

**PETITION
FOR
FEDERAL ACKNOWLEDGMENT
OF
Chihene Nde Nation of New Mexico
Known in the June 9, 1855 Treaty as the
Mimbres Bands of Gila Apache**

(also known to the United States as the Chihenne-Apache, Rio Mimbres and Rio Gila Apache Bands, Mimbres Bands of Gila Apache, Coppermine Apache, Gila-Apache, Hot Springs-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, and Bedonkohe-Apache, and Southern Apaches)

Submitted by:

**Audrey A. Espinoza, Irene E. Vasquez, Ruben Q. Leyva, & Manuel P. Sanchez
Tribal Historians
on behalf of the Chihene Nde Tribal Council, Elders, and Membership**

Edited By Dr. Jeffrey P. Shepherd, University Texas at El Paso
Legal Representation By the Information removed at the petitioner's request; the
petitioner is no longer represented by the entities listed

February 13, 2024

The Tribal Council of the Chihene Nde Nation of New Mexico who have certified this petition and its membership list declares that there are no required redactions on the documented petition submission, per 25 CFR § 83.21 (b).

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Electronic Copies of Tribal Certification Letters

August 5, 2023

Department of the Interior
Office of the Assistant Secretary – Indian Affairs
Mail Stop 4071 MIB
1849 C Street, N.W.
Washington D.C. 20240



Honorable Assistant Secretary – Indian Affairs,

This letter is to certify that this documented petition and claim of previous Federal Acknowledgment under 25 C.F.R., Chapter 1, Subchapter F, Part 83, § 83.11 and 83.12, hereby submitted, contains data of and for the Petitioner, the Chihene Nde Nation of New Mexico, an indigenous tribe as described in § 83.1. It is true and correct to the best of our knowledge that the Petitioner meets the definition of Previous Federal acknowledgment:

"(This) means action by the Federal government clearly premised on identification of a tribal political entity and indicating clearly the recognition of a relationship between that entity and the United States." - 25 C.F.R., Chapter 1, Subchapter F, Part 83, § 83.1

Below are the signatures of the officers of the Tribal Council, who approved this action at a Zoom meeting on December 13, 2022, and voted in the affirmative by all members of the Tribal Council, our governing body.

Sincerely,

Manuel P. Sanchez 8/5/2023
Manuel Paul Sanchez, Nantan & Chair/ Date

Nancy Lopez, Second & Vice-Chair/ Date

Julie Salaiz Greenport 08/05/23
Julie Salaiz Greenport, Secretary/ Date

Ruben Q. Leyva 8/5/2023
Ruben Q. Leyva, Treasurer/ Date

Buddy Montoya 8-5-2023
Buddy Montoya, Member at Large/ Date

Minerva Flores, Member at Large/ Date

Lauren Denson 08/05/2023
Lauren Denson, Member at Large/ Date

Lawrence Jurado 8/5/23
Lawrence Jurado, Elder at Large/ Date

Velma Provencio 8.5.23
Velma Provencio, Elder at Large/ Date

CNNNM Certification Letter of Previous Federal Acknowledgment, Dated August 5, 2023 /1/



August 5, 2023

Department of the Interior
Office of the Assistant Secretary – Indian Affairs
Mail Stop 4071 MIB
1849 C Street, N.W.
Washington D.C. 20240

Honorable Assistant Secretary – Indian Affairs,

This document is to certify that the petitioner prepared this membership list to satisfy 25 C. F. R. Part §83.11 (f)(2), and hereby submitted, contains confidential data of and for the Chihene Nde Nation of New Mexico. It is true and correct to the best of our knowledge.

The members hereby provide confirmation of their membership in the petitioner and consent to provide their full name, date of birth, and current residential address. Female members will include their maiden name if married. The members understand that this information is confidential and for the eyes only of the Office of Federal Acknowledgement. This information will not be published.

Sincerely,

Manuel Paul Sanchez 8/5/2023
Manuel Paul Sanchez, Nantan & Chair/ Date

Nancy Lopez, Second & Vice-Chair/ Date

Julie Salaiz Steenport 08/05/23
Julie Salaiz Steenport, Secretary/ Date

Ruben Q. Leyva, Treasurer/ Date 8/5/2023

Buddy Montoya 8-5-2023
Buddy Montoya, Member at Large/ Date

Minerva Flores, Member at Large/ Date

Lauren Denson 08/05/2023
Lauren Denson, Member at Large/ Date

Lawrence Jurado 8/5/23
Lawrence Jurado, Elder at Large/ Date

Velma Provencio 8.5.23
Velma Provencio, Elder at Large/ Date

ACKNOWLEDGEMENTS

Dr. Irene Vásquez is the Chair of the Chicana and Chicano Studies Department at the University of New Mexico, a Chihene, and a member of the Petitioner. She also serves as the Director of the Southwest Hispanic Research Center. She received her Ph.D. from the History Department at the University of California, Los Angeles. Dr. Vasquez' research and teaching interests are varied, focusing on Ethnic Studies, indigenous peoples, and U.S. transnational social and political movements. She is an author of several publications, including books and several essays in English and Spanish on the historical and contemporary relations between indigenous populations and African American and Latin American peoples in the Americas. Dr. Vasquez's essays on indigenous peoples have illuminated the often-overlooked indigenous peoples of Northern Mexico. Dr. Vasquez co-edited *The Borders in All of Us: New Approaches to Global Diasporic Societies*, published by New World African Press. She served on former Los Angeles Mayor Antonio Villaraigosa's Education Advisory Council for the City of Los Angeles.

Dr. Matthew Babcock is an Associate Professor at the University of North Texas in Dallas. Dr. Babcock's unprecedented research led to his ground-breaking book, *Apache Adaptation to Hispanic Rule*. He earned his Ph.D. in History at Southern Methodist University. His teaching and research focus is on the history of North American borderlands, American Indians, and the colonial Southwest. His research interests include cross-cultural trade and diplomacy, territoriality, and indigenous adaptation to incorporation.

Dr. Jeffrey P. Shepherd is a Professor in the History Department at the University of Texas at El Paso. His research focuses on several areas: the histories of Indigenous peoples in North America broadly and along the U.S.-Mexico border in particular; environmental history, particularly water use in the arid Southwest; public history and museum studies; race relations; militarization and immigration; and the general history of the U.S. – Mexico border. He earned his Ph.D. in History at Arizona State University. Dr. Shepherd is the author of *We Are an Indian Nation: A History of the Hualapai People and Guadalupe Mountains National Park: An Environmental History of the Southwest Borderlands*. Dr. Shepherd's scholarship recognizes the significance of the environmental landscape of the New Mexico-Texas borderland and mountainous region.

Audrey Espinoza is a Chihene and the Tribal Historian and member of the Petitioner. Ms. Espinoza received an MA in History from the University of California, Riverside, studying under Dr. Clifford E. Trafzer, a prolific Native American author, historian, and advocate for Native American peoples. In addition to history, Ms. Espinoza studied preservation, museum, and archival studies. As an intern at the Autry Museum of the American West and the Southwest Museum in Los Angeles, Ms. Espinoza assisted with examining Native American artifacts and creating catalogs of items for exhibits. At the Braun Library in the Southwest Museum, she worked as an archivist, handling materials from the Charles E. Lummis and John P. Harrington collections. As an archivist and researcher at the Redlands Library, she worked on finding aids, sorting, and weeding California Native American collections. Ms. Espinoza has spent over 40 years as a Native American activist serving in events throughout the Southwest, including the Gathering of Nations and the Red Paint Powwows. As Coordinator and director of the Native American Student Center at California Polytechnic University Pomona, she organized student events, counseled, advocated for, and assisted Native American students by creating a safe space for the students and the Native American community to gather, study, and feel at home. She encouraged retention and led outreach to Native American communities and leaders. She did volunteer work for the Southern California Indian Center.

Ruben Leyva, of Las Cruces, New Mexico, is the Tribal Council Treasurer for the Petitioner. Historical records reflect that Apache ancestors of Leyva (also spelled Leiva or Leyba) came to peace with Spain beginning in 1786 and with Mexico in 1835, 1838, and 1842. Under U.S. occupation, his ancestors were signers of the 1853 Treaty between the U.S. and the Rio Mimbres and Rio Gila Apaches and the 1855 Treaty between the U.S. and the Mimbres Band of Gila Apaches. His family has kinship and community ties to different Apache bands. A graduate assistant and a Ph.D. student in the Department of Native American Studies at the University of New Mexico, Ruben Leyva's life and research proves that the treaty signers comprised multiple bands. He has a Masters degree in Business Administration from Trident University International. In 2017, Ruben completed the State and Local Governments Certification Program at the Harvard Kennedy School in Cambridge, Massachusetts. He retired from law enforcement in 2022 after 28 years of service.

Manuel P. Sanchez is the Tribal Chair of the Petitioner. In 1991, Sanchez began his career in the Indian Gaming Industry as a Surveillance Technician after returning from Desert Shield/ Desert Storm, reaching the End of Active Obligated Service. He rose through the Surveillance ranks from Technician to Trainer, Shift Supervisor, Site Supervisor, Manager, Director, and finally, Executive Director of the Tribal Gaming Commission, working for the Lummi Indian Nation, Confederated Tribes of the Colville Indian Reservation, Pueblo of Sandia, Pueblo of Isleta, and Yakama Indian Nation. In 1999, he was recruited to serve in the National Indian Gaming Commission (NIGC), an Independent Federal Indian Gaming Regulatory Agency, as a Field Investigator (promoted to Senior Field Investigator of the Southern California Indian Gaming Area). He retired from service in the NIGC in January 2016 (after 22 years of combined federal government service) to accept a position as a Gaming Commissioner on the Table Mountain Rancheria Gaming Commission. As he is affectionately known, “Manny” loves history, particularly the history of the Mimbres Bands of Gila Apache, his ancestral nation. He has a prodigious memory and has committed most of what he has read to memory.

Pablo Martinez, Nancy Lopez, Helen, and Larry Jurado, Tribal Elder Chair, Tribal Vice-Chair, and Membership Committee Administrator, respectively, are members of the Petitioner. This team toils tirelessly, committed to all the mundane enrollment tasks, including reviewing prospective enrollee applications, documents, family lineages, pedigrees, and DNA results, and investigating the veracity of the qualifying membership claim, if necessary. They also arrange office space in the administrator's home, office supplies, including postage and membership card production, and files. Their most recent task was preparing a membership roll for this petition. **Pablo Martinez** is a law school graduate, a retired warden from the New Mexico State Prison system, a consultant for the U.S. State Department in prison systems in Central America, a private investigator, and Chairman of our Ojo Caliente Restoration Society. **Nancy Lopez** has a Master’s degree and is a retired administrator of a Federal Agency. **Helen Jurado** is a retired Registered Nurse, and **Larry Jurado** is a USMC Vietnam Veteran and retired from the Southern California Gas Company.

PART ONE: HISTORICAL NARRATIVE

PREFACE

We, a tribe of **418** adult members, are grateful to our ancestors, Elder **Eddy Montoya**, who called us to unite in this modern effort of acknowledgment to raise critical awareness of our people's persistence and survival. Elders **Richard Montoya**, **Carlos Benavides**, and **Helen Enriquez Sanchez**, who helped us lay a strong foundation but are no longer with us. We appreciate the many scholars, storytellers, and members, some no longer with us, who assisted us in completing this petition. Authors like Albert H. Schroeder, Edwin R. Sweeney, William B. Griffen, **Jack D. Forbes**, David Correia, Dan L. Thrapp, and Dr. Michael Steck seemed to call us from the Spirit World. We are incredibly grateful to current scholars who made time for us, including Jeffrey Shepherd, Matthew Babcock, Deni Seymour, Neil Goodwin, Mark Santiago, Karl Laumbach, and Lynda Sanchez. Their writing deconstructed inaccurate Chiricahua identity, giving voice and identity to each of the four bands originally known as Gila Apaches.

No longer silenced and eclipsed by narratives privileging the Chiricahua Chiefs, the Petitioner's history is resurrected through a Chihene band perspective, acknowledging our Chihene family leaders. We are respectful of the more highly publicized Apache heroes. Unlike our leaders, these popularized leaders did not agree with the United States' treaties. In particular, they did not support ceding lands in exchange for a reservation in 1855. Our political decision to adapt was based on generations of experience and diplomacy and distinguishes the Chihene leadership from the Chokonen, Bedonkohe, and Nedna'i leadership. The Petitioner agrees with an Apache informant interviewed by the late author Eve Ball, who stated the only true Chiricahua were the tribes under the leaders **Cochise** and **Chihuahua**.

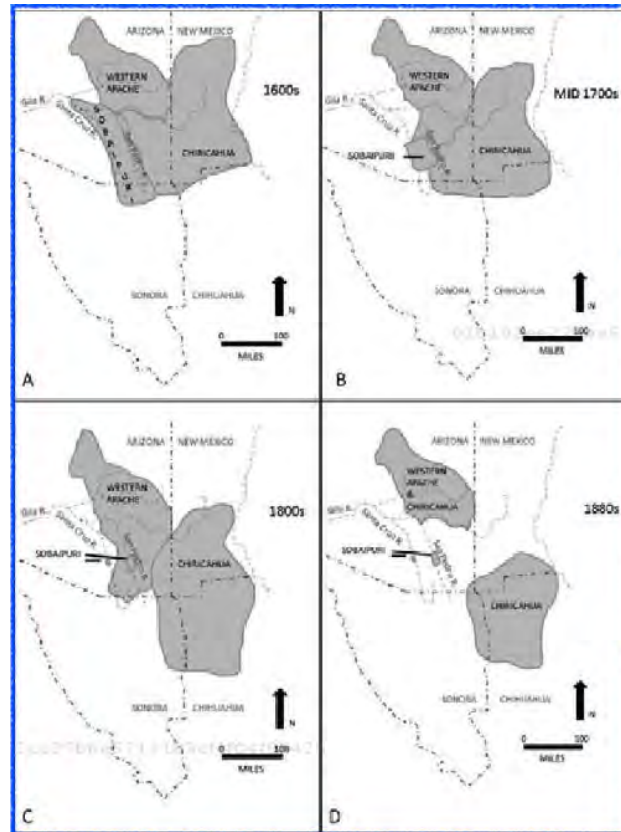
Therefore, **Mangas Coloradas**, **Victorio**, and **Loco's** bands chose to disunite politically from the larger group of *Mimbrenyo-Apache* or *Mimbreno-Apache* making them distinct from our leaders' bands and creating their own new blended *Mogollon-Apache*, *Chokone*, and *Hot Spring Apache* political identity. The *Gila Apache* and *Mimbrenyo-Apache* or *Mimbreno-Apache* groups akin to the *Nedna'i-Apache* of the 1855 Treaty at Fort Thorn are listed separately in the 1940 Bureau of Indian Affairs Indian Tribe List and accurately reflect the political and social distinction of the Petitioner **/3/**. In addition, an apparent leadership dispute that resulted in the

murder of two sons of **Cuchillo Negro** (Black Knife) in 1874 on the Tularosa Valley Reservation further divided the groups, as discussed later in the petition.

The heritage story of the Petitioner is a history of adaptation, accommodation, and resistance. We asserted our sovereignty when we sought peace, safety, and basic rights through the acquiescence of lands for the greater good of our people. Every decision the Petitioner made was deliberate and thoughtful, including our desire to stay in the communities and areas near the Southern Apache Indian Agency. The New Mexico Territory Superintendency established the Southern Apache Indian Agency in 1852 as the primary site for the distribution of rations to Chihene Nde (Red Paint People of the Apache), who agreed to continue farming like their ancestors. Like the Mexicans and the Spanish before them, the U.S. used treaties and the distribution of rations to shift our movements. As a result, Fort Webster, Fort Thorn, and other agency locations became foci for the local and non-local groups from outside the area.

In 1858, Indian Agent Steck advised our people to continue farming in our established locations without a ratified treaty. Consequently, our Chiende treaty-keeping ancestors continued farming near the old Fort Webster, the old Fort Thorn, Mesilla, the village of Paraje, the old Fort Tularosa Reservation area, and Ojo Caliente or Cañada Alamosa. Vicente Colyer's 1872 report to the Board of Indian Commissioners speaks of an enduring peace with farming Apaches over the last 15 years /4/. This is further supported by J.W. Powell's U.S. Geological Survey in 1891, which documents an Indian village that remained at Cañada Alamosa /297/. Overall, the Petitioner's tribal leaders never wholly separated from the agency unless under attack by U.S. Troops or when U.S. agents left because the agency was being relocated or dissolved. Instead, the Southern Apache Agency, where the Petitioner received rations, was relocated several times until the New Mexico Superintendency was abolished in 1878, after which the agent reported directly to the Office of Indian Affairs in Washington, D.C.

While awaiting ratification of the 1855 treaty, several families agreed to implement Western-style farming tools and techniques. Agrarianism was relatively successful until settler encroachment and tax delinquency resulted in land dispossession. Others worked in the mining industry. Some members of our local groups existed on Indian reservations but feared for our futurity. Evidence exists of some ancestors remaining at large and living outside of governmental supervision and subsisting on gathering, raiding, and traditional ways.



Using the broad and inaccurate term Chiricahua, this map shows the Petitioner’s presence in New Mexico over centuries. Map A, the *1600s* shows Chiende territory in New Mexico north to the Tularosa Valley. Map B, the *MID 1700s*, documents Chiende relations with Spanish peace establishments in Mexico. Map C, the *1800s*, highlights an inversion of the Chiende presence predominantly in present-day Mexico. Map D, the *1880s*, shows the dispossession of Chiende land in the United States /5/.

Grenville Goodwin describes an example of these Apaches living outside of governmental supervision. Goodwin uses the blanket term “Chiricahua” to unspecifically define the three-hundred and twenty-five of our extended family members who, in 1876, came to the Fort Apache reservation. He documented that these Apaches were not the followers of the leaders **Victorio** and **Loco**. Goodwin rejects the notion that these three-hundred and twenty-five were those, under the war leaders **Tandinbilnojui** or **Juh** for short or the famous **Geronimo**, who remained on the run or as refugees in Northern Mexico /6/. This large number of anonymous and non-settled Chiricahuas mentioned by Goodwin in his writing challenges the master narrative that the U.S. accounted for all our people as either in fight or flight mode. Goodwin’s account provides the historical context to explain that members of our families, notably those akin to the descendants of **Cuchillo Negro**, a.k.a. **Baishan**, likely elected not to

return to the Ojo Caliente after their violent encounter with **Victorio, Loco**, and **Nana** (pronounced “Nanay”) at the Old Fort Tularosa Valley Indian Reservation only two years before.

In 1877, four hundred Chiende, including some of our extended family and **Victorio and Loco’s** people, were relocated from the Ojo Caliente to the San Carlos reservation. This relocation effort brought the number of Apaches at the San Carlos reservation to more than five thousand persons. The dispute mentioned above made consolidating our division and **Victorio and Loco’s** people in one location untenable. By 1878, our people no longer had the advocacy of the Southern Apache Agency and no permanent reservation in our homelands as promised in our treaties.

In United States treaty documents, U.S. officials have previously acknowledged us as Rio Mimbres and Rio Gila Apache and Mimbres Bands of Gila Apache. Called the Eastern Band, our ancestral name is Chiende, or Red Paint Apache People. We are one of four similar and allied cultural groups along with the Bedonkohe of the Gila region, Nedna’i (Netdahe, Nednhi, Netendia) of the southern border region, and Chokonen of the southeastern Arizona Chiricahua Mountains. Spanish officials used topographical identifiers and place names in the colonial period, like *Gileños* and *Mimbrenos*, to signify our extended families living in the Gila and Mimbres regions. Cordero reported that in 1796, the Gileños and Mimbrenos referred to themselves as *Tjuiccuje-ne* and *Iccuje-ne*, respectively /7/. These identifiers are not used in historical records from this point forward. These names stuck with our people into the U.S. period. Chiende, which refers to the people of Chi’laa (Xila/Gila), is our preferred political identifier, tying us to our ancestral homelands. The term *Chiricahua* was constructed to broadly group Apaches, once known as Gila Apaches from New Mexico, with Apaches from southeastern Arizona. This broad grouping does not reflect our political identity as Treaty signers. The term Chiricahua is connected to the Chiricahua Mountains in Southeast Arizona, not considered our ancestral territory. After 1871, Chiricahua became a general umbrella term for the four previously mentioned bands. The Petitioner intends to deconstruct the hegemonic Chiricahua identity and disaggregate our Chiende history, supported by the historiography.

The authors above and historians explored our particular Chiende family genealogies through rigorous research, bringing our lesser-known leaders and their roles in our history into sharper focus. In this petition, the reviewers will read the names of lesser-known male and female Chiende leaders from whom our people descend. Our leaders were only sometimes in the

spotlight of the U.S. public by the 1870s. By the time the treaty period ended in 1871, Chiende had previously signed three treaties establishing trust relationships with the government. Their lives reveal truths other than the zeitgeist of the 19th century that framed the popular Apache discourse. The Petitioner realizes how identity politics is constructed through incomplete published narratives. Nevertheless, we are a people documented for centuries through our extended family lineages, political authority, and cultural traditions, all structures that form a distinct community.

By the early 1900s, our people farming in southwest New Mexico and family living as refugees in Mexico prayed for the rapture of our ancestral leaders who would return our people to “El Corazón,” which translates as “the heart” (*jei*) of our country, at Santa Rita. Our use of “El Corazón” is tightly woven into our affinity for prayer, ceremony, and reverence for the land upon which our subsistence depended. By the 1930s, a century of mining, settlement, and encroachment destroyed what our ancestors remembered of El Corazón’s agricultural, camping, and hunting grounds. The impacts of the Great Depression forced some families to send representatives westward for work, but this did not erode political authority and identity. Families in California and other states sent cash offerings to and visited those struggling in the homelands of southwest New Mexico.

In the previously mentioned 1941 the Office of Indian Affairs List of Indian Tribes, the Petitioner is listed as *Rio Mimbres and Rio Gila Apache Bands, Mimbres Bands of Gila Apache, Coppermine Apache, Chihenne-Apache, Gila-Apache, Hot Springs-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, and Bedonkohe-Apache*, which may be used interchangeably with Southern Apache throughout this document to refer to the Chiende, in the 17th through 21st centuries. In 1950, we participated as activists alongside Mexicans on picket lines at Empire Zinc Company to advocate for the labor rights of Indigenous mine workers. At this time, Santa Rita had become the largest open-pit mine in the nation. The Chiende share some cultural and social struggles with Mexicans and Mexican-Americans. Some Chiende people are multilingual, but we never claimed Spanish or Mexican citizenship. We were never Mexicans despite Mexico or U.S. racialized constructions. Latinx identifiers are off-base and misguided because we are Americans - Native Americans. The mine at Santa Rita is now 1.5 miles wide and 1,500 feet deep, and El Corazón has been extracted and is no longer accessible.

The U.S. termination policy was harmful to reservation tribes. The BIA listed the Petitioner among those tribes with original Indian status. From 1953 to 1969, the federal government did not list the Petitioner among the terminated tribes. In the 1970s, we continued gathering in our extended family groups, visiting sacred sites and our homelands, serving in the military, and attending ceremonies and powwows.

In the 1980s and 1990s, future Chiende leadership emerged as answers to the prayers of our ancestors and served in the U.S. military, like those that served in WWI, WWII, the Korean Conflict, and Vietnam. They maintained a warrior identity that informed our political authority in extended families. In the 2000s, new Chiende extended family headmen and head women, under the guidance of our elders, agreed to lead our most significant act of political self-determination and nationhood - the Bureau of Indian Affairs re-acknowledgment efforts as a domestic dependent sovereign body that is representative of our distinct historical social, cultural, and political Indigenous identity. As in the past, our social, cultural, and political leadership extends from our extended family's histories and geographies. Therefore, we express our future regional tribal goals through our Mission statement below.

FEDERAL ACKNOWLEDGMENT MISSION

As required in the Code of Federal Regulations Title 25, the Petitioner submits this petition using the best evidence available to gain acknowledgment from the federal government as a distinct Indian tribe and to secure our people's ability to persist and survive through the assistance and administration of the federal government's health, welfare, and education programs on a Chiende-specific Indian reservation. We desire to have a tribal council empowered to pass laws, tribal courts with the ability to enforce laws, and U.S. governmental support to identify and secure lands in trust for a reservation in our traditional homelands of Southwest New Mexico as promised under our treaties. We aspire to manage and steward federal lands using Chiende knowledge and to pursue economic development and infrastructure.

INTRODUCTION AND HISTORICAL OVERVIEW

We are the Chihene Nde Nation of New Mexico, a tribe of 425 adult members, from here further referred to as Chiende, which is how we refer to ourselves. We are known from historical times as the Mimbreno-Apache, Southern Apaches, Rio Mimbres and Rio Gila Apache Bands, Mimbres Bands of Gila Apache, Coppermine Apache, Chihenne-Apache, Gila-Apache, Hot Springs-Apache, Mimbrenyo-Apache or Mogollon-Apache, and Bedonkohe-Apache who were farming under treaties with Spain, Mexico, and the United States. The U.S. produced three treaties specific to our ancestors -1852, 1853, and 1855 /8/, /9/, & /10/. The Chihene Nde Nation of New Mexico comprises the previously federally acknowledged tribe listed in various ways above and on the 1941 Smithsonian's List of Indian Tribes who treated and received rations with the approval of the New Mexico Territory Governor from the U.S. and are now pursuing federal-acknowledgment under the modern definition overseen by the Bureau of Indian Affairs Office of Federal Acknowledgment. We are an independent nation of Apache survivors who have maintained tribal political influence and have substantially inhabited our homelands despite land dispossession. Unfortunately, we were left without a permanent reservation.

Our territoriality, band affiliation, and our specific governmental structure of leaders demonstrate our self-determination, which in turn was recognized by Territory of New Mexico Governor David Meriwether and the U.S. Government through the mechanisms of treaties, provisions, and documented tribal leaders and rolls, all characteristics defining a sovereign Indian nation. Our desire to live in peace in our homelands is aligned with our sovereignty and ecosystem sustainability. These leadership decisions of our ancestors forged a distinct identity among us with different social practices from other regional resistant bands. The Petitioner's members are not members of any other Indian tribes. However, the increasing number of settlers searching for agricultural lands and mineral deposits in our homelands compromised our Chiende families' political, economic, and cultural well-being.

Agriculture offered our ancestors a bountiful life. John P. Wilson's 1988 article "Southern Apaches as Farmers 1630 to 1870" presents a counter-narrative to Chiende as incessant travelers before living on reservations. The Petitioner agrees with Wilson's description of our nation's polity. Wilson addresses the generalizations and hyperbole of researchers, which have conflated the histories and geographies of different Apache bands in recorded history. Apaches are

politically sovereign and not the monolithic warring people portrayed in cinema. Bands existed on a spectrum. Some bands hunted and gathered more, while others, like the Petitioner, farmed corn, beans, squashes, and melons but also traveled to gather seasonal plants and wild game. Some of the earliest Spanish records offer evidence of our irrigation canals and farming practices /11/.

Our Indigenous ancestors farmed as part of our subsistence alongside other settler populations. The late researcher, William B. Griffen's *Letter to Jim*, summarizes the locations and lifestyles of Apache Chiefs who visited the Janos Presidio. In 1833, our leaders like **Caballo Ligerio**, **Antonio Pluma**, and **Mano Mocha**, a.k.a. **Manco** (or **Mah-ko**), and their people planted corn east of the Mimbres River /12/. From there, Apache farmers moved their families into the Mimbres Mountains /13/. The late researcher Dr. William B. Griffen documented Apache leader **Manco** on the Gila River, possibly in the Mogollon region, in November 1834 /14/. **Manco** was a peaceful rancher with a healthy and respectful relationship with Mexicans. **Manco** grew corn, raised horses, and traded with Mexicans /15/. **Manco** was said to store foods like beef, venison, and corn for "improvident" Apaches, which he issued to them in winter at no cost. **Manco's** acts of kindness highlighted the lifestyles and political divisions between those who performed agricultural work and those who gathered and raided. **Betzinez's** account of **Manco** tells the story of the petitioner's farming ancestors in our homelands along the Gila, Tularosa, Mimbres, Palomas, and Rio Grande rivers, together with the Alamosa and Apache creeks, and their civil relations with Spanish-speaking settlers. Our congenial reputation with Spanish and Mexican newcomers grounded Chiende families, creating space within communities for Chiende to persist as the economic landscape changed under the U.S. occupation.

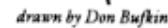
Another distinction of our people is our Chiende intellectual context based on our Indigenous knowledge and our protracted engagement with colonists and settlers. Our Chiende ancestors were skillful diplomats and advanced to such a degree in terms of education, multilingualism, negotiations, and clothing standards. For Chiende, the typical primitive Indian caricatures often associated with tribes with limited to no contact with non-Indians are a modern invention of early U.S. officials. As early as 1834, encroachment prompted our leader **Juan José Compa**, a shrewd negotiator, Spanish speaker, and representative of Apache leaders, who was known to correspond with the Commandant General in Chihuahua Don José Joaquín Calvo and

Captain Cayetano Justiniani. **Juan José's** family, for a time, lived within the walls of the Janos Presidio. He described our people's resistance to the Mexicans and labeled our activism as a safety and survival strategy in response to mistreatment by the military and civil authorities. Our ancestors had been falsely accused of crimes, abused and accosted, and killed without provocation. Justiniani provided concessions to the Apaches at Santa Rita del Cobre through horses for plowing our fields and gunpowder for hunting near Apache rancherias. For his efforts, **Juan José** received wool pants, a dress coat, a sombrero hat, and a walking cane, demonstrating our fondness for contemporary dress /16/. We were involved in movements for social change and improved treatment by our oppressors through negotiations and activism in relation to colonial powers and the settler-state.

Economic transformations after the 1848 signing of the Treaty of Guadalupe initiated social and economic changes. **Mangas Coloradas**, a leader of a mixed band of our people, married his daughter to **Cochise**, a leader of the Chokonen band. **Mangas Coloradas** continued marrying his daughters to other tribal leaders, such as **Manuelito**, the well-known Navajo leader, exercising his sovereignty to choose a more militant course of action and establish alliances for future resistance against U.S. expansion /17/. The Petitioner had a completely different tribal story. Our leaders aligned with the United States through trust relations and our promise to farm on our tribal lands. The U.S. government-funded rations, contracts, and irrigation canal projects secured the Indian Affairs' investment in our tribe. Our Indian Agent, Michael Steck, authorized the enhancement of our historic *acequias* irrigation ditches and supported our agreed-upon farming lifestyle by providing tools and farming implements.

Some of our leaders may have died as farmers and not in battle as glorious warriors; however, we hold our nantans (leader/chief) in high regard. The leaders like our 1852 Treaty signer, **Negrito**; our 1853 Treaty signers, **Ponce, Josécito, José Nuevo, Cuchillo Negro, Sargento, Veinte Reales, Riñon, Delgadito-Largo, and Carrosero**; and our 1855 Treaty signers **Delgadito, Ytan, Cuchillo Negro, Riñon, Camosero, Sargento, Veinto Reales, José Nuevo, Pajarito, Elias, Deltané, Apache Soco, Camilio [Camilo], Monica Zher, Refujia, Placeres [Láceris], and Tinajas**, desired to preserve the lives of their people. The various band leaders' decision to confederate as an act of kinship by signing these treaties with the United States exercised our sovereignty. It has guided us as independent people until now.

We do not consider **Victorio**, who aligned with **Mangas Coloradas**, to be the leader of our kinship groups. In much the same way, **Mangas Coloradas** is inaccurately considered the leader of all the Chiende. Victorio's breakout from San Carlos and subsequent battles led many historians to believe he led all Chiende local groups and rancherias at that time. This U.S. historical manifestation of a single Chiende spokesperson, as defined by their role at war with the U.S., is not a Chiende custom. The U.S. preferred to work with single individuals but learned that Apaches had horizontal forms of leadership. The Petitioner defines our nantans (leaders/chiefs) from a Chiende-centered perspective. Certain Apache leaders are seen as symbols of resistance. Many of them cost the lives of their people. The Petitioner cautions the reader not to confuse our political leaders with those listed above.



In 1853 and 1855, the U.S. acknowledged the Petitioner as a distinct band from other Apaches in their diplomatic relations rather than the generic term *Apaches*. The precedent of designating us as a distinct sovereign group existed in the Spanish colonial and Mexican Republic periods. Our ancestors marked their sovereign authority and consent through an X on their treaties with Spain and Mexico. Later, with the U.S., our ancestors' x-mark forever changed how our families lived and associated. This overt act of marking their X indicated their presence, consent to the terms, and recognized allegiance to one another. The 1852 and 1853 treaties acknowledged us as a tribe and negotiated with us as a nation. We were no longer a loose group of Apache tribes. Our leaders consented to peace and farming on the lands and reservations designated by the Indian Agent. This act of the Chiende shaped our distinctiveness as an unambiguous political entity, which differed from other leaders who refused to sign and confederate. Through the Southern Apache Indian Agency, lesser-known bands became a part of one extensive group of signers that were, from that point forward, connected through blood or marriage ties.

The less familiar Chihene division known as Gulgat-Chihene (which translates Desert Prairie Chihene), or to Spaniards as Corral de Piedras or Mimbrenos Bajo (Lower Mimbrenos), comprised local groups who lived between the Mimbres Valley and the surrounding El Paso border region /19/. In 1796, Cordero described the Mimbrenos (Chiende), stating, “The Lower Mimbrenos, those occupying the eastern slopes of this range, often allied with the Faraones, an Eastern Apache tribe for raids on New Mexican settlements while the Upper Mimbrenos more often affiliated with the Gileños and Chiricahua tribes to the west and concentrated their hostilities against communities of Nueva Vizcaya and Sonora /20/.”

New Mexico Territory Governor David Meriwether and Indian Agent Michael Steck consolidated a large portion of Apachería, combining the Chihene divisions with the bands of the Sierra Larga and the Alamo Hueco in the New Mexico Bootheel. On July 9, 1855, the Treaty between the U.S. and the “Mimbres Bands of Gila Apache” confederated our leadership and memorialized our tribal identity. The treaty forged our political identity and a strong sense of tribal unity under the sovereign nations concept, which the U.S. employed with some success in relations with eastern Indian tribes. Article 4 of the Treaty stated that the Petitioner would form the first tribal council in 1853. Our treaty signers made up that tribal council. The 1855 signers enlarged the tribal council and concretized our identity. Our tribal council is distinct from the

leaders **Mangas Coloradas** and **Victorio**, who resisted adapting to U.S. settler society. The leader, **Loco**, seemed more neutral but floated toward **Mangas Coloradas's** leadership until his passing /21/.

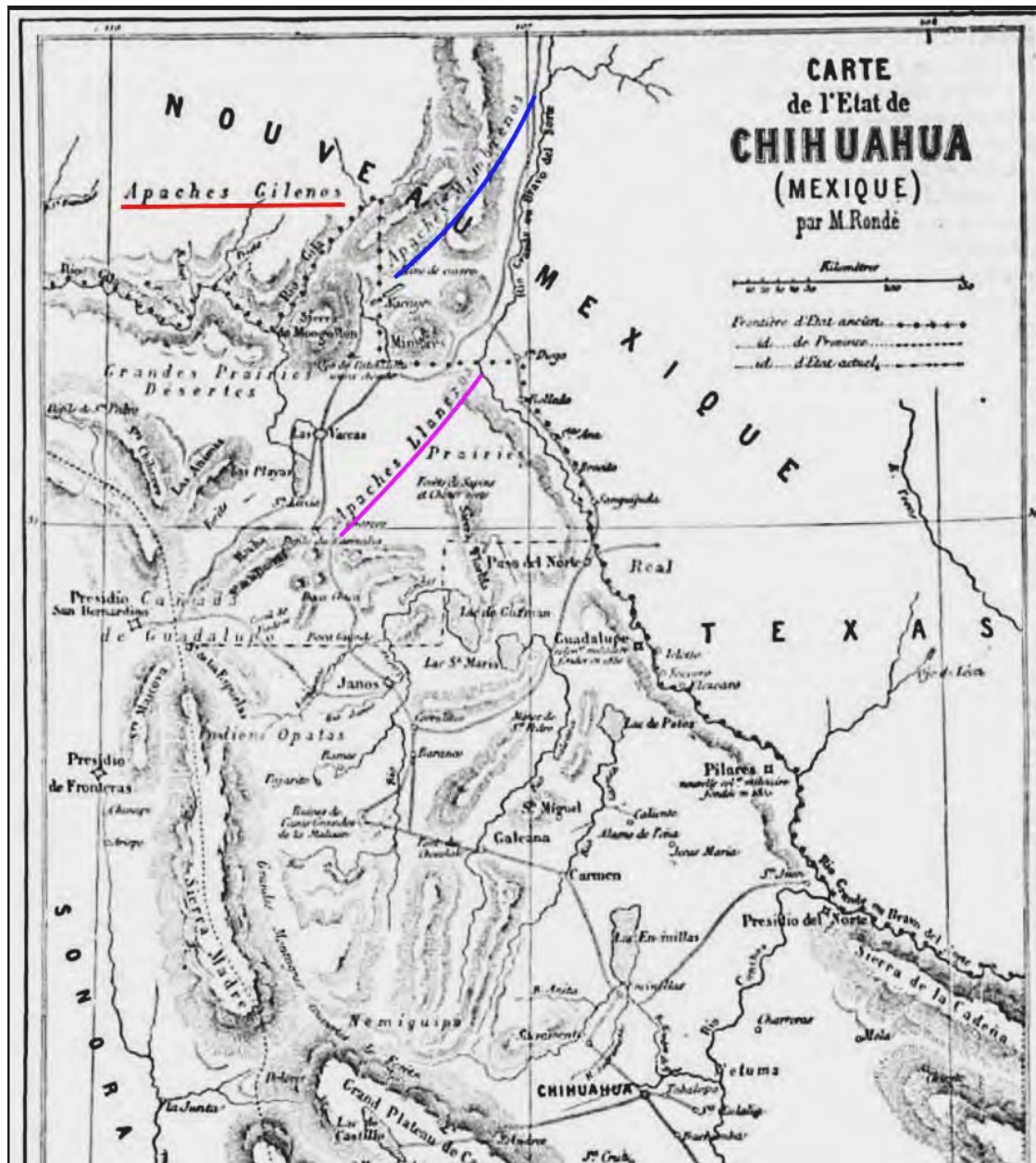


EXHIBIT 23 - The 1861 map above French map “Carte de l’État de Chihuahua (Mexique)” translates, Map of the State of Chihuahua Mexico. The map shows the three Chihene divisions: Apaches Gilenos (Gila), Apaches Mimbreros (Mimbres), and Apaches Llaneros (Desert Prairies), a.k.a.

Gulgat-Chihene /22/.

The punitive actions of the U.S. government led to complete political separation between our peace-seeking leaders and **Mangas Coloradas**. The Mogollon local group, resistant to U.S. settlement, faced military action under Colonel Benjamin Bonneville. This military operation prompted our leaders to move South out of the Bonneville Campaign's theater of operations into the Mesilla Valley and Northern Chihuahua. When our leaders contacted Agent Steck about returning to the Southern Apache Agency, Steck discouraged their return until the completion of the campaign. This recommendation by Steck underscored his understanding of our political distinction. One of our leaders, **Cuchillo Negro**, and his band, who elected to remain in our homelands, was a casualty of the Campaign. In Indian Agent Steck's Annual Report dated August 7, 1857, he identifies **Delgadito**, **Riñon**, **Láceris**, and **Josécito** as the principal leaders following the death of **Cuchillo Negro** /23/. By this time, **Mangas Coloradas** had permanently allied himself with the Chokonen band under **Cochise**.

Once safe from the threat of military action, our leaders returned to Steck and the Indian Agency. This instance of Chiende fleeing for safety was not an isolated event. The Civil War truncated our negotiations and relations with the United States Office of Indian Affairs as a sovereign nation. We still had no permanent Indian reservation, so we became an integral part of the labor force in the region. By the 1870 U.S. Census, those Chiende living in farming and ranching communities were subject to changes in census guidelines. The U.S. designed categories distinguishing reservation Indians from those Indians living off-reservations and began misidentifying our ancestors as White (W) on censuses. As reported by Vincent Colyer, Member of the Board of Indian Commissioners, in 1871, entitled *Peace with the Apaches of New Mexico and Arizona*, Indian Agent Michael Steck instructed our leaders, absent a ratified treaty, to continue farming on our old fields on the Rio Mimbres and Rio Palomas (Palomas), a tributary of the Rio Grande River /24/.

Our people, who had embraced agrarianism, facilitated good relations between our mountain Chiende relatives and Mexicans who had moved into the area. In Lekson's book *Nana's Raid: Apache Warfare in Southern New Mexico, 1881*, he quotes the son of Nana's cousin. The relative stated, "In his youth, Nana was a tall, well-built man, so strong that he could shoot an arrow clear through a steer....He had been a proud, fearless warrior under **Mangas** [**Coloradas**] and **Victorio**, a fighter who was able to stand up against anyone who tried to overpower him. He also had a friendly nature, being well-liked by our Mexican neighbors near

Warm Springs [Ojo Caliente/ Cañada Alamosa]... /25/.” This quote demonstrates how the mountain Chiende lived near the community with settlers, aided by the Apache families living in these villages, who acted as intermediaries between their people and settlers.

Although our Chiende families depended on rations, they came up short, prompting extended family members to seek additional food sources. The late Researcher Dan L. Thrapp wrote in his book *Victorio and the Mimbres Apaches* that Indian Agent John M. Shaw found it challenging to conduct his required census on the 27 Chiende rancherias. According to Thrapp, Shaw complained that many of us were unsettled at the agency due to a lack of rations and supplies and the presence of Troops. Thrapp’s report supports our oral history that around 1876, many Chiende fled to the mountains from the Ojo Caliente (*Tigotel*) for survival. Stories state that only some ancestors returned, and some sought refuge at other reservations when a company of soldiers and Navajo scouts under Lieutenant Henry Haviland Wright attacked an entire Chiende village at the Ojo Caliente. Having no provocation, Wright’s soldiers sacked an entire village, burning “property, provisions and cooking utensils and (cornfields in great measure), Indians barely escaping with their lives /26/.” Our ancestor’s survival was cautiously mediated by different resistance and adaptation strategies that allowed extended family members to maintain their political authority.

The petition provides context about the detrimental economic and ethnographic impacts of the mining, ranching, railway, and agricultural industries on the peaceful Apache communities of the Mimbres and Gila regions. The regional boom of industries emphasized U.S. economic needs and development over Chiende social and economic welfare. In U.S. censuses from the 1870s through the end of the 19th century, census officials rendered the Petitioner’s Native American identity invisible, thereby undercutting our ability to define ourselves as we determined. Misidentifying our tribe changed the way the U.S. perceived and treated us. The ability to define one’s community forms one aspect of our tribal entity’s sovereignty. Nevertheless, we continued to operate as an Indian tribe, demonstrating political survival and persistence. By 1901, the U.S. Federal Government appropriated Apache territories for environmental conservation initiatives, including the Gila National Forest. The growing need for water to support New Mexico statehood resulted in infrastructure expansion through water reclamation and river diversion projects that undermined our communities. These seemingly

contradictory processes, ecological degradation, water reclamation, and forestland preservation, led to the loss of lands (*nííde*) for many Mimbres and Gila Apache. In the early 1900s, some of our families remaining in the area received homestead patents but were later dispossessed of their lands and became a part of wage-earning labor.

From the 1850s through the 1930s, the Chiende people iteratively experienced peace and adaptation in the United States. Most Southern Apache families, including those relocated to reservations and our Chiende ancestors, faced and survived U.S. assimilation efforts in several ways. During this same period, Chiende land bases passed into non-Indian hands as a result of U.S. occupation after the war with Mexico (1846-1848), the signing of the Treaty of Guadalupe Hidalgo (1848), and the Gadsden Purchase (1854). The borderlands, upon which some of our ancestral and territorial homelands existed, once a part of Spain, then a part of Mexico, were split between the Mexican Republic and the United States. At this time, many of our borderland families dispersed north into what was once called the “Mesilla Window,” which later became Hidalgo, Luna, Grant, Sierra, Socorro, and Dona Ana counties. Other families went east to El Paso County and south to the mountain ranges of Northern Mexico.

The acquisition of our traditional territory by the United States from Mexico did not change U.S. recognition of our sovereignty. As a result, our leaders negotiated for peace terms and resources to settle and farm in agreed-upon territories. From this point forward, these extended family groups, known as “kinship groups,” continued maintaining their Apache identity, local communities, social practices, and political authority. As some of our Spanish-speaking Chiende frequently traded near Spanish-speaking communities, these socio-political transitions facilitated our co-existence with Mexican communities. Despite these transitions, we preserved our kinship bonds, social relationships, and cultural norms as Apaches. By the 1860s, we accepted life as distinctly Apache people living in multi-ethnic agrarian communities, laboring together in agriculture and other industries. As a whole, our families resisted reservations that were not on our terms or homelands. Indian Commissioner Vincent Colyer’s 1872 Report to the Board of Indian Commissioners *Peace with the Apaches of New Mexico and Arizona*, which was previously mentioned, documents our resistance to government removal by our successful farming efforts meeting U.S. expectations. We presented no threat to settlers and established healthy working relationships.

Many Chiende continued to accept rations at the Southern Apache Agency at Fort McRae, Fort Tularosa, and Cañada Alamosa, and some received rations at the Chiricahua Apache Agency at Fort Bowie. After these agencies folded, they returned to traditional Apache life-ways. The closing of the agencies, like Cañada Alamosa and others, and the discontinuation of rations resulted in battles with Mexico and the U.S.

Unfortunately, the settler populations of Mexican and U.S. ethnic origins retained a xenophobic view of Apaches, creating an unwelcome environment for our people, even while counting us among their populations. Early in the United States occupation, our ancestral families' oral histories and testimonials of injustice indicate they felt more valuable to wealthy landowners as laborers, servants, and sometimes spouses. Nevertheless, incongruent census documents of the 1870s titled Southern Apache Country identify Chiende families at locations across town and village communities of Southwest New Mexico enumerated as White, not Indian. This categorization undermined our collective claims to land as a sovereign nation.

While some Apache worked at ranches, farms, and mines, others retreated to the mountains of Southwestern New Mexico and the Sierra Madre Occidental of Northern Mexico. These families encountered Apaches who fled reservations, like **Victorio** and **Geronimo**. Contrary to popular tales, several scattered survivors emerged after Victorio's Battle at Tres Castillos (*Tseske*) in 1880 /27/. Following **Victorio's** death, **Loco** became the reservation Chiende leader at San Carlos in Arizona but not the leader of all Chiende families still in New Mexico and Northern Mexico.

By 1882, **Juh** and other non-reservation family headmen directed how we engaged with settlers. Our surviving families returned surreptitiously from Mexico to the U.S., visiting the San Carlos reservation at Eagle Creek to see **Na-ti-o-tish**, who fought at Cibecue. **Juh** and his people broke out four to seven hundred family members from San Carlos, including **Loco** and his people /28/. Some break-outs joined families already living in villages and rancherias, going unnoticed by U.S. officials. Others returned to the Mescalero Apache reservation. Many escaped to the Sierra Madre. Several elders in our community share oral histories of their ancestors' chance encounters with these leaders, who were in refuge in the mountains. In 1883, **Juh**, the son of our treaty signer **Láceris**, died a hero of our people. **Juh** committed himself to his father's intentions of allowing the Petitioner the ability to live in our homelands east and south of Arizona. Many managed to survive scalp-hunting and discrimination to live a life off

reservations. Unfortunately, some of those freed from San Carlos returned to reservations. Some of those were exiled from our homelands to Florida.

By the 1900s, expansionist pursuits following the Gadsden Purchase and the Treaty of Guadalupe Hidalgo included farming, ranching, mining, forest industries, and, eventually, the entrance of railroads throughout our homelands. These industries endangered our homelands and left little room for our traditional way of living. Federal policies transformed our culture and language through the expropriation of our lands. By this time, many family members were laboring as farm and camp hands for a livelihood, thus supporting the U.S. economy. In the eyes of the United States, we had become a landless people. Other Native American tribes, legislators, scholars, museum curators, librarians, journalists, media representatives, government officials serving in the military, and government-funded programs and foundations recognize our Chiende Indian identity and Indigenous title to our homeland.

Our identification and interactions with the U.S. Federal authorities were often based on policies and directives intended to affect our tribally identified community, political, and social structures. As a result of the treaties, we restructured, lived, and abided by them despite only the first being ratified. Our 19th-century ratified and unratified treaties proved to be problematic, as they promoted our dependency on the decisions and actions of our Indian Agency. At the same time, we trusted that our rights as a sovereign nation would be respected by entering into agreements with U.S. officials.

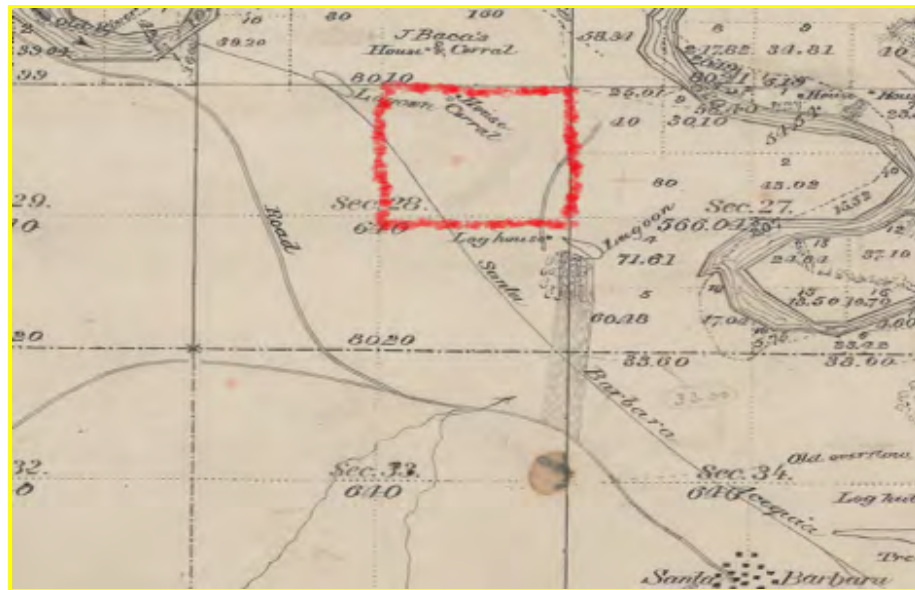
Article 10 of the 1852 Treaty guaranteed donations, presents, and implements needed to civilize us. The 1853 and 1855 treaties acknowledged our homelands but restricted us to a settled way of living under the supervision of the Southern Apache Agency. Article 4 of the 1853 Treaty required us to adopt a tribal council and two chiefs for each band to communicate with the U.S. officials and enforce the treaty's terms. Under this arrangement, we received provisions, farming tools, and donations at reservations like Santa Lucia, the Ojo Caliente, and Tularosa Valley. This compromised our ability to roam freely in our homelands, hunting and gathering our staples. Over the long run, their reclamation efforts undermined the government's intentions to promote our economic success.

At the turn of the 20th century, the U.S. government subsidized private development efforts to build a water infrastructure in New Mexico. Consequently, these efforts began consuming our farming lands. Steve Harris asserts that the local farmers did not respond

positively to the 1895 approval of a 5-year Elephant Butte Dam construction project under private development /29/. The loss of homelands by Federal appropriation, including the Reclamation Act of 1902 for “construction of irrigation works for reclamation of arid lands,” or Presidential proclamation for conservation efforts, starting in 1901, left many of our extended families landless /30/.

Above, the Petitioner documented our families' widespread land dispossession and we discussed the impact of Congress's Reclamation Act of 1902 and President Roosevelt's Presidential Decrees, which started in New Mexico in 1903. The former was the most devastating, with some of our extended families' farmlands ending up inundated in the middle of the Rio Grande River.

The before and after maps that follow graphically illustrate how this came about. Our ancestors were allowed to obtain land patents, as mentioned in our historical narrative; however, they lacked the technical guidance as landowners or assistance in managing future events impacting their lands. Families were not briefed or prepared for the requirements nor the outcomes of the Reclamation Act of 1902. Essentially, they became landless and without subsistence. The map below is the before map. Until this time, one of our families, the **Henriquez** family depended on farming for their livelihood.



Township 18 South Range 4 West April 20, 1858, Survey Fort Thorn Military Reservation. The approximate location of the Henriquez family homestead is outlined in red, Northeast ¼ of Section 28. This map shows Henriques's land patent status before implementing the Reclamation Project of 1902 /31/.

The following map depicts the Henriquez family's land inundated by the rerouted Rio Grande River. The newly built irrigation canal is mapped at an angle to what once was the Henriquez farm. Further, the Elephant Butte Dam Act of February 25, 1905, Pub. L. No. 58-108 ch.798, 33 Stat. 814 (authorizing what is referred to as the Rio Grande Project, consisting of two reservoirs, Elephant Butte and Caballo, and five diversion dams) continued the devastation to additional ancestral families in other locations adjacent to the rerouted river.



Township 18 South Range 4 West February 28, 1920, Survey Old Fort Thorn. Henriquez family homestead outlined in red, Northeast $\frac{1}{4}$ of Section 28 **/32/**.

The May 20, 1862, Homestead Act, provided an opportunity for approximately 8,500 civilized taxpaying Indians living in New Mexico, as reported in U.S. censuses from 1870 to 1900, to acquire land patents in their homelands. However, the act also opened up the land to settlers and unscrupulous land speculators, whose competing desire for land often led to our land loss. Similarly, the 1887 Dawes Act offered a mechanism to dispossess Native American tribes of reservation lands through allotments. By the turn of the century, Native American farming families in New Mexico living on and off reservations were being displaced from their lands. An investigation of Indian Affairs by Lewis Meriam in 1926, known as the Meriam Report, was ordered by the Secretary of Interior Hubert Work. The Meriam Report revealed the systemic

failure of the Bureau of Indian Affairs to protect property because Native Americans were unfamiliar with federal and state tax requirements and this form of land-based commercialism.

State governments were unwilling to help assert Indian interests as the states considered Indians a matter of the federal government. Indians with unsuitable land patents for agricultural use leased and sold their property to generate income. Indians who did not pay state and federal taxes had their lands repossessed. The scathing findings of the Meriam Report confirm policies allowing Indians to be issued land patents and the government's failure to protect them from default and falling into the hands of immigrant settlers /33/. Our independent families who received land patents for farming experienced losses similar to those of the Indians mentioned in the 1926 Meriam Report.

Until the 1930s, U.S. official documents rarely captured evidence of the Petitioner's ancestors living in large family groups in the mountains. However, testimonies of their existence persist in oral histories, which elders, both Apache and non-Apache, claim as evidence of the veracity of the existence of Chiende mountain dwellers. Eventually, some mountain-dwelling Chiende, in the U.S. and Mexico joined their relations in the valleys, adopting modern settlement patterns during the first quarter of the 20th century.

The emphasis on other Apache bands and lack of secondary literature about borderland Apache families that moved across many places and to El Paso County after the Treaty of Guadalupe Hidalgo and the Gadsden Purchase gave the appearance that Chiende disappeared from the landscape after the so-called Apache Wars. The U.S. media perpetuated this incredulous notion. Historically, Apaches were well known to hide in plain sight, a common survival strategy that has added to our peoples' reputation of elusiveness. Our ancestors adapted their clothing, language, and behavior to ensure their safety and security.

Stories in various publications, articles posted on the Internet, blogs, scholarly sources, and other media speak to a hiding strategy among American Indian families as a mechanism for healthy survival in predominantly bigoted U.S. communities. However, in the case of our families, it was also about the settler state's attempt to silence our political authority and hide our Indigenous identity to protect its investment in stolen lands and mineral ores. We were excluded in social circles as we were ethnically non-White and non-Mexican. The notion that the U.S. had removed Apache culture and ethnicity from Southwest New Mexico was a rhetorical stance and should be considered propaganda. As taxpaying Indians, U.S. scholars ignored our presence in

local histories, maps, special Indian census enumerations, and local politics. However, we were determined to maintain our political authority and continuous locality. We preserved our traditional socio-political structure and governed ourselves accordingly.

Native American Studies researcher Brian Burkhart writes, “Coloniality can never actually remove locality, so in the process of colonialism through delocality there always is left a remainder of locality - the Indigenous locality that coloniality operates upon through the force of delocality. Indigenous locality can never actually be removed; it can only be obscured. Indigenous being-from-the-land can never be erased as long as Indigenous people exist and as long as Indigenous land exists (there exists a remainder of being-in-the-land itself survives the delocality of coloniality (being-in-the-land). Locality can only be hidden /34/.” Still, many of our families experienced overt discrimination, taunts, and criticisms, typically encountered among prejudicial neighbors in society. Such acts of discrimination occurred among other Indigenous peoples of the Southwest. Nevertheless, there were government-designated areas in the southwest where indigenous people, mainly Apache, existed on record in their mainstream identity, and safely continued their social practices.

On page 270 of Volume 43, Numbers 1 & 2 of the Spring-Summer 2001 edition of the *Journal of the Southwest*, Neil Goodwin states that two close Western Apache acquaintances of his were accosted in a Ciudad Juarez street by a man and two women speaking Apache. They continued a long, lively conversation indicating that they “were more or less integrated into Mexican society /35/.” Alicia Delgadillo quoted **Evelyn Gaines (Martine)** speaking on the Mescalero Reservation about the “wild Apaches” from Mexico that used to visit her father, **George Martine**, in the mid-1920s /36/. Tribal Historian **Audrey Espinoza** shares an oral history about visiting her Apache relatives with her maternal Great-grandmother, **Maria Luisa Morales**, precisely two maternal Great-uncles, **Jose** and **Sebastian Morales**, a Great-grandfather, **Apolonio Morales**, and a Great-aunt **Jovita Adame Morales** who lived in the Apache ghetto at the end of the Calle (street) Mariscal in Ciudad Juarez.

Calle Mariscal, a dirt road in the 1950s, paralleled the Rio Grande up to the meeting of El Paso County, Dona Ana County, and the outskirts of Ciudad Juarez, Chihuahua. During the 1950s, this area, later called Puerto de Anapra, was a desolate place inhabited by Apache families hiding in the hinterlands. In the 21st century, some research reveals that Anapra has changed dramatically. Sunland Park, Doña Ana County, New Mexico, an incorporated area

formed part of Anapra before the border wall construction. Anapra is still on land where Texas, New Mexico, and Chihuahua meet. Today, it is described as a 30,000-person squatter settlement on the outskirts of Ciudad Juarez, contained by a steel border fence. However, Sunland Park, New Mexico, is a typical gathering place for Christianized Apache families at least once a year in October. Apache families are in the photographs of the first annual pilgrimages to Mount Cristo Rey.



This 1941 Photo taken near Apache Canyon at the foot of Mount Cristo Rey, located today in Sunland Park once Anapra, Chihuahua, includes Chiende ancestors of the Chihene Nde Nation of New Mexico and was provided by Ruben Escandon of the Mt. Cristo Rey Committee for this petition /37/.

U.S. domestic policies reconfigured our ancestors' relationship with the federal government. In 1934, Congress passed the Indian Reorganization Act (IRA) for Indigenous tribes, replacing the Dawes Act. Important provisions aimed at stopping the issuance of allotments and the sale of Native American lands. Tribes were to adopt U.S. government-style constitutions and governing councils to receive subsidies and incentives. This legislation aimed to modify the government's goal of cultural assimilation of Native Americans into mainstream society to a more aspirational way of perpetuating historic Native American tribal culture. Tribes, like the Chiende, had one year to adopt a tribal council form of government to negotiate for education and benefits. The dispersion of Chiende families after the confiscation of our lands

made the one-year timeline an impossibility. Some of our families were still evading scalp-hunters along the U.S.-Mexico border. Others were being expelled from our homelands by settlement and industry. Although we did not submit the required IRA paperwork, we remained a distinct indigenous community with strong social, kinship, and political ties.

By the 1950s, our families left farming locations in the Hatch Valley (formerly known as Santa Barbara Valley), Mimbres Valley, and Mesilla Valley. Families reunited with families in other urban centers throughout the U.S. Some Chiende families joined family members living in the barrios throughout the U.S. Southwest. As in the past, family networks provided a basis for community formation. An example occurred when impoverished Chiende farm laborers, already working in California from New Mexico decades before, took jobs in the San Gabriel Valley in Los Angeles County.

Our Chiende families pursued other opportunities to strengthen extended families' social status and political authority. Since European contact, becoming a soldier provided an avenue for strengthening social identity and integration congruent with the Chiende warrior culture. Our families served as Spanish auxiliary forces (1790-1821), in the New Mexican militia (1850s), in the U.S. Civil War, and every U.S. military action from this early period until the modern age. Their sacrifices demonstrated our families' respect for the military and the significant role military service played in our cultural identity. On May 20, 1960, the *El Paso Herald-Post* interviewed one of our family members, Catarino Beltran, working at a local school /**38**/. Having served in WWI and WWII, he walked between his traditions and the modern world as most of our family members did by this time. The news story referenced this by mentioning his relationship with the land and camp near the Dona Ana Mountains.



This is a photo of Chihene Nde Nation of New Mexico Apache Elder Lawrence Jurado serving in the United States Marine Corps in Vietnam. Lawrence and Helen Jurado provided this photo for this petition /39/.

Chiende continued to serve throughout the long Vietnam Conflict from 1955 - 1975. From the 1960s until the end of the conflict, this impacted our families whose ascending young leaders were drafted or enlisted to the battlefield for the United States. The average age of the U.S. soldier during the Vietnam Conflict was nineteen.

In the late 1970s and early 1980s, Chiende families reunited with relatives returning from military service. Chiende service members impressed upon their descendants the value of social relationships among our people. Families gathered at sacred sites annually in the Chiende tradition. Families continued to travel back and forth from New Mexico and accepted this modern relationship with our land. The war dances, which the U.S. outlawed in 1883 under the Religious Crimes Code's ban on Native dances and ceremonies, were once again permitted by the government. This change in law allowed us to express our cultural identity and social practices more formally /40/. Still, our people have shied away from dancing for non-Indian entertainment purposes.

Chiende, who were embracing their civil rights, began participating in powwows. These are not traditional Chiende celebrations; however, these cultural events allowed Chiende families to gather in kinship groups in their resident communities outside New Mexico. The Petitioner provided an Apache cultural influence to powwows, where they communed with other kinship groups originally from New Mexico.

Traditional Apache leadership structures adapted and survived intact throughout the U.S. modern period. Unless Chiende were at peace establishments or temporarily at reservations, the families dispersed over the region under the leadership of nantans or capitancillos (Spanish term for little captains). We provided for our families using plant and animal products to sustain the band. Neither was it our custom to marry within the sub-band or local group. Therefore, the dispersion of distantly related families allowed one to leave one's local group to marry another, as was the custom of our matrilineal society. A sub-band or local extended family group functioned like a military platoon. The larger band resembled a military company rather than a strict U.S. government-defined tribe. Local groups made up the band. For this reason, military life was an easy adaptation for our people and future generations.



This 1999 photo taken in Santa Ynez, California, was provided for this petition by Chihene Nde Nation of New Mexico, Tribal Secretary Julie Salaiz-Steenport. Angela Steenport, second from the right, is an adult working as an Emergency Room trauma nurse. She aims to work for Indian Health Services (IHS) /41/.

During the late 1980s and early 1990s, Chiende continued to enlist in the U.S. military. Operation Desert Storm and other military operations provide career opportunities and a way to develop Chiende leaders. In addition, Chiende families found it acceptable to serve residential communities through careers in law enforcement. Those with prior military experience and law enforcement experience assumed leadership roles. Social relationships thrived within Chiende communities as our families found themselves among those represented in the military and as educated working professionals.

After the United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), granting Indigenous Peoples worldwide inherent rights to define themselves and enact their cultural, political, social, and economic futures, we were further inspired to assert our sovereignty. To strengthen our nation's development, our families obtained IRS non-profit status. We registered as a charitable organization in New Mexico in 2008. This act of self-determination allowed us to organize, raise money to pursue federal acknowledgment and promote preserving Chiende culture, language, and tradition.

The Petitioner desires to enhance our ability to protect our sacred sites and repatriate archaeological remains and artifacts specific to our ancestors. Chiende re-centered our success in New Mexico and our traditional homelands. The Chiende, like other Native American tribes, transformed aspects of our culture through adaptation. We strengthen our identity through our stance to preserve our culture. The Petitioner's elders continued to teach language and songs, and the younger leaders committed to administering the tribe and centering our wellbeing.

North American Indian tribes, like other Indigenous Peoples, are characterized by high rates of suicide, high school dropouts, child welfare cases, and alcoholism /42/. The social determinants of health, including birthplace, surroundings, education, rights to religious freedom, discrimination, and socio-economics other Indian tribes experience, have not eluded our community. However, we lack the specialized systems of support needed to combat addiction, violence, health disparities, and ICWA protections. Like federally acknowledged tribes, we, too, have high rates of diabetes. One significant difference between us and federally acknowledged tribes is that we do not receive culturally specific services. Structural barriers stand in the way of our health, sense of belonging, and safety. We are concerned about our longevity and the future of our children who suffer from intergenerational trauma.

The period of the 2010s through the present has been a time of awakening of our youth. Being a Native American but not a member of a federally acknowledged tribe limits our long-term development. We are a people with a specific history and relationship to the U.S. We continue to teach about our treaties and our presence among tribes with federal acknowledgment and reservations. We exist despite unfulfilled promises and define ourselves in relation to our ancestors and traditional homelands. Existing without a permanent reservation or the ability to gather on traditional forest lands in the Gila without the U.S. Forest Department's approval

presents a challenge to tribal empowerment. We seek acknowledged leadership to formalize the caretaking role of our sacred places.

Furthermore, our tribe's lack of Federal acknowledgment excludes us from accessing Federal grants and other resources needed to strengthen our economic sustainability and develop the next generation of leadership. It is a financial struggle for the Petitioner to continue to protect its cultural identity and social practices, increase Apache language speakers, and maintain its distinct presence in the community. Accomplishing this while managing the obligations of employment, health, education, and other rising expenses associated with the administration of a Nation in this modern world is nothing short of a miracle without the support and resources provided by Federal recognition. The Petitioner believes the U.S. should acknowledge our past recognition and continuous presence in Southwest New Mexico as Chiende in the spirit of reciprocity. Our historical contribution through natural resource management bolstered U.S. government initiatives, industry, and agriculture. Federal acknowledgment of the Chihene Nde Nation of New Mexico can achieve reciprocity.

The Petitioner sees the benefit of operating under regulations in the 1934 Indian Reorganization Act and the newly established OFA regulation changes in 2015 and subsequent updates in 2023. The Petitioner seeks federal acknowledgment as part of our vision to empower our elders and youth to maintain our culture, traditions, and heritage over the next seven generations. The Petitioner sees Federal acknowledgment as a viable means to help support and encourage future descendants to maintain our culture and its relation to the U.S. government as a legitimate, previously federally acknowledged tribe. As a federally acknowledged tribe, we stand ready to act as a co-stewards of ecosystem management of our ancestral lands.

The introduction and historical overview were written to provide the background and setting for our request for Federal Recognition. In it, we demonstrated that we are a distinct American Indian tribe through our historical particulars vis-a-vis the U.S. government. We demonstrated how our recognized leadership first began as Indigenous, autochthonous units and then interfaced with Spanish colonists, Mexican state officials, and finally, representatives of the U.S. government. Specifically, we interacted with U.S. officials entrusted by a sovereign power to negotiate with American Indians. Our recent history with the government of the United States represents only a fraction of our sovereign history in our homeland. The following section

addresses our identity formation as American Indians who have resided in our homelands since time immemorial.

IDENTITY

The Petitioner and its members identify as American Indians or Native Americans, ethnically and politically. The U.S. previously acknowledged the Petitioner through nation-to-nation negotiations and the signing and ratification of treaties defining territorial boundaries previously recognized by the nation-states of Spain and Mexico. As a previously federally recognized Indian tribe, the Petitioner provides substantial evidence of unambiguous Federal acknowledgment. The Petitioner's status as an Indian entity made the Petitioner eligible for special programs administered by Indian agents who provided provisions, rations, farming implements, and government contracts and services to assist with our transition into Western styles of governance and agrarianism. The Petitioner, as an Indian tribe, carried on a relationship with the U.S. federal government as the Mimbres Bands of Gila Apache.

The Petitioner deeply respects the term Chiricahua but uses the distinct identifier Chihéne over Chiricahua as a tribal identifier to accurately distinguish us from other bands. The Petitioner espouses our distinct cultural identity as Chiende in this section. The Petitioner substitutes the term "Apache " with the Southern Athabaskan term "Ndé " for clarity in identifying ourselves as Indigenous to Southwest New Mexico. We descend from Chihene Nde (shortened Chiende), historically referred to as Southern Apaches, Rio Mimbres and Rio Gila Apache Bands, Mimbres Bands of Gila Apache, Coppermine Apache, Chihenne-Apache, Gila-Apache, Hot Springs-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, and Bedonkohe-Apache, that signed treaties creating trust relationships and stayed faithful to the terms and conditions outlined in the treaties with the United States (1852, 1853, and 1855). Many of the Chiende descendant communities of extended kinship families, who make up the Petitioner, chose to remain in the traditional Mimbres Apache territory of New Mexico.

A broad U.S. project of racial classification and citizenship, especially in the Southwest with the 1848 Treaty of Guadalupe Hidalgo, specifically impacted the way U.S. officials designated our racial identity. The U.S. categorized its "Mexican" citizens as "white." Because the Treaty of Guadalupe Hidalgo offered citizenship to all inhabitants of Mexican territories, our people who were settled, non-hostile, Spanish-speaking, and Christian were perceived to be Mexicans and, by extension, "white." Furthermore, we lived off reservations, farming, working

as laborers, being taxed, and being outwardly Catholic. Under the U.S. policy of assimilation of Native people, federal authorities categorized native people as living off a reservation, holding private property, speaking English, and living outside of one's tribal identity as a civilized non-Indian. This inaccurate racial identifier failed to account for the Chiende extended family group tribal identity, history of agrarianism and Christianity, longstanding resistance to settler occupation, and deep spiritual connection to our homelands.

The Chiende who farmed in traditional Mimbres Apache territory are the direct ancestors of many of our existing extended families. They maintained a political and social identity as Apaches and understood the power of descendant communities. Beginning around 1870, census takers often enumerated our family members living in residential communities as members of the "White" race. The United States, in practice, lumped law-abiding Indians living off-reservations, like us, into the general tax-paying populace as White and/or Mexican /43/. This racializing project involving our ancestors produced essentialist notions of who Indian peoples are and how they are recognized. However, the Petitioner has always maintained an indigenous identity distinct from Mexican and Anglo-American settlers. We continued to maintain our extended family groups, cultural protocol, and organizational structure. For example, Hispanic settlers often referred to Chiende descendants as Spanish-speaking Natives or Mimbren(a) quelitero(a), meaning spinach or wild plant eaters /44/. Apache spinach is called '*it'a*.'

Our family histories illustrate the complex dynamics affecting Chiende families across the political borders of the U.S. and Mexican nation-states in the 1870s. Our ancestor, Blue Mountain Apache local group leader **Eligio Ydalgo** (1838-1874), identified historically by Agent Michael Steck at Fort Thorn, was closely associated with the leader **Láceris**, sometimes referred to as **Pláceres**, a signer of the 1855 Treaty. Documents such as ration rolls and treaties listed the names of individuals identified as leaders or representatives of our families. They offer us a window into the past when our leaders negotiated on behalf of our nation. Sometimes, relatives of Chiende leaders also followed them into positions of authority. **See APPENDIX K - CNNNM Historical Tribal Rolls & Rations.**

Abstract of provisions Issued to Apache Indians at Apache Agency by M. Steck Ind agent during the Qr ending September 30th 1855.

1855.		Salt	corn bushels	Beef cattle	Lard lb.	Flour bushels	Lead lb.
July 10	To Cuchillo Negro Riñon Showanocito Poncito <u>Eligio</u> & others		19		7	1	5
"	To Bolgadito & Shaw & people		10		3	1	4
" 15	To Mangus Colorado & people		12	1	5		
" 25 th	To Moscaleros 375 in number		42		10		
Aug 10 th	To Cuchillo Negro Riñon & people	1/2	10		2	1	5
" 12	Bolgadito Shaw & poncito & people	1	17	1	3	2	5
" 15	To Negrito Jose Cito & <u>Eligio</u>	1/4	10		1	1	5
" 20	To Mangus people	3/4	8		2		
Sep 12	Cuchillo Negro Riñon Jose Cito	1			5	2	
"	Negrito & others		15	1	2		6
" 15	To Bolgadito & Shaw & people	1	15		10	2	3
" 18	To Mangus Colorado people	1/2	11		5		
		5	172	3	55	10	32

I hereby certify that the above is a correct abstract of all the provisions issued to the Apache Indians by me during the Quarter ending Sep 30th 1855 - M. Steck Ind agent -

We the undersigned hereby certify that we assisted at the several issues of provisions to the Apache Indians by M. Steck, and that the above is a correct abstract of the same -
John Lawrence
Treasurer

September 30, 1855, Abstract of Provisions reported by Indian Agent Michael Steck for the quarter shows **Eligio** (twice underlined above on July 10 & August 15, respectively) among the Chiende ancestors **Cuchillo Negro, Riñon, Showanocito**, and **Poncito** as well as **Negrito** and **Josécito** receiving rations at Fort Thorn /45/.

Edwin R. Sweeney, the late researcher, asserts, "...**Láceris**, sometimes called **Pláceris**. Upon his death in the late 1850s, **Láceris**' two sons, **Galindo** and **Juh**, succeeded him /46/. *Thread of Blood*, a book by Ana María Alonso, introduces the reader to **Juh**'s Spanish name, **Lino Leyba** [Leyva] /47/. **Láceris**' father-son relationship with **Juh** connects **Juh** to **Negrito**, **Ratón**, **Gervacio Compa**, and **Josécito** and **Soledad**'s family from the New Mexico Bootheel and Mimbres areas. On March 16, 1852, **Gervacio Compa** and **Josécito** were documented at Janos. **Eligio Ydalgo** remained close to **Juh Leyva** after **Láceris**' death. **Eligio** and **Juh** were among the Apaches who received rations at the short-lived Chiricahua Apache Indian Agency beginning in 1872.

As in the past, our families found different means to sustain themselves, including negotiations with governing officials and obtaining rations in Mexico and the U.S. However, these situations at times put their lives in jeopardy. The Mexicans thought **Eligio** had double-crossed them during peace negotiations in Sonora. The Sonorans had **Eligio** and his wife, **Juana**, killed in 1874 /48/. **Cochise**, whom **Juh**, **Eligio**, and their extended family had joined at the Chiricahua Apache Indian Agency two years earlier, died. By 1876, **Juh** and the extended family who remained south stopped returning to Fort Bowie for rations when the Chiricahua Apache Indian Agency closed.

In 1879, these circumstances led some families with **Juh** to return to hostility in New Mexico locations like McEvers and Slocum's Ranch. **Juh** did not go to **Victorio**'s location as they were not close friends despite their mutual support of each other in war /49/. Some of the Leyvas and **Eligio**'s extended family members relocated. Our ancestors often lived between two or more locations. The Garcia, Leyva, Alderete, and Benavides (Eligio) families can be located on record near the Cañada Alamosa and the Tularosa Valley reservations in Socorro and Catron County, respectively. **José Leyva** and his spouse, **Soledad Alderete**, are listed in censuses in both locations. Like the census at Fort Craig a decade earlier. Following our cultural traditions relating to endogamous marriage, **José Leyva** moved to **Soledad**'s community. Once again, the Indian Agent misidentifies them as White on the census. There, they established a ranchería in the Gila River Forest Reserve. Beyond the 3rd Apache Canyon along Highway 32, in what is today the Apache National Forest in New Mexico, marking the old Mogollon-Chihene rancheria.

In the U.S. Census for June 1880, the Leyva (spelled Leyba) and Ydalgo family, now referred to by their headman's first name **Eligio** (spelled Elicio), are listed as living together in a community in the Tularosa Valley Precinct #22, County of Socorro Territory (now Catron County). The head of household listed in this census, **Gabriel Eligio (Elicio)**, is the grandfather of deceased Chihene Nde Nation of New Mexico member and former Vice-Chairman **Carlos Benavides**. **Carlos Benavides** wedded **Hope Garcia**, a tribal member whose ancestors appear in the census. In a 2008 oral history interview with Tribal Chairman **Manuel P. Sanchez**, **Carlos Benavides** revealed that his father changed the family's surname from Eligio to Benavides.

[7-2906.]

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 Supervisor's Dist. No. 16
 Enumeration Dist. No. 16

Note A.—The Census Year begins June 1, 1879, and ends May 31, 1880.
 Note B.—All persons will be included in the Enumeration who were living on the 1st day of June, 1880. No others will. Children BORN SINCE June 1, 1880, will be OMITTED. Members of Families who have DIED SINCE June 1, 1880, will be INCLUDED.
 Note C.—Questions Nos. 13, 14, 22 and 23 are not to be asked in respect to persons under 10 years of age.

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SCHEDULE I.—Inhabitants in Parish no 32 Suboro, in the County of Sierra Territory, State of New Mexico
 enumerated by me on the 1-2-3-4-5-7-8-9 day of June, 1880.

Name of Person		Sex	Age	Color	Married	Profession, Occupation or Trade	Health	Educational	Native
1	Hicogano Patrick W M 52	Male	52	W	Married	Book Binder	Good	Irish	Irish
2	Wife	Female		W	Married	Housewife	Good	Irish	Irish
3	Daniel W M 19	Male	19	W	Single	House	Good	Irish	Irish
4	Virginia W F 10	Female	10	W	Single		Good	Irish	Irish
5	Mary W F 8	Female	8	W	Single		Good	Irish	Irish
6	Patricia W F 6	Female	6	W	Single		Good	Irish	Irish
7	Blanche W F 4	Female	4	W	Single		Good	Irish	Irish
8	Andrew W M 2	Male	2	W	Single		Good	Irish	Irish
9	Priscilla W F 15	Female	15	W	Single	Former	Good	Irish	Irish
10	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
11	Joseph W F 10	Female	10	W	Single	At home	Good	Irish	Irish
12	John W M 13	Male	13	W	Single		Good	Irish	Irish
13	Robert W M 9	Male	9	W	Single		Good	Irish	Irish
14	Daniel W M 7	Male	7	W	Single		Good	Irish	Irish
15	Charles Lawrence W M 25	Male	25	W	Single	Servant	Good	Irish	Irish
16	Charles Lawrence W M 23	Male	23	W	Single	Servant	Good	Irish	Irish
17	William W M 14	Male	14	W	Single		Good	Irish	Irish
18	Charles W M 10	Male	10	W	Single	Housewife	Good	Irish	Irish
19	Anna W F 33	Female	33	W	Single	Housewife	Good	Irish	Irish
20	Hays H. L. W M 41	Male	41	W	Single	Housewife	Good	Irish	Irish
21	Mary W F 20	Female	20	W	Single	Housewife	Good	Irish	Irish
22	Elisa W F 35	Female	35	W	Single	Housewife	Good	Irish	Irish
23	Louisa W F 27	Female	27	W	Single	Housewife	Good	Irish	Irish
24	John W M 30	Male	30	W	Single	Housewife	Good	Irish	Irish
25	Anna W F 25	Female	25	W	Single	Housewife	Good	Irish	Irish
26	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
27	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
28	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
29	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
30	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
31	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
32	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
33	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
34	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
35	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
36	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
37	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
38	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
39	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
40	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
41	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
42	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
43	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
44	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
45	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
46	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
47	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
48	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
49	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish
50	John W M 25	Male	25	W	Single	Housewife	Good	Irish	Irish

Note D.—In making entries in columns 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

This June 1880 U.S. Census in Tularosa Valley, modern-day Catron County, shows the Garcia, Leyva, and Eligio families living in the community as farmers after leaving the Chiricahua Apache Indian Agency after the deaths of **Eligio** and **Cochise** in 1874 /50/.



The image above pinpoints the Mogollon-Chihene (Leiva's Ranch.) along Apache Creek was a portion of the Apache Reservation established in the Tularosa Valley, Catron County, New Mexico, in 1872. As a "settler on public lands," Leyva was required to fund the expenses for the survey as documented on the survey map /51/.

On August 30, 1881, some extended family members participated in the clash at Cibecue following the murder of an influential medicine man at the hands of the U.S. military. **Ace Daklugie**, son of **Juh**, reported to historian Eve Ball that **Geronimo** commented that he had never understood how the medicine man, **Noch-ay-del-kline**, at Cibecue, had so much influence

on him and **Juh /52/**. **Noch-ay-del-kline** is an ancestor of **Audrey Espinoza** and White Mountain Apache member and Cultural Center Director, **Ramon Riley**. The federal government's actions between 1899 and 1930 that removed several of our kinship groups from their lands challenged their ability to engage in formal nation-to-nation relations with the United States. Many Chiende followed wage labor opportunities westward for a viable livelihood after decades of efforts to remain in the homelands and the indifference and inattention to irrefutable and binding agreements with the United States.

The events document and demonstrate consistent interactions and social relationships within kinship groups living in Chiende communities throughout the Southwest. There are examples of collective Chiende participation in specific economic sectors before and following the Great Depression. Within our extended kinship families, farming, mining, railroad, public works project construction, forestry, military service, civil service, education, entertainment, law, and non-profit sectors helped to support the local economy and provide income for past and current generations.

(Carlos Benavides, "Chihene Nde family history," in discussion with Manuel P. Sanchez, Fort Bayard, New Mexico, September 19, 2009).

(Ruben Leyva, "Chihene Nde family history," in discussion with Audrey Espinoza, Ruben Leyva, Manny P. Sanchez, and Irene Vasquez, Zoom meeting, April 11, 2023).

Tribal Secretary **Julianne "Julie" Salaiz's** family comprised a distinct Apache community in the Mimbres. **Julie Salaiz** (also spelled Salais) **Steenport** and her family's story is more common among the Chiende or Coppermine-Mimbres Apache, as we are often called. **Julie Salaiz Steenport** is the Administrative Assistant of the Chihene Nde Nation of New Mexico, a position popularly known as the tribal council secretary. She is a member of a vast extended family that intersects with other members' families who had a continuous presence in their New Mexico homelands as part of the labor economy. In honor of her ancestors, **Julie** has spent much of her life as a Native American activist serving Indian Country in California and New Mexico. She is a full-time Gila Regional Medical Center employee in Silver City, New Mexico.

Julie's family history illustrates the experience of the Chiende families, whose homelands were impacted by the implementation of the Treaty of Guadalupe Hidalgo, the

Gadsden Purchase, and the U.S. Westward Expansion. Chiende families living close to the borderlands from the late 19th through the middle 20th century experienced a change in their civil status. **Julie's** family members had been accustomed to moving freely through their homelands bifurcated by the introduction of the border between the United States and Mexico. The 1848 treaty between the United States and Mexico directly affected **Julie's** family mobility by limiting their movements across the U.S.-Mexico border.

Julie's ancestral family was also part of the *Apaches de Paz* (Apaches at Peace), who traveled to Spanish and Mexican Apache peace establishments and presidios along the border to receive rations at different times of the year. At other times, they joined their kin of other bands north in the Mimbres region to receive rations at those locations. There was no territorial differentiation or border for them historically, all these lands were home. In the 19th century, the patterns of the family's peregrinations began to change. Some family members temporarily left their homelands in the north for rations in the Northern Mexican states of Sonora and Chihuahua. However, this did not work well for them, either. They had family members in the North that they longed to visit, and starting in the 1830s, the South was no longer a safe haven. Bounties for Apache scalps started in Sonora and spread throughout Apacheria. This separated **Julie's** large extended kinship family into two parts: those who were camping in the South or what was Mexico, and those who were based in the North or what was the U.S. Nevertheless, they eventually had to cross the U.S.-Mexico border to visit extended kinship family members.



Julie Salaiz's grandfather, **Jose Proto Salaiz**, was born on September 12, 1882. This picture was taken of him circa 1900 /53/.

Julie's ancestral family spread out in the Mimbres region to several locations, predominantly San Lorenzo, Pinos Altos, Santa Rita, and what became Silver City, New Mexico. Many family members were baptized and married at St. Vincent de Paul Catholic Church in Silver City. Deceased family members were buried in San Lorenzo Catholic Cemetery, Pinos Altos Catholic Cemetery, and San Juan Cemetery.

Some Chiende families remember the early 20th century as a time of hardship and dispossession of their homelands. Many of these families struggled to make a living embedded among hostile non-Indian communities in the Mimbres. **Julie's** extended kinship family was no different, separating once again, with cousins and uncles moving to California while other relatives stayed in New Mexico.

Women warriors predominated in **Julie's** family as heads of families because the men were often the target of foul play or miners' diseases, causing their premature demise. Two World Wars and the Great Depression presented additional changes for **Julie's** extended family. The men returning from war quickly entered the wage economy of the United States to augment their subsistence. They sought employment in the mines throughout the Mimbres region. The

dangers of mining frequently resulted in widowhood for miners' wives, which is evident in Julie Salaiz's family. Of all the widows in **Julie's** family, her great-grandmother, **Maria Francisca Madrid Rodriguez** (1865 -1943), stands out as the head woman who most influenced **Julie** and her extended kinship family group. **Francisca** was born among the *Apaches de Paz* at Bacoachi in northern Sonora; however, her parents civilly registered her birth in Chihuahua City.

Francisca, or **Kika**, as she was called, was still a young bride when her extended kinship family group headed back to rejoin other Apache families in San Lorenzo, Grant County, New Mexico. She was the widow of **Encarnacion** (Encarnazon on some records) **Rodriguez** (great-grandfather, b.1862), who married on January 7, 1882. As time passed, **Kika** never left her family's homelands at the mouth of the Black Range above the Mimbres River Valley near Highway NM 152. She passed away at 78 years of age from Gastrointestinal Cancer and is buried in Grant County, San Lorenzo Cemetery.

While alive, **Francisca** ran her rancheria in the Mimbres with an iron fist and passed on her knowledge of the land and ranching to all members of her family who were willing to learn. She had a small herd of cattle and farmed 180 acres. She was known for her tenaciousness in her verbal sparring with prominent Anglo ranchers for water rights and other resources in the Mimbres. They denigrated her by calling her derogatory names, insinuating that she was an insignificant Indian woman. The name Rodriguez is one associated with individuals who signed treaties and received rations at the Southern Apache Indian Agency.



A photo of gravesites in the San Lorenzo Cemetery in San Lorenzo, Grant County, New Mexico, shows areas where Salais family's Great-grandmother **Francisca "Kika" M. Rodriguez** b. January 1, 1865; d. April 9, 1943, is at rest /54/.

San Lorenzo, only 25 minutes from Silver City, and the Chino (or Santa Rita) Mine, formerly known as Santa Rita del Cobre, is also off NM 152. Naturally, Santa Rita became a hub of employment among the mines of the Mimbres. Mining consisted of exploitive, rough, physical labor. Many Salaiz and Rodriguez men suffered from respiratory problems and tuberculosis and died at a relatively young age.

During the Depression, some of the men in **Julie's** local group, her own family included, decided to move to Los Angeles, California, for better employment opportunities as jobs in the region decreased. In many cases, preference for available jobs was given to White men /55/. In California, they longed to return to their family in the Mimbres. All members that left promised to return, including **Julie's** Uncle **Samuel Salaiz**.

Sadly, **Sam Salaiz** did not return to the Mimbres until he passed away in October 1998. As his last request, he mentioned that he wished to be buried alongside his grandmother **Kika** in the Mimbres. **Julie** and her relatives in New Mexico united to bury Uncle **Sam** at San Lorenzo Catholic Cemetery in the Mimbres Valley. This indicates a strong attachment to ancestral burial locations. Not long after, **Julie** moved back to the Mimbres.

Julie recalled many pleasant memories of her former home with her Great-grandmother **Kika** in the Mimbres Valley and the stories shared with her about her great-grandmother from her relatives. Among these relations are the Alderetes, Beltrans, Leyvas, Luceros, Madrids, and Montoyas. All these Chiende Apache families have roots in the Upper and Lower Mimbres Valleys, Grant County, New Mexico.

(Julie Salaiz, (Chihene Nde Nation of New Mexico), "Chihene Nde family history," in discussion with Audrey Espinoza, Ruben Leyva, Manuel Sanchez, and Irene Vasquez, Zoom meeting, July 23, 2023.)

Other tribal leaders' family histories show the saliency of Chiende matrilineal extended families in the Mimbres and Gila River Valleys through the 20th century. **Velma Provencio** (sometimes spelled Provincio), a Tribal Council Member and Member of the Ojo Caliente Restoration Society, is the great-granddaughter of **Canuto Parra** and **Juana Holguin** on her maternal side. On **Velma's** paternal side, she is the great-granddaughter of **Nestor Provencio** and

Emilia Garcia Provencio. The history of **Velma's** extended families on her maternal and paternal side demonstrates the longevity of Chiende identity and culture. **Velma's** second cousin **Judy Marquez**, a descendent of **Francisca Parra Rodriguez**, was part of a large extended Chiende family. **Judy Marquez** published her 2018 MA thesis titled "Indigenous Identity and Ethnogenesis in the Mimbres Valley of Southwest New Mexico." The **Rodriguez**, **Renteria**, and **Provencio** families maintained a collective and coherent Chiende identity reinforced through extended family gatherings and refined through ongoing and consistent cultural practices.

Settler colonial developments and commercial ventures in mining in the 20th century may have shifted family locations. However, many Chiende extended families remained in their original locations, held their Chiende identity, and participated in Chiende customs. Like **Julie Salaiz's** family, **Velma's** family members found employment in the local industries and farms. Chiende took up work in the coal mines. **Nestor Provencio** taught his son, **Brijido Provencio**, our Apache songs. **Brijido Provencio** instilled in his son **Manuel Provencio** the importance of remembering and acknowledging their Chiende identity and culture.



Brijido Provencio, Elder **Velma Provencio's** ancestor /56/.

Velma's great-grandfathers [REDACTED]

[REDACTED] Their families merged in a manner that followed marital customs. This was true of other Chiende families, like the Enriques-Morales family, who also worked in the mines. Some families took jobs at the smelting and refinery company at Smeltertown in El Paso County, Texas.

This section addressed how our Chiende Apache families maintained their identities through significant social and economic transformations of the 20th century. Despite losing much of their homelands, many remained to participate in the local economy and stayed connected to their sacred lands. Within families, Chiende customs and oral histories were passed down from generation to generation. Leadership continued as a connective thread among various extended families from when Chiende Apache families agreed to live peacefully in the U.S. Even members of families who left for work returned to the region to honor their elders' requests to return to or be buried in their homelands. The following section examines community maintenance through economic transitions and various forms of state-sanctioned violence.

COMMUNITY

The Petitioner is a politically and coherently unified community refined by ongoing and consistent cultural practices based on Chiende culture and worldviews. During the 28 years from 1820 to 1848, our community endured the tumultuous transitions between three sets of nation-to-nation relations with Spain, Mexico, and the U.S. The petition primarily examines our community identity, beginning with the U.S. intervention. By 1848, new geopolitical relations began, and our ancestors entered into relations with U.S. officials as sovereign Chiende communities. During treaty-making negotiations in the 1850s, we confederated, consolidating our political authority as Gila (Chiende). Our post-Civil War community configuration consisted of extended families under the leadership of specific headmen and headwomen.

Land was a foundational basis of Chiende identity, locality, and community, dating back to our people's beginnings. Our relationship with land influenced our place-based language, worldview, and cultural protocol. The land provided the sustenance to maintain our communities. The dependency on the land was a combination of planting, hunting, and foraging. Planting corn, with irrigation, was part of our annual subsistence. Our ancestors engaged in seasonal movement and gathered plant and medicinal foods. Over time, we began relying more on corn as a part of

our diet while not becoming fully sedentary /57/. Lekson also examined how Chiende families sometimes managed our crops by remaining in one area /58/. Furthermore, he distinguishes the Chiende from other tribes in that the long-distance traveled to support our traditional economy made the economy more fragile and vulnerable to settler colonialism /59/. By the late 18th and early 19th century, our territory encompassed 40,000 square miles /60/. The Petitioner acknowledges this as a conservative estimate.

In the 19th century, our treaties with the U.S. proscribed moving our ancestors to smaller farms along rivers and streams to facilitate economic integration and military supervision. The U.S. government acknowledged that farms in the mountain ranges could not sustain us year-round without access to hunting and gathering in the river valleys and flatlands. After agreeing to peace with the U.S., our ancestors accepted Western-style practices and tools for agriculture as the best way to protect our aging and future leaders and communities. By the mid-1860s, our Indian families worked farms and traded in ethnically diverse Anglo and Hispanic river valley communities /61/. Our families, like the Pueblo Indian people, have represented and continue to represent the Indigenous component within these communities. Our ancestors worked as cowhands, farmhands, domestics, and laborers in villages in the Mimbres, Santa Barbara (Hatch), and Rio Grande (Mesilla) Valleys. They never lost contact with family members who elected to live in the traditional Apache way, in the mountains. Laboring ancestors visited with mountain Chiende, who in turn visited extended family members on farms in the river valleys. Following our treaties, our existence allowed for a choice for us to live in autonomous peace.

Gatherings and information exchanges between mountains and villages occurred from community to community. This distinct community tradition of visiting the mountains to commune with relatives and returning to the valleys and villages distinguished us from our neighbors. Specialized knowledge was required to live in the mountains. However, the close ties maintained among our farming families with the more isolated mountain Apache drew suspicion from Mexican and U.S. settlers. For our ancestors, visiting relatives in the mountains was an opportunity to conduct ceremonies and share meals in the mountains and box canyons, which were well guarded by the surrounding terrain. These locations in our homelands provided the privacy and safety we required for spiritual experiences. As recently as 2023, **Roman Orona**

talked about visiting isolated and highly spiritual locales with his father as a young child in 1980. As in other families, an unbroken chain of Chiende identity persisted and was nurtured through specific cultural practices maintained from generation to generation.

Our members share oral histories passed on by their families; they suffered a poor existence filled with the dangers and discrimination of being Apache. At times, relatives tired of running from U.S. soldiers joined our village communities for a safer way of life. Apaches left reservations to live among Chiende relatives, successfully providing for their families through farming. The United States made it difficult for our ancestors to feel safe on the reservations they designated for our tribe. The U.S. ultimately established permanent reservations for other Apache tribes on or very near their original homelands. Our tribe was denied the same treatment despite our Indian Agent advising us to remain in our homelands.

The government assigned Indian agents to sovereign Indigenous peoples as representatives of the U.S. government. Edwin R. Sweeney refers to Indian Agent Michael Steck as the "The Good Agent Steck " because he strongly supported the people under his charge. The New Mexico Superintendency charged Steck with keeping records, and among his letters can be found a strong admonition to General James Carleton against moving our ancestors to the Bosque Redondo (Fort Sumner) in 1863 and protecting us from Colonel Bonneville during his campaign. Steck advised us to move further south temporarily to avoid the military presence at Fort Thorn, which campaigned against bands of Mogollon Apaches.

Our political decision to remain a community and not consolidate with other tribes allowed our families to continue to live in our ancestral territory. Apaches who did not report to established reservations chose to stay closer to their homelands and traditional sites. The connection to ancestral homelands was fundamental to Chiende identity. They chose to remain in place in their pre-established homes and farms and close to their burial sites. Treaties document trust relationships with nation-states and the long history of our farming locations back to Spanish rule. Our bands were self-governing and self-sufficient; prior generations understood the value of peace and diplomacy.

As indigenous people, the Chiende have unique historical ties to the Southwest New Mexico Border Region referred to by the United States as Southern Apache Indian Country. We have lived here since time immemorial. Historical documents demonstrated that the Mimbres Apache have been exploited, marginalized, and oppressed by three nation-states (Spain, Mexico,

and the United States). The colonizing settler populations occupying Chiende territory, Chi'laa (recte *Tchi-laa*), exerted political dominance by coercion, encroachment, and force, which displaced some families from their farms. Our relationship with land and farming connected us to our earliest documented leader, **Sanaba**, in 1629.

We have always referred to ourselves as Chihene Nde or, more correctly, Chiende, which means “Red Paint People” because we painted our faces, arms, legs, and hair with the reddish ochres of our homelands, Chi'laa (historically recorded by Spanish clergymen of the 1600s as ‘*Xila*’). Our tribal membership descends from **Sanaba**, our oldest recorded Chiende leader, who converted to Christianity /62/. Fray Alonso de Benavides documented our pueblo 40 miles east of the Piro Pueblo of San Antonio de Senecú, modern-day San Marcial, New Mexico, in the San Mateo Range. The San Mateo Range contains the Monticello Box Canyon or Ojo Caliente, the homelands of the Chiende.

According to Fray Benavides, our population was substantial and lived in regions of southwestern New Mexico yet to be explored by the Spanish newcomers. Gradually, the Spaniards contacted more of our leaders, like **El Chilmo**, known to descend from the San Mateo Mountains, in 1667 and began referring to our ancestors by geographic locations and the names of leaders /63/. By January 1757, a group of our ancestors was tracked by Spaniards to Corral de Piedras. This location was Sierra Corral de Piedra, south of the present-day Columbus, New Mexico border crossing. While this ancestral group became known as “Corral de Piedras,” they were documented to have lived along the present U.S.-Mexico border from Columbus, New Mexico, to El Paso, Texas, having rancherías in the Potrillo Mountains. Between 1757 and 1758, Apache made contact with the Spaniards at Janos, followed by raiding reports in 1760.

In 1762, leaders **Coletto de Fierro** (Iron Jacket or Doublet) and **Nantanijú**, son of **Chafalote**, who had petitioned for peace at Janos, were investigated in connection with the theft of horses from the Hacienda de Encinillas /64/. In 1766, Spaniards referred to our Chiende ancestors using the name of the leader **Chafalote**. The *Chafalote-Apaches*, or *Chafalotes* at that time, lived at Corral de San Agustín (Northern Mimbres Mountains), Corral de Picora (the Gila River region), and east and south in the Florida and Potrillos Mountains. **Coletto de Fierro**, **El Ronco**, and the **Manta Negras**, the **Elder** and **Younger**, are associated with invasions from these locations into Chihuahua through Carrizal, Ahumada Municipality, south of El Paso /65/.

Over time, the Spanish officials moved away from identifiers like Chafalotes, Corral de San Agustín, and Corral de Picora to larger geographical groupings - Gileños, Chiricaguis, and Mimbrenos. Some leaders known as Gileños and Chiricaguis are **Chiganstegé (El Chiquito)**, **Asquegoca**, **Pisago**, **El Compa**, **Leonardo**, and **Alejandro**. Our ancestors near the Mimbres Mountains (Black Range) and eastern desert prairies were known as Mimbrenos and Mimbrenos Bajo (Lower). **Nicolas Rodrigues (Coletto de Fierro)**, **Inclán (El Zurdo)**, **Esquilnoctén (Jasquenelté)**, **Nantaníju**, **Pachatijú (Pachatejú)**, **Yagonglí (Ojo Coloradas)**, **El Ronco**, and the **Manta Negras** are well documented. In 1785, Lower Mimbrenos leader **Ojo Coloradas'** (Hazel Eyes') rancheria was at El Corral de Quinteros (La Boquilla, Janos). Similarly, one of the two **Manta Negra** brothers was documented in Corral de Piedras ten years later /66/.

Our kinsmen in areas south of today's U.S.-Mexico border became associated with identifiers like Nedna'i-Apache, Ndéndahe, Janeros, Carrizaleños, and Agua Nuevas. The Agua Nuevas, like the Carrizaleños, were administered through Carrizal but lived further south toward Chihuahua City. Therefore, we share surnames with these families and are unquestionably blood relatives. Our ancestors's subsistence was never restricted to any single location year-round. They changed locations above and below today's international boundary according to the seasons in search of optimal hunting and gathering according to habits of game, such as deer (*bij*) and venison (*bij bitsi*).

They gathered seasonal wild fruits like tunas, the mescal hearts ('itl'a'e), piñon nuts (*niishchi'i*), the acorns (*ye'éltui*), sumac berries (*chĩchine*), as well as our sacred cattail pollen (*hoddetin*). At that time, our ancestors wore animal skins such as moccasins, skirts, breechcloths, shirts, and skullcaps. In time, we adopted woven fabrics and attire stylized in Chiende fashion and adorned with amulets, feathers, metal cones, studs, and conchos. After spending more time with the Spaniards, during the 18th century, the camp dress and manta clothing were embraced as part of everyday wear.

Early settlers and later researchers documented the Chiende farming identity throughout our recorded history. Like other Native tribes that descend from farming communities, we practiced this as a part of our sustainable way of life. Later, in 1853 and 1855, with the support of the New Mexico Territory Governor David Meriwether and a physician turned Indian agent Michael Steck, our ancestors distinguished themselves from the more nomadic, raiding, hunting, and gathering Apaches identified as the Warm Springs Bands led by **Victorio**, **Loco**, and **Nana**.

We exercised our self-determination by staying connected to our land. While our ancestors were off-reservations, they tended to stay close to reservations. Leaders like **Victorio** and **Delgadito** have close ties with families in Monticello, New Mexico. This community comprised families that were a mix of peaceful agrarian Chiende and Mexicans.

Monticello, New Mexico, originally Cañada Alamosa, was a re-settlement of San Ygnacio de la Alamosa. Located west of the Rio Grande River, at the mouth of the Alamosa Creek, a few Spanish-speaking families began populating the area alongside our multilingual ancestors who were already farming there around 1859. By April 1866, 25-30 jacals housed 150 people. Alamosa Creek families relocated there as well. A friendship and, in many cases, kinship through marriage and Christian sacraments resulted from this close contact between Apache and settlers. These relations resulted from agrarian Chiende families who served as peacekeepers and brought communities together. As settlers increased, the mixed community of Cañada Alamosa became a trading center /67/.

On April 18, 1867, in Grant County, investors under the Santa Rita Mining Association, which included high-ranking government officials, filed for a mineral land patent and paid the required filing fees. Governor Mitchell and U.S. Military General Carleton, who had waged a campaign on our ancestors in this area, were two of the Association's principal interests. The efforts of these two were weakened by Mitchell's ineffective administration and Carleton's removal from his assignment over Santa Rita. However, U.S. Marshall Pratt and the territorial Attorney General Stephen Elkins continued to lead the Santa Rita Mining Association /68/. Many of our ancestors remained in the area and worked in mines, on ranches, and farms.

U.S. officials acknowledged us as farming people in the 19th century, and we continued farming in the 20th century. Special Indian Agent William Frederick Milton Arny enumerated the 1870 Census of the Southern Apache Indian Country in Socorro County when the state of New Mexico was still a United States territory. At that time, our ancestors were taking rations in the area under Arny's jurisdiction and continuing to farm. Nevertheless, Arny enumerated our ancestors' ethnic identifier as White. The 1870 Decennial Census form was the first ever explicit enumeration for Native Americans. This Census distinguished farming Chiende as taxpayers and separate from reservation Indians. The identifier *Indians not taxed* describes Indians living on reservations, depending on government services and programs /69/.

The term *Indians Taxed* was to be used in the case of farm-working Chiende and other Native Americans not living on reservations. The limitations placed on our ancestors by unratified treaties, fear of racialized violence, and the division between Indians taxed and Indians not taxed harmed our ancestors. Race misclassification by census officials through limited racial or ethnic categories and the *Other* category undermined our efforts to substantiate our sovereign status in U.S. records. Being off-reservations and a part of the disaggregated data associated with Indians taxed, our ancestors did not have access to social services, like health care, education, lands in trust, and government subsidies for farming and ranching offered to reservation Indians.

A significant challenge to our Indian community occurred at the turn of the century. The Census instructions furthered federal policies and objectives of assimilation by eliminating racial and political identifiers essential to our indigenous identity in New Mexico. Assimilation was intended to facilitate disintegrating our coherent and unified community identity as Chiende. However, our families' presence on censuses in the same communities demonstrates our unbroken social relationships. In 1890, the U.S. collected information on the number of Indians based on the categories of Indians taxed and Indians not taxed. Our ancestors were enumerated as Indians taxed. Enumerators counted 8,554 Indians in the General Census of New Mexico in 1890.

The following table shows the number of Indians taxed or taxable, self-sustaining, and counted in the general census as 58,806, and gives them as males and females by states and territories:

INDIANS COUNTED IN THE GENERAL CENSUS, BY SEX AND BY STATES AND TERRITORIES.

STATES AND TERRITORIES.	Total.	Males.	Females.	STATES AND TERRITORIES.	Total.	Males.	Females.
Total	58,806	30,000	28,296	Montana.....	800	450	404
Alabama.....	759	338	421	Nebraska.....	2,803	1,480	1,413
Arizona.....	1,512	840	672	Nevada.....	3,580	1,013	1,080
Arkansas.....	218	140	72	New Hampshire.....	18	13	3
California.....	11,517	5,002	5,015	New Jersey.....	84	47	37
Colorado.....	107	31	76	New Mexico.....	8,554	4,553	4,001
Connecticut.....	228	107	121	New York.....	726	383	341
Delaware.....	4	3	1	North Carolina.....	1,514	741	771
District of Columbia.....	25	13	12	North Dakota.....	104	63	101
Florida.....	171	97	74	Ohio.....	103	119	74
Georgia.....	08	30	32	Oklahoma.....	10	5	5
Hawaii.....	150	72	87	Oregon.....	1,258	622	630
Illinois.....	07	40	51	Pennsylvania.....	983	590	393
Indiana.....	343	103	180	Rhode Island.....	180	90	81
Iowa.....	00	31	20	South Carolina.....	173	82	01
Kansas.....	700	455	281	South Dakota.....	782	382	400
				Tennessee.....	140	71	75

EXHIBIT 67 - U.S. Census Bureau, "1890 Census Report of Indians Taxed (New Mexico highlighted). "United States Census, 1890." n.d. U.S. Department of Commerce. Retrieved from: <https://www.census.gov/library/publications/1894/dec/volume-10.html/70/>.

The 1900 Decennial Census ended the term Indians taxed. The 1900 Census Instructions documented how census takers began enumerating our Chiende families as part of the general citizenry. Our ancestors, like other Indian people in the United States, were listed on a modified form of Schedule 1. Form 7-224 is for the general population, and not 7-464 is for the Indian population. The instructions for enumerators on the 1900 census include the following sections:

SCHEDULE No. 1 - INDIAN POPULATION.

247. This schedule (Form 7-464) is a modified form of the general population schedule, and is to be used principally for the enumeration of Indians living on reservations or in tribal relations, but also by the enumerators in certain counties containing a considerable number of Indians.

248. If any copies of this schedule (Form 7-464) are enclosed in the portfolio for your district, you are required to enumerate thereon all Indian families living in your district, in accordance with the instructions printed on that schedule.

249. Detached whites or negroes living in Indian families are also to be enumerated on this special form of schedule as members of the Indian families in which they are found; but detached Indians living either in white or negro families outside of reservations are to be enumerated on the general population schedule (Form 7-224) as members of the families in which they are found /71/.

The National Archives and Records Administration (NARA) website states that Form 7-464 was often filed either at the end of the census for each county or after all the counties in each state. Our research revealed no such filing for the counties and the state of New Mexico. We request that the Office of Federal Acknowledgement direct us to Form 7-464s from this time in New Mexico. The supporting documents included with our petition are copies of the U.S. censuses between 1850 - 1885 that documented many of our families' presence in Socorro, Doña Ana, Grant, and Catron counties of New Mexico, extending decades after Fort Thorn's dissolution and into present times.

In the 1900s, the Chiende, many whom never agreed to cede their lands, found themselves living on or working on partial lands of their ancestors. Within forty years, they lost free and open access to their territorial lands, the basis of their economic self-sufficiency. Although some acquired land patents, U.S. government actions deprived them of their lands to establish nationally protected lands, or they privatized lands that became the property of non-Native farmers, ranchers, and mining owners.

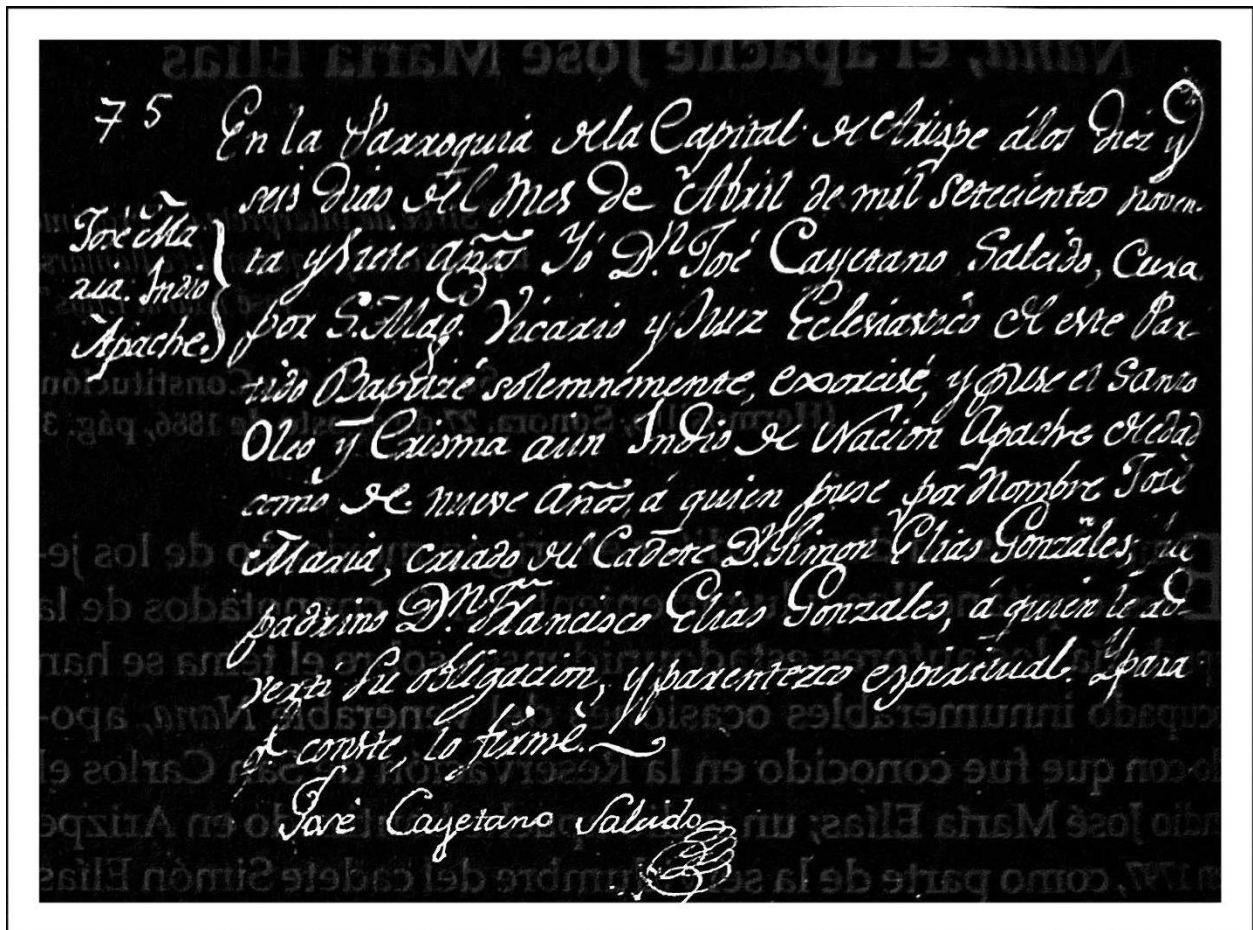
Our tribe has researched and demonstrated a historical tie between current extended families and Chiende communities inhabiting the mountains and flatlands around the Mimbres

Valley, Santa Barbara Valley (Hatch), headwaters of the Gila River, and parts of the Mesilla Valley of New Mexico. Although we lost our homelands and later our land patents, Chiende extended families maintained distinct communities based on Chiende ancestors, territorial homelands, cultural protocol, and community practices. Existing archives and documentation present challenges for widespread documentation of all Chiende ancestors and their descendants. The exclusion of women and children in official U.S. documents is significant. The names of the primary leaders of bands are available on record, and we directly descend from those leaders, treaty signers, and families. Records also document those present at the time of census taking. Our bands' mobility challenged U.S. record keeping of our continued existence as American Indians. However, our members have accurate oral histories and records demonstrating kinship to the historical Chiende communities.

The Petitioner's membership enrollment committee considers the documentation by the United States to be uneven and poorly written when evaluating potential members. This philosophy aligns with the guidelines provided by the Department of the Interior's Office of Federal Acknowledgement. Prospective members include those indigenous to certain counties in New Mexico, who present genealogies, and who hold historical records showing indigeneity to New Mexico before U.S. annexation. Our current members and our nation's leaders, who are the remnants of Apache *gotahs* under various leaders and know their oral histories and customs, are always welcomed additions. Some members have used DNA companies offering mapping tools that show connections to our ancestral leadership. It is important to note that many Chiende leaders, our kin, were related by endogamous marriage or adoption. Ample proof exists that Spaniards gave Chiende Christian names while administering the Christian sacraments. In the late 1800s, it was not uncommon for Chiende to bear a name of Spanish origin even while retaining their Indigenous names only known to Apache communities /72/. Like other Apache and Pueblo peoples, it was common for an Apache to have a Christian name, an Athabaskan name, and a name resulting from meritorious leadership. When interacting with outsiders, we did not identify ourselves with our Apache names reserved for Apache-speaking friends and family. Spanish influence made Christianity important for Chiende, whether at peace or not. Sacraments like baptism had become a part of Christianized Apache culture.

Historically, Chiende leaders participated in Christian sacraments and received Spanish aliases at baptism. Manuel Rojas' book *Apaches...Fantasmas de la Sierra Madre*, published in

Chihuahua, Mexico, confirms that Apaches can be traced using Spanish names through archival baptisms and other Spanish church records. The children of **El Compá** and other leaders were given the holy rites /73/. This custom remains with us today. Our use of Spanish names has existed for centuries. Census documents from the late 1800s reveal the use of Spanish surnames among Apache communities. Having Spanish surnames or being listed as White (Anglo/Spanish) has not altered our fundamental political, ethnic, national, or social identity within our community.



A record of an Apache baptized **Elias** in 1897 (Manuel Rojas 2016, 224) /74/.

Despite the repeated relocations of our ancestors in the decades following up to the mid-20th century, our nation appears in the records as being continuously acknowledged as an Indian entity by the Department of the Interior, Office of Indian Affairs. A circa 1940s fourteen-page document titled *Indian Tribe List*, referring to Previously Federally-Acknowledged tribes, numbered 120633 in the upper right-hand corner and stamped with a note, "Please return

to: Miss Muriel A Pirie 4160 Interior Building, Washington 25, D.C.” refers to our Nation under several names including; **Chihenne-Apache or Hot Springs-Apache, Gila-Apache, Hot Springs-Apache or Chihenne-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, Bedonkohe-Apache.** This document states, “This tribe list (was) prepared by Mrs. May M. Reed, Statistician, Office of Indian Affairs, and verified by Dr. John P. Harrington, Ethnologist, Bureau of Ethnology, Smithsonian Institution /75/.”

Later, documents omitted our name. In a succeeding five-page document dated April 1, 1941, number 138314, our ancestral nation is not among the list of Previously federally acknowledged tribes in New Mexico. Nevertheless, there is no evidence that we were ever a subject of the U.S. Congressional termination policy as required by 25 C.F.R. Part § 83.11(g). These documents are among several curated documents held by Attorney John E. Parris of Tulsa, Oklahoma, on his web page at <https://www.johneparris.com>.

Our ancestors and most of our descendants' families have lived in New Mexico since before the seventeenth century and continue living here in the twenty-first century. While some descendant families have moved away for many different reasons, they almost always return because we all have relations that never left our homeland. Many of us also have marriage kinship ties to the federally acknowledged Apache tribes in New Mexico, so there is always someone to welcome us home.

The formal loss of our lands in the early 20th century began with the actions of U.S. President Theodore Roosevelt. He used Executive Orders and Presidential Proclamations to claim lands without input from the farming Chiende people. The History Channel website confirms this devastating truth. Among Roosevelt’s first preservation actions was designating the Gila Forest Reserve in New Mexico. The designation of the Cibola National Forest effectively left our ancestors landless, undermining their autonomy and economic well-being /76/.

In the U.S. period, violence directed at Apache peoples, genocidal actions, forced relocation policies, and land seizures moved our elders to mask our ethnic identity and culture. Their alternative was to live in or close in proximity to their homeland territories, practice farming, and enter the U.S. labor market. Facing the possibility of separating their families through the introduction of boarding schools and imprisonment, many of our Chiende families chose to recede into society and privately practice our customs in the community. Eventually, due to large-scale land appropriations and economic downturns, some of our families remained

in Chiende agricultural communities. However, with the loss of their farmlands, several other kinship groups were forced to emigrate to pursue a means to support their families.

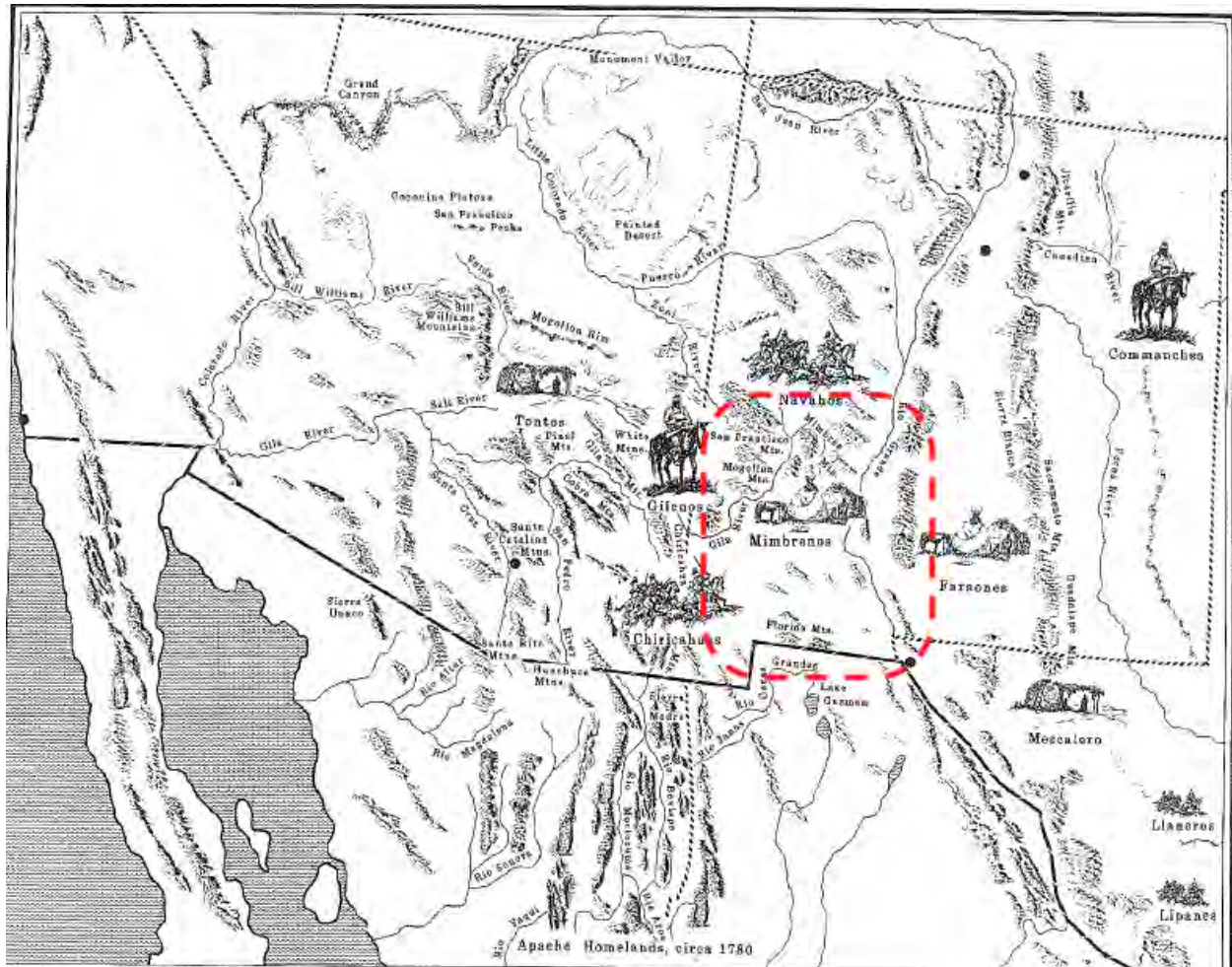
The petition reverses our ancestor's strategy of minimizing our ethnic identity publicly for the sake of the survival of our people because our acknowledgment is integral to our survival. Historically, the Mimbres-Chihene and associated local groups have been reluctant to publicly affirm their ethnic identity owing to decades of violence directed at Apache, generally from the Mexican and U.S. governments. Violence inflicted on Apache in the present-day U.S. and Mexico by the Mexican military, individual citizens, and scalp-hunting parties, including white Americanos, throughout the mid-1800s caused them to be distrustful of living in towns and trading and interacting with Mexican citizens /77/.

Our petition affirms that our Chiende community interacted with the U.S. government as sovereign units. We related our history of land dispossession and violence to underscore the way our community remained unified and survived attacks on their ways of life. Moreover, census takers imposed a White or Mexican identity on our extended families to reinforce U.S. dominance over our tribe and promote assimilation. This racial project undermined our primordial land tenure. Moreover, by erasing Indian or Other as a census attribute for our community members, they formally modeled the pressure for Indian erasure. They cemented Indian identity as delimited to those who lived on reservations. Despite these historical circumstances and material pressures, we remained a unified Indian entity.

Our people have consistently gathered for ceremonial occasions, including annual feasts and family gatherings. U.S. agents first documented the annual feast in official correspondence. Agent Steck's report for the September 30, 1856 quarter stated that he had provided provisions "to the Mimbres band at their annual feast /78/." We continue to practice this custom and welcome other Apache Nations to participate. Even as recently as 2023, we gathered according to tradition.

During our annual gatherings, our leaders have hosted members of other Apache tribes at our events, including San Carlos, White Mountain, Mescalero, and Jicarilla. The Alamo Navajo members have also been guests at our events. The Jemez Pueblo gifted our tribe a bottle of red clay for our June 19, 2014, blessing ceremony /79/. Together, we acknowledge each other's tribal existence. We express our tribal ties in multiple ways. The bands remained at peace;

visiting different bands near the outskirts was frequent. Individuals of one band attend the puberty rite of the daughter of another band member. The social dance songs speak of the woman or a man 'from a far country,' further evidence of unity among the different bands /80/. To this date, we maintain our relationships with other bands and nations.



The red dotted line in the map coincides with our territory defined in the 1790 Treaty with Spain and the 1838 Treaty with the Republic of Mexico. The NARA map entitled "A Map of the Country Inhabited by the Gila and Mimbres Apache Indians" confirms territorial and reservation boundaries as outlined in our 1855 Treaty at Fort Thorn. Apache Homeland, c. 1780, drawn by James P. Finley /81/.

The Chihene Nde Nation of New Mexico is a political and social unit, or nation, based on shared values, norms, and belief systems similar to the Mescalero, San Carlos, White Mountain, Fort Sill, Jicarilla, and Lipan Apaches. Our character is that of strong-minded, unrelenting, and

community-centered people. Since time immemorial, the Chihéne people have connected with our homelands.

The red ceremonial paint, a form of red ochre clay, ties a Chiende to *Chi'laa* to our ancestral lands. We are born of this clay and will return to the Earth Mother when we travel to the *Happy Place*. There is great significance for a wearer or bearer of the red paint or *Chi'*, as we refer to it /82/. The *chi'* bonds us to the Earth Mother, much like a blood relative. The Earth Mother has promised to care for us unconditionally. Therefore, in our community, we reciprocate the love and cherish our relationship with nature.

Our families inhabited our traditional boundaries, hunting and gathering in our strongholds like the area between the Florida Mountains (*Dzihnokane*) and Cookes Peak (*Dziltanatal*). Cookes Peak was a deer hunting area. As a tribe, we reunite annually at a significant location, such as Luna Park, known to us as **Victorio's** Stronghold, in Sierra County, New Mexico. The elders and the tribal leadership decide the location. The location may vary for several reasons, including ceremonial significance. Bedonkohe-Chihene leader **Phalis Palacio**, whom the Spaniards considered the most intelligent Apache, lived and farmed near present-day Cliff, New Mexico /83/. Therefore, in 2021, we camped in Cliff, New Mexico. Now that the pandemic has receded, we have resumed our annual convening.

The gatherings of the tribe are private events, although it is not uncommon for our members to visit powwows throughout the United States. We have families who perform gourd dancing in traditional Apache regalia. In this manner, we socialize with other tribes and exchange histories through ongoing and consistent practices within the community. We have tribal members who have assisted in organizing Powwows in New Mexico and other states. While powwows have specific protocols and are viewed as sacred by our people, these events are not traditional Chiende gatherings.

Private Chiende ceremonies have always been performed and continue to take place. Chiende ceremonies are invitation only, and no economic or competitive components are associated with our ceremonies. Chiende private gatherings are held in the backcountry, typically in public wilderness lands. We invite trusted guests to this undisclosed location for all or part of the ceremony.

Nevertheless, strangers are unlikely to stumble upon our campsite, rarely less than a mile from the nearest campground. We teach that the Mountain Spirits (*Gaⁿheh*) visit such events to

offer support and blessings /84/. No photography is allowed during the ceremony and prayers without expressed permission. Some of our rituals include Mountain Spirit dancers or crown dancers, so aptly named due to the uniquely antler-styled crowns, masks, skirts, sashes, moccasins, wands, and colors used to symbolize the Four Directions. The four crown dancers are accompanied by at least one white-painted clown, whom they proceed in the order of the dance. As a people, we understand that the dancer transforms into the actual Mountain Spirit endowed with the spiritual powers held deep within our ancestral mountains (*dzil*). Boys and men dressed and painted in the image of the *Ga'heh* are to be revered by all in attendance. Our elders prefer ceremonies within our traditional boundaries to yield spiritual results.



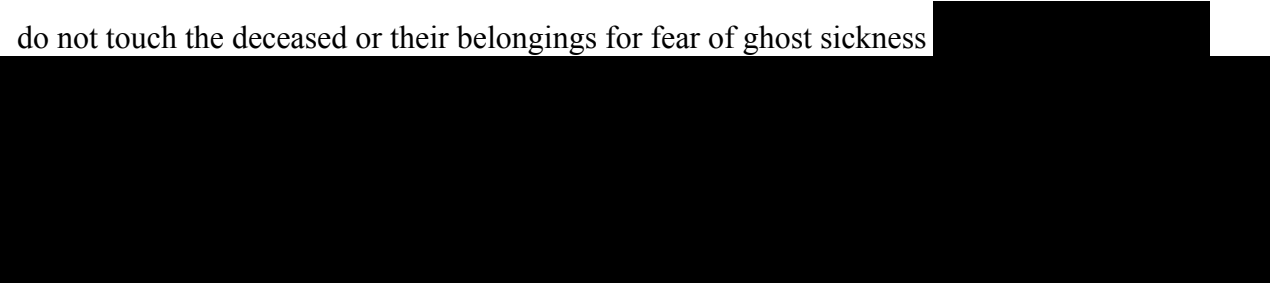
From the left, Tribal Council Member at Large **Lauren Denson**, Yolanda Leyva, OCRS Parliamentarian **Jessica Martinez**, and **Eloise Mayo** in the Gila National Forest before the Crown Dance Ceremony (08/05/23) /85/.

The crown dancers and the *diyin* (medicine people) use an unspoken form of communication throughout the ceremony. Other *Chiende* community members are integral to the ceremony. Singers and drummers support the women and girls who dance around the sacred fire, seeking balance, guidance, and spiritual blessings. Chiende continues to dance and sing with other Apache tribes like San Carlos, Mescalero, White Mountain, Cibecue, and Jicarilla. From 2012 to 2016, the late Mr. **Paul Ortega** (former Mescalero Chairman) and from 2016 to 2018,

Mr. **Joel Lester** of the Mescalero Apache Tribe served as the Petitioner's medicine men at different times. The **Joel Lester** crown dancers have blessed our land and offered prayers for our tribe's federal acknowledgment. These two medicine men continuously provided instrumental guidance to our people.

Our spiritual leader, **Mr. Ortega**, taught us that we can heal ourselves and do this in cooperation with the community. In an oral history project interview with H. Henrietta Stockel, **Ortega** once stated, "I never pray for myself. I always pray for everybody else, hoping someone will pray for me /86/." He reminded us of who we are as Chiende. We strive to be good citizens by caring for our families, working hard, and honoring the United States government without losing our political, ethnic, national, or social identity. We are intolerant of using snakes/snakeskin, owls/owl feathers, and bear/bear claws for dress or ceremony. While we practice self-reliance, we do not embrace the concept of individuality. We still believe in the traditional motive of seeking what is best for the tribe.

Today, we bury tribal members in cemeteries; however, this is not the traditional custom. The whereabouts of a gully or mountainside burial location are not to be revisited or disclosed to the public to prevent any disturbance to the remains. The practice of cutting our hair and discarding all material possessions upon a family member's death (da'itsaa'i) still occurs. Upon the death of a family member, our ancestors burned the dwelling (wickiup) of the deceased as we do not touch the deceased or their belongings for fear of ghost sickness



Our elders are responsible for continuing our traditions for future generations. The Ojo Caliente Restoration Society (OCRS) members, composed of elders of the Chihene Nde Nation of New Mexico, impart knowledge about our pre-settler ceremonies, reinforcing members' ties to the community. These elders advise us on appropriate Apache protocol. Likewise, the OCRS regularly outreaches to the elders and spiritual leaders of other tribes. These culture bearers stress the importance of abiding by traditions to young and upcoming Chiende leaders. The OCRS provides consultation for the tribal council on matters involving culture. The Ojo Caliente

Restoration Society (OCRS) plays a formative role in passing on our oral histories, language, and customs to the next generation.

Our elders are asked to advise on local Apache cultural practices. The OCRS led a project to outfit male and female mannequins with Chiende regalia for the Mimbres Cultural Heritage Site in Mimbres, New Mexico [REDACTED] under the stewardship of the [REDACTED] preserves the [REDACTED] which our Chiende people hold sacred like the other ruins in the [REDACTED]. For example, tribe members, such as **Richard Montoya**, recalled that families were appointed as caretakers of specific areas, like th [REDACTED] where goyas, thermal springs, and historic acequias were located. This was true of the Montoyas and Costales [Enriquez], who shared the responsibility of cultivating the corn fields to feed our ancestors and protect the sacred sites.

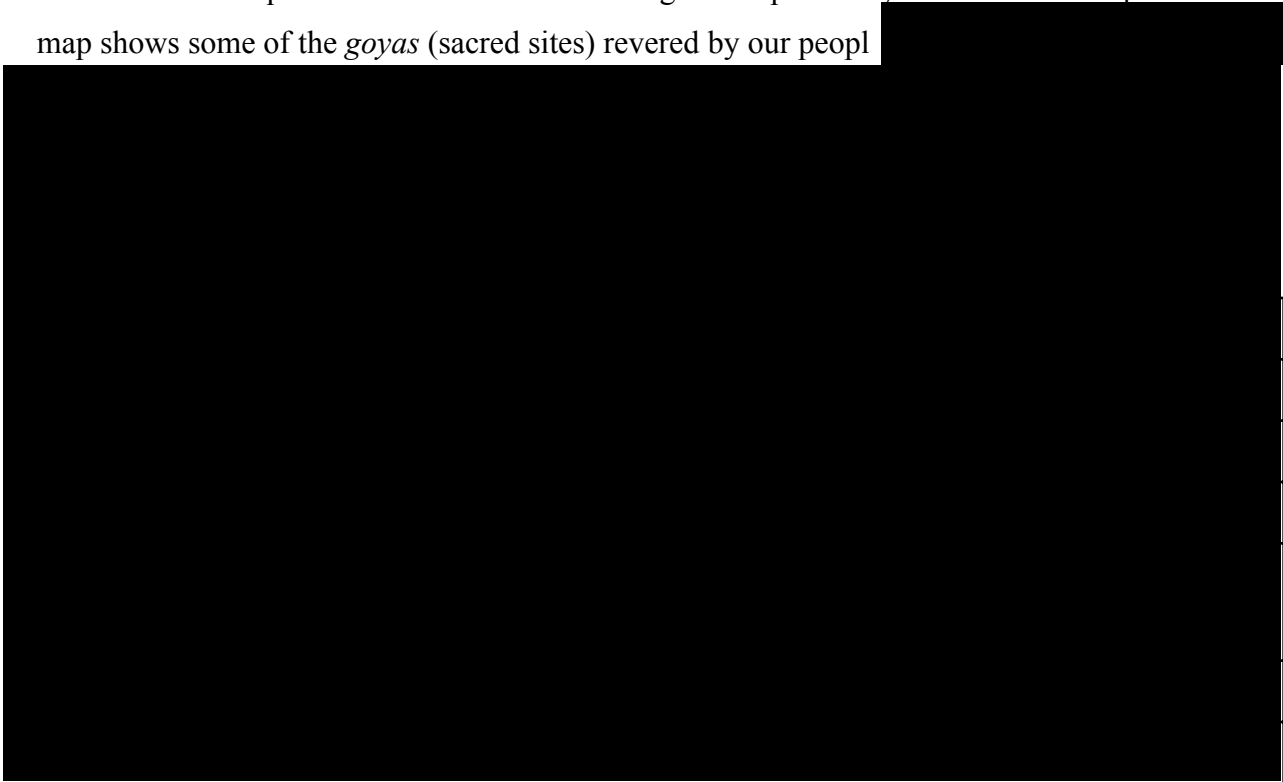


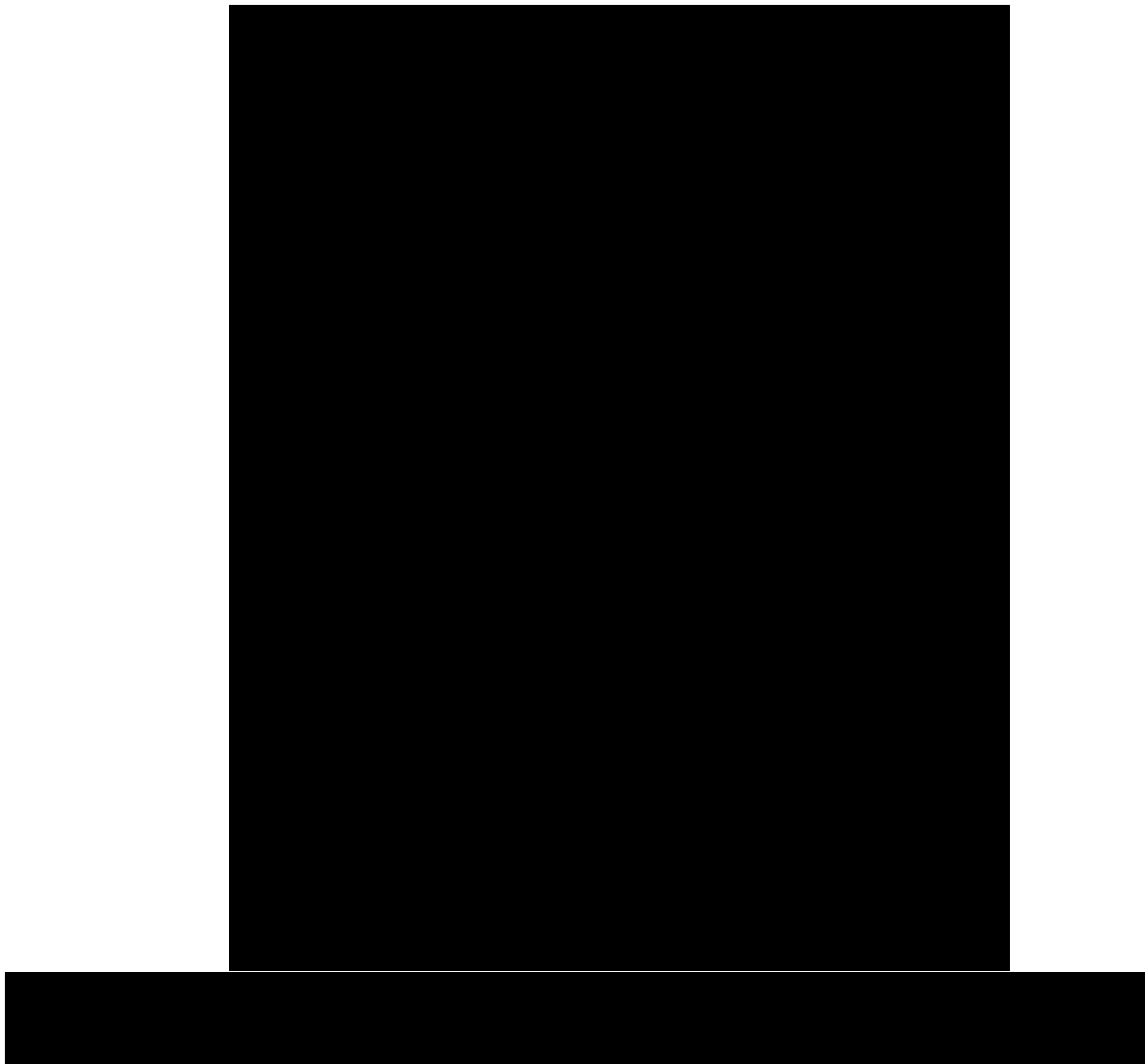
In 2012, Elder Helen Jurado pictured in the sacred waters of [REDACTED] while Chairman Manuel P. Sanchez and his children watched and waded /88/.

Vine Deloria, Jr., in *God is Red: A Native View of Religion*, offers a good summary of how Chiende connects to our sacred locations.

“Context is therefore all-important for both practice and the understanding of reality. Elders remember experiences and revelations at locations where the people could communicate with the spirits through rituals and ceremonials. Thousands of years of occupancy of their tribal lands taught tribal peoples their sacred landscapes for which they were responsible, and gradually the structure of ceremonial reality became clear. It was not what people believed to be true that was important but what they experienced as true /89/.”

Deloria’s quote offers a window into indigenous spirituality related to sacred places. The map shows some of the *goyas* (sacred sites) revered by our people





Our sacred locations serve as sites to reinforce community and social identity. According to Fray Alonso Benavides' writings, in 1628, Chiende leader **Sanaba's** camp (*Pueblo of Xila*) was located 14 leagues (approximately 42 miles) west of the mission at San Antonio de Senecú. This topographical description placed **Sanaba's** rancheria near ancient villages /91/. Later, this location was the site of the Montoya Homestead patent issued in 1890. In his oral history, Richard Montoya shared that gunmen forced his grandfather and family to leave their homestead in the early 1900s. The family tried to recover the land through the legal system but was unsuccessful. This evidence supports our people's decision to maintain an ongoing presence near areas that offer spiritual experiences. Therefore, the proposed locations for the signing of the 1853 and 1855 Treaties were necessary and intentional for the Chiende. Forts Webster and Thorn are honored as places where we received rations. These were also locations where our families

historically camped and farmed. They served as thoroughfares supporting our subsistence patterns by providing suitable native species for hunting, good soil (*leesh*) and water (*tu*) for planting crops, and easy access for traveling and gathering. The nearby Mimbres Mountains, a.k.a. Black Range (*Dzil Dilhil*), Cooke's Range, Florida Mountains, San Mateo Mountains (*Dzilizisi*), and other summits offered Chiende vantage points to protect against invasion. The region surrounding these military posts provided access to our religious centers, the ancient ruins, and a large concentration of our people. Locations like [REDACTED] and the [REDACTED] [REDACTED] still exist in Grant County, New Mexico.



A photo of a [REDACTED]

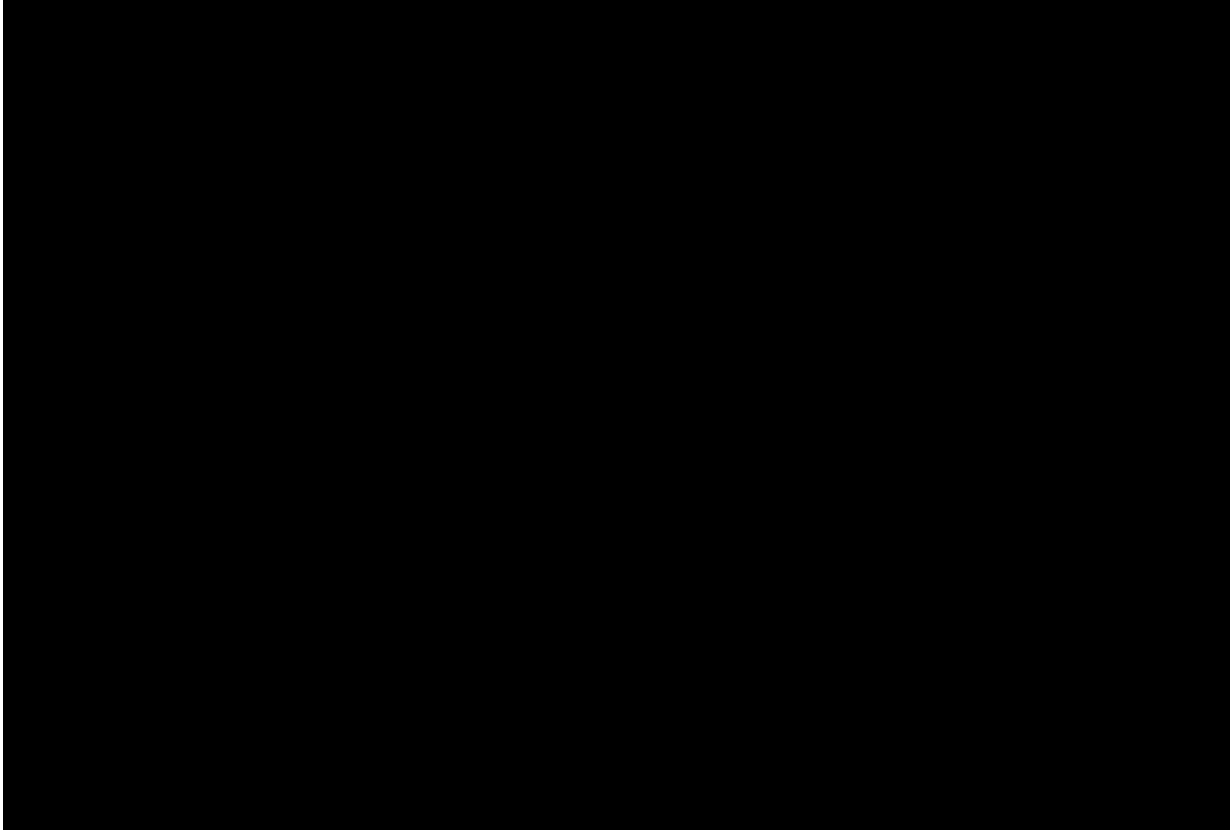
In times past, Chiende remained tied to ancestral homelands and farmlands. In 1853, at Fort Webster, [REDACTED] we signed a treaty. The unfettered access to the Mimbres Valley did not provide Fort Webster with the defensive position needed, which presented safety concerns. Consequently, Fort Thorn on the Rio Grande was replaced one year later by Fort Webster /93/. The area around Fort Thorn supported our ability to comply with the Treaty's farming conditions. Some Apaches saw Western agricultural methods our ancestors adopted as radical and threatening our traditional ways of being. The location also provided access to host religious practices at our historic sacred locations as our ancestors did before us. Fort Thorn was relocated to the Mesilla Valley, near present-day Las Cruces, New Mexico, in 1859. As demonstrated, in the 1890s, our Chiende families received homestead patents in the Mimbres, Hatch, and Mesilla Valleys of New Mexico.

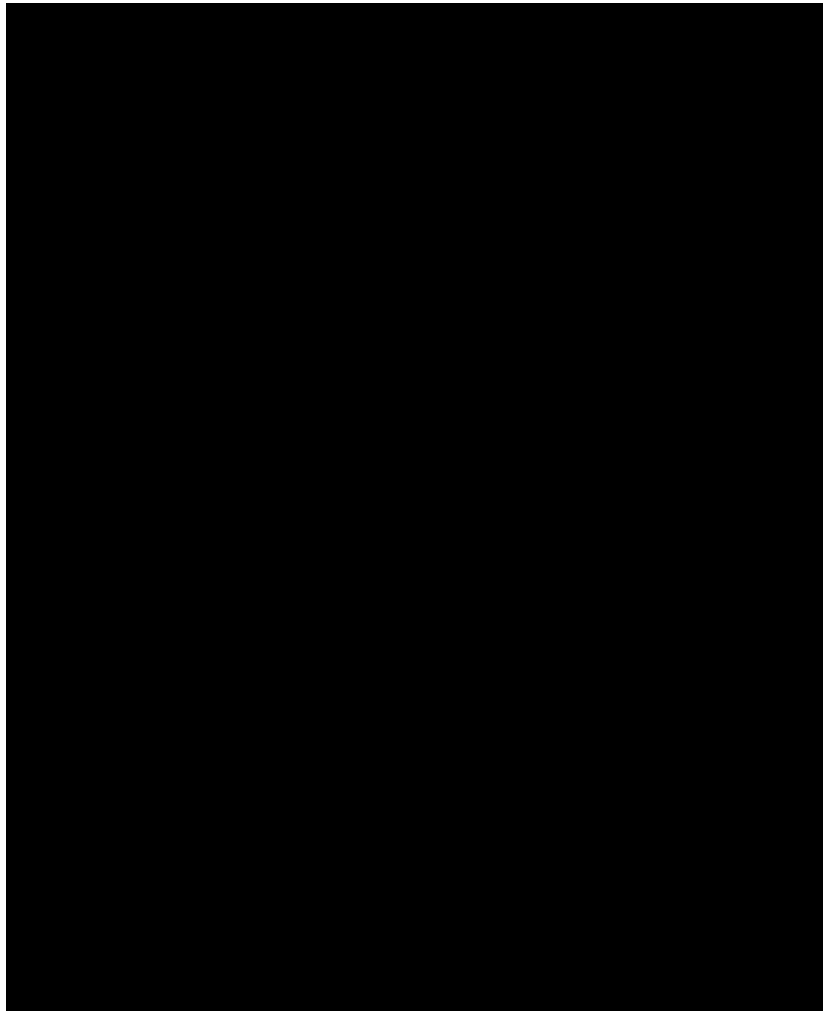
By the 1890s, our families established homesteads on lands containing sacred places (*goyas*), ruins, and ancient pueblos to conserve and protect them. These locations span the Southwest New Mexico region and includ [REDACTED] of the [REDACTED] Alamosa, established in 1899, is the location of one of our **Montoya** Family's homestead patents.

Historically, the land patents mentioned above illustrate a continuous Chiende community within the identified regions of Southwest New Mexico. Census documentation also established that our ancestors lived in agricultural communities and worked with Anglos and Hispanics performing ordinary jobs. In particular, the ranching and mining industries allowed some of us who remained in our traditional communities to sustain ourselves while remaining close to our spiritual centers.

Although some of our families have continuously lived in the areas of our homeland, evidence supports and acknowledges a diaspora of small groups over an extended time who relocated in search of employment but who stayed connected with the Chiende who remained in Southern Apache Indian Country. By the 1930s, the Great Depression compelled many of our Chiende families to relocate to nearby population centers for more economic stabilization, including Deming (*nanstáné bilgín'a*) and Las Cruces (*gudíusis*) in New Mexico. Urbanized locations, where government-funded programs provided work, became one new means for the Petitioner's survival. Despite these programs and the underlying economic transformations that

compelled our relatives to leave, our families frequently returned when we had the opportunity and remained connected to our ancestral homelands. This meant our ties with sacred sites and traditional locations were unbroken when we returned. The concentration of extended families offered opportunities for our families to return. The map below marks ancient ruins on mountain streams and within the area inhabited by the Chiende, with a circle corresponding to a numbered location.





Our people revered and protected sacred locations that spread throughout our original homelands because they were the basis of our identity and community. We observed multiple secluded sites and visited them when deemed safe. Private tribal events and varying ceremonial locations are traditional practices. Our families, who lived on the ranchos and in the small adobe towns of Southern New Mexico, observed this nonpublic approach to ritualism. Our families intentionally established homestead patents at some of our most sacred locations, such as the



and near ruins throughout the region.

As a community, we reinforced our identity as Apache. In times past, not publicly identifying as an Apache was often the safest way to prevent our people from being targeted by individuals with harmful intent. The stories of our youth that tell of “the government’s desire to send Apaches to the “black” (the color associated with the East), like the Chiricahua Prisoners of

War, are well known. Thus, we quietly lived as farm workers, domestics, miners, ranch hands, laborers, and railroad crew members moving from one job site to another. This mobility and adaptability are part of our history and story of survival.

With the onset of the Great Depression, some of our families, which had depended on agriculture for at least three (3) centuries, joined other Native American tribes participating in the Civilian Conservation Corps (CCC). The impact of the Indian New Deal on our communities contributed to the Apache diaspora. As late as 1935, in Mexico, some of our families were still living at large, evading U.S. reservations for fear of exile and scalp-hunting militias comprised of Mexican and U.S. citizens. The fear and suffering of our ancestors prevented them from wholly participating in the U.S. Indian reservation system.

The diaspora of tribal members throughout different states only strengthened our connection to our extended kinship families and our beloved homelands. Returning home to fulfill the custom of rolling their children on the ground in the four directions is still practiced. Our parents still refraining from cutting their infant's hair. Young male apprenticeship under the supervision of their fathers begins around age five (5). A married man avoiding his mother-in-law is still a protocol /95/. However, there is still much respect for her and the son-in-law's responsibility to his wife's family. Young girls' coming-of-age ceremonies are still the collective responsibility of the maiden's family and their female elders. Following our cultural protocol maintained and reinforced community bonds.

Our young men still dance and sing traditional Apache songs. Previously, war dances were outlawed with the 1883 ban on Native American dances and ceremonies. The war dances using spears, shields, and knives are again being practiced since the legislation's repeal in the 1970s. The Warpath vocabulary in our war songs exposes our young men to the apprentice or novice warrior's energy, words, and ideology. Men and apprentices no longer speak the warpath language in our mother tongue; however, elders guide us on how to deal with violent encounters and how and where to rendezvous afterward /96/. Storytellers, elders, and medicine people guide our young people through stories that impart life lessons. The tales of Coyote, a famous character not exclusive to Apaches, continue to be told at night and during the winter months.



This is a photo of the Petitioner's participation in the October 2021 dedication of a mural at the Chihuahua Hill Park in Grant County, New Mexico. From left to right: **Pablo Martinez, Roberto Marquez, Frankie Parra Renteria, Miguel Marquez, and Larry Jurado /97/.**

Marriage regulations have changed some in modern times. We remain a matrilineal society whereby the husband goes to live with his wife's community. While intermarriage with another band is seen as ideal, marrying within the band is no longer discouraged. At least four generations of relationships remove those marrying within the band /98/. In any case, an intermediary between families still exists and supports the planning. An old saying that instructed our Chiende women in picking a husband was to "marry two mountains over." Our families also commonly intermarried with the Jicarilla, Mescalero, Lipan, and Coyoteros. In cases where Chiende men married a female from another tribe, that man would become a part of her community. An example is the Martinez family that married into the Jicarilla and relocated to northern New Mexico when the Jicarilla Agency was allowed to separate from the Mescalero Agency around 1887.

All revere a female who is pregnant. Female tribal members cater to expecting mothers. Today, hospital birth is more popular than midwife-assisted deliveries. A midwife, sometimes a medicine woman, will assist with prolonged labor using special herbs, massages, and prayers taught to us by our ancestors. The midwife supports the mother's postpartum period. Today,

christenings might replace the traditional cradleboard (*tsoch*) ceremony. As part of our traditional custom, we hang a wooden cradleboard on a forest tree upon a small child's unexpected death.

Since the time of **Sanaba**, Chiende people have respected the dominant culture's religion while preserving their spiritual and social identity. This syncretism or compartmentalization of religion and social identity is commonplace throughout the borderlands, where Spanish Catholicism impacted nearly all Indigenous peoples. William B. Griffen asserts that in 1803, the Commandant General encouraged Apache boys to attend school to receive instruction in reading, writing, arithmetic, and Christian doctrine with the sons of military and civilian personnel.

Pisago Cabezón was one of our leaders who promptly accepted this opportunity for one of his sons. **Juan José Compa** was one of the students known to have graduated /99/.

Juan José, Ponce, Phalis Palacio, Soledad Leyva (Ydalgo), Refugia Ydalgo, Demos Ydalgo, Monica Zher (Canullo), and **Elias** were fluent in Spanish and are examples of our ancestors exercising multilingual diplomacy. On April 23, 1850, after an agreement had been reached between the Apaches and Sonoran officials, José María Elías González instructed Apaches **Valtasar el Chino, Lucia, Soledad, El Campo,** and other Indians who speak Spanish to repeat the news of the agreement to “all Indians” /100/. Elías González had even hoped **Soledad’s** first cousin, **Demos**, would be a translator during the coming negotiations /101/. New Mexico Territory Governor Meriwether thought **Monica**, who he said had been educated as a child by “Catholic sisters,” was the best translator he had met /102/. **Monica** was an excellent example of the Chiende intellectual context based on her deep connection to the land and her people and her exposure to educational opportunities. Children of Apache treaty signers, like **Soquilla** and those mentioned above, matured in the presidio system.

In 1856, Indian Agent Steck reported that **Phalis Palacio**, identified as a brother of **Mangas Coloradas**, was the “smartest of Apache chiefs” and was educated at the Spanish Mission School in El Paso /103/. Although many of our tribal members never attended BIA boarding schools, some attended parochial schools and suffered abuse for their ethnic identity or Indigenous phenotypic appearance. Some of our families were ashamed of others knowing who they were. Some felt unsafe speaking our *Ndé Bizaa* language or outwardly taking pride in their Indian identity. Those families reserved oral histories, storytelling, metaphors, and cultural jokes

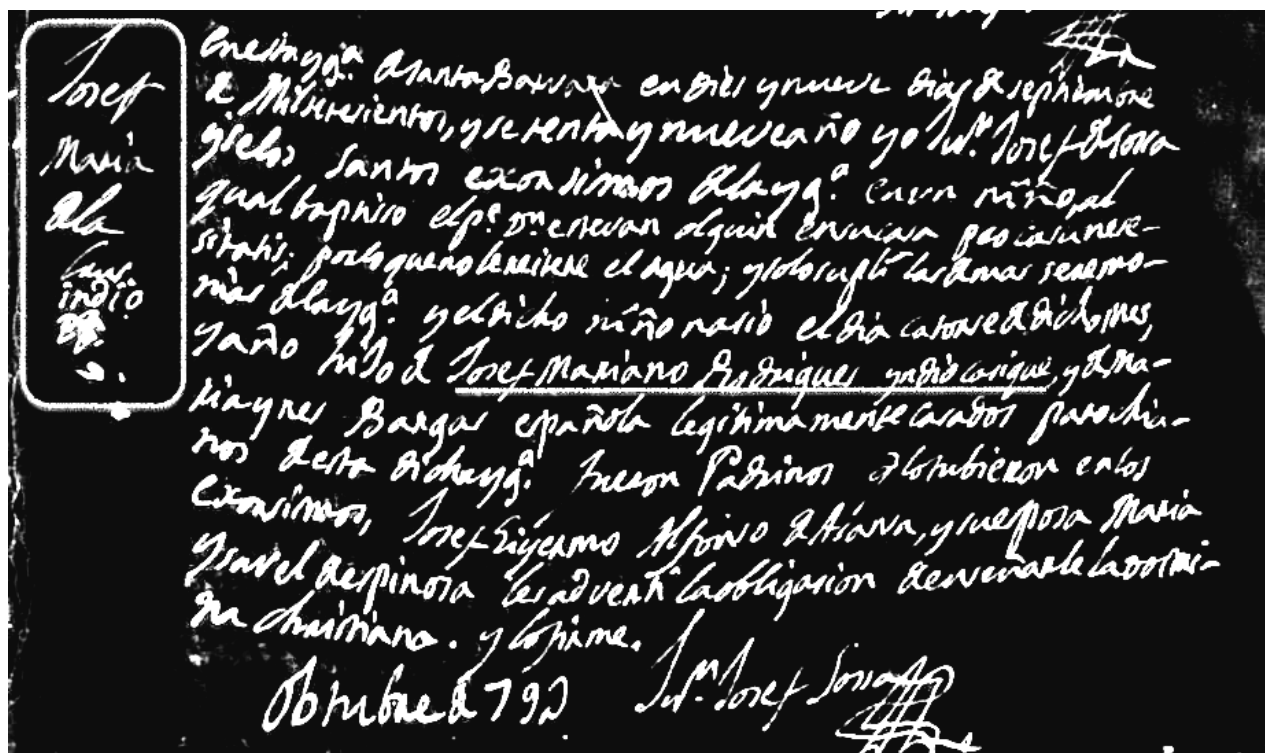
for the time at home with family. However, our families carried their Chiende values and worldview with them everywhere.

Gila-Chihene and Mimbres-Chihene local groups were distinct communities with different leadership from the Mogollon local group and mixed bands under **Mangas Coloradas**. We understand this to be our history and acknowledge the leadership differentiation. Indian Agent Wingfield brought Mogollon leader **Mangas Coloradas** south to the Coppermine-Mimbres Apache Territory in 1853, disturbing the traditional territorial range. The late researcher Albert H. Schroeder asserts in his 1974 seminal work, *A Study of the Apache Indians Volume 4, Chapter -The Mogollon, Mimbres, Copper Mine, Warm Springs, and Chiricahua Apaches 1846 to 1860s*, Apache leader “**Ponce**, not **Mangas Coloradas**, was said to be head chief of all the Rio Mimbres Bands (Steen to AG, June 17, 1853, RG 94 LR, N438) /104/.

New Mexico Territory Governor Lane requested Mimbres-Chihene leader **Ponce** lead Lane’s party to **Mangas Coloradas**’ territory along the Gila River. **Ponce** agreed to the request. **Ponce** admonished Lane that although he was an Apache leader, he did not have political authority over **Mangas**’ people whom they might meet along the way. The pseudonym **Ponce**, whose long Spanish name was **José María de la Cruz Rodrigues**, was recorded to have spoken perfect Castilian Spanish. Edwin R. Sweeney identified **Ponce** as **José María María** /105/. Researcher Matthew Babcock agrees with Sweeney. **Ponce** negotiated a treaty with Mexico, in February 1842, under the name **José María Maria** on behalf of the Mescaleros. **José María Maria** was allied with “whom the Mexicans judged to be Gileños and Mescaleros del Norte” near El Paso /106/. The Mimbres-Chihene and Mescaleros in El Paso remained peaceful through October of the same year /107/.

Peace negotiations were not as simple for the Gila-Chihene group of **Pisago Cabezón**. In January 1840, his ranchería was ambushed while he was in Janos negotiating to recover his imprisoned son in Chihuahua City. In late April 1842, twenty-eight Apache headmen met with Mexican Lieutenant Antonio Sanchez Vergara along the banks of the Gila River. Lieutenant Sanchez Vergara escorted Mimbres-Chihene leader **Vicente** to Chihuahua City to renegotiate the terms of the treaty. The emissaries returned and received **Pisago Cabezón**’s approval.

Our leaders, **Ponce**, **Pisago Cabezón**, **Manuel**, **Vicente**, and **Anaya**, were the headmen in attendance /108/. Subsequent negotiations in May 1842 included **Monica**, a multilingual Apache translator. **Monica** informed the Mexicans that the Apache fled the negotiations for fear of capture, as was done to other Chiende like **Jasquedegá** and his people in El Paso. By July of the same year, **Ponce (Vivora's son)**, **Pisago Cabezón**, and others reconvened and agreed to peace in exchange for rations and supplies. Leader **Manuel** was appointed *General* to replace the aging **Pisago Cabezón**, who could not travel. The treaty was ratified at Janos on July 4, 1842. Upon the treaty's ratification, all the captives, including **Pisago Cabezón's** son, **Marcelo**, were freed.



The image above is a baptism record listing **Josef Maria de la Cruz 'indio'** (meaning Indian) or **José María Maria**, known under the pseudonym **Ponce**, with his father Nantan **Vivora** a.k.a **Josef Mariano Rodrigues** 'yndio casique [Indio cacique]' (meaning Indian leader) in 1779. "México, Chihuahua, registros parroquiales y diocesanos, 1632-1958", *FamilySearch* (<https://www.familysearch.org/ark:/61903/1:1:DW8K-M23Z> : Mon Oct 30 09:00:18 UTC 2023), Entry for Josef Maria de la Crus Indio Rodrigues Bargas and Josef Mariano Rodrigues, 19 Sep 1779 /109/.

Josécito Leyva, a Blue Mountain Apache by marriage, was associated with the Mimbres-Chihene and headman of a local group who lived near Santa Rita del Cobre /110/.

Josécito's brother **Juan Severiano** was documented as a part of **Juan Jose Compa's** local group. **Severiano** is sometimes categorized as Bedonkohe /111/. **Monica** and **Camilio** were recorded as the leaders of the two bands of the Sierra Largo. The Sierra Largo represents today's Peloncillo Mountains (*Dzilitcil*) near the location where **Soledad's** brothers, **Juan José** and **Nayulchi**, a.k.a. **Juan Diego**, were murdered by John Johnson /112/. It is out of deep concern and respect for our ancestors that the Petitioner directly addresses our family's political legitimacy following the murder of **Juan José Compa** and our other leaders. Historians unaware of our genealogies have mistakenly concluded that **Mangas Coloradas** assumed political authority after the Compa brothers' death. This type of inaccurate information eviscerates our people's history. While **Mangas Coloradas** is highly regarded and revered by our people, the more seasoned and prominent leaders, **Pisago Cabezón** and **Cuchillo Negro** wielded control following this atrocity.

The Petitioner recognizes that authors of Apache history have taken great liberties to highlight specific historical figures like **Mangas Coloradas** and others. That being said, it is evident through historical documentation and oral histories that **Cuchillo Negro** and **Pisago Cabezón** exacted revenge for the deaths of their kinsmen, **Juan José**, **Juan Diego**, **Najoe**, a.k.a. **El Güero**, **Marcelo**, and others. Following the Johnson Affair, **Pisago Cabezón** continued organizing raids into Northern Mexico well into the middle of the following decade. During these missions, **Pisago Cabezón** was accompanied by a welcomed addition - a leader named **Mangas Coloradas**, possibly known earlier as **Fuerte**. **Pisago Cabezón's** sister, **Guadalupe Cee**, was **El Compa's** 4th wife, making him an uncle to **Juan José**. The family shared the same ancestral homelands adjoining the Playas Valley where the twenty-two were murdered. Consequently, **Monica** and **Camilio**, also from the neighboring Bootheel mountain ranges, had close ties with the Gila and Mimbres-Chiende.

Historically, women held significant leadership roles similar to other matrilineal Indian societies. They served as diplomats, interpreters, treaty negotiators, and signers. The Petitioner's history of women leaders like **Monica**, **Refugia**, and others demonstrates their valuable contributions to maintaining a solid matrilineal society. **Monica** and **Refugia** signed the 1855 Treaty with the United States. The Petitioner values women in leadership, which is reflected today by our balanced representation on the Tribal Council and elder society.

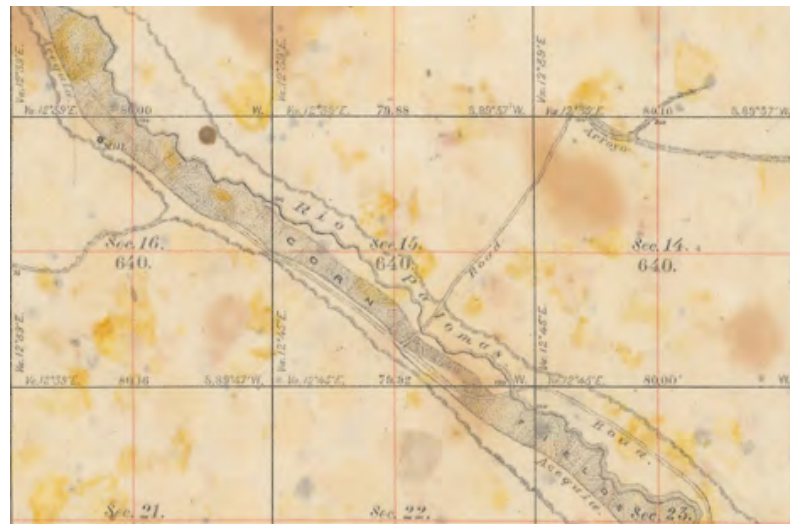
1855		To Whom I Spent	During the Quarter Ending March 31-1855 by Michael				
Jan.	5	To Bands of Cuchillo Negro, Jose Cito, Rimon, Losho, Beinte Reales & Carrosero					
"	20	To Bands of Delgadito, Itan, Mangus C., Tinajas, Isthlane					
"	21	To peaceable Bands of Mescaleros					
Feb.	5	To Bands of Cuchillo Negro, Jose Cito, Rimon, Beinte Reales, Showonocito, Jose Nuevo & Serjeanto					
"	5	To Bands from Coppermines Delgadito, Itan, Laceres, Poncito & ...					
"	15	To Two Bands from Sierra Largo					
"	17	To peaceable Band of Mescaleros					
"	25	To Bands of Cuchillo Negro, Jose Cito, Rimon, Beinte Reales, Showonocito, Serjeanto & Jose Nuevo					
"	27	To Bands from Coppermines Delgadito, Itan and a part of Mangus Colorado's people					
"	28	To Mescaleros					
March	10	Poncito, Delgadito Jenero, & a part of Coppermines					
"	11	Cuchillo Negro, Jose Cito, Rimon, Jose Nuevo & Showonocito					
"	18	To Mangus, Delgadito, Itan, Laceres					
"	27	Cuchillo Negro, Josecito, Rimon, Poncito, Jose Nuevo & Others					
"	28	To Mescaleros Part of Bands of Santos, Baranca &					
Total amt. Spent -			266	5	35	3	18
I hereby certify on honor that the above is a correct abstract of the provisions spent to Indians at this place during the Quarter Ending March 31-1855							
All Steck India							

Indian Agent Michael Steck's March 31, 1855, Abstract of Provision illustrates an example of Mangus Colorado and People as a separate political entity. His mixed band of Mogollon-Chokonen and Hot Springs Apaches was known as the *Ne-be-ke-yen-de* /113/.

In 1856, *Láceris* was documented as living along the Mimbres River /114/. In May 1857, Steck reported to Governor Meriwether that our leaders' absence from the New Mexico Territory to Governor David Meriwether from Fort Thorn. Steck's letter stated that our ancestors "separated themselves from their thieving neighbors, the Mogollon." Steck had encouraged the treaty signers to remain distant in Janos, Chihuahua, where they received rations /115/. Steck

told our leaders it was unsafe to return “until after the (Bonneville’s U.S) troops return from the expedition against the Indians upon the Gila.”

When conditions permitted, our ancestors preferred to live in our homelands. By August 1857, Apaches returned from northern Mexico to the Agency. Indian Agent Steck reported that the Mimbres Apache reservation survey was complete, and near the center of the land ceded to the Chiende was a nine-square-mile Coppermine grant /116/. The remainder of our ancestors arrived by November, noticeably recovering from symptoms associated with arsenic poisoning likely administered in rations at Janos. Some of our warriors did not survive their illnesses /117/. We were labeled poor and without horses but were content to farm along the Rio Palomas, Rio Grande, and Rio Mimbres.



Township 14 South Range 5 West February 1, 1868 Survey sample Chiende Farms on Rio Palomas as referenced by Steck and Colyer. The large, darkly shaded area across the middle of the map indicates the location of cornfields planted by the Chiende /118/.

Indian Agent Steck enticed our ancestors who farmed along the Rio Mimbres to teach **Mangas Coloradas'** people to farm. Albert H. Schroeder's map below describes some of our farming and movement at that time /119/. In the 1871 Report of Vincent Colyer to the Board of Indian Commissioners, he writes, “The interest manifested in the farming operations has been greater than in any previous year. Having no lands set apart by treaty, they were advised to plant upon their old fields on the Rio Mimbres and the Rio Palomos [Palomas]. They have about one hundred and fifty acres planted and in a state of cultivation that will compare well with any corn

field in the country, and all by their labor, except the breaking up of the land, digging, and repairing of their acequias.”

Ponce’s younger brother, the Gulgat-Chihene leader **Jose Domingo Rodrigues** a.k.a **Poncito**, led both his Gulgat-Chihene and his brother’s Mimbres-Chihene local groups after **Ponce’s** untimely death. **Poncito’s** son, **Ponce**, was at the Ojo Caliente reservation in 1877 /120/. **Ponce Grande**, **Ponce Chiquito**, **María Ponce**, and other family members, like **Jesus María Leyva**, are all listed on Indian Agent John M. Shaw’s 1877 Southern Apache Agency census rolls at the Ojo Caliente reservation /121/. Shaw documented our Rodriguez ancestors’ continuous presence in the region and served in leadership roles.



Above is a map of Township 17 South Range 11 West April 5, 1877, Survey Sample of Chiende Farms on Mimbres River as referenced by Steck and Coulier. The dark, ovular-shaped areas running diagonally from left to right indicate where our ancestors planted corn /122/.

LEADERSHIP

The Petitioner has retained its collective tribal and political identity. We strongly advocate for political issues concerning nature conservation, air and water quality, climate change, disaster preparedness, economic development, energy policy, epidemics and pandemics, equal rights, food security, green spaces, human rights, immigration, land use, racism, and poverty. We developed these positions due to our Chiende worldview, philosophy, beliefs, and

cultural traditions related to our specific identity, kinship, and community. In 2008, we modified our governance model from a traditional governmental structure of multiple principal kinship groups to a generalized political structure with governing documents required by the Bureau of Indian Affairs (BIA) since 1934. The Tribe and Ojo Caliente Restoration Society received a letter of support from Stevan Pearce, Member of Congress, Second Congressional District /123/.

Before restructuring our political authority, we were extended family groups and politically distinct from reservation Apaches, who had long since utilized the U.S. government's definition of a tribal council with a Chair. Our kinship groups, formerly known as *rancherías*, were social units of trust and cooperation; however, these groups were part and parcel of an organized political structure with influence. According to authors Elizabeth John and John Wheat, our people's *rancherías* had as many as eighty to one hundred families, "or of forty, twenty, or lesser numbers /124/." Our Chiende descendant communities, traditionally known as kinship groups, respond to societal troubles and maintain the ability to gather with other descendant communities at a moment's notice. As single unambiguous political entities, kinship groups assessed conflict, responded to emergencies, and coalesced on nation-building issues such as the treatment of Native Americans, governmental policies affecting Indigenous peoples, voting rights, protests, political choices, and political participation.

We share ethnicity and political identity with the first people of *Apachería*, the land of the Apache. *Apachería* is a Spanish term that defines the region occupied by groups of nomadic peoples we know today as Apache. Regardless of our commonalities in culture, language, and religion, we identify differently from the Apache tribes on reservations. We have maintained our historical and political connectedness even after adopting some concepts from the 1934 Indian Reorganization Act (IRA), such as a tribal constitution and city council-type model of government for tribes. We maintained our egalitarian structure of tribal governance while adhering to the spirit of the IRA. We upheld our decentralized governance model until we began our journey toward federal acknowledgment in 2008.

The Enriquez and Martinez families are two related extended family groups that have remained close from the early 19th century to today. Their ancestors **Soquilla Enriquez** and **Bartolo Martin**, according to the late author William B. Griffen's Summary of Apache Chiefs near Janos, are listed in locations together, living peacefully and receiving rations for nearly thirty years. Also, Indian Agent Michael Steck lists these families together at Fort Thorn,

receiving rations in 1855, represented by **Showanocito** (son of **Soquilla**) and **Bartolo /125/**.

These families continued to lead in tandem throughout our people's history and provide a solid example of social and political relationships even after the families relocated to California in the 1900s. Their descendants, the Enriquez and Martinez families, have served in the military, law enforcement, and the Knights of Columbus and presently lead our Tribe.

Examples of this continued kinship are Enriquez's family members' marriages with Beltran and Candalaria's family members. Other post-1900 marriages within the Band include but are not limited to the Lunas, the Morales, the Jurados, the Benavides, the Espinozas, the Parras, the Renterias, the Flores, the Marquez, the Trujillos, the Oronas, and the Leyvas. These families maintained Chiende leadership practices throughout the 20th century.

Our people relied on their civic and military service in the U.S. to strengthen our Chiende communities by enhancing future tribal leadership. Two elders, **Stanislaus Enriquez** and **Miguel Martinez (1926-2008)**, served in the Knights of Columbus in California and the U.S. Military during WWII and Iwo Jima, respectively. Stanislaus was a great-uncle of **Helen Enriques** and Chairman **Manuel P. Sanchez**. **Miguel Martinez** was the father of **Pablo Martinez**, the Chairman of our tribe's cultural attaché, Ojo Caliente Restoration Society. After returning from service, these two elders traveled to New Mexico often to raise funds for Mimbres Apache communities that remained in our homelands. Other relatives fought for the U.S. Military in various armed services divisions in WWI, WWII, Saipan, and Vietnam, reinforcing community leadership.



EXHIBIT 123 - A photo of a 1950s gathering of the Knights of Columbus in Santa Ana, California. **Stanislaus Enriquez** is featured on the right side of the photo in the second row /126/.

Whether they served in the military or law enforcement, we honor and respect our leaders' sacrifices. Interspersed within this discourse of political influence or authority, we have included examples of how our Nation maintains influence and authority through our leaders. In the petition, we have included written profiles of their extended families and family members who had the most influence on them, their leadership style, and our Nation. Below are examples of the family history profiles of our tribe's leadership.

Our current Tribal Chair, **Manuel Manny Paul Sanchez**, was born in 1968. **Manny** has been the Headman of the Enriquez family since the passing of his mother, **Helen Raquel Enriquez Sanchez**. She was the Headwoman from the 1970s until December 31, 2014. During **Manny's** formative years, his mother recounted his birth story and his maternal grandfather **Paul**

Enriques' vision for him as a family man and leader. **Marcos** had been the headman of the family through the 1970s. **Helen** began transitioning **Manuel** into tribal leadership roles in 2004, during her first bout with breast cancer. Throughout her final bout with cancer, **Helen** told **Manny** that he had been identified as a leader among our people with the energy and charisma to keep the tribe moving toward federal acknowledgment.

Apache leadership in **Manny's** family has been consistent for generations, descending directly from Chiende leader **Esquilnoctén**, also documented as **Jasquiernote** or **Jasquenelte** (Babcock 2016, 3-10). In 1790, **Esquilnoctén** had jurisdiction over all Apaches who made peace in what is today Southwest New Mexico. Historians recorded **Esquilnoctén** in the Ojo Caliente region, as they did leaders **Chafalote** before him and **Cuchillo Negro** after him.³

Table 2. Summary of Longitudinal Analysis of Selected Rancherias: 1790s

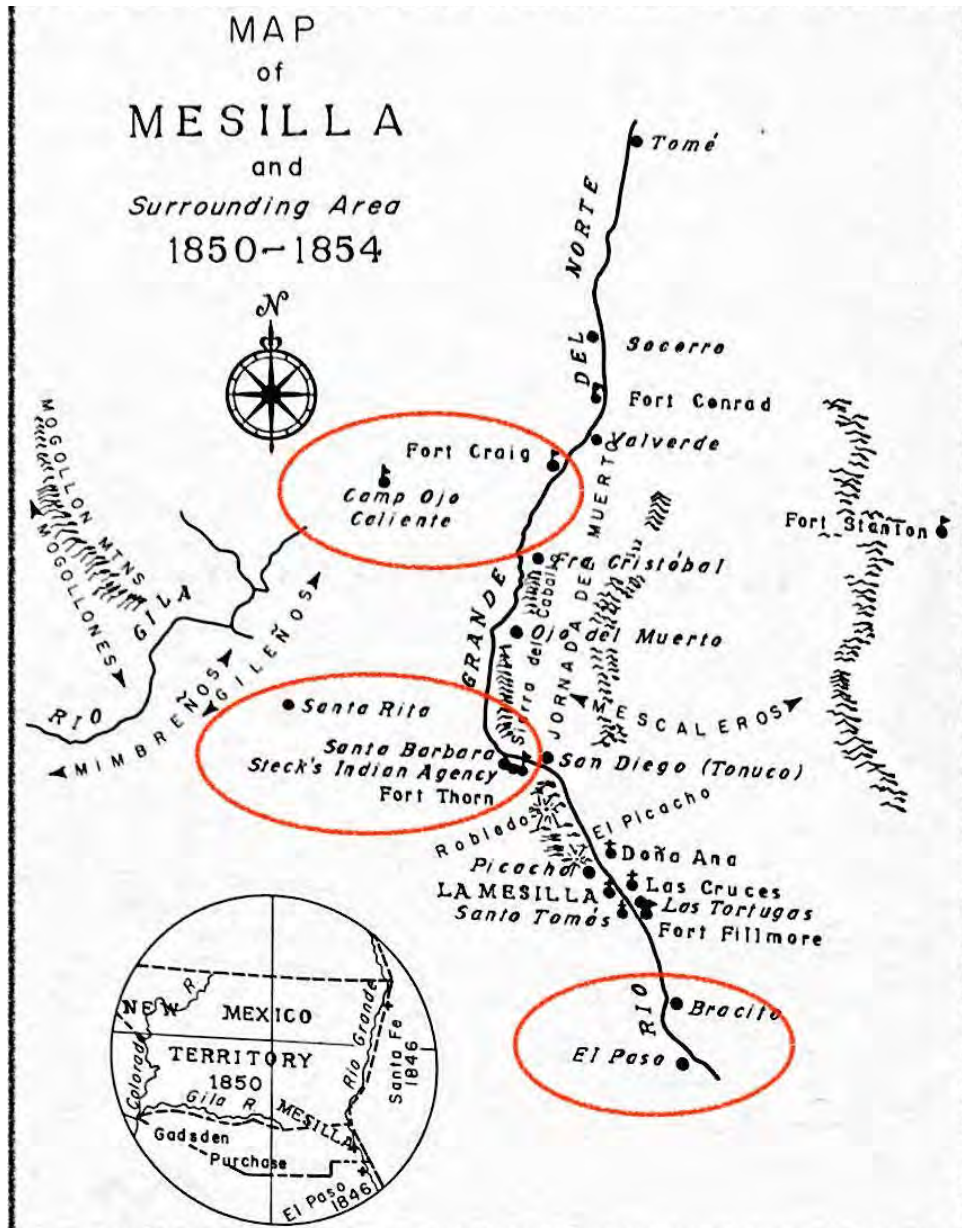
Rancheria	Men					Family				Total			
	Max.	Min.	Avg.	CV %	%	Max.	Min.	Avg.	CV %	Max.	Min.	Avg.	CV %
Bacochindil	19	5	8	43	35	29	11	15	19	48	16	23	25
Cal-lo	10	2	5	44	29	25	6	12	38	35	8	17	37
El Compá	26	9	18	30	33	53	26	37	25	79	35	55	26
El Padre	56	7	24	82	26	164	11	69	89	220	18	93	87
Esquenelid	8	3	5	40	19	24	14	21	17	32	21	27	17
Jasquenelté	28	1	14	46	28	69	4	37	42	91	5	50	41
Tetsegoslan	20	8	12	15	22	60	14	42	33	80	26	54	27
Visago	24	3	11	55	32	76	8	23	58	96	15	34	53
Vívora	28	10	17	32	21	103	21	62	40	130	35	80	37

Griffen's longitudinal analysis of rancherias in the 1790s /127/.

Manny and other leaders in the Chihene Nde Nation of New Mexico membership trace their ancestry to the signers of U.S. treaties. The members also trace their ancestry to the *Apaches de Paz* (Apaches at Peace), receiving rations from the Janos Presidio, the administrative center of Southwest New Mexico in the 1790s /127/. Leaders **Esquilnoctén** (**Jasquenelté**) and his brother, **Esquenelid**, are the ancestors of the Enriquez family. Leaders **El Compá**, **Vívora**, and **Visago** [**Pisago**] are the ancestors of the Leyva family.

By 1796, some Enriquez ancestors resided at the San Elizario Presidio in El Paso County, Texas. They served as Apache auxiliaries for the Spanish under **Esquilnoctén's** (4th

great-grandfather) command. The band patrolled the San Elizario, Texas, to Sabinal, New Mexico region. **Esquilnoctén's** son **Soquilla** appears in William B. Griffen's Summary of Apache Chiefs near Janos receiving rations from 1816 to 1844. **Showanocito** (3rd great-grandfather) was a son of **Soquilla** and a Mescalero mother and is well documented in Indian Agent Michael Steck's 1855 Abstracts of Provisions. Steck recorded **Showanocito** at Fort Thorn receiving rations with **Cuchillo Negros'** band in 1855 /128/. **Showanocito's** resistance to peace created enemies among the U.S. and Mexicans. In 1858, the Mesilla Guard killed Apaches, including **Showanocito**, a.k.a. **Showanó**, and his party in Doña Ana, New Mexico /129/.



The Map of Mesilla (1850-1854) shows the proximity of Santa Rita to Steck's Indian Agency, with Camp Ojo Caliente to the north and El Paso to the south /130/.

After **Showanocito's** death, the Cordova family at La Mesa, New Mexico, raised his infant son, Esiquio Henriques (3rd great-grandfather, 1857-1892). **Esiquio**, his great-grandfather's namesake, is the first to be documented with the Henriques surname. In 1860, the U.S. Census at La Mesa, Dona Ana, New Mexico, enumerated Esiquio as a 3-year-old named *Henriques* living in the Cordova household. Researchers have documented that, in the early

1880s, **Esiquio** (sometimes written **Ezequio**, **Isiquio**, and **Sikio**), together with at least two other relatives, took part in the Southwestern New Mexico ranching communities' resistance to the Santa Fe Ring's expansion into Socorro, Sierra, Doña Ana, and Grant Counties as part of the *Kinney Gang* during what would become known as the *Rustler War* /131/. **Esiquio** succeeded his father as headman until his death at age 35 at Fort Bayard. **Esiquio** was buried on his family land on Fort Thorn Military Reservation in New Mexico in approximately 1892, while it was still a Reservation. His grave can be seen in the background of the approximately 1910 circa photo below of his son, **Marcos**, and his wife **Rufina Morales**. This family land was posthumously issued as a land patent to **Esiquio's** wife, **Antonia Alderete Henriques** (2nd great-grandmother, 1862-1943), in 1901 after Fort Thorn was no longer considered a federal reservation.

In the photo above

132/.

Esiquio's oldest son, **Marcos Enriquez** (great-grandfather, 1882-1972), born in 1882 in Rincon, Doña Ana, New Mexico, later occupied this land patent. The area subsequently became

known as the Village of Salem. **Marcos Enriquez** exercised political leadership over the extended family. Following tradition, census records document that, after his marriage to **Rufina Morales**, **Marcos** relocated to the homelands of **Rufina's** extended family group. This acknowledges that **Marcos** and **Rufina** joined two traditional rancherías with treaties under Spain (**Esquilnoctén**) and Mexico (**Vivora**). In more recent U.S. history, the couple joined **Josécito's** people with **Ponce's** people. Like **Rufina's** father, he began work as a miner in Santa Rita, Fierro, and Tyrone, New Mexico. **Helen Enriquez**, the granddaughter of **Marcos**, recounted his influence in relocating family members to Nevada and California after their family's land at Fort Thorn was taken without compensation by the U.S. Government. **Helen Raquel Enriquez Sanchez** (mother, 1948 - 2014), born in Los Angeles, told **Manny** about his great-grandfather **Marcos'** gifts as a leader and medicine man who could see a future for the family during the Great Depression in Nevada and later Southern California.

Helen informed **Manny** that **Marcos** always intended to relocate the family back to their Southwest New Mexico homeland. **Marcos** was a veteran /133/. **Marcos'** descendants' military service in WWII, the Korean Conflict, Vietnam, Operation Desert Storm, and the invasions of Iraq and Afghanistan deferred the family's dream of returning to New Mexico. **Marcos** was the last Headman of the Enriquez Family during the late 19th to 20th century. He would give the first blessing to every child born into his extended family group, presenting the child to the four directions.

At age 36, **Marcos** appears as a farm laborer in the 1920 Census of the Village of Salem, New Mexico. By this time, **Marcos** had already assumed the status of Headman of the Enriquez Family. **Tomasa**, **Marcos'** younger sister, married and left New Mexico for California in the 1920s. **Marcos** and his extended family group, including his brother, **Antonio**, relocated to California in the 1930s after first working in mines in Fierro and Tyrone, Grant County, New Mexico, until the Great Depression. They also labored in agriculture in Greeley, Colorado, and in the construction of the Hoover Dam in Boulder City, Nevada.

Antonio's eldest son, **Estanislau Enriquez** (grand-uncle, 1919-2009), called **Stanley**, was dedicated to helping develop leaders and business owners within the extended family group. His role was that of a *Segundo* (Second Leader, in Apache) whose duty was to prioritize the band's needs, which supported the Headman's authority. With his first cousins **Stanley and Freddy Enriquez** and brother **Manuel Enriquez**, **Paul** modeled leadership characteristics for

other family members by serving in the U.S. Military during WWII. Others in the extended family followed their lead and enlisted. After WWII, most of this vast family group had taken jobs in California, although they continued to view and maintain connections to New Mexico as their homeland.

In 1969, **Paul Pablo Enriquez** (grandfather, 1910-1969), who appeared in the 1920 Census of the Village of Salem and was **Marcos'** eldest son, passed away at age 59 /**134**/. At the wake ceremony for **Paul**, **Marcos** gathered his grandchildren around the fire and told stories about our people, Chiende values, and beliefs.

Paul was **Helen's** father. Helen assumed **Paul's** family responsibilities after his death. Together, **Helen** and her spouse, **Manuel Longoria Sanchez**, became the advisors for their extended family group. **Helen's** role as a family leader continued to evolve over the next two decades.

Starting in the 1970s, WWII Veterans **Stanley Enriquez** and **Miguel Martinez** from the Martin extended family group were Knights of Columbus in Los Angeles County, California. Together, they traveled to New Mexico to raise funds for those Chihéne in need and those aspiring to pursue higher education. This service to our people continued well into the 1980s, and their efforts still inspire us today.

Due to **Marcos'** loss of two sons, he retained leadership of the family well into his 90s. He stayed fit by walking ten miles a day to visit families in the extended family group. He typically ate breakfast with one of his sons. Then, he visited different relatives before returning to his El Monte home after a long walk. **Marcos** passed away in 1972. At that time, Helen succeeded him as the extended family group leader.

This is the military registration card for **Marcos Enriquez**, dated 09-12-1918. **Marcos** is listed as a permanent resident of Hurley, New Mexico. His Race category is check marked Indian Citizen and stricken. It is similarly check-marked, White /**133**/.

Helen gave the best advice to extended family members in need. Her focus was to keep the extended group unified by ensuring that family members participated in the life events of each family throughout each year. She was also mainly well known for hosting large Easter Sunday celebrations for all the children of her extended family group. She maintained active communication with each family group and occasionally called for larger gatherings.

Helen adapted our traditional Sunrise Ceremony to suit an urban environment. When a young lady in her extended family group reached puberty, **Helen** and the elder female family members gathered for the day to instruct the young lady in the cultural responsibilities of being a Chiende woman and mother. **Helen** also made it a point to mentor males in the family.

She had a solid patriotic belief that encouraged young men in the extended family group to serve in the military. As a sign of her values, she expressed sentiments, such as, “My country; wrong or right!” However, at the same time, she admonished family members to guard our indigenous Apache identity in public and to keep that for just the family group. She often stated that we did not need outside friends- only our *shi k’is*. The term shi k’is refers to blood relatives.

In the 1970s, when racial discrimination was prevalent, **Helen** cautioned the family group to keep our indigenous identity a secret from non-Indians. She warned that the government would confiscate their homes as was done to her grandparents **Marcos** and **Rufina** in Salem, New Mexico, less than 50 years earlier.

The September 1, 2000 edition of *The El Paso Times* featured one of the Enriquez's extended family groups. In the exposé entitled *La Familia: About 450 members from one of Southern New Mexico's first families reunite in La Union*, the family discussed their Apache lineage /135/. La Union is a small unincorporated community north of El Paso, Texas, near the Portillo Mountains from where the family says they descend. Enriquez tribal members remark about the Enriquez' large extended family groups. Some recall ancestors with as many as 15 or 16 children. The family reunion consisted of 3 to 4 days of activities. There was a large feast and dancing at the El Paso Civic Center and a mass at Our Lady of Refuge Church in La Union, New Mexico. A substantial portion of the Enriquez family that established farms in the Mesilla Valley before the U.S. authority have Apache ancestry and maintain a presence in the region today.

As part of Chiende extended family customs, **Helen's** home was a haven to any member of her extended family in need, especially children. It was common for a member of her extended family group to live in her home for extended periods. In addition, **Helen** and her spouse **Manuel** often loaned or gave money to members of the extended family group.

For more significant decisions or to display interest in the opinions of the larger kinship groups, Helen called together her sisters and adult female cousins for discussions before recommending or approving an action. One of Helen's last decisions in this manner was granting her son Manuel and his relative permission to attend and represent the extended family group at an Apache Holy Ground Ceremony at the Cochise Stronghold, Arizona, in 2007. She held another meeting in 2008 before authorizing **Manuel** and their family to share the extended family group's story as part of the effort to achieve federal acknowledgment as a tribe. This family story emphasizes the continuity of leadership practices in our tribe across several generations.

The Chihene Nde Nation consolidated the governing documents and membership criteria in its 2008 Reorganization process. Our tribal name, *Chihene Nde Nation of New Mexico* was shortened and changed from the *Chihene Nde Warm Springs Band of Chiricahua Apache* in January 2012 /136/. This change reflected our unique historical identity as Chihene Bands of

Apaches more closely. The modification is uninfluenced by erroneous written history, intended to eliminate our independent existence as a tribe in New Mexico and our indigenous cultural identity as Chiende. Despite popular U.S. history, the Chiende are distinct from Apaches who descend from the southeast Arizona region, like the Chokonen/Chiricahua who lived for a short time on a reservation encompassing the Dragoons and the Chiricahua Mountains and stayed for one year at the Southern Apache Reservation a.k.a. the Canada Alamosa at the Ojo Caliente or Warm Springs in New Mexico. The Chiricahua Apache, under Cochise, arrived from Arizona in New Mexico about 1871 and lasted only for one year.⁵ The elders guiding our nation in consultation with tribal researchers retained a name that has continuous historical resonance with our people and that Indian Agent Steck used in our nation-to-nation agreements.

(Manuel P. Sanchez (Chihene Nde Nation), “Chihene Nde family history,” in discussion with Emma Rodarte Enriquez, in-person conversation in San Joaquin Valley, California on August 8, 2023.)

(Manny P. Sanchez (Chihene Nde Nation), “Chihene Nde family history,” in discussion with Audrey Espinoza, Ruben Leyva, and Irene Vasquez, Zoom meeting, June 23, 2023.)

We have an enduringly strong network among Apache people. Tribal decision-makers keep other tribal decision-makers informed. Our Chairman **Manuel P. Sanchez** has discussed economic development ideas with other Apache tribal leaders. Our leaders create strategies to cooperate with other tribes and serve as thought partners who uplift one another. We do not believe in competing with other tribes in business. Chiende people strive to be good neighbors with nation-states and state, county, local, and tribal governments. We are stewards of our indigenous homelands. We look to engage and partner with other entities and organizations, including those responsible for public and private lands within Chi’laa. We see our goal of federal acknowledgment as an opportunity to better protect our sacred sites and traditions, build more enduring partnerships, and act as co-stewards of the ecosystem, including species, within our homelands. We maintain an environmental preservation focus and preserve our culture and political identity as one of the four Apache bands indigenous to the border region of Southwest New Mexico.

The Chiende is one of four bands, as are the Bedonkohe, Nedna’i, and the Chokonen, which share ethnic identity and are culturally consistent with the term tribe. As previously asserted in the petition, the term tribe comprises different groups of people known as bands. The

Chiende, like other distinct Apache bands, consist of sub-bands often denoted by geographical location within a specific territory or by the name of its leader. The sub-bands or local groups, like the Coppermine rancherias, comprised large extended families that marshaled resources or engaged in ceremonies at each other's stronghold or spiritual gathering places. Local groups often bonded through intermarriage and kin sponsorship, such as through godparent relationships. Members of our descendant communities of extended families continue to serve as sponsors, midwives, and godparents for children of other Apache tribes like White Mountain and San Carlos.

The basis of our leadership was often misunderstood by U.S. officials with whom our ancestors negotiated concerning peace accommodations. An early example from the 1850s illustrates how our ancestors participated in nation-to-nation relationships with the United States and endured misjudgment. On June 23, 1851, several meetings occurred between our leaders and United States government officials. These meetings demonstrated that U.S. representatives did not understand our band organization and leadership. John Russell Bartlett was appointed Boundary Commissioner responsible for surveying the boundary between the United States and Mexico and conducting exchanges with our ancestors. Mimbres-Chihene leader **Ponce** and Gila-Chihene leader **Delgadito**, who later signed the 1853 and 1855 treaties, educated Bartlett and military officer John C. Cremony on the fact that the harmony between Apaches and the United States was fragile because the U.S. did not understand or respect Apache sociopolitical protocol. In Cremony's book *Life Among the Apaches*, **Ponce** challenged the U.S. representatives stating, "Yes, but you took our captives without beforehand cautioning us. We were ignorant of this promise to restore captives. They were made prisoners in lawful warfare. They belong to us. They are our property." **Ponce** continues that Mexicans have also made our people captives. He proclaims that he and the other Chiende would not have come to meet or placed their confidence in the U.S. had he known the U.S. position. **Ponce's** comments angered Cremony, who no longer desired to hear from **Ponce**. **Delgadito**, who instead was asked to speak on behalf of the Apaches, stood in support of **Ponce** and said, "Let my brother declare the mind of his people." This example demonstrates how these interactions undermined Chiende sovereignty because Cremony failed to understand the rules of taking captives in a war long observed by the Spanish and Mexican polities /137/.

Historically, Chiende leadership entailed an egalitarian model that relied on consensus among extended families. The Mimbres-Chihene and Gila-Chihene rancherias were extended families headed by their leader, the *Nantan*, meaning ‘chief, leader.’ The Nantan, designated by the female leaders of the family, possessed leadership and demonstrated a trusting demeanor and fairness. Women played a role in identifying and legitimizing male leadership. Because families were matrilineal, a balance existed in women’s leadership and authority practices among our families. Traditionally, the Nantan or *capitancillo* in Spanish had great influence but not absolute authority /138/.

Under our reorganized form of government today, the Petitioner has a Chairman and Vice-Chair, who play central roles in identifying priorities, assigning projects, and designating project leaders for our tribe. These projects extend beyond annual gatherings and ceremonies into areas of land management as part of the New Mexico Land Grant Consejo. The CNNNM has also participated in civil, human, and veterans’ rights efforts with the League of United Latin American Citizens, National Association for the Advancement of Colored People, Vet Hunters Project, American Legion, Marine League, Disabled American Veterans, Vietnam Veterans, Veterans of Foreign Wars, Native American Veterans Association, and American GI Forum. We are also supporters of the Missing and Murdered Indigenous Women Movement.

This recent movement to acknowledge the loss of many Native sisters has mobilized Indian Country. Our citizens empower our women so they do not become victims of violence. We look to our women leaders as role models not just for our girls and young women but to remind us that women are revered in our culture and that we must continue to claim that space of power. Below is another example of a family history profile of our tribe’s women leadership.

Nancy Lopez, Vice-Chair of the Chihene Nde Nation of New Mexico, is the Headwoman of her large extended Beltran family. **Catarino Beltran** passed down his inspiration for leadership to his great-granddaughter, **Nancy**.

Catarino was a typical example of Apache culture continuing into a modern age. **Catarino Beltran** (1898-1970) was born in Pinos Altos, New Mexico Territory. He took his mother’s surname, Beltran, and passed that surname to his daughter, **Luisa** (1928-2004). **Luisa** married **Gilberto Holguin Lopez** (1926-1987) and gave birth to **Gilberto Lopez** (1947-2015), **Nancy’s** father. **Nancy** spent a significant amount of time with her paternal great-grandfather. However, being only five years of age when **Catarino** passed away, her father handed down

Catarino's teachings to **Nancy** when she got older. She describes how **Catarino** would take her father hunting and fishing and teach him how to identify edible plants in the environment. **Nancy's** father, in turn, picked up the tradition and took **Nancy** and her siblings on many hunting and fishing trips to pass on the knowledge of living off the land to his children.

True to Apache tradition, **Catarino** was a warrior serving in the military from April 15, 1919, to March 10, 1945, fighting in WWII. According to Fold-3 records, he rose to the level of Staff Sergeant. **Catarino** lived long segments of his life at Old Fort Bliss next to the Rio Grande and the new Fort Bliss at La Noria Mesa.

Nancy shared a story that the family talks about how **Catarino** was taken by Indian Agents from his home in 1905 at about seven years of age and sent to the Mescalero Reservation. His Beltran grandparents went to Mescalero and took him back home. To the end of his days, **Catarino** cautioned his family members not to let any family members live on any reservation. He moved from New Mexico to El Paso, Texas, and raised his family in El Paso. However, **Catarino's** siblings remained in Las Cruces, New Mexico. The extended Beltran family members drifted away to other areas of the United States to seek gainful employment. The Beltran story is typical for Chihéne families as they entered the wage economy of the United States.



The picture of Catarino Beltran was posted in the El Paso Herald-Post on May 20, 1960 /139/.

As **Catarino** aged, he emphasized the importance of the family's Apache identity and roots. **Catarino** passed his Apache family traditions to all of his relatives. In 1960, an El Paso newspaper took notice of **Catarino's** success as a school employee using his Apache child-rearing philosophies /139/.

Nancy states that her Uncle **John Beltran** told everyone that they were Chihéne. In March 2011, after attending a Los Angeles powwow, the family gathered at a cousin's home in La Puente, California, which many extended family members traveled to attend. At this time, the extended family group decided to become tribal members of the Chihene Nde Nation of New Mexico. **Nancy** follows her grandfather's model of leadership. She is an independent thinker and

leads by example. She is a non-conformist who asks many questions before making a decision. Her main priority is to ask herself what is most important for the Chihéne Nation.

(Nancy Lopez, (Chihene Nde Nation), “Chihene Nde family history,” in discussion with Audrey Espinoza, Ruben Leyva, Manuel P. Sanchez, and Irene Vasquez, Zoom meeting, June 23, 2023.)

As previously demonstrated in the family histories of **Manny Sanchez** and **Ruben Leyva**, and **Nancy Lopez**, Tribal Council members have consistently engaged in outreach efforts to other tribal entities. The Council leads research efforts in economic development, supports radio podcasts, facilitates tribal elections and policy decisions, documented petition process efforts and tribal history, and cultural and language preservation. An example of our leadership’s outreach occurred on November 15, 2014, when we convened the first-ever meeting of the New Mexico State Legislature Indian Affairs Committee (IAC) in Elephant Butte, New Mexico. In 2011, our leaders exercised their political influence. They sat down with members of the New Mexico legislature and discussed the benefits of a memorial bill to acknowledge Chiende as indigenous to Southern New Mexico. Our tribe was acknowledged by Territory of New Mexico Governor David Meriwether through treaties and among the list of previously federally acknowledged tribes in New Mexico; however, no mechanism exists for *state recognition* of Indian tribes in New Mexico.

Despite living in our homelands since time immemorial, the U.S. government engaged in specific displacement efforts that made our continuing federal recognition as American Indians vulnerable. From 1899 to 1928, the U.S. government put Chiende lands in protective status to preserve our lands as part of forestry and conservation efforts. Chiende families who considered themselves a part of these environments were banished and separated from their ancestral homelands, which became wildlife preserves and national forest lands. Chiende were removed from the Gila National Forest and Wilderness areas, including the Gila and Mimbres River Valleys; the Cibola National Forest and Wilderness, including the San Mateo Mountains and Ojo Caliente region; and from our villages on the Rio Grande (*tú ‘ichiidi*) from Elephant Butte Dam south to Las Cruces. Whether intentional or not, this resulted in the ethnic cleansing of our ancestors from our traditional homelands and impaired our band from functioning fully in the traditional political structure. We continued operating as extended kinship groups, but gathering as a local group or a band became more taxing. The families within the local groups continued

maintaining contact with each other; however, at the time of the Indian Reorganization Act of 1934, our people found it challenging to fully operate in unison with all band members.

As previously documented in this petition and recorded history, we reverted to our Apache kinship structure of kinship groups for political governance and decision-making. As previously stated, our traditional governmental structure consisted of extended family groups, which were more militaristic in characteristics than civilian (Langberg 1851, 3). We found gathering on special occasions with relatives from distant areas more advantageous at pre-identified locations. Consequently, the Chiende endured as an unambiguous group with our specific form of political, ethnic, and cultural identity.

The 21st century was a time of broader formal political authority across our extended families. In 2007, several members from our kinship groups gathered for a Holy Ground Ceremony at the Cochise Stronghold in Cochise, Arizona, with members of the San Carlos and White Mountain Apache Tribes. We reconvened with our neighboring bands in a ceremony to fulfill our ancestral traditions. The drum, the heartbeat of the Earth Mother for the Chiende people, and the timing of the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) fueled our sovereignty. This gathering, singing, drumming, and dancing increased our desire for federal acknowledgment with the U.S. government. We began our tribe's reorganization efforts.

In 2008, our Chiende leaders organized members of extended families who were direct descendants of the 1850s treaty signers to work collectively toward Federal acknowledgment. The table below describes some of the larger Chiende gatherings we have hosted since re-organizing under the BIA guidelines in 2008.

2008	<i>Annual Gathering</i> - Chiende gathered in June at the Sierra County Fairgrounds building in Williamsburg, New Mexico (near Truth or Consequences). <i>Political Relations & Intertribal Solidarity</i> - Consulted with S. James Anaya on the benefits of the UNDRIP. Representatives of the San Carlos Apache Indian Reservation participated in the annual gathering. Michael Paul Hill, from the San Carlos Apache Indian Reservation, ran the sweat lodge. <i>Activism</i> - The tribe cooperating with the Monticello Ditch Association opposed beryllium mining near the Red Paint Cave in the Ojo Caliente region
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	/140/. On June 27-28, 2008, tribal reunion gathering agenda /141/. October 20, 2008, tribal elder Darlene Yahooskin Pena Fowler received a Letter of Support for the tribe from Congressman Stevan Pearce /142/.
2009	<i>Annual Gathering</i> - Chiende gathered in June at the Sierra County Fairgrounds building in Williamsburg, New Mexico. We also camped at the Luna Campground in the mountains between Monticello Box Canyon and the Ojo Caliente. Representatives from the San Carlos Apache Indian Reservation participated in the annual gathering. Michael Paul Hill, from the San Carlos Apache Indian Reservation, ran the sweat lodge. <i>Political Relations & Intertribal Solidarity</i> - In November, Chairman Manuel P. Sanchez and tribal leaders responded in red ink to questions in an email from journalist Jerry Eagan of hikingapacheria.com and desertexposure.com/apacheria /143/. Petitioner Chairman Manuel P. Sanchez and Chairman Jeff Houser of the Fort Sill Apache Tribe of Oklahoma communicated via email regarding both tribes' separate economic development projects /144/.
2010	<i>Annual Gathering</i> - Chiende gathered in June at the Bayard, New Mexico Community Center. Many families camped at the Sapillo Creek Campground in Grant County, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the Fort Apache Indian Reservation, including Ramon Riley the relative of Audrey Espinoza, the cultural-historical attaché for the Cultural Center at Fort Apache Indian Reservation, assisted with the ceremony at the annual gathering. This event was some of our people's first Holy Ground Ceremony since the 1928 Rapture Ceremony near Fort Thorn.
2011	<i>Annual Gathering</i> - Chiende gathered at the Ojo Caliente in Sierra County and held tribal elections in Las Cruces, Doña Ana, New Mexico, at the Best Western Mesilla Valley Hotel (no longer operated by that name).

	<i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Tribe, Franklin Stanley, Manuel Cooley, and the group provided the Holy Ground ceremony and the sweat lodge for the annual gathering. The late Paul Ortega, former President of the Mescalero Apache Tribe, attended. On February 9, 2011, Chairman Manuel P. Sanchez met with the leaders of New Mexico's southern border towns of Lordsburg, Mayor Frank Rodriguez; the Village of Columbus, Mayor Eddie Espinoza; and Sunland Park, Mayor Martin Resendez, in an act of community outreach in our former homelands close to the border and discussed Chiende acknowledgment efforts.
2011	In August, our tribe hosted the Indian Affairs Committee (IAC) Meeting in Elephant Butte, NM. Manuel P. Sanchez, Chair of our Tribe, presented. We invited New Mexico tribes /145/. In September, the CNNNM received a letter supporting our Indian identity from Professor Maurice Shortt of Western New Mexico State University /146/. In October, our families visited the Ojo Caliente region. We observed the past copper mining locations where our ancestors may have worked among mixed-ethnic work crews in the early 1900s. We visited the sacred sites and our ancient rancherias in that location.
2012	<i>Annual Gathering</i> - Chiende gathered at the Lower Gallinas Campground, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Tribe were present at the annual gathering. Manuel Cooley of the White Mountain Apache Tribe and his group conducted the Holy Ground ceremony at the annual gathering.
2013	<i>Annual Gathering</i> - Chiende gathered at the Box Canyon in Grant County, Gila, New Mexico.

	<i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Indian Tribe were present for the annual gathering. Manuel Cooley of the White Mountain Apache Tribe provided the Holy Ground ceremony.
2014	<i>Annual Gathering</i> - Chiende gathered at Akela Flats, Luna County, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives like the late Paul Ortega, former Chairman of the Mescalero Apache Indian Tribe, attended the annual gathering and provided a Ndé Bizaa' Apache language class. Our language is most similar to that spoken on the Mescalero Apache Reservation. Jerry Gloshey and Ramon Riley of the White Mountain Apache Tribe attended, as did Cranston Hoffman of the San Carlos Apache Indian Tribe. Mr. Hoffman assisted with the Holy Ground ceremony at the annual gathering. The two simultaneous ceremonies (Crown Dance and Holy Ground) resulted in an earthshaking experience that will be remembered by all who attended.
2015	<i>Meeting</i> - The tribe's leadership negotiated with the Monticello Community to discuss the possibility of negotiating an MOU between entities. <i>Activism</i> - Apaches told their families accounts of intermittent servitude to Spanish colonialists at <i>The Holy See and European Dispossession of Apache-Ndé-Nnee Peoples: A call for truth, disclosure, justice and redress</i> at the United Nations CERD 88th Session /147/. Elder Eddy Montoya opposed the closure of the former State Highway 142 in public forums. He made a motion opposing the State of New Mexico, 7th District Judicial Court /148/. <i>Annual Gathering</i> - Chiende gathered at Sapillo Creek in Grant County, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain and San Carlos Apache tribes and members of the San Carlos

	Apache Indian Reservation Tribal Council attended the annual gathering. There was a sweat lodge ceremony, and our members, the Márquez family, constructed a teepee. Our people provide most of the traditional Apache singing and drumming over the four days.
2016	<i>Annual Gathering</i> - Chiende gathered in Sapillo Creek, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives such as Franklin Stanley of the White Mountain Apache Tribe, Cranston Hoffman of the San Carlos Apache Indian Reservation, and the late Paul Ortega, former President of the Mescalero Apache Tribe) were present at the annual gathering. The Holy Ground and Crown Dance ceremonies were memorable.
2017	<i>Annual Gathering</i> - Chiende gathered over Indigenous Peoples' Day weekend in October at Akela Flats, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives of the San Carlos, White Mountain, and the Mescalero Apache Tribes were present /149/. The late Joel Lester and his Mescalero Apache Tribe crown dance group provided the ceremony. We lost one of our dearest mentors, medicine men, and elders, Paul Ortega. Ortega was pictured in a white long-sleeve shirt and blue baseball cap earlier that year in May /150/.
2018	<i>Annual Gathering</i> - Chiende gathered at our tribe's property in Manzano, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Joel Lester and his Mescalero Apache crown dance group provided the ceremony. That year, we also gathered at Cochise Stronghold in the Chiricahua Mountains /151/. Members of the White Mountain Apache Tribe, San Carlos Apache Tribe, and Mescalero Apache Tribe were present. The late Joel Lester, Medicine Man, is pictured in the purple short-shirt and straw hat, and his crown dancers provided the ceremony /152/.

2019	<i>Annual Gathering</i> - Chiende gathered on our tribe's property in Manzano, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Our singers and tribal leaders blessed us with traditional Apache songs throughout the weekend. We had guests from Pojoaque Pueblo and some representatives from the Navajo Nation participate in the annual gathering.
2020	<i>Annual Gathering</i> - Chiende gathered virtually on Microsoft Teams and Zoom in place of the annual gathering due to COVID-19 restrictions. <i>Political Relations & Intertribal Solidarity</i> - Representatives from within our tribe reviewed our tribe's history with academics, like Dr. Matthew Babcock (Southern Methodist University), Dr. Deni Seymour (archaeologist and author), and Dr. Jeffrey Shepherd (University of Texas at El Paso) in preparation for filing our petition for Federal acknowledgment with the Office of Federal Acknowledgement.
2021	<i>Annual Gathering</i> - Chiende gathered in the Box Canyon of Gila, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Tribal representatives served as godparents for a coming-of-age ceremony for San Carlos Apache tribal members. Our Chiende families supported the coming-of-age ceremony with drumming, singing, and gift-giving. Representatives from the San Carlos Apache Tribe, the Chihene Nde Nation of New Mexico, and the Navajo Nation played significant roles in the ceremony. Tribal member Attorney Richard "Rico" Frias was announced as the Executive Director of the Native American Finance Officers Association /153/.
2022	<i>Annual Gathering</i> - Chiende gathered in Silver City, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from San Carlos, Mescalero, and the Jicarilla Apache Tribes were present /154/. Our Chiende singers and tribal leaders blessed us with traditional Apache songs throughout

	the weekend. Silver City Mayor Ken Ladner and Councilman José Ray attended. The CNNNM received a Letter of Support from Native American researcher and author Dr. Matthew Babcock, Ph.D., the author of <i>Apache Adaptation to Hispanic Rule</i> /155/.
2023	<i>Annual Gathering</i> - Chiende gathered in Sapillo Creek, New Mexico. Ramon Riley and other White Mountain Apache people joined our tribe /156/ & /157/. The tribe received a visit from Mimbres Forest Ranger Henry Provencio and staff, who were invited to the evening ceremony. Some USDA Forestry Service staff attended. <i>Political Relations & Intertribal Solidarity</i> - Senator Jeff Steinborn of District 36 spoke to Chairman Manuel P. Sanchez and requested our Tribe's support in land conservation efforts in Doña Ana County, New Mexico. In January, Dr. Jeffrey Shepherd, Chair of the History Department at the University of Texas at El Paso, provided a Letter of Support to the CNNNM /158/. In May, Tribal Council Treasurer Ruben Leyva presented on Chiende history for Penn State University. Consequently, the CNNNM received four Letters of Support /159/. In October, Tribal Council Member Lauren Denson participated on a panel at the American Indian Science and Engineering Society National Conference, Spokane, WA /160/. In November, Roman Orona and Kaya Orona performed Native American songs and dances in Albuquerque, NM /161/. CNNNM Quarterly Meeting in Albuquerque, NM /162/.

The Petitioner's two 501(c)(3) non-profit organizations, the Chihene Nde Nation of New Mexico and the Ojo Caliente Restoration Society, both help to support our tribe's acknowledgment efforts. The Ojo Caliente Restoration Society consists of a Board of appointed Elders who advise and act on the historical preservation and revitalization of cultural practices, traditions, and language, often serving as diplomats or ambassadors to other sovereign nations.

Our tribe's website, <https://www.chihenendenationofnewmexico.org>, states our political, ethnic, and social identity as Chihene (Chiende), along with our tribal Constitution and By-laws /136/. The website serves as a repository for critical tribal documents. Our Articles of

Incorporation and enrollment criteria reflect those in Bureau of Indian Affairs regulations. Our leadership comprises career professionals who believe in transparency and accountability. Our tribal council meetings require a quorum. The Council plans future goals and objectives, resolves concerns and conflicts, assesses processes and budgets, and communicates with the membership.

The Petitioner's website posts the most recent tribal council election results /**163**/. Council members are required to attend regularly scheduled Tribal Council meetings and to participate in tribal project workgroups. Our current Council consists of the following individuals:

- **Manual P. Sanchez**, Chairman
- **Nancy Lopez**, Vice Chair
- **Julie Salaiz-Steenport**, Secretary
- **Ruben Leyva**, Treasurer
- **Buddy Montoya**, Member at Large
- **Minerva Flores**, Member at Large
- **Lauren Denson**, Member at Large
- **Lawrence Jurado**, Elder at Large
- **Velma Provencio**, Elder at Large

KINSHIP

Our tribal membership traces their lineage to ancestral Chiende. Our family kinship groups foregrounded our persistence and survival as Chiende. Extended families offer the basis for passing and sharing information. Chiende kinship structure promotes decision-making, teaching our youth, instilling environmental education, engaging in ceremonies, and cooperating on social occasions. In this section, we demonstrate the historicity and longevity of Chiende kinship within our territory, *Chi'laa*. Up to this point, the Petitioner has highlighted the family lineages of the Chair, Vice-Chair, and Secretary. Importantly, we recount the family lineage and kinship relations of our Treasurer, **Ruben Leyva**.

The Leyva family comprises one extensive example highlighting the durability of our kinship structures that allowed us to persist beyond colonialization and settler colonialism. The Leyva family, comprised of eight documented generations, illustrates how kinship as a structure formed the basis for diplomatic relations and political alliances, intertribal relations, and nation-to-nation interactions. The family's example denotes cultural patterns, endogamous relations, syncretized Apache-Christian religion and education, and historical geography and locality patterns.

Moreover, the Leyva family's political authority and lived experiences demonstrate the range of their subsistence and kinship across multiple traditional band locales.

Other families' Chiende roots tie them to the territories associated with Apache communities in the mountains and flatlands around the Mimbres Valley, Santa Barbara Valley (Hatch), headwaters of the Gila River, and parts of the Mesilla Valley of New Mexico. Our mountainous homelands are the Mimbres (Black Range), San Mateos, West Potrillo, Floridas, Animas (*Dzilditcole*), Tres Hermanas (*Dziltai*), Ojo Caliente, Caballos, Las Ladrones, Doña Ana Robledo (*Dzilyano'ai*), Mogollón, Sierra Madre, and Black Mountain (*Dziltitil*). Chiende people have also worked, gathered, and hunted in the flatlands. Chiende people refer to a portion of the Mimbres Valley after our leader, **Pachatejú**. Historians document **Pachatejú** in the 1770s as a son of **Nantanijú** and the grandson of **Chafalote**, who feared bringing our rancherías down to Janos, present-day Mexico /164/. The valley and its natural springs are called *Pachatejú* and *Pachatejú Springs* (thermal springs). While Spanish military officials imprisoned and deported **Pachatejú** from the area in 1788, his memory lives on in our people. Throughout time, the Pachatejú location functioned within Spain's Janos District, a Mexican military outpost supporting the town of Santa Rita and the home of Fort Webster under the U.S. Chi'laa exists within Apachería and the place Pachatejú exists within Chi'laa.

Chiende people designate themselves through kinship groups (*gotahs*). Opler explained, "...the band is a division of the tribe based on territory, including within its borders those local groups near enough together to unite for military action if the need arises or to co-operate for any important social occasion /165/." Historically, our bands and local groups have been identified and misidentified in various ways, including but not limited to *Mimbres Band of Gila Apaches*, *Coppermine Apaches*, *Mimbres Apaches*, *Apaches de Xila (Gila)*, *Apaches Chilmos*, *Apaches Chafalotes*, *Apaches Sabinal*, *Apaches de Paz (Peaceful Apaches)*, *Apaches Coloradas (Red Apaches)*, *Apaches Mimbrenos*, *Apaches San Elizario*, *Cobre Mina Apaches*, *Mogollons*, *Doña Ana County Apaches* and *Southern Apaches* of the Southern Apache Agency. We proudly proclaim that we are Chiende.

Apache-Spanish relationships were, at times, conflictual. The conflicts led to peace agreements with Spanish officials. Lieutenant José Maria Cortés y de Olarte of the Royal Corps of Engineers was on special commission at the Janos Presidio in October and November 1797 /166/. Commandant General Pedro de Nava assigned Cortés to inspect and report how Spanish

officials at the Janos Presidio managed relations with the Apaches. Cortés observed Apaches at the Spanish peace establishments. Nava required his officers to familiarize themselves with various Apache groups to look for opportunities to extend goodwill and to learn our customs, leaders, and language (Ndé Bizaa'). Jose Maria Cortés wrote about Apaches' everyday life, distinguishing the various types of Apaches: the Gileños and Mimbrenos and Chiricaguis /167/. The General required his officials to keep monthly records of the Apaches, part of our documented written Chiende history. In 1790, the Spanish military campaigns and outreach led to our first peace treaty at Sabinal in modern-day Socorro ('ilgúugisya) County, New Mexico, where Apaches received a weekly ration of maize and meat /168/.

In 1799, under King Charles IV, Spain's royal treasury would purchase copper from New Spain at a fair price /169/. Money-hungry opportunists, like newly retired Colonel Jose Manuel Carrasco, were eager to take advantage of this financial incentive. Carrasco coerced our trusted Apache leader, probably **Juan Diego**, the son of **El Compa**, to introduce him to our Chiende Copper Range, *El Corazón*, later known as Santa Rita del Cobre or simply *El Cobre* /170/. By the early 1800s, Mexican miners began mining at Santa Rita del Cobre, Santa Rita, New Mexico. Copper mining historians Helen Lundwall and Terrance Humble wrote that between 1803 and 1809, "more than 1.5 million pounds of (Native) copper valued at close to two million pesos" was extracted from Santa Rita /171/.

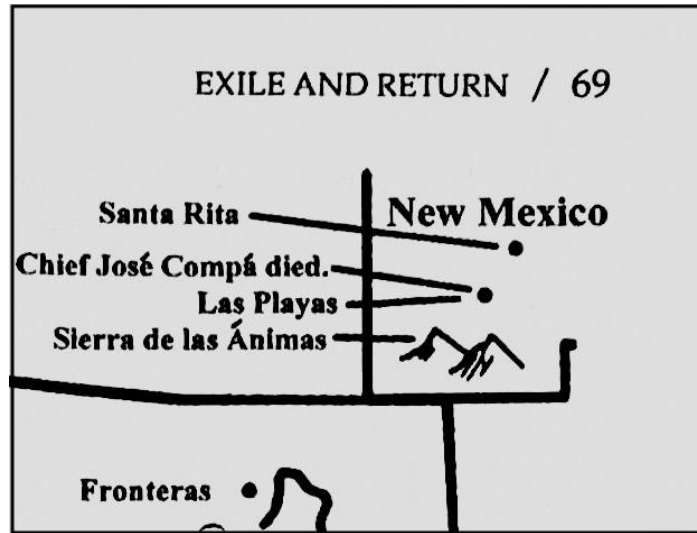


A 1996 photo, taken by Tribal Council Secretary **Julie Salaiz-Steenport**, of the sign on the property of the Phelps Dodge Chino Mines Company Santa Rita Mine, Santa Rita, NM. The Petitioner

acknowledges its part in introducing the area to Spaniards as the sign indicates - *mined initially by Native Americans* /172/.

Mining led to decades of unrest in the region and the stationing of Spanish troops. Because of the Mexican War of Independence, the political and economic struggles of the 1820s led to the Mexicans losing control of the northern frontier. On August 21, 1832, **Juan José Compa**, a multilingual Apache leader, was the liaison for peace talks with Chiende and Mexican officials near Silver City, New Mexico. He was given the title “General” of his people, a title he now shared with his late father, **El Compa**. The Spaniards placed **Juan José** in command of all Apaches northwest of Janos. As part of his responsibilities, he would travel north and south of today’s border continuously. **Juan José** also assisted his family member **Pisago Cabezón** in negotiations at Santa Rita del Cobre /173/. Like the Spanish explorers, the Mexicans established their peace treaty with the Chiende.

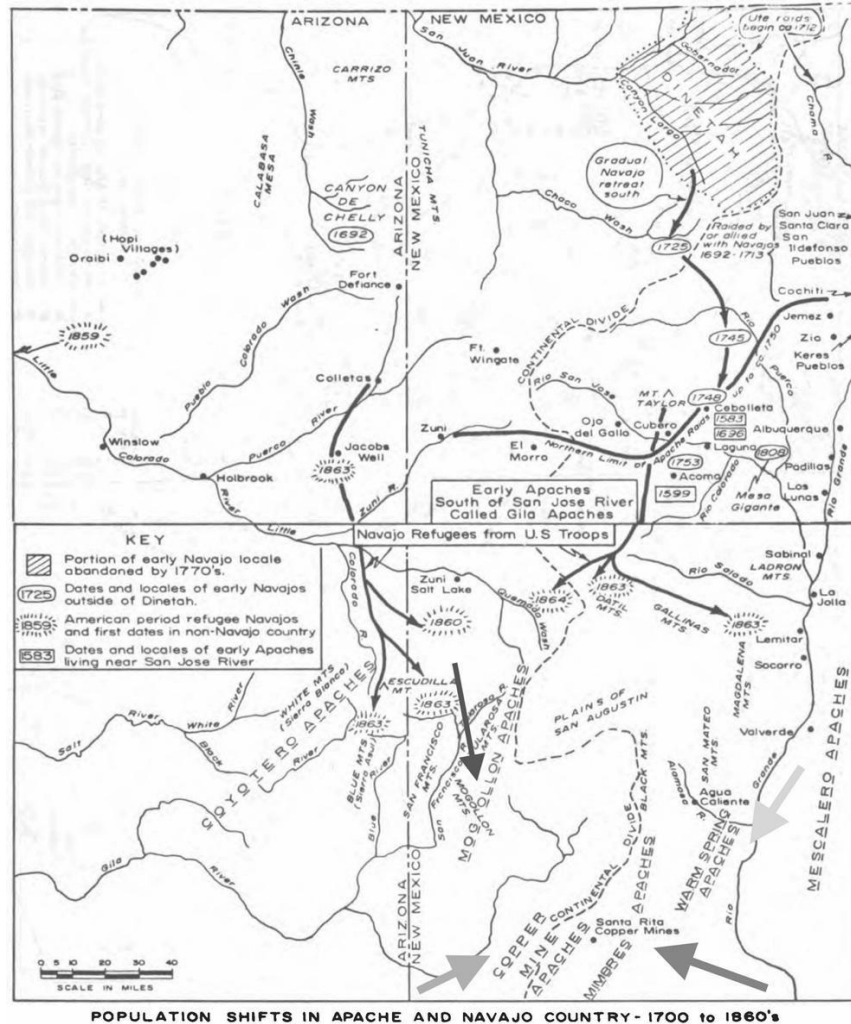
In 1837, the state of Sonora, intending to reduce alleged Apache depredations, issued a bounty on Apache scalps. A proclamation giving Apache scalp hunters the freedom to act without fear of retribution from the government gave people like John Johnson, a U.S. settler, and his group of twenty men the ability to murder without reprisal. Johnson and his group lured Apache leaders **Juan José Compa**, **Juan Diego Compa**, **Nac-cogé**, a.k.a. **Güero** (the light-haired one), **Marcelo**, and their families to Playas, which is 20 air miles north of the U.S.-Mexico border with promises of gifts of flour, sugar, and gunpowder. This rendezvous in present-day Hidalgo County was a staged ambush. Johnson used a swivel gun concealed from those participating in the gathering. They massacred **Juan José Compa** and twenty of his relatives /174/. This atrocity began the scalping industry, which lasted for the next one hundred years. This tragedy did nothing but aggravate Apache-Mexican relations. Miners like Stephen Courcier employed foreign mercenaries like James Kirker to exterminate Apaches /175/. Mexicans hired Kirker to organize attacks on camp after camp of our ancestors and escort Native copper shipments from the Santa Rita mines to Chihuahua.



A map above from *Borderlander: The Life of James Kirker, 1793-1852*, shows the location of the murders of our ancestors within their ancestral homelands /176/.

The subsequent 1838 Treaty between the Mexican Nation and the ‘Mimbres Band of Apache’ was executed, allowing us to live freely in the “area of the river Gila, that of the Mimbres, Florida and the plains of this river (Rio Grande) from this town El Paso del Norte, Juarez, Chihuahua, Mexico up to the San Mateo Mountains.../177/.” In good faith, our ancestors agreed to the terms of this legally binding document, which outlined the exact territorial boundaries affirmed by Governor Fernando de la Concha of New Mexico in the 1790 Treaty with Spain and the treaties to follow with the United States. Despite having our homelands occupied by settler governments, our ancestors became adept at negotiating treaties /178/.

The victory of the United States over Mexico in 1848 gave the United States legal possession of the New Mexico Territory but not Southern Apache Indian Country. The U.S. gained access to our lands without regard to our former treaties with Spain and Mexico. Their actions resulted in the unnecessary loss of life for Chiende and settlers, ranchers, and miners. By 1849, the Bureau of Indian Affairs (BIA) moved from the War Department to the Department of the Interior. The change created complications for our ancestors because the U.S. military used a harsher approach to U.S.-Apache relations than the BIA. As in the past, U.S. officials utilized labels such as *Mimbres*, *Coppermine*, *Mogollon*, and *Warm Springs* to describe our people.



Schroeder, Albert H.. *A Study of the Apache Indians*. United States: Garland Pub. Incorporated, 1974. The map illustrates the distinctions between the territories of the Chiende. The map lists the Coppermine, Mimbres, Mogollon, and Warm Springs groups /179/.

The U.S. occupation of our ancestral territory forced our ancestors to accept the accommodation of the Anglo (*indaa*) settlers and a new government. Furthermore, we endured displacement from our homelands as settlers increasingly moved west, occupying Southern New Mexico. In 1854, the Gadsden Purchase annexed more of southwestern New Mexico and more of Chiende territory into the United States. The Gadsden purchase brought some Central Band Chokonen local groups and some Southern Band Nedna'i local groups into U.S. territory in Arizona and New Mexico, respectively. The U.S.-Mexico border constricted our ancestor's movements. At the same time, U.S. officials appropriated our traditional food gathering, hunting,

farming, and ranching lands and distributed it to miners and settlers. Consequently, our sacred heritage sites, hot springs, and natural medicines (*izee*) were no longer readily available for our gatherings.

However, the newly demarcated international boundary did not directly impact our ties to our place of origin. The Plains of San Agustin, of Catron and Socorro Counties in New Mexico is where our creation story tells us we were born as a people (*Ndé*). This area is where our principal matriarch, White Painted Woman, landed in her abalone shell following the Great Deluge. She gave birth to the *Nde* (Apache) people, including the Chiend [REDACTED]

[REDACTED] are but a few of our sacred locations. [REDACTED]

[REDACTED] we consider hallowed ground. [REDACTED]

The conflicts between our ancestors and U.S. settlers increased from 1848 through the turn of the century, resulting from the U.S. acquiring large tracts of Indian land in Southwest New Mexico. Losing most of our ancestors' homelands brought turmoil between our nations and the United States. Our ancestors looked to peace treaties to remedy the unfolding violence. Our Chiende ancestors signed Treaties with the United States government in 1852, 1853, and 1855. These treaties promised our people individual tracts of land, agricultural subsistence, a permanent tribal reservation, and livestock.

Our daily living practices affirm our social and community identification. Members of the CNNNM agree on how our people extend a friendly embrace among family before going their separate ways. This level of affection is not common among strangers. A closing prayer often accompanies our departure. Typically, exchanging friendly embraces signals the departure of at least the person who initiates physical contact. This ritualistic set of signals is a Chiende custom. Family traditions like this extend back to before recorded history. An example of this behavior lives among the journal entries in New Mexico Territory Governor William Carr Lane's Diary. The entry for Sunday, April 17, 1851, describes similar behaviors of *Mimbres* (Apaches) at the

close of the meeting. According to the Governor, Chiende leaders **Josécito** and **José Nuevo** began a set of gestures and dramatic physical signaling instead of verbal communication. Governor Lane explained that before setting out upon his return to the Rio Grande after meeting with “Chiefs **Cuchillo Negro** (about age 80), **José Nuevo** and his brother **Josécito**, **Visute [Veinte] Reales** and **Ponce**” commenced *their benediction* and embraced /181/.

The correspondence between the Commissioner of Indian Affairs and Superintendents, or Indian Agents, and the federal government speaks of numerous conflicts between the military, expansionists, and the Chiende. For our ancestors, the correspondence of Indian Agent Dr. Michael Steck proved helpful in understanding our political organization and our relationship with the U.S. government at that time. Steck describes our land use patterns and territory during his time at the Southern Apache Agency as Indian Agent (1854 – 1861). His letters, which are preserved and herein enclosed in the supporting documents of the petition by the University of New Mexico, confirm our ancestors ranged in the New Mexico Counties of Doña Ana, Socorro, Luna, Grant, Hidalgo, Sierra, Catron, and throughout the modern Gila National Forest.

As recorded in U.S. official documents, Chiende leaders, like **Apache Soco**, **Camilio**, **Carrosero**, **Cuchillo Negro**, **Delgadito**, **Delgadito Largo**, **Deltané**, **Elias**, **José Nuevo**, **Josécito**, **Monica Zher**, **Pajarito**, **Placeres [Láceris]**, **Ponce**, **Refugia**, **Riñon**, **Sargento**, **Tinajas**, **Veinte Reales**, **Ytan [Itán]**, and others received rations either at Fort Webster or Fort Thorn. The 1855 Treaty between the United States and the Mimbres Band of Gila Apaches reinforced our relationship with Agent Steck and the United States as peaceful Apaches. These Chiende leaders represented the bands that inhabited the farming regions of the Mimbres, San Francisco, Tularosa, Gila, Palomas, and Lower Rio Grande rivers, tributaries, and valleys. Our area was well defined in the 1790 Treaty with Spain, the 1838 Treaty with Mexico, and Albert H. Schroeder’s “A Map of the Country Inhabited by the Gila and Mimbres Apache Indians” at the National Archives /182/. These documents certify our existence as sovereign with recognized leaders and a land base.

Tribal Council Treasurer **Ruben Leyva**’s family story politely presumes a lesser-known but traceable parent-to-child lineage to leaders and kin intermittently at peace with settlers from Spain, Mexico, and the United States. Apaches rarely speak the names of the departed. **Ruben**’s father and the tribal elders have given **Ruben** the privilege to share his heritage story. His account of his family’s history broadens hegemonic discourses on Apache canonization,

periodization, and identification. He draws inspiration from other descendants of **Josécito Leyva** and his wife, **Soledad Ydalgo**, such as the late **Peggy Ann Leyva**, who passed away in 2022 at 60. **Peggy** was a genealogist with three decades of experience.

Also, she researched and published books on the arts and an article on Native American history. Her research took her south of the border into Chihuahua, where she visited and learned more about the Leyva family's roots. **Ruben Leyva**, a traditional singer of the Petitioner's songs, has accepted the mantle as the family's historian. His 4th Great-grandmother **Soledad** was the niece of **Pisago Cabezón /183/**. **Ruben** agrees with the late researcher William B. Griffen that **Casimiro** was one of **Pisago Cabezón's** trusted headmen and a relative **/184/**. In 1815, **Soledad** and **Josécito** wedded **/185/**. In 1838, **Josécito** was documented as a part of **Casimiro's** *ranchería*, evincing that **Casimiro** and **Pisago Cabezón** were likely related through marriage **/186/**.

Ruben Leyva concurs with author Edwin R. Sweeney that the leader **Láceris**, a.k.a., was akin to the Compa family **/187/**. **Láceris'** geographic origins, kinship associations, and his son **Juh's** Leyva surname offer a reasonable likelihood of relation. After the deaths of **Juan Diego** and **Juan Jose** and **Pisago Cabezón**, **Soledad** and **Josécito**, and their relatives **José Nuevo** and **Láceris** aligned their family with the **Cuchillo Negro**, a Mimbres-Chihene. **Josécito's** group, known as the Blue Mountain Band (a sub-band), and the other leaders mentioned above expanded the family's domain into Chiende territory. Other members of the Petitioner also tell of Apache bands who married members of their families to other bands and often affiliated themselves as a larger unit for social, cultural, and political purposes. Historians and anthropologists were challenged in understanding these types of relationships because of their evolving nature. Using the Blue Mountain identifier in the Chihene and Nedna'i territories has confused historians and some Apaches. **Juh** and his *Blue Mountain People*, a.k.a. Blue Mountain-Nedna'i, remained true to their ancestral territory after his father **Láceris'** death **/188/**.

The late author, Eve Ball, wrote about the little-known *Blue Mountain Band* in Chihene territory, which was said to be associated with the *Warm Springs* [Chiende] and camped between the Rio Grande River and the Mescaleros. Eve Ball's informant **Percy Big Mouth**, who was a child prisoner at Bosque Redondo, told Ball, "I don't know what became of them but Spanish

came in from the south, tie(d) them up and march(ed) them south. Three times they [Spanish] took them and made the slaves of them, march(ed) them south. The few left joined the Lipans /189/.” **Ruben Leyva** concurs with **Percy Big Mouth** concerning his family being akin to the Mimbres-Chiende, their life north and south of the border, and their history of negative dealings with Spanish and Mexican officials. Also, **Leyva** confirms distant relations with Lipan Apache leader **Oscar Rodriguez**. **Leyva** says the Lipan are culturally and politically distinct, although he and **Rodriguez** consider themselves distant cousins.

Ruben proffers that Chiende Apache have cross-border tribal sovereignty like the Lipan Apache, Tohono O’odham, Yaqui (Yoeme), Cocopah, Kumeyaay, Pai, Tigua, and Kickapoo. “The most notable of these figures were the Chiricahua Apache, who refused to be moved onto reservations, who continued to raid encroaching settlers, and who cleverly escaped Euro-American cavalry troops by fleeing to Mexico /190/.” Many of our ancestors fled as refugees seeking asylum because they were persecuted. The militarization of a Spanish presidio line initially blurred our borderland existence. The subsequent U.S.-Mexico border-security-industrial complex further challenged our nationhood. The concepts of citizenship and nationalism have reduced our family’s visibility, but not government surveillance.

Each time we cross the international boundary, we consider it an assertion of tribal sovereignty. The international divide was intended to create citizenship and bifurcate our historical kinship and shared land-based epistemologies. This physical barrier has not blinded us to our relationship with our family in Mexico, whom we referred to as *Ndé’indaai* (Nedna’i), meaning *those who live among enemies* or *enemy people*. Historically, the Nedna’i lived in unceded territory along the border but were displaced from New Mexico by encroachment, industry, and government policy.

Discourses have inaccurately manipulated Apache citizenship to separate and contain us, divide us from *Mexican Apaches*, and ignore the New Mexican indigeneity of those who at one point, lived in Mexico. The forced separation of Chiende families through border enforcement has led to blindspots about our continuous binational presence in our homelands. Unfortunately, these misconceptions hold to today. Scholars have underestimated our people’s ability to reconnect and remain connected despite separations associated with settler colonialism. Successful reunifications continue through shared oral histories of kinship. Many of these stories

are documented in the literature and demonstrate family ties. Some relationships have been confirmed through DNA, and others through genealogical records. Many relationships are challenging to adduce because of our people's cautiousness and use of sobriquets and nicknames, but we know our family stories, phenotypes, geographies, travels, surnames, and kinship groups.

Ruben Leyva's 6th Great-grandfather was **Pisago/Visago** (baptized **Santiago**) /191/. **Pisago** may have been the same person documented in his siblings' baptism record as **Santiago del Corral** (of/from the Corral). In this case, *Corral* refers to one of the following Chiende ranchería locations - *El Corral de Picura*, *El Corral de Piedras*, *El Corral de San Agustín*, or *El Corral de Quinteros*. Our families hold to our contiguous kinship relations in the communities of New Mexico, serving as interlocutors of our place-based history. We preserve oral histories of our extended family group leaders who traveled southwestern New Mexico, northeastern Sonora, and northwestern Chihuahua. Primary and secondary sources confirm this history. The Leyva family descends from the records on the Apache rolls in the late 1780s by Comisionado Leonardo de Escalante in Bacoachi, Sonora. **See APPENDIX K - CNNNM Historical Tribal Rolls & Rations.**

H. Henrietta Stockel enlightened readers about life for **Ruben's** ancestors at Bacoachi. They were introduced to Franciscan friars and Western styles of agrarianism, which included planting, tending, and raising wheat, corn, and melons. At harvest time, after the sale of crops to neighbors, mining communities, and other locales, the excess grains were made available to the Apache community /192/. **El Compa** was Ruben's 5th Great-grandfather /193/. **El Compa**, a recognized Apache headman, was counted along with his mother, his wives, his daughters, a son, a sister, and a brother, **Francisco**, and his family at Bacoachi. Some of **Leyva's** 8th-generation great-grandmothers were **Bechesda** and **Nanjuca Benalda [Bernalda]**. **Bechesda's** son, **Captain Francisco Ydalgo**, his sons **Pisago**, **Alexandro**, **Leonardo**, and **José Antonio**, and daughters **Caylasa** (baptized **Nicolasa**) and **Maria Ylachoye** (baptized **María de los Santos**) are on the Bacoachi rolls. **Pisago's** children, **Cee** (baptized **Guadalupe Ydalgo**), **Pisago Cabazón** (baptized **Joseph Miguel Ydalgo**), and son **Damace** (baptized **Demecio**), are represented. **Damace's** surviving wife, **Tomasa Damace**, listed as a *viuda* (widow), is included /194/.

Date: 05-20-1787

Documentation: Bacoachi. March 4 to May 20, 1787. 48p. Informes. Signed.

Summary:

Weekly rolls of Apaches in reduccion at Bacoachi, listed by family, with accounts of rations (grain, Panocha, cigars) given to each. Marriages, births, deaths, etc. Noted at end of each roll. (A. Dean, June 1989)

Persons: Tisonse, Leonardo (Capitan Apache) Jose El Cautivo (Apache) Nagulquise, Jose (Apache) Gaucha, Juan (Apache) Chanasun, Ignacio (Apache) Natagulto, Pedro (Apache) Napale, Pedro (Apache) La Chata (Apache) Gusnil (Antonio (Apache) El Mocho (Apache) Miguel (Apache) Pelona, Ignacia (Muger Apache) Guste, Thomas (Apache) Agulquille, Salvador (Apache) Achg, Francisco (Apache) Francisco (Capitan Apache) Gasinto (Apache) Quincheligo, Ignacio (Apache) La Renga (Apache) Pitaycacheno, Jose Maria (Apache) Luys (Apache) Pascual El Coyote (Apache) Gabier El Chico (Apache) Naguside (Apache) Lachelsade (Apache) Taschil (Apache) Gine (Apache) El Compa (Apache) Benito El Sancudo (Apache) Juan El Surdo (Apache) Toche (Viuda Apache) Jasque (Apache) Agenaschi (Apache) Nachil (Apache) Billago (Apache) Yezep, Ignacio (Apache) Carlos (Apache) Coyegi, Guadalupe (Viuda Apache) Yeste (Apache) Neya, Alejandro (Apache) Atanacio (Apache) Quinascho (Apache) Elstigi (Apache) Side (Apache) Bechesda (Viuda Apache) Auchole (Viuda Apache) Corilla, Ignacio (Apache) Margarita (Viuda Apache) Salti, Ignosente (Apache) Nistay, Gorge (Apache) Enalalcansa (Viuda Apache) Adicu (Viuda Apache) Nantanquiyayn (Apache) Echi, Leon (Apache) Asquislage (Apache) Asquebillo (Apache) Pesida (Viuda Apache) Cheyesgen (Viuda Apache) Atedenanchen (Viuda Apache) Gayyase (Viuda Apache) Ystiguli (Muger Apache) Taltaa (Apache) Nauqua, Quiachisi (Apache) Quiyasta (Apache) Benalda, Nanqufa (Viuda Apache) Quidilchu (Apache) Cachaa (Apache) Judeo, Chaditi (Apache) Sisi (Viuda Apache) Banastati (Viuda Apache) Chanatan (Apache) Escalante, Ignacio (Apache) Ychuli, Marcos (Apache) Asdili, Manuel (Apache) Francisco (Apache) Nagusculi (Apache) Asquianla (Apache) Chanastlin (Viuda Apache) Nachili, Susli (Apache) Baltasar (Apache) Santiago (Apache) Espiritu (Apache) Pascual El Guabesi (Apache) Nicolas El Cheche (Apache) Fasle, Marcial (Apache) Nanes, Jabier (Apache) Jayundi (Viuda Apache) Yafe (Apache) Baychul (Apache) Dabachil, Catarina (Muger Apache) Peslaytigi (Apache) Quiechilti (Apache) Quedigilti (Apache) Calu (Apache) Asquechildi (Apache) Adesechin (Viuda Apache) Masqui (Viuda Apache) Tlapili (Viuda Apache) Chencande (Viuda Apache) Tunagay (Apache) Saade (Viuda Apache) Yenlos (Apache) Escalante, Leonardo de (Comisionado) Gadesnane (Apache) Taylla (Muger Apache) Chiquito (Capitan Apache) Jose Antonio (Apache) Sitabislone (Apache) Nasquetayn (Apache) Quinasti (Apache) Nagesti (Apache) Casque (Apache) Chuya (Viuda Apache) Gitae (Viuda Apache) Usesin (Apache) Adesechin (Viuda Apache) Citacy (Viuda Apache) Naysile (Viuda Apache) Paechin (Viuda Apache) Cee, Guadalupe (Viuda Apache) Ylachoye, Maria (Viuda) Bergera, Domingo Altajolla (Apache) Les (Apache) Corbalan, Pedro (Gobernador) Nantasiti (Apache) Banachachilda (Viuda Apache) Naytigi (Apache) Caysasa (Viuda Apache) Chetegiel (Apache)

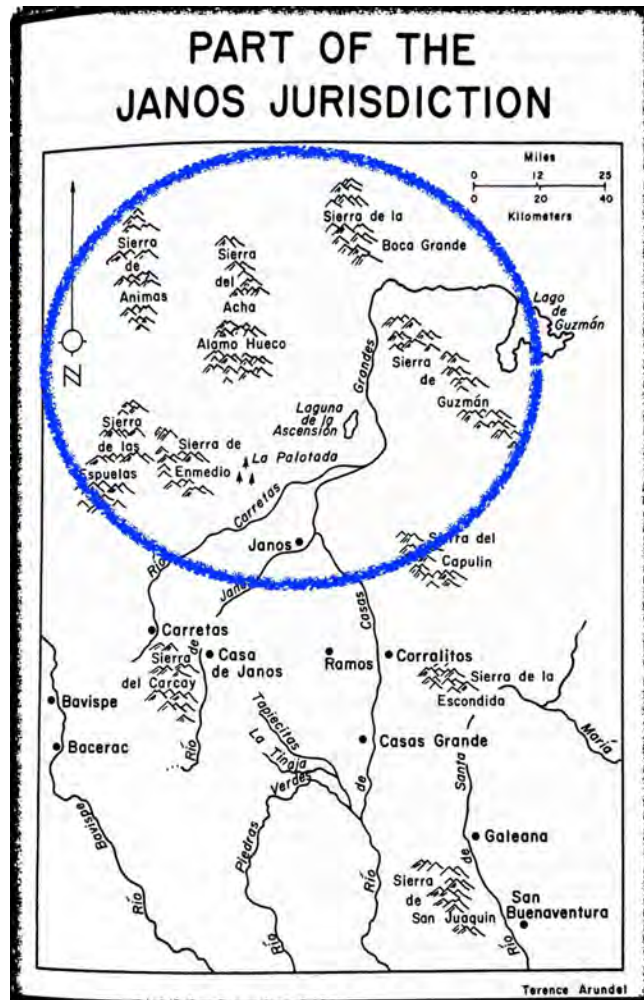
Places: Bacoachi Janos Arispe

University of Arizona Institutional Repository webpage for the Rolls of Bacoachi Apaches by Leonardo de Escalante, dated March 4 to May 20, 1787, showing some of **Pisago's** and **El Compa's** family /195/.

By 1791, **Ruben's** 5th great-grandparents, **El Compa** and **Guadalupe Cee**, and their large family relocated to Janos, Chihuahua, for rations and government-to-government relations. *Apaches at War and Peace* and *Utmost Good Faith* are two books by William B. Griffen that memorialize **Ruben's** ancestors. The author described **Guadalupe's** father, **Pisago's** huge extended family, as having twenty-two members who relocated near the Janos Presidio by May 1791. While **Pisago** was agreeable to peace, he was undecided about living near Janos. He chose to live at La Boca, considered Sierra de la Boca Grande. Despite the threat of Spanish military

patrols, **Pisago** lived the rest of his life in the border region, crossing today's border freely as his ancestors had before him.

In 1792, Spanish troops attacked **Pisago's** borderland camp. The Spanish intended to recover stolen livestock after **Pisago's** family raided the interior of Chihuahua. Troops killed **Pisago** shortly after that in the neighboring mountain range to the east - Sierra de Enmedios /196/. His son, **Miguel**, referred to as **Pisago Cabezón**, and the extended family continued to exist on both sides of the U.S.-Mexico border. Today, **Leyva's** family would be considered transnational, but their homelands have always included what is known as the Southwest United States and Northern Mexico. The Leyva family's borderland liminality, which **Ruben** suggests included a repeating cycle of *resistance-peace-adaptation*, is an example of our unambiguous and distinct history.



Terence Arundel's Spanish map shows Blue Mountain Apache mountain ranges /197/.

Leyva's family story goes back eight generations. It reminds historians of his family's presence in New Mexico's Playas, Mimbres, and Mesilla Valleys. He offered, "Our tribe unapologetically embraces our distinct political, social, and tribal differences as Chiende. Therefore, we acknowledge our bi-national sovereignty, multilingualism, and continuous cycle of resistance and peace with each of the three nation-states. The U.S. file on my family was never closed." **Ruben** has opined that the members of the Chihene Nde Nation of New Mexico have descended from Apaches in resistance and peace since European contact.

In the documentation of the early 1800s, Spanish and Mexican officials considered **Ruben's** prominent ancestors, **Juan Jose Compa**, his brother **Juan Diego Compa**, and their uncle **Pisago Cabezón**, to be Apache *Generals*. By 1810, at Janos, twelve hoes and six axes for planting were distributed to **Jasquelnelté (Esquinocten)**, **José**, **Pisago Cabezón**, **Juan Diego**, and three other leaders. In 1812, **Juan Diego** and his people were documented in Santa Rita, New Mexico, and the Mimbres River Valley /198/. In this same area, **Ruben's** 4th great-grandfather, **Josécito**, led a local group of Mimbres-Chihene. His Spanish alias was **Josef Ignacio Duran Leyva**. The suffix *cito* implied a smaller or younger version of José.

Josécito's group, a separate political, social, and tribal entity from that of **Mangas Coloradas'** people, resisted colonization and assimilation by maintaining traditional customs yet were more progressive than other families. They closely observed and mastered the foreigners' farming, education, and negotiation. Women's leadership was held with respect. For family protection, **Ruben** contends that band leaders adapted to social changes and negotiated peace treaties with each of the three governments. **Leyva's** heritage story adduces an Indigenous progressiveness that some historians have misunderstood due to borderland geographies.

The Leyva family has a generational history of farming and foraging. **Ruben** confesses that some family stories are apocryphal but seem reasonable to believe. He says our people's annual subsistence patterns were typically 350 square miles from each rancheria, not counting mountain elevations, raids, and visits with other bands /199/. This range is valid and conservative for multiple bands and local groups. **Severiano Leyva**, a younger brother of **Josécito**, led the Leyva local group of Gila-Chihene. **Severiano**, designated part of the Bedonkohe local group, harvested subsistence north of the Gila River /200/. The bands with rancherias in the New Mexico Bootheel of Hidalgo County traveled as far south as the Guaynopa

region of Madera, in Chihuahua /201/. **Josécito's** sub-band, comprised of his wife's family from the New Mexico Bootheel, was reported to range Chiende territory from the Mimbres east to the Rio Grande River /202/. His younger brother, **Patricio José Nuevo Leyva**, led the Leyva local group of Gulgat-Chihene.

Josécito's bride, **Soledad**, was the daughter of leader **El Compa** and **Guadalupe Cee Ydalgo**. The second part of **Guadalupe's** name, Cee, short for *Izstan Izee*, meaning she was a 'medicine person or healer.' **Guadalupe** was **Pisago's** daughter and Gila-Chihende leader **Pisago Cabezón's** sister. **Pisago Cabezón** lived within close range of the San Francisco River, which rises near the headwaters of the Gila River, in present-day Catron County, New Mexico /203/. The second part of his name, **Cabezón**, translates to the word *head* or *big-headed* in Spanish. In December 1824, **Soledad's** older brother, **Juan José**, was recorded as living near the mining at Santa Rita del Cobre /204/.

In the late 1820s, **El Güero**, akin to **El Compa**, lived at the Santa Rita mines /205/. The Blue Mountain Apaches planted and worked plots of land at Alamo Hueco. Chamberlain writes, "**Juan Diego** and his brother **Juan José** were both fluent in Spanish, and, like **Pluma**, traveled frequently to Northern Chihuahua, bringing news from that region /206/. The Alamo Hueco Mountains of the New Mexico Bootheel were a point of contention for **Soledad's** family. **Pisago Cabazón** and his Ydalgo family petitioned the Commandant General Simón Elías to deny the Mexican Serafín Calderón the ability to keep lands Calderón had appropriated. Commandant Elías sided with the Ydalgo family.

In addition to the Alamo Hueco, **Pisago Cabezón** and **Feroz** implored the governor of Chihuahua to decree that the following mountains not be sold to Mexicans - Animas and Hatchet Mountains, also in the New Mexico Bootheel and the Enmedio Mountains northwest of Janos, in Chihuahua. Researcher William B. Griffen wrote, "The last notice of **Juan Diego** at the presidio was on May 2 (1831)." On this date, **Juan Diego** and **Juan José** were given six half-bushels of corn for their *large family* heading for Sierra de Enmedio /207/. **Juan Diego** and **Juan José** participated in the August 29, 1832, Treaty negotiations between twenty-nine Apache leaders and the Mexican officials, memorializing the Mimbres region, including Santa Rita del Cobre, as our territory /208/.



A map of the Arizona-New Mexico border above the Sonora-Chihuahua border illustrating some of our mountain ranges in Hidalgo County, New Mexico - (1) Animas (Dzilditcole), (2) Hatchet (Acha), (3) Alamo Hueco (Dzilmore), (4) El Medio (Enmedio in Mexico), and (5) Peloncillos (Dziltitcil) /209/.

The late author Edwin R. Sweeney concluded that **Severiano**, a member of **Juan José Compa's** Gila-Chihene local group, reportedly delivered messages for **Juan Jose** during peace talks at Santa Rita del Cobre /210/. Following the treaty, **Juan José** lived in Santa Rita and could often be found at the Ojo de San Vicente, modern-day Silver City. Later San Vicente was

noted as the encampment of **Ponce** and **Lucero**. Northwest of Santa Rita, New Mexico, was the domain of **Pisago Cabezón**. Leyva ancestor, **Mariano Rodrigues**, a.k.a. **Vivora**, was the son of **Coleto de Fierro**, a Gulgat-Chihene leader. Another Gulgat-Chihene **Jasquedegá** was in league with leaders **Manta Negra** and **Icujidillín** in the Florida Mountains and collected rations at the Carrizal presidio /211/. *Utmost Good Faith* adduces that in 1832, **Jasquedegá** and **Cristóbal** “actually from Santa Rita del Cobre area but presently camped...west of Carrizal - wanted to make peace /212/. In 1833, some of our families traveled through the desert prairies (*gulgat*) between the Santa Rita area of southwestern New Mexico and El Paso into Carrizal in northern Chihuahua to harvest mescal /213/. The Apache place name for Carrizal translates as *frosty or frozen cactus*, suggesting our people also used the area in winter.

On May 31, 1835, General Commander Justiniani made a treaty with Apache leaders at Santa Rita del Cobre. **Juan José Compa** and sixteen Apache leaders sought peace. **Juan José** reported that his kinsmen **Pisago Cabezón** and **Cigarrito**, who were absent, were a distance away. **Pisago Cabezón** band was on the San Francisco River, in New Mexico. The interior of Chihuahua was said to be the location of **Cigarrito** and the band of **Chees**, possibly **Cochise**. **Juan José** asked for time to engage these leaders before exacting war on them as hostile Apaches. **Josécito** and **Severiano** were at the negotiations /214/. Negotiations for **Pisago Cabezón** occurred the following year.

Ruben Leyva says **Mangas Coloradas's** first split from Leyva's ancestors occurred in 1836 when he disunited with **Pisago Cabezón**, who wanted peace. On August 30, 1836, the Commanding General of Sonora José María Elías González invited five leaders, including **Pisago Cabezón**, identified by his Spanish name, **Miguel**, along with leaders - **Relles**, **Matías**, **Marcelo**, and **Eugenio** (**Pisago Cabezón's** uncle) to his home. The leaders temporarily accepted 15 articles of peace before agreeing to reconvene in Fronteras, Sonora, in October to finalize the arrangement /215/. In October, as discussed, Elías González again met with **Pisago Cabezón** and other representatives - **Caballo Ligero**, **Boca Matada**, and Chokonon leaders. Dr. Matthew Babcock affirms that **Pisago Cabezón** was so enraged over the murder of his family members at Santa Rita that he decided to negotiate peace with Elías González /216/. **Ruben Leyva** shares that his family members distrust the governments of both Chihuahua and Sonora because of the

violent past. However, **Ruben's** ancestors had non-violent encounters with Mexicans away from the presidios as well.

An example of this historical conflict occurred on March 30, 1838. **Pisago Cabezón** and his sons **Chato Pisago** and **Coche** stopped a wagon train in the Florida Mountains of Doña Ana County, New Mexico. The Apache swept down on the cattle and mule herds driven by Mexicans from Janos. The Mexicans were outnumbered. The sporadic gunfire through the evening and night halted when **Chato** requested a parley the following morning. **Pisago Cabezón** met with the mule driver's servant. **Pisago Cabezón** contemplated having the servant send a message of peace to Janos. However, the Mexican renegade Bernavé swayed **Pisago Cabezon** away from peace talks, reminding him of the two murdered relatives at the hands of Mexicans. **Pisago Cabezón** decided to forgo peace talks that day, and **Coche** threw the servant on his horse and safely brought him out /217/. The mule drivers abandoned their train of ten wagons and returned to Janos with only twenty-two horses.

Peace negotiations with Apaches were consummated on November 15, 1838, in El Paso, the Mexicans acknowledged the Chiende as the original inhabitants of this region under leaders **Cigarrito, Yescas, Cristobal, and Antonio Mancisco [Francisco]**, who signed the Treaty of 1838 with Mexico. The Treaty outlined the Petitioner's territory "in the river Gila, that of the Mimbres, the Floridas, and plains up to the San Mateo Mountains /177/." Before the Apache had forced the abandonment of the Santa Rita mine in 1838, farmers in the Mimbres had lived and worked alongside the Chiende as neighbors for more than three decades /218/. Peace was compromised following a significant and tragic incident in the same town less than one year later.

Despite having a treaty with the Chiende on August 26, 1839, a written record suggests Mexican citizens in El Paso murdered some Ydalgos they had jailed. This massacre occurred after a large local group sought to free their imprisoned family. The Apache leader of the rescue mission was among the first killed during the skirmish. The Mexicans refused to release the prisoners. After a gruesome battle, Mexican citizens incinerated the Apaches by setting fire to the jail /219/. While the account refers to the leader as **Ydalgo**, the family believes it may have been **Eugenio**. No records of **Eugenio** have surfaced following this decade.

In 1848, at least one of the **Leyba [Leyva]** was listed as receiving rations south of El Paso at the Carrizal Presidio /220/. This Leyva mentioned near Carrizal may have been Gulgat-Chihene leader **José Nuevo**. This **Leyva** ancestor is mentioned in camp by Apache leaders **Cigarrito**, **Lobo**, and Mescalero Apache leader **Gomez** /221/. The Gulgat-Chihene received rations at Carrizal. *Utmost Good Faith* regards the Apaches at Carrizal as *mainly or entirely Mimbrenos* /222/. On June 6, 1849, near Carrizal, kinsman **Jasquedegá** and his Gulgat-Chihene local group lost their lives to scalp hunters /223/. Like **Jasquedegá**, **Láceris** was the leader of a local group. **Láceris** was considered a principal leader like his contemporaries, **Cuchillo Negro** and **Mangas Coloradas**, around this time.

In 1849, some of **Bartolo** and some of **Láceris**' people were taken prisoner by Janos Commander Captain Padilla and his soldiers. Those taken prisoner included but were not limited to **Negrito**, **Ratón**, and **Gervacio Compa (Juan Jose Compa's son)**. A few days later, **Bartolo**, the leader of **Negrito's** local group, came to look for him. **Bartolo** went to the band leader, **Láceris**, for additional support in freeing the group. **Láceris** and twenty-five warriors rode to Janos demanding to see **Negrito** /224/. Researcher Edwin R. Sweeney proposes that **Láceris** was akin to the Compa family through **Candelario**, son of **Juan Jose Compa** /187/. **Láceris** informed Padilla that he had brought reinforcements on a nearby hillside. This historical event demonstrates an example of the Petitioners' kinship through the Compa family, **Negrito**, **Bartolo**, and **Láceris**. Also, this example shows kinship and mutualism under precarious circumstances between the ancestors of the Petitioner's current members, the Leyva and Martinez families.

By March 1850, **Leyva's** late kinsman **Demesio** and his widow **Tomasa's** son, **Demos Ydalgo**, and the leader, **Posito Moraga**, participated in diplomatic hostage negotiations in Bacoachi, Sonora. The two Apache leaders met with the Mexican official José María Elías González. **Posito Moraga** left, promising his return in four days. **Demos** remained where his brother, **Nestor**, was being held, awaiting the exchange of his wife, **Petra**, and mother-in-law, **Dayundil**, who were being held southwest of Bacoachi in Hermosillo. When **Posito Moraga** failed to return for the exchange, the disappointed war captain **Demos**, determined to regain his family, showed no fear despite his mother's tears and warning. His mother, **Tomasa**, knew Apaches did not like returning captives. **Demos** bravely went to the Apache ranchería, where the

Mexican prisoners were held. He acquired them and returned them to Bacoachi. Elías González admired **Demos'** Spanish literacy, sense of responsibility, and character. Elías González ordered **Demos'** wife and mother-in-law to be returned and released. On March 31, the family was reunited /225/.

Also, in 1850, in the U.S., the military Captain Enoch Steen of Fort Webster wrote, “The hard-working, zealous officer achieved his objective. Reaching Santa Rita del Cobre about August 9, his command six days later ‘induced into camp... **Mangas Coloradas**, the Head Chief of the Gileños, and **Josécito**, the Chief who Commands over the country lying between the Mimbres and Rio Grande (rivers) with about twenty warriors and a few women came in /226/. Captain Steen documented **Josécito's** band of Chiende and the vast territory outside **Mangas Coloradas'** territory. These examples demonstrate that different Apache bands maintained their own ethnic identity and extended family relations and sought to represent them as such vis-à-vis the U.S. government.

Abstract of Provisions and Presents issued by M. Steck agent, to Apache Indians during the quarter ending September 30, 1853

1853		To whom issued	Shoes	Blankets	Tobacco	Tobacco papers	Domestic goods	Corn	Beef	Salt	Provisions
Aug 4		To Josécito and bands upon the Mimbres				10	40	38	4	1	
14		Bands on Mimbres (200) Bands of Gila (150) and from Mogollon (175) being in all 625	18		25	100	212	200	15	3	40
24		Bands on the Rio Mimbres (200) and scattering (50) making 250 issued by order of Wm. Washburn at Santa Rita to Mescaleros as per order of July 1st —	100	50	1	5	60	58			
			118	50	1	40	200	212	29 1/2	19	41

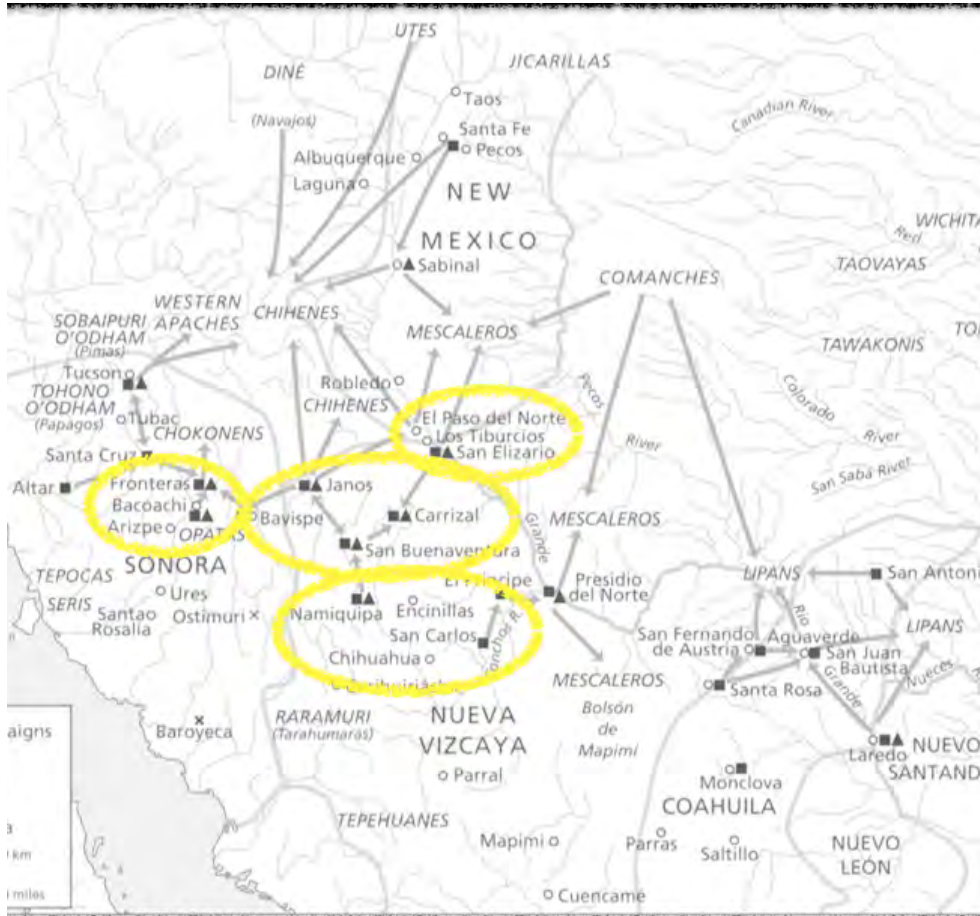
I certify on honor that the above is a correct account of all provisions and presents issued by me during the quarter ending September 30, 1853.

M. Steck
Ind. Agt. N.M.

For the quarter ending September 30, 1853, Indian Agent Michael Steck reported he had issued rations of tobacco, tobacco papers, corn, beef, and salt to “**Josécito** and the bands upon the Mimbres (Bands of Mimbres (200), Bands of Gila (150), and from Mogollon (175) being in all 625 /227/.”

Josécito Leyva is viewed as one of our people’s premier grandfathers and among his era's most influential Chiende leaders. In 1853, **Josécito** had come to peace and, on behalf of his band, had signed the Treaty between the United States and the Rio Mimbres and Rio Gila Apaches at Fort Webster in the New Mexico Territory. His rancheria was located near Santa Rita del Cobre in 1855 /228/. **Josécito’s** influence was far more significant than historians credit him. The late anthropologist Harry W. Basehart, in his book *Chiricahua Apache Substanance and Socio-political Organization*, affirms that Chiende territory extends into Northern Mexico.

Below is a map from Dr. Matthew Babcock's *Apache Adaptation to Hispanic Rule* showing the line of presidios below the modern U.S.-Mexico border /229/. The corresponding Apache peace establishments or reservations were where our Chiende ancestors would travel to draw their rations during the Spanish and Mexican Republic periods. During peace times, our ancestors would sometimes camp in nearby mountains.



The map above from Dr. Matthew Babcock's *Apache Adaptation to Hispanic Rule* shows the line of Presidios and Apache peace reservations where our Chiende ancestors would travel to draw their rations from the Spanish and Mexican Republic. Most of these Apache peace reservations existed below the modern U.S.-Mexico border /229/.

After the war and the 1854 Gadsden Purchase, New Mexico's southwestern region increased when the international line reduced the Janos District by annexing **Ruben Leyva's** ancestral territory south of the Gila River /230/. Basehart documents that John Russell Bartlett, who established the international border between the U.S. and the Republic of Mexico, and New Mexico Territory Governor David Meriwether held that the southern limits of Chiende territory

extended south of the international boundary. **Leyva** insists that Bartlett, who was attacked on the Rio del Carmen, was attacked by his Leyva ancestors. Bartlett reported, “Apache boldness in the El Paso vicinity, and stated that Carrizal was at the mercy of Apaches /231/” Bartlett’s international border research, including his journey into northern Mexico, connects the Spanish-Mexican and American Apache records. The Leyva ranchería on the Rio del Carmen is south of Carrizal /232/. *Link to the historic rancheria south of El Paso:*

<https://en.mexico.pueblosamerica.com/i/san-lorenzo-rancho-leyva/>



A map from the National Park Service website showing the Gadsden Purchase of the Petitioner’s territory by the U.S. from Mexico signified by the color orange /233/.
(www.nps.gov/chir/learn/historyculture/pre-apache-wars.htm, 2023)

Agent Michael Steck’s March 1855 Provisions list and abstract demonstrate **Josécito's** kinship through his extended family members **Poncito**, **Láceris**, **Negríto**, and the two band leaders from the Sierra Larga. **Josécito** was not patriarchal, and his egalitarian leadership style included men and women leaders. He created space for **Monica**, **Camilio**, **José Nuevo**, and

Josécito's sister-in-law **Refugia** to sign the July 9, 1855, Treaty between the United States and the Mimbres Bands of Gila Apache at Fort Thorn.

	No of Lodges	No of Men	Women	Children	Total
In the Camp of Mangus Colorado including his Brother Phalis Palacio & others	80	75	125	130	330
In the Camp of Delgadito & Itan	52	48	70	132	240
Cuchillo Negro & Union	30	25	40	87	152
José Cito, Negrito & Poncito	35	30	56	85	171
Total	157	178	291	424	893

The excerpt from Steck's July 20, 1855 report of conditions of the Southern Apache Agency shows the "Comp [Company] of Mangus Colorado Including his Brother Phalis Palacio & others" as a separate political entity from the band leaders. **Negrito**, who signed the 1852 Treaty on behalf of the petitioner, is listed between **Josécito** and **Poncito**. The three leaders and their families, totaling 171 people, are camped together from April through June /234/.

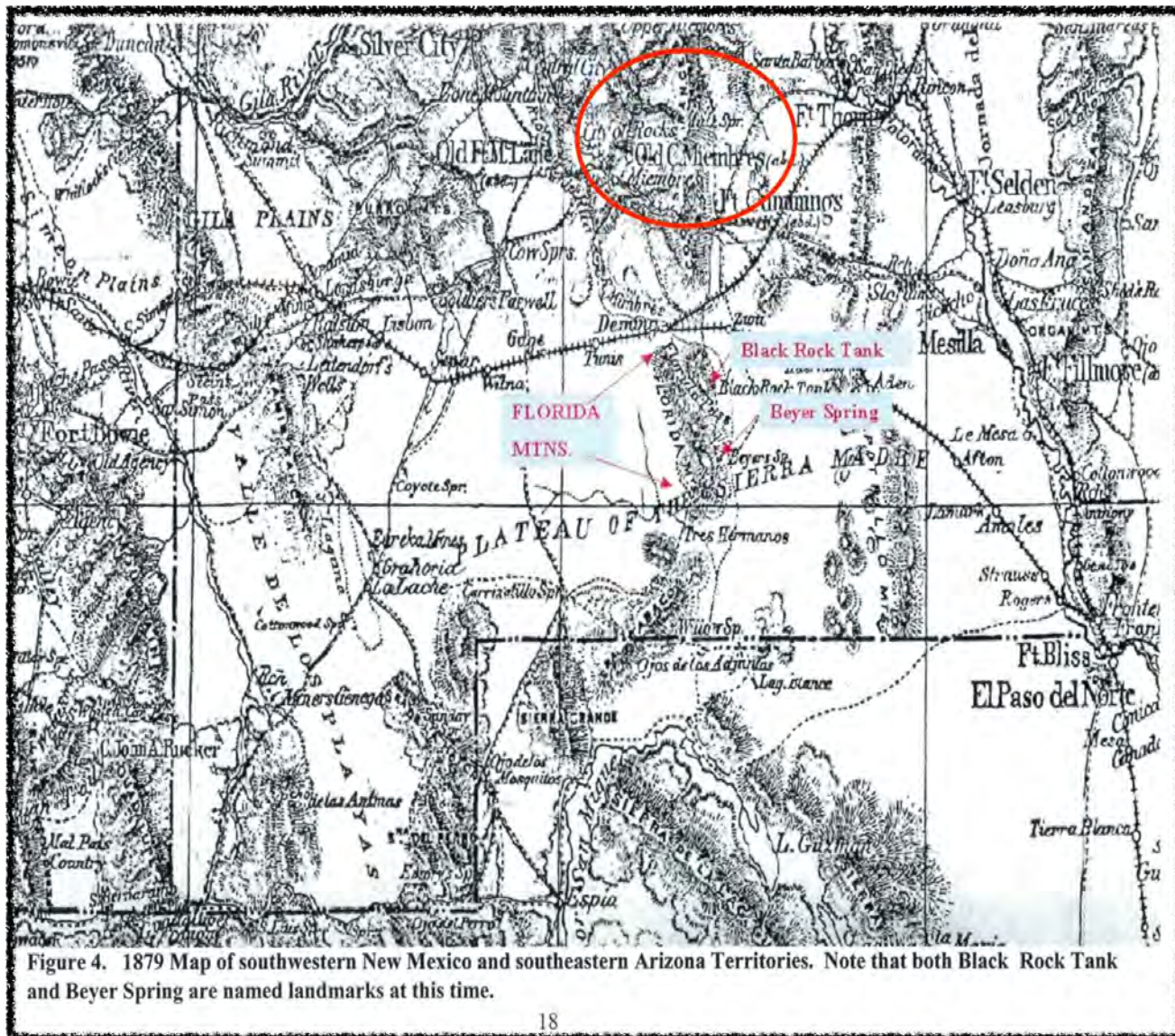
On July 20, 1855, Steck further reported **Josécito's** social and political relations describing him as encamped with Gulgat-Chihene leader **Poncito**, the younger son of **Vivora** and brother of the 1853 Fort Webster Treaty signer **Ponce**. **Negrito**, the signer of the 1852 Santa Fe/Acoma Treaty, and his family were camped with **Josécito** and **Poncito's** families. Steck annotated that their kin consisted of 35 lodges and 171 people. Intergenerational ties and marriage exist between the Leyvas and **Ponce** and **Poncito's** Rodrigues family. This is also the case for the **Elias** family, whose kinfolk intermarried with Leyva descendants. This further illustrates our people's continuous and lasting social and political relationships.

By 1857, the confederated Chiende came under the leadership of four headmen: **Josécito**, **Delgadito**, **Itán**, and **Cuchillo Negro**. **Mangas Coloradas** and his *Ne-be-ke-yen-de* (meaning *Earth They Own It People*) band, who had previously aligned with the Chokonon of Cochise over prior years, were excluded. In his August 7, 1857, Annual Report, Steck refers to **Josécito** as one of the four "principal men" of the Chiende. Our leaders were considered peaceful and trustworthy. In 1858, our people's good reputation and diplomacy were displayed when **Cochise** requested **Soledad**, his Spanish-speaking kin, deliver a message of peace to Mexicans at Fronteras, Sonora /235/. If accurate, **Pisago Cabezón** and **Cochise** had a father-son relationship. This would have made **Soledad** and **Cochise** first cousins. If **Cochise** descended from **Juan José Compa**, as some believe, **Soledad** was his aunt. It is without question that **Josécito** and

Soledad's legacy as spouses, leaders, and peacemakers is why the Petitioner considers this married couple the cornerstone of our worldview on complementary gender relations.

Josécito's and **Soledad's** daughter **Norberta Leyva** (3rd great-grandmother, 1823-1881) and her sons **Jose Alvino (Jose)**, born in 1842, and **Jose Anstacio de Jesus Leyva (Jesus)** (2nd great-grandfather, 1844-1941) were acquainted with a number of our headmen and headwomen. A cousin around her age was the headman **Jose Lusiano Felipe Ydalgo** (1824-1864). Also, **Norberta's** cousin **Eligio Ydalgo** was an in-law of the headman **Coleto Amarillo**. Her son **Jesus' father, Prudencio Manuel Mariscal**, was the son of **Guadalupe Bacilia Rodrigues** and grandson of **Vivora**. Consequently, **Norberta** was in-laws with the headmen **Ponce** and **Poncito**. **Norberta** and **Jesus** were related to some of the 1853 and 1855 Treaty signers - **Josécito, José Nuevo, Ponce, Pláceres (Láceris), Refugia**, and **Elias**. **Norberta** was also of the same generation as **José de la Luz Leyva**.

In 1859, Agent Michael Steck received information that **José de la Luz Leyva** was responsible for stealing nine horses from Fort Bliss /236/. We will never know if José de la Luz was responsible, but we know he became a well-known farmer in the Lower Mimbres. He was known to the community as **Luz**. He was privileged to avoid the Indian reservation and farm peacefully in his homelands along the Mimbres River. In the 1870s, he received a homestead patent near the present-day village of San Juan, not far from Mowry City, the location of Camp Mimbres (1863), the City of Rocks, and the Faywood Hot Springs. While farming was not for all our kinsmen, settlers compromised our subsistence patterns by encroaching on our hunting and gathering locations. Reservations were a viable option for some.



Charles Haecker's Map shows the Florida Mountains with the Potrillo Mountains to the right.

The red circle identifies the region **Luz Leyva** farmed /237/.

Leyva family members lived in the Mimbres, and some appeared at multiple Indian reservations. Some Chiende people could travel between reservations. The Leyva family traveled back and forth between the Tularosa, the Fort Apache, and the Chiricahua Reservation in the early 1870s. The late ethnographer Grenville Goodwin contended that *factional disputes* developed among our people when forced together in undesirable circumstances. By 1877, many of us were tired of war and traveling and desired peace /238/. A story that further highlights the political division between the Petitioner and that of **Victorio's** people occurred around 1874.

Nana returned to the Tularosa Valley Indian Reservation from the Chiricahua reservation and assisted in mediating a power struggle between **Victorio** and the late **Cuchillo Negro's** son, **Pajarito**, and his three brothers. The Pajarito brothers represented our people's political interests. As mentioned earlier in the petition, **Pajarito**, unlike **Victorio** and **Loco**, signed the 1855 Treaty at Fort Thorn. Indian Agent Benjamin Morris Thomas lost faith in **Victorio** for not keeping the peace and demoted him, asking **Loco** to serve as spokesman for those at Tularosa. The conflict between **Victorio** and our people resulted in a physical confrontation with **Loco** and **Nana** aligning with **Victorio**. **Pajarito** and his brother, **Pajarito Chiquito**, were killed in the skirmish. **Turevia** was critically wounded, and the unnamed fourth brother was slightly injured. This incident illustrates the political distinction between our people and **Victorio** since 1855. The marriage of **Victorio's** daughter to **Pajarito** attempted to bring the two distinctive, unambiguous political groups together but failed /239/. With time, many of the Petitioner's families sought refuge in the Sierra Madre while others clustered near farming communities in small adobe towns through Southwest New Mexico.



Camila Leyva (1866-1946), daughter of **José de la Luz Leyva**, is pictured above. Her family buried her in the Mountain View Cemetery, Deming, Luna County, New Mexico /240/.

The Leyva family supported the local Mimbres Valley economy by working as laborers and farmers and living peacefully within the family's ancestral range. **Rosalio Leyva**, who also homesteaded in the Mimbres Valley, constructed his home in 1875. Census information indicates some Leyva family members engaged in adobe, making porches with log posts and brackets, as well as shed and hipped roofs. At Janos, the Compa-Ydalgo family is documented to have been rewarded with Spanish-style housing. **El Compa, El Güero, and Jasquenelté (Esquilnocten)**

received houses /241/. The Leyva family believes their ancestors learned about Spanish-style construction at Janos, if not earlier.

Wilson's National Park Service report describes settlers with Spanish surnames who were native New Mexicans /242/. By the mid-1870s, a silver mill operated in the village of Mimbres. By 1884, Indian Agent Clum took a small group of Leyva ancestors to Fort Apache, where irrigation projects and the planting of crops were underway. Apache **Geronimo** and other leaders coerced some 40 people to leave the reservation with him on May 17, 1885 /243/. In 1886, some Apaches surrendered to the U.S. The U.S. military never captured all of the Apaches who fled to the Sierra Madre Mountains. Local groups of Apaches that held out from reservations and were not exiled to Florida were known as the *Dzil Dklishende* (*Blue Mountain Apache*), *Bedonkohe-Ndendahe*, *Sierra Madre Apache*, *Bronco-Nedna'i* (*Bronco Apache*), or *Nameless Ones*.



Great-grandfather **Natculbaye**, on the left, wears his signature war necklace with concho and a white headband. Photo taken by C.S. Fly in 1886 /244/.

In the Mimbres Valley, the mining market collapsed by 1893, but the developed produce market continued to support economic growth. Many peaceful Chiende Apache families participated in the local economy and supported the community. In 1895, **Luz Leyva** intended to help future generations adapt to a transitioning society by donating land for the San Juan School. **Luz's** deceased relative, **Juan Jose Compa**, donated his house for use by the school for the children of Janos' soldiers stationed near the Santa Rita Presidio /245/. At the turn of the 19th

Century, **Juan Jose** received a similar education in his youth at the Janos Presidio, along with the soldier's children. **Compa** repaid his gift of education. Like their ancestors who previously received an education at presidio schools and Spanish missions, **Luz's** family and others likely received educational opportunities in keeping with the Chiende intellectual pursuit of knowledge.

In 1901, the community built a cruciform-plan church upon a stone foundation named San Juan Church with a gable and hipped roof. On August 29, 1902, a flash flood washed away irrigation diversion dams, orchards, and farm fields and changed the course of the Mimbres River. This catastrophe devastated the Mimbres families, who relied almost exclusively on produce for income. In 1909, the revitalized Santa Rita copper mine bolstered the local economy. This change brought jobs for families living in the area. The Leyva family existed in our territory north and south of today's U.S. border when it was entirely acceptable for families to cross freely into either territory. Border tensions between the U.S. and Mexico crossed over into interactions with Apaches because of Article 11 of the Treaty of Guadalupe Hidalgo, which dictated the conditions of engagement between the two countries regarding Apache raiding and trading. Both countries failed to enforce the conditions as stated.

The daring Mimbres-Chihene **Massai** or **Ma-si (Nogusea)** who escaped by jumping from the prison train carrying Apaches to Florida had close ties to the Apache family of **José María de la Cruz Elias (Natculbaye)** and his wife, **Juana Cruz Elias Duran (Dejonah)**. **Massai** and the Elias family spoke Spanish and had been a part of **Geronimo's** reservation breakout. However, the three of them never made it to Florida with **Geronimo**. **José María** and **Dejonah** did not surrender at Fort Bowie, Arizona, and instead retreated to the Sierra Madre /246/. **Natculbaye** and **Dejonah**, impressed by **Massai**, named a child after him to express their families' unbreakable kinship bond.

Ruben Leyva's 2nd great-grandfather, **Maasai the Younger**, was the child of **Natculbaye** and **Dejonah**. In June 1876, the same month as the U.S. government removed 325 Apaches from the Chiricahua Apache Indian Agency, the infant **Maasai the Younger** was baptized **Maximino [Massai-mino] Elias**. The suffix "mino" in Spanish means 'younger' or 'minor.' **Geronimo**, **Juh**, and the **Elias** family did not immediately relocate to the San Carlos Apache Indian Reservation. Instead, they convinced Indian Agent John P. Clum to provide them more time to gather their people from the surrounding area. Rather than reporting to San Carlos, **Juh** and his people opted to take their chances as bi-nationals, using the Sierra Madre as a

stronghold. In April 1877, **Geronimo** and his followers, who were visiting family at the Hot Springs Reservation, were now considered outlaws by the U.S. government. **Geronimo** and the band were arrested by Agent Clum and a team of Indian police officers and taken back to San Carlos. Clum ordered **Victorio** and his people to follow suit and relocate to San Carlos. **Maasai** and his comrade **Gray Lizard**, who were on their way to meet **Geronimo**, were also arrested and taken to San Carlos. The 1954 feature film "Apache" starring Burt Lancaster as **Massai**, was directed by Robert Aldrich. **Leyva** says the movie was adapted from a screenplay by James R. Webb based on Paul Wellman's 1950 novel *Broncho Apache*.

Ultimately, circumstances dictated that many exiles in Mexico, now considered Bronco Apache or *Ndendahe* (Bedonkohe-Nednai), leave the upper Sierra Madre for the Madera Mountains further south. Ranchers captured some of our family's children. Due to conflicts with ranchers, some families on the western side relocated east to Chihuahua, where distant relatives of the Leyva family live today. Given the history of feuding between Apaches and Mexicans, these families labored on living in the mountains and working farms, ranches, and mines, trying not to bring attention to themselves in Mexico. The relatives living on the U.S. side of the border also worked farms, ranches, and mines.

Despite the dangers, some relatives continued crossing the southern U.S. border, visiting family who lived in Sonora (Nacori Chico et al.) or Chihuahua (Guaynopa-Madera et al.). In 1912, Francisco Fimbres and other Mexican ranchers, in search of a stolen herd, located an abandoned Apache encampment. The ranchers recovered the cattle and a young Apache girl hiding in the brush. Fimbres intervened, keeping her alive. They called her **Lupe**. Fimbres let her go back to her family in the mountains after a year, but she was rejected by her brother **Indio Juan (Apache Juan)** and told never to return or be killed. **Leyva** says the Apaches felt **Lupe** had found fortune with a family who fed and cared for her. **Lupe** returned to remain with the Fimbres family. Unfortunately, the feelings between the two peoples soured when Fimbres lost family members to the Apaches.



Massai, the elder, working as an Apache Scout, is in the upper left-hand corner of C.S. Fly's 1886 photo /247/.

Fimbres used volunteers to hunt **Ruben's** extended family in the Sierra Madre. In 1931, the Arizona Daily Star printed a picture of Fimbres holding a handful of Apache scalps. Acts of genocide occurred in the present-day U.S. (1837 and 1839) and Mexico (1846, 1849, and 1930). The wholesale killing of Apache has made the surname Compa uncommon. The Ydalgo, Rodrigues, Leyva, and Elias family survivors have a long history of maintaining relationships. As previously mentioned, the Leyva and Elias families existed together in the Tularosa Valley in Catron County, New Mexico. Encroaching settlers displaced the family from areas like the Tularosa Valley. Ultimately, family members fled south of the U.S.-Mexico border for sanctuary. Evidence of the family's existence lives on in stories of the Sierra Madre Apaches.

One well-known Apache in Mexican history was **Indio Juan**. He was an infamous leader of one of the Bronco Apache local groups and was said to have been the son of **José María Elias. Juan**, whom ranchers said knew Spanish, would wear conventional clothes and come to

the streets of Nacozari, Agua Prieta, and Douglas, Arizona, unrecognized. Goodwin said similar things about **Adilnadzid** and **José María Elias (Natculbaye)** in *The Apache Diaries*. These examples demonstrate that our ancestors learned how to adjust their appearance to lower their visibility and helped them blend into the immediate environment. The ancestors learned how to elude identification as Apache by altering their dress, language, and mannerisms in public. They adapted their behavior to ensure they did not disrupt the flow of society but did so in a way that prevented them from being absorbed into the dominant Mexican culture. When our ancestors wanted to make their presence known, they did so through different forms of communication.



A 1930 photo taken in Nacori Chico, Sonora of Francisco Fimbres, kneeling on the right, holding our ancestors' scalps /248/.

Mexicans considered **Indio Juan** threatening because he lurked near ranches and yelled in his intimidating Apache style. Supposedly, **Juan** occasionally lurked near the ranch where **Lupe** lived, and she allegedly could sense and even smell an Apache presence. **Chano Leyva**

vividly recalled our family's presence in his interview with anthropologist Tom B. Hinton. **Chano Leyva**, who lived in Nacori Chico during the first half of the 20th century, described **Indio Juan's** loud Apache yell. **Chano**, sympathetic to the Broncos, explained that **Juan** did not hurt anyone, and his yell was nothing more than that /249/. In reality, **Juan's** yell was probably a form of psychological intimidation. However, **Chano**, knowing **Juan's** family, downplayed **Juan's** intent.



Chano Leyva was interviewed in 1996 by anthropologist Tom Hinton. "In Search of the Sierra Madre Apaches." *Journal of the Southwest* 64, no. 2 (2022): 193-418. Accessed September 1, 2023 /249/.

In 1913, **Ruben's** great-parents, **Leandro Leyva** (great-grandfather, 1889-1945) and **Praxedis Elias** (great-grandmother, 1893-1974), daughter of **Massai** (the Younger), married in El Paso. The family holds that **Leandro** and **Praxedis** directly descend from treaty signers in the U.S. This couple is an example of a married couple with family on both sides of the border. By the 1930s, **Ruben** and **Audrey Espinoza's** friend, the author Neil Goodwin, says his father, American anthropologist Grenville Goodwin, was already beginning his research of Apache *holdouts* in the Sierra Madre, which were the topic of discussions by reservation Apaches. **See**

APPENDIX D - CNNNM Supporting Documents - Sample Leyva Leadership Kinship Chart.

The Great Depression convinced some representatives of the Leyvas working in the Mimbres Valley and El Paso to move their families westward for work. Leyvas and other relocated families chose to live near other transplanted family members. Some Leyva extended families remained in the Lower Mimbres Valley in San Juan, Sherman, San Lorenzo, Silver City, and Central, today known as Santa Clara, New Mexico. Annual visits to New Mexico, El Paso, and North Mexico occurred. Some family members moved to California for agricultural work but kept in contact with family in New Mexico and El Paso.

In 1940, **Audrey's** family, who were the relatives of Chiende leader **Yescas**, and the Leyvas participated in Catholic pilgrimages up Mt. Cristo Rey Mountain in Sunland Park, New Mexico. Chiende families from Anapra, Juárez Municipality, would climb the rougher side of the Mountain to participate until the border enforcement prohibited the presence of attendees from Mexico. By 1955, anthropologist Tom Hinton started researching the Sierra Madre Apaches in the mountains of Nacori Chico. On December 30, 1959, **Ruben's** great-uncle **Roman Leyva** died at the Tigua General Hospital in El Paso /250/. He worked for the Cristo Rey Church until his death. The irony of **Roman's** involvement in the pilgrimages is that, decades before, his family had assailed mule trains near Mt. Cristo Rey (Cerros de los Muleros or Mule Drivers Mountain).



This 1940s photo was provided by Ruben Escandon of the Mt. Cristo Rey Committee and was taken on Mount Cristo Rey during an annual pilgrimage. One pilgrim holds a flag that reads *Peregrinación*, meaning Pilgrimage. Our Chiende family members are present /251/.

In 1965, **Roman's** grand-nephew, **Gilberto**, began exposing his California-born children to their extended family by road trips to the homelands. **Gilberto** says Leyvas lived from the Gila to El Paso and Villa Ahumada, Chihuahua. **Gilberto** shared his 1967 story of visiting a mountain ranchito in Chihuahua, where Indians lived. Some tribal members have not allowed distance to interrupt the family's connection to their homelands and traditions. Tribal members, like **Miguel Marquez**, keep in contact with Apache families in the Madera Mountains. The Petitioner has invited Apaches from Chihuahua to attend ceremonies with us /252/. **Marquez** has escorted the Apaches from Mexico to the Apache reservations and our tribal gatherings north of the border. Apaches, with the help of our tribal leaders in the U.S., obtain special documentation that allows them to travel to our tribal ceremonies legally.



A young **Audrey Espinoza** and her Chiende relatives sitting atop Mount Cristo Rey in the early 1950s.
Photo provided by **Audrey Espinoza /253/**.

(Ruben Leyva, “Chihene Nde family history,” in discussion with Audrey Espinoza, Ruben Leyva, Manny P. Sanchez, and Irene Vasquez, Zoom meeting, April 11, 2023.)

CONTINUANCE

This petition narrative has briefly discussed our tribe's discursive historical context concerning the seven criteria required to achieve Federal Recognition. Our Chiende people possess a continuous connection to our Indian identity, political authority, and homelands. Although our families experienced many hardships, including the dispossession of our lands, forced and unforced relocations, and government erasures of our ethnicity, through this petition, we proudly affirm ourselves as a distinct community with a continuity of political influence and authority. Neighboring Apache peoples, academics, state officials, and media representatives have recognized our Chiende identity. Our families have maintained our social identity and cultural practices, kept a continuous presence in our homelands, preserved our extended kinship relations, returned to our ancestral lands, and continuously supported our community's developments.

We are a cohesive, continuing community, albeit in these modern times, spread throughout twenty states of the United States, with a majority in New Mexico and California. We share kinship, culture, common beliefs, goals, and history. As in non-Indian society, we have individuals with unique talents. These members are outstanding citizens and multi-talented artists, musicians, educators, lawyers, doctors, government officials, nurses, and many other professions that span all walks of life. In our responses to the Office of Federal Acknowledgement's criteria, we strived to honor these community members by mentioning their skills as befitting the seven criteria.

The long-sustained periods of warfare with colonial-imperial modern states and the geography of our homelands made Southwest New Mexico relatively inaccessible and mostly Indigenous until the U.S. period. Over the centuries, our ability to know our political identity, ancestral leaders, cultural protocol, and extended family groups was due to the limited admixture with colonial populations. These small, rural, inaccessible communities of Chiende extended family groups visited and intermarried in a way that maintained our social and political structure as a matrilocal society.

The Petitioner, the Chihene Nde Nation of New Mexico, and our Tribal Council and members respectfully submit the following responses to satisfy 25 C.F.R. Part § 83.11, Mandatory Criteria for Federal Acknowledgement. All contact and correspondence Regarding this Documented Petition should be directed to Tribal Historian Audrey Espinoza and/or Tribal Chairman Manuel P. Sanchez.

PART TWO: OFA CRITERIA

According to 25 C.F.R. Part § 83.11(a) (per the 2015 revision) the Petitioner, a previously acknowledged tribe designated historically as the Mimbres Bands of Gila Apache, is required to submit a petition for acknowledgment based on seven additional criteria:

§ 83.11 What are the criteria for acknowledgment as a federally recognized Indian tribe?

The criteria for acknowledgment as a federally recognized Indian tribe are delineated in [paragraphs \(a\)](#) through [\(g\)](#) of this section.

(a) Indian entity identification. The Petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900. Evidence that the group's character as an Indian entity has from time to time been denied will not be considered to be conclusive evidence that this criterion has not been met. Evidence to be relied upon in determining a group's Indian identity may include one or a combination of the following, as well as other evidence of identification.

(1) Identification as an Indian entity by Federal authorities.

Highlights:

1786-1787 - Rolls at Bacoachi peace establishment **/195/**

1790 - Treaty with Spain - **/178/**

1838 - Treaty with Mexico - **/177/**

1842 - Treaty with Mexico - **/108/**

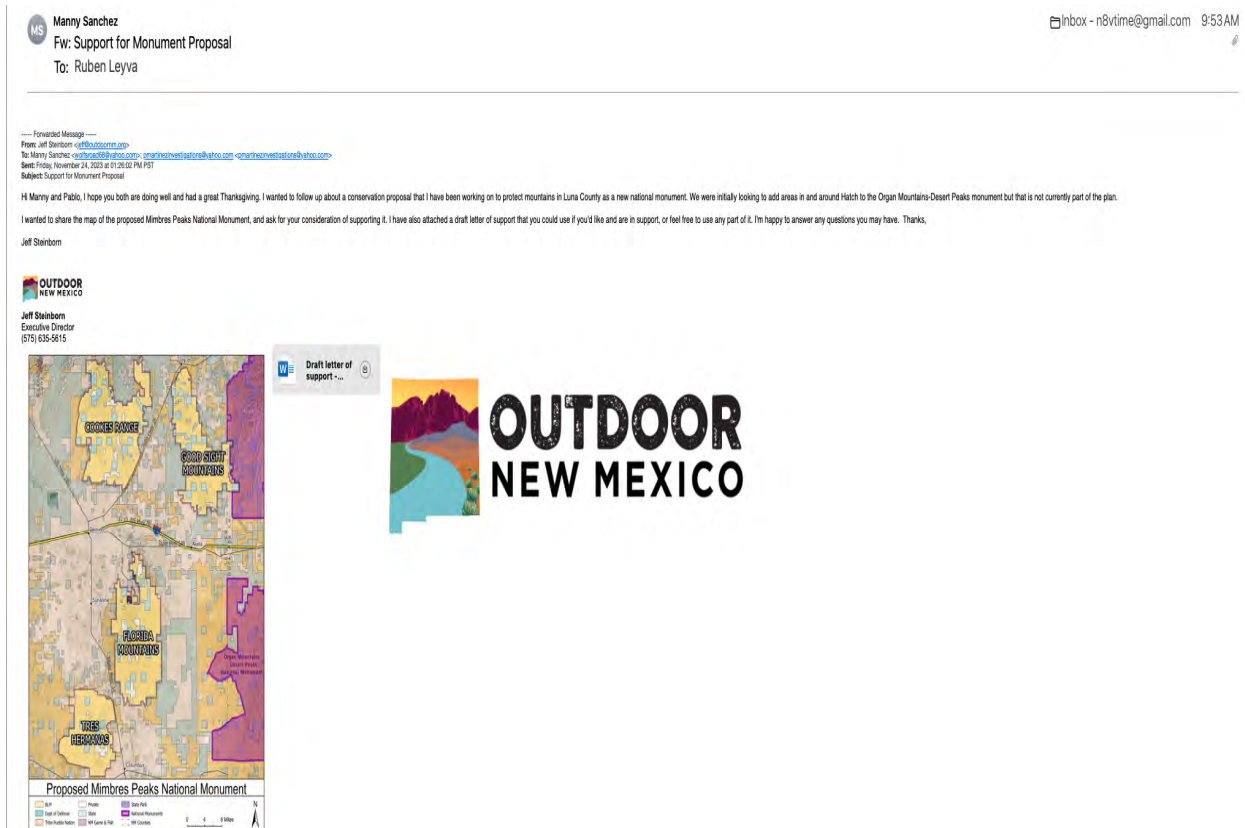
1852, 1853, & 1855 - Treaties with the United States - **/8/, /9/, & /10/**

1853-1877 - Historical family leaders and names on treaties, Indian Agent letters, rolls, and provisions lists - **/9/, /10/, /23/, /45/, /78/, /103/, /108/, /113/, /115/, /121/, /125/, & /128/**

1870s - present -U.S. Censuses and land information in Catron, Grant, Hidalgo, Luna, Socorro, Sierra, and Doña Ana Counties - **/43/, /50/, /70/, /121/ & /254/**

1940 - BIA List of Indian Tribes - **/3/**

2023 - Senator Jeff Steinborn reached out to the Petitioner regarding Indigenous representational support for the Proposed Mimbres Peaks National Monument **/254/**.



In 2023, tribal leaders engaged with New Mexico District 36 Senator Jeff Steinborn about representing the Indigenous community of Doña Ana County for the Proposed Mimbres Peaks National Monument **/254/**.

The tribe has been identified as an Indian entity by U.S. Federal authorities substantially continuously from before and through the 1900s. U.S. Federal officials referred to us as Chihenne-Apache or Hot Springs-Apache, Gila-Apache, Hot Springs-Apache or Chihenne-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, Bedonkohe-Apache **/3/**.

The tribe was previously identified by the United States as early as 1850 in lists of provisions, leaders and tribal band rolls, treaty documents, and Federal censuses. Chiende ancestors reported to Federal Indian Agent Steck beginning in 1854.

For example, in 1855, Agent Michael Steck documented tribal rolls in numerous abstracts of provisions to the Chiende, available through the University of New Mexico, New Mexico's Digital Collection. See APPENDIX K - CNNNM Historical Tribal Rolls & Rations.

46	Provisions Issued	Amount
March 1	Brought forward	162.1
" 11	Provisions of Delgadito Juan Poncio & a few of Coppermine Bands	10
" 11	a part of Cuchillo Negro Bancito - Jose Nuevo Rinon Josecito, Jose Nuevo, Rinon	12
" 15	1/2 Delgadito Men Laceres Delgadito, Itan, Laceres	30
" 18	Mangas people	10
" 25	1/2 Poncio at Delgadito Poncio, Delgadito	20
" 26	1/2 Cuchillo Negro Cuchillo Negro, Jose Cito	30
" 28	1/2 Rinon de Laceres - Jose Nuevo Rinon, Jose Nuevo	30
" 28	1/2 Barba de Cadete Barba de Cadete	8
" 28	1/2 1/2 Moscaleros	12
		284
47	Provisions Issued during winter Ending March 31st 1855	Amount
Jan 3rd	Moved by Estevan action	15
Jan 20th	1/2 1/2 to all the bands of Cila apaches	110
Jan 25th	1/2 to Mescaleros	5
Jan 28th	One ox	
" 35th	1/2 to 1/2	
Jan 20th	1/2 1/2 - Ten sheep	
Feb 5th to 8th	to Bands of Cuchillo Negro Jose Cito - Rinon - Beinte Reales Jose Cito, Rinon, Beinte Reales	22
" 8th to 11th	Showanito - Jose Nuevo Showanito, Jose Nuevo	4
" 11th to 14th	1/2 Coppermine Bands Poncio - Delgadito, Itan, Laceres	20
" 15th	to two Bands from Cerra Larga point	7
" 17th	to Moscaleros 22 in No 2	3
" 25th	to Bands of Cuchillo Negro Provisions of Jose - Jose Josecito, Jose Nuevo, Rinon	20
" 26th	1/2 Coppermine Indians Poncio - Delgadito, Itan, Laceres	27
" 28th	1/2 Moscaleros	4
" 29th	to Laceres people	5
" 29th	to Laceres people	5
	to page 46	162.1

Indian Agent Michael Steck's Private Notebook, January - March 1855, MSS 134, BC, Box 4, folder number 15, The Steck Collection, Center for Southwest Research and Special Collections,

University of New Mexico, Albuquerque, New Mexico. These pages (46-47) from Steck's notes detail the distribution of provisions among the Petitioner's ancestors by bands. Names of band leaders identified include **Poncito**, **Delgadito Jenero**, and a few of the Coppermines **Cuchillo Negro**, **Josécito**, **Jose Nuevo**, **Riñon**, **Showonocito**, **Mangas'** People, the bands of **Poncito**, **Delgadito Jenero**, and **Itán** People /255/.

The document above is typical of the record-keeping by Indian agents who reflected patriarchal notions of leadership imposed by U.S. officials. Indian agents did not list women and children because, according to the U.S. Constitution, only men held leadership roles.

Furthermore, we negotiated and signed three treaties with the United States. The Treaty of Santa Fe, a.k.a. The Acoma Treaty, was signed and ratified in 1852 at Acoma, New Mexico /8/. The Treaty of the Rio Mimbres and Rio Gila Apache was signed in 1853 at Fort Webster. The Treaty of the Mimbres Bands of the Gila Apache in 1855 at Fort Thorn was our last treaty /10/. Some tribal members were enumerated in the 1870 Southern Apache Agency census /121/.

Although Congress abolished treaty-making with tribes in 1871, stating, "No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871, shall be hereby invalidated or impaired." Our prior treaties acknowledged our rights to self-determination as a domestic sovereign nation and community dependent on U.S. policy /256/. These foundational acknowledgments of our ancestors as a tribe informed our modern political identity composition.

On June 21, 1898, the federal government converted Fort Thorn from a territorial reservation to a territory grant through an act of Congress (BLM, GLO Records Website, Land Status Records). Unlike Indians living on reservations in New Mexico, some of our Chiende ancestors lived on properties allotted to them through land patents. However, decennial census takers from the 1870s to the mid-1900s attributed White or Mexican ethnic identities even when our Chiende ancestors asserted their identities as Indians.

STATE New Mexico COUNTY Grant TOWNSHIP OR OTHER DIVISION OF COUNTY Santa Rita Precinct No 13 DEPARTMENT OF COMMERCE AND LABOR-BUREAU OF THE CENSUS THIRTEENTH CENSUS OF THE UNITED STATES: 1910 POPULATION NAME OF INCORPORATED PLACE Santa Rita Village SUPERVISOR'S DISTRICT NO. 18 ENUMERATION DISTRICT NO. 86 SHEET NO. 11 A NAME OF INSTITUTION Edward R. Rurch ENUMERATOR 1514 DATE OF CENSUS April 15, 1910 DAY OF April YEAR 1910

LOCATION	NAME	RELATION	PERSONAL DESCRIPTION	NATIVE	EDUCATION	OCCUPATION	EDUCATION	EDUCATION
182 193	Belm	Daughter	W 10 15 0	New Mexico	None	None	None	None
	Ortega	Head	M 30 36 14 10	New Mexico	None	Minor	Orphan-Mine	W No 0
	Enoligia	Wife	F 30 31 36 10 5 5	New Mexico	None	None	None	None
	Rosalba	Daughter	F 10 9 0	New Mexico	None	None	None	None
	Jesusa	Daughter	F 10 7 0	New Mexico	None	None	None	None
	Manuel	Son	M 10 5 0	New Mexico	None	None	None	None
	Guadalupe	Daughter	F 10 3 0	New Mexico	None	None	None	None
	Beatrice	Daughter	F 10 1 0	New Mexico	None	None	None	None
183 194	Mrs. Maria	Wife	F 30 19 0	New Mexico	None	None	None	None
	Sanamango	Head	M 30 39 14 19	New Mexico	None	Minor	Orphan-Mine	W No 0
	Julio de	Wife	F 30 38 14 19 2 2	New Mexico	None	None	None	None
	Ramundo	Son	M 10 6 0	New Mexico	None	None	None	None
184 195	Jose	Head	M 30 38 14 17	New Mexico	None	Minor	Orphan-Mine	W No 0
	Adelaida	Wife	F 30 39 14 17 6 4	New Mexico	None	None	None	None
	Ramona	Daughter	F 10 10 0	New Mexico	None	None	None	None
	Rafael	Son	M 10 7 0	New Mexico	None	None	None	None
	Benito	Son	M 10 8 0	New Mexico	None	None	None	None
185 196	Yaricia	Head	M 30 39 14 15	New Mexico	None	Minor	Orphan-Mine	W No 0
	Guadalupe	Wife	F 30 30 14 15 8 4	New Mexico	None	None	None	None
	Alberto	Son	M 10 12 0	New Mexico	None	None	None	None
	Guadalupe	Daughter	F 10 8 0	New Mexico	None	None	None	None
	Guillermo	Son	M 10 6 0	New Mexico	None	None	None	None
186 197	Lorano	Head	M 30 23 0	New Mexico	None	Minor	Orphan-Mine	W No 0
	Bobila	Wife	F 30 33 14 10	New Mexico	None	None	None	None
	Lorenzina	Daughter	F 10 12 0	New Mexico	None	None	None	None
	Pilomena	Daughter	F 10 12 0	New Mexico	None	None	None	None
187 198	Gonzala	Head	M 30 28 14 3 3	New Mexico	None	Minor	Orphan-Mine	W No 0
	Roliza	Wife	F 30 6 0	New Mexico	None	None	None	None
	Augustin	Son	M 10 4 0	New Mexico	None	None	None	None
	Jose	Son	M 10 1 0	New Mexico	None	None	None	None
188 199	Yerna	Head	M 30 60 14 0 0	New Mexico	None	Minor	Orphan-Mine	W No 0
	Yerna	Wife	F 30 44 14 1 1	New Mexico	None	None	None	None
	Yerna	Son	M 10 9 0	New Mexico	None	None	None	None
189 201	Lopez	Head	M 30 39 14 9 5	New Mexico	None	Minor	Orphan-Mine	W No 0
	Margarita	Wife	F 30 21 14 7 4 4	New Mexico	None	None	None	None
	Lucia	Daughter	F 10 5 0	New Mexico	None	None	None	None
	Jose	Son	M 10 4 0	New Mexico	None	None	None	None
	Miguel	Son	M 10 2 0	New Mexico	None	None	None	None
	Lucia	Daughter	F 10 1 0	New Mexico	None	None	None	None
190 202	Baralero	Head	M 30 40 14 19	New Mexico	None	Minor	Orphan-Mine	W No 0
	Marina	Wife	F 30 32 14 19 7 4	New Mexico	None	None	None	None
	Laura	Daughter	F 10 12 0	New Mexico	None	None	None	None
	Guadalupe	Daughter	F 10 9 0	New Mexico	None	None	None	None
	Guadalupe	Daughter	F 10 4 0	New Mexico	None	None	None	None
	Guadalupe	Daughter	F 10 3 0	New Mexico	None	None	None	None
191 203	Blow	Head	M 30 41 14 19	New Mexico	None	Minor	Orphan-Mine	W No 0
	Blow	Wife	F 30 41 14 19 2 3	New Mexico	None	None	None	None

The 1910 Census at Santa Rita, Grant County, like the 1920 Census at Salem, New Mexico, shows hundreds of Chiende ancestors living in our distinct communities and being changed by census enumerators to White, under the category of Color or race /257/.

In the 1940s, federal officials still acknowledged our Chiende identity. For example, the Department of the Interior, Office of Indian Affairs included us in a fourteen-page *Indian Tribe List*, referring to Previously federally acknowledged tribes. This document states, "This tribe list (was) prepared by Mrs. May M. Reed, Statistician, Office of Indian Affairs, and verified by Dr.

John P. Harrington, Ethnologist, Bureau of Ethnology, Smithsonian Institution.” The primary document is numbered 120633 in the upper right-hand corner and stamped with a note, “Please return to: Miss Muriel A Pirie 4160 Interior Building, Washington 25, D.C.” Federal officials refer to our Nation under several names including **Chihenne-Apache or Hot Springs-Apache, Gila-Apache, Hot Springs-Apache or Chihenne-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, Bedonkohe-Apache /3/.**

Later, documents omitted our name. In a succeeding five-page document dated April 1, 1941, number 138314, our ancestral nation is not among the list of Previously federally acknowledged tribes in New Mexico. Nevertheless, there is no evidence that we were ever a subject of the U.S. Congressional termination policy as required by 25 C.F.R. Part § 83.11(g). These documents are among several curated documents held by Attorney John E. Parris of Tulsa, Oklahoma, on his web page at <https://www.johneparris.com> /3/.

Please return to:

MISS MURIEL A. PIRIE
4160 Interior Building
WASHINGTON 25, D. C.

120633

INDIAN TRIBE LIST

This tribe list has been prepared by Mrs. May M. Read, Statistician, Office of Indian Affairs, and verified by Dr. John P. Harrington, Ethnologist, Bureau of Ethnology, Smithsonian Institution. It will be noted that this list differs frequently from the spelling and the classification of tribes as shown in the Handbook of American Indians. The spelling and the classification used herein have been revised since the publication of the Handbook and should be used as shown in this list. When a tribe has several spellings or several names the correct spelling or name is underscored; except when the tribe or band has both a primary and a secondary classification. In such cases the primary classification is to be used and is underscored twice while the secondary classification is underscored once.

Absaroka, see Crow
Absentee Shawnee, see Shawnee
Acoma, see Pueblo
Alibamu
Alsea
Anadarko, see Caddo
Apache, see
Arivaipa
Bedonkohe-Apache
Chieehen-Apache
Chihenne-Apache or Hot Springs-Apache
Chilion or Chillon, Tsiltaden (a band of Chiricahua)
Chokanen-Apache or Chiricahua-Apache
Coyotero
Faraon-Apache
Fort Sill-Apache, or Lawton Apache
Gila-Apache
Hot Springs-Apache or Chihenne-Apache
Jicarilla-Apache
Kiowa-Apache under Kiowa Agency
Lawton-Apache or Fort Sill Apache
Lipan
Mescalero-Apache
Mimbrenyo-Apache or Mimbreno-Apache
Mogollon-Apache
Mudna'i-Apache
Finalesno or Pinaleno, Pinal-Apache
San Carlos-Apache
Tonto-Apache
Tsiltaden or Chillon, Chillon
Yukwero-Apache
White Mountain-Apache
Apache-Mojave, see Mojave
Apache-Puma, see Puma
Applegate-Creek, see Dakotetede

The Indian Tribe List of 1940 was prepared by Mrs. May M. Reed, Statistician, Office of Indian Affairs, and verified by Dr. John P. Harrington, Ethnologist, Bureau of Ethnology, Smithsonian Institution **/3/**.

Despite the diminution of our previously acknowledged Indian identity in the U.S. listing of tribes after 1940, we continued to carry our distinct identity and sociocultural inclusiveness and interaction practices. While we served in the military from the early 1900s to the late 1990s, our military members were recognized by their peers as Native Americans.

In 2007, the United Nations' adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) granted Indigenous Peoples worldwide inherent rights to define themselves and enact their cultural, political, social, and economic futures. While we never registered as a tribe under UNDRIP, the Declaration inspired our tribe to assert our sovereignty through the OFA process. On October 24, 2008, the Petitioner first filed a request to establish a 501(c)(3) non-profit organization called the Ojo Caliente Restoration Society for our elders and our cultural society. The Ojo Caliente Restoration Society consists of a Board of appointed Elders who advise and act on the historical preservation and revitalization of cultural practices, traditions, and language, often serving as diplomats or ambassadors to other sovereign nations **/258/**.

On May 10, 2011, to focus on our tribe's social welfare effort, our families filed for a 501(c)(4) under the name Chihene Nde Nation of New Mexico. However, the IRS granted us a non-profit status effective in 2011. These acts of self-determination allowed us to organize our tribal government to pursue federal acknowledgment.

Our tribe's website, <https://www.chihenendenationofnewmexico.org>, states our Indian identity as Chihéne (Chiende), along with our tribal Constitution and By-laws **/136/**. The website serves as a repository for tribal documents. Our Articles of Incorporation and enrollment criteria reflect those in Bureau of Indian Affairs regulations. Our leadership comprises career professionals who believe in transparency and accountability. Our tribal council meetings require a quorum. Our tribal Council plans future goals and objectives, resolves concerns and conflicts, assesses processes and budgets, and communicates with the membership. The Petitioner's website posts the most recent tribal council election results. Council members are required to attend regularly scheduled Tribal Council meetings and to participate in tribal project workgroups.

From 2013 to 2014, we met with the BIA, who encouraged us to submit a Letter of Intent to the BIA Southwest Regional Office, in care of Phillip Thompson, expressing our tribe's plans to apply for Federal Acknowledgment (BIA entry #2013-007 {1076-AF18}. Nancy Lopez, our Tribal Vice-Chair, was asked to provide feedback on the BIA's planned 2015 criteria. She provided comments and suggested changes /**259**/.

New Mexico national elected representatives have recognized our continuous presence as a tribe. In 2008, Stevan Edward Pearce (born August 24, 1947), U.S. representative for New Mexico's 2nd congressional district from 2003-2009 and 2011-2019, provided a letter of support for the recognition and restoration of the Chihene Nde Nation of New Mexico /**123**/.

(2) Relationships with State governments based on identification of the group as Indian.

Highlights:

1853 - Government-to-government meetings with New Mexico Territory Governors William Carr Lane /**181**/ and David Meriwether /**8**/, /**9**/, /**10**/, & /**102**/

1997 - New Mexico Legislation and New Mexico State Senate Committee, SWAIA chair Chiende Knifewing Segura was invited to join Chairman Marc Chino of Mescalero re: Indian Gaming. Consequently, Knifewing Segura, a television commercial encouraging the Native vote.

2008 - CNNNM and OCRS registered as domestic New Mexican non-profits.

2011 - Hosted 1st Apache-focused Meeting of the New Mexican Indian Affairs Committee, Elephant Butte, New Mexico /**145**/.

2011 - Tribe joined New Mexico Land Grant Consejo (Land Grant - Merced).

2013 - Tribe co-authored Senate Joint Memorial 5 /**260**/.

2023 - 4th Annual Indian Child Welfare Summit convened by the State of New Mexico's Child, Youth, and Families Department.

Beginning in the 1850s, New Mexico Territory Governor David Meriwether acknowledged us as an Indian Tribe by providing provisions, treaties, and lists of band leaders and tribal rolls; however, no mechanism exists for *state recognition* of Indian tribes in New

Mexico. The Petitioner has had a relationship with New Mexico officials before and after the U.S. incorporated New Mexico as a state in 1912. Prior to that time, our tribe negotiated with federal and territorial officials about peace and provisions. Our non-profits, the Ojo Caliente Restoration Society and the Chihene Nde Nation of New Mexico, are recognized by the State of New Mexico as domestic New Mexican non-profit corporations. Separate from this status, the New Mexico State Legislature Indian Affairs Committee has interacted with us, government-to-government. As of 2011, we were the only tribe in New Mexico to have hosted a meeting of the New Mexican Indian Affairs Committee at Elephant Butte, New Mexico. The State of New Mexico has also engaged with us as an Indian entity through our tribal committee called United Chihene Land Grants.

New Mexico State officials and entities have interacted with our tribal leaders about our status as an Indian entity. Our tribe joined the New Mexico Land Grant Consejo in 2012 /145/. “The New Mexico Land Grant Consejo was founded in 2006 to promote the interests of Spanish/Mexican Community Land Grant-Merced at both the state and federal levels. Its membership is comprised of Land Grant-Merced from throughout New Mexico.” The Consejo also serves tribal communities like the Petitioner.

Some political officials have supported our effort to gain state recognition. In 2013 - 2014, Senator Gerald Ortiz y Pino introduced Senate Joint Memorial 5, which requested that the United States Congress support the establishment of the Chihene Nde Nation of New Mexico, people of a New Mexico-recognized Native American tribe /260/. The State of New Mexico lacks a mechanism for state tribal recognition. In 2014, the UNM School of Law, a state-funded university, listed our Nation as one of the tribes it serves in a House Memorial 34 Report document.

Our tribe and members of our tribe have been selected as representatives for Indian Rights initiatives in New Mexico. **Knifewing Segura**, a tribal member, as coordinator for the artists at South West Association for Indian Arts (SWAIA), played an important role in establishing civil rights changes for Indian people in New Mexico starting in 1992. In 1997, **Wendell Chino**, Chair of the Mescalero Apache Tribe of New Mexico, requested that Knifewing speak before the New Mexico State Legislature and the State Senate Committee to advocate for American Indian people’s participation in leadership of Indian events in New Mexico. State officials or their designees handled these communications. The Native American art market

continued to be a source of profitable business for New Mexico. American Indian artists earned money in the hundreds, while the non-Indian sponsors and organizers earned money in the multi-million dollar figures. The Navajo Nation also supported **Knifewing's** meeting with State government officials because they believed his advocacy would garner support. **Knifewing's** participation in SWAIA, his media and music production, and his popularity as a public figure gave greater public visibility to our nation and inter-tribal alliances.

Knifewing Segura (Chihene Nde Nation), in discussion with Audrey Espinoza, Ruben Leyva, Manuel P. Sanchez, and Irene Vasquez, Zoom meeting, February 24, 2023.)



June 23, 2012, Benefit Concert Flyer featuring A. Paul Ortega & Knifewing in Bayard, New Mexico /261/.

((3) Dealings with a county, parish, or other local government in a relationship based on the group's Indian identity.

Highlights:

Before the 1880s - Historically, five mission churches were established that administered to our people, which Dr. Matthew Babcock identified in his research for an article and a book later published under the title of *Apache Adaptation to Hispanic Under Rule* (Cambridge University Press, 2016). Dr. Babcock and our Tribal Chair, Manny P. Sanchez, visited these missions, including the San Jose Mission in Contreras, the San Isidro Mission in Las Nutrias, the San Antonio Mission in Sabinal, the San Juan Mission in Veguita, and the San Antonio Mission in Abeytas.

1880s to present - Family church records at Holy Family Catholic Church in Hanover, Saint Vicente de Paul in Silver City, San Lorenzo Catholic Church in San Lorenzo, Santa Rita Catholic Church in Santa Rita, San Juan Catholic Church in San Juan, San Ignacio Catholic Church in Monticello, Holy Cross Mission in Pinos Altos, Hurley Catholic Church in Hurley, Our Lady of Fatima in Bayard, Santa Clara Catholic Church in Central, Our Lady of Refuge in La Union, and Our Lady of Sorrows in La Joya.

2014 - University of New Mexico School of Law listing as Indian tribe serving in the House Memorial 34 report **/262/**

2023 - Penn State University Rhetoric Society of America presentation **/263/**

2023 - New Mexico State University New Mexico Center for Ethnic Studies Center panel presentation

Our continuous presence in the region has led us to build mutually beneficial relationships with counties, parishes, local government, schools, and community organizations based on our political, ethnic, and social identity as Chihene Nde Nation of New Mexico. We have our own religion, but after centuries under Spanish and Mexican rule and their introduction of Roman Catholic sacraments, we have syncretized this faith into our own. This works well for us as there are many parallels between the two religions.

The Saint Vincent de Paul Church has many of our community's records in the Mimbres Valley. This particular parish founded by the Vincentian Order of France seems to have appealed to our people because the Order focuses on the poor and downtrodden, particularly in ethnic communities. They emphasize education, extensive foreign missions, and chaplaincies to hospitals, prisons, and the armed forces, all of which fit our community well.

The tribe is a dues-paying member of the New Mexico Land Grant Consejo. "The New Mexico Land Grant Consejo was founded in 2006 to promote the interests of Spanish/Mexican Community Land Grant-Mercedes at both the state and federal levels. Its membership is comprised of land grant-Mercedes from throughout New Mexico." The Consejo also serves tribal communities like the Petitioner.

Our tribe was deeded three and one-half acres of land on January 1, 2017, in the Manzano Land Grant-Merced situated in Torrance County by the Brummel family. The land once belonged to **Daniel Herrera Brummel's** Apache Great-grandmother **Prajudes Herrera Benavides** (1892-1864). The Grant Merced was confirmed by Congress in 1860 and patented by the United States to the Town of Manzano in 1907. This is noted in the official records of Torrance County. The Manzano land has special significance for our tribe. **Mr. Brummel** found an Apache arrowhead on the property. Tribal Chair **Manuel P. Sanchez** relates that the arrowhead confirms oral histories identifying the location as a lookout point for our ancestors when they offered protection from raiding Comanches to neighboring tribes.



Daniel Hererra Brummell's Great-grandmother **Prajudes Herrera Benavidez** is pictured in the center of the second row. This 1929 photo is featured on page F-51 of Javier E. Sanchez's 2009 book *Al Pie de la Sierra La Historia del Pueblo de Manzano y sus alrededores, visto por la historica de sus habitantes, 1829-1950* /264/.

Our relationship with local missions and churches is based on our ancestral relationship to land and spiritual beliefs. In the past, many of our families were baptized by Franciscan friars, evidenced by our Spanish-given names and surnames. Most of our tribe continues to use Roman Catholic rites for funeral and burial purposes. Some of the churches that we attended, and some of us still attend, include the Holy Family Catholic Church in Hanover, Saint Vicente de Paul in Silver City, San Lorenzo Catholic Church in San Lorenzo, Santa Rita Catholic Church in Santa

Rita, San Juan Catholic Church in San Juan, San Ignacio Catholic Church in Monticello, Holy Cross Mission in Pinos Altos, Hurley Catholic Church in Hurley, Our Lady of Fatima in Bayard, Santa Clara Catholic Church in Central, Our Lady of Refuge in La Union, and Our Lady of Sorrows in La Joya.

Historically, five mission churches were established that administered to our people, which Dr. Matthew Babcock identified in his research for an article and a book later published under the title of *Apache Adaptation to Hispanic Under Rule* (Cambridge University Press, 2016). Dr. Babcock and our Tribal Chair, Manny P. Sanchez, visited these missions, including the San Jose Mission in Contreras, the San Isidro Mission in Las Nutrias, the San Antonio Mission in Sabinal, San Juan Mission in Veguita, and the San Antonio Mission in Abeytas.

We continue to engage in syncretic worship in local churches for special occasions unique to New Mexico, such as the Mt. Cristo Rey Annual Pilgrimage, San Isidro Labrador blessing days for acequias, and the blessing of San Lorenzo, patron saint of cooks, the poor, and librarians. The San Lorenzo blessing day occurs in August. The New Mexico Tombstone Project produced lists of the family members buried in the mission churches mentioned in this subsection, and some of our ancestors' burials are found in all of the churchyards mentioned in this response to the criteria.

Our tribe, represented by member **Knifewing Segura's** Native Stars enterprise, is often in the spotlight in Gallup, New Mexico. Native Stars provides jobs and economic opportunities for the city of Gallup, New Mexico, as evidenced by the Mayor's proclamation and letter. Under **Knifewing's** leadership as the Executive Director of the tribe's Ojo Caliente Restoration Society, our elder's society, our members entered the entertainment industry. They participated in community service projects in Gallup, New Mexico. In addition, **Knifewing** is a key organizer and participant in the Gallup Intertribal Ceremonial. The Gallup Intertribal Ceremonial Association has existed since 1922 and includes artisan markets, parades, powwows, rodeos, and pageant contests. The Gallup Intertribal Ceremonial Association's annual events are a big boost to the New Mexico Tourism Department. Our members volunteer and participate in these events with <https://nativestars.com/>.

In 2010, Peter Russell, Community Development Director of Grant County, invited our tribal members, as Native Americans indigenous to Grant County, to a special meeting to discuss and consult on Grant County's planned diversion of the Gila River.

On February 9, 2011, Chairman **Manuel P. Sanchez** met with the mayors of New Mexico's border communities: Lordsburg, Frank Rodriguez; Columbus, Eddie Espinoza; and Sunland Park, Martin Resendez, to discuss our acknowledgment efforts and gain their support.

After interacting with our tribal elders, Professor Maurice Shortt of Western New Mexico State University wrote a letter of support for our tribe in September 2011 /146/.

In the fall of 2022, our tribe was invited by the Language Department to participate in Explore New Mexico, Enrichment Day at Centennial High School in Las Cruces, New Mexico, which honored the three Native Nations, including Pueblo, Dine, and Ndé. Tribal members **Ruben Leyva** and **Rose Marie Lopez** spoke about our history, shared cultural items with students and staff, and network with members of other tribes.



A photo of **Rose Marie Lopez** was taken at Centennial High School's Explore New Mexico event in Las Cruces in 2022. She is pictured among the presenters and positioned second from the right. **Ruben Leyva** stands to her left. Chokonen elder **Juan Rojelio**, the OCRS cultural advisor, stands to her right /265/.

In 2023, **Rose Marie Lopez** participated in the 4th Annual Indian Child Welfare Summit convened by the State of New Mexico's Child, Youth and Families Department. In 2023, upon invitation, **Ruben Leyva**, our tribal council treasurer, presented our tribe's history and current status as an Indian entity at multiple academic venues, including the University of New Mexico, the Center for Ethnic Studies at New Mexico State University, and Penn State University's Rhetoric Society of America. This same year, New Mexico District 36 Senator Jeff Steinborn invited our leaders as representatives of the local Indigenous population to discuss land preservation efforts in Dona Ana County /254/.

(4) Identification as an Indian entity by anthropologists, historians, and/or other scholars.

William B. Griffen's archives at the Arizona Historical Society contain a list of male leaders throughout the 18th and 19th centuries, again with no (tribal or Spanish) names of their people. Our current membership list is akin to an oral affidavit of recognition by tribal elders, leaders, or the tribal governing body with personal, genealogical, and historical knowledge of our ancestral families (groups). Griffen's 1988 books *Apaches at War and Peace* and *Utmost Good Faith* tell the stories of our leaders. Matthew Babcock's 2016 book *Apache Adaptation to Hispanic Rule* is a similar and credible resource, as is Edwin R. Sweeney's 1998 book *Mangas Coloradas* and his 2010 book *From Cochise to Geronimo*.

The Indian Agent Michael Steck Collection at the Center for Southwest Research at the University of New Mexico has the existing tribal lists. U.S. government officials developed lists of leaders for negotiation and subjugation. Their contacts with our Chiende leaders developed political relations, negotiated land titles, and sought to confine us to a reservation. Our Nation's members appear on rations lists because they received food and resources from different invading governments. Our Mimbres ancestors appeared as auxiliaries or Apache scouts in the military records of Spain, Mexico, and the United States.

The Petitioner considers itself a different entity than the Chiricahua, supported by the explanation provided by **James Kaywaykla** to author and historian Eve Ball. **Kaywaykla** stated, “I say *peoples*, though the White Eyes designated the members of all four different Apache bands as Chiricahua. This was an error, for only the tribes of Cochise and Chihuahua were true Chiricahua. In own our tongue, we are *Chihinne* - Red People. This does not refer to the color of our skins but to a band of red clay drawn across our faces **/266/**.”

A select list of anthropologists, historians, and scholars documenting our families.

1630 - Fray Alonso de Benavides

1904, 1939, 1946, 1956 - Harry Hoijer

1941 - Morris Edward Opler

1945 - Helge Ingstad

1959 - Harry W. Basehart

1960 - Jack D. Forbes

1962 - Albert H Schroeder

1970, 1980 - Eve Ball

1974, 1992 - Dan L. Thrapp

1984, 1987 - Stephen H. Lekson

1985, 1988 - John P. Wilson

1988 - William B. Griffen

1997 - Neal W. Ackerly

1998, 2010 - Edwin R. Sweeney

2000 - Neil Goodwin

2000 - Karl Laumbach

2010 - Jeffrey P. Shepherd

2010 - Scott Rushforth

2011 - Maurice Shortt

2012 - Deni J. Seymour

2013 - William S. Kiser

2014 - Lynda Sanchez

2016 - Matthew Babcock

2017, 2019 - Robert N. Watt

2018 - Judy Marquez

2021 - Paul Conrad

2022 - David Correia

(5) Identification as an Indian entity in newspapers and books.

Our petition draws on compelling and highly regarded secondary literature covering Chiende history and reinforces our Indian entity. The late Dr. William B. Griffen is the most authoritative anthropologist of our pre-1858 history. He draws on various Spanish-language

sources to provide historical and cultural data. Griffen documents leaders involved in diplomatic exchanges and rebellions in the Spanish and Mexican periods. Archeologist Dr. Albert H. Schroeder, in Part 4 of *A Study of Apache Indian*, addresses explicitly the historical ethnography of Gila Apaches beginning in the 1620s. Dr. Harry W. Basehart, an anthropologist, studied Chiricahua Apache subsistence and sociopolitical organization. John P. Wilson, an archeologist and historical researcher, has authored a foundational article on our farming heritage from 1630 to 1870. Scholars such as Eve Ball and Morris E. Opler relied on Native American informants to reconstruct broad and specific cultural lifeways of Apache people in the modern period that corroborate our oral histories.

Historians often relied on the work of anthropologists to write their histories of Apache adaptation to Spanish, Mexican, and U.S. rule. Several historians confirm the Chiende to be an Indian entity. Dr. Matthew Babcock offers a more up-to-date analysis of Apache history with some new interpretive information in light of revisionist history. Babcock specifically names our tribal leadership in the introduction to his book. The late Edwin R. Sweeney, a self-trained and respected historian, relies on Griffen's early work but expands to the modern period, particularly in the U.S. Sweeney assesses kinship and band relations across a broad geographical expanse. These scholars offer contextual information about how our ancestors survived different phases of settler colonialism.

Select articles that can corroborate and reinforce our historical narrative:

1960 - El Paso Herald on Chiende Apache ancestor, **Catarino Beltran** /38/

2000 - Enriquez family reunion with Apache ancestry /135/

2016 – Chihene Nde Nation of New Mexico listed in Matthew Babcock's book *Apache Adaptation to Hispanic Rule*, with **Manuel Paul Sanchez**, listed the Tribal Chairman /267/

2021 - KPBS online news source featured **Ruben Leyva** in the story *Keeping San Diego's Urban Indigenous Community Healthy In Mind, Body, And Spirit Amid COVID-19* by Maya Trabulsi /268/

2023 - **Jessica Martinez** was interviewed on PBS as a representative of the Immigrant Law Center to introduce a new law, House Bill 15. **Jessica**, who co-authored the legislation,

provided details on the special immigrant juvenile status in New Mexico benefitting Indigenous youth /269/.

(6) Identification as an Indian entity in relationships with Indian tribes or with national, regional, or state Indian organizations.

Throughout the 20th century, the petitioner has had repeated identifications and dealings as an Indian entity with recognized Indian entities or national Indian organizations such as the Native American Finance Officers Association, the American Indian Sciences and Engineering Society, the U.S. Environmental Protection Agency of the Regional Operations Center (Southwest Region 9), and The White House Council on Native American Activities. Other forms of our political, social, and cultural identity have been substantiated through external identification from other Indian tribes. The table below lists select gatherings where members of other Indian tribes were present and participated in our ceremonies. Friends, elders, and medicine people from Jicarilla, Mescalero, San Carlos, White Mountain, Navajo Nation, Jemez, Isleta, and Pojoaque have recognized us as an Indian entity through their attendance, participation, and/or mutual support in ceremonies. Recognized Apache groups from Mexico have been present at our gatherings and maintain bi-national relations with our tribe.

2008	<i>Annual Gathering</i> - Chiende gathered in June at the Sierra County Fairgrounds building in Williamsburg, New Mexico (near Truth or Consequences). <i>Political Relations & Intertribal Solidarity</i> - Consulted with S. James Anaya on the benefits of the UNDRIP. Representatives of the San Carlos Apache Indian Reservation participated in the annual gathering. Michael Paul Hill, from the San Carlos Apache Indian Reservation, ran the sweat lodge.
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	<i>Activism</i> - The tribe cooperating with the Monticello Ditch Association opposed beryllium mining near the Red Paint Cave in the Ojo Caliente region /140/. On June 27-28, 2008, tribal reunion gathering agenda /141/.
2009	<i>Annual Gathering</i> - Chiende gathered in June at the Sierra County Fairgrounds building in Williamsburg, New Mexico. We also camped at the Luna Campground in the mountains between Monticello Box Canyon and the Ojo Caliente. Representatives from the San Carlos Apache Indian Reservation participated in the annual gathering. Michael Paul Hill, from the San Carlos Apache Indian Reservation, ran the sweat lodge. <i>Political Relations & Intertribal Solidarity</i> - In November, Chairman Manuel P. Sanchez and tribal leaders responded in red ink to questions in an email from journalist Jerry Eagan of hikingapacheria.com and desertexposure.com/apacheria /143/. Petitioner Chairman Manuel P. Sanchez and Chairman Jeff Houser of the Fort Sill Apache Tribe of Oklahoma communicated via email regarding both tribes' separate economic development projects /144/.
2010	<i>Annual Gathering</i> - Chiende gathered in June at the Bayard, New Mexico Community Center. Many families camped at the Sapillo Creek Campground in Grant County, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the Fort Apache Indian Reservation, including Ramon Riley, the cultural-historical attaché for the Cultural Center at Fort Apache Indian Reservation, assisted with the ceremony at the annual gathering. This event was some of our people's first Holy Ground Ceremony since the 1928 Rapture Ceremony near Fort Thorn.
2011	<i>Annual Gathering</i> - Chiende gathered at the Ojo Caliente in Sierra County and held tribal elections in Las Cruces, Doña Ana, New Mexico, at the Best Western Mesilla Valley Hotel (no longer operated by that name).

	<i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Tribe, Franklin Stanley, Manuel Cooley, and the group provided the Holy Ground ceremony and the sweat lodge for the annual gathering. The late Paul Ortega, former President of the Mescalero Apache Tribe, attended.
2011	In August, our tribe hosted the Indian Affairs Committee (IAC) Meeting in Elephant Butte, NM. Manuel P. Sanchez, Chair of our Tribe, presented. We invited New Mexico tribes /145/.
2012	<i>Annual Gathering</i> - Chiende gathered at the Lower Gallinas Campground, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Tribe were present at the annual gathering. Manuel Cooley of the White Mountain Apache Tribe and his group conducted the Holy Ground ceremony at the annual gathering.
2013	<i>Annual Gathering</i> - Chiende gathered at the Box Canyon in Grant County, Gila, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain Apache Indian Tribe were present for the annual gathering. Manuel Cooley of the White Mountain Apache Tribe provided the Holy Ground ceremony.
2014	<i>Annual Gathering</i> - Chiende gathered at Akela Flats, Luna County, New Mexico.

	<i>Political Relations & Intertribal Solidarity</i> - Representatives like the late Paul Ortega, former Chairman of the Mescalero Apache Indian Tribe, attended the annual gathering and provided a Ndé Bizaa' Apache language class. Our language is most similar to that spoken on the Mescalero Apache Reservation. Jerry Gloshey and Ramon Riley of the White Mountain Apache Tribe attended, as did Cranston Hoffman of the San Carlos Apache Indian Tribe. Mr. Hoffman assisted with the Holy Ground ceremony at the annual gathering. The two simultaneous ceremonies (Crown Dance and Holy Ground) resulted in an earthshaking experience that will be remembered by all who attended.
2015	<i>Activism</i> - Apaches told their families accounts of intermittent servitude to Spanish colonialists at <i>The Holy See and European Dispossession of Apache-Ndé-Nnee Peoples: A call for truth, disclosure, justice and redress</i> at the United Nations CERD 88th Session /147/. Elder Eddy Montoya opposed the closure of the former State Highway 142 in public forums. He made a motion opposing the State of New Mexico, 7th District Judicial Court /148/. <i>Annual Gathering</i> - Chiende gathered at Sapillo Creek in Grant County, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from the White Mountain and San Carlos Apache tribes and members of the San Carlos Apache Indian Reservation Tribal Council attended the annual gathering. There was a sweat lodge ceremony, and our members, the Márquez family, constructed a teepee. Our people provide most of the traditional Apache singing and drumming over the four days.
2016	<i>Annual Gathering</i> - Chiende gathered in Sapillo Creek, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives such as Franklin Stanley of the White Mountain Apache Tribe, Cranston Hoffman of the San Carlos Apache Indian Reservation, and the late Paul Ortega, former President

	of the Mescalero Apache Tribe) were present at the annual gathering. The Holy Ground and Crown Dance ceremonies were memorable.
2017	<i>Annual Gathering</i> - Chiende gathered over Indigenous Peoples' Day weekend in October at Akela Flats, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives of the San Carlos, White Mountain, and the Mescalero Apache Tribes were present /149/. The late Joel Lester and his Mescalero Apache Tribe crown dance group provided the ceremony. We lost one of our dearest mentors, medicine men, and elders, Paul Ortega. Ortega is pictured in the white long-sleeve shirt and blue baseball cap earlier that year in May /150/.
2018	<i>Annual Gathering</i> - Chiende gathered at our tribe's property in Manzano, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Joel Lester and his Mescalero Apache crown dance group provided the ceremony. That year, we also gathered at Cochise Stronghold in the Chiricahua Mountains /151/. Members of the White Mountain Apache Tribe, San Carlos Apache Tribe, and Mescalero Apache Tribe were present. The late Joel Lester, Medicine Man, is pictured in the purple short-shirt and straw hat, and his crown dancers provided the ceremony /152/.
2019	<i>Annual Gathering</i> - Chiende gathered on our tribe's property in Manzano, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Our singers and tribal leaders blessed us with traditional Apache songs throughout the weekend. We had guests from Pojoaque Pueblo and some representatives from the Navajo Nation participate in the annual gathering.

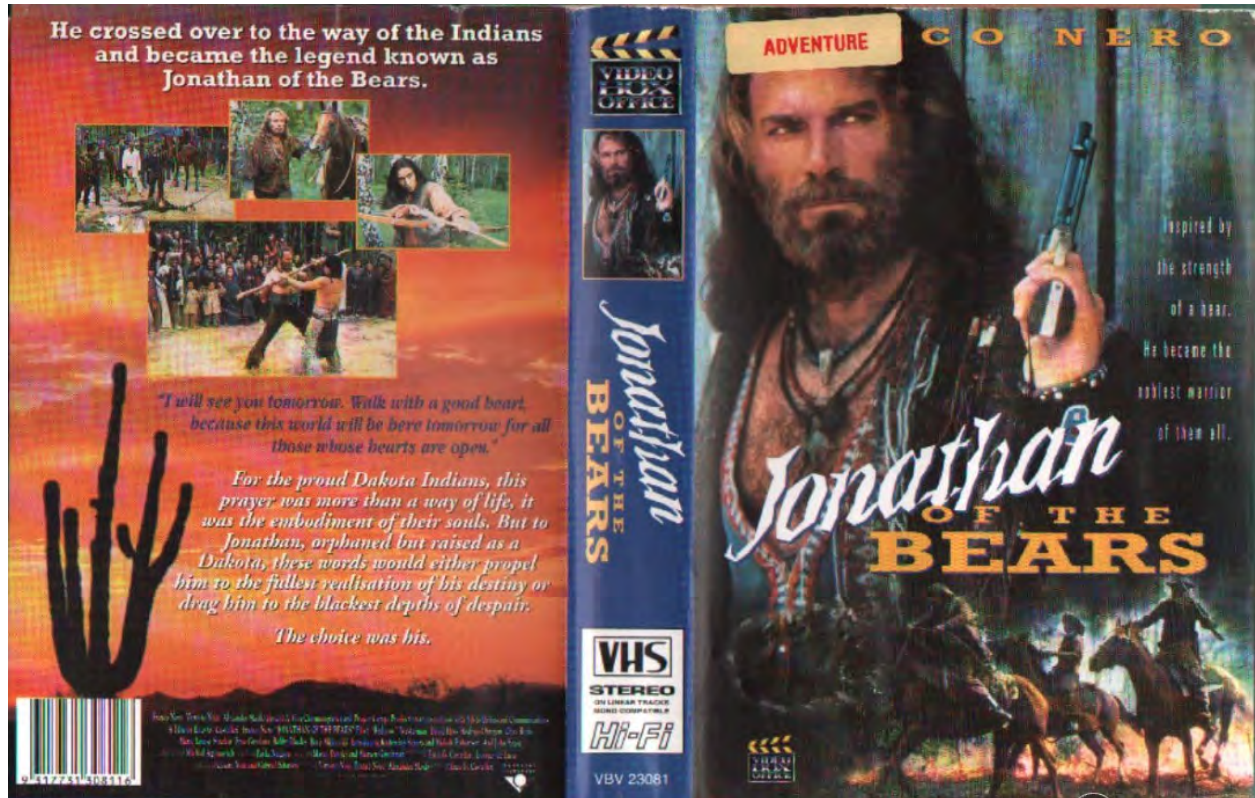
2020	<i>Annual Gathering</i> - Chiende gathered virtually on Microsoft Teams and Zoom in place of the annual gathering due to COVID-19 restrictions.
2021	<i>Annual Gathering</i> - Chiende gathered in the Box Canyon of Gila, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Tribal representatives served as godparents for a coming-of-age ceremony for San Carlos Apache tribal members. Our Chiende families supported the coming-of-age ceremony with drumming, singing, and gift-giving. Representatives from the San Carlos Apache Tribe, the Chihene Nde Nation of New Mexico, and the Navajo Nation played significant roles in the ceremony. Tribal member Attorney Richard “Rico” Frias was announced as the Executive Director of the Native American Finance Officers Association /153/.
2022	<i>Annual Gathering</i> - Chiende gathered in Silver City, New Mexico. <i>Political Relations & Intertribal Solidarity</i> - Representatives from San Carlos, Mescalero, and the Jicarilla Apache Tribes were present /154/. Our Chiende singers and tribal leaders blessed us with traditional Apache songs throughout the weekend. Silver City Mayor Ken Ladner and Councilman José Ray attended.
2023	<i>Annual Gathering</i> - Chiende gathered in Sapillo Creek, New Mexico. Ramon Riley and other White Mountain Apache people joined our tribe /156/ & /157/. <i>Political Relations & Intertribal Solidarity</i> - Senator Jeff Steinborn of District 36 spoke to Chairman Manuel P. Sanchez and requested our Tribe’s support in land conservation efforts in Doña Ana County, New Mexico. In October, Tribal Council Member Lauren Denson participated on a panel at the American Indian Science and Engineering Society National Conference,

	Spokane, WA /160/. In November, Roman Orona and Kaya Orona performed Native American songs and dances in Albuquerque, NM /161/. CNNNM Quarterly Meeting in Albuquerque, NM /162/
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(7) Identification as an Indian entity by the petitioner itself.

The Petitioner identifies as an American Indian entity and has continuously since before and after 1900. We identify with the names used to identify us by U.S. Federal authorities as the Gila, Coppermine Apache, Mimbres Bands of Gila Apache, Rio Mimbres and Rio Gila Apache Bands, Mimbreno-Apache, Southern Apaches, Chihenne-Apache, Gila-Apache, Hot Springs-Apache, Mimbreno or Mimbrenyo-Apache, Mogollon-Apache, and Bedonkohe-Apache. These names resonate with us, and our tribal historians are well-versed in the history of our peoples, and this knowledge is conveyed among families. We know who we are.

Throughout the 20th century to the present, the Petitioner has retained its collective tribal and political identity and social relationships as explained in our historical narrative. A number of our ancestors, like **Joe Giron**, made our presence known as Indian in the 1970s through his public service films with the National Forest Service. By 1993, **Knifewing Segura** made our people proud by performing alongside Waylon Jennings at the Farm Aid Six Concert. This opened doors to **Knifewing's** 1994 acting debut, with **Floyd Red Crow Westerman** in the Overseas Film Group's movie *Jonathan of the Bears*, which aired on CNN World News. In 2008, we modified our governance model from a traditional governmental structure of multiple principal kinship groups with governing documents required by the Bureau of Indian Affairs (BIA) since 1934. The Tribe and Ojo Caliente Restoration Society received a 2008 letter of support from Stevan Pearce, Member of Congress, Second Congressional District.



Knifewing's 1994 acting debut, with **Floyd Red Crow Westerman** in the Overseas Film Group's movie *Jonathan of the Bears*, which aired on CNN World News /270/.

Other tribe members have dedicated their lives to preserving our history through formal and informal means. Many of our members have actively maintained our oral histories. In 2009, tribal elder **Eddy Montoya** made a statement protesting mining in Socorro County, New Mexico, near the Monticello Box at the Red Paint Cave, on behalf of the Chiende /148/. Our tribal members participated in Fort Bayard Days in Bayard, NM. Jerry Eagan, a journalist from Silver City, NM, interviewed them /143/. In 2012, former Mescalero Tribal Chairman **A. Paul Ortega** agreed to serve as a spiritual leader for our people.

In 2015, tribal elder **Eddy Montoya** publicly spoke out against the closing of the road to the Monticello Box Canyon in Socorro County, New Mexico /148/. **Judy Marquez**, a descendent of **Francisca Parra Rodriguez** and a member of the large extended family, descendants of **Canuto Parra** and **Juana Holguin Parra**, who retained their Chiende identity, published her 2018 MA thesis titled "Indigenous Identity and Ethnogenesis in the Mimbres

Valley of Southwest New Mexico.” In the thesis, she captures oral histories and explores the lives and experiences of Chiende Apache. She illustrates how Chiende survived as an Indian entity through in-group and out-group processes. In April 2020, **Jessica Martinez**, a tribal member, published an entry in the UNM Indian Law Journal blog entitled “An Unrecognized People: The Story of the Chihene Nde Nation of New Mexico and their Struggle to Seek Federal Re-Recognition /271/.”

In 2021, **Pablo Martinez, Larry Jurado, Robert Marquez, Miguel Marquez, and Frankie Renteria** were invited to sing our traditional songs at the dedication of the mural in the Chihuahua Hill in Grant County, New Mexico /97/. In 2021, KPBS news featured **Ruben Leyva** in their story *Keeping San Diego’s Urban Indigenous Community Healthy In Mind, Body And Spirit Amid COVID-19* by Maya Trabulsi /268/. In 2022, **Michael Orona**, as a Senior Advisor for Strategy at the U.S. Department of State, presented on *Racial Equality: A Shared Humanity Between African Americans & Indigenous Peoples of the United States* /272/. In 2022, Centennial High School's presentation on Chiende and other Apache Bands was hosted by **Rose Marie Lopez**, featuring **Ruben Leyva** and our tribe’s cultural advisor /265/. In 2023, **Ruben** presented his Chiende ancestors to Penn State University’s Rhetoric Society of America and the New Mexico State University’s Center for Ethnic Studies /263/.

In 2023, **Jessica Martinez** was interviewed on PBS as a representative of the Immigrant Law Center to introduce a new law, House Bill 15, which she co-authored, providing special immigrant juvenile status in New Mexico, benefitting Indigenous youth /269/. In 2023, **Roman** and **Kaya Orona** presented a Native American presentation titled *Prophecy*, which weaves songs, dance, stories, poetry, and visuals at the University of New Mexico /161/.

(b) Distinct Community. The petitioner comprises a distinct community and demonstrates that it existed as a community from 1900 until the present. Distinct community means an entity with consistent interactions and significant social relationships within its membership and whose members are differentiated from and distinct from nonmembers. Distinct community must be understood flexibly in the context of the history, geography, culture, and social organization of the entity. The petitioner may demonstrate that it meets this criterion by providing evidence for known adult members or by providing evidence of relationships of a reliable, statistically significant sample of known adult members.

The Chihene Nde comprises a distinct community continuously from historical to the present. We have treaties that acknowledge us as recognized Apache peoples. Historians and anthropologists have documented our narrative, and prior regulations identify us in our modern form and connect us to our ancestors. Our leaders are documented as taking rations at peace establishments, presidios and outposts, and Indian Agency locations and living in a particular geography identified by us and Spanish, Mexican, and U.S. settler governments as our ancestral homelands for over four centuries. In addition, we were designated to receive a reservation as documented in the unratified Treaty with the Mimbres Bands of Gila Apache of June 9, 1855 /10/. Our treaties are published by recognized Native and non-Native scholars and are compiled next to others initiated by the U.S. government.

Our cultural practices distinguish us as Athabaskan people with particular worldviews and perspectives on history, land, and culture. Our philosophical relationships to land and all other forms of sentient life distinguished us from non-Native peoples and contributed to our duty as caretakers of our ancestral lands. We farmed and later contributed to U.S. agricultural initiatives on lands we acquired through Homestead patents. However, we never take from the land without giving back. We continue to honor, visit, and advocate for our sacred sites.

We gather in extended families to continue our unique relationship with our homelands where our leaders and families were born and buried. Chiende extended families continue to worship in Churches built for our people. We understand the differences between Christian and Catholic dogma from our Chiende beliefs. Our creator is Bik-eggo-indan. We were endowed with a unique and significant relationship to lands and nature. We believe a solid tribal community is based on distributing goods, which we practice at our gatherings. Our members who moved out of New Mexico maintain close relationships with a statistically significant number of adult members.

Many of our Chiende extended families lived together in communities, as evidenced by U.S. census records through the mid-1900s. We maintain a continued presence in areas of our homelands. Members of our tribal council have dedicated their lives and careers to maintaining a commitment to Native American civic and community-based organizations. Family members of our tribal council, Ojo Caliente Restoration Society, and our cultural workers have relationships that have maintained our distinct identity going back to the 1950s.

Our gatherings reflect our strong sense of cohesion as a distinct Apache tribe. We organize our gatherings at culturally significant locations. We affirm ourselves as a community through our drumming, singing, and dancing in community with other Indigenous peoples present. Although COVID took several of our oldest language speakers, our younger members are reviving the language through oral and written communication. **Victor Manzo** an accomplished Native American flutist uses social media platforms such as Facebook and TikTok to express his Chiende identity and support the membership through an online community. This has been a way for members to remain connected between gatherings and meetings. Although the flute is an Apache instrument traditionally used for courtship, **Victor** has used his talents to support member well-being under the name *Native Winds*.

(1) The petitioner may demonstrate that it meets this criterion at a given point in time by some combination of two or more of the following forms of evidence or by other evidence to show that a significant and meaningful portion of the petitioner's members constituted a distinct community at a given point in time:

(i) Rates or patterns of known marriages within the entity, or, as may be culturally required, known patterned out-marriages;

Our marriage patterns reflect Chiende cultural norms and endogamy. Historically, marriages within the local family group were and still are culturally taboo. First-cousin marriages are infrequent within Chiende. However, the existing norm has always been to marry *two mountains over*, and this guidance continues today. The cultural practice of continuous traveling visitations among local and extended kinship groups over several mountains has resulted in many intersections among our families. Some would say this is significant, and it is not unusual to learn that many of us are distant cousins. Tribal members have an in-joke that persists about our current leaders' familial relationships with many tribal families.

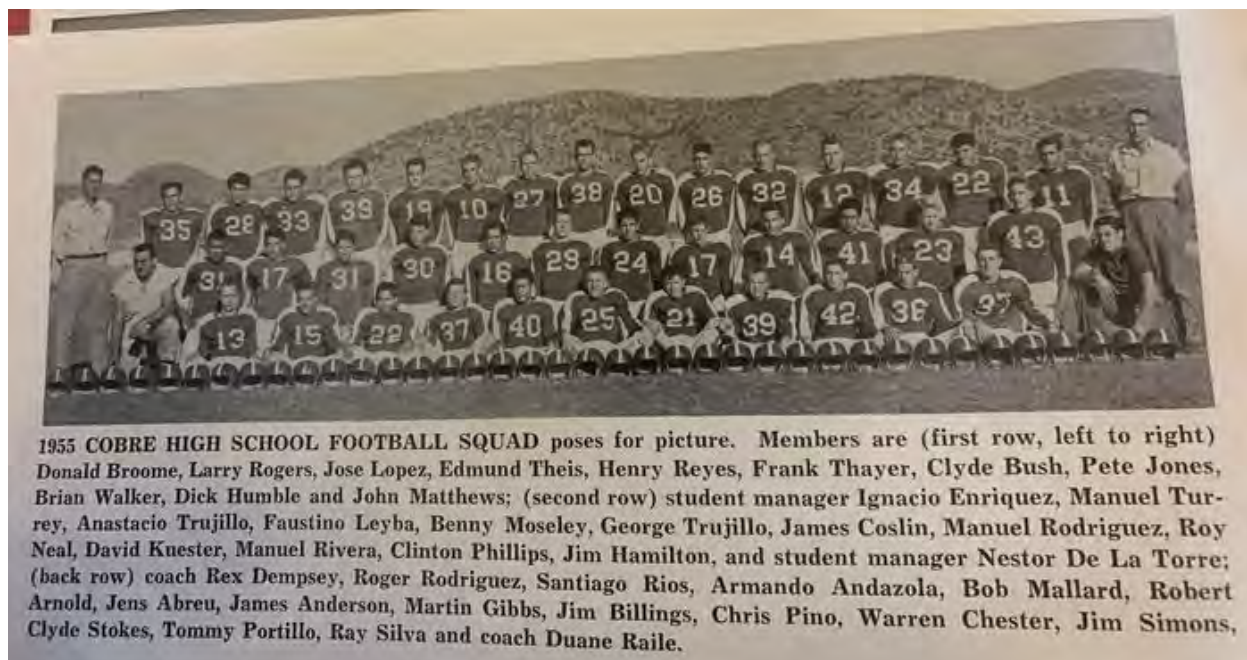
Numerous examples of customary in-group marriages occurred through the 1900s in the Mimbres and Gila River Valleys. Other tribal leaders' family histories show the saliency of Chiende matrilineal extended families in the Mimbres and Gila River Valleys through the 20th century. **Velma Provencio** (sometimes spelled Provincio), a Tribal Council Member and Member of the Ojo Caliente Restoration Society, is the great-granddaughter of **Canuto Parra** and **Juana Holguin** on her maternal side. On **Velma's** paternal side, she is the great-granddaughter of

Nestor Provencio and **Emilia Garcia Provencio**. The marriage between Velma's parents, **Maria Rodriguez** and **Manuel Provencio**, demonstrates the longevity of endogamous Chiende marriage patterns. **Manuel** was born in the Gila region, and **Maria** was born in the Mimbres region. The families celebrated their traditional Chiende marriage; linking Apache families was emphasized among the families of other Tribal Council members.

Bridging families through household living patterns along the Apache way occurred throughout the first half of the 20th century. The old matrilineal custom of the groom marrying into the bride's family and moving into his in-law's residence started to decrease after World War II with all of the returning GIs among our people. Although some families still practice this cultural tradition, purchasing a home near the bride's parents is more common, which gives rise to family compounds in suburbia for families with many daughters. Post-World War II, Chiende families still married within our extended family groups. Examples of this continued kinship are Enriquez's family members' endogamous marriages with Beltran and Candalaria's family members. Other post-1900 marriages within the Band include the Lunas, the Morales, the Jurados, the Espinozas, the Benavides, the Parras, the Renterias, the Flores, the Marquez, the Trujillos, the Oronas, and the Leyvas.

More recently, the loss of land and migrations have resulted in some out-pattern marriages. Some Chiende families have married persons from other ethnic groups, but this has not diminished our political or social identity or cultural practices. Our socio-cultural inclusiveness and interaction continue based on our Chiende extended family kinships.

(ii) Social relationships connecting individual members;



Example of extended family on the 1955 Cobre High School Football Squad in Grant County, NM. Tribal Council Member **Velma Provencio**, a descendant of the Rodriguez family, stated, “Many of the extended family members in the Mimbres, including me, graduated from Cobre High School.”

Council Secretary **Julie Salaiz**’s relative **Manuel Rodriguez** appears in the photo /273/.”

The Petitioner’s enduring social relationships are essential to our well-being and existence. As noted above, endogamous marriages, sibling ties, and intergenerational group support connect individual Chiende members and define the quality of our social relationships. Our extended kinship families connect individual members to tribal governance, cultural protocol, and inter-tribal relations.

Since before the 1900s, and later expanded in the late 20th and early 21st century, members of our tribe have maintained kinship, friendship, and social relationships, particularly in the Mimbres region where small towns and villages are closer together, as opposed to the Gila and along the Rio Grande. The Petitioner maintains close social relationships through family celebrations, cultural activities, recreational activities, civic organizations, and religious affiliations. Many Chiende still enjoy planning road and camping trips to visit relatives and close friends on the other side of the mountain.

Our people had a different history of civic and military service in the U.S. Two elders, **Stanislaus Enriquez** and **Miguel Martinez (1926-2008)**, served in the Knights of Columbus in California and the U.S. Military during WWII and Iwo Jima, respectively. Stanislaus was a great-uncle of **Helen Enriques** and Chairman **Manuel P. Sanchez**. **Miguel Martinez** was the father of **Pablo Martinez**, the Chairman of our tribe's cultural attaché, Ojo Caliente Restoration Society. After returning from service, these two elders traveled to New Mexico often to raise funds for Mimbres Apache communities that remained in our homelands. Other relatives fought for the U.S. Military in various armed services divisions in WWI, WWII, Saipan, and Vietnam.

(Manuel P. Sanchez (Chihene Nde Nation), "Chihene Nde family history," in discussion with Emma Rodarte Enriquez, in-person conversation in San Joaquin Valley, California on August 8, 2023.)

Our social relationships have strengthened through individual member's participation in Indian civic, social, and cultural organizations. In the early 2000s, efforts were made among Apaches throughout southern New Mexico to coordinate for the well-being of our communities. In 2003, a new tribal organization gained a foothold in Silver City, New Mexico. The Chiricahua Apache Alliance, formed from the Indian activist movement, sought to reconnect Apaches federally and non-federally acknowledged to create a community and support everyday purposes. For example, they cooperated to stop beryllium mining [REDACTED] [REDACTED] Tribal Chair **Manuel P. Sanchez** wrote a very effective letter to BE RESources, Inc. /140/.

Inspired initially by the Gathering of Nations Albuquerque, founded by Derek Matthews and Dr. Lita Matthews in 1983, the Chiricahua Apache Alliance gave rise to the Red Paint Powwow in 2003. The Red Paint Powwow gained renown throughout the United States, bringing substantial revenue to the Mimbres Valley, specifically Silver City. The annual Red Paint Powwow occurred in January. Due to the cold, organizers held the powwow inside the gymnasium of Western New Mexico University in Silver City. Although powwows are not Apache ceremonials, the inter-tribal aspect and the comradery at a Powwow with its celebration of Indian identity attracted Indian people everywhere and generated positive reciprocal relationships.

This Red Paint has an allure for the Southern Apache people of New Mexico, who revered the sacred ochres of the clays of our homelands. We make red paint from the clay we put on our faces and bodies for a ceremony. The organizers advertise the Red Paint Powwow as an Apache powwow. It attracts many of our families living in Southern New Mexico and other parts of the United States. Individual members of our Nation attend this powwow year after year. Some tribal members volunteered at the Red Paint Powwow in Silver City, NM. **Audrey Espinoza**, a powwow Committee Member at that time, met **Joe Giron** and socialized with other members at the Red Paint Powwow. From the past to today, the social relationships connecting individual members have strengthened through our attendance at the event.

(Audrey Espinoza (Chihene Nde Nation), in discussion with Ruben Leyva, Manny P. Sanchez, and Irene Vasquez, Zoom meeting, April 1, 2023.).

The Gathering of Nations Powwow in Albuquerque, previously mentioned, is another event in New Mexico that our members attend as individuals. We also coordinate our participation as a group. As powwows are prolific in many other states, it is not uncommon for our members who have lived outside New Mexico to attend at least one powwow a year. Some of our members have been on the Powwow circuit for years, including **Larry** and **Helen Jurado**, **Julie Salaiz Steenport**, and **Audrey Espinoza** and her family members.



Retired Sergeant U.S.M.C. **Larry Jurado**, our honored elder, with his granddaughter, **Angelena Martinez** in Shawl Dance regalia, pose for a picture after a gourd dance ceremony /274/.

Another social relationship connecting individuals in our tribe that has become ubiquitous is Indian casino golf tournaments. These fundraisers often provide more than golfing for participants. Charitable events make people feel good about themselves and appeal to participants interested in a competitive event that often offers tasty meals with giveaways, raffles, and other perks.

Most events of this type often offer booths for specialized services and goods. Individuals in our tribe make regalia, jewelry, and medicine bags. Opportunities to sell their wares are abundant in well-attended events like powwows and skill tournaments.

Other social relationships are strengthened through the members' participation in several civil, human, and veteran rights and activist organizations formed at different times in the 20th century. A short poll among individual members gave rise to the following list of their civic organizations: American Legion, Marine League, Disabled American Vets, Vietnam Veterans, Veterans of Foreign Wars, Native American Veterans Association, American GI Forum, Vet Hunters Project, LULAC, NAACP, and Missing and Murdered Indigenous Women. As expected, veterans' organizations outnumber all other organizations.

(iii) Rates or patterns of informal social interaction that exist broadly among the members of the entity;

A pattern of informal social interaction that exists broadly among our members is civic activism and organizing on behalf of our tribe. Among our members, advocacy on behalf of access to our traditional homelands has been an ongoing activity. In 1948, **Earl Montoya's** family spoke out to preserve our ancestral sacred sites in New Mexico [REDACTED]

[REDACTED] During the same year, the right to vote acquired by Native Americans was a landmark decision for our community. We participated in voter registration drives and social activism.

In the 1960s, our people became a vocal community and civic participants in New Mexico and beyond. Our members attended historic events like the 1966 dedication of the State of New Mexico's Roundhouse in Santa Fe. **Velma Provencio**, whose family remained in the Mimbres region attended the Infant Jesus Catholic Church, in Hurley, New Mexico. She and her siblings attended El Cobre High School. At the high school, the family was well acquainted with other Chiende students whose families worked in the mining industry. The community remained extremely close as they witnessed their ancestral homelands desecrated for copper ore. The community had an informal Native American social circle but the Chiende maintained strong cultural ties. Those a part of the group, who were from Santa Rita, often referred to themselves as *children born in space*. The closeness among the Indigenous youth was based on the fact that the foundation on which their homes were constructed no longer existed due to the extraction of copper mining. **Velma** talked about how her brother, who was tall and had a larger build, became the protector of the family and other Native American youth who were the victims of discrimination by settler families.

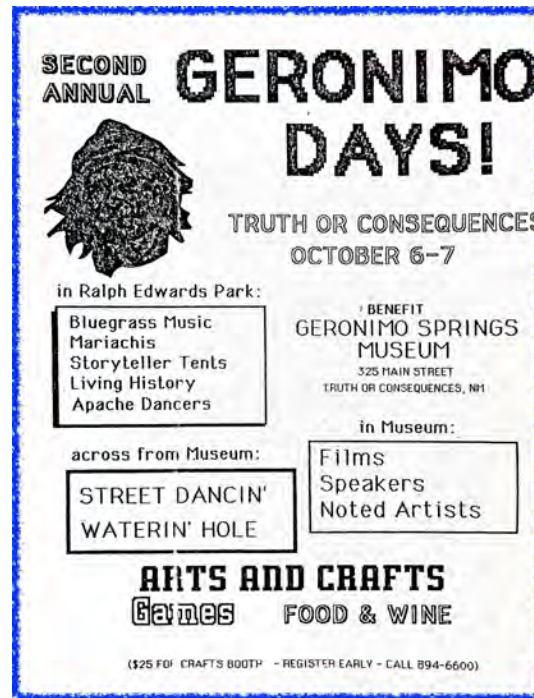
Snapshot of the open copper pit near Santa Rita, New Mexico. From an album of Lorain H. Cunningham, who served in the 129th Field Artillery during World War I and was a friend of Harry S. Truman, in October 1917 (<https://www.trumanlibrary.gov/photograph-records/2007-778>, 2023) /275/.

We embraced the American Indian Movement because the organization focused on support and advocacy around addressing issues of concern for Native Americans. Some of our people participated in the occupation of Alcatraz Island in 1969. We had representation among the IOAT (Indians of All Tribes). Among the occupants, **Audrey Espinoza**'s brother **Gene** joined the California Mimbrenño contingent led by the late **John Trudell**. The Trail of Broken Treaties group's takeover of the Bureau of Indian Affairs Building in Washington, D.C., in 1972 made our families more socially conscious. In this period, many of our members experienced a growing sense of empowerment as American Indian people.

Whether in New Mexico or other states, in the 1970s our Chiende families mobilized and supported other Chiende extended families. Our members, who have lived in California and other states have shared stories of how the Knights of Columbus, Las Guadalupanas, powwows, and other social clubs comprised of Native Americans from New Mexico allowed their families to remain culturally connected, practice our language, and participate in Native American events with other Chiende.

Pablo Martinez and **Joseph Manzo** provide another example of a social group of Chiende that relocated from New Mexico to California. In their youth, the two were part of a social circle of Native Americans that together attended events in the community and Title IX school-sponsored events for Native American students in Orange County, California. Together these children attended the same high school and participated in Native American cultural field trips throughout Southern California. The Martinez and Manzo families attended Saint Polycarp Catholic Church in the 1970s. The families were active members and mobilized at a moment's notice to support one another. Also, the families, along with other Apaches, belonged to *Las Guadalupanas*, an informal church organization that allowed them to participate in philanthropic events together. The Las Guadalupanas honor the Lady of Guadalupe, who evangelized to the Indigenous peoples of the Americas, and our people strongly associate her with the White Painted Woman, the mother of all Apaches.

Our extended families who lived in Socorro County were active in community events. For example, the Montoya and Segura families annually attended Geronimo Days in Truth or Consequences, New Mexico in the mid-1990s. The Montoyas along with other tribal members worked as vendors at the event. Apaches from throughout New Mexico and Oklahoma attended along with the Truth or Consequences community. Our families participated in events such as the carnival and the parade. Our spiritual advisor, the late **A. Paul Ortega** of the Mescalero Apache tribe also attended.

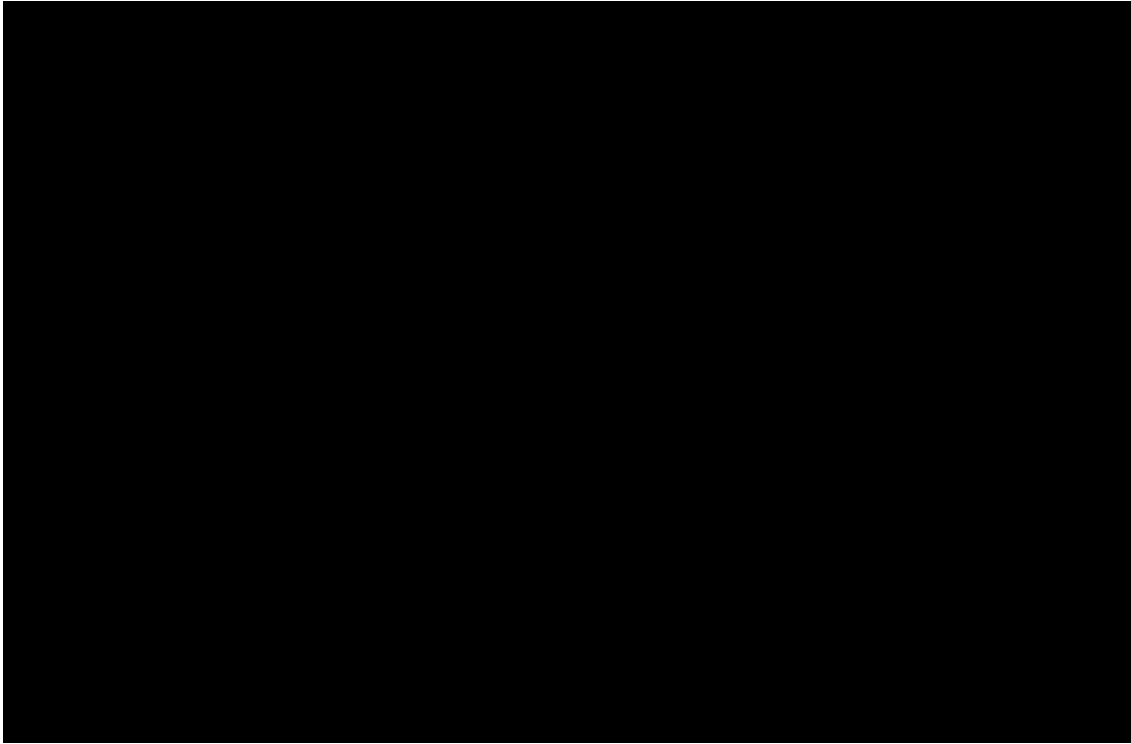


The Second Annual Truth or Consequences Geronimo Days Event Flyer, October 6-7, 1995
/276/.

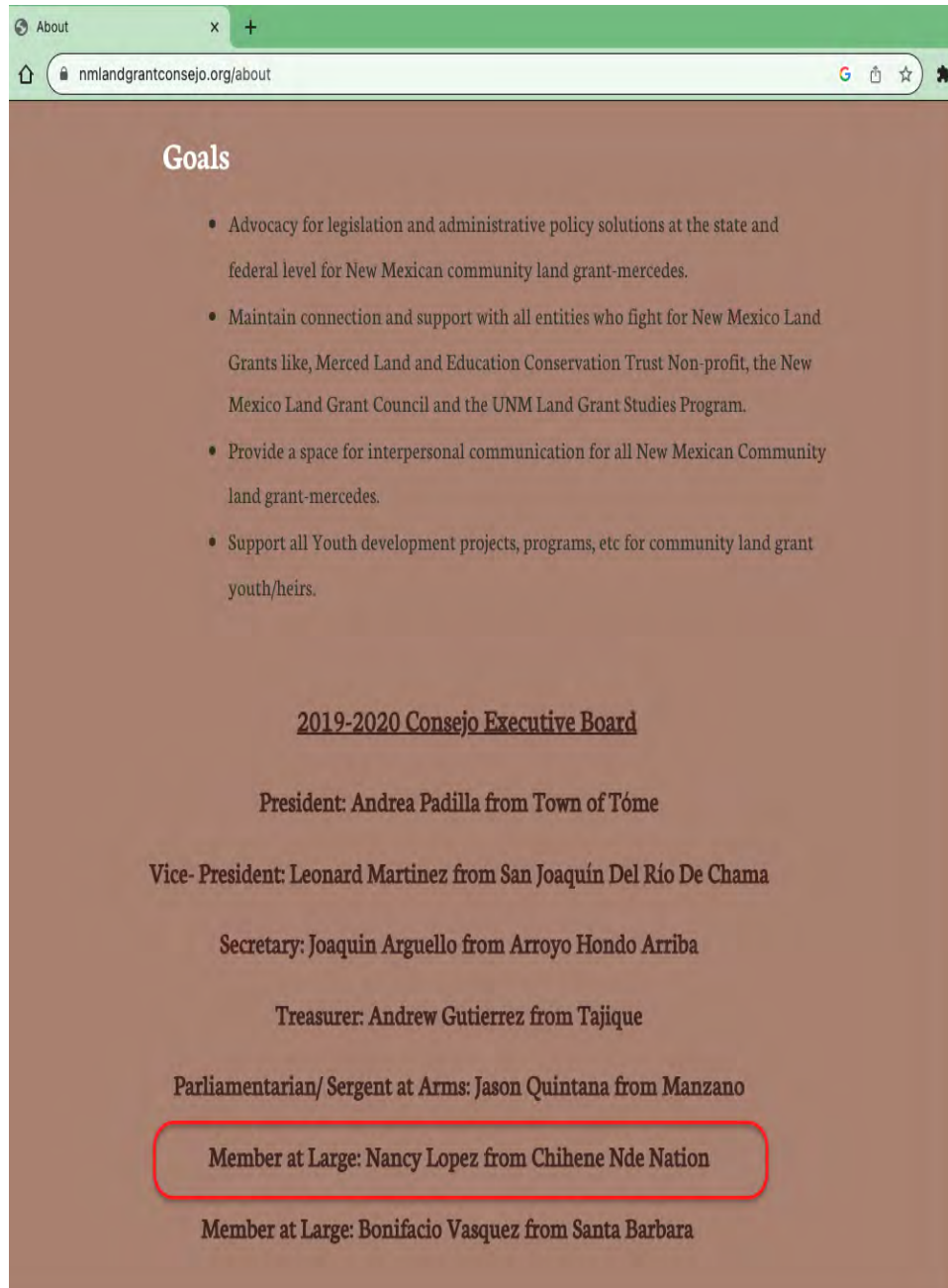
Our people have been advocating for our community through special activities, including educational advocacy and media dissemination. **S. James Anaya**, who agreed to serve as an ex-officio in our leadership on the rights of Indigenous Peoples. **Anaya** informed our Chairman, **Manuel P. Sanchez**, of the September 13, 2007, adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). **Anaya** explained that the UN Declaration benefitted tribes like ours by addressing individual and collective rights, cultural rights and identity, and rights to education, health, employment, and language. He urged us to assert our sovereignty as a people.

In 2007, tribal elders **Carlos Benavides** and **Richard Montoya** were special guests on the Lori Ford morning show on the CATS TV Community in Silver City, NM. In 2009, tribal elder **Eddy Montoya** made a statement protesting mining in Socorro County, New Mexico, near the Monticello Box at the Red Paint Cave, on behalf of the Chiende **/148/**. In 2011, the Tribe participated in a meeting with the United Nations in Tucson, Arizona. The meeting was led by **S. James Anaya**, who served between 2008 and 2014 as the UN Special Rapporteur and focused

his work on the United Nations Declaration on the Rights of Indigenous Peoples. The Organization of American States was also represented by the Special Rapporteur on the Rights of Indigenous Peoples, Dinah Shelton. This led to the tribe's future participation in convenings associated with Indigenous Peoples at the United Nations.



Since 2012, we have participated annually in Treaty Day, commemorating the Treaty of Guadalupe Hidalgo with Mexico at the Sante Fe Roundhouse via the New Mexico Land Grant Consejo organization. This event provides an opportunity to dialog with New Mexico legislators face-to-face on a government-to-government basis. As the United Chihene Land Grants, we are recognized as an Apache tribe with an interest in land grants in New Mexico established by our Spanish and Mexican treaties. Our Vice-Chair **Nancy Lopez** has served as our tribe's representative on the Land Grant Consejo and as our tribal liaison in support of our treaty lands. **Lopez** recently was appointed secretary of the Land Grant Consejo Merced /278/.



Nancy Lopez from Chihene Nde Nation listed as Member at Large, 2019-2020 Consejo Executive Board **/278/**.

In 2015, the Tribal Council approved **Eddy Montoya**'s participation in a United Nations event centered on Indigenous Peoples' discrimination. **Montoya** provided his family's account of being racialized and marginalized as Native Americans in New Mexico during the Apache-Ndé-Nneé Working Group for the *United Nations Convention of the Elimination of all*

Forms of Racial Discrimination (CERD) Committee, 88th Session /148/. We are listed as speakers for the Apache-Nde-Nnee Working Group at the United Nations Convention of the Elimination of all Forms of Racial Discrimination (CERD) Committee, 88th Session on the United Nations website */147/*. That same year, tribal elder **Eddy Montoya** publicly spoke out against the closing of the road to the Monticello Box Canyon in Socorro County, New Mexico.

(Velma Provencio and Pablo Martinez (Chihene Nde Nation), “Chihene Nde family history,” in discussion with Ruben Leyva and Manny Sanchez, in-person interview September 28, 2023 and December 17, 2023, respectively.)

(Buddy Montoya and Joann Montoya (Chihene Nde Nation), “Chihene Nde family history,” in discussion with Audrey Espinoza, Ruben Leyva, Manny P. Sanchez, and Irene Vasquez, Zoom meeting, February 2, 2023.)

Our younger members are increasingly taking on leadership roles to advocate for the formal acknowledgment of our tribe. In April 2020, **Jessica Martinez**, a tribal member, published an entry in the UNM Indian Law Journal blog entitled “An Unrecognized People: The Story of the Chihene Nde Nation of New Mexico and their Struggle to Seek Federal Re-Recognition */271/*.”

Tribe members **Ruben** and **Yolanda Leyva** make and sell their Native jewelry alongside the elders at annual gatherings and other events to continue our cultural knowledge. Arts activism has been an essential expression of civic leadership. Members such as **Roman Orona**, **Chris Aguirre**, and **Knifewing Segura** have used their artistic talents to participate in cultural arts at many public venues.



Photo of Chiende-style beading by **Yolanda Leyva** offered at the 2023 Gathering in Sapillo Creek, New Mexico. **Leyva** uses traditional materials like turquoise, abalone shells, and mescal beans to create traditional and modern designs /279/.

CHIENDE MILITARY SERVICE

Another pattern of informal social interaction that exists broadly among our members is the high participation rate in the United States military. This has a basis in our history, as training for war was an essential rite of passage for the males in our culture. For over 200 years, the Chihene N'de have transmitted their knowledge of our warrior tradition into intergenerational participation in military service. Parents instilled in their children respect and honor for our warrior culture—training as a soldier instilled discipline and a sense of shared commitment to protecting our nation. The military reinforced our social identity as Apaches because of its dedication to community well-being, unity building, emphasis on physical training, and

insistence on self-sacrifice for the greater good. Veterans are special in our communities, as did our ancestors, such as **Stanley Enriquez**, **Miguel Marquez**, **Moises Segura**, and **Joel Orona**.



Miguel Martinez, U.S. Navy, Amphibious Warfare Engineer, c. 1944.

Men are encouraged to follow the warrior way by considering a U.S. military or law enforcement career. According to Dr. Matthew Babcock, *Jasquie-* was a prefix meaning *gallant* used by bands to honor male leaders. According to Smith, this custom prevailed among the *Mimbrenos and Gileños* /167/ and was documented in the writings by settlers. For example, New Mexico Governor Fernando de la Concha in 1790 recognized Jasquienelté as head of a unified group of our ancestors in the abandoned agricultural community of Sabinal, south of Albuquerque, who farmed along the banks of the Rio Grande /178/.

In our custom, a novice warrior was a *dikohe*. A boy became a *dikohe* as an adolescent. He was not pushed or rushed; elders looked for signs that the boy was ready. There was no set age, but the community understood that the boy would step forward when prepared to begin the rigorous training and complete the four raids expected of him. As in the United States military

today, the young man was subjected to basic training and a series of trials to demonstrate his prowess. Officers gave instructions and tools to help him be successful. A military structure was in place to help him along, the equivalent of rank in the United States military today.

Due to our centuries-long expert knowledge of the terrain and military prowess, some of our men participated as Apache scouts in the Punitive Expedition against Francisco “Pancho” Villa led by General Pershing, starting in Columbus, New Mexico, in 1916. There are many publications on this Punitive Expedition, but few books and newspapers write about Pershing’s strategy of involving Apache Scouts as trackers and translators in service to the expedition. He hired them because he trusted his personal scout, Peaches or Tso-ay, who advised General Pershing on what he needed to know about the terrain and country in Mexico. Peaches had served with General Crook, and General Pershing became friends at Fort Apache. General Pershing requested only multilingual Apaches with knowledge of areas in Mexico to serve on the expedition. Our ancestors served in WWI and received military training at Fort Bliss. **Catarino Beltran**, a headman, joined and served in the military from April 15, 1919, to March 10, 1945. According to Fold-3 records, he rose to the level of Staff Sergeant. **Paul Enriquez** modeled leadership characteristics for other family members by joining the U.S. Military during WWII. Others in the extended family followed their lead and enlisted.



This photo dated October 1916, documents Apache Scouts involved in the Pershing Expedition such as Audrey Espinoza's grandfather (second from top left) and Ramon Riley's relations (front row). The photo courtesy of the National Archives stylized their uniforms /281/.

Two of our elders, **Stanislaus Enriquez** and **Miguel Martinez (1926-2008)**, served in the Knights of Columbus in California and the U.S. Military during WWII at Iwo Jima, respectively. From 1950 through 1955, our ancestors participated in the Korean War. Our ancestor, retired Sergeant Major **Moises Segura**, garnered a Bronze Star for meritorious service and valor. He would receive a second set of medals in the Vietnam War.

PAGE 7/The Prospector/October 13, 1978

Faculty member opts for student life

by Tim Tribble

Halloween, for most persons, brings strange feelings of the unnatural, but for one University faculty member it signals the end of a 30-year career with the U.S. Army.

Moises Segura, a sergeant major who has been with the military science department here six years, will retire to start a new career — that of a student.

After retirement, Segura plans to return to the University in January as a full-time accounting major. He also plans to continue the racquetball and jogging activities he does daily.

"Even though he has 30 years in the Army, he has an excellent ability to teach students and still has the ability to relate to students," Stephen Metzger, assistant professor of military science, says.

The athletic Purple Heart recipient, he says, is an example of an "old soldier" whose knowledge helps in the development and training of cadets for future U. S. Armies.

Segura says he came to the University in 1972 "quite by accident." A former military science department chairman who recommended Segura for the job is quoted as saying, "Segura is the best qualified and would help benefit the cadets."



Segura

Segura's efforts here resulted in military science students rappelling and mountain climbing around campus and nearby areas. Both actions are in a program called Adventure Training, a series of one-hour classes instituted by Segura.

"Someone with that much experience — one can only capitalize on it," says Metzger, referring to Segura's vast military experience.

Segura began accumulating that experience with his basic training at Fort Ord, Calif., before moving to Fort Benning, Ga., for airborne training. Some of his last assignments before beginning his overseas duty in Japan, Korea, Laos, Vietnam, Germany and South America were in North Carolina and Fort Lewis, Wash.

In 1955, the sergeant major became part of the Special Forces, for which his efforts garnered him the Brown Star Medal twice for meritorious service and valor in Korea and Vietnam. As part of the force, Segura said he was required to slip behind enemy lines to verify reports of enemy strengths and holdings and to recruit dissident enemy citizens.

The future retiree served three tours in Vietnam. The first was during the pre-Vietnam buildup where his unit was sent to confirm plans for Communist takeover. Part of his responsibilities, he says, was to gather information for convincing Congress it should become involved in the Vietnam conflict.

In Bolivia, Segura explained that he, along with his unit, helped stop Cheguena, Fidel Castro's right-hand man, from gaining control of the Bolivian government by slipping into the country to recruit factions opposing Castro's regime.

During the last six years, his military career appears to have become more stable as an instructor of military science for the University. Now that Segura's military and instructional duties are coming to an end, his life may become even more settled.

And perhaps on his Halloween night retirement, while children are ringing doors, the former Army soldier will be pondering thoughts of a past career — one filled with other soldiers, battles and students who wanted to learn about the U.S. Army.

Moises Segura was recognized for returning to the University to pursue education as a student after a 30-year distinguished military career and serving as faculty in the military science department. Segura received a Purple Heart while in the U.S. Army **/282/**.

(Knifewing Segura, "Chihene Nde family history," in discussion with Audrey Espinoza, Ruben Leyva, Manny P. Sanchez, and Irene Vasquez, Zoom meeting, April 11, 2023.)

Beginning in 1964, the Vietnam War Draft affected our people by sending adult males to war. Chihene Nde Nation Apache Elder **Lawrence Jurado** served in the United States Marine Corps in Vietnam. The Vietnam War took many of our youngest members at age 18 to war. Some sons sacrificed their lives, and this left their families devastated when they did not return. Many young women participated as nurses, and this was not the first time they held such a position.



Johnny Enriquez, serving in the U.S. Marine Corps in Vietnam, 1966 /283/.

After serving in Vietnam, **Joel Orona** (1947-2021), whose Apache name is *Jo'ol* (meaning Fir Tree), earned a Ph.D. in Educational and Counseling Psychology, an MBA in Human Resources Management, and a B.A. in Psychology. Later, he worked for Fortune 500 organizations, government entities, Tribal governments, colleges, and universities in various locales. After moving from Arizona to Chicago, Illinois, **Dr. Orona** served as director of The Blackhawk Native American Cultural Center. He also worked with others in the urban Native American community to inspire and teach Native youth to honor their culture. His job included hosting cultural performances and teaching traditional singing, drumming, and arts. **Dr. Orona** also participated in Apache and inter-tribal cultural performances throughout the United States, Mexico, and Canada. In 2020, before his passing, **Dr. Orona** wrote and published *The American Indians: Then, Now, and Forever*, which included American Indian-based poetry, several short stories, and screenplays.

Today, we have social interaction every week via the Internet on Microsoft Teams and Zoom. We convene for weddings, funerals, family reunions, and beading or regalia making. Impromptu trips to the Mimbres in the spring and fall are a way to enjoy the smell of pine trees. These informal day trips revitalize and strengthen the individual and the community. Trips are

even more enjoyable when they are planned camping trips. Sometimes, only a couple of families participate. It is also a joy to visit the hot springs in the area.

We wish to own someday a brick-and-mortar building where people can meet to discuss future goals and to teach tribal dances, drumming and singing, and culture through storytelling. We routinely gather at the homes of the Jurados and Provencios in Las Cruces, the Vasquez in Albuquerque, and the Flores in Southern California. These informal gatherings are where our informal social interaction takes place. The youth in the tribe meet other youth and elders, catch up with one another, reminisce, and share community knowledge. One day, we would like a building that allows for a nutritional program for our elders. We also would like an area large enough for our youth to play.

(iv) Shared or cooperative labor or other economic activity among members;

A major economic activity is shared and cooperative labor involving cultural film and audio production. **Knifewing Segura's** companies, Knifewing Productions, and Native Stars have been methods of cooperative labor for our tribal members. The tribe members have assisted **Knifewing** in serving as film judges for his Gallup Film Festival, where Native films were shown. His work includes the Navajo-dubbed movies *Star Wars*, *Finding Nemo*, *Fist Full of Dollars*, and *Baby Shark*. This participation includes a presentation by tribe member Chris Aguirre, the creator of the *Shrek* character, *Puss In Boots*. The tribe has also assisted with the Gallup UFO Film Festival. These activities stimulate economic investment and some proceeds.

Wheeler said the linguists will have to work with the dubbing director to ensure that the adaptation is done well.

Knifewing Segura, who owns his own production studio in Gallup, has agreed to lend his facilities to the project. He said he was also excited to be involved in the project.

One of the best dubbing directors in the business, Richard Epcar, has been tapped for this project. He is a well known voice actor and director who has directed dubs of many projects including many Academy Award-winning films.

The next step in the process will be casting men and women fluent in Navajo to be voice actors.

Auditions for the roles of Luke Skywalker, Darth Vader, Princess Leia, Han Solo, C-3PO, Obi-Wan Kenobi and Grand Moff Tarkin will be held at the Navajo Nation Museum on Friday, May 3 and Saturday, May 4.

Anyone interested in trying out can call 928-871-7941 to book a time slot. Walk-ins are welcome as well.

The tribe isn't necessarily looking for people who sound like Harrison Ford, Carrie Fisher, Mark Hamill or the others, but rather for performers who have the ability to speak the dialogue with the force and emotions of the original actors.

The plans are to premier the Navajo version of the movie at the upcoming Fourth of July fair. While this will be an educational tool for those learning Navajo, Wheeler stressed that the main purpose is to encourage the preservation of the language and to show that the language is still vital today.

Since this is a cultural project, there will be no admission charged to see the movie. Wheeler hopes that the success of this project could result in more funds to be made available to do projects like this in the future.

After being shown at the Fourth of July event, the film will be shown on a regular basis at the museum and in major communities on the reservation. The film will also be sent to major off-reservation cities that have a large Navajo population as well.

As for the possibility that it will one day be available on DVD, Wheeler said that decision will be left up to Lucasfilm.

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Knifewing's Native Stars Studios support the language preservation efforts of the Navajo Nation /284/.

Roman Orona, Joel and Esther's youngest son, and his family, who are tribe members, host an Indigenous Music podcast, the Indigenous Cafe. **Roman** has worked with several different tribal communities and organizations in the environmental field for over 16 years. He has also traveled nationally and internationally as a Native performer, musician, singer, and

Chihene Nde Nation of New Mexico, 5690 Desert Star Rd., Las Cruces, New Mexico 88005

craftsman. His songs were passed down to him through his paternal Apache line. He, like **Pablo Martinez**, was gifted songs from other Apache tribes. **Roman** was gifted songs from the late Philip Cassadore of the San Carlos Apache Tribe, a dear friend of the family. **Roman** won the 2016 Native American Music Award (NAMMY) for Best Male Vocalist. He also runs a small national non-profit called iamHUMAN Media. The US EPA Regional Operations Committee (ROC) elected **Roman** to the Co-Chair position, where he will represent the collective voice for the US EPA Region (Arizona, California, Nevada) Nine Tribal Communities.



Roman Orona is the founder of the Indigenous Music podcast, the Indigenous Cafe which offers music, conversation, and inspiration from the Indigenous People of North America and the Indigenous People worldwide /285/.

(v) Strong patterns of discrimination or other social distinctions by non-members;

Since the scalp hunting of the 1830s, our people have endured discrimination in Mexican and U.S. society. Despite the Petitioner's efforts to comply with U.S. Treaty provisions, farm-working Chiende suffered persecution for continuing to identify as Apache. One notable story involving an influential Chiende extended family leader illustrated the precarity of Chiende life. Members, descendants of Mimbres Apache leader **Costales**, tell the story about his unexplained murder. While visiting with family in the farmlands of Doña Ana, **Costales** was on his way to deliver a message from Indian Agent Steck. While acting in an official capacity, **Costales** and **Ratón**, both designated Mimbres leaders, were murdered by Mexicans on December 29, 1856. This violent act angered other Apaches /286/. After fishing **Costales'** body from a nearby river, Apaches understood the disdain many still had for them despite peace treaties and our productive co-existence in farming communities. While an arrest followed this event, the motivation seems rooted in vengeance. At times, when Mexicans, other bands, or neighboring tribes were responsible for acts of violence, Chiende were scapegoats for the alleged unlawful activities. For a duration of time, identifying as Apache within mixed communities became a safety risk, and many Apache hardly spoke of their ethnicity or political affiliation in public. Scalping of our ancestors only diminished in the 1880s, which led our ancestors to shorten their hairstyles.

In the 1900s, being of a darker complexion and a generally smaller frame with prominent noses made us visible and targets for discrimination, particularly outside of our immediate locales. Strong associated historical ties to servitude resulted in our people's exclusion from some job opportunities and acceptance. The public messaging of our ancestors misleadingly portrayed Apaches through harmful tropes. As in earlier times, our ancestors were categorized and treated as Mexicans to deprive them of their civil rights. During the depression, scholars estimate that about 2 million Mexicans were removed from the U.S. to Mexico, 60% of whom were American citizens of Mexican descent. Native Americans were entangled in U.S. deportation initiatives. For example, the U.S. Federal Government deported **Paula González**, the grandmother of a Chiende member, in the late 1920s as part of the U.S. deportation campaign aimed at Mexican people. The family's oral history insists Paula and her older sister were both

born in the U.S. and lived in Arizona and California for a decade, **Paula González** and her family were deported by train to Chihuahua, Mexico, with the belongings they could carry in their two hands **/287/**.

An example of discrimination and racial fear suffered by our families in Mexico is the story of the captured child, **Carmela**. **Carmela's** Apache name was **Bui**, meaning owl eyes. The anthropologist Greenville Goodwin's Diary documented the instances of posses in the Sierra Madre hunting scalps for bounty in the 1930s. In 1935, an American rancher near Nacori Chico reported he was on horseback high in the Sierra Madre. Looking down the mountain, he spotted a wickiup. Wondering if it was occupied, he dislodged a stone, sending it downhill and through the wickiup. Suddenly, a woman and a young girl emerged from the brush hut. The American twice shot the woman, killing her. The little girl, **Bui**, ran to the woman and cried over her. The American claimed he shot the woman to claim the 50-dollar bounty offered by the government **/288/**. This is an example of our families' legitimate fear of identifying as Apache due to government-sponsored mistreatment on both sides of the U.S.-Mexico border.



A 1935 photo was taken of young **Carmela** after being captured (Goodwin 2022, 278).

The patterns of discrimination characteristic of minority groups were also the case for our tribal members through the Civil Rights era. In the 1960s, our members embraced the Red Power Movement after feeling a part of our nation in Vietnam but returning home to instances of racial discrimination. The Red Power Movement restored our people's sense of agency and self-determination.

Michael Orona, Joel and **Esther Orona's** eldest son, is one of our tribe's most significant advocates for Indigenous human rights. **Michael** has served in the U.S. Department of State for over 20 years, where he has held an array of senior-level foreign policy advisory

positions in Washington, DC, and various countries around the world focused on supporting the rights of Indigenous communities. In his years of government service, **Michael** served at the White House as National Security Council Director and overseas as a Political Officer at the U.S. Embassy in Hanoi, Vietnam. He currently serves as the State Department Senior Advisor for International Indigenous Issues, where he works to advance and protect the rights of Indigenous peoples worldwide. As the U.S. State Department representative on the White House Council on Native American Activities, **Michael** co-leads a White House Sub-committee on International Indigenous Human Rights Issues. Aside from a Juris Doctorate in International Law, Michael received a Master of Science in Military Strategy from the U.S. Marine Corps University – Command and Staff College in Quantico, VA.



**RACIAL EQUALITY:
A SHARED HUMANITY
BETWEEN
AFRICAN AMERICANS &
INDIGENOUS PEOPLES
OF THE UNITED STATES**

**May 27, 2022
7 PM EST**

Michael A. Orona

Michael Orona is a Senior Advisor for Strategy at the U.S. Department of State in Washington, DC. Throughout his 20-year government career, he has held an array of senior-level foreign policy advisory positions, which includes serving at the White House as National Security Council Director for African Affairs, representing the Department of State on the White House Council on International Indigenous Activities, and other senior-level foreign policy and overseas diplomatic positions focused on promoting the rights of marginalized groups throughout the world. Michael is of Yaqui ancestry and a registered member of the Chihene Nde Apache Nation of New Mexico.

Examine Abdul-Baha's visit to America in 1912 and his steadfast commitment to members of the Native American and African American communities. From a U.S. historical and Baha'i perspective, the talk will also explore the "shared humanity" that exists between members of the African American and Native American communities.

Moderator: Charles Bullock
Devotions: Tangela Stanley

Registration link in 

On May 27, 2022, **Michael Orona** presented on Racial Equality: A Shared Humanity Between African Americans & Indigenous Peoples of the U.S. **/272/**.

(vi) Shared sacred or secular ritual activity;

Shared sacred and secular activities form part of our culture and everyday life. From the moment that we are born, shared sacred or ritual activity is ubiquitous in Apache lives. We are a deeply spiritual people. In our custom, we wake before sunrise and face East to pray. Families start their children early in this activity. In our kinship groups, our parents are frequently guided by their elders, usually our grandparents. They remind us of protocols and procedures for our sacred and secular ritual activities.

Ceremonies mark every aspect of daily life, but the most common starts when a child is born and as he/she grows. The first is the presentation of the infant to the four directions after birth. There is also a recommended ceremony for what to do with the mother's placenta and what remains of the umbilical cord. Some modern women often prefer not to honor the birth this way, but in some kinship groups, it is considered an important ritual. In other modern families, this custom has been modified to include planting a fruit tree in the yard of the infant's home, where the afterbirth is buried to nurture the beginning of the life of the tree and the child.

Other secular events include the first haircut at around two years of age. A feast and celebration typically follow these events. Although we do not intend to detail all our rituals and ceremonies, the most frequently shared sacred ritual is the rite of passing from girlhood to womanhood or the Sunrise Puberty Ceremonial. This feast is celebrated when a girl experiences her first menses and involves the entire community. Puberty rites are the most essential shared sacred or secular ritual activity for Apache people. However, as all people everywhere, the most frequently celebrated and important shared secular activities are weddings and funerals. We offer two examples in our response to this criteria.



In April 2023, Chairman Manuel P. Sanchez officiated the wedding of CNNNM member **Gina Enriquez** /290/.

As might be expected, funerals and weddings are our communities' most frequently attended events. Tribal Chairs or Nantans are likely to officiate at weddings and funerals. As leaders, this is what is expected of them. Wedding ceremonies are primarily the purview of the bride. The photographs above and below show how our tribal rituals vary according to individual preferences in these modern times.

Funeral ceremonies vary depending on the departed's family wishes unless the departed stated what they preferred in protocol before passing. **Chiende** communities living away from the homelands often conform to our burial practices. Uncle **John** (1936-2023) or **Juan Delgado Parra**, descended from the historical Chiende leader, **Delgadito**, passed away while living in California. He was an uncle to our member, **Richard R. Espinoza**. Uncle **John** was born in El Paso, Texas. His burial occurred on August 30, 2023, in Glendora, California, in front of five generations of family who loved and revered him. The service was a syncretic version of a Roman Catholic service arranged by his children. Uncle **John** departed unexpectedly due to a long battle with heart disease brought on by uncontrolled Diabetes Type II, a scourge of indigenous people. His family added intertribal and Apache ceremonial aspects to his funeral.

However, one of his nephews remembered Uncle **John's** Apache roots, and there were three eagle feathers in Uncle **John's** casket. He enjoyed powwows due to their intertribal nature and attended them whenever possible. Uncle **John** and Aunt Keta also enjoyed trolling garage sales, looking for indigenous articles for **Richard** and his wife so that they would not forget their Apache roots. Over one hundred descendants watched Uncle John being planted back into the ground. The entire family wore white instead of black because the occasion was meant to be celebrated among Native Americans. Five of his elderly siblings over 80 years of age and many extended family members traveled from the Mesilla Valley and Sunland, New Mexico, to attend the funeral.



Uncle **John's** funeral August 30, 2023. Relatives wore white to celebrate his life /291/.

(vii) Cultural patterns shared among a portion of the entity that are different from those of the non-Indian populations with whom it interacts. These patterns must function as more than a symbolic identification of the group as Indian. They may include, but are not limited to, language, kinship organization or system, religious beliefs or practices, and ceremonies;

Apache cultural patterns differ significantly from non-Indian populations with whom we interact concerning language, kinship organization, religious beliefs, practices, and ceremonies. We are intensely spiritual people whose worldview is informed by Indigenous metaphysics and epistemologies. We emphasize our indigenous philosophical pursuits of psychology, botany, zoology, meteorology, and astronomy over Western schools of thought. We have looked to the plants, animals, earth, and sky as personifications of our family with whom we share the landscape. We do not divide life into as many parts as non-Indians. The Chiende Creation Story of the Great Flood (*túch'énéngu*) and White Painted Woman include our relatives, the animals and elements of Chi'laa, and their significant place in Apache life.

Non-Indians may not understand our cultural relationship to nature. We do not talk of nature as something *near and dear*, which implies we are separate and apart from it. When a Chihene speaks of nature, they talk of Chi'laa, our country. We are focused primarily on protecting our landscapes. We believe specific places root us like an umbilical cord. When we speak of the mountains (*dził*), we do not discuss all mountains everywhere. We refer to the mountain ranges within Chi'laa and near the Mimbres Mountains (Black Range), the San Mateo Mountains, the Mogollon, and the Florida Mountains. When Chihene discuss rivers (*túlání nli*) as sacred, they speak of the Gila, Mimbres, Rio Grande, and Palomas, among others, which exist within Chi'laa. Chi'laa is our religion. Our philosophical perspective guides us to view all sentient life forms as integral to a good life. *Guuz'hu* means *It is good*.

Our belief systems are very different from non-Indians. We do not write or publish our sacred knowledge for outside consumption. For example, Chiende-authored dogma regarding our taboos does not exist in written form. Instead, we carry our sacred customs in our oral histories. People believe we are highly superstitious because our belief system borders on animism. We reject the evolutionary frameworks of anthropology, where we transitioned from animism to polytheism (Ndé and Christianity, in some cases). We do not see either belief system as untrue and thus find no desire to choose. We do not worship statues or state creeds like Western

religions. Our reality exists on earth, and we do as little as possible to disturb the deceased. We do not refer to those passed on by their Chiende names. We believe words and intentions have power.

Gravely ill tribal members call medicine people to their homes for blessing. These are not last rites but serve to prepare the minds of those involved for the inevitable journey. The medicine person might be a seer or someone known to straddle the two worlds - spirit and material. To non-Indians, these traditional ceremonies may seem nonsensical. To a Chihene, he/she rests better knowing we have access to the gifts others in the community can offer us in times of despair. No priest or pastor can offer this level of support to our community.

Our continued use of herbal remedies and plant healing goes back centuries. We frequently harvest cattail pollen for healing and ceremonial use. Plant use, including tobacco, is frequently combined with ceremonies. Instead of relying on pharmaceuticals to address flu symptoms, we use cota, mullein, yerba de manso, and mint. Our ancestors lived on desert food staples before the occupation of our lands by settlers. Our Native diet was healthy and robust. We did not live with the health scourges of the modern age, High Blood Pressure, Type II Diabetes, obesity, fatty liver, dental cavities, and the list goes on. All of that has changed since the 20th century. We suffer the same maladies of modern society from the introduction of sugary, fatty processed meals and fast food. However, our members practice a Native food diet complemented by ceremonial observances.

Some members supplement their income by making jewelry, regalia, and drums. They are used at ceremonies and sold at powwows or are given as gifts to elders. Others have produced our music for a broader audience.

(viii) The persistence of a collective identity continuously over a period of more than 50 years, notwithstanding any absence of or changes in name;

Among our members, our persistent collective Indian identity as Chiende has existed continuously for more than 50 years. The elders instilled in our people a strong sense of identity as Chiende through oral history, customs, and a sense of duty. Although not all of our people considered themselves Roman Catholic, religious holidays brought our families out to the local Catholic churches or missions to meet with our kin. Often, Christmas, Holy Week, or Easter Sunday were the only days of the year when some elders attended these ceremonies. Throughout

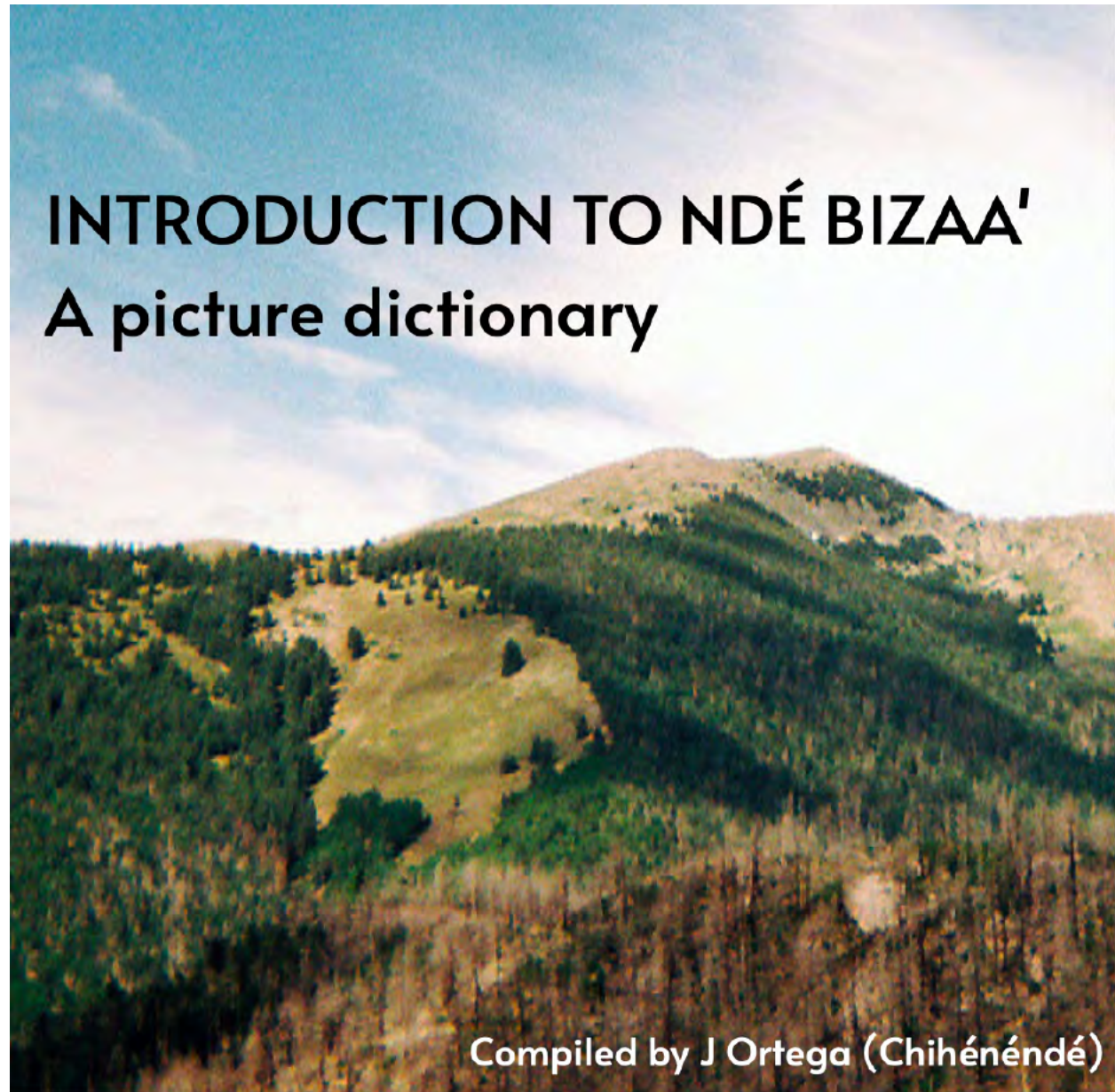
the borderlands, the Church seemed keenly aware of the large Indian populace and engaged with our families. It often allowed drumming and Indian dances on the premises. In those days, social affairs offered opportunities for our people to visit, share conversations in our language, and instill in our youth our cultural protocol. These same practices continued at extended family get-togethers at our annual gatherings.

Three of our largest extended Chiende families are representative of the persistence of our collective identity. These families also served on the tribal council and continued to live in the Mimbres and Gila River Valleys through the 20th century. The family lineages of Chair Manny Sanchez, Vice-Chair Nancy Lopez, and Tribal elder Velma Provencio follow leadership models from their elders. As examples, the **Enriquez, Beltran, Rodriguez, Parra, and Provencio** families maintained a collective and coherent Chiende identity reinforced through extended family gatherings and refined through ongoing and consistent cultural practices. Their extended families have been involved in relations with other tribal communities and cultural activities, including powwows.

Drumming and singing our Apache songs has tied one generation to the other. **Pablo Martinez** and **Roman Orona** offer two examples of our members who have passed songs from the generation of the 1930s through today. **Earl Montoya, Larry and Helen Jurado, Robert and Judy Marquez, Miguel Marquez, Richard and Audrey Espinoza, Esther Orona-Renteria** (widow of **Dr. Joel Orona**), **Frank and Mary Torres, Emma Enriquez-Rodarte, Hope Benavides** (widow of **Carlos Benavides**), **Frankie and Rosie Parra-Renteria, Velma Provencio, Evelyn Lopez, David Morris, Gilbert and Minerva Flores, Roberto and Edwina Mora** (San Carlos Apache Tribe), and **Knifewing and Beverly Segura** (Navajo Nation) are important teachers of our cultural protocol that anchors all members in our collective identity.

Our youngest generation of Chiende actively engages in cultural production **Jacob Ortega** is among the younger tribal members who, through oral history, is preserving our Chiricahua-Mescalero dialect. In 2022, he created *Introduction to Ndé Bizaa* a PDF picture dictionary in English and Apache. The original project was for his Native American Languages course at the University of New Mexico, led by **Dr. Rosa Vallejos-Yopan**. **Jacob** stated that the Chihene Nde and Mescalero Apache Nations' language revitalization programs, community

elders, his grandfather, and his ancestors made his language project possible. A copy of his book has been attached to the Petitioner's Exhibit List. Our families, by and large, never considered themselves white or brown settlers. We share a common Chiende identity through our blood and historical locality. We engage in storytelling and oral history to ensure that future generations uphold traditions and continue to honor our leaders and style of governance. We have continuously maintained our social and political relationships as an Apache People.



A photo of Jacob Ortega's 2022 book *Introduction to Ndé Bizaa': A Picture Dictionary* (33 pages) /292/.

Government documents, like land patents, serve as irrevocable evidence of our ongoing political and cultural identity in our homelands dating back to the first U.S. censuses. Due to COVID-19, we recently lost some of our fluent speakers. We grew up Indigenous with limited disruptions from boarding schools. Our families raised their offspring on Indigenous foods grown in our farming communities. Our ancestral knowledge of consuming desert plants for nutrition and healing is now being adopted in the well-being and care protocols used by the dominant society. The land that connects us has changed, but not our sense of our relationships to it; our Indigenous identity and oral histories endure.

(ix) Land set aside by a State for the petitioner, or collective ancestors of the petitioner, that was actively used by the community for that time period;

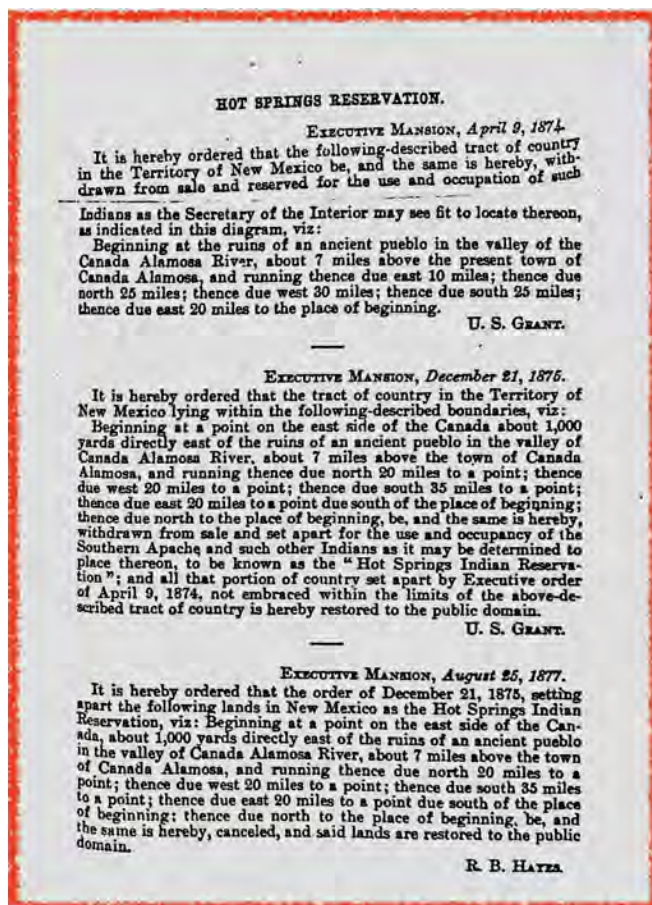
Fifty-seven years before New Mexico became a State, in 1912, the U.S. through treaties and Executive Orders set aside lands for the Petitioner. These lands were near Fort Webster, Fort Thorn, and the tributaries of the Rio Grande like Rio Palomas and Rio Cuchillo Negro were actively used by the community in that time period */121/*. The Santa Lucia reservation was also set aside in 1860. Twelve years later, new lands were set aside in the Tularosa Valley for Petitioner, which was also actively used by the community in that time period. This is equally true of the Ojo Caliente reservation, between 1874 and 1885 when the lands were approved for sale in January 1885 */300/*.



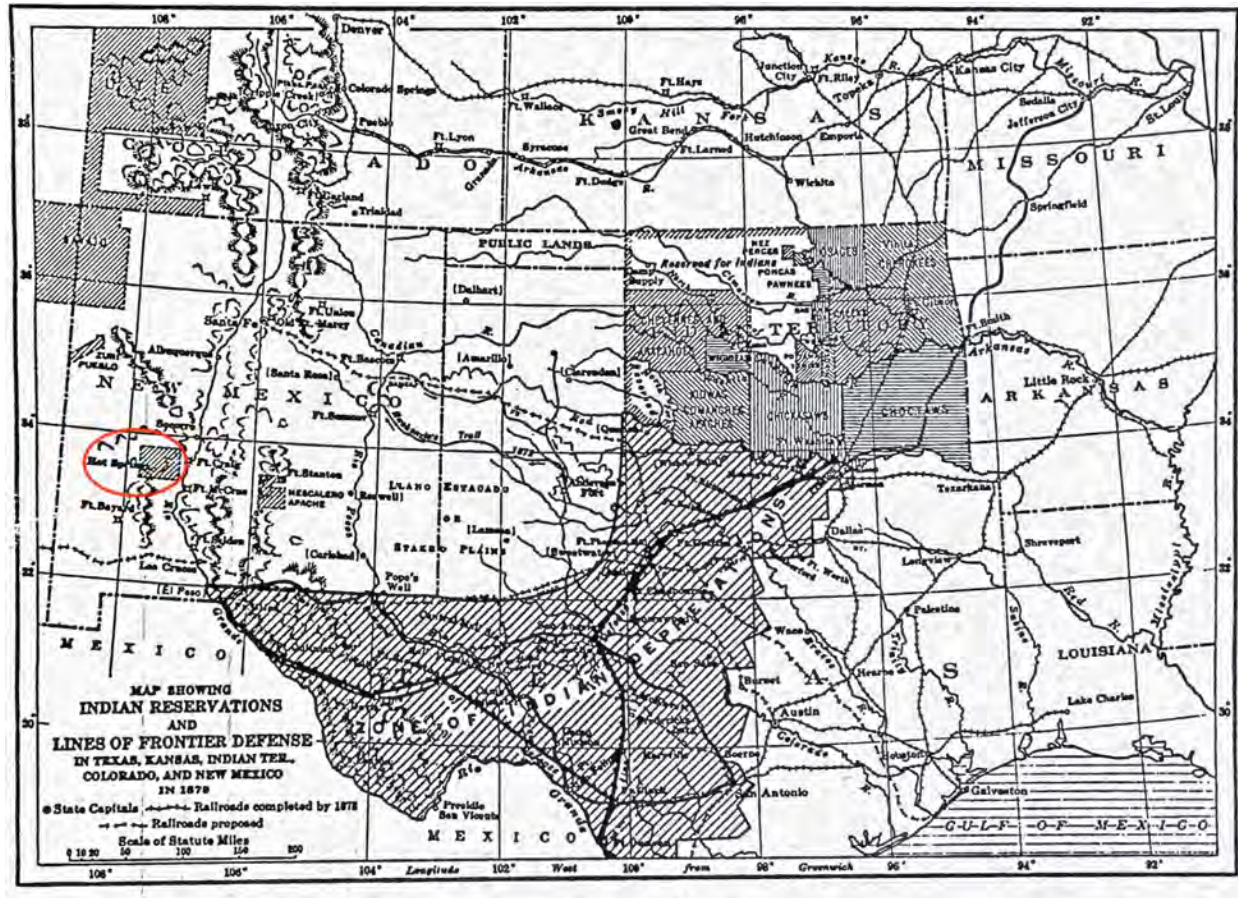
“Map of the Country Inhabited by the Gila and Mimbres Apache Indians” 1855, from the U.S. National Archives
/182/.

While the Southern Apache Agency was in transition and relocating to its next reservation, Indian Agent Steck instructed our leaders to continue planting on our old farmlands in the Mimbres, Gila, Palomas, and near the Southern Apache Agency at Fort Thorn. In 1871, Vincent Colyer confirmed our planting in our old farms in his report to the Board of Indian Commissioners. In 1873, the Southern Apache Agency was moved to a new reservation in the Tularosa Valley, present-day Catron County, New Mexico. Roughly one year later, the reservation and the Agency were relocated to the Ojo Caliente. A series of Executive Orders through 1877 by Presidents Ulysses S. Grant and Rutherford B. Hayes set aside lands in the Ojo Caliente for the Petitioner. At the various reservation locations, the Government constructed irrigation systems aligned with and complemented pre-existing acequias, and our ancestors

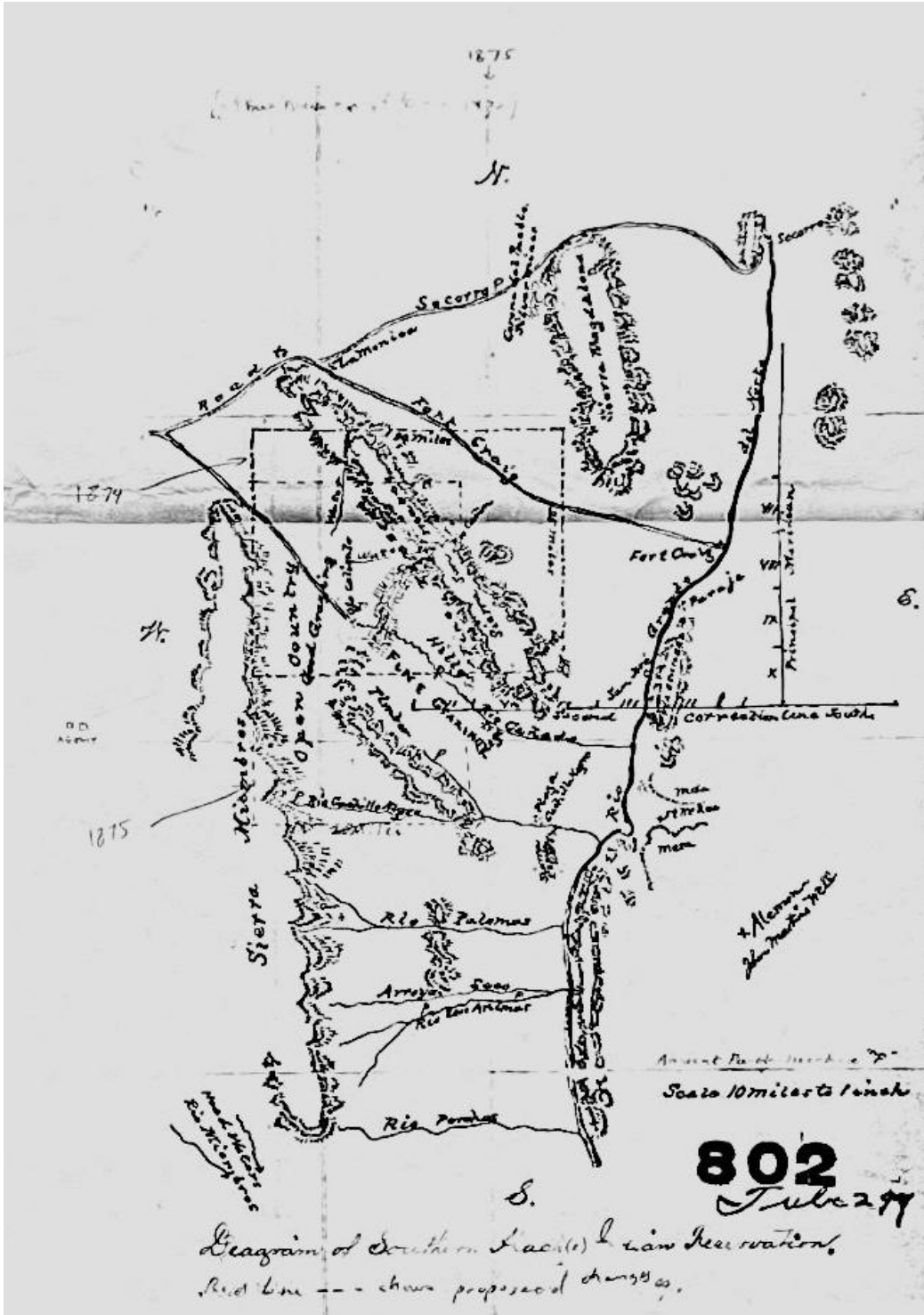
actively farmed in these locations. Beginning in the late 1880s, some of our ancestors who were considered prisoners of war on temporary Indian reservations watched the privatization of our homelands.



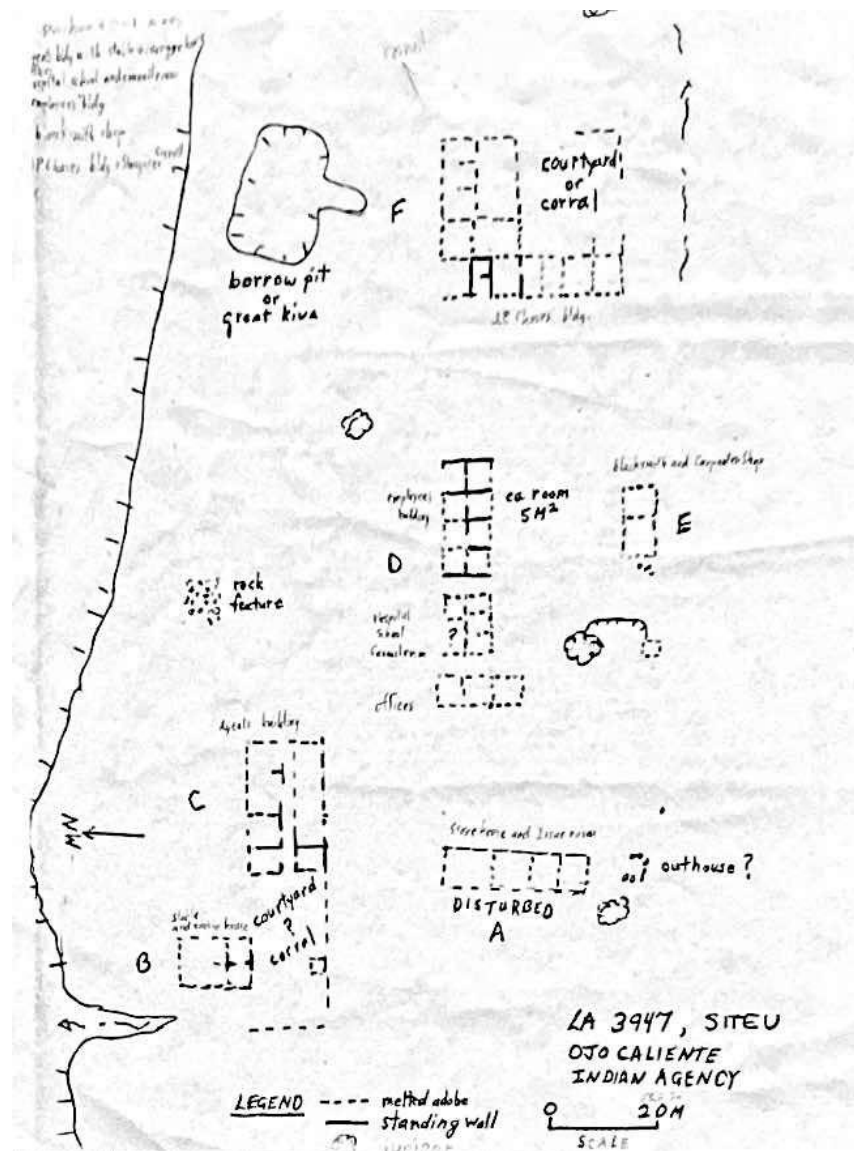
This page selection from a published compilation of Executive Orders shows land set aside for the Petitioner at the Hot Springs Reservation (Ojo Caliente Reservation) in 1874, 1875, and 1877 /294/.



This U.S. Map Showing Indian Reservations and Lines of Frontier Defense in Texas, Kansas, Indian Territory, Colorado, and New Mexico in 1879 demarks the Hot Springs Reservation circled in red ink
/295/.



National Archives Map 802, subgroup 6 labeled “Diagram of the Southern Apache Indian Reservation. Red line shows proposed changes /**296**/.”



Hand-drawn aerial map labeled Property Number LA 3947, Site U, Montoya Butte Quadrant (1336) of the Ojo Caliente Military Post, Hot Springs Apache Indian Agency, Southern Apache Indian Agency, and Sub-post of Fort Craig, New Mexico /297/.

In 1891, the Twelfth Annual Report of the United States Geological Survey to the Secretary of Interior, 1890-1891, by J.W. Powell concurs with the Petitioner's oral histories of our families remaining in our ancestral homelands in community. J.W. Powell attested to seeing an *Indian village with several houses within the area* of the survey site at Cañada Alamosa

around 1890 /**298**/. The survey denotes a landmark title, Montoya Butte, that identifies a local Chiende community. The **Romolo Montoya** family, whose descendants are a part of our membership, are historically tied to the Cañada Alamosa. The location of Montoya Butte, the Montoya Site, and the ruins at the Victorio Site are located within the family's homestead patent which the family received in August 1890.

The Montoya land patent, the names of landmarks, and the location of the ruins all are associated with their land. While relatives of **Romolo** continue to live in the canyon, he and his family were forced from their homestead at gunpoint and relocated to the Mimbres River Valley near other tribal relatives. **Romolo** and his great-grandson, **Richard Montoya**, lived in the Mimbres until they passed away. Other pockets of our extended families existed in specific farming villages within Southwestern New Mexico. The families remained a part of the tribe but even when employment opportunities created distances between them. Examples of towns where evidence of our tribal surnames exist are Hatch/ Salem (Santa Barbara /San Ysidro), Rincon (San Diego), Monticello (San Ygnacio de Cañada Alamosa), Cuchillo, San Lorenzo, Sherman, San Juan, San Jose, Georgetown, Hurley, Pinos Altos, Hillsboro, Santa Rita (Santa Rita del Cobre), Upper Gila, Santa Clara, Silver City, Lordsburg, Reserve/Aragon, Gila/Cliff, Deming, all towns in the Mesilla Valley, Las Cruces, and El Paso, etc.

(Richard Montoya, “Chihene Nde family history,” in discussion with Manny P. Sanchez, oral conversations between 2008 to 2017).



In 1991, **Eddy Montoya** poses with another Apache from Mescalero in regalia at the opening of the Geronimo Museum **/299/**.

The U.S. failed to communicate to our ancestors that property ownership had political implications on our tribe's recognition and our relations to the land. We never affirmed cultural suicide. However, our ancestor's goal was not to use the politics of individualism as an apparatus to reconfigure our political or ethnic identity, lose land rights and band autonomy, or divest ourselves of our cultural distinctiveness through detribalization. Instead, the encroachment of settlers on our ancestral Indian farms and villages gave way to private property ownership and the dispossession of our lands, the source of our existence. Our ancestors accepted property as a way of adding to our culture, not subtracting from our political identity as Indians.

MUSEUM OF NEW MEXICO	
Field Journal	
PROJECT:	Historic Sites Inventory
SITE NO.:	LA
LOCALITY:	(Fort) Ojo Caliente
PAGE:	
DATE:	11-9-65
NAME:	Ormsbee
1884	
The Ojo Caliente Indian reservation containing 3,200 acres, some buildings and some fine medicinal springs, is to be sold at Las Cruces land office on February 27th next. No bids for less than \$15,000 are to be received.	
(Santa Fe New Mexican Review, January 14, 1884, p.1, c.7)	

Museum of New Mexico Field Journal, dated November 9, 1965, documents the sale approval of the Fort at Ojo Caliente, containing 3,200 acres, some buildings, and medicinal springs on February 27, 1885 /300/.

According to Dr. Jeffrey Shepherd, “The Board of Indian Commissioners and the Indian Bureau had a lot of ulterior motives, and the local settler population was astonishingly greedy. When they referred to the *civilization* of the Indians, that was partially a code or euphemism for ‘Let us privatize their land and take it from them.’ Private land plots worked for some Indigenous peoples, but it was also a fast track to dispossession.” In keeping with tradition, the Petitioner’s ancestors thought collectively about property ownership, not as individuals. They saw remaining in their homelands as favorable to being removed from distant reservations. Our relationship with settlers did not mean we submitted to a form of domination by which our tribal recognition could be given or taken away. We accepted their presence and accommodations for us as the

rightful keepers of the land. We faced and accepted these realities under the Spanish and Mexican regimes and anticipated the continued caretaking role of our homelands with the introduction of U.S. settler-colonialism.

In U.S. society, many families remained wage laborers, observing the influx of Mexicans and other ethnic groups into the area for work. As egalitarians, our people were not overly concerned with race or recognition-based politics. We accepted newcomers into the area and sometimes into our extended families, as we had done with captives historically as a nation. We have never been a fixed or immutable nation. The crossing of cultures and the international border helped us support our families; however, we remained grounded in our identity as Chiende and placed intrinsic value on our homelands, Chi'laa, today known as Southwest New Mexico.

Subsection (b) (2) (iii) At least 50 percent of the entity members maintain distinct cultural patterns such as, but not limited to, language, kinship system, religious beliefs and practices or ceremonies.

At least 50 percent of our members maintain distinct cultural patterns, including language, kinship, and religious and ceremonial beliefs. We continued observing our traditional extended kinship system of familial relationships and organized private ceremonies for our people. These ceremonies include but are not limited to conducting marriage protocol, planning funerals and memorials, celebrating the birth of a child with a family ceremony presenting the child to the four directions, being scrupulous about what is done with the mother's placenta and/or the umbilical cord. Ceremonies and celebrations include using or acknowledging the child's cradleboard, which is becoming almost as common in modern times as in historical times.

Over 50% of our members publicly demonstrate their Indian cultural patterns in their public employment spheres, including their self-disclosed identity as Apache. They wear clothing, make jewelry, and gather our traditional plants and herbs. Some members have published essays, articles, booklets, and an MA thesis that centers on our tribal identity, history, and language that are reported on to tribal membership during meetings and gatherings. Our

healing traditions have been passed down from generation to generation in each extended family.

Dr. Irene Vasquez is descended from three generations of *Izstan Izee* healers. She has received training in Indigenous plant medicine. We drink teas made of cota, eucalyptus, and mullein to remedy cold and flu systems. Before summer, we visit riverbanks to collect cattail pollen, one of our most revered natural products for healing and ceremony. Plant and medicine knowledge came to us from our ancestors and made us distinct from others around us who came to rely on Western medicinal practices

Eating particular foods during certain times of the year is a form of maintaining our well-being and cultural knowledge. In past times, our distinct diet relied on what was available in the mountains, valleys, and deserts. Animals and wild-growing plants were part of our subsistence. We were also seasonal buffalo and bison hunters. There was a corridor from the Plains to secluded grasslands in Chihuahua that still exists today, and the reintroduced bison make their way there. We ate and used every part of any animal that we hunted for food. Organ meats were very popular, and Apache women knew how to make sauces and broths from animal bones and wild herbs that enhanced the flavors. Elk and deer were ubiquitous in the Black Range, along with wild turkeys, antelope, sheep, mountain goats, wild hogs, rabbits, ducks, quails, geese, doves, prairie chickens, wood rats, and opossums. Fish were not eaten in the old days due to their scales like snakes. Bear and coyote are forbidden foods due to associated taboos.

We cultivated corn, pumpkins, beans, and squash. The mescal of the Agave plant was a staple among our people and we used it for trade. Agave was also plentiful in the Black Range and is one of the most important foods for Apache peoples. It is also a required food that a young girl must learn to prepare for her puberty ceremony. Sotol, Datil, and Yucca were also roasted and eaten. Tunas were a popular food in ancestral times, and a Gran Tunal existed in Coahuila that various Southwest Indigenous attended seasonally to gather the sweet fruits of the Opuntia or prickly pear cactus. Piñon nuts, elderberries, and certain juniper berries were picked for preparation as jams with chokecherries. Mesquite flour was ground from mesquite beans and corn flour from corn. Apaches also prepared acorn mush. Edward Franklin Castetter of the University of New Mexico wrote a bulletin in 1935 about uncultivated Native plants. He details how different Indigenous New Mexico tribes used and prepared the plants for consumption.

A popular version of corn beer or *tiswin* was borrowed from the Tohono O'odham people. However, the recipe was adapted by Apache women who created their version. This controversial drink was forbidden by John Clum on the San Carlos Reservation when he attempted to consolidate our people on that reservation.

It is fair to mention here that we have had our share of prolific hunters, such as the late Joe Giron, a Park Ranger with access to elk and deer. The same holds for the Apache women who prepared delicious, nutritious meals in historic times from what they found in the natural world in our homelands.

(xi) A demonstration of political influence under the criterion in [§ 83.11\(c\)\(1\)](#) will be evidence for demonstrating a distinct community for that same time period.

From ancestral times to the present, political authority structures and influence aligned with the same qualities as in the past. An individual's leadership skills, oratory skills, relative wealth, knowledge, and education play a significant part in whether they can exercise political authority and influence over the tribal membership. The key to this is earning the respect of the community. In past times, an individual demonstrated and rose to leadership, particularly if he or she learned these skills from other leaders in the family. This continues today. People with these qualities continue to be sought as advisors and expected to look to tribal elders for guidance. These leadership candidates are attuned to the needs of others and always make sure that everyone is being taken care of, and often are the first to offer food or drink to guests and visitors. Such a person takes charge and has much to say. They have opinions, but they ensure everyone has their say at meetings, which lends to them being respected and followed. They call meetings, keep people apprised of events, do not wield absolute control, and only have influence as long as they are effective. Such a person often becomes a beloved and honored matriarch or patriarch at the end of their lives. We consider this leadership style distinct from the non-Indian Great Man Leadership Theory practiced by European nations.

(2) The petitioner will be considered to have provided more than sufficient evidence to demonstrate distinct community and political authority under

[§ 83.11\(c\)](#) at a given point in time if the evidence demonstrates any one of the following:

(iii) At least 50 percent of the entity members maintain distinct cultural patterns such as, but not limited to, language, kinship system, religious beliefs and practices, or ceremonies;

At least 50 percent of our members maintain distinct cultural patterns, including but not limited to language, kinship, and religious and ceremonial beliefs. We actively maintain the traditional extended kinship system that allows us to educate our young about our identity as Chiende people and our distinct identity in relationship to the larger society. Engagement with language and ceremonial practices reinforces our unique relationship with our homeland, which predates European settler colonialism. Our ceremonies guide us on our path toward balance and tribal ethos. We are land-based people who continuously aspire to preserve and protect our sacred sites.

The warrior lifestyle and ethics have been a way of life for our people for centuries. Settler colonialism brought new forms of weaponry and warfare. Our people adapted and became known as fierce warriors. We have contributed our service to the U.S. Federal Government since the late 19th century. Every generation since has committed themselves to military service as this was in line with our tribal customs. Military training has fortified our leaders to take on the mantle for our future generations.

Chiende extended families have maintained ceremonies for our people. These ceremonies include but are not limited to conducting marriage protocol, planning funerals and memorials, celebrating the birth of a child, presenting the child to the four directions, using or possessing a cradleboard, and burying the mother's placenta and/or the umbilical cord.

When we meet as a tribe or in ceremony, we start with a prayer and drumming and close in the same manner. We emphasize teaching singing, drumming, and dancing to our young. We do this to start our communion in a good way. Ceremony nurtures inner peace and reinforces our collectivity. Being whole is tied to identity, community, and good health.



On December 16, 2023, the tribe engaged in drumming and singing practice at a quarterly meeting in Albuquerque, New Mexico /301/.

Plant and medicinal knowledge came to us from our ancestors and made us distinct from others around us who came to rely on Western medicinal practices. Our healers trained in Indigenous plant medicine teach others to gather or trade for cota, chamomile, eucalyptus, bear root, and mullein to remedy cold and flu systems. Before the summer, we visit riverbanks to collect cattail pollen, one of our most revered natural products for healing and ceremony. Edward Franklin Castetter of the University of New Mexico wrote a bulletin in 1935 about uncultivated Native plants. He details how different Indigenous New Mexico tribes used and prepared the plants for consumption.

We maintain our dietary practices, which makes us distinct from our non-Native neighbors. We eat particular foods during certain times of the year to maintain our well-being and cultural knowledge. Our distinct diet reflected our locality; our families were nourished by what was available in the mountains, valleys, and deserts. Animals and wild-growing plants were part of our subsistence. Some of our more eastern local groups accompanied other tribes on seasonal buffalo (bison) hunts. We ate and used every part of any animal that we hunted for food. Organ meats were very popular, and Apache women knew how to make sauces and broths from animal bones and wild herbs that enhanced the flavors. Elk and deer were ubiquitous in the

Black Range, along with wild turkeys, antelope, sheep, mountain goats, wild hogs, rabbits, ducks, quails, geese, doves, prairie chickens, wood rats, and opossums. Fish, like snakes, were not eaten in the old days due to their scales. Bear and coyote are forbidden foods due to associated taboos.

We are from a farming people. Researchers Barrick and Taylor remarked that after we adopted the Western agriculture methods of farming dissension grew between our Apache ancestors living in the old ways in the area of Fort Thorn /302/. This type of animus described by Meriwether dates back to the differentiation of our ancestors who entered peace treaties with Spain and Mexico and those who did not. We cultivated corn, pumpkins, beans, and squash. The mescal of the Agave plant was a staple among our people, and we used it for trade. Agave was also plentiful in the Black Range and is one of the most essential foods for Apache peoples. It is also a required food that a young girl must learn to prepare for her puberty ceremony. Sotol, Datil, and Yucca were also roasted and eaten. Tunas remain a popular food in ancestral times, and a Gran Tunal existed in Coahuila that various Southwest Indigenous peoples attended seasonally to gather the sweet fruits of the Opuntia or prickly pear cactus.



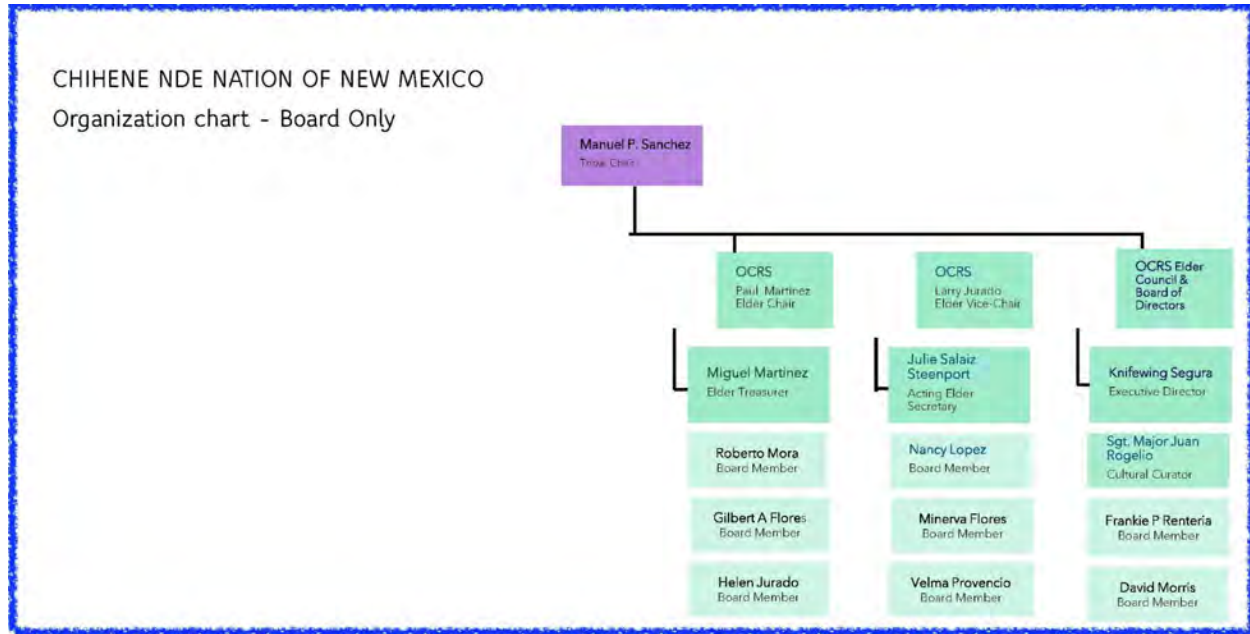
A 1976 Kenneth Barrack drawing of a Chiende couple farming at Fort Thorn around 1854 /302/.

We prepare our flour for bread in particular ways. Mesquite flour was ground from mesquite beans and corn flour from corn. Apaches also prepared acorn mush. We use piñon nuts, elderberries, chokecherries, and certain juniper berries to make jams. A popular version of corn beer or *tiswin* was borrowed from the Tohono O‘odham people, but the recipe was adapted by Apache women who created their version.

Over 50% of our members publicly demonstrate their Indian cultural patterns in their public employment spheres, including their self-disclosed identity as Apache. They wear clothing, make jewelry, and gather our traditional plants and herbs. Some members have published essays, articles, booklets, and an MA thesis that centers on our tribal identity, history, and language that are reported on to tribal membership during meetings and gatherings.

(iv) There are distinct community social institutions encompassing at least 50 percent of the members, such as kinship organizations, formal or informal economic cooperation, or religious organizations; or

The Ojo Caliente Restoration Society (OCRS), a 501(c)(3) non-profit organization, is one of two non-profit organizations under the Tribe. Every member of the Tribe belongs to at least one of the two formal organizations. OCRS is a distinct community social institution that encompasses at least 50 percent of the members who are elders in the tribe. Tribal elders are essentially Boomers now, anyone born between 1946 and 1964. This organization was founded in October 2008 and sometimes appoints members meritoriously or for spiritual training. The OCRS serves as a historic preservation and cultural revitalization organization that advises on the Apache traditional spiritual beliefs, history, culture, traditions, language, art, music, ceremonial dress, and Apache social protocols. It also serves as a diplomatic corps for the Chihene Nde Nation of New Mexico, often as ambassadors to other tribes and federal agencies. The membership comprises members of the Band whose Tribal Council appoints Tribal Elders to serve on the Board of Directors of the OCRS.



Ojo Caliente Restoration Society is the tribe's cultural attaché. Board of Directors report to the Chairman **Manuel P. Sanchez /303/**.

The organization aims to create a cultural center to preserve and maintain our Nde (Apache) culture, language, and traditions, including protecting our historic and sacred sites. Elders who serve on OCRS know Apache songs, drumming, regalia, and jewelry making. The OCRS helps organize the Tribal Annual Gathering and coordinates with other Apache spiritual advisors/medicine-men (*diyiin*) from other federally recognized tribes in Arizona and New Mexico. Our leaders have organized to acquire land through donations, fundraising, and investment. Land acquisition has occurred in partnership with local entities such as the Mimbres Heritage Cultural Site. A parcel of land is being developed for cultural activities. The ground will be broken at our next annual gathering. The land base will provide a permanent gathering site in a sacred area for future generations. In addition, we are currently working on a language program to restore our traditional ceremonies and music among those in the membership who have forgotten some of our traditions.

Another community social institution encompassing at least 50 percent of the members is the United Land Grant Council, essentially the women's council. The board is composed of seven females and one male member. As a matrilineal tribe, we feel it is important for women to have a council. As in historical times, women were often asked for their counsel on tribal matters

by the leadership. This group was initially formed to further the tribe's interest in recovering access to tribal lands via applying for grants, research, and monitoring land issues in New Mexico. Board members are also expected to support the tribal representative on the New Mexico Land Grant Council.

The tribe's non-profit status has been used to explore economic cooperation with other tribes. While this is still in development, a tribal member and owner of Native Stars Productions/Studios has access to lands in Gallup, New Mexico. The feasibility of joining with other New Mexico tribes is of interest to the CNNNM. Presently, the development of a solar manufacturing factory or a solar farm is being discussed in cooperation with the Native Stars and private contractors. Demographic information is being considered. The Tribe aims to provide jobs for Native Americans in New Mexico. No final decisions have been made. The Petitioner has included a PowerPoint from the December 2022 meeting that launched the discussion /304/. The Tribe has a Memorandum of Understanding with Native Stars Productions in the furtherance of developing opportunities for Native youth interested in radio communications training.

Some members of the board are also active in the Missing and Murdered Indigenous Women's Movement. On the next page is a photo of one of our younger Council members, **Lauren Densen**. Lauren is a NASA-JPL engineer, activist, webmaster, lecturer/educator, indigenous STEM youth outreach coordinator for NASA, and frequent traveler from California to New Mexico in support of the Chihene Nation of New Mexico's activities in the state.

Knifewing Segura is also supporting the MMIW by making the conference center of his Native Stars Studios available to tribes in Gallup for rallies and a visit from **Deb Haaland**, U.S. Secretary, Department of the Interior, to announce a new task force.



Lauren Densen, CNNNM Tribal Council, Member At Large, supports MMIW /304/.

(v) The petitioner has met the criterion in [§ 83.11\(c\)](#) using evidence described in [§ 83.11\(c\)\(2\)](#).

(c) Political influence or authority. The petitioner has maintained political influence or authority over its members as an autonomous entity from 1900 until the present. Political influence or authority means the entity uses a council, leadership, internal process, or other mechanism as a means of influencing or controlling the behavior of its members in significant respects, making decisions for the entity which substantially affect its members, and/or representing the entity in dealing with outsiders in matters of consequence. This process is to be understood flexibly in the context of the history, culture, and social organization of the entity.

From ancestral times to the present, political authority and influence aligned with the same qualities as in the past. An individual's leadership skills, oratory skills, relative wealth,

knowledge, and education play a significant part in whether they can exercise political authority and influence over the tribe membership. The key to this is earning the respect of the community. In past times, an individual demonstrated and rose to leadership, particularly if he or she learned these skills from other leaders in the family. This continues today. A person with these qualities will continue to be sought as an advisor but continuously look to tribal elders for guidance.

These leadership candidates are attuned to the needs of others and always make sure that everyone is being taken care of, and often are the first to offer food or drink to guests and visitors. Such a person takes charge and has much to say. They have opinions, but they ensure everyone has their say at meetings, which lends to them being respected and followed. They call meetings, keep people apprised of events, do not wield absolute control, and only have influence as long as they are effective. Such a person often becomes a beloved and honored matriarch or patriarch at the end of their lives. We consider this leadership style distinct from the non-Indian Great Man Leadership Theory practiced by European nations.

(1) The petitioner may demonstrate that it meets this criterion by some combination of two or more of the following forms of evidence or by other evidence that the petitioner had political influence or authority over its members as an autonomous entity:

i) The entity is able to mobilize significant numbers of members and significant resources from its members for entity purposes.

We can mobilize significant numbers of members and significant resources from our members for our nation-building purposes. We use various modern electronic methods of communication over social media. We meet regularly as a whole and in committees to conduct our business, educational activities, and cultural protocols. Our members get involved, and we keep them informed. We mobilize for funding, for example, writing grants for specific purposes. Several talented members, including the leadership, have successfully formed teams to accomplish this activity and received funding from the Seventh Generation Foundation (2014-2018), Resist (2022), and Ben & Jerry's (2023) **/306/**.

Since we began our tribal petition efforts, we have involved members of all of our extended families. They assist in communicating with all family members, collecting documentation, and participating in conversations with the petition team. We have produced

compilations of photos from some gatherings and recently produced a short film for grant purposes.

(ii) Many of the membership consider issues acted upon or actions taken by entity leaders or governing bodies to be of importance.

Many members consider issues acted upon or actions taken by entity leaders or governing bodies as essential to the tribe's autonomy and well-being and act accordingly. We are a nation transformed as we have learned from our past experiences. We maintain open channels of communication within our membership throughout the United States. Our membership consists of many professionals who aspire to uphold our history of rootedness and intellectualism. We have been fortunate to be able to educate our younger members, many of whom have advanced degrees in various fields. We are a community of Indian activists.

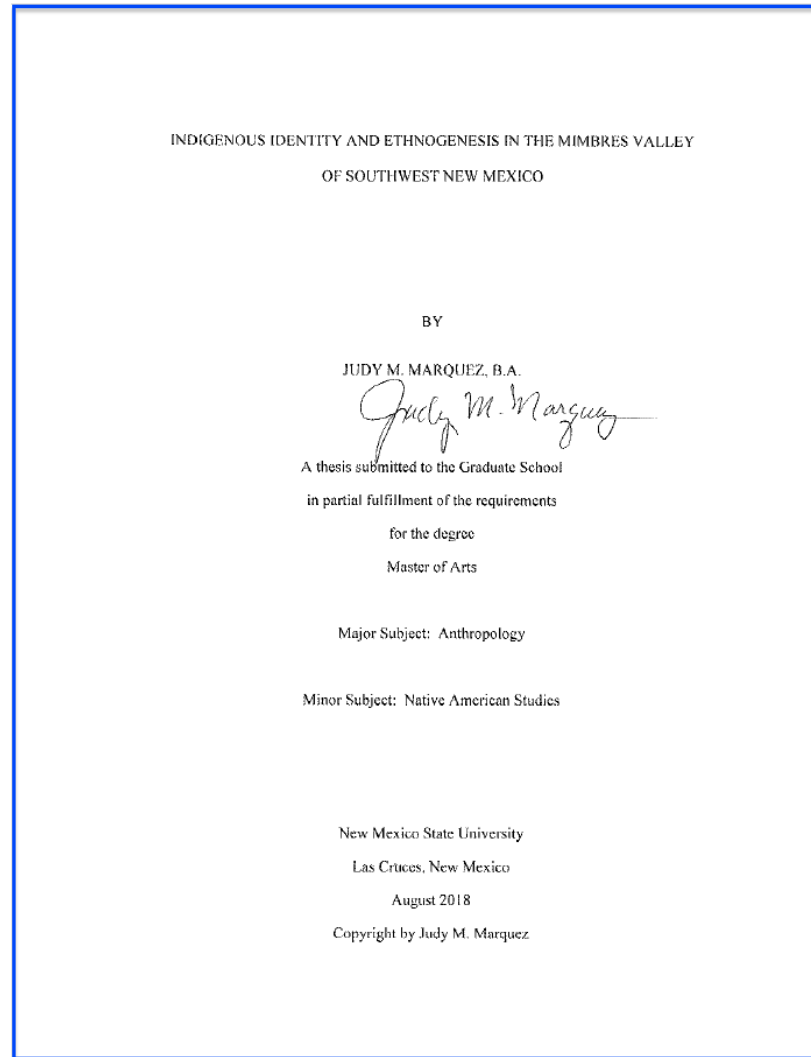
Since the mid-20th century, our Chiende members have taken up land stewardship issues. In 1948, **Earl Montoya's** family in New Mexico spoke out to preserve our ancestral sacred sites.

[REDACTED] As part of efforts to raise the visibility of the status of our treaties, **Audrey Espinoza's** brother Gene joined the California Mimbrenño contingent led by the late **John Trudell** during the Trail of Broken Treaties group's takeover of the Bureau of Indian Affairs Building in Washington, D.C., in 1972. This event led to our families being more socially conscious.

Other tribe members have dedicated their lives to tackling issues that lead to actions on behalf of our tribe. Many of our members have actively maintained our oral histories. In 2009, tribal elder **Eddy Montoya** made a statement protesting mining in Socorro County, New Mexico, near the Monticello Box at the Red Paint Cave, on behalf of the Chiende. The actions of our leaders resulted in our tribal members' participation in Fort Bayard Days in Bayard, New Mexico. Jerry Eagan, a journalist from Silver City, NM, interviewed them.

Our recognition among other tribes came from our members' efforts to lead on issues related to our sovereignty. In 2012, former Mescalero Tribal Chairman **A. Paul Ortega** agreed to serve as a spiritual leader for our people. In 2015, tribal elder **Eddy Montoya** publicly spoke out against the closing of the road to the Monticello Box Canyon in Socorro County, New Mexico. **Judy Marquez**, a descendent of **Francisca Parra Rodriguez** and a member of the large

extended family, descendants of **Canuto Parra** and **Juana Holguin Parra**, who retained their Chiende identity, published her 2018 MA thesis titled “Indigenous Identity and Ethnogenesis in the Mimbres Valley of Southwest New Mexico /307/.” In the thesis, she captures oral histories and explores the lives and experiences of Chiende Apache. She illustrates how Chiende confronted issues of land displacement and discrimination to survive as an Indian entity through in-group and out-group processes. Her MA thesis and other archival materials are now held by **Ruben Leyva**, who has received materials related to our tribal history from researchers. He has established a digital library of Chiende history. In April 2020, **Jessica Martinez**, a tribal member, published an entry in the UNM Indian Law Journal blog entitled “An Unrecognized People: The Story of the Chihene Nde Nation of New Mexico and their Struggle to Seek Federal Re-Recognition /271/.” Our active relationship with the Mimbres Heritage Cultural Site arose because of our leaders' efforts to revitalize our relationships with our homelands.



Cover page of **Judy M. Marquez’** August 2018 Census titled Indigenous Identity and Ethnogenesis in the Mimbres Valley of Southwest New Mexico **/307/**.

We delegate our members to participate in educational activities where we build our knowledge of resources and networks to advance our goals and objectives. **Lauren Denson, Zachary Morris, Rose Marie Lopez, and Irene Vásquez** were selected to participate in the 2023 NASA Earth to Sky Workshop to develop an action plan for the Chihene Nde Nation to address climate justice in their homelands. These particular young people inspire our younger members by their example.

(iii) There is widespread knowledge, communication, or involvement in political processes by many of the entity's members.

Many of our members have widespread knowledge, communication, or involvement in political processes. Since 2008, the Tribal leadership has reported on the process to become federally acknowledged. In particular, the Chair and the Tribal historian developed a process for identifying all pertinent information related to the tribe's history to address the Office of Federal Acknowledgement guidelines. They have worked closely with the membership committee to get all of the tribe's paperwork collated and in line with the Office of Federal Acknowledgement guidelines. Oral histories have been collected and analyzed. In addition, members submitted information relevant to the petition, including family genealogies, in response to participation invitations.

Involvement in the Land Grant Consejo has entailed members attending meetings and submitting all required paperwork and fees to fulfill membership. The receipt of the Manzano land grant was a decision communicated to all members. Being a member of the Land Grant Consejo has led to meeting with elected state officials and hosting legislators in our homeland territories **/278/**.

As previously stated, we inform our members via our website, open membership meetings, Zoom and Teams meetings, and social media. We frequently email, text, and/or use Facebook, other electronic social media, and phone calls to keep members involved in political processes. Members are always involved and are free to express their opinions.

(iv) The entity meets the criterion in [§ 83.11\(b\)](#) at greater than or equal to the percentages set forth under [§ 83.11\(b\)\(2\)](#).

The entity meets the criterion [§ 83.11\(b\)](#) at greater than or equal to the percentages set forth under [§ 83.11\(b\)\(2\)](#) by addressing rates or patterns of known marriages within the entity (i), social relations connecting individual members (ii), rates or patterns of informal social interaction that exist broadly among the members of the entity (iii), shared or cooperative labor or other economic activity among members (iv), strong patterns of discrimination or other social distinctions by non-members (v), shared sacred or secular ritual activity (vi), cultural pattern shared among a portion of the entity that are different from those of the non-Indian populations with whom it interacts (vii), persistence of collective identity (viii), land set aside by the U.S. for the petitioner in New Mexico, or collective ancestors of the petitioner, that was actively used by

the community for that time period (ix), and demonstrates political influence under the criterion in § 83.11(c)(1) demonstrating distinct community for that same time period (xi).

(viii) There is a continuous line of entity leaders and a means of selection or acquiescence by a significant number of the entity's members.

There are continuous lines of entity leaders and a means of selection or acquiescence by the entity's members. While it is known that in our culture, our leadership has not been inherited or gendered since historical times, it is also true that our leaders often descended from known leaders through a display of exceptional leadership, such as having the ability to mediate conflict or nurture goodwill across the tribe. Good leaders gave rise to progeny that followed in their footsteps through training and experience. Hence, our families often acquiesced to be led by the sons or daughters of skilled and virtuous leaders.

We have a number of our current leaders whose family members prepared them to continue a line of familial and egalitarian tribal leadership. These include members of OCRS and the Tribal Council. These members were prepared by their parents and grandparents before them to advocate for the tribe's sovereignty. Among our leaders today, some examples of these members prepared by their ancestors for leadership are the Enriquez, Leyva, Martinez, and Orona extended families. Preparation included teaching the next generation about the history and cultural protocol of the tribe. Family members told and wrote down their genealogies for the succeeding generations. Leaders counseled their family members to continue maintaining songs, prayers, and intertribal relations. Artisans passed down jewelry, making and creating regalia that held specific meanings for the tribe **/279/**. Singers and drummers taught youth to assume these skills for the tribe's benefit. This commitment to developing a continuous line of entity leaders has produced members demonstrating leadership through national and international appointments and at the local and regional levels.

Many younger people are groomed as future leaders based on their commitment to the tribe's well-being. Our entire cadre of elders is nurturing these individuals as they age, so we will never be without a continuous line of leaders eligible for leadership positions.

(2) The petitioner will be considered to have provided sufficient evidence of political influence or authority at a given point in time if the evidence demonstrates any one of the following:

(i) Entity leaders or other internal mechanisms exist or existed that:

(B) Settle disputes between members or subgroups by mediation or other means on a regular basis;

Our leaders have continually demonstrated political influence or authority over Chiende extended family members and tribal members. Our Tribal Council members have the training to regularly settle disputes between members or subgroups by mediation or other means. We are fortunate that some of our current leaders have had lengthy careers in law enforcement and have received this training as part of their employment. This skill has been passed on in our communities to foster future leaders with similar skills. Members of our tribe, like other Native American tribes, have a disproportionate number of elders who served in the military. The military was a way to impart self-discipline, which is critical to maintaining balance and harmony in our tribe.

Our governance model that demonstrates mechanisms for political influence or authority provides a process for resolving disputes or mediating between subgroups. We respect that our leaders used dialogue and consensus to arrive at decisions. Robert's Rules of Order is also used to organize communication procedures. Everyone has input on issues before voting. Our members are encouraged to speak on their points of view and ask questions. We do not vote until everyone has had the chance to express their thoughts on disputed issues, and we believe we have a consensus for all decisions. When there is dissension on issues, voting becomes necessary. However, we strive to develop consensus before a vote. This inclusivity has formed a part of our regular modus operandi.

(C) Exert strong influence on the behavior of individual members, such as the establishment or maintenance of norms or the enforcement of sanctions to direct or control behavior; or

Leadership among our people entails a robust method of influencing the behavior of individual members. A strong, ethical leader can control and direct the behavior of others. Our leaders have always been exceptional because of their participatory tribal leadership style. A

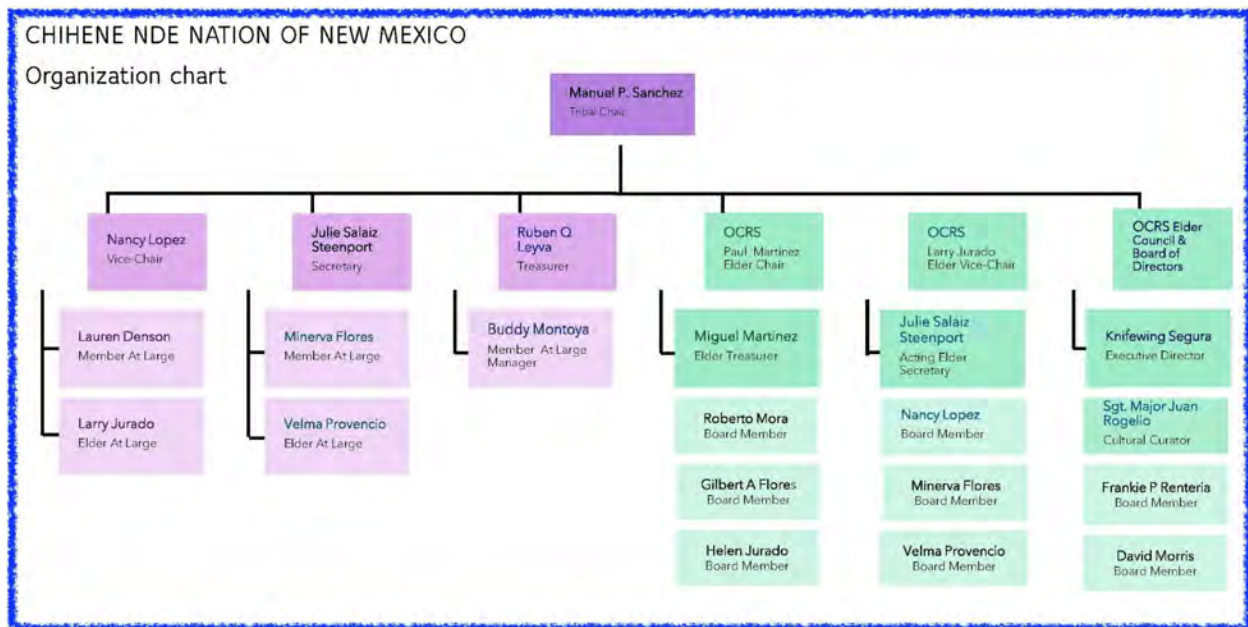
democratic style like this is successful because the individual members feel they are a part of the decision-making process. Examples in the historical narrative depict elders and leaders from several extended families maintaining norms and directing the behavior of other family members. One of the most memorable and powerful examples is the story of Stanley Enriquez and Miguel Martinez's generosity post-WWII. In supporting the impoverished members of the Chiende community in New Mexico from the Chiende community in California, they directed the behavior of other members to pursue similar acts of charity through their actions. Elders imparted knowledge to their descendants about traditional camping locations. They taught and continue to teach cultural protocols related to tribal gatherings. There are specific ways of greeting families, gift exchange, caring for the campgrounds, and building fires that have been passed down from generation to generation.

(ii) The petitioner has met the requirements in [§ 83.11\(b\)\(2\)](#) at a given time.

The Tribe has maintained political influence or authority over its members as an unambiguous entity from historical times to the present, regardless of physical distance and diaspora. The organized structure of political influence exercised across extended families characterizes our tribe's unambiguous and autonomous nature. In the areas of military service, education, and environmental stewardship, our historical and recent leaders have enhanced the prospects of our members in the face of social ills impacting Native American communities.

Particularly for Apaches, the political culture was not a practice of *authority over* all of the tribe. Many reputable family leaders can influence and sway the political decisions of the extended family group. Traditionally, there was no authoritative top-down model. The egalitarian way of governing our people holds to this day. We mobilize to hear and discuss issues, but each extended family group may choose whether to participate in an action or event. Today, more than ever, we can assemble significant numbers of members and resources using a combination of face-to-face and online meetings. We have a Tribal Council, as outlined in the Indian Reorganization Act. However, we make a concerted effort to include representation from each extended family group to remain consistent with our leadership traditions. The Council observes a democratic form of government. All decisions are deliberated upon in Council meetings. We do

have tribal elections and a political process for managing the roles and responsibilities of the tribe.



Organizational chart demonstration of how the CNNNM Tribal Council and O CRS Board of Directors support the Tribe /306/.

Our leaders over generations have instilled a sense of ecosystem stewardship over the land, evident in some families who have worked to safeguard [REDACTED] over generations. The Montoya family has dedicated itself to protecting and preserving [REDACTED] a primordial and sacred area. They have also inculcated younger members to pursue military service and educational accomplishments. This is done to develop critical skills and discipline needed to sustain our tribe. The influence of our leaders has had an impact as most of our member families have representatives who served in the military and have obtained high school and college education. Our members and advisors have served in important civic, state, and federally-appointed leadership roles.

(d) Governing document. The petitioner must provide:

(1) A copy of the entity's present governing document, including its membership criteria;

The Petitioner has provided hard copies of our governing document and membership criteria in our supporting documents, including evidence of its development since 2008 **/136/**. **Please see the provided digital folder titled “C>NNNM Governing Docs.”**

(e) Descent. The petitioner's membership consists of individuals who descend from a historical Indian tribe (or from historical Indian tribes that combined and functioned as a single autonomous political entity).

The Petitioner with this presents its current membership roll of five hundred twenty-five members. **Please see the provided digital folder titled “C>NNNM Descent - Digitized Enrollment.”** The membership roll has been digitized, as OFA Director Lee Fleming suggested, and scanned onto a flash drive with existing documents for each of our families.

Prior membership lists are not in form and detail commensurate with the Office of Federal Acknowledgement requirements. In the case of the Chihene Nde Nation of New Mexico, the Tribe and its members are primarily descended from the 21 individual signers of the 1852, 1853, and 1855 Treaties. Indian agents and other federal officials reported prior lists and rolls of our ancestral leaders' sobriquets dating from 1852 to 1855 **/8/**, **/9/**, & **/10/**. Women and children, in general, were solely noted by hash marks next to a leader's sobriquet in censuses. Since the late 1850s, many extended families were considered citizens and no longer “wild Indians.” No distinguishing detail was added to the U.S. Census to separate us from the general population.

An excellent example of bureaucratic miscategorization occurred in the 1870 U.S. Census taken by Indian Agent John M. Shaw at Contenda, which included the soldiers posted at Fort Craig. The following Leyva-Alderete family are miscategorized as White **/307/**. During the same year, both Indian Agents William Arny and Shaw miscategorized Apache families in their censuses **/43/**. Shaw, at Kanada Alamosa [Cañada Alamosa] and Arny, at Southern Apache Country, enumerated one location twice. Both locations were of the same community but under different location names. All citizens were categorized as White by both Agents. It can be assumed that an Indian Agent would enumerate only an Indian community. The census titled “Southern Apache Country,” taken by Arny on October 18, 1870, documented an “enumeration

of the citizens in the Southern Apache Country.” Importantly, Cañada Alamosa was garrisoned as a military outpost for Fort Craig. Church, school, or similar enrollment records in this region from the Spanish, Mexican, and United States eras may omit associations to a particular tribe, such as Indian Agent Shaw’s 1877 census of the Southern Apache Agency at the Hot Springs Reservation **/121/**.

Page No. 11 } See instructions numbered 7, 10, and 17 are not to be acted in respect to Indians. Instructions numbered 11, 12, 13, 14, 17, 19, and 20 are to be answered (as all) merely by an affirmative mark, as /.

SCHEDULE 1.—Inhabitants in Presidio No. 6 Cantadera, in the County of Socorro, Terrell State of New Mexico, enumerated by me on the 8 day of Sept, 1870. 516

Post Office: Socorro, N. M. J M Shaw, a.k.n. John M Shaw J M Shaw Ass't Marshal.

1	2	3	4	5	6	7	8		9	10	11		12	13	14	15	16	17	18	19	20
							Value of Real Estate	Value of Personal Estate			Place of birth, naming State or Territory of U. S.; or the Country, if of foreign birth.	Whether deaf and dumb, blind, insane, or idiotic.									
83	53	Chavez, Jose Maria	60	M	W					New Mexico											
		—	55	F	W	Keeping House				New Mexico											
		—	12	M	W					New Mexico											
84	54	Hernandez, Maria	23	M	W	Laborer				Alabama											
		—	19	F	W	Keeping House				New Mexico											
85	55	Hernandez, Jose	22	M	W	General Merchant				New Mexico											
		—	17	F	W	Keeping House				New Mexico											
86	56	Hernandez, Jose	29	M	W	Farmer				New Mexico											
		—	5	F	W					New Mexico											
87	57	Chavez, Rafaela	20	F	W	Keeping House				New Mexico											
		—	13	F	W					New Mexico											
		—	5	F	W					New Mexico											
88	58	Hernandez, Jose	26	M	W	General Merchant				New Mexico											
89	59	Hernandez, Jose	30	M	W	Laborer				New Mexico											
90	60	Hernandez, Jose	30	M	W	Keeping House				New Mexico											
91	61	Hernandez, Jose	1	M	W					New Mexico											
92	62	Hernandez, Jose	23	M	W	Farmer				New Mexico											
93	63	Hernandez, Jose	35	M	W	Keeping House				New Mexico											
94	64	Hernandez, Jose	16	M	W	Laborer				New Mexico											
95	65	Hernandez, Jose	35	M	W	Farmer				New Mexico											
96	66	Hernandez, Jose	26	M	W	Keeping House				New Mexico											
97	67	Hernandez, Jose	11	M	W					New Mexico											
98	68	Hernandez, Jose	29	M	W	Farmer				New Mexico											
99	69	Hernandez, Jose	30	M	W	Keeping House				New Mexico											
100	70	Hernandez, Jose	16	M	W					New Mexico											
101	71	Hernandez, Jose	5	M	W					New Mexico											
102	72	Hernandez, Jose	2	M	W					New Mexico											
103	73	Hernandez, Jose	38	M	W	Farmer				New Mexico											
104	74	Hernandez, Jose	31	M	W	Keeping House				New Mexico											
105	75	Hernandez, Jose	5	M	W					New Mexico											
106	76	Hernandez, Jose	5	M	W					New Mexico											
107	77	Hernandez, Jose	4	M	W					New Mexico											
108	78	Hernandez, Jose	30	M	W	Laborer				New Mexico											
109	79	Hernandez, Jose	26	M	W	Keeping House				New Mexico											
110	80	Hernandez, Jose	9	M	W					New Mexico											
111	81	Hernandez, Jose	6	M	W					New Mexico											
112	82	Hernandez, Jose	22	M	W	Farmer				New Mexico											
113	83	Hernandez, Jose	14	M	W	Keeping House				New Mexico											
114	84	Hernandez, Jose																			

No. of dwellings, _____ No. of white males, _____ No. of native, foreign born, _____
 " " females, _____ " " colored males, _____ " " females, _____
 " " white males, _____ " " females, _____ " " mixed, _____

1870 Census at Fort Craig denotes Leyva and Alderete Chiende family members /307/.

The 1877 census was enumerated on apparent butcher paper over at least one week in late August, ending September 3, 1877. In his dispatch to federal officials, Indian Agent John W.

Shaw explains that he was unaware that the Southern Apache Agency census had not been completed up to the date mentioned. Indian Agent John W. Shaw further elaborates on the task's difficulty because “the Indians left due to lack of supplies and the presence of troops /26/.” He speculates that they are in the mountains or on other reservations. In his parting comments, Indian Agent Shaw complained that no one, including himself, had been paid.

Shaw’s parting statements on the dispatch conflict with what we know historically. As written in Special Indian Agent William Frederick Milton Arny’s diary, President Lincoln commissioned Arny to enumerate censuses of the Indians in the New Mexico Territory, including the Southern Apache Country (Agency) in 1870 in Socorro County near Fort Thorn at Salem Village and other locales. Counts of the number of Indians enumerated by tribes appear in his diary. Our ancestral families, with their Spanish given and surnames, appear among Arny’s censuses. Arny enumerated our members as White and struck out the Other or Indian.

See APPENDIX B - CNNNM Descent - Digitized Enrollment

Descent, membership enrollment of the Chihene Nde Nation of New Mexico as of September 2023.pdf, digitized on its portable drive.

CIRCUMSTANCES SURROUNDING THE PREPARATION OF THE MEMBERSHIP

Our membership comprises primarily descendants of the families whose leaders were identified in the treaties we made with three nation-states: Spain, Mexico, and the United States. As Apache people, we have relied on oral histories and word of mouth to keep records since time immemorial. Before the colonial period, our bands were based on extended family, meaning we were all related. We kept track of other kin by their geographical location and family leaders. Spanish, Mexican, and U.S. officials documented our leaders on ration lists at peace establishments during the two Spanish-speaking eras and ration lists at U.S. military outposts and Indian agency locations in southwest New Mexico. In 1877, the Southern Apache Agency conducted its last census which contains the nicknames of our leaders. The modern notion of membership rolls was unprecedented for the Chihéne. In 2011, the tribe decided to formalize its membership in preparation for federal acknowledgment and to identify its families more

comprehensively than in years prior. This formalization is a significant step towards our recognition and unity as a community.

Consequently, Chairman Manuel P. Sanchez assembled a Membership Committee. The Membership Committee consulted with legal experts on document retention and enrollment criteria required by the federal government. Each member completes an application. Various members of the Membership Committee are assigned to determine the veracity of the claim for enrollment based on the tribe's governing documents. Committee members are responsible for assuring that appropriate vital documents, such as birth certificates, baptism records, change of name forms, and/ or marriage documents, are in order. Land possession documents are considered and verified through Ancestry.com, FamilySearch.org, and the Bureau of Land Management website, as appropriate. An applicant's ancestry is verified through family surnames, archival records, oral histories, and/or personal interviews. DNA records are not required but may be provided as supporting documentation. The Committee reserves the right to contact local historians and academics specializing in Southern Apache history to determine family connections. The meticulous work of the Committee ensures the authenticity and integrity of our membership process.

The tribe's enrollment has grown. The tribe recognizes membership committee members Paul A. Martinez, Helen Jurado, Velma Provencio, Jessica Inez Martinez, Nancy Lopez, Frankie Renteria, and Gilbert Flores. As of April 5, 2023, applications for enrollment have slowed to an average of three to four per month. Only two members are still involved in reviewing prospective enrollees' applications, backup documents, family lineages, and DNA results, including investigating the veracity of the potential member's claim and filing. The larger group still meets on an ad hoc basis.

The Membership Committee has organized its files by extended family groups in the traditional Apache way. The tribe has access to a continuous list and a list of current living members. The groupings are filed under the heading of ancestral surnames. Each family group is filed in its own folder. Family folders are filed alphabetically and kept at American Document Services, 300 A N. Seventeenth St., Las Cruces, NM 88005.

(f) Unique membership. The petitioner's membership is composed principally of persons who are not members of any federally recognized Indian tribe. However, a petitioner may be acknowledged even if its membership is composed principally of persons whose names have appeared on rolls of, or who have been otherwise associated with, a federally recognized Indian tribe, if the petitioner demonstrates that:

(1) It has functioned as a separate politically autonomous community by satisfying criteria in [paragraphs \(b\)](#) and [\(c\)](#) of this section (83.11); and

The Chihene Nde Nation of New Mexico comprises persons who are not members of any other federally recognized Indian tribe. We are composed of tribal members who descend from historical signers of the 1852, 1853, and 1855 Treaties with the United States. Therefore, the Petitioner's tribe and its members are legally considered a previously acknowledged tribe. We, however, seek federal acknowledgment as an Indian tribe under today's identification standards.

The tribe also includes descendants of individuals and families referenced in official letters by Indian Agent Michael Steck to U.S. governing officials or identified through supporting lists of provisions, lists of band leaders and rolls, censuses, land patents, and survey maps. Documentation demonstrates our continuous presence in historically identified Apache farming, ranching, mining, or other wage labor locations in Southern New Mexico. **See APPENDIX K - CNNNM Historical Tribal Rolls & Rations.**

(2) Its members have provided written confirmation of their membership in the petitioner.

The Petitioner's members have provided unequivocal written confirmation of their exclusive membership in the tribe through their signature on an enrollment form as required by our membership criteria.

(g) Congressional termination. Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship. The Department must determine whether the petitioner meets this criterion, and the petitioner is not required to submit evidence to meet it.

1950s -1960s - According to the Petitioners' knowledge and research, the Chihene Nde Nation, known to the United States as the Coppermine and Mimbres Apache Bands and/or the Mimbres Bands of Gila Apaches, were never terminated by Congress.

83.12 What are the criteria for a previously federally acknowledged petitioner?

(a) The petitioner may prove it was previously acknowledged as a federally recognized Indian tribe, or is a portion that evolved out of a previously federally recognized Indian tribe, by providing substantial evidence of unambiguous Federal acknowledgment, meaning that the United States Government recognized the petitioner as an Indian tribe eligible for the special programs and services provided by the United States to Indians because of their status as Indians with which the United States carried on a relationship at some prior date including, but not limited to, evidence that the petitioner had:

(1) Treaty relations with the United States;

Please see the provided digital folder titled “APPENDIX C CNNNM Governing Documents” for the following three U.S. treaties:

1. The Treaty of 1852
2. The Treaty of 1853
3. The Treaty of 1855

(b) Once the petitioner establishes that it was previously acknowledged, it must demonstrate that it meets:

(1) At present, the Community Criterion; and

The Chihene Nde comprises a distinct community continuously from historical to the present. We have treaties that acknowledge us as recognized Apache peoples. Historians and anthropologists have documented our narrative, and prior regulations identify us in our modern form and connect us to our ancestors. Our leaders are documented as taking rations at peace establishments, presidios and outposts, and Indian Agency locations and living in a particular geography identified by us and Spanish, Mexican, and U.S. settler governments as our ancestral homelands for over four centuries. In addition, we were designated to receive a reservation as documented in the unratified Treaty with the Mimbres Bands of Gila Apache of June 9, 1855

/10/. Our treaties are published by recognized Native and non-Native scholars and are compiled next to others initiated by the U.S. government.

Our cultural practices distinguish us as Athabaskan people with particular worldviews and perspectives on history, land, and culture. Our philosophical relationships to land and all other forms of sentient life distinguished us from non-Native peoples and contributed to our duty as caretakers of our ancestral lands. We farmed and later contributed to U.S. agricultural initiatives on lands we acquired through Homestead patents. However, we never take from the land without giving back. We continue to honor, visit, and advocate for our sacred sites.

We gather in extended families to continue our unique relationship with our homelands where our leaders and families were born and buried. Chiende extended families continue to worship in Churches built for our people. We understand the differences between Christian and Catholic dogma from our Chiende beliefs. Our creator is *Bik-eggo-indan*. We were endowed with a unique and significant relationship to lands and nature. We believe a solid tribal community is based on distributing goods, which we practice at our gatherings. Our members who moved out of New Mexico maintain close relationships with a statistically significant number of adult members.

Many of our Chiende extended families lived together in communities, as evidenced by U.S. census records through the mid-1900s. We maintain a continued presence in areas of our homelands. Members of our tribal council have dedicated their lives and careers to maintaining a commitment to Native American civic and community-based organizations. Family members of our tribal council, Ojo Caliente Restoration Society, and our cultural workers have relationships that have maintained our distinct identity going back to the 1950s.

Our gatherings reflect our strong sense of cohesion as a distinct Apache tribe. We organize our gatherings at culturally significant locations. We affirm ourselves as a community through our drumming, singing, and dancing in community with other Indigenous peoples present. Although COVID took several of our oldest language speakers, our younger members are reviving the language through oral and written communication.

(2) Since the time of previous Federal acknowledgment or 1900, whichever is later, the Indian Entity Identification Criterion and Political Authority Criterion.

Identification as an Indian entity by Federal authorities.

Highlights:

1786-1787 - Rolls at Bacoachi peace establishment **/195/**

1790 - Treaty with Spain - **/178/**

1838 - Treaty with Mexico - **/177/**

1842 - Treaty with Mexico - **/108/**

1852, 1853, & 1855 - Treaties with the United States - **/8/, /9/, & /10/**

1853 -1877 - Historical family leaders and names on treaties, Indian Agent letters, rolls, and provisions lists - **/9/, /10/, /23/, /45/, /78/, /103/, /108/, /113/, /115/, /121/, /125/, & /128/**

1870s - present -U.S. Censuses and land information in Catron, Grant, Hidalgo, Luna, Socorro, Sierra, and Doña Ana Counties - **/43/, /50/, /70/, /121/ & /254/**

1940 - BIA List of Indian Tribes - **/3/**

2023 - Senator Jeff Steinborn reached out to the Petitioner regarding Indigenous representational support for the Proposed Mimbres Peaks National Monument **/254/**.

The tribe has been identified as an Indian entity by U.S. Federal authorities substantially continuously from before and through the 1900s. U.S. Federal officials referred to us as Chihenne-Apache or Hot Springs-Apache, Gila-Apache, Hot Springs-Apache or Chihenne-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, Bedonkohe-Apache **/4/**.

The tribe was previously identified by the United States as early as 1850 in lists of provisions, leaders and tribal band rolls, treaty documents, and Federal censuses. Chiende ancestors reported to Federal Indian Agent Steck beginning in 1854. **See APPENDIX K - CNNNM Historical Tribal Rolls & Rations.**

For example, in 1855, Agent Michael Steck documented tribal rolls in numerous abstracts of provisions to the Chiende, available through the University of New Mexico, New Mexico's Digital Collection **/9/, /10/, /23/, /45/, /78/, /103/, /108/, /113/, /115/, /121/, /125/, & /128/**.

Furthermore, we negotiated and signed three treaties with the United States. The Treaty of Santa Fe, a.k.a. The Acoma Treaty, was signed and ratified in 1852 at Acoma, New Mexico /8/. The Treaty of the Rio Mimbres and Rio Gila Apache was signed in 1853 at Fort Webster. The Treaty of the Mimbres Bands of the Gila Apache in 1855 at Fort Thorn was our last treaty /10/. The last two treaties were unratified. Some tribal members were enumerated in the 1870 Southern Apache Agency census /43/.

Although Congress abolished treaty-making with tribes in 1871, stating, “No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871, shall be hereby invalidated or impaired.” Our prior treaties acknowledged our rights to self-determination as a domestic sovereign nation and community dependent on U.S. policy /256/. These foundational acknowledgments of our ancestors as a tribe informed our modern political identity composition.

Our locality to Southern New Mexico through the 1900s also affirms Indian entity Identification. On June 21, 1898, the federal government converted Fort Thorn from a territorial reservation to a territory grant through an act of Congress (BLM, GLO Records Website, Land Status Records). Unlike Indians living on reservations in New Mexico, some of our Chiende ancestors lived on properties allotted to them through land patents. However, decennial census takers from the 1870s to the mid-1900s attributed White or Mexican ethnic identities even when our Chiende ancestors asserted their identities as Indians.

In the 1940s, federal officials still acknowledged our Chiende identity. For example, the Department of the Interior, Office of Indian Affairs included us in a fourteen-page *Indian Tribe List*, referring to Previously federally acknowledged tribes. This document states, “This tribe list (was) prepared by Mrs. May M. Reed, Statistician, Office of Indian Affairs, and verified by Dr. John P. Harrington, Ethnologist, Bureau of Ethnology, Smithsonian Institution.” The primary document is numbered 120633 in the upper right-hand corner and stamped with a note, “Please return to: Miss Muriel A Pirie 4160 Interior Building, Washington 25, D.C.” Federal officials refer to our Nation under several names including **Chihenne-Apache or Hot Springs-Apache**,

Gila-Apache, Hot Springs-Apache or Chihenne-Apache, Mimbrenyo-Apache or Mimbreno-Apache, Mogollon-Apache, Bedonkohe-Apache /4/.

Later, some documents omitted our name. In a succeeding five-page document dated April 1, 1941, number 138314, our ancestral nation is not among the list of Previously federally acknowledged tribes in New Mexico. Nevertheless, there is no evidence that we were ever a subject of the U.S. Congressional termination policy as required by 25 C.F.R. Part § 83.11(g). These documents are among several curated documents held by Attorney John E. Parris of Tulsa, Oklahoma, on his web page at <https://www.johneparris.com>.

Despite the diminution of our previously acknowledged Indian identity in the U.S. listing of tribes after 1940, we continued to carry our distinct identity, political authority structure, and sociocultural inclusiveness and interaction practices. While we served in the military from the early 1900s to the late 1990s, our military members were recognized by their peers as Native Americans.

In 2007, the United Nations' adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) granted Indigenous Peoples worldwide inherent rights to define themselves and enact their cultural, political, social, and economic futures. While we never registered as a tribe under UNDRIP, the Declaration inspired our tribe to assert our sovereignty through the OFA process. On October 24, 2008, the Petitioner first filed a request to establish a 501(c)(3) non-profit organization called the Ojo Caliente Restoration Society for our elders and our cultural society. The Ojo Caliente Restoration Society consists of a Board of appointed Elders who advise and act on the historical preservation and revitalization of cultural practices, traditions, and language, often serving as diplomats or ambassadors to other sovereign nations.

On May 10, 2011, to focus on our tribe's social welfare effort, our families filed for a 501(c)(4) under the name Chihene Nde Nation of New Mexico. However, the IRS granted us a non-profit status effective in 2011. These acts of self-determination allowed us to organize our tribal government to pursue federal acknowledgment.

Our tribal government has positioned us to enhance our relationship with the U.S. government. Our tribe's website, <https://www.chihenendenationofnewmexico.org>, states our Indian identity as Chihene (Chiende), along with our tribal Constitution and By-laws /136/. The website serves as a repository for tribal documents. Our Articles of Incorporation and enrollment criteria reflect those in Bureau of Indian Affairs regulations. Our leadership comprises career

professionals who believe in transparency and accountability. Our tribal council meetings require a quorum. Our tribal Council plans future goals and objectives, resolves concerns and conflicts, assesses processes and budgets, and communicates with the membership. The Petitioner's website posts the most recent tribal council election results. Council members are required to attend regularly scheduled Tribal Council meetings and to participate in tribal project workgroups.

From 2013 to 2014, we met with the BIA, who encouraged us to submit a Letter of Intent to the BIA Southwest Regional Office, in care of Phillip Thompson, expressing our tribe's plans to apply for Federal Acknowledgment (BIA entry #2013-007 {1076-AF18}). **Nancy Lopez**, our Tribal Vice-Chair, was asked to provide feedback on the BIA's planned 2015 criteria. She submitted comments and suggested changes /259/.

New Mexico national elected representatives have recognized our continuous presence as a tribe. In 2008, Stevan Edward Pearce (born August 24, 1947), U.S. representative for New Mexico's 2nd congressional district from 2003-2009 and 2011-2019, provided a letter of support for the recognition and restoration of the Chihene Nde Nation of New Mexico /123/.

Political influence or authority. The petitioner has maintained political influence or authority over its members as an autonomous entity from 1900 until the present. Political influence or authority means the entity uses a council, leadership, internal process, or other mechanism as a means of influencing or controlling the behavior of its members in significant respects, making decisions for the entity which substantially affect its members, and/or representing the entity in dealing with outsiders in matters of consequence. This process is to be understood flexibly in the context of the history, culture, and social organization of the entity.

Our extended family leaders have continually reinforced our common Chiende identity by exercising political influence or authority over our members. Prior to and since 1900, our political leadership has consistently reinforced that our identity as a people is based on our ancestral lineages, family kinship system, and historical locality. Our extended kinship families connect individual members to tribal governance, cultural protocol, and inter-tribal relations. We have honored our historical leadership by voting for those who demonstrate leadership qualities in office.

Before the advent of U.S. settler colonialism, we were independent extended family groups and politically distinct from reservation Apaches, who had long since embraced the tribal Chair model. Our independent kinship groups, formerly living on what was known as rancherias,

were social units of trust and cooperation; however, these groups were part and parcel of an organized political structure with influence. According to authors Elizabeth John and John Wheat, our people's rancherias had as many as eighty to one hundred families, “or of forty, twenty, or lesser numbers /124/.” Our Chiende descendant communities, traditionally known as kinship groups, respond to societal troubles and maintain the ability to gather with other descendant communities at a moment’s notice. As single unambiguous political entities, kinship groups assessed conflict, responded to emergencies, and coalesced on nation-building issues such as the treatment of Native Americans, governmental policies affecting Indigenous peoples, voting rights, protests, political choices, and political participation.

The acquisition of our traditional territory and assertion of political authority by the United States did not change the function of extended kinship families or the political influence of the authority of leaders over these families. As a result, our leaders negotiated for peace terms and resources to settle and farm in agreed-upon territories. From this point forward, the extended kinship group maintained their Apache identity, local communities, social practices, and political authority. Despite political transitions, we preserved our kinship bonds, social organization, and cultural norms as Apaches.

Over the 20th century, our leaders have continually demonstrated political influence or authority over Chiende extended family members and tribal members. Our Tribal Council members have the training to regularly settle disputes between members or subgroups by mediation or other means. Members of our tribe, like other Native American tribes, have a disproportionate number of elders who served in the military. The military was a way to impart self-discipline, which is critical to maintaining balance and harmony in our tribe. In addition, some of our current leaders have had lengthy careers in law enforcement and have received this training as part of their employment. This skill has been passed on in our communities to foster future leaders with similar skills

The 21st century was a time of broader assertion of formal political authority across our extended families. In 2007, several members from our kinship groups gathered for a Holy Ground Ceremony at the Cochise Stronghold in Cochise, Arizona, with members of the San Carlos and White Mountain Apache Tribes. We reconvened with our neighboring bands in a ceremony to strengthen our ancestral traditions. The drum, the heartbeat of the Earth Mother for the Chiende people, and the timing of the 2007 United Nations Declaration on the Rights of

Indigenous Peoples (UNDRIP) fueled our sovereign decision to become federally recognized. We began our tribe's formal reorganization efforts. In 2008, our Chiende leaders organized members of extended families who were direct descendants of the 1850s treaty signers to work collectively toward Federal acknowledgment.

Our governance model that demonstrates mechanisms for political influence or authority provides a process. We respect that our leaders used dialogue and consensus to arrive at decisions. Robert's Rules of Order is also used to organize communication procedures. Everyone has input on issues before voting. Our members are encouraged to speak on their points of view and ask questions. We do not vote until everyone has had the chance to express their thoughts on disputed issues, and we believe we have a consensus for all decisions. When there is dissension on issues, voting becomes necessary. However, we strive to develop consensus before a vote. This inclusivity has formed a part of our regular *modus operandi*.

From ancestral times to the present, political authority and influence aligned with the same qualities as in the past. An individual's leadership skills, oratory skills, relative wealth, knowledge, and education continue to play a significant part in whether they can exercise political authority and influence over the tribe membership. The key to this is earning the respect of the community. In past times, an individual demonstrated and rose to leadership, particularly if he or she learned these skills from other leaders in the family. This continues today. A person with these qualities will continue to be sought as an advisor but continuously look to tribal elders for guidance. These leadership candidates are attuned to the needs of others and always make sure that everyone is being taken care of, and often are the first to offer food or drink to guests and visitors. Such a person takes charge and has much to say. They have opinions, but they ensure everyone has their say at meetings, which lends to them being respected and followed. They call meetings, keep people apprised of events, do not wield absolute control, and only have influence as long as they are effective. Such a person often becomes a beloved and honored matriarch or patriarch at the end of their lives. We consider this leadership style distinct from the non-Indian Great Man Leadership Theory practiced by European nations.

We can mobilize significant numbers of members and significant resources from our members for our nation-building purposes. We use various modern electronic methods of communication over social media. We meet regularly as a whole and in committees to conduct

our business, educational activities, and cultural protocols. Our members get involved, and we keep them informed. We mobilize for funding, for example, writing grants for specific purposes. Several talented members, including the leadership, have successfully formed teams to accomplish this activity and received funding from the Seventh Generation Foundation (2014-2018), Resist (2022), and Ben & Jerry's (2023) /306/.

Many members consider issues acted upon or actions taken by entity leaders or governing bodies as essential to the tribe's autonomy and well-being and act accordingly. We are a nation transformed as we have learned from our past experiences. We maintain open channels of communication within our membership throughout the United States. Our membership consists of many professionals who aspire to uphold our history of rootedness and intellectualism. We have been fortunate to be able to educate our younger members, many of whom have advanced degrees in various fields. We are a community of Indian activists.

As a part of our tribal petition efforts, we have involved members of our extended families. They assist in communicating with all family members, collecting documentation, and participating in conversations with the petition team. We have produced compilations of photos from some gatherings and recently produced a short film for grant purposes.

We have been actively engaged in recording our history and governance. **Judy Marquez**, a descendent of **Francisca Parra Rodriguez** and a member of the large extended family, descendants of **Canuto Parra** and **Juana Holguin Parra**, who retained their Chiende identity, published her 2018 MA thesis titled "Indigenous Identity and Ethnogenesis in the Mimbres Valley of Southwest New Mexico." In the thesis, she captures oral histories and explores the lives and experiences of Chiende Apache. She illustrates how Chiende confronted issues of land displacement and discrimination to survive as an Indian entity through in-group and out-group processes. Her MA thesis and other archival materials are now held by **Ruben Leyva**, who has received materials related to our tribal history from researchers. He has established a digital library of Chiende history. In April 2020, **Jessica Martinez**, a tribal member, published an entry in the UNM Indian Law Journal blog entitled "An Unrecognized People: The Story of the Chihene Nde Nation of New Mexico and their Struggle to Seek Federal Re-Recognition /271/." Our active relationship with the Mimbres Heritage Cultural Site arose because of our leaders' efforts to revitalize our relationships with our homelands.

We delegate our members to participate in educational activities where we build our knowledge of resources and networks to advance our goals and objectives. **Lauren Denson, Zachary Morris, Rose Marie Lopez, and Irene Vásquez** were selected to participate in the 2023 NASA Earth to Sky Workshop to develop an action plan for the Chihene Nde Nation to address climate justice in their homelands. These particular young people inspire our younger members by their example.

Many of our members have widespread knowledge, communication, or involvement in political processes. Since 2008, the Tribal leadership has reported on the process to become federally acknowledged. In particular, the Chair and the Tribal historian developed a process for identifying all pertinent information related to the tribe's history to address the Office of Federal Acknowledgement guidelines. They have worked closely with the membership committee to get all of the tribe's paperwork collated and in line with the Office of Federal Acknowledgement guidelines. Oral histories have been collected and analyzed. In addition, members submitted information relevant to the petition, including family genealogies, in response to participation invitations.

Involvement in the Land Grant Consejo has entailed members attending meetings and submitting all required paperwork and fees to fulfill membership. The receipt of the Manzano land grant was a decision communicated to all members. Being a member of the Land Grant Consejo has led to meeting with elected state officials and hosting legislators in our homeland territories.

GLOSSARY

Glossary Term

Glossary Definition

‘ádá	at that time
bijj’	Deer
bijj bitsj	Venison
Bis	river bank(s)
Chi’	color red
Chiende	Red Paint People
Chi’laa	Land of the Chiende
chjłchine	sumac berries
Coppermine	Chihene Bands near Santa Rita del Cobre
da’itsaa’i	death
destchi	red clay
diyín	medicine people
dikohe	novice warrior
dijishí beehuta’i	Sacred Directions
Dzil’	mountain(s)
Dzil’ Dilhil’	Black Range or Mimbres Mountains
Dziltai	Tres Hermanas Mountains
Dziltanatal	“Mountain Holds Its Head (peak) Up High, Proudly”
Dzilditcole	Animas Mountains
Dzil’ Dklishende	Blue Mountain Apache People
Dzilizisi	San Mateo Mountains
Dzil’mora	Alamo Hueco Mountains
Dzilnokane	Florida Mountains
Dziltilcil’	Black Mountain - Sierra Larga - Peloncillo Mountains
Dzil’ano’ai	Doña Ana/ Robledo Mountains
Ga ⁿ heh	Mountain Spirit
Gileños	Chihene Bands near the Area of the Gila River
Gotahs	extended kinship family groups made up of descendant communities
Goya	sacred place
Gudúusis	Las Cruces, NM
gulgat	prairies
guuz’hu	It is good.
há’i’áyuu	East
hoddetin	yellow cattail pollen
‘i’i’ane	cave
‘ilgúugisya	Socorro, NM
Indaa	Anglo
‘isdzáa dziiljgu kada’idaa’e	girl’s puberty ceremony
izstan izee	medicine person or healer
‘it’a’	Apache spinach
‘itł’a’e	mescal hearts
izee	medicine(s)
Jasque-, Jasquie-, Asque-, Esqui-	Prefix meaning “gallant” bestowed upon a male leader.
jei’	heart
Kegotoi	Monticello Box Canyon and ruins

keeya'	homelands
leesh	soil
náhaakusyágu	North
náneedi'ayágu	South
nanstáné bilgún'a	Deming, NM
Nantan	leader
niíde	land
niishchi'i	piñon nuts
Ndé	Apache people
Ndé Bizaa'	Southern Athabaskan Language
Negostan	Earth Mother
Pachatejú	Chiende leader and location in the Mimbres Valley
shá'i'áyágu	West
shi k'is	blood relative or cousin
-t'eke	relative
Tigotel	Ojo Caliente
tú	water
Tulce	Gila River
Tseske	Tres Castillos
tsoch	cradle board
Tsé	Rock
tsé táhú'aya	El Paso, TX
tú 'íchiidí	Rio Grande River
ye'éltsui	acorns

APPENDICES

APPENDIX A - C>NNNM Exhibits & Master Exhibit List

APPENDIX B - C>NNNM Descent - Digitized Enrollment

APPENDIX C - C>NNNM Governing Documents

APPENDIX D - C>NNNM Supporting Documents

APPENDIX E - C>NNNM Language

APPENDIX F - C>NNNM Letters of Support

APPENDIX G - C>NNNM Homestead Sampling

APPENDIX H - C>NNNM Video & Audio

APPENDIX I - C>NNNM Economic Cooperation

APPENDIX J - C>NNNM Supplemental Photos

APPENDIX K - C>NNNM Historical Tribal Rolls & Rations

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