Busbee issued a proclamation "...commending Chief Charles Little Eagle Capach, Chief William Rattlesnake Jackson and Chief James Young Bear Reynolds, as well as other members of the Southeastern Cherokee Confederacy, for their outstanding efforts toward preserving Cherokee Indian culture." The proclamation's text, where various aspects of the SECC were noted, gave official recognition to the SECC, but listed "Chief Charles Little Eagle Capach" as the "Grand Council Head Chief of the Southeastern Cherokee Confederacy" (Busbee 1976). The proclamation was the subject of a story which appeared in the December 24, 1976 issue of the Albany Journal, under the title "Governor Recognizes Indians."

At this point in time, the Indian activity in the State of Georgia was about to reach its peak. On February 12 of 1977, less than a month after the "recognition" of the SECC, articles of incorporation for the Cherokee Indians of Georgia, Inc. were approved by the Secretary of State. This organization, however, was based in Columbus, Georgia, some distance from Albany, yet one of the three people on its new Board of Directors was James "Young Bear" Reynolds. Several weeks later, on March 23, Governor Busbee signed Georgia Act #326, passed by the General Assembly of Georgia on March 10, creating the Georgia State Commission of Indian Affairs. Six weeks later, on May 9, Governor Busbee signed an Executive Order designating

"the Georgia Tribe of Eastern Cherokee Indians, Inc. as the legal tribal organization of Cherokee Indians in the State of Georgia." The Georgia Tribe of Eastern Cherokee Indians is not a Federally recognized Indian tribe. The new Georgia law, formerly Act #326, provided that the Governor shall make such a designation "for purposes of the initial appointment of members of the Commission." It appears that neither William Jackson nor any other representatives of the SECC knew of these events or the process of appointments to the new Commission on Indian Affairs during this formative period, since it was not until February of 1978 that William Jackson wrote to the new Commissioner to introduce himself and ask for information about the objectives, etc., of the Commission.

Yet another Cherokee organization was begun in May of 1977, in Preston, Georgia. The Cuthbert Times/News Record reported in their May 26 issue, in an article titled "Cherokees Incorporate," that a certain James "Crazy Horse" Norman who was Chief of the Eagle clan had begun his operation in Preston and would accept for membership "any person of Indian descent." Any links or interconnection between this new Cherokee group and the SECC are unknown.

Reaction to the proliferation of self-proclaimed Indian organizations in Georgia during this period came in the form of two lengthy articles by Leonard Ray Teel in the Atlanta Journal & Constitution, dated July 10. In the first of these articles, "Who Are the Real Indians?," Teel discusses the whole Indian recognition phenomenon in the State of Georgia and the role of the new Georgia Indian Affairs Commission in dealing with these various groups. There is a brief mention of William Jackson and the SECC in this article. The second article, entitled "More People Intent on Indian Benefits," is somewhat critical of all the "self-styled" new Indian groups in Georgia. In discussing the reasons for the formation of the Georgia Indian Affairs Commission, Teel stated that "In Georgia the mushrooming of self-styled Indian organizations was one reason the General Assembly this year created a regulatory body, the Georgia Indian Affairs Commission" (Teel 1977). Teel also mentioned both the SECC and William Jackson in the piece, stating that:

The Southeastern Cherokee Confederacy, Inc. is now headed by William (Chief Rattlesnake) Jackson, whose "national tribal office" is located at Leesburg. Jackson, 48, said he has about 50 members who paid a \$10 fee for an identification card. What benefits do the members have? "None yet," said Jackson. "We're working for it."

The Summer and Fall of 1977 was a period of shifting of loyalties and establishing a hierarchy within the SECC. Otherwise, there was relatively little activity in the SECC, and no records of correspondence, minutes of meetings, or other documents showing any functions or activity of the group were found. By early 1978 William Jackson emerges as the undisputed head of the SECC, and with the help of his brother James living in nearby Quitman, managed the administration of the SECC from that point in time to the present. While Charles Capach was listed as the "Grand Council Head Chief" of the SECC by Governor Busbee in late 1976, by the end of 1978 Capach seems to have minimized his participation in terms of leadership roles within the SECC, and William Jackson by then had assumed the role and title of "Principal Chief." No indication whatever was given by William Jackson or found among any documents in the course of research which explained this shift in organization leadership.

In contrast to the Summer and Fall of 1977, the Winter and Spring of 1978 were somewhat busier, with William Jackson and the SECC taking part—mostly through

correspondence—in both regional and national Indian issues. On January 23, 1978, for example, William Jackson sent letters to each of the Georgia delegation representing him, i.e., Senators Sam Nunn and Herman Talmadge and Representative Dawson Mathis. In these letters, which were identical, Jackson introduced himself and the SECC and stated that he voted for President Carter and a "straight Democratic ticket." As their supporter, therefore, he wanted the legislators to vote against the "Native Americans Equal Opportunity Act," otherwise known as the Cunningham Bill. Additionally, he wanted them to vote for the Indian Child Welfare Act and to propose legislation to guarantee sovereignty for Indian tribes and secure release of Indian prisoners from state penal institutions, transferring them to Federal facilities. A similar letter was sent to President Carter at the White House. It should be added, however, that both these letters were prepared scripts drafted by some national organization opposed to these issues and sent around to various Indian groups to give the appearance of grassroots support. Perfunctory responses to these letters were received by the SECC from Senator Nunn on February 9 and from Senator Talmadge on February 15.

On February 7 William Jackson wrote to Ms. Barbara Decker, then Director of the Georgia Commission of Indian Affairs, introducing himself and describing the SECC. In this letter, he requested "...any and all information re: national or state Indian affairs" (Jackson to Decker 1978). Her response to Jackson's letter is dated February 17, and explains the purpose, objectives, and function of the Commission. No explanation was either given or discovered indicating the reason why over five months elapsed before William Jackson established a connection and line of communication with the Commission, a curious phenomenon in light of the fact that Jackson was later to complain that he was not given an opportunity to be involved in the selection process for Commission members.

February 25, 1978 is the date of the first communication between the SECC and the Bureau of Indian Affairs. In this letter, William Jackson states that the SECC was incorporated in Georgia, that they were given a proclamation by Governor Busbee, and that they, "...now have a non-profit, tax exempt number." What was meant by this is unknown, since records show that the SECC was granted exemption from Federal taxes as a non-profit corporation on October 22, 1979. Jackson goes on to say that "We are now interested in being Federally recognized. Please send all information and paper work" (Jackson to Shapard 1978). At that point in time, however, the Federal Acknowledgment Project had not begun to evaluate petitions for Federal acknowledgment, since the regulations under which the Project worked (25 CFR 54) had yet to be approved. Upon receiving a reply to this letter with instructions on how to petition, the SECC submitted their formal letter of intent to petition for Federal acknowledgment on March 9, signed by William Jackson, Charles Capach, and the Council Secretary Doris Stevenson. This petition was acknowledged on March 30 by a letter from Mr. Les Gay, the Chief of the Division of Tribal Government Services in the Bureau of Indian Affairs.

On March 25, the second "clan" of the SECC was established in Quitman, Georgia. This was the Deer Clan, under the leadership of Jim "Little Hawk" Jackson, who thus became the "Clan Chief." For the sake of clarification, it should be noted that this use of the term "clan" does not connote lineal descent, as it normally does when used in reference to Native American groups, but rather a loosely connected and usually unrelated group of people living in proximity of each other who share a common interest.

The following day, an article appeared in the Albany Herald, written by Gary McElroy, entitled "Southwest Georgia Indians Look for Equal Treatment." It reported that representatives of the SECC were going to Nashville to attend the annual meeting of the National Congress of American Indians: "Charles 'Little Eagle' Capach, Wm. R. 'Rattlesnake' Jackson, and Chester 'Fuzzy Bear' Bass are to represent the Southeastern Cherokee Confederacy at the Nashville, Tenn., meeting." Part of their strategy was to unite the various Georgia Indians to present a solid front to the NCAI leaders. As McElroy reported, "Capach said the Cherokee Confederacy, as well as other Indian groups, had for years limped through squabbles, fraudulent claims and power struggles for tribe leadership." Moreover, "He [Capach] said one of the biggest problems has been 'people popping up from nowhere and saying they are Indian,' offering membership into their organizations, collecting money, and turning out to be 'rip-offs'" (McElroy 1978).

Charles Capach sent a parcel of materials in support of the SECC petition for Federal acknowledgment to the B.I.A. in an undated package, received on April 7. The parcel contained five proclamations which, if not identical in wording, were very similarly worded. These proclamations were essentially the same as that sent to the SECC by Governor Busbee of Georgia in November 9 of 1976, commending the SECC for maintaining Cherokee culture, etc. They were submitted by the mayors of Albany and Leesburg, and by the County Commissioners of Dougherty, Lee, and Brooks counties. It should be added that subsequent to April of 1978, several more such proclamations supporting the SECC have been received from a variety of towns and counties, and almost all of them were identical in wording (see Appendix B).

Not everything was going well in terms of the relations between the SECC and State entities. On July 29, 1978, William Jackson sent the same letter to Governor Busbee and to the "Georgia Indian Commission" complaining of neglect by the State. Jackson states that "We understand an Indian Commission has been formed for the State of Georgia but we were not notified of this action. We also understand that some people serving on the Commission are of questionable Indian blood" (Jackson to Busbee 1978). Jackson wrote further that "We would like to know why we were not notified, if for any reason [sic]; and how we can get representatives on the Indian Commission in Georgia...We hope you will advise us as to the people are [sic] on the Georgia Indian Commission and just what tribes or clans are being represented by them" (Ibid.). Pro forma responses to Jackson's letters were sent by both the Governor's office and Barbara Decker, Executive Director of the Georgia Commission of Indian Affairs. No further communications are on record between these parties during that summer. In fact, the very last letter from Jackson to the Commission is dated September 9 of 1978, and he states there that he didn't get the last newsletter of the Commission and that he does have a tribal office. He states that he would like to be kept up to date on the Commission's proceedings. By this point in time, however, the Commission had been abolished and succeeded by the Georgia Office of Indian Heritage, whose objectives and purpose were somewhat different than that of the former Commission's.

The Fall of 1978 was relatively quiet for the SECC. While the Deer clan had been added to the SECC organization during the early part of the year, the last part of the year contained few events of relevance. With two clans and roughly 100 members, the main activity of the SECC at this point in time was characterized by a slow but gradual growth in membership and an uneventful calendar of affairs.

In the Winter of 1979 apparently the first "recruitment notice" for the SECC appeared in print—at least the first dated notice. William Jackson placed the following notice

in Wassaja, a national Indian newspaper published in San Francisco: "The Southern Cherokee Confederacy, Inc., is accepting members with one-thirty-second or more Indian blood. William Jackson, principal chief, explained, however, that 'individuals cannot belong to two tribes at one time.'" Whether this notice is the first cannot be stated with certainty, since photocopies of other undated notices from unknown sources were submitted as part of the documented petition for Federal acknowledgment. One such notice, for example, is a large quarter-page graphic with the following message: "Are You An American Indian? The Southeastern Cherokee Confederacy, Inc. is accepting members with 1/16 or more of Indian Heritage, you don't have to be Cherokee, to be accepted in the nation, for more information write to: Prin. Chief William Rattlesnake Jackson..." (see Appendix C). It is interesting to note, though unexplained, the change in requirement of Indian blood, i.e., from 1/32 to 1/16. One cannot ascertain from the record when this change occurred.

On April 16, 1979, William Jackson had a letter to the editor published in his local paper, the Albany Herald. The letter was titled "The Indian Perseveres," and it denounces people who criticize Indian ways and who say Indian medicine is done in "the devil's name." Jackson frequently wrote to the Herald, his submissions usually taking the form of letters to the editor or short pieces meant for publication in a feature of the paper called "The People's Forum," wherein local citizens could voice opinions or vent their disgruntled reactions to life's vicissitudes. Jackson had published a defense of Indian burial grounds previously, on July 31 of 1978, in "The People's Forum". Again, on October 5 of 1979, William Jackson published a brief piece on "The Cherokee Religion" in "The People's Forum" section of the Herald. This was followed by another which the editors titled "Indian Chief Views Thanksgiving," dated November 22, which is essentially a recitation of European-Indian relations, and how despite their helping the Europeans at first, the latter stole everything from the Indians, etc.

Two other historically relevant events occurred in the SECC during the remainder of 1979. First was the news from the Internal Revenue Service that the SECC had been allowed tax-exempt status, arriving in letter form on October 22 (Haggerty 1979). Second was the establishment of the third SECC satellite group, the Turtle band, on December 8 in Jacksonville, Florida.

In January of 1980 the first of the SECC Newsletters was published. It was the first time an "official" document containing news (and subsequently history) became available to members. The format of the SECC Newsletter (SECC News) has remained virtually unchanged in the four years of its continuous publication. Since its inception, William Jackson has been the publisher of this newsletter. It was begun apparently with the intention of making the SECC News a monthly publication, but lack of time and/or resources forced Jackson at various times to combine a number of issues, so that several of the issues carry the news of two and three months.

Publication of the new SECC News was not the only significant change in the activity of the SECC which occurred with the advent of the new year—and the new decade. It was approximately at this juncture that Charles Capach appears to be no longer actively involved with the daily operations of the SECC. It is perhaps due to William Jackson's taking complete responsibility and having total control over the organization that explains the new growth and new involvement with other Indian organizations which the SECC experienced during the first two to three years of the 1980's.

In the first issue of the SECC News, an announcement was made encouraging SECC members to attend the January 20 meeting of the "United Coalition of Indian Tribes" scheduled to meet in Chuluota, Florida, at which representatives of the SECC, the Order of the Feather—Combined Lodges of Florida, and the E-SEE-CO-WAH United Indian Tribe, Inc. under the leadership of Chief Ken "Two Trees" Cannon, would be present. Existence of the coalition was precipitated on the concept of "...uniting all Native Americans in this land under one Coalition" (SECC News 1/80:2). Jackson's insistence that SECC members support the coalition was so ardent that he published an editorial about it, entitled "Coalition Importance."

The first SECC News also contained among the first plans for income for the tribal office and maintenance of the SECC organization. Jackson asked for \$5 per month from every family and single person over 18 years of age. Due to lack of response, this suggestion was eventually retracted, and was later replaced with a flat \$15 annual dues payment from each member. Another idea for extra funds was submitted to the tribal office from R.J. "Walking Thunder" Dusan of the Turtle band proposing that the SECC allow affiliate members of other Indian organizations for a \$5 annual fee. This idea, however, was rejected by Jackson.

In the second or February 1980 issue of the SECC News, a letter was published that had been submitted by O.A. "Yellowstone" Bullock of Phoenix, Oregon. This foreshadowed significant change for the SECC in several years time, but at this point in time the letter simply stated Bullock's desire to obtain genealogical data about his ancestors. He stated that he was Treasurer of the Crazy Bear Intertribal Society, and that as such he knew that there were many Cherokee descendants in his area of Oregon whom he would like to organize under the auspices of the SECC. In the same vein, William Jackson published a letter to the editor in the February 25 issue of the Albany Herald which was titled "Cherokee Tribe Growing." There he outlined the progress the group had made since its formation, including state recognition, new members, growing bands and clans, in addition to goals for the coming year. The tone was upbeat and growth oriented, and ended with the hope that the SECC "...will rate a high place in History."

The remainder of the Winter and early Spring of 1980 was uneventful. In April, the new dues and membership renewal policy was announced in the SECC News. The \$5 monthly voluntary donation was abandoned, and from this point on members were expected to make a \$15 annual payment or be dropped from the active membership roll. Regarding other administrative matters, on April 1 William Jackson published a piece in the Herald's "The People's Forum" entitled "School Forms for Indians," in which he suggests that all Indian children in the area should be "enrolled in school as Indians." He states that he has "Indian student certification, form No. 4" and that he is willing to supply parents who need them with the forms. Another paid notice for recruiting members into the SECC appeared in the April 25 issue of The Journal, another local paper, using approximately the same wording as previous recruitment ads.

On June 19, 1980, a letter was written by R.J. "Walking Thunder" Dusan representing the Turtle band and the SECC, and sent to Mr. Joe Quetone of the Florida Governor's Council on Indian Affairs. The letter requested assistance in obtaining Title IV funds for educating Indian children through the local school system. They had applied for and had been refused these funds, and now were seeking assistance and/or intervention from the Governor. Notwithstanding their best efforts to reverse this decision and obtain the funds, they have not been successful, owing to the fact that they are not federally recognized.

The following month, on July 5, the following notice appeared in the Tallahassee Democrat: "The Southeastern Cherokee Confederacy, Inc. plans to form a band in Tallahassee. People who are at least one-sixteenth Indian--not necessarily Cherokee--will be accepted as members." This represents something of a departure from previous recruitment notices, in that Jackson intended to form a band first. The tactic proved successful: on August 8 of that year the Long Hair band was formed in Tallahassee.

Two new bands--and one clan--were formed during July. The Blue band was begun in Sebring, Florida on July 12. On the same day the first minutes submitted by the Bird clan of Waycross, Georgia--dated July 12--indicate that the activities of the clan may have been in operation before then, but that these SECC clan members were not heavily involved. Signed by Chief Joseph "Red Falcon" Jordon, the minutes state among other things that "The members do not wish to attend meetings. They say it is a waste of time and gasoline" (Jordon 1980). The other group started in July was the Rattlesnake band, located in Bradenton, Florida. While the addition of these new bands and clans meant increased internal growth for the SECC, the external relations of the organizations suffered a setback. The United Coalition of Indian Tribes, Inc. had become a non grata organization in Jackson's view. After all the pressure to join and support this coalition found in the first SECC News, the July/August issue ran the following notice: "The Southeastern Cherokee Confederacy, Inc., is no longer a member of the coalition. There are no hard feelings toward anyone. If I can help anyone, please let me know" (SECC News 7&8/80:1).

The first band of the SECC formed outside the southeastern United States was the Wolf band, started on August 6, 1980, in Phoenix, Oregon. This is the date of the letter sent to chief O.A. "Yellowstone" Bullock by Chief Edward "Taw-Yih" McNeely of Jacksonville, Florida, then acting as Chief Council Orator of the SECC. The letter states that the "Chiefs of Council" of the SECC had appointed and authorized Bullock to organize the Wolf band in Phoenix, Oregon. The letter also outlined what the structure of the band should be and the responsibilities of the new Wolf band and its chief. The SECC News states that the Wolf band was "duly organized August 23, 1980."

As the SECC added new bands and clans and grew in size, the complexities inevitably attendant to this growth also began to make themselves evident. Such complexities lead to confusion within the administrative parts of organizations, and a good example of this problem applied to the SECC is seen in the confusion in everyone's minds about the jurisdiction and function of the Eagle clan of Albany. Although representing only a small fraction of the SECC as a whole, the Eagle clan, by virtue of its location in Albany, seems to make and decide administrative issues not normally under the purview of band or clan authority. This was cause for some complaint within the SECC, since national issues were decided at the local clan meetings only because William Jackson was a member of the clan and in attendance. Normally, the types of decisions made were those which, according to the SECC's own bylaws, should have been made at the annual "Council of Chiefs" meeting and voted upon by representatives from all regions and all clans and bands. An example of this is found in the September 1980 issue of the SECC News under "Eagle Clan Minutes, Albany, Ga.," where issues of national relevance to the SECC were discussed and settled, including applications for membership into the SECC, the national newsletter (SECC News) and its format, etc., and a policy letter from the "Bureau of Indian Affairs, U.S. Dept. of Interior, regarding membership and voting rights of members, non-Indian spouses" (SECC News 9/80:2). The content of this letter from the B.I.A.

simply explained that the Bureau had no opinion or voice in the matter of membership and voting rights in the SECC, since it was a non-recognized entity.

Another change in the administrative function of the SECC tribal office seems to have occurred at this time. In September of 1980, a marked change in the SECC newsletter is apparent. This issue begins with a two-column biographical piece about Jackson, and the first appearance in the newsletter of the metaphorical striking, venomous rattlesnake is seen. Under the heading "Prin. Chief William 'Rattlesnake' Jackson" we read:

He organized the nation with his own money and is out about \$3,000.00 on the nation. He is proud of his people and nation and will defend them all the way. He is like a "Rattlesnake", get him mad and he will STRIKE. If you are a praying person, pray for you chief every day (SECC News 9/80:1).

Under the heading "Clan and Band Chiefs," on the same page, is this warning: "Someone has tried to take over the S.E. Cherokee Confederacy twice but have [sic] not succeeded. They DO NOT call Chief Jackson - Rattlesnake - for nothing, for he will STRIKE!!" The "someone" who tried to take over the SECC is not named. Although no change in editorial responsibility was mentioned in the newsletter, it appears likely that William Jackson took over this function beginning with the September 1980 issue.

The October 1980 issue of the SECC News related two interesting items about the SECC. First, the minutes of the annual meeting of the Council of Chiefs—held September 27--were published. The business was mostly routine except that the Council passed unanimously War Chief Donald "Black Raven" Dobb's proposal that "...any registered member whose spouse, MALE or FEMALE, is not an Indian, be accepted as a full member with ALL rights and voting membership" (SECC News 10/80:2-4). Second, the following item appeared concerning a new coalition, making it the third switch in interest toward participation in coalitions: "The Southeastern Cherokee Confederacy, Inc. and United Indian Tribe, Inc. is starting a new coalition. The meeting will be held at St. Cloud, Fla., Nov. 1, 1980..." (Ibid.). A report of this meeting was given in the November 1980 issue of the SECC News, which described the formation of CONAN—Coalition of Native American Nations—comprised of three groups: the SECC, E-SEE-CO-WAH United Tribes, Inc., and Northern Cherokee Tribe of Missouri, under the leadership of J.C. Thompson. At this meeting they all agreed on a 14-point plan/agenda concerning their operation and interrelationship. The next meeting of CONAN was to be in Albany, with the SECC the host "nation."

Apparently unknown to William Jackson, the "Oregon Wolf Band, SECC, Inc.," of Phoenix, Oregon, was officially incorporated in the State of Oregon on October 24, 1980 (Healy 1980). O.A. Bullock, Robert Ponder, and Barbara Bateman served as the first board of directors for the corporation. The Wolf band's efforts to obtain an Oregon tax exemption generated some correspondence between Chief O.A. Bullock and Gerald Sullivan, Auditor for the Oregon Department of Revenue. In a letter dated December 15, Sullivan wrote Bullock describing the "Procedures for Applying for Recognition of Exemption," and among the requisites were submission of 1) an affidavit regarding corporate status, 2) a copy of the articles of incorporation, 3) a copy of the bylaws, and 4) the latest financial statement. These requirements began a series of events in 1982 which would lead to serious organizational problems within the SECC.

The year 1981 was one of trying to maintain some cohesion in the SECC, faced as it was with growing administrative problems and greater complexity. Several new bands were established, so that some growth was seen, but due to the fact that no record was kept by the SECC concerning the discontinuation of bands and clans, nothing definitive can be said about net gains of bands or clans in any given year (see Appendix A).

The February issue of the SECC News was a significant one in terms of containing materials which bear directly on the history and perceptions of the SECC, especially as these relate to issues concerning the Federal acknowledgment of Indian tribes. The first item is a warning to the Bird clan of Waycross and message to the rest of the bands and clans:

The Tribal Office does not have the funds to keep running and might have to close down. The Bird Clan has not donated anything yet and they can tell members not to donate to the Tribal Office if they want to, but if the tribal office closes its doors, all clans and bands will stop at the same time (SECC News 2/81:4).

The bands and clans, it appears, were somewhat confused about what exactly was due to whom when, in terms of dues and donations to the tribal office. Moreover, no enforcement procedures appear to have been either established or carried out for making delinquent bands and clans conform to standard practices.

The second item is the praise of the Wolf band by William Jackson. Jackson announces that:

The Wolf Band is the Band of the Month. They have given the most donations and have the most members of any band and clan. Out [sic] hats are off to the Wolf Band. I would like to thank Chief Yellowstone and all members for what they are doing for the Nation (Ibid.).

The third item is a long letter, published in full, submitted by Tsia White Man of the Rosebud Sioux Reservation in South Dakota. Ms. White Man had recently visited Georgia and Florida and had participated in some of the SECC activities. She was prompted by what she saw there to write a lengthy letter for the SECC News and it was published in full. She states, in part, that:

It is understandable that you SECC members of lesser Indian blood should be proud of your heritage, and want to practice it in some ways...but...don't confuse BEING Indian with what some of you members are doing, which is "PLAYING" Indian. At one meeting that I attended certain things were done and worn by the host of the band meeting under the guise of being genuine Indian...but to someone who is brought up in the Indian way it can be seen that these things are purely "Hollywood" Indian stereotype.

The letter is, in the final analysis, a rather lengthy admonition for SECC members about being Indian and living the Indian way and using discrimination in adapting Indian dress, customs, and attitudes. "If YOU can't tell the difference between what is real and false in 'Indianness,'" she concludes, "how do you expect Anglos to learn the difference?" (Ibid.).

On March 6 O.A. Bullock of the Wolf band in Oregon wrote to the "Chiefs of Clans/Bands" asking them to approve his request to change the name of the "Oregon Wolf Band" to "Northwestern Wolf Band." This change, he felt, was necessary in order to take in the many California residents south of the Oregon border who showed an interest in the SECC and wanted to join. This request was approved by the Council and the tribal office of the SECC. The State of Oregon officially approved the corporation's change of name to the "Northwest Cherokee Wolf Band" on June 25.

Six months after the celebrated formation of CONAN (Coalition of Native American Nations), the following notice appeared in the April SECC News:

The Southeastern Cherokee Confederacy, Inc., is no longer a member of CONAN. Due to the great distance separating the Confederacy and CONAN, it is not feasible at this time to continue operation. There is [sic] no hard feelings, but due to Condition #2 and #3 of the minutes of the first Conan meeting Nov. 1, 1980, the Confederacy feels this action is necessary (SECC News 4/81:1).

April 6 is the date of a letter sent to William "White Eagle" Wilson from the SECC Chiefs of Council appointing him chief of the newly formed Paint Band in Salem, Oregon, and outlining his duties and the structure of the Band. While April 6 is the date of this letter of authorization, the June/July issue of the SECC News carried a brief announcement about the band's formation which gives April 29 as the official date. In his efforts to conform to Oregon's specific regulations for corporate entities, William Wilson wrote to William Jackson on May 5 requesting the information he needed to get "properly organized." "Please send immediately, the following," Wilson wrote, and requested copies of the articles of incorporation of the SECC, roster of all SECC members, annual budget, and the most recent financial statement. This request seems to have provoked William Jackson, due to the fact that of all the materials requested, only the articles of incorporation could be supplied because no active rosters of members were kept (in violation of the SECC's own bylaws), no annual budgets were prepared, and no financial statements were ever published (Wilson to Jackson 1981). This and other later correspondence were to place the new Paint band in jeopardy with regard to its relationship with Jackson and the SECC.

June of 1981 brought an exchange of correspondence between the B.I.A. and Robert "Panther" McLelland, a city official of Sarasota, Florida and Chief of the Rattlesnake band of the SECC. McLelland had recently been delegated the task of management and oversight for the petition for Federal acknowledgment submitted by the SECC. Apparently not realizing that their claim to tribal existence had to be substantiated by evidence and documentation, McLelland had written to his Senator in order to get the B.I.A. to process the petition. This complaint was forwarded to the B.I.A., and was answered by letter of June 17, explaining in detail the petition process. The Senator's response to his constituent, Robert McLelland, appears not to have explained the process with sufficient clarity for McLelland, since McLelland submitted a letter to the B.I.A. on July 2, recounting the history of the SECC and asking, in so many words, why the B.I.A. hadn't yet processed the SECC petition. In any case, the confusion over what was required by the regulations governing Federal acknowledgment petitions was resolved in a phone conference between B.I.A. staff and McLelland in early August.

The late summer of 1981 saw both a further closing and a further opening of relations between the SECC tribal office and other groups. On August 14, a letter was sent from the Paint band's secretary, Winona "Morning Star" Cheatham, to William Jackson asking several questions about the SECC and its budget, membership, income, etc. Jackson seems to have perceived this as the beginning of what he later termed the "harassment" from the Paint band, since more such queries were to follow during the fall of this year. Relations were better between an outside Indian organization and the SECC, as reported by the September 17 issue of the Oviedo Outlook. In an article entitled "Cherokee Chiefs settle differences at Geneva," we learn that a reconciliation took place between William Jackson and Chief H.A. Rhoden of the United Tuscola Cherokee Indian Tribe of Florida and Alabama at a powwow and barbeque held at Rhoden's house. Everyone was treated to Indian dancing performed by Boy Scout Troop 549 of Paola. What the dispute between the two chiefs was is not mentioned, but it may well have to do with a long-standing problem begun when Jackson was a member of Malcolm "Thunderbird" Webber's Etowah Cherokee Nation. In a letter from Webber to a "Chief Greywolf," Webber writes that:

Our Creek and Seminole enemies are fighting us here. Because we are the Etowah Cherokees of the Iroquois a free people not under BIA control. Chief H.A. Rhoden of Tuscola UC band of Fla. is trying to take control so he can get money from BIA. He has Creek background and Seminoles kin folks. The Creeks are fighting us here. You have Chief Rhoden business card if not enclose is his Vice chiefs card [sic] (Webber to Greywolf 1976).

It might have been a residual antipathy that Jackson felt toward Rhoden due to Jackson's early collaboration with Webber that was "reconciled" during this powwow.

The Fall of 1981 was a relatively active one for the SECC. Several recruitment notices were placed in various local newspapers, such as the following notice placed in the September 22 issue of The Mitchell County Shopper: "NOTICE: An American Indian Drive. Don't be ashamed of your heritage. The Southeastern Cherokee Confederacy, Inc. Eagle Clan is accepting members with one-sixteenth or more of Indian heritage. You don't have to be Cherokee to be accepted in the nation...." September 26 was the date of the annual meeting of the SECC, which was held in Chehaw Park near Albany. At this meeting, which was followed by a fish fry, William Jackson was elected to another term as Principal Chief, and Robert McLelland was elected Chief Council Orator. Minutes were taken by LaVonne "Thunder Moon" Stevens, and included discussions of Federal acknowledgment, "affairs of the Nation," and the purchase of a tribal bus for reasons which were unspecified. A brief notice of the meeting and issues discussed or resolved appeared in the October issue of the SECC News.

November and December of 1981 were marked by evidence of a growing dissatisfaction on the part of the Oregon bands with William Jackson and the SECC tribal office, and with the latter toward the Oregon bands. A series of letters was exchanged between the principals of the SECC in the southeast and the two Oregon bands during these months, with the topics of discussion essentially the same. Wilson and Cheatham of the Paint band wanted to be given data about the SECC organization and finances, so that they could in turn report these to the Oregon authorities. Jackson was never in a position to give these data, since they had never been recorded or collected. Two letters were sent from the Paint band of Salem on November 3—one from Wilson and the other from Cheatham. Wilson's letter was

conciliatory, but asked Jackson to reconsider his new policy of dropping members who were 30 days late with their annual dues and making them re-apply anew for membership into the SECC. Cheatham's letter was more direct, and asked not only for an accounting of membership, policy, and finances, but asked the rationale for the proposal to buy a tribal bus. No response from Jackson was found in the documentary record, but it appears that Jackson had made his views known on these inquiries and comments, since he received a letter from Chief Billy "Silver Wolf" Walls—O.A. Bullock's replacement as Wolf band Chief—dated November 17 which expressed some concern over the possibility that the Paint band might be expelled from the SECC over a dispute about a bus for the tribal office. Moreover, Walls expressed similar concern in general about the arbitrary system of governance within the SECC, i.e., that charges can be made and punitive actions taken without hearings or due process.

Continuing their efforts to get some answers to their questions about the SECC organization, Winona Cheatham sent a letter to Robert McLelland in Sarasota, Florida, dated November 18, capsulating the brief history of their attempts to get some "straight answers" and asking McLelland if he could assist them. Beyond simply expressing their frustration at never having received any information from Jackson, Cheatham expresses her view of Jackson and the SECC tribal office in Leesburg: "We get the impression of great disorder, poor recordkeeping, lack of experience, lack of leadership, and lack of understanding the need to keep members well informed..." (Cheatham to McLelland 1981).

In what appeared to be an effort to rid himself of the frustration of dealing with the Paint band, Jackson placed the administrative responsibility of the Paint band under the Northwest Cherokee Wolf Band. This action was recorded in the November/December issue of the SECC News, under the minutes of the "Council of Chief's" meeting, where it simply stated that "The Paint Band of Oregon will be under the leadership of the Wolf Band" (SECC News 11&12/81:1). In the midst of the Oregon problems, an item of historical relevance occurred. In the November/December 1981 issue of the SECC News, we learn that plans existed for two new bands—one in Virginia and one in Georgia. The Virginia band never materialized, but the Panther clan was established in Donaldson, Georgia on November 12.

The effects of the dispute with the Oregon bands appear to have begun to manifest themselves in Jackson's behavior. The very first piece in the December 1981 SECC News is under the heading "Comments from the Principal Chief," where Jackson claims that "...some of the members are not satisfied with the way I have been running the tribal office." He described all his hard work for the sole benefit of the SECC, and claimed that the members are "...going to movies, ball games, or watching T.V..." while he is hard at work doing the business of the SECC. He admonished everyone to stop criticizing him and support him.

The last two items in the documentary record for 1981 both concern the Oregon problem. The first is a letter from William Wilson to Robert "Running Bear" Williams, stating that Oregon has definite tax/corporate laws; that questions asked of Jackson were not meant to "harrass" him; that they are sorry their inquiries have caused a disturbance; and that they are somewhat dismayed by the fact that a band can be disbanded without real cause or without a hearing (Wilson to Williams 1981). The second is a letter from Billy Walls to Jackson, dated December 26, which gives a three-page recapitulation of the whole troubled relationship between the SECC tribal

office and the Oregon bands, and finally accepts the proposition that the Paint band become a "division" of the Wolf band (Walls to Jackson 1981).

Affairs with the Oregon bands came to a head in 1982, and a final resolution to the problem occurred. But more strife and internally divisive interaction between the contesting factions would transpire before the resolution occurred. In late January of 1982, Chief Billy "Silverwolf" Walls of the NWCWB was forced to resign as band chief due to ill health, and a special election was called at which Robert "Silver Badger" Ponder was elected band chief. Relations between the SECC tribal office and the Oregon bands were still unstable and growing worse at the end of February, when Jackson circulated a letter "To all members." Dated February 26, the letter stated that the Chief Council of Chiefs of the SECC had appointed Donald "Black Raven" Dobbs as acting Principal Chief "...with full authority and final decision and his word is law." Jackson, who planned to send Dobbs to Oregon on a mission to resolve problems there once and for all, added this handwritten postscript to the letter: "If anyone don't [sic] like the way the wolf band will run under the Southeastern Cherokee Confederacy, Inc, by laws, drop out right now. I am tired of the bitching going on out there, I do not want to hear of it anymore. The war chief have the finial [sic] word out there" (Jackson to All Members 1982). Dobbs did in fact make the trip to Oregon, and attended several gatherings of the Wolf band early March, where apparently amicable and productive meetings took place, with an exchange of views from both sides. In fact, Dobbs seemed extremely impressed by the meetings and with the Wolf band and Oregon people generally—an impression which apparently displeased Jackson. Acting in his role as Principal Chief, Dobbs appointed J.B. "Little Horse" Huffman to the position of Chief of all Band Chiefs in the State of Oregon, and Herbert "White Fox" Stamper as Chief Elder of the Southeastern Confederacy.

These appointments did not last. In the meantime, however, things were happening in the southeast which demanded the attention of the tribal officials. The January/February issue of the SECC News mentioned several items of importance to the SECC, including the call for an election for Principal Vice-Chief, the appointment of Edwin "Silver Hawk" Sarver as chief of the Blue band in Sebring, Florida, and a commentary about the SECC bylaws by Robert "Running Bear" Williams which stated that no one can be a member of a band or clan unless they are first members of the SECC (SECC News 1&2/82:1). With regard to the election, the following statement appeared: "You will have to be present to run for office and also present to vote" (Ibid.). With absentee votes not allowed, this made it difficult for SECC members in the Oregon bands to have representation in the national tribal office due to the fact that the election was to be held at Chehaw Park in Albany, Georgia. The March issue of the SECC News announced that Jim "Little Hawk" Jackson would run again for Vice-chief, and that the election would be held on March 27. Jim Jackson won the election.

From late March to late summer of 1982, the SECC appeared almost wholly preoccupied with the problems of the Oregon bands. On March 4, a legal opinion was sent to the Northwest Cherokee Wolf Band from their attorney, Douglas Cushing, which would have serious reverberations in the SECC tribal office. Cushing concludes that, after having been retained to clarify the issue, the Wolf band is a "properly established independent corporation" (Cushing to the Northwest Cherokee Wolf Band 1982). It appears that Jackson, and perhaps any others at the tribal office, were still unaware up to this point in time that the Wolf band had incorporated in the State of Oregon. Cushing's letter was dated March 4, and there is no way to tell when news of Cushing's opinion reached Jackson and the tribal office, but judging

from correspondence received by the SECC tribal office from the Wolf band, it must have been at least within a month's time.

On March 12, the appointments of J.B. Huffman and Herbert Stamper as Chief of Band Chiefs in Oregon and Elder, respectively, were rescinded by letter. This letter was signed by Donald Dobbs, still acting as Principal Chief. On March 30, a letter was sent to Robert Ponder from Robert Williams stating that the "Board of Directors voted to veto the parent band, so as of March 27, 1982, the Wolf band is not the parent band in Oregon" (Williams to Ponder 1982). Word of the Wolf Band's incorporation must have reached Jackson at least by early April, since O.A. Bullock, representing the Wolf band, wrote to Jackson on April 15 pledging their loyalty to him and stating further that they were incorporated because "Oregon Tax laws demand and dictate that the Wolf Band must be incorporated in the State of Oregon" (Bullock to Jackson 1982).

This declaration of loyalty from Bullock was apparently insufficient. On April 24, after deliberation with local officials of the SECC in Georgia, Jackson issued a open letter stating that the Council of Chiefs had decided to withdraw "...all allegiance and support for the Wolf Band and will be removed from the Southeastern Cherokee Confederacy active roster for BIA approval" (Jackson to the Northwest Cherokee Wolf Band 1982a). Current members of the Wolf band were invited to choose between membership in the Northwest Cherokee Wolf Band (NWCWB) or the SECC—they could not be members of both, according to the manifesto. On the same day—presumably at the same meeting of the Council of Chiefs—authorization was given to begin the Badger band of the SECC, located in Gold Hill, Oregon, which is in the same general area as the NWCWB. It was formed as an alternative for loyal SECC members who wished not to stay with the NWCWB but who wanted a local group, and it was sanctioned to use the SECC name, letterhead, etc. in the State of Oregon.

Receipt of this April 24 manifesto was acknowledged by a letter from Robert Ponder to Jackson and the SECC council on May 9. Ponder's letter stated that incorporation of the NWCWB in the State of Oregon did not violate the bylaws of the SECC; that in fact Jackson and the council were in violation of their own bylaws for taking such an illegal and arbitrary action against the NWCWB; that Oregon law required the NWCWB to be incorporated in the State; and finally that if they did not receive a written retraction from Jackson and the council by June 6, they "would be forced to take immediate action" (Ponder to Jackson 1982). Since this action was not reversed by the SECC council by June 6, the "immediate action" appears to have come in the form of a letter addressed to the Badger Band of the SECC in Gold Hill, Oregon, from Douglas Cushing of Cushing & Haberlach. This letter, dated June 10, was a warning about the use of the name "Southeastern Cherokee Confederacy, Inc." in the State of Oregon:

You are hereby notified that the Northwest Cherokee Wolf Band, Southeastern Cherokee Confederacy, Inc. is the sole party entitled to use that name in the State of Oregon. You are hereby directed to cease using the name in any fashion or to solicit members of the Northwest Cherokee Band to join your group. Your refusal to do so may force them to take appropriate action against you individually or as a group or both to protect the rights which statute does guarantee to the Northwest Cherokee Wolf Band (Cushing to Badger Band 1982).

Quick to react, Jackson filed an application with the Corporation Division, Oregon Department of Commerce, on June 16 requesting a certificate of authority to transact business in Oregon under the name of Southeastern Cherokee Confederacy, Inc. The application designated J.B. Huffman as official representative of the SECC in Oregon, and gave Badger Band of Gold Hill as its local address. A certificate granting this authority was issued to Jackson on June 24, 1982 by Frank J. Healy, Oregon Corporation Commissioner (Healy to Jackson 1982).

IV. Ethnohistory of the Southeastern Cherokee Confederacy, Inc. From June 1982 to the Present

The Northwest Cherokee Wolf Band had by June of 1982 officially broken all ties and affiliation with the Southeastern Cherokee Confederacy, Inc. of Leesburg, Georgia, though the NWCWB still used the SECC name as the last part of the complete title. On June 28, the NWCWB petitioned the United States for Federal acknowledgment, thereby establishing two separate entities in terms of administrative jurisdiction and responsibility for the B.L.A.'s Branch of Federal Acknowledgment. From this point in time, the SECC has a separate history, as do both the NWCWB and the Paint band of Salem, Oregon, which was expelled from the SECC on May 29 and followed the NWCWB's lead in its dissociation from the Georgia SECC.

Though by now the SECC and the NWCWB had set their courses in different directions, Oregon was still the center of administrative attention for nearly two months following the break between the two groups. The SECC still functioned in Oregon through the auspices of the Badger band, which was under the leadership of J.B. "Little Horse" Huffman. The April/May/June issue of the SECC News was full of references to the "striking snake," a usual and recurrent phenomenon following Jackson's administrative hassles with recalcitrant bands and clans. A letter submitted by 21 members of the new Badger band contained the following advice:

WORDS OF CAUTION! To the wise, ABOUT! the RATTLESNAKE. When you hear a rattling sound—Stop—Do not move—Listen, because the sound you are hearing might very well be the warning signal of a very venomous Rattlesnake. The Rattlesnake's venom is deadly, VERY DEADLY. When the "Rattler" sends you this warning, he is saying you are approaching a danger zone. Go back...To all my people who some how, mistakenly, blindly, or unknowingly, trod upon the "Snake" and was [sic] bitten, go and be cured, the [sic] go and walk the trail of the "Badger" (SECC News 4&5&6/82:3).

On July 8, William Jackson sent a lengthy letter to the leaders of the NWCWB, recounting the history of the relationship between the NWCWB and the SECC. Following this "history," Jackson states that now the Badger band has authority to use the SECC seal, letterhead, etc. in Oregon, and that anyone formerly of the Wolf band who wishes to remain a SECC member may do so (Jackson to NWCWB 1982b). The contents of the letter are reconfirmed in the July issue of the SECC News, in a short piece under the heading "ATTENTION!!! All members in Oregon."

The July issue of the SECC News also contained several other reactions to the entire NWCWB affair. Emotions apparently ran high at the tribal office and among those SECC members who were keeping abreast of the situation. Jackson's stepson, Jeffery Beard, submitted a letter in support of his stepfather which was published in the SECC News (see SECC news 7/82:1). In another letter to the editor in the same issue, J.B. Huffman, Jackson's new friend and co-worker in Oregon, criticizes the NWCWB members collectively in his usual metaphorical style: "He don't [sic] or won't hear the many warning of the rattler. And he scoffs at the friendly gesture of the Badger. He refuses his name and goes on a different trail under a different Inity [sic] and gets lost, he can hear his people hearing [sic] him to come back, his answer is threats of law—what a pity." And in a statement of prophetic irony, Huffman states further: "Chief: I am proud that you haven't (to my knowledge) threatened anyone with a law-suit, its not the Indian way" (Ibid.:1).

Finally rid of the problems created by the bands in Oregon--the Wolf and Paint bands--Jackson and the SECC shifted their attention from Oregon back to the affairs of the SECC in the southeast. The remainder of 1982 seemed relatively calm in contrast to the first half of the year. On July 17, the Red Clay band of the SECC was formed in Ooltewah, Tennessee, principally around the leadership of the Neikirk and the Ledford families. The following month, on August 16, the documented petition for Federal acknowledgment was submitted on behalf of the SECC by Robert McLelland, who had been delegated to oversee this petition process for the Confederacy.

The annual meeting of the Chief Council of Chiefs of the SECC was held at Chehaw Park, near Albany, on September 25, 1982. The minutes of the meeting indicated that decisions were made that associate members were not to have voting rights in the SECC; that "annual donations" will be due when the I.D. card expires; that donations will be raised to \$20 annually; and that members can make--through channels--accusations against other members. Most of these decisions were repeated in the SECC News for the benefit of the members, in addition to several items which weren't mentioned in the minutes. Virlyn "Cougar" Ledford of the Red Clay band, for example, was voted in as Chief Council Orator, though no information was given as to why the position was vacated by Robert McLelland. Donald "Black Raven" Dobbs was voted out as War Chief for "health reasons," and the point made that the vote carried by 99%. More likely than "health reasons" for this ouster was the fact that Dobbs was in sympathy with the NWCWB, having visited the group earlier in the year (Field Data 1984c). Further, one learns from the September newsletter that several new clan and band chiefs were appointed, and that Lucius "Webbfoot" Cunningham and his wife Ann "Bluebird" were made to swear oaths of allegiance to the SECC bylaws, after which they and Jackson shook hands (SECC News 9/82:1).

The first meeting of the Red Clay band in Tennessee took place on September 27, and was duly recorded in their minutes. There were seven voting members present at the meeting in Ooltewah, and Elaine "Little Fawn" Ledford was elected Band Chief, with John "Night Hawk" Neikirk elected Band Vice-chief and Iona "Nakomas" Neikirk elected Secretary. With the establishment of a new, vital band such as Red Clay, Jackson sought to regain the composure of the SECC as a whole after the Oregon ordeal, and to that end he published a plea for unity and cooperation among all members and bands of the SECC. This appeared in the October/November issue of the SECC News, and was the last item of Confederacy-wide import or administrative significant for the remainder of 1982. Jackson asserts that:

The people of our nation, from the Prin. Chief to the newest member should be proud of his or her [sic] Indian Heritage, also proud to be a member of the most important Confederacy in America. We trust there is no "CLICKS" in our people. This nation as a whole is too large, and has too many devout Indians, and has been a nation since 1839, opened again in 1976 for new registers [sic] (SECC News 10&11/82:2).

The year 1983 was one of great activity for the SECC. The Badger band in Oregon had begun a recruitment drive, and had advertised in the Medford Mail Tribune: "Indian Group seeks members. The Southeastern Cherokee Confederacy, Inc., Badger Band of Oregon is accepting new members, any tribe. Anyone having 1/16 blood who is not enrolled in another band or clan is eligible" (Medford Mail Tribune 2/82:20). Anyone interested was directed to contact J.B. Huffman for details. While Huffman was an Oregon resident loyal to the Georgia SECC, former War Chief Donald "Black Raven" Dobbs was a Georgia resident now loyal to the Oregon NWCWB. Dobbs had

begun to organize a band of the NWCWB in Albany, and in the process had been a source of irritation to Jackson. On February 24, a letter was received by the B.I.A from Jackson, requesting the Bureau to keep him informed of the activities of the NWCWB. Further, Jackson asked that the Bureau not give any information out concerning him or the SECC to Dobbs.

While Jackson had rid himself a year earlier of one problematic band in Oregon, problems within the Badger band now began to develop, and a series of events was initiated which would culminate in the Fall of 1983. Apparently on the advice and suggestion of J.B. Huffman, the SECC's Chief's Council expelled "Elder" Raymond "Wild Cat" Marang of the Badger band from both his position and from the SECC. "This office," wrote Jackson, "can not tolerate and will not keep a member in a Confederacy office who threatens or indicates he can, and may pull members out of a Clan or Band" (SECC News 2&3/83:3). In the same issue of the newsletter, however, Jackson seems to contradict himself, stating that "And such as this nation can not tolerate any member, any family or group causing too much depection [sic], we are not too large and have guide lines to work within (the by-laws). We will try to work out any problems that might arise in a democratic way" (Ibid.:4). Jackson later reinstated Marang with an apology, after discovering the truth of the situation.

The month of April, 1983, brought about some administrative changes in Oregon for the SECC. On April 10 in a local newspaper titled The Chronicle, a brief article was run under the heading "Indians to Organize." It tells of the organization of a "local clan" called the Badger band, made up of Columbia County residents, and part of the SECC. This is, in fact, a northern branch of the southern Oregon Badger band, referred to occasionally in the literature as Badger Band II. This appears to have been the first step in a plan to divide the entire Northwest into administrative "Districts" of the SECC. The April/May issue of the SECC News mentions this plan, and the establishment of "Laison Principal Officers" for these Districts, these being J.B. "Little Horse" Huffman, Frank "White Eagle" Shehorn, Melvin "Bear" McCune, and Janice "Rainbow" Cox. After listing these individuals, Jackson adds: "These people have the absolute trust and confidence of the Leesburg, Georgia Principal Office, and will serve in this capacity [sic] until otherwise notified by Chief William Rattlesnake Jackson" (SECC News 4&5/83:4). Notwithstanding the build-up which this plan received in the SECC News and in other correspondence, these "Districts" and the plan to organize the Northwest never came to fruition for the SECC.

On May 7, 1983, Chief Jim "Little Hawk" Jackson submitted a letter, addressed "To Whom It May Concern," formally resigning from the position of Principal Vice-Chief and accepting the position of "Elder of the Nation." This action was reported in the April/May issue of the SECC News. This left open the position of Vice-Chief, and this was to cause some dispute in the months to come. The June issue of the SECC News, in fact, reported that an "Illegal Meeting" was held on May 28 at Chehaw Park, at which "The Chief Council and the members of the Eagle Clan...elected Chief Robert Running Bear Williams and voted on amending the by-laws" (SECC News 6/83:1). The piece does not say to which office or position Williams was elected, but presumably it was to the position of Principal Vice-Chief of the SECC. Jackson, however, declared that "The whole meeting was illegal according to the by-laws," which presumably meant that Williams' election was voided. In the same issue, all the topics covered at the illegal meeting were addressed—the first under the heading "Amend the By-laws," offering to take up the problem at the next annual meeting, and the second under the heading "Election," stating that "There will be a Prin. Vice Chief election at the annual meeting" (Ibid.:2). To

smooth over any ruffled feelings, Jackson appointed Williams Acting Principal Vice-Chief until the election.

A further news item was published in the June 1983 issue of the SECC News. Jackson and his wife were invited to visit Oregon in August, and an anonymous doner had paid for their flight. "J.B. 'Little Horse' Huffman," Jackson wrote, "is acting as Band Chief over all Bands and Clan Chiefs. Little Horse has been taking care of matters in the western states for a good while now. My squaw, Strawberry, and I will see and meet all of the Western states members from Aug. 1, 1983 to Aug. 11, 1983 and hope to iron out a lot of problems" (Ibid.:2).

June 18 was the date of the first meeting of the new Holly Clan in Dearing, Georgia. Under the leadership of Robert "Little Bear" Smith, the Holly Clan took seriously the responsibility of preserving and maintaining Cherokee culture in Georgia. In an undated letter sent to Governor Joe Frank Harris of Georgia, Smith asked the Governor for 800 acres of land for building a "meeting hall, recreation, and have a place to hunt and fish" (Smith to Harris 1983). The Governor responded by suggesting that Smith write to Assistant Secretary of the Interior Ken Smith for the land, since the Governor's office was not in a position to deal with Indians.

Later that same month, Jackson and the SECC received perhaps its strongest criticism and denunciation to date—from within. Donald "Black Raven" Dobbs, who had fallen into disfavor with Jackson and had shown an interest in establishing a branch or clan of the NWCWE in Albany, Georgia, submitted a packet of documents to the B.I.A. on June 28 detailing the violations of SECC bylaws and abuses of power of which he thought Jackson guilty. "As part of that outfit," wrote Dobbs, "I tried to submit the fact that everything was being done illegally, and the bylaws and such should be done in the proper and legal way." Dobbs outlines this alleged malfeasance numerically in the letter:

No. 1--No Board of Directors. No. 2--Annual dues that was [sic] required and not accounted for. No. 3--Voting members out without the proper no. of people present. No. 4--Adopting new rules without the required number of people present to vote, and not even being notified. Also accepting no renewal fees because of some personal grievance. Voting them out, because they wanted the Bylaws and such to be conducted Proper and Legal (Dobbs to B.I.A. 1983).

Further violations, according to Dobbs, include the fact that "No master roster has ever been maintained and kept for any members to know about, and refusing to have one." The purpose of the letter, in Dobbs' words, was "No Bylaws were lived up to, and, and I wish you would check into all of the violations" (Ibid.). Enclosed with his letter were other documents, including a comprehensive revision of the previous (September 24, 1982) set of SECC bylaws done by Dobbs, and copies of letters from him to the SECC Board of Directors, and to the B.I.A., and a copy of the Eagle clan minutes for their August 8, 1982 meeting. No investigation was ever conducted by the B.I.A., owing to the fact that the SECC was not a recognized tribe, and not within the Bureau's jurisdiction.

The result of Dobbs' efforts appears to have been his final ouster from the Georgia SECC, since his letter elicited no documentary response from Jackson or the SECC and his affiliations clearly changed within the month. On July 25, the first minutes were received from the first meeting of the Bird Clan of the Northwest Cherokee

Wolf Band in Albany, Georgia. This meeting had eight people in attendance, with Donald Dobbs as ad hoc leader and Chief of the clan.

Thinking that the B.I.A. was taking too much time in processing their petition for Federal acknowledgment, the SECC began trying to apply pressure to have the process expedited. On August 1, a letter was sent to Congressman Larry McDonald of Georgia outlining the SECC's position and asking if McDonald could help in "speeding up the process." As the letter explained to McDonald,

I am sure you are well aware of the problems we persons of Scotch, Irish Indian descent are handicapped with, because we do not reside on a reservation. Because of this, we are considered non-Indian. It does not matter whether or not we are 1/6, 1/4, 1/2 or 3/7 Indian. We are the only people so discriminated against. Negroes, Chinese, Cubans, Mexicans, Pakistanis, nor any other group is denied access to top priority employment because they are not card-carrying members of their respective "minorities." We of the Southeastern Cherokee Confederacy think we have the right to be recognized as a bonafide minority entity as much as the other "Johnny-come-lately's" (Cope to McDonald 1983).

This letter is signed James F. Cope, Ph.D. Cope claims further: "I personally think that about one-third of the white population of the Southeastern states could benefit from this ruling of acceptance by the Bureau of Indian Affairs..." (Ibid.). He apparently believes that one-third of the white population of the southeastern states could claim Indian ancestry, thus qualifying as eligible for services provided to enrolled Indians of tribes recognized by the United States. McDonald's response was pro forma; he forwarded the letter to the B.I.A., which sent a reply to Cope on September 1, 1983, stating that the SECC petition was to be processed soon.

From August 1 to 11 William Jackson and his wife Mary were in Oregon, visiting SECC members of the two Badger bands and the Manzanita band. Jackson published a glowing report of his visit in the SECC News for August, stating that "This was our first trip to the beautiful state of Oregon, which we thoroughly enjoyed and hope it is not our last," and "I also believe that my Western Brothers and Sisters and I can look upon each other as true friends. We feel that wee [sic] have made a very important trip and accomplished much in understanding of each other for the advancement of our nation." Significantly, Jackson further states that "I, Chief Rattlesnake Jackson, and Tribal Secretary Strawberry Jackson stayed in the home of Little Deer and Little Horse Huffman while in Oregon" (SECC News 8/83:3).

During Jackson's trip to Oregon, he received several proposed changes to the SECC bylaws, one of which concerning the problematic issue of absentee voting over which Jackson had previously been in adamant opposition. Nonetheless, the proposed changes were published in the August issue of the SECC News, and specifically dealt with changing the membership dues, meeting attendance requirements, and the absentee ballot. These changes were proposed, submitted, and signed by "Chief White Eagle Shehorn, Chief Two Bears Mathison, and J.B. Little Horse Huffman," but they appear to have been at the initiation of Huffman. Whether it was this or another matter, the trip to Oregon marked the beginning of a feud between Jackson and Huffman which has yet to be resolved.

Eleven days after Jackson's departure from Oregon, J.B. Huffman apparently resigned from all offices of the SECC, and this action was apparently approved by the "Chief of Council." With no explanation given, the following short news item appeared in

the September/October 1983 issue of the SECC News: "Resigns From All Offices - On 8-22-83, J.B. Little Horse Huffman resigned from all offices—approved unanimously by members and Chief of Council." Whatever the cause of this schism between these once-close allies, it probably occurred during Jackson's visit to Oregon.

The August issue of the SECC News announced the candidacy of Samuel W. Beeler for the office of Principal Vice-Chief in a first-page article with a photo. Beeler, a nurse from New York who claims Cherokee descent and lives on the Poosapatuck Indian Reservation in Mastic, was apparently seen as a legitimizing influence for Indianness within the SECC, and his election to that office was supported by Jackson. This support apparently irritated Robert "Running Bear" Williams, since Beeler was a virtual newcomer to the SECC while Williams had consistently done much work for the SECC over a long time. The September/October SECC News reported two items in this regard: First, that "Robert Running Bear Williams resigned from the Southeastern Cherokee Confederacy, Inc Sept. 16, 1983 for life—approved unanimously," and second, with respect to the elections held at the September 24 annual meeting of the SECC at Chehaw Park in Albany, that "First on the agenda was the election for Prin. Vice Chief. The candidate for this office, Samuel W. Beeler, Jr., was voted on and carried unanimously. He will be our Prin. Vice Chief for the next four years" (SECC News 9&10/83:1).

The third and present set of SECC bylaws was adopted at the annual meeting of September 24, in addition to the election of new officers. The second set, reflecting the amendments and changes since the first "incorporation" set, was adopted just a year earlier—on September 25, 1982. The adoption of these new bylaws was also reported in the September/October issue of the SECC News, as was the fact that "Blackstar our spiritual leader of Medford, Oregon was voted to be our honorary spiritual leader for the Southeastern Cherokee Confederacy" (Ibid.:1). "Blackstar" refers to "Comanche Wicasa, BlackStar," an older woman who claims to be Comanche and lives in Medford. The Jacksons got to know her on their trip to Oregon, and even had their wedding vows renewed by BlackStar in "the Indian way." William Jackson sent a notarized document to the B.I.A. authorizing BlackStar to "perform Native American ceremonies, including weddings, upon request of our People, acting as Spiritual leader for our People" (Jackson to B.I.A. 1983).

The Fall of 1983 was a difficult time for the SECC. There was trouble with personalities, and trouble between the tribal office and certain bands. It seemed as if problems were attendant with every plan or activity the SECC undertook. On November 1 Jackson received the following letter from the newly elected Principal Vice-Chief Beeler: "The intent of this communique is to inform the National Tribal Office of my resignation of the office of Principal Vice Chief of the Southeastern Cherokee Confederacy National Tribal Council effective immediately" (Beeler to Jackson 1983). Robert Williams resigned in September without running for the office of Principal Vice-Chief, and Beeler, who had won the election, resigned five weeks later. No reason was given by Beeler for this action.

The day before the date on Beeler's communique, the B.I.A. received a letter from Jackson asking "...whether our letterhead's and bi-laws are legal or not" (Jackson to Shepard 1983b). The reason for the question was that Jackson claimed that he had been "...informed by some of the members that our letterheads are illegal, and that our bi-laws are whiteman's bi-laws, and that the B.I.A would not approve them" (Ibid.). Though Jackson did not say who had informed him of this, it is clear from later correspondence that it was a member or members of the Red

Clay band in Tennessee. Jackson was informed, by letter of November 1, that since the SECC was not a recognized tribe the B.I.A had no authority to make any such determination. (Shapard to Jackson 1983).

Shapard's November 1 letter was published in full in the November 1983 issue of the SECC News. Along with the appearance of this letter in the SECC News, Jackson sent an open letter to the members of the Red Clay band dated November 13. This letter was addressed to "To whom it may concern," and stated that "I am writing to let anyone in the Red Clay Band, that [sic] thinks that the Southeastern Cherokee Confederacy, Inc. is illegal, or the paper work can resign [sic], turn in their paper work, L.D. cards, and there will not be any hard feelings, for I am tired of hearing that we are illegal" (Jackson to Red Clay Band 1983). Jackson's letter was answered by a letter from John "Night Hawk" Neikirk of the Red Clay band dated December 3, stating that no Red Clay member intended to resign; that pressure should not be brought to bear because of suggestions made, questions asked, or honest differences of opinion; and that there was genuine concern and confusion over the bylaws issue. He stated further, however, that the Red Clay members were loyal to Jackson and the SECC and that they pledged their allegiance to him (Neikirk to Jackson 1983).

More problems came from the West during November and December. The November issue of the SECC News reported that:

Absentee ballots were mailed out November 1, 1983 to all Chiefs of the Southeastern Cherokee Confederacy, Inc. to vote yes or no whether to vote J.B. "Little Horse" Huffman out of the Nation or not. It was voted unanimously to put him out for life. As of November 18, 1983, he is out of the Nation for life. He has been written to and asked to turn in all of his paper work and L.D. cards (SECC News 11/83:2).

November 28 brought a very strong letter from Caroline Murray, Secretary of the Manzanita band in Redding, California. Apparently upset at the ouster of Huffman, the letter asked questions more difficult than those once asked by the Paint band of Salem in terms of Jackson's fiscal and administrative accountability. Moreover, it threatened the dissociation of the Manzanita band from the SECC if these questions were not answered promptly. Murray itemized her questions, asking specifically about a "proper financial statement," efforts for educational assistance, care of the elderly, liaison with the B.I.A., incorporation in other states, and liability against civil action. After these questions, she offers some advice to Jackson:

I might suggest that instead of saying "The Snake Strikes Again" that you give each inquiry serious and thoughtful consideration and then provide the answers to each question rather than getting upset and throwing people out of the Confederacy because they have asked intelligent questions. This is not a dictatorship but should be ruled by a Chief who has the respect of his people because they know that he is fair in his decisions. To me it seems that you are either immature and insecure to feel that you alone are to "strike" and not take the council of the other chiefs or you are not schooled in the basic principles of running an organization (Murray to Jackson 1983).

There is no evidence that Jackson even responded to this letter. The Manzanita band eventually dissociated with the SECC, and apparently disbanded.

On December 10, 1983, Jackson and his wife drove to Wachula, Florida, to preside over the ceremony officially establishing the Many Lakes band. The meeting was held on the private property of Mabel "Sage Woman" Boone, and after the meeting an incident occurred which prompted Jackson to draft a three-page account and have it notarized. Briefly, there was an induction ceremony, bringing new members into the Many Lakes band and the SECC. When it came time for a certain member to be led up to the Chief to be adopted into the Band, Jackson escorted him up to be adopted into the Band. When he was adopted into the Band he stepped back out of the circle and demanded Jackson's resignation (Jackson to Whom It May Concern 1983). Jackson refused to resign, and called for a vote on the spot to remove him from the band and the Confederacy for life. The vote carried, according to Jackson, and everyone began to leave. Jackson and his wife, Mary "Strawberry" Jackson, took another member with them in their pick-up, but were roadblocked several miles down the road by three other members hostile to Jackson. These latter men, once having stopped the Jacksons, pulled pistols on them and threatened to arrest them. After a strong exchange of words, the Jacksons and their allies were allowed to leave unharmed. But in Jackson's words, "I, am under a doctor's care for high blood pressure, my blood pressure went up so high that I was afraid that I was going to have a stroke or a heart attack" (Ibid.). Criminal charges were later filed against the perpetrators, but the case has yet to be resolved through the judicial system. This incident generated a volume of documents and paperwork, and resulted in a lot of bad feelings.

Toward the end of the month, and the close of 1983, the Jacksons received a letter from Ruth "Morning Dove" Shehorn, War Chief of the Badger band in Oregon. The letter stated, essentially, that it had been J.B. Huffman all along who made trouble in the Northwest for the SECC, and that it had been he who accused Ray "Wildcat" Marang and Joy "Two Feathers" Rowland of working against the SECC. In her letter, Shehorn claims that she apologized to both these offended people, and enclosed a copy of a letter allegedly written by Huffman which exposes his "real" nature (Shehorn to Jackson 1983). A letter written by Jackson suggests that he had relied almost exclusively on Huffman's word in terms of who was trustworthy in Oregon. This Jackson as much as admits in an "Open Letter to Raymond Wildcat Marang of Gold Hill, Oregon," which he published in the December 1983/January/February 1984 issue of the SECC News. In that letter, Jackson states that "I, Prin. Chief William 'Rattlesnake' Jackson of the Confederacy and the Badger Band, mother band of Gold Hill, Oregon, want to apologize to you for taking the word of one member in Oregon, against you. As of January 22, 1984 you were reinstated as the Elder Chief of the Badger Band. Good luck to you" (SECC News 12/83 & 1&2/84:3). A similar open letter was addressed to Joy "Two Feathers" Rowland. The same issue of the newsletter also carried an "Open Letter to J.B. Huffman of Gold Hill, Oregon." Jackson had apparently taken much criticism for his arbitrary expulsion of Huffman from the SECC without due process. Bending to the pressure, Jackson pronounces that Huffman is "reinstated" in the SECC "in good standing." Jackson further admits that no committee was appointed to inquire into the charges made against Huffman, but that this will be done and the Committee will "...submit the case to the Chief of Council for a vote of suspension, or remain in the confederacy in good standing." Jackson states that it is out of his hands, but that while Huffman may have been reinstated in the SECC, he is "...not a member of the Badger Band, or any other band or clan" (SECC News 12/83 & 1&2/84:1). So ended a troubled year for the SECC and William Jackson, with no real resolution to the problems surrounding the activities and membership status of J.B. Huffman.

Just after the new year, on January 11, an open letter to "All Bands and Clans" of the SECC was sent by members of the Blue band in Sebring, Florida, at the instigation of Edwin "Silver Hawk" Sarver. Sarver proposed to the membership of the SECC that they collectively withdraw from the organization for as long as William Jackson holds any office in the Confederacy. The letter recounted a list of indictments against Jackson, including what he had done to Huffman in Oregon. The letter called on SECC members to "get rid of the 'Red Apple'" and suggests making John Neikirk of the Red Clay band the temporary principal Chief of the SECC until they "get things cleaned up" (Sarver to All Bands and Clans 1984). There was little, if any, response by the SECC membership at large, owing to the fact that most members—if they in fact kept abreast of events within the SECC—did not hold Jackson in such contempt, as Sarver did. It did not help Jackson's image with the bands and clans of the SECC, particularly among those who did not know the events of the Wachula incident.

Jackson's problems with the administration of the SECC were temporarily set aside in January and February with an Indian issue about which he felt strongly. His views on the excavation or desecration of Indian burial grounds were vigorously expressed in a piece he submitted to the Albany Herald on July 31, 1978 in "The People's Forum" section titled "Sacred Dead of Indians." In that piece, Jackson defended the sanctity of Indian burial grounds and lambasted the developers who would have destroyed it for a commercial venture. On January 22, 1984, the Albany Herald ran a piece by Donna Bynum entitled "They're Disturbing the Dead," which contained the views of Jackson regarding the excavations of a 16th-century Spanish settlement on St. Catherine's Island off the Georgia coast. The excavations have been ongoing for ten years, but Jackson apparently only recently found out about them, which began an extensive letter writing campaign on his part. Jackson's objection to the excavations is that within the confines of the island's mission church—Santa Catalina de Gaule—were the remains of approximately 150 mission Indians who were indigenous to the island and the Georgia coastlands.

The discovery of these excavations by Jackson prompted him to submit petitions to various government entities, with appropriate cover letter, demanding the cessation of the ongoing archeological work. In an undated letter received on February 23, and containing the signatures of 48 members of the SECC, Jackson protested the excavations and asked the intervention of the B.I.A. to "...to help stop the excavation and desecration of ancestral Indian burial grounds by the curious in the name of science..." (Jackson to Shapard 1984). The documentary record shows the responses from the organizations to which Jackson had sent the same or similar petitions. On February 24, a response was sent to Jackson from the office of the Director of the American Museum of Natural History in New York; on February 24 a response was sent to Jackson from Cynthia Gloss of the Georgia Office of Indian Heritage; and on March 1, Governor Joe Frank Harris wrote a response to Jackson regarding the same issue. All the responses were essentially the same: none of the entities to which he had written had jurisdiction over the excavation, owing to the fact that St. Catherine's Island was privately owned, and that the dig there was principally intent on producing data about the Spanish settlement.

A "Chief of Council" meeting was held at Chehaw Park on March 24, and the main event there was to fill the vacancy in the Principal Vice-Chief's office created by the resignation of Samuel W. Beeler. Norbert "Red Hawk" Johnson was elected to the office of Principal Vice-Chief. A new War Chief was also elected—Edward "Screaming Eagle" Ford of Florida. Furthermore, without Ledford's knowledge, "The Council voted to make our former Orator for the Nation, Virlyn "Cougar" Ledford,

just a member, and voting our ex-Prin. Vice Chief, Samuel W. Beeler in as Chief Council Orator for the next four years" (SECC News 3&4&5/84:1). Other actions of the Council were to appoint a committee to "inquire into the charges against" those who defied Jackson in the Wachula affair. It is interesting to note the deletion of the "Indian names" for these individuals at this point in the SECC newsletter, which usually includes them. Finally, the Council elected Norman "Running Buck" Buford as band chief for the new Crow band formed in Ocala, Florida.

Jackson appeared at this point in time to be feeling all the negative effects of the problems and personality disputes involved in the operation of the SECC. Telling signs of Jackson's problems came to the surface in a piece he published in the March/April/May issue of the SECC News under the heading "Clan and Band Chiefs." There he chastizes those chiefs who do not cooperate with him. "I have tried to get each one of you to work with me," he wrote. "I have kept all of you up-to-date about what was going on, and have asked each one of you to come to the Chief of Council meeting. Some of you did, but most of you didn't and didn't even acknowledge my letters and don't ever write or call the Tribal Office" (SECC News 3&4&5/84:2). More indicative still is the following statement in the same piece:

I'm asking each one that can't have the regular meetings and take minutes and run the Clans and Bands as Chiefs to step down, turn in all of your paper work and you I.D. cards. I don't need Chiefs or members that work against me, or talk about me behind my back. One of the Chief's of Council here in Albany, Ga. talked about me and my wife to a Chief's wife the first time she saw her. She followed the Chief's wife around like a dog, talking about us and running us down. She can't do her job for talking about everyone else, and she has tried to make me lose the job that I make my living at. I have asked her to resign, anyone that wants a notarized copy of what she has done and said about me, can get them for a small donation and a stamp, so I don't need troublemakers. I need members and Chief's that will help me to run the nation, so I am asking each one of you, if the shoe fits wear it. I have had all of the trouble that I can stand at this time (Ibid.).

Possibly precipitated by the trouble between Jackson and members of the Red Clay band in Tennessee the previous November and December, and possibly spurred on by Edwin Sarver's suggestion that John Neikirk of the Red Clay band act as pro tem Chief of the SECC until Jackson could be gotten "rid of"—the Red Clay band officially dissociated itself from the SECC in March of 1984, and on April 2 filed its corporate charter with the State of Tennessee as the Red Clay Inter-tribal Indian Band. Thus, one more active band had broken away from the SECC, in large part due to the fact that they—like certain others—had asked pertinent questions about the administration of the SECC and wanted some showing of accountability on Jackson's part.

Problems for Jackson and the SECC continued into the summer of 1984. On July 2, a summons and complaint was filed by J.B. Huffman, through his attorney John W. Eads, in the Circuit Court of the State of Oregon. Huffman had filed an action against Jackson based on the short piece run in the November 1983 issue of the SECC which announced that Huffman had been voted out of the SECC for life. Citing the "voted out for life" piece Huffman charged that it "was false and published maliciously," and that he had "...been brought into public contempt and ridicule, has been diminished in the esteem, respect, and good will and confidence in which he has been held, and has been disgraced and degraded" (Huffman v. Jackson 1984).

Damages were asked in the amount of \$15,000, but the case has not yet been adjudicated.

Since the time Huffman had been voted out of the SECC, and notwithstanding the fact that he had been officially reinstated by Jackson, he had allied himself with the new Red Clay Inter-tribal Indian Band (RCIIB). With the cooperation of a Byron Brown of Gold Hill, Oregon, Huffman had started a new band in Oregon affiliated with the RCIIB—the Unaligoha Band. On July 18, Brown and Huffman sent a letter to John Neikirk asking him to send out a Confederacy-wide letter calling on everyone to cooperate and work for the betterment of all current and former SECC members and factions. A copy of the letter was sent to William Jackson. The only recorded response to the Brown/Huffman letter was a letter from Ruth "White Dove" Shehorn and the council of the Oregon Badger band dated July 2, stating in rather strong terms their disapproval of the whole idea and particularly of a working relationship between them and the Unaligoha band—especially since Huffman was involved. She wrote that "After splitting the Wolf Band and in turn joining the Badger Band, he was responsible for the same sort of behavior, and nearly destroyed [sic] the Band with the resulting resignations of several of our members as well. We therefore feel that any involvement with Mr Huffman would be counter-productive..." (Shehorn to Whom It May Concern 1984).

One other item of interest occurred during the month of July. The B.I.A. received a letter from Jackson which included photocopies of the family register information on the inside cover of a family Bible which Jackson claimed never to have seen before. This new information about his ancestors, he claimed, allowed him to revise the Cherokee blood quantum which he and his brother had. Instead of claiming half-blood status as he did previously, he now informed the Bureau that he was 3/4 Cherokee (Jackson to B.I.A. 1984).

The last data and information about Jackson and the SECC received prior to the writing of the proposed finding was the June/July/August 1984 issue of the SECC News. Two items published in this issue encapsulate, in a sense, the entire history of the SECC. In the eight years of its existence to date, the SECC has begun, risen to a height of activity and member participation in late 1981 and early 1982, was shaken by a series of schisms, and has declined in energy and involvement among its members. The summer of 1984 was no exception to this. The first of these two items is titled "Red Clay Inter-tribal Band, SECC," and states that "anyone that is a member of this band, is no longer a member of the original Southeastern Cherokee Confederacy, Inc., and anyone that is a member of the Unaligoha Band of Gold Hill, Oregon is no longer a member" (SECC News 6&7&8/84:2). This may appear to be a somewhat delayed response, since the RCIIB broke away in March. It should be remembered, however, that the newsletters were being published far less frequently or consistently than in earlier days. The second and final item is both self-explanatory and indicative of the essential nature of the SECC, and no more an articulate summary to the history of the SECC could be written. Jackson writes there that:

This year at the annual meeting the Chiefs of Council and all members present will have to elect a Prin. Vice-Chief, to replace the one the council elected in March, 1984, Norbert "Red Hawk" Johnson of Oregon. He left the day he was elected and has not written, called, or been in contact since that day. Where is he? We will also have to elect a Chief-Over-All-Clans and Bands Chief, a Tribal Mother, and a Historian, also a War Chief. The War Chief that was elected, Edward "Screaming Eagle" Ford, was elected on a trial basis. He has not done anything

from that day to now, hasn't written or called the Tribal Office and does not attend the meetings of his band. Maybe we can elect one this year that does the job of War Chief. The Council will bring it up to raise the donations and annual donation from \$20.00 to \$25.00 a year. We will be covering everything from A to Z (Ibid.).

V. Ethnohistory of the Northwest Cherokee Wolf Band from June 1982 to the Present

The history of the Northwest Cherokee Wolf Band (NWCWB) from its inception as a band in the Southeastern Cherokee Confederacy, Inc. (SECC) structure in August of 1980 to the point of its dissociation from the SECC in June of 1982 is recounted in previous portions of this report. Owing to chronic troubles between the NWCWB and the leaders of the SECC over separate incorporation in the State of Oregon and separate not-for-profit status under State tax codes, the council and band chief of the NWCWB, Robert "Silver Badger" Ponder submitted to the B.I.A a separate petition for Federal acknowledgment on June 28. "The Northwest Cherokee Wolf Band, Southeastern Cherokee Confederacy, Inc.," it stated, "hereby petitions for Federal acknowledgment. The governing body of the Northwest Cherokee Wolf Band, Southeastern Cherokee Confederacy, Inc., authorizes this procedure to begin in accordance with Title 25, Part 54 (now Part 83) of the Code of Federal Regulations" (Ponder to BIA 1982). Under its aegis, the recently expelled Paint band of Salem also petitioned for Federal acknowledgment.

At the same time, William "Rattlesnake" Jackson as Principal Chief of the SECC expelled the NWCWB and its members from the SECC, so that by July 2, 1982, the break was complete and mutually understood. Jackson did give members a choice of whether to stay with the NWCWB and lose membership in the SECC, or stay in the SECC as members of the newly organized Badger band in Gold Hill, Oregon. Most members, it appears, chose the former option.

The NWCWB has a relatively accurate image of itself as an organization, in addition to having what might be described as a historical sense. Unlike the SECC, the NWCWB published a brief account of its formation, early years, and constitution. Though long, a quote from this account addresses the group's view of itself and is thus valuable for that reason:

In August of 1980, in Phoenix, Oregon a group of people from all over Oregon and Northern California came together. The thing they had in common was their Native American Indian Heritage. They came in response to an announcement, in the Medford Mail Tribune and other local newspapers that a meeting would be held to discuss the Native American Indians and the forming of a Native American Indian Organization. Over seventy Indian people came to this first meeting. The Urban Indians who make up the membership of the Northwest Cherokee Wolf Band Southeastern Cherokee Confederacy, Inc. are the descendants of people who decided they would not become a registered reservation Indian. They preferred to make a life for themselves and their families on their own. This was not always easy as most of them were of mixed blood. This being the case, they were not accepted by the Indian people as one of them, nor were they accepted by the white people as equals. They did their best to cover up the fact they were of Native American Indian blood, and many would not pass on the ways of their people to their children...The membership of the Wolf Band is comprised of people from many different tribal backgrounds, some have up to four tribal heritages in their family. Although Cherokee is our name, this does not mean we are all Cherokee (O-Si-Yo Fall 1983:2).

What applies to the NWCWB specifically in this description also applies to the various bands and clans which are now under their administration. At this point in time, only the Wolf and Paint bands existed, but the NWCWB would later claim four other bands as part of their organization. In fact, in the same piece from which the above excerpt was taken, they state that "We have members in 7 States and 4 Clans..." and that "...in all the Northwest Cherokee Wolf Band Southeastern Cherokee Confederacy, has 400 Plus members actively involved all across the United States" (Ibid.).

Shortly after all ties with William Jackson and the Georgia SECC were broken, the Paint band and the NWCWB met in Roseburg, Oregon to set a course of action for the future. The Chiefs and councils of the two bands met on July 17, and on that day decided to form the Southeastern Cherokee Confederacy of Oregon. O.A. "Yellowstone" Bullock was elected Confederacy Chief, and representatives were chosen from the two councils to sit on the Confederacy council. They decided that their first responsibility as an organization was to form other bands and clans in Oregon and the surrounding states.

Confused by the fact that the Oregon bands had decided to retain "Southeastern Cherokee Confederacy" as part of their title, the B.L.A. sent a letter in response to the NWCWB petition for Federal acknowledgment stating that "Before we can place your group's name on our list of petitioners, we will need some clarification of the relationship of your groups to the Southeastern Cherokee Confederacy, Inc. of Leesburg, Georgia" (Hayes to Ponder 1982). A courtesy copy of this letter was sent to William Jackson, who responded with his views on the matter. In an undated letter received by the B.L.A. on September 15, Jackson claimed the NWCWB was notified repeatedly to defer their Oregon incorporation, but that they decided to "maintain their own status." Jackson also stated that the SECC was registered, incorporated, and operational in the State of Oregon vis à vis the Badger band, and that the NWCWB is "no longer affiliated with the SECC of Georgia" (Jackson to Hayes 1982). Robert Ponder's response to the Hayes letter arrived several days later. Dated September 19, Ponder's letter stated that the previous April Jackson illegally removed all NWCWB members from the SECC rolls because the NWCWB had incorporated in the State of Oregon and had gotten a separate IRS status and number. Ponder further stated that nothing in the SECC bylaws prevented the NWCWB from doing this, and that Jackson's actions were arbitrary and in violation of his own bylaws. No relationship of an administrative or corporate nature existed any longer between the two organizations, according to Ponder (Ponder to Hayes 1982).

The B.L.A. decided to allow the separate petition of the NWCWB. In a letter dated November 17, 1982, the B.L.A. informed the NWCWB of this decision, but stated specifically that the NWCWB petition would be considered at the same time as that of the SECC due to the fact that they shared common histories for several years (Roth to Ponder 1982).

The Winter and Spring of 1983 were relatively uneventful for the new Confederacy in Oregon, as well as for the respective bands. It was a formative time—one of planning and organizing and establishing new connections with other municipal entities and Indian groups. Unlike Georgia, there is a relatively high proportion of Indian residents in Oregon, connected with both Federally recognized and reservation-residing tribes and non-recognized or terminated Indian groups. Therefore, involvement with issues concerning recognized Indian tribes was one big difference

between the SECC and the NWCWB, and one which was to affect the nature of the NWCWB in terms of participation in Indian affairs and projects undertaken by the NWCWB. The NWCWB has claimed some involvement with Coos, Umpqua, Klamath, Warm Springs, and Siletz at one point or another during their existence (Field Data 1984c).

By the Summer of 1983, however, there was a clear increase in the activity of the NWCWB. Most of the activity concerned was centered around what might best be called "cultural" issues or events. Unlike the SECC of Georgia, the NWCWB had a stable governing structure, with a low incidence of turnover of corporate officers. Thus, the history of the group does not reflect the same sort of political or administrative turmoil as does the SECC of Georgia. The main events, therefore, which comprise the documentary record are primarily cultural and civic, and not administrative. The newsletter of the NWCWB, "Talking Leaves" (later O-Si-Yo), was well under way, and each issue produced gained a little in content and format quality.

The Ashland, Oregon Chamber of Commerce, for example, asked the NWCWB to participate in their 4th of July celebration. The NWCWB entered a float in the parade and had an Indian fry bread booth in the park after the parade, and the whole event was marked by a high degree of participation by the NWCWB members. Directly following this parade, the first annual "encampment" of the NWCWB was held in the Deschutes National Forest near Bend, Oregon. The encampment was held July 14 through 18, and was primarily aimed at social interaction among the members and relaxation, with little business of the NWCWB discussed.

Administratively, the summer was a busy one as well. Within the space of two weeks, two additional clans were established, bringing to four the total number of bands/clans in the NWCWB organization in August of 1983. On July 25, the Bird Clan of Albany, Georgia met for the first time. This clan was the one started by Donald "Black Raven" Dobbs upon his return to Georgia from Oregon, where it appears he was "converted" from Jackson's SECC to Ponder's Wolf Band. On August 5, the Wild Potato Clan of the NWCWB was formed in Nampa, Idaho. Norman "Grey Fox" Burch was appointed by Chief "Red Elk" Walls of the NWCWB for a period of one year, and of the ten people in the clan, five are Burches and four are Tapps; the clan appears to be made up of essentially two families. One further clan was to affiliate with the NWCWB up to the present, and that was the Deer clan of Bend, Oregon. Little information exists on the Deer clan, however, and it appears that they do not hold meetings on a regular basis, given a lack of minutes of Deer clan meetings and little mention of this clan in the NWCWB newsletter.

The NWCWB sent Chief Robert "Silver Badger" Ponder to the Governor's Oregon Indian Commission meeting during August 10-13 in Silver Falls. There, Ponder was able to express the views of the NWCWB membership regarding the legislative bills which were directly related to the needs and interests of the Indians in the State of Oregon. Less than a week after this Commission meeting was over, a NWCWB Confederacy Council meeting was called for August 18, to be held in Roseburg. The meeting was convened in order to elect a new Confederacy Chief to replace Chief "Red Elk" Walls, who had assumed the office after it was vacated by Chief O.A. Bullock. At this meeting, Robert Ponder was elected to the position of Confederacy Chief, which made him Chief of both the Confederacy and the Wolf Band.

The Fall of 1983 was devoted primarily to projects carried out by the NWCWB which were community related. On September 5, for example, the NWCWB was invited to participate in the activities of the local Medford Chapter of the Muscular Dystrophy Association, at which they provided Indian drumming and singing for those in attendance. On September 10, the NWCWB participated in the Talent Harvest Festival. The town of Talent held a parade in which the NWCWB entered a float, and after the parade the group's members had an "Indian Taco and fry bread booth" which sold refreshments to the crowd. On September 17, members of the NWCWB were invited by the Shasta Nation—an unacknowledged Indian group centered in Yreka, California—to attend the wedding of one of their members, a Miss Christine George. This invitation was significant to the NWCWB, since it began a relationship between these two groups which has grown from that point in time. It is of further significance in that the NWCWB and Shasta Nation members believe that the participation of the NWCWB drummers and singers at the wedding fulfilled a 132-year old prophecy that a group of Native Americans from the north would reestablish the Shasta drum tradition seven generations after a catastrophe which occurred to the Shasta Indians in 1851 at the hands of the U.S. Army.

On September 23 a NWCWB member named Shurman Gardner attended a meeting of the Oregon Chapter of Indian Aging, Inc., of which he is Secretary/Treasurer. The meeting was held at the Longhouse in Eugene, a center for Indian meetings, and was devoted to the issue of how to obtain more representation for Indians from a wider area of Oregon. Following this meeting, Chief Robert Ponder attended the State Indian Education Association on October 3. At this meeting, Ponder was elected to the Board of Directors of the Association, a position which enables him to have more input into Indian education issues. Among the activities prominently cited in the NWCWB history is their long and ongoing participation in Title IV programs in local schools. In connection with this they have put on many programs stressing the elimination of stereotypes for Indians. On November 21, for example, a presentation was given for the 4th grade at the Talent Elementary School which dealt with this issue.

The year ended with the attendance of NWCWB representative at a December 8 and 9 meeting of the Oregon Commission on Indian Services at Salem. This Commission is both an active and influential Commission in State affairs, and Chief Robert Ponder sought a seat on the Commission. The NWCWB's bid for a seat was unsuccessful, but they have been allowed to participate in the Commission's work. The Commission deals with a wide range of substantive issues of concern to Indians in the State of Oregon; had he attained the seat, this would have given the NWCWB a much greater voice in Oregon Indian affairs. As it is, the NWCWB is not without some respect and influence among the Commission members, since they have shown an active interest in the Commission's work for several years.

The advent of 1984 began another year of relative calm and stability in the administrative or governmental operation of the NWCWB and member clans. As a result, the documentary record of the group reflects primarily their activities within the local community and with municipal and state entities. During the month of January, presentations of Indian culture were given to the DAR and the Brownie Scouts. On January 28, the NWCWB hosted an open house to display the works of Terry Kramer, a locally renowned carver of Indian profiles and totems. The NWCWB reports that it was "very well received by the general public." During the month of February, two more presentations on Indian culture were given for the Brownie Scouts and the Girl Scouts.

On March 3, members of the NWCWB were invited by the Shasta Nation to take part in the Shasta ceremony of honoring their elders. Thirteen members of the NWCWB drove to nearby Yreka to attend, and were invited back to participate in the ceremony for the ensuing years. The new alliance between the NWCWB and the Shasta Nation continued to grow as the year progressed. In fact, just over three weeks after this ceremony, Robert Ponder and Billy and Ruby Walls returned to Yreka to help the selected drummers of the Shasta Nation cut the top off a barrel they had chosen to become the sacred drum of the Nation.

While the Shasta-NWCWB alliance seemed to be growing at this point, despite the differences in traditions between the two groups, a recognition of the difficulties inherent in acceding to or even coordinating a variety of Indian traditions within the NWCWB itself was emerging. Because they bear directly on the internal cohesion and efficient functioning of a group, comments made about internal differences are indicative of attitudes within any given organization. NWCWB members appeared to have little trouble in dodging the inconsistency that allows them, on one hand, to build close alliances with different Indian groups, while on the other hand admitting to difficulties growing out of tribal differences within the organization. In the Northwest Paint Clan meeting minutes for March 4, for example, Billy Walls' comments on the subject were recorded: "The floor was turned over to Chief Silver Wolf who discussed some of the philosophies and practices of the Wolf Band Confederacy. [He] stressed especially the difficulties in respecting a variety of beliefs and practices as held by different members of some 17 tribes within the band" (Winona Cheatham 1984).

With all the invitations extended to members of the NWCWB from the Shasta Nation, it seemed time for some reciprocity. At a NWCWB Confederacy meeting held in Salem on April 21, "Chief Ponder stated the Shasta Nation has been invited to our encampment, and that it was because many of our members are married to members of the Shasta nation" (Ruby Walls 1984). It was decided by the Council to hold the encampment in August, again in the Deschutes National Forest. At the same Council meeting, Ponder stated, in reference to the contrast of NWCWB members to other Oregon Indians, that "We do have a different situation as none of our people are living on a reservation, native lands, or are native to the area in which they live" (Ibid.). Like Walls' statement cited above and indicative of the internal cohesion of the group, meaning in this context a lack of conflict, this statement of Ponder's is indicative of the group's constitution and origins.

On May 2, the NWCWB took action regarding some Indian remains about which they had been contacted. In their own document, they claim that "We in turn contacted BlackStar, who is a Comanche Spiritual leader (Wausa), and who has been trained from childhood to do this" (Cultural Activities of the NWCWB 1984). Notwithstanding William Jackson's assumption that Blackstar was exclusively the spiritual leader of the SECC, the NWCWB claims her for the same function: "She is the person Wolf Band members have for their spiritual needs and marriage vows, also whatever needs arise they may need help in, she is available to us" (Ibid.).

Several other community-related events took place later in May. On the 5th of May, the NWCWB held a lot sale in the town of Phoenix to raise money to pay their insurance premiums. On the 17th of May, Billy Walls was invited to speak at the Methodist Church in Talent regarding the various tribes in the area and the treatment of these Indians by the non-Indians in the area. On May 23, the NWCWB

gave a presentation for the 5th grade students of Roosevelt School in Medford concerning Incian culture.

The last item on record of any real historical significance concerning the NWCWB was their adoption of a new set of bylaws on June 30, 1984. In a cover letter to the new bylaws, Robert Ponder states that:

You as members will see no real change in the operation of the organization as the same Principal Chief and Executive Secretary is [sic] in the Tribal Office. The Board of Directors is the Northwest Cherokee Wolf Band Council, this is no change from the before [sic] organization. We have done away with the unnecessary titles and positions (Ponder to NWCWB Members 1984).

This attests to the fact that from its beginning to the present, a relatively stable and orderly administration has characterized the NWCWB. The group follows its own bylaws and is active in local and state affairs by virtue of the fact that there is a governmental structure within the group, albeit of recent origin.

VI. History of the Red Clay Inter-tribal Indian Band from April 1984 to the Present

The history of the Red Clay Inter-tribal Indian Band (RCIIB) from its inception as a band in the Southeastern Cherokee Confederacy, Inc. (SECC) structure in July of 1982 to the point of its dissociation from the SECC in April of 1984 is recounted in previous portions of this report. Due to the fact that the existence of the RCIIB as a separate corporate entity is approximately one-half a year to the point of this report, the historical section will be relatively short in contrast to that of the SECC, and even to that of the Northwest Cherokee Wolf Band (NWCWB) in Oregon.

The growing dissatisfaction with William "Rattlesnake" Jackson's administration of the SECC among members of the Red Clay band in late 1983 and early 1984 was not due exclusively to the questions of legitimacy/legality of SECC bylaws asked by certain Red Clay members. Another principal reason for this dissatisfaction was Jackson's refusal, once the "legality" issue had been raised, to participate in any programs beneficial to Native Americans which were being developed in and by the State of Tennessee at this point in time. One of the local RCIIB members, Jerry "Macaki Peshewa" Dill, had been very influential in the development of Indian programs, and was central to the movement in Tennessee to organize the newly established Tennessee Commission of Indian Affairs (TCIA). Band Chief John "Night Hawk" Neikirks and his wife Iona had approached William Jackson about involving the SECC in these efforts, but with no success. The Neikirks claimed that Jackson had not only made no effort to involve the SECC, but that when asked why he hadn't, responded to the effect that "If you don't like it, get out" (Field Data 1984b).

Jerry Dill, who has had some experience in Indian affairs, contacted Jackson in order to get the SECC involved. The Neikirks invited Jackson to come to Tennessee as their guest in order to initiate some lines of communication and cooperation between the forming TCIA, Dill, and the SECC. Jackson declined to come. Rather than let all their plans and work go to waste, the Neikirks sought to work with Dill and the forming TCIA themselves. Thus, between both these problems, it seemed only a matter of time before the different paths of Jackson and the Neikirks would force an official dissociation between the SECC and the Red Clay band members.

On February 3, 1984, a lengthy memo was sent from Deputy Commissioner Leonard K. Bradley of the Tennessee Department of Human Services to eleven "heads of Indian groups," calling for a meeting of the groups' leaders for the purpose of discussing the organization of the new Tennessee Commission of Indian Affairs. The TCIA had been established by passage in the state legislature of Public Chapter No. 425 the previous May, and the Act had called for, among other things, a five-member Commission. Of the five Commission members, three were to have been elected from among the Indian residents in the State of Tennessee by the Indian residents themselves, and two were to have been appointed by the Governor. The Indian participants at the meeting, however, could not agree on who to elect or how the Commission was to be run, and the meeting ended in a frustrating stalemate.

To remedy this situation, an amendment to Public Chapter No. 425 was introduced in the Tennessee legislature, which essentially changed the original bill only insofar as authorizing the Governor to choose all five members of the Commission, and eliminating the impasse brought about by having the Indian participants elect three Commissioners. This amendment was passed, and the Commission members were eventually named, but not without a serious problem developing over the sensitive issue of Indian blood quantum. At the point when the original amendment was

introduced as S. 1923, one state senator amended the draft bill "during Committee discussion" to require that the three Indian members of the Commission have an Indian blood quantum of 50%. This action created a storm of protest, and finally the amendment passed with a requirement of 25% blood quantum for the Indian members of the Commission. As is stated in a memo from Leonard Bradley dated May 9, "As finally approved, the legislation provides for the Governor to appoint all five members of the Commission, at least three of whom must be Indians of 'twenty-five percent (25%) native American lineage'" (Bradley Memo 1984). Since Principal Chief John "Night Hawk" Neikirk states that he has no Indian blood, this negatively affected the RCIIB.

In the meantime, the Red Clay Inter-tribal Indian Band filed its corporate charter with the Tennessee Secretary of State on April 2. The charter was signed by James "Tsi mi Adaweni Uwohali" Purple, the RCIIB's Principal Vice-Chief, on March 26. This date marks the official point of dissociation with the SECC and William Jackson's leadership. Similar to the SECC and the NWCWB, the RCIIB began publishing its own newsletter, entitled simply "Red Clay Newsletter." In their first issue, the RCIIB did as the original Red Clay Band had done under the leadership of Virlyn "Cougar" Ledford when he published a recruitment notice in the Chattanooga News in 1982—the RCIIB published an announcement recruiting new members. Under the heading "Indians Needed..." in the May issue of the RCIIB newsletter, the following notice appears:

In all organization [sic], recruiting new people is vital to it's [sic] complete success, so it is with our organization, we too, must RECRUIT. If you know, any realitive, friend or co-worker that may have Indian Blood, (at least 1/16) feel free to ask for application forms from your Tribal office. Sometimes there are those whom you feel are not Indian, but in reality they have Indian blood in them. . . So search for new people and build your Band up in strength, so that you might become an effective tool in helping to advance the Indian ideals. It is only \$20 a year and people on a limited income that can't afford the \$20, is [sic] free. So the word is — RECRUIT!!! RECRUIT!!! RECRUIT!!! (RCIIB Newsletter 5/84:1).

In the midst of the dispute over the blood quantum issue and the problems surrounding the establishment of the TCIA, the RCIIB got its first band established outside the state of Tennessee, making a total of two bands in the RCIIB. This new band was called the Unaligoha Band, begun by J.B. "Little Horse" Huffman and Byron "Watchful Eagle" Brown in Gold Hill, Oregon. This marked the third involvement in different SECC-related bands in Oregon for Huffman, and in the two previous bands Huffman had left with members feeling antagonistic toward him. Nonetheless, Huffman—and Brown—were now part of the RCIIB with titled positions, as Brown was "Village Chief" of the Unaligoha band and Huffman was "Village Vice-Chief," designations which differ from "Band" or "Clan" chief in the SECC and the NWCWB. Administratively, John Neikirk was both Principal Chief of the RCIIB and "Village Chief" of the Red Clay Band within the RCIIB. The May issue of the RCIIB newsletter announced that "Our First Affiliate Band is the Unaligoha Band of Gold Hill, Oregon, Unaligoha means 'together.' They already have a membership of almost 30, and they are still recruiting" (RCIIB Newsletter 5/84:1). Minutes were taken of the first meeting of the Unaligoha band on May 14, and were submitted with their petition documents.

By mid-May, there was still no resolution to the problem of who was to sit on the Tennessee Commission of Indian Affairs. This prompted Harold Marcum and five

other Tennessee Indian leaders to write Governor Lamar Alexander on May 17, recommending the appointment of Macaki Peshewa, Fritz Niggeler, and Rex Evans to the TCIA. Since the Governor now had authority to select all five members to the Commission, it was within his power to take or not take the suggestions of the signatories of the May 17 letter. Eventually, only one man—Rex J. Evans, currently Executive Director of United Southeastern Tribes, Inc., in Nashville—among the three suggested was appointed by the Governor to sit on the Commission.

A brief news item in the Grants Pass Courier for June 21 announced that the rolls for the Unaligona band of the RCIIB will be closed on July 1, 1984, because the B.I.A. suggested a cut-off date for the acceptance of new members. Brown, apparently sure of the eventual success of the RCIIB petition, stated that "Membership will reopen after the recognition process is completed, but applicants will deal directly with the BIA instead of the local band..." (Grants Pass Courier 6/21/84). Coincidentally, on the same day the Neikirks met with a representative of the B.I.A. in Calhoun, Georgia, in order to discuss aspects of the process of petitioning for Federal acknowledgment and to supply the B.I.A. with further documentation regarding their petition.

The last incident regarding the short history of the RCIIB, but one which ties together the RCIIB, the NWCWB, and the SECC is the exchange of views generated by a letter composed by Byron Brown and J.B. Huffman and sent to John Neikirk of the RCIIB with copies sent to Robert Ponder of the NWCWB, Frank Shehorn of the Badger band (SECC), and William Jackson of the SECC in Georgia. This Brown/Huffman letter suggested a meeting to discuss "...forming a peaceful working agreement between the three bands" (Brown & Huffman to Neikirk 1984). The letter further advises, cautiously, that the discussions "...should not be about or interfere with the inter-affairs of another Band or Clan" (Ibid.).

William Jackson did not reply at all to this letter, since he had been advised by his attorney not to have any further dealings with Huffman owing to the pending litigation stemming from a complaint for libel made by Huffman against Jackson. The Oregon Badger band, however, sent a letter "To Whom It May Concern" dated August 2, stating that "The Council of the Badger Band of Oregon, have voted unanimously, to withdraw from any project in which Vice-Chief Huffman is involved" (Shehorn et al. to Whom It May Concern 1984). The letter further recounts the disruptive exploits of Huffman, and reiterates the Band's resolve not to cooperate with Huffman in any way. A similar letter was sent to John Neikirk from Robert Ponder on August 6, in which Ponder states that the NWCWB "...has no idea who the Red Clay Intertribal Band is" (Ponder to Neikirk 1984). Ponder states further that the NWCWB Council passed a resolution "...to continue conducting our Tribal affairs as we have in the past, without any working agreement with any outside group," and that "Because of the great disruptions we experienced when Mr. Huffman was a member of our Tribal group, we feel we could never have any agreement with any group with which he was in a leadership position" (Ibid.).

In one last attempt to get some unanimity, some cooperation between these once-united groups now factionalized into three separate, corporate entities, John Neikirk and James Purple sent out, in an undated letter, an appeal to "unite our efforts." "We would like to extend our hand in friendship," they said, "to Southeastern Cherokee Confederacy, Northwest Wolf Band of Oregon and any other Indian organization" (Neikirk & Purple to Anonymous 1984). They claim that "The uniting of our efforts will in no way affect our separate identities. We must unite our efforts in order to assure that our children may share the values, beliefs and the true culture of

our peoples." They finish their letter with this plea: "To all who share our hopes, we offer our encouragement and appeal to you for cooperation and assistance. May we hear from you?" (Ibid.).

Very little of a positive reaction was forthcoming to the Neikirk/Purple letter before the petition's documentary record was closed. It appears that too much ill will had been generated over the past several years between the SECC, the NWCWB, and the RCIIB to have allowed any rapprochement among the groups.

VII. Observations on Social Organization

Neither the Southeastern Cherokee Confederacy, Inc. (SECC), the Northwest Cherokee Wolf Band (NWCWB), nor the Red Clay Inter-tribal Indian Band (RCIIB) has a distinct community in the usual ethnographic sense. Moreover, none of these three groups has a distinct community in the sense of "community" prescribed by Part 83.7(b) of Title 25 of the Code of Federal Regulations governing the acknowledgment of Indian tribes. The regulations require the continuous existence from first contact to the present of a well-defined aggregation of people living in proximity to each other and socially distinct from surrounding populations, often related or known to each other by family, who adhere to a common principle or set of principles regarding the governing and social structures and worldview* of the community as a whole.

While a community in this sense is absent in the cases of the three organizations named above, some general observations regarding community-like characteristics and social organization of these groups can be made, however. Owing to the shared early history of these three groups, and the fact that the NWCWB and the RCIIB were both derived from the SECC, virtually every observation made about these groups is applicable to all three, since they are almost identical in character.

Of the shared characteristics of these groups, all three are recently formed voluntary associations of individuals who believe themselves to be—and in some cases are—of Indian descent. Additionally, they are overtly multi-tribal. Their recruitment notices state that specific tribal heritage is not a consideration for whether or not a person may join one of the groups—only a certain blood quantum. There is, in all three groups, a lack of residential clustering as would be found normally in Indian communities. There is little proximity of any kind, except that which is limited to members who happen to live in the same town where one of the bands or clans of the groups is located. There are no historical predecessor groups to the SECC, the NWCWB, or the RCIIB, since no one of these groups has existed longer than nine years. Few members of the groups were related or had any long-term, close contact with each other before the corporate organizations were formed within the past nine years. There are, in fact, no indications that they even conceived of themselves as distinct, cohesive communities in the sense of "community" as found in the regulations governing the procedures for establishing that an American Indian group exists as an Indian tribe (25 CFR 83).

The groups see themselves as recently formed Indian organizations, whereas the regulations require that groups petitioning for Federal acknowledgment be identified as American Indian from historical times—i.e., first sustained contact with Euro-Americans—until the present on a substantially continuous basis. While the various tribes which members of these three groups claim as their ancestral tribes may have such histories individually, the regulations require that members of the petitioning group be descendants of an Indian tribe which historically inhabited a specific area. The groups see themselves as multi-tribal, with members inhabiting a vast area comprised of many different states, and having recently regained their Indian identity while living within the general non-Indian population. The regulations, however, require that a substantial portion of the petitioning group has inhabited since first

*Body of beliefs and attitudes shared by the members of a distinct community about the world and their relationship with it.

contact a specific area or lives in a community viewed as American Indian and distinct from other populations in the area. The groups see themselves as voluntary organizations, with members having the prerogative to join or quit the group, whereas the regulations require the existence of an Indian community as an autonomous entity which maintains tribal political influence or other authority over its members who are members not by choice, but by virtue of their birth or marriage into the community. These discrepancies between how the three groups overtly perceive themselves and what is explicitly required by the regulations may be due to what is commonly referred to as "selective perception."

The SECC, NWCWB, and the RCIB also share common practices of organization, and common methods of recruitment and operation. All these groups have either used local newspapers or radio stations—usually "public service" spots—to recruit new members. Those in leadership positions in these groups apparently all perceive the recruitment of members to be a legitimate practice for an Indian tribe, and do not view the indiscriminate recruitment of members from unconnected populations as the direct antithesis of belonging to an historic tribal community through birth or marriage. All three groups hold meetings on a more or less regular basis to discuss and decide issues which confront the organization as a whole. Other functions of these meetings are social, political (election of officers), and planning. All three groups publish a newsletter, issue membership cards, require annual dues, and subscribe (at times intermittently) to their published bylaws. Members in the three groups were universally interested in learning and gaining knowledge of Indian heritage, including costume, dancing, singing, crafts, mythology, and general history. All the groups have had dynamic leaders in terms of their being able to generate activity. The activity generated does not appear to have always operated to the advantage of the group; sometimes it appears to have operated to the detriment of the group. William Jackson has been this sort of a dynamic leader for the SECC; O.A. Bullock and Robert Ponder have been such leaders for the NWCWB; John Neikirk has been such a leader for the RCIB; and J.B. Huffman has generated much activity in all three groups, vacillating in and out of leadership roles and instigating strife, according to those who worked with him.

All three groups participate in civic activities to varying degrees. William Jackson's participation in such activities—and that of the SECC—was primarily limited to writing newspaper articles or leading letter-writing campaigns for some Indian cause, e.g., excavations of burial sites or Congressional lobbying against Bills detrimental to Indian interests. The civic action of the NWCWB was the most extensive of the three groups, and included presentations to a variety of local organizations regarding Indian culture. The NWCWB was also instrumental in the Title IV programs in their local school systems, and participated in several municipal and state political and Indian organizations or commissions. The civic action on the part of the RCIB also included presentations of Indian culture, but more recently centered on activity surrounding the newly created Tennessee Commission of Indian Affairs. Another shared or common characteristic central to all three groups was that of expansionism: at final count, the oldest of the groups, the SECC, had 14 bands in four states; the second oldest group, the NWCWB, had five bands in four states; and the newest group, the RCIB, had two bands in two states. Allied with the quest for expansion, some of the leaders in all three groups appear to hold the misconception that the larger and more widespread their organization is, the better their chances are to be Federally acknowledged as an Indian tribe. Finally, all three groups lose both bands and individual members, due to a relatively high turnover rate.

Along with shared characteristics and common operation practices, all three groups shared certain common beliefs or concepts about their own "Indianness" and issues confronting their organizations and Indians at large across the United States. Notwithstanding the fact that all three groups are overtly multi-tribal, there is still a strong emphasis on being Cherokee. Owing to this fact, many members of these groups believe that their ancestors "left" Indian society in the nineteenth century, or otherwise "hid" their Indian identity for fear of reprisals or discrimination by local unsympathetic non-Indians. Many members of these three groups—but not all—subscribe to a pan-Indian stereotype image of a "traditional Indian" or Indian culture not necessarily related to the reality of pre-historic aboriginal Indian cultures, or even of eighteenth- and nineteenth-century Indian culture. Appropriation of "Indian names" is the best example of this, in addition to the widespread use in these groups of home-made Indian "regalia," Siouan headdresses, and Pueblo/Navajo jewelry for ornamentation. This characteristic is somewhat less conspicuous among the members of the NWCWB, due to the fact that they live in proximity to many Indians in the state of Oregon who are enrolled members of Federally recognized tribes. Related to this common image of the Indian stereotype is an ideology best described as a belief in the "Indian way." This was mentioned frequently in both field interviews with members of the three groups and in their writings and publications. Analogous to what might be found in the rituals, teachings, or general philosophy of fraternal organizations, the "Indian way" among members of these groups is used in the sense of propriety in their behavior toward one another. If such behavior was rude or belligerent, it was not the Indian way; if it was kind or cooperative, it was then the Indian way, etc.

Finally, among the shared beliefs of the three groups were misconceptions about both the Government's ability to make tribes and provide services, and the regulations regarding Federal acknowledgment. Most members of these groups have more faith than is warranted in the ability of the Government to make tribes and provide services, which they appear to believe can be done quickly through a summary judgment by the Bureau of Indian Affairs. Although the procedures are clearly spelled out in 25 CFR 83, none of the three groups' leadership appears to have a clear understanding of the requirements of the Acknowledgment regulations or the type of group to which they were designed to apply, i.e., a distinct, cohesive community which has existed continuously and is derived from a particular historical tribe. Differences in the perceptions of the three groups concerning the criteria in 25 CFR 83 are very significant. This has led to disagreement on procedural issues within the groups concerning successful acknowledgment and contributed to the schisms between them. Moreover, the anticipation of and belief in eventual Federal acknowledgment has been used as both a tool for recruitment and element of cohesion in all three groups. In fact, one of the groups publicly admits that a serious decline and disruption in the group would occur should Federal acknowledgment be denied.

**GENEALOGICAL REPORT
on the SECC, the NWCWB, and the RCIIB**

This is a combined genealogical report on petitions for Federal acknowledgment submitted by three separate but related Indian organizations. The petitioners are:

- (1) the Southeastern Cherokee Confederacy, Inc. (hereinafter SECC), under the leadership of Mr. William R. "Rattlesnake" Jackson with headquarters in Leesburg, Georgia, some four "clans" in Georgia and eight "bands" elsewhere in the United States;
- (2) the Northwest Cherokee Wolf Band, Southeastern Cherokee Confederacy, Inc. (herein NWCWB), under the leadership of Mr. Robert E. "Silver Badger" Ponder, with headquarters in Talent, Oregon, at least two "bands" in Oregon, one in Georgia, and one in Idaho; and,
- (3) the Red Clay Inter-tribal Indian Band, Southeastern Cherokee Confederacy, Inc. (herein RCIIB), under the leadership of John F. "Night Hawk" Neikirk, with headquarters in Ooltewah, Tennessee, and two "bands" located in Tennessee and Oregon.

Insofar as similarities exist between these groups, they will be discussed collectively in the report which follows. Where differences exist, however, each group will be discussed as a separate entity.

General Conclusions

The SECC was the original organization, founded and first incorporated within the State of Georgia on November 12, 1976. The NWCWB and the RCIIB, once bands of the SECC, are now functioning independently, primarily due to disputes which have arisen over the propriety of the SECC bylaws and incorporation of the bands as non-profit organizations within their respective states, Oregon and Tennessee. Although now independent from the SECC, these groups are nonetheless similar in structure. All three are recently-formed organizations which are multi-tribal in nature. They state that they are groups of "individuals of Indian heritage with tribal lineage to various and numerous tribes, both Federally recognized and non-recognized throughout our nation" (McLelland 1982). They do not represent themselves as historical communities nor do they claim to descend as groups from historical predecessor groups.

They actively recruit for members using the local media wherever possible. In the seven-month active consideration period, the combined overall membership of the groups increased by 55½ percent. In general individuals joining the organizations have done so in an effort to get in contact with and learn more about their Indian heritage. Little if any evidence appears to be available to document the members' Indian ancestry because their Indian ancestor(s) did not maintain a relationship with their hereditary tribe(s), but rather mingled with non-Indians or were assimilated into the non-Indian community. Virtually no intermarriage could be found between the families within each group or between groups.

Current membership lists were submitted, as well as former lists where they existed, and each group continued to notify the Acknowledgment staff of on-going additions,

deletions, and corrections. Although their membership rolls were essentially closed for acknowledgment purposes when active consideration began on April 1, 1984, the groups continued to recruit new members.

Governing documents were submitted by each of the organizations describing the procedures through which they govern their members. All use the same statement regarding membership, namely that membership is open to persons who are of at least 1/16th Indian blood of any recognized American Indian tribe.

Members of the groups claim to trace their Indian heritage to one or more of some 38 different recognized and unrecognized tribes or groups. Virtually all of this Indian ancestry was unverifiable, however, largely due to the fact that their ancestors had not maintained their relationship with their hereditary tribes.

Acknowledgment researchers found only a few members who are also enrolled members of federally-recognized North American Indian tribes. Further, the petitioning organizations have not been, nor is it likely that their individual members have been, the subject of legislation which has terminated or forbidden the Federal relationship.

The memberships of the Southeastern Cherokee Confederacy, Inc., the Northwest Cherokee Wolf Band, and the Red Clay Inter-tribal Indian Band, individually as well as collectively, are not consistent in any way with the concept of tribe intended by the regulations (25 CFR 83). The intent of the regulations is to define tribe, in part, as an existing group with a definite, known membership; a membership that can and does interact on a frequent basis. Membership in an Indian tribe is not something that is recruited or constantly changing. Where membership is determined by payment or non-payment of annual dues, a member's individual status within the group can change radically from one dues period to the next. The size and composition of each of these groups has fluctuated significantly during the seven-month period in which these petitions have been under active consideration.

Based on our research, the memberships of the SECC, the NWCWB, and the RCIIB are not derived from a community or communities of longstanding which have historically evolved from an aboriginal tribe. On the contrary, the groups are recently-formed voluntary organizations of individuals who claim to be of Indian descent who have come together for the purpose of learning more about their Indian heritage.

Group Descriptions

The following brief descriptions of each of the petitioning groups are based on information obtained from the petitioners' governing documents and other petition materials, as well as information gathered from field research and meetings with group leaders.

Southeastern Cherokee Confederacy (SECC)

The SECC, which is the original petitioner, was formally organized and incorporated within the State of Georgia on November 12, 1976; subsequently, it has also incorporated in Oregon (June 16, 1982) and Florida (July 2, 1984) (Fortson 1976, Healy 1982, Firestone 1984). From its headquarters in Leesburg, Georgia, it maintains a relationship with approximately four Georgia-based "clans" and eight to ten "bands" elsewhere in the United States. Bands and clans are formed as soon as there are ten members in an area. Seventeen additional bands/clans, each with less than ten members, are now in the process of forming in nine states according to information provided by the SECC.

The group's current bylaws were adopted on September 24, 1983 (SECC 1983). Nationally, the group is governed by a board of directors, also known as "chief of council," composed of ten members: principal chief/president, principal vice chief/vice president, secretary, chief council orator, treasurer, chief council medicine man, chief historian, chief council mother, council war chief/police chief, and chief clan chief.

Based on the group's 1983 bylaws, a member's non-Indian spouse appears to be an associate member without voting privileges. The question of whether non-Indian spouses would be allowed full voting rights has been raised at least once in the recent past. Information recently provided by the SECC secretary indicates that non-Indian spouses do not now have voting privileges. The bylaws contain no statement regarding whether such non-Indian members may hold office in the organization. The principal chief of the SECC Badge Band (Oregon) states he is a non-Indian (F.D. 1984c).

The purpose of the organization and its bands and clans, as frequently outlined in the SECC "News," is "to help Native Americans to unite and be recognized for their Indian Heritage." The "News" goes on to state that "This is a non-profit, fraternal, educational and social alliance of all members of Cherokee and Native American blood, formed for the purpose of keeping alive the heritage of our Indian forefathers." (SECC News Sep 1980)

Northwest Cherokee Wolf Band (NWCWB)

The NWCWB, which is the second petitioner, was formed on July 17, 1982, when two existing Oregon bands of the SECC (Wolf of Phoenix and Paint of Salem) combined to form the NWCWB SECC (Talking Leaves Aug 1982). The Wolf and Paint bands were originally formed as parts of the SECC in August, 1980, and April, 1981, respectively (NWCWB Bylaws 1984, SECC News Jun/Jul 1981).

The NWCWB first incorporated within the State of Oregon as the Oregon Wolf Band, SECC, Inc., on October 24, 1980, in order to secure a non-profit tax status (Healy 1980). The group's name was officially changed to NWCWB on June 25, 1981 (Healy 1981). On April 24, 1982, the SECC formally withdrew all support from the NWCWB, whereupon they (the NWCWB) submitted a petition in their own right (Jackson, William, et. al. 1982; Ponder, Day & Walls 1982).

The group's current bylaws were formally adopted on June 30, 1984 (NWCWB Bylaws 1984). The NWCWB governs itself with a seven-member board of directors, also known as "chief's council." Officers include the principal chief/president, peace chief/vice president, war chief/chief of security, executive secretary/tribal office administrator, secretary-treasurer, band historian, and band mother. Based on Section 1 of Article III of the group's bylaws, non-Indian mates (spouses) of Indian voting members appear to enjoy full membership privileges.

The petitioner is currently organized into five "bands," of which only four are believed to be functioning at this time (Wolf and Paint in Oregon, Bird in Georgia, and Wild Potato in Idaho).

Red Clay Inter-tribal Indian Band (RCIIB)

The RCIIB was initially formed as the Red Clay band of the SECC on July 17, 1982 (SECC News Aug 1982). A new charter was written in March, 1984, and the group subsequently incorporated within the State of Tennessee as the Red Clay Inter-tribal Indian Band SECC on April 2, 1984 (Purple 1984, Crowell 1984). Following their incorporation, the SECC leadership ended all affiliations and formal ties. The RCIIB, which is the third petitioner, is currently organized into two bands, the "mother" band in Tennessee and another band in the State of Oregon.

Although the bylaws initially submitted as part of the group's petition were undated and unsigned, they have subsequently been adopted by the membership. The organization is governed by a board of directors, also known as the "principal council." Officers include president/principal chief, vice principal chief, village chief, secretary, treasurer, war chief, orator, and medicine man. Indian members as well as non-Indian spouses have equal voting rights and privileges, including the right to hold office. The current principal chief states that he is a non-Indian.

Analysis of Membership

Governing documents submitted by each group describe criteria currently being used to determine eligibility for membership as well as procedures by which they govern their affairs and their members. All use the same general statement regarding membership, e.g., that it is open to persons "of at least one-sixteenth (1/16th) Indian blood of any recognized American Indian Tribe or Nation . . ." (Bylaws of SECC 1983, NWCWB 1984, RCIIB 1984).

Despite the use of Cherokee in their organizational titles, each group welcomes members of at least 1/16th Indian blood of any tribe and places notices in local newspapers which state that "you don't have to be Cherokee to be accepted in the nation" (Appendix C). The groups state that they are confederacies, groups of "individuals of Indian heritage with tribal lineage to various and numerous tribes, both Federally recognized and non-recognized throughout our nation" (McLelland 1982).

Although Cherokee is the predominant Indian ancestry claimed by members, ancestry was also claimed in as many as 37 other tribes. Groups use the local media to recruit new members. The secretary of the NWCWB states that anybody that has Indian ancestry and is interested can join (F.D. 1984c). When initially contacted by the Acknowledgment staff, the leadership of one band of the RCIIB noted that we (the Acknowledgment staff) had come about a year too soon for them since they really hadn't had time to recruit members and get their bylaws in order (F.D. 1984c).

Individually, members claim descent from a variety of recognized and unrecognized Indian tribes. Although a few members speak of an ongoing relationship with enrolled members of recognized tribes, the actual enrollment of only a few could be verified. One member is known to have recently received a certificate of Indian descent from the Bureau of Indian Affairs. Such a certificate establishes descent from an earlier ancestor recognized to be Indian, but does not entitle the individual to membership in the recognized tribe of that background.

Members state that the groups are recently-formed voluntary organizations of individuals who are or believe themselves to be of Indian descent. They do not represent themselves as historical communities nor do they claim to descend as groups from historical

predecessor groups. They speak freely about how they heard of the group(s) from the local media and actively recruit members from the general public. Although there has been some previous acquaintance between a few of the members prior to their joining one of the groups, this acquaintance has not necessarily been with a previous knowledge of their mutual heritage as Indians. In general individuals joining the organizations have done so in an effort to get in contact with and learn more about their Indian heritage. There clearly appears to have been no long-term close contact between members. (F.D. 1984c)

No base rolls were identified in group governing documents for use in establishing the Indian ancestry or the blood degree of members of the group. (A base roll is a list of original members of a tribe as designated in a tribal constitution or other document specifying enrollment criteria. Future membership is derived from the base roll with the exception of persons adopted into membership. (Bureau of Indian Affairs 1979)) Inasmuch as these groups are recently-formed organizations whose members claim ancestry from one or more of 38 different recognized and unrecognized tribes or groups and the three groups do trace back to a community or communities which have existed historically, the identification of a base roll or rolls was not practicable.

Although the bylaws all refer to a committee on membership, they provide little or no insight as to how the committee functions or how eligibility is actually being determined.

Group Size

Genealogical research conducted by the Acknowledgment staff relative to the memberships of the three petitioning organizations was especially time-consuming. All three groups actively recruit for members and continued to do so throughout much of the active consideration period. Numerous additions were received by the Acknowledgment staff on a fairly regular basis. Non-payment of a member's annual dues could and usually did result in placement of the arrears member in an inactive status and thus dropped or deleted from the roll. If the member paid his/her dues then their name was reinstated on the roll. Some deletions, however, were the result of political and personal disputes within and between the groups.

A membership application, an Individual History chart, one or more Ancestry charts, and often some documentation were submitted initially for almost every person on the SECC, the NWCWB, and the RCIIB rolls. Current membership lists as well as former lists, were they existed, were also submitted by each group. When a member's status changed, genealogical materials which had been submitted earlier were frequently duplicated and resubmitted creating an even larger volume of genealogical material to be reviewed.

The SECC petition as initially submitted on August 16, 1982, contained a list of 285 members residing in 28 states and the District of Columbia. Based on addresses provided then, prior to the separation of the NWCWB and the formation of the RCIIB, 130 members (46% of the total) were resident on the west coast (Oregon, Washington, California), 53 in Florida, 36 in Georgia, 5 in Alabama, and 4 in Tennessee. In the short time between the Acknowledgment staff's receipt of the initial 1982 SECC list and the current combined list (parts of which were received as late as July 1984), the combined total membership of the three groups had increased to 1,590, an increase of 558 percent.

For the purpose of this report and unless otherwise stated, all statistics have been calculated based on information provided by the three groups since the separation of

the NWCWB (1982) and the formation of the RCIIB (1984). All additional names received by the Acknowledgment staff from the three groups have been included, but no deletions have been made. Hereinafter, these rolls will be referred to as the groups' "current compiled" rolls.

The table on the next page compares the size and geographical distribution of the SECC in 1982 prior to the separation of the NWCWB and the formation of the RCIIB, with the current size and distribution of the three groups.

It should be noted that, in general, figures for the SECC and the RCIIB are considerably lower than what the groups actually consider as their total membership. This is due to the way in which the SECC and the RCIIB prepared their rolls. While the NWCWB included non-Indian spouses and children on the roll, the SECC and the RCIIB generally included only the individual who actually completed the application form. Although the applicant's spouse and children were also given roll numbers (derivatives of the applicant's number) on the application form itself, their names generally did not appear on the rolls prepared for and submitted to the BIA. Thus, the SECC and the RCIIB membership figures represent only the applicant, but not the applicant's spouse and children who are also considered to be members. No effort was made by the Acknowledgment staff to add these "derivative members" to their respective group rolls.

Membership Overlaps

The "current compiled" membership rolls (lists) of the three groups were compared to determine the extent of overlap between them. Given the fact that the NWCWB and the RCIIB were originally parts of the SECC, the overlap was less than anticipated. Forty-four persons (7 percent of the NWCWB's total membership) could be identified on both the SECC and the NWCWB rolls. Of this figure, 84 percent were from the States of Oregon, California, and Washington, with the largest portion being from Oregon, where the NWCWB headquarters is located. Eleven percent were from the State of Georgia and the balance from elsewhere in the United States.

A comparison of the SECC and the RCIIB memberships identified 33 persons (38 percent of the RCIIB's total membership) who appeared on both lists. Of this overlap, 15 percent reside in Tennessee (the headquarters of the RCIIB); 14 percent in Oregon; 8 percent in Georgia; and the balance elsewhere in the United States. No overlap could be found between persons identified as "overlaps" in the NWCWB and the RCIIB memberships.

None of the groups' bylaws speaks clearly to the question of dual enrollment, i.e., enrollment in more than one tribe, group, or similar organization. The SECC bylaws state that no member of the SECC "shall be a member of any other Corporation, group, association, or organization whose purposes are contrary or in conflict with the Corporation" It is clear that the SECC interprets the incorporation of the NWCWB and the RCIIB within their respective states as contrary to the SECC bylaws and, thus, has severed relations with both groups. The RCIIB permits its members to enroll in other tribes and organizations. NWCWB bylaws do not speak to the question of dual enrollment.

Membership Comparison
1982 SECC vs. CURRENT

<u>States</u>	<u>1982 SECC</u>	<u>Current Compiled Membership</u>		
		<u>SECC</u>	<u>NWCWB</u>	<u>RCIIB</u>
Florida	53	194		
Oregon	81	179	421	24
Georgia	36	88	28	14
California	40	81	56	
Indiana	2	45		
Texas	10	29		
New York	4	23		
Tennessee	4	23		39
Washington	9	20	37	
North Carolina	3	14		
Ohio	7	13		
Oklahoma	4	13		
Alabama	5	11		
Idaho			30	
Michigan	5			
Missouri	3			
location unknown			16	1
various states	<u>*19</u>	<u>**90</u>	<u>**21</u>	<u>**9</u>
Total members	285	823	609	87

* 2 members each: Arizona, Kansas, Illinois, Montana, West Virginia
1 member each: Alaska, District of Columbia, Hawaii, Maryland,
Massachusetts, Mississippi, Nevada, South Carolina, Virginia

** Total of various states with less than 10 members

Indian Ancestry

No effort was made by the Acknowledgment staff to compile statistics on the extent to which the memberships of the three groups claimed Cherokee or other tribal ancestry. It can safely be said, however, that the largest portion of the membership who claimed to know their tribal ancestry claimed Cherokee or a mix of Cherokee and one or more other tribes. Some members, however, simply stated they did not know the tribe or occasionally even the side of the family from which their Indian heritage stemmed. Some stated that originally they only knew that there was "Indian" in their family (F.D. 1984c). A number were somewhat less vague stating, for example, "My paternal Grandfather was of Indian parentage born in an unknown area in 1850(?), sole-surviving member of a massacred Indian village of either Creek, Shawnee or Cherokee . . ." (Application materials SECC).

A few spoke of the Trail of Tears and other hardships endured . . . of a family originally from Minnesota that had twice been burned out of towns in Idaho in the 1920s by the Ku Klux Klan, after which the family "turned white" and called themselves "Pennsylvania Dutch." One spoke of a grandmother who "got caught on the 1880 census in the Canadian District as Indian and fled back to Arkansas," and with her family later moved to California to avoid the "stigma" of being an Arkansas Indian. (F.D. 1984c)

One particular statement, which was especially eloquent and perhaps says more about the plight of the Indian descendant who did not maintain tribal relations with his tribe, is quoted below:

My grandmother on my Dad's side was full-blood Ogalala Sioux. She was part of the band of Crazy Horse. She was a young woman during the Little Big Horn Campaign. She never would talk much about it because of the hostility of her in-laws. As a child I used to feel sorry for her because she was shunned and ostracized. She never spoke very much and I was one of the few grandchildren who was privy to any conversation with her. I have felt she died brokenhearted due to the treatment she was given by her family and the general opinion of the white community . . . none of my family or relatives will admit to knowing anything about her . . . (Application materials SECC).

This statement seems to sum up many of the frustrations undoubtedly encountered by members of these groups when trying to document their Indian heritage. Little if any evidence is available to document their Indian ancestry because their Indian ancestor(s) often did not maintain a relationship with the tribe, but rather sought to mingle as a non-Indian or be assimilated into the non-Indian community. Virtually no intermarriage could be found between families present within each group or between groups, either now or in past generations.

Membership Application Process and Its Documentation

All three groups (SECC, NWCWB, and RCIIB) require essentially the same materials from an applicant: ancestry charts, a copy of his or her birth certificate, and a notarized statement of fact regarding how the applicant knows the information being

provided to be true. The answers most frequently given for the source of their information were "passed down through the family" and "by word of mouth."

When asked how an applicant's Indian ancestry was verified, the SECC and the RCIIB both indicated that no effort was made to check the validity of Indian ancestry or blood degree information provided on the applications. (F.D. 1984a,b)

The NWCWB, however, stated that they did try to check out Cherokee ancestry on the few Cherokee rolls they had and would also do some census and other research in the resources available to them at the local LDS (Latter-day Saints/Mormon) library. They do not try to check other tribal backgrounds for lack of resources. Among the documentation submitted by one NWCWB member was a letter describing the results of some research conducted on behalf of the applicant. The letter suggests that the applicant's Cherokee ancestry has been established based on finding a person of a similar name in the Cherokee Reserves of 1819 and on an 1833 Cherokee Emigration roll. Although a family relationship might be established with further research, it could not be verified by the Acknowledgment staff using the limited information provided on the applicant's ancestry chart or available in the Cherokee resources utilized. Name recognition alone is not sufficient evidence on which to base the determination of one's ancestry. (Application materials NWCWB, F.D. 1984c)

Determination of Blood Degree

The membership criteria for all three groups include a 1/16th Indian blood degree requirement. Little if any evidence is available for use in making blood degree determinations, however, because these groups are composed of persons who are predominantly descendants of Indian ancestors who for several generations have not maintained a relationship with the tribe. Although blood degrees stated by applicants were sometimes mathematically impossible, none appeared to have been questioned during the group's review of the application prior to its acceptance. If blood degree determinations were made by the petitioning groups, they had to be based solely on the individual applicant's statement. The Acknowledgment staff made no effort to calculate or verify stated blood degrees.

Evidence Submitted by Petitioners

Until the fall of 1983, the SECC did not require an applicant to submit any documentation of his ancestry. Since that time, however, the applicant has been required to submit ancestry charts, a birth certificate, and a notarized Statement of Fact on which the applicant attests to the source of the information provided on his charts. Efforts are also being made to obtain the same information from earlier members when they annually renew their memberships. The NWCWB and the RCIIB appear to have followed the SECC's lead with regard to documentation required of the applicant.

A number of the ancestry charts submitted to the Acknowledgment staff failed to identify which of the individuals' ancestors were of Indian heritage. Little, if any, attempt appears to have been made by the groups to follow up on the missing information during the application process.

Statements of Fact. One of the types of documents submitted as evidence was a notarized Statement of Fact (Appendix D). The statement attests to "how" and/or "where" the applicant learned the information he was providing about his ancestry. Sources suggested on the form are family bible, census, birth or death certificates (seen but not in their possession), historical society, passed down through the family, or "other." By far the category most frequently cited was that of "passed down through the family" with "by word of mouth" often written in under "other." Birth certificates ran a close second in terms of frequency.

It must be pointed out that while the Bureau does not discourage the use of a notarized statement, such statements of fact cannot be considered adequate documentary evidence of ancestry without corroboration. Notarization of such a form is not proof that the information being provided is correct. In this case, the Notary is certifying to the identity of the person giving the statement but does not and cannot attest to the validity of the contents of the statement.

Documentary evidence. Documents submitted as evidence covered a wide range of materials. They included birth and death certificates, marriage licenses, bible records, a baptismal and confirmation certificate, a proclamation of adoption, personal affidavits, old family letters, two or three census records, a hospital discharge summary sheet identifying the patient as a Cherokee Indian, numerous sets of military discharge papers, a G.E.D. certificate and a transcript of college credits, a student pilot's license and the accompanying medical certificate, photocopies of group membership cards, drivers licenses and voter registration cards, a resume, and newspaper and magazine articles about an individual's personal activities. Several provided photocopies of family photographs or stated that they had a picture of their ancestor to prove the ancestor was a Cherokee Indian.

Most documents submitted were useful in establishing the member's personal identity (who he is) and one or more generations of his ancestry (who his parents and grandparents are). Only a handful of the documents, however, addressed the question of establishing the individual's race as American Indian. In several cases, recently obtained Delayed Birth Certificates were submitted, but even these failed to identify the individual as Indian even though the information had been provided within the last 30 to 40 years by the individual member himself. A Delayed Birth Certificate is one which is issued some years after the birth and serves to record a birth which was not officially recorded at the time it took place. This type of certificate is issued based on various types of evidence provided by the individual himself.

Staff Research

Genealogical research by the Acknowledgment staff has been hampered in much the same way that individual members' research has been hampered. Since the SECC, the NWCWB, and the RCIIB are recently-formed organizations of individuals who claim to be descendants of earlier Indian ancestor(s) who did not maintain their relationships with their tribe(s), little or no intermarriage between families within groups or between groups could be found. None of these organizations constitutes a body of people that have stayed together. This lack of intermarriage is indicative of the fact that historically they have not kept to themselves and, thus, do not constitute a group or groups among themselves. No single historical community exists to which ancestors of these organizations can be traced. No Federal, state, or local records exist except in the very recent past and many of these must be viewed as self-serving and inadequate as

evidence of Indian ancestry. The multi-tribal nature of these groups precludes the likelihood of successful research in records often valuable for Indian research.

Nonetheless, an effort was made to establish the Indian ancestry of a number of members who, based on information provided, seemed most likely to be able to document their Indian heritage. The Indian ancestry of virtually all of the members sampled could not be verified.

Census Records

Fifty separate census searches were executed covering 12 different states and 45 different surnames in hopes of finding members and/or their ancestors identified as Indian. Ninety-two percent of the searches were conducted in the 1900 and 1910 census schedules which are available to the general public on microfilm from the National Archives. Both the 1900 and the 1910 census schedules included a separate enumeration schedule for families in which more than 50 percent of the family members reported themselves to be Indian. Indexes are available for most of both of these censuses and the information provided on the schedules is the most complete available at this time. Three searches were conducted in the 1880 census and one in a published index for an 1850 census. Of the 50 separate searches performed, only 20 were successful and resulted in identification of the family in question. None of the members of the families located reported Indian as their race. Of the 20 families located, eight were residing in Arkansas, four in Georgia, three in North Carolina, two in Missouri, and one each in New York, Iowa, and California. (Bureau of the Census 1910, 1900, 1880; AIS 1976)

World War I Draft Cards

Research was conducted in the original World War I draft cards located at the Federal Archives and Records Center in East Point, Georgia. Here, an effort was made to locate 45 members and/or their ancestors, depending upon their age in 1917 and 1918 when registration for the draft was required. Based on information provided, an estimate was made as to where the selected individuals might have registered. Research encompassed selected draft boards from 19 different states: 13 in Oklahoma, 11 in Arkansas; Georgia 8, North Carolina 7; Missouri 6; Alabama, Tennessee and Virginia 3 each; and 11 states with one or two each. Of the 45 ancestors included in the search, only 19 were found. None of the individuals found had identified themselves as Indian although all forms in use at the time provided for that option. (WWI 1917-18)

Guion Miller Eastern Cherokee Records

Research was also conducted in microfilmed records relating to the enrollment of Eastern Cherokees by the Guion Miller Commission. This commission, headed by Special Agent Guion Miller, was established to review applications submitted in 1906 and -07 by persons who believed themselves to be Eastern Cherokee descendants and, therefore, entitled to share in the judgment awarded the Eastern Cherokee by the U.S. Court of Claims.

The commission reviewed 45,847 separate applications representing approximately 90,000 individual claimants. Of the 90,000 claimants, 30,820 were enrolled as entitled to share in the fund; 3,436 residing east and 27,384 residing west of the Mississippi River. "In certifying the eligibility of the Cherokees, Miller used earlier census lists and rolls that had been made of the Cherokees by Hester, Chapman, Drennen, and others between 1835 and 1884." (Miller 1906-09, 1908-10)

Acknowledgment research in the Guion Miller records encompassed the ancestry charts submitted for 26 separate members who claimed to have one or more Cherokee Indian ancestors. Based on these ancestry charts, 30 different applications were identified in the General Index to Eastern Cherokee applications (Miller 1908-10). Identification was based solely on name recognition. These applications were then located in the National Archives microfilm publication entitled Eastern Cherokee Applications of the U.S. Court of Claims, 1906-09 (Miller 1906-09). Of the 30 applications researched in order to verify the Cherokee ancestry claimed by 26 different SECC, NWCWB, and RCIIB members, only one was found to confirm information provided. The ancestry confirmed was that of one of the few members found to be enrolled in a recognized tribe. The Cherokee Indian ancestry of 25 of the 26 members could not be verified using the records of the Guion Miller Commission.

Other Research

The Acknowledgment staff worked with members of the Bureau's Branch of Tribal Enrollment in an effort to identify members who claim Cherokee ancestry or their ancestors on one or another of the accepted Cherokee rolls:

Final Roll of the Cherokee Nation of Oklahoma which was closed and made final in 1907 pursuant to the Act of April 26, 1906 (5CT 1907);

Guion Miller: Roll of Eastern Cherokees entitled to participate in the fund arising from the judgment of the Court of Claims of May 28, 1906, as reported May 28, 1909 (Miller 1908-10); and,

Authenticated Rolls of 1880 Cherokee Nation (DOI 1880).

In some few cases, persons of the same name as the individual's ancestor could be located on one or the other of the above rolls. While we do not deny that the individual named on the Cherokee roll may be an ancestor of the member, sufficient evidence was not available to verify the relationship conclusively.

Efforts were also made by the Acknowledgment staff to identify individual members who might be enrolled members of North American Indian tribes. Despite a careful review of all applications submitted by the SECC, the NWCWB, and the RCIIB, only a relatively small number of individuals could be singled out as likely candidates based on the information provided. Most of those whose ancestry was selected for further study were persons who claimed to be of Cherokee descent, though some who claimed other tribal ancestry were also represented.

Although a few members stated that they were born or raised on a reservation, attended an Indian school, had cousins living on one or another reservation, or had close connections with other Indians, only a few (two or three) members out of all three groups combined were found to actually be enrolled members of recognized tribes.

The SECC, the NWCWB, and the RCIIB do not appear on the Bureau's official list of "Indian Tribes Terminated from Federal Supervision" (Simmons 1981). No legislation is known to exist which terminates or forbids a Federal relationship with any of these groups. Because of the varied and diverse ancestry claimed by the individual members of these groups, it has not been practicable to determine whether individual members have been members of terminated tribes. Based on our research, however, we can say that while many of the members of these groups may be Indian descendants, they are unlikely to have ever been enrolled members of a tribe which may have been terminated.

APPENDIX A

BANDS AND CLANS of the SECC, NWCWB, and RCIIB

	<u>Name</u>	<u>Location</u>	<u>Date Orgn'd (Approx.)</u>
SECC	Eagle	GA Albany	11/12/76
	Deer	GA Quitman	3/25/78
	Turtle	FL Jacksonville	12/08/79
	Wolf (now NWCWB)	OR Talent	8/06/80
	Blue	FL Sebring	7/12/80
	Rattlesnake	FL Bradenton	7/13/80
	Long Hair*	FL Tallahassee	8/23/80
	Bird*	GA Waycross	11/11/80
	Paint (now NWCWB)	OR Salem	4/29/81
	Panther*	GA Donaldson	11/12/81
	Badger	OR Gold Hill	4/24/82
	Red Clay (now RCIIB)	TN Ooltewah	7/17/82
	Badger I	OR Northern	4/83
	Holly	GA Dearing	6/18/83
	Many Lakes	FL Lakeland	12/10/83
	Panther	GA Bainbridge	6/16/84
	Sequoyah*	TX El Paso	7/23/84
	Bear*	FL Orlando	
	Beaver*	FL Ft Walton Beh	
	Buffalo*	CA	
	Crow	FL Ocala	
	Fire*	GA Macon	
	Fox*	AL Huntsville	
	Haddock/Compton*	WA Vancouver	
	Hawk*	TX Mineral Wells	
	Horse*	OK	
	Lower Etowah	GA Rossville	
	Manzanita* (formerly Sea Gull)	CA	
	Paint	IN Rochester	
	Pine Knot*	FL Tarpon Sprgs	
Pine Log*	VA Fairfax		
Silver Cloud*	NC		
Wild Potato*	FL Gainesville		
NWCWB	Wolf	OR Talent	4/24/82
	Paint	OR Salem	4/24/82
	Bird	GA Albany	7/83
	Wild Potato	ID Nampa	8/05/83
	Deer*	OR Bend	
RCIIB	Red Clay	TN Ooltewah	4/02/84
	Unaligoha	OR Gold Hill	5/14/84

* Inactive or just forming, too few members

COMPOSITE LIST OF BAND AND CLAN LEADERS AS OF AUGUST 1984

(Compiled from newsletters, correspondence, and interviews with leaders of the petitioning groups.)

<u>Band/Clan Name:</u>	<u>Chief/President</u>	<u>Vice Chief/Vice President</u>
SECC	William R. "Rattlesnake" Jackson	Norbert "Red Hawk" Johnson
Eagle	Allen "Lobo" Morris (formerly Donald E. "Gator" Styck)	
Deer	(formerly Jim R. "Little Hawk" Jackson)	
Turtle	(formerly Edward "Taw-Yih" Neely)	
Wolf (now NWCWB)	(formerly Orlinza "Yellowstone" Bullock;	Robert E. "Silver Badger" Ponder)
Blue	(formerly Edwin "Silver Hawk" Sarver)	
Rattlesnake	Wm. Chuck "Red Bear" Smith	
Long Hair*	(Joan "Snowberry" McAra, organizer)	
Bird*	(formerly Larry J. "Red Fox" Loper;	Jackie "Sunalea" Singerhoff)
Paint (now NWCWB)	(formerly Wm. "White Eagle" Wilson;	Winona "Morning Star" Cheatham, secty)
Panther*	Andrew "Straight Arrow" Jones	
Badger	Frank "White Eagle" Shehorn	Joy "Two Feathers" Rowland
Red Clay (now RCIB)	(formerly H. Virlyn "Cougar" Ledford)	
Badger I	Jim "Lone Elk" Housley (formerly Betty "Two Bears" Mathison)	
Holly	Robert W. "Little Bear" Smith	George "Fish Hawk" Smith
Many Lakes	William M. "Elkheart" Griffin	
Panther		
Sequoyah*		
Bear*	(formerly Paul "Gator" Norman)	
Beaver*		
Buffalo*		
Crow	Norman "Running Buck" Buford	Bettie "White Dove" Buford
Fire*		
Fox*	Robert "Iron Hawk" Simpson**	
Haddock/Compton*		
Hawk*		
Horse*		
Lower Etowah	Shirley E. "Little Fawn" Ledford**	
Manzanita*	(formerly George Stone)	Caroline Murray
Paint	(Joan C. "Pale Moon" McClellan, organizer)	
Pine Knot*		
Pine Log*		
Silver Cloud*		
Wild Potato*		
NWCWB	Robert E. "Silver Badger" Ponder	Daniel L. "Muskrat" Day
Wolf	Billy Lee "Silver Wolf" Walls	Gaille "Two Blankets" Schmidt
Paint	Tom "Silver Bear" Hedgecoke	Winona "Morning Star" Cheatham, secty
Bird	Donald P. "Black Raven" Dobbs, Sr.	
Wild Potato	Norman L. "Grey Fox" Burch	Steve R. "Swift Coyote" Burch
Deer*		
RCIB	John F. "Night Hawk" Neikirk	James D. "Tsi mi Adawehi" Purple
Red Clay	John F. "Night Hawk" Neikirk	Ron "Little Beaver" Smith
Unaligoha	Byron E. "Watchful Eagle" Brown	J. B. "Little Horse" Huffman

- * Inactive or just forming; too few members
- ** Indicated as probable leader

APPENDIX B

PROCLAMATIONS IN SUPPORT OF SECC FROM VARIOUS MUNICIPALITIES

From December 20, 1976 to January 15, 1981, ten proclamations were issued in support of the SECC by state, county, and local governments. Many of these are identically or similarly worded and proclaim to support and/or recognize the SECC and its efforts to preserve Cherokee culture. Listed chronologically, they are as follows:

<u>Date Issued</u>	<u>By Whom Signed</u>	<u>Official Capacity/Title</u>
20 Dec 1976	George Busbee	Governor, State of Georgia
20 Mar 1978	C. W. Hopkins	Mayor, City of Leesburg, GA (in Lee County)
23 Mar 1978	Paul A. Keenan	Chairman, Board of Commissioners, Dougherty County, GA
24 Mar 1978	Jack Bell, Sr.	Chairman, Board of Commissioners, Lee County, GA
24 Mar 1978	J. H. Cooper	Chairman, Board of Commissioners, Brooks County, GA
24 Mar 1978	Henry L. Carr	President, Quitman-Brooks County Chamber of Commerce
27 Mar 1978	James Gray Sr.	Mayor, City of Albany, GA (in Dougherty County)
17 May 1978	Nathaniel F. Young	Mayor, City of Fairfax, VA (in Fairfax County)
26 May 1978	John F. Herrity	Chairman, Board of Supervisors, Fairfax County, VA
15 Jan 1981	Fred E. Soto	Mayor, City of Sarasota, FL

THE CITY OF SARASOTA

Proclamation

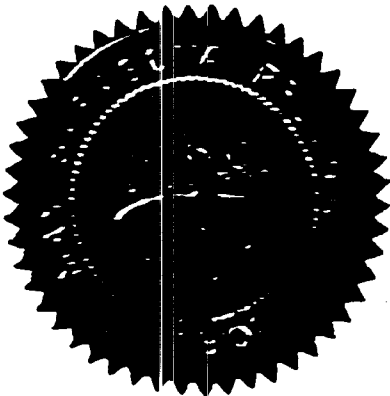
WHEREAS, the CHEROKEE INDIAN NATION, one of the most important confederacies of American Indians living in the eastern United States, occupied the states of Georgia, Alabama, Florida, South Carolina, North Carolina, Kentucky, West Virginia and Tennessee; and

WHEREAS, the Cherokee Indians, composed of civilized and hospitable people, have long been known for their peaceful ways; and

WHEREAS, the Cherokees who set up the first Indian Republic in North and Central Georgia left the State of Georgia a rich Indian history; and

WHEREAS, the Cherokee people of the Southeastern Cherokee Confederacy continue to preserve their culture and history of the American Indian not only in the states herein above recited, but throughout the United States:


NOW, THEREFORE, I FRED E. SOTO, Mayor of the City of Sarasota, Florida hereby officially recognize the Southeastern Cherokee Confederacy and urge the citizens of this city to join with me in commending the members of the Southeastern Cherokee Confederacy for their outstanding efforts toward preserving Cherokee Indian culture.



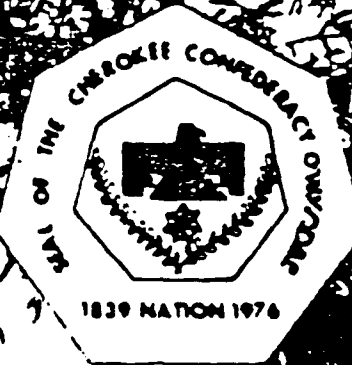
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sarasota to be affixed this January 15, 1981.


Fred E. Soto, Mayor of Sarasota

ATTEST:


City Auditor and Clerk

JAN 15 1981



**Are
You An
American
Indian?**

The Southeastern Cherokee Confederacy, Inc. is accepting members with 1/16 or more of Indian Heritage. you don't have to be Cherokee, to be accepted in the nation, for more information write to:

Call:
Art at
748-8307
OR
Debbie at
778-6334

Southeastern Cherokee Confederacy, Inc.
Prin. Chief William Jackson Rt. 1, Box 111
Rattlesnake Leesburg, Ga. 31763
Phone 912-436-9040

STATEMENT OF FACT

1. I _____, swear that the information submitted on _____ ancestry chart is a fact and is true to the best of my knowledge.

2. Information obtained for the Genealogy Ancestry Chart was obtained from:

(Check the one applicable below)

() Family Bible

() Census Year _____

() Passed down through the family

() Birth Certificate (seen, but not in possession)

() Death Certificate (seen, but not in possession)

() Historical Society (Where _____)

() Other; Explain _____

Signed _____

State of _____

County _____

On the ____ day of _____, 19____, personally appeared before me the above

named _____ and acknowledged the foregoing to

be (his er) voluntary act deed.

Notary Public for _____

My Commission Expires _____

SOURCE MATERIALS

Standard bibliographical format and in-text citation methods have been adapted where necessary to handle undated and/or anonymous petition materials. For example, where the author or date of newspaper clippings could not be determined, journals have simply been listed by name and place of publication under the heading "Newspapers." Where journal title, author, and date are known, clippings have been listed alphabetically by author's surname under "Published Sources."

Published Materials

Accelerated Indexing System (AIS)

1976 North Carolina 1850 Census Index. Bountiful, Utah: AIS.

Bureau of the Census

1880 Federal Population Census. NARS, RG 29, Microcopy T9, various rolls.

1900 Federal Population Census. NARS, RG 29, Microcopy T623, various rolls.

1910 Federal Population Census. NARS, RG 29, Microcopy T624, various rolls.

Bureau of Indian Affairs (BIA)

1979 Tribal Enrollment manual prepared for the BIA by Sterling Institute DAC.

Bynum, Donna

1984 "They're Disturbing the Dead." Albany Herald. January 22.

Commission to the Five Civilized Tribes (also known as Dawes Commission) (5CT)

1907 The Index and Final Rolls of Citizens and Freedmen of the Cherokee Tribe in Indian Territory (aka Dawes Roll). March 4.

Finger, John R.

1984 The Eastern Band of Cherokees, 1819-1900. Knoxville: University of Tennessee Press.

Malone, Henry T.

1956 Cherokees of the Old South. Athens: University of Georgia Press.

Miller, Guion

1906-09 Eastern Cherokee Applications of the U.S. Court of Claims, 1906-09. NARS, RG 123, Microcopy M1104, various rolls.

1908-10 Records Relating to Enrollment of Eastern Cherokee by Guion Miller, 1908-10. NARS, RG 75, Microcopy M685, rolls 1 and 6.

1909 Roll of Eastern Cherokees (aka Guion Miller Roll) In Miller 1908-10.

McElroy, Gary
1978 "Southeast Georgia Indians Look for Equal Treatment." The Albany Herald. March 26.

Pierce, Earl B. and Rennard Strickland
1973 The Cherokee People. Phoenix: The Indian Tribal Series.

Teel, Leonard R.
1976 "Georgia Gets Grant for Indian Hunt." Atlanta Journal & Constitution. November 23.

1977 "Who Are the Real Indians?" Atlanta Journal & Constitution. July 10.

Wilkins, Dave
1979 "He Shouts Out Heritage." Valdosta Daily Times. January 7.

Woodward, Grace S.
1963 The Cherokees. Norman: University of Oklahoma Press.

Correspondence

Beeler, Samuel W.
1983 to William Jackson. November 1. See SECC News 11/83:1.

Bradley, Leonard K.
1984 to anonymous. May 9. BAR files.

Brown & Huffman
1984 to John Neikirk. July 18. BAR files.

Bullock, O. A.
1982 to William Jackson. April 15. BAR files.

Cheatham, Winona
1981 to Robert A. McLelland. November 18. BAR files.

Cope, James F.
1983 to Larry McDonald. August 1. BAR files.

Crowe, John
1976 to anonymous. July 21. BAR files.

Cushing, Douglas
1982 to Northwest Cherokee Wolf Band. March 4. BAR files.

Dobbs, Donald
1983 to Bureau of Indian Affairs. June 28. BAR files.

Haggerty, James F.
1979 to Dear Applicant. October 22. BAR files.

Hayes, Patrick
1982 to Robert Ponder. September 9. BAR files.

Healy, Frank J.
1980 to O.A. Bullock. October 24. BAR files.
1981 to William Jackson. June 24. BAR files.

Jackson, William
n.d. to John Shapard. BAR files
n.d. to Malcolm Webber. "Open Letter to M.L. Webber." BAR files.
1978 to Barbara Decker. February 7. BAR files.
1978 to John Shapard. February 25. BAR files.
1978 to George Busbee. July 29. BAR files.
1982 to All Members. February 26. BAR files.
1982a to Members of the Northwest Cherokee Wolf Band. April 24.
BAR files.
1982b to All Members of the Northwest Cherokee Wolf Band. July 8.
BAR files.
1982 to Patrick Hayes. September 15. BAR files.
1983 to Red Clay Band. November 13. BAR files.
1983a to John Shapard. February 24. BAR files.
1983b to John Shapard. October 31. BAR files.
1983 Statement, To Whom It May Concern. December 12. BAR files.
1984 to John Shapard. February 28. BAR files.
1984 to Lynn McMillion. July 29. BAR files.

Jackson & Jackson
1983 to Whom It May Concern. Bureau of Indian Affairs. September 24.
BAR files.

Jackson, Jackson & Capach
1978 to Dear Brother. March 2. BAR files.

Jackson, William, et. al.
1982 to Northwest Wolf Band. Undated (received by Ponder on May 3,
1982). BAR files.

McLelland, Robert A.
1982 to Lynn McMillion. August 16. BAR files.

Murray, Caroline
1983 to William Jackson. November 28. BAR files.

McCormick, Neal
1977 To Whom It May Concern. September 29. BAR files.

McLelland, Robert A.
1981 to Theodore Krenzke. July 2. BAR files.

Neikirk, John
1983 to William Jackson. December 3. BAR files.

Neikirk & Purple
1984 to anonymous. n.d. BAR files.

Ponder, Robert
1982 to William Jackson. May 9. BAR files.
1982 to the Bureau of Indian Affairs. June 28. BAR files.
1982 to Patrick Hayes. September 19. BAR files.
1984 to Dear members. n.d. BAR files.
1984 to John Neikirk. August 6. BAR files.

Ponder, Day & Walls
1982 to Assistant Secretary Indian Affairs. June 28. BAR files.

Roth, George
1984 to Robert Ponder. November 17. BAR files.

Sarver, Edwin
1984 to All Bands and Clans. January 11. BAR files.

Shapard, John
1983 to William Jackson. November 1. BAR files.

Shehorn, Ruth
1983 to William Jackson. December 27. BAR files.

Shehorn, Ruth et. al.
1984 to Whom It May Concern. August 2. BAR files.

Smith, Robert
1983 to Joe Frank Harris. July 1. BAR files.

Walls, Billy
1981 to William Jackson. December 26. BAR files.

Webber, Malcolm
1976 to Arthur Grey Wolf. July 16. BAR files.

Williams, Robert
1982 to Robert Ponder. March 30. BAR files.

Wilson, William
1981 to William Jackson. May 5. BAR files.
1981 to Robert Williams. December 4. BAR files.

Newspapers

Albany Herald. Albany, Georgia

Albany Journal. Albany, Georgia

Atlanta Journal & Constitution. Atlanta, Georgia

Avon Park Sun. Avon Park, Florida

The Chattanooga News. Chattanooga, Tennessee

The Cherokee One Feather. Cherokee, North Carolina

Cuthbert Times/News Record. Cuthbert, Georgia

The Daily News. New York City, New York

Grants Pass Courier. Grants Pass, Oregon

I Wanna. Ft. Walton Beach, Florida

Mail Tribune. Medford Oregon

Mitchell County Shopper. Mitchell County, Georgia

O-Si-Yo (Formerly Talking Leaves). Talent, Oregon

Oviedo Outlook. Oviedo, Florida

Red Clay Inter-Tribal Indian Band Newsletter (RCIIB News).
Ooltewah, Tennessee

The Sarasota Journal. Sarasota, Florida

The Southeastern Cherokee Confederacy News (SECC News).
Leesburg, Georgia

Talking Leaves (Now O-Si-Yo). Talent, Oregon

Tallahassee Democrat. Tallahassee, Florida

Valdosta Daily Times. Valdosta, Georgia

Wassaja. San Francisco, California

Petitioners' Documents

Crowell, Gentry
1984 Certification of Incorporation and filing of corporate charter of RCIIB in State of Tennessee. April 2. BAR files.

Firestone, George
1984 Certification of Incorporation of SECC in State of Florida on July 2, Charter # PO2573. July 5. BAR files.

Forston, Ben W., Jr.
1976 Certification Incorporation of SECC on November 12, 1976 from Office of Secretary of State, Georgia. November 24. BAR files.

Healy, Frank J.
1980 Certificate of Incorporation to Oregon Wolf Band, SECC, Inc. from Corporation Division, Department of Commerce, State of Oregon. October 24. Bar files.

1981 Certificate of Amendment to Articles of Incorporation of NWCWB, SECC, Inc. from Corporation Division, Department of Commerce, State of Oregon. June 25. BAR files.

1982 Certificate of Authority to transact business in Oregon to SECC from Corporation Division, Department of Commerce, State of Oregon. June 16. BAR files.

NWCWB
n.d. Application materials (includes member applications, ancestry charts, and miscellaneous supporting documentation submitted by members). BAR files.

1984 Bylaws. June 30. BAR files.

Purple, James D.
1984 Corporate charter of RCIIB, SECC. March 26. BAR files.

RCIIB
1984 Bylaws. Undated (received BAR August 8, 1984). BAR files.

SECC
 n.d. Application materials (includes member applications, ancestry charts, and miscellaneous supporting documentation submitted by members). BAR files.
 1983 Bylaws. September 24. BAR files.

Miscellaneous Documents

Anonymous
 1984 "Cultural Activities of the Northwest Cherokee Wolf Band Southeastern Cherokee, Inc." January 14 through May 26. BAR files.

Busbee, George
 1976 Proclamation by the Governor of the State of Georgia. December 20. Office of the Governor, Atlanta, Georgia.

Cheatham, Winona
 1984 "Minutes of the Northwest Paint Clan Meeting." March 4. BAR files.

Circuit Court of the
 State of Oregon
 1984 J.B. Huffman vs. William R. Jackson. Action for Libel. Jackson County, Medford Oregon. July 2.

Department of the Interior (DOI)
 1980 Authenticated Roll of 1880 Cherokee Nation (original records of Indian Division). Branch of Tribal Enrollment files.

Field Data (F.D.)
 1984a Interviews with SECC members by BAR staff. Leesburg, Georgia. June 22 & 23. BAR files.
 1984b Interviews with RCIIB members by BAR staff. Calhoun, Georgia. June 21. BAR files.
 1984c Interviews with NWCWB members by BAR staff. Medford, Oregon. July 10-12. BAR files.

Jordan, Joseph
 1980 "Minutes of the Bird Clan meeting." July 12. BAR files.

Simmons, Patricia
 1981 "Indian Tribes Terminated from Federal Supervision," (BIA list). April 1.

Smith, Kenneth

1981

"Recommendation for Final Determination that the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., does not exist as an Indian Tribe pursuant to 25 CFR 54" September 17. Bureau of Indian Affairs, Branch of Federal Acknowledgment.

1984

"Recommendation and Summary of Evidence for Proposed Finding Against Federal Acknowledgment of the Kaweah Indian Nation, Inc., pursuant to 25 CFR 83" June 13. Bureau of Indian Affairs, Branch of Acknowledgment and Research.

Walls, Ruby

1984

"Minutes of the NWCWB Confederacy Council Meeting." April 21. BAR files.

World War I Selective Service System (WWI)

1917-18

Draft Registration Cards, PMGO Form (1917-8), various states. NARS, FRC, East Point, Georgia. RG 163, original records.