

**PALA BAND OF MISSION INDIANS
DISENROLLMENTS**

JUNE 2011

LIST OF EXHIBITS

NUMBERS 1 - 20



**PALA BAND OF
MISSION INDIANS**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
Phone 760-891-3500 | Fax 760-742-1411

June 1, 2011

Gina L. Howard
35501 Verde Vista Way
Wildomar, CA 92595

Ms. Howard:

Recently, the Executive Committee of the Pala Band of Mission Indians was asked to review the 1928 enrollment application for Juana Regetti, and the 1928 application for the descendants of Martha Regetti Freeman.

The legal authority on which the Executive Committee relied for this review and reevaluation of membership applications was in accordance with, and pursuant to, Section 6, Paragraph A, 1, of the Pala Band's Enrollment Ordinance, Ordinance #1, as set forth in the tribal constitution, which states:

"Should the Executive Committee subsequently find that an applicant or the person filing the application on his/her behalf misrepresented or omitted facts that might have made him/her eligible for enrollment, his/her application shall be reevaluated in accordance with the procedure for processing an original application."

As such, and at the request of Pala tribal members, the Executive Committee coordinated with the United States Department of the Interior, Bureau of Indian Affairs, to gain access to federal documentation related to the Regetti/Freeman applications. It was alleged that there was a misrepresentation of facts regarding the blood quantum in the Regetti enrollment. A careful review of the documentation indicates the following individuals had, for the above stated reason, previously been disenrolled by the Pala Band of Mission Indians and later re-enrolled:

1. Anthony Allen Freeman
2. Cheryl Lynn Freeman Majel
3. Luanne Cynthia Freeman Moro
4. Keith Christopher Denver
5. Milton K. Denver
6. Gina Denver Howard
7. Jacqueline Boisclair Withers
8. Mia Tahirih Boisclair

EXHIBIT 1

Although the Pala tribe has, for over two decades recognized these individuals as tribal members, the Bureau of Indian Affairs did extensive research and was unable to concur with the validity of the claims in the original applications. A letter from the B.I.A. dated July 29, 1985, has been provided as proof of these claims.

A further review of the federal documentation indicates that prior to the 1980s, the above named persons were not eligible for enrollment with the Pala Band, and were in fact disenrolled once after gaining enrollment. At the time, the General Council voted to increase their blood quantum. Whether the General Council has the power to increase a tribal member's blood quantum is a separate debate, but worthy of noting in this case because it was the grounds for the 1985 appeals. The above named persons were then re-enrolled with the Pala Band, and have remained on the rolls for over two decades.

On May 26th, 2011, the conclusion of the Pala Enrollment Committee was to support the position of the Bureau of Indian Affairs, then acting Area Director, signed by Tom W. Dowell, that in fact the applications prove that the above named individuals are not eligible for enrollment with the band. As such, the Pala Enrollment Committee wishes to take these names off of the band's rolls, effective June 1, 2011.

The Enrollment Committee recognizes the right for these persons to appeal the decision. Such procedures are outlined in the band's enrollment ordinance. A copy of the enrollment ordinance has been provided, which outlines the steps for such a procedure.

Submitted:



K. Lattin, Secretary
Pala Band of Mission Indians

cc: Anthony Allen Freeman
Cheryl Lynn Freeman Majel
Luanne Cynthia Freeman Moro
Keith Christopher Denver
Milton K. Denver
Gina Denver Howard
Jacqueline Boisclair Withers
Mia Tahirih Boisclair
Robert Eben, BIA Superintendent
Amy Dutschke, BIA Regional Director

-Office of the Secretary-



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 17 1989

Mrs. Cheryl Freeman Majel
P.O. Box 29
Pala, California 92059

Dear Mrs. Majel:

You appealed the rejection of your applications for enrollment as members of the Pala Band of Mission Indians by the Bureau of Indian Affairs in its review of the membership roll submitted by the Pala Band for use in making a per capita payment.

Cheryl Freeman Majel
Luanne Moro

Anthony Freeman

Section 2(A) of the Articles of Association approved by the Commissioner of Indian Affairs on March 7, 1960, provides that membership in the Band shall consist of:

- (1) Those persons whose names appear on the Pala Allotment Rolls as approved by the Secretary of the Interior on April 12, 1895, and November 3, 1913, who are living on the date of approval by the Commissioner of Indian Affairs.
- (2) All living descendants of persons on the Allotment Rolls covered in Section 2. A(1) regardless of whether the original allottees are living or deceased, provided that such descendants have one-sixteenth (1/16) or more degree of Indian blood of the Band.
- (3) Those persons who have been adopted by the Band and such adoption has been approved by the Bureau of Indian Affairs.

According to your appeal, you were notified on June 5, 1985, that your applications were denied because you possess only 1/32 degree Pala blood. You appealed that decision to the Southern California Agency Superintendent by letter dated July 24, 1985. Your appeal action was timely filed.

Your father, King Joseph Freeman, derives eligibility for membership in the Pala Band by being the great-grandson of Margarita Britten, Pala Allottee 25, who was born in 1856 and who died December 28, 1925. There is a question as to the degree of Indian blood possessed by Margarita Britten. Some records show her father as "unknown" and some records refer to her as a fullblood Indian. To determine whether Margarita Britten's descendants meet the minimum blood degree for membership, we must first resolve the blood degree issue of Margarita Britten.

EXHIBIT 2

No records were submitted with the case which name an individual as Margarita's father except for testimony taken during the probate of the estate of her half-sister, Merced Nolasquez. Margarita's mother is shown as Miguela Owlinguish, a fullblood Agua Caliente. Carolina Nolasquez stated that her mother had half-brothers and half-sisters, including Margarita Britten, sharing their father but with different mothers. Merced Nolasquez' family history card shows her parents as Pelegrino Ortega (other records show his "Indian name" as Saubel) and Miguela Ortega. Margarita's maiden name is shown as "Saubel" on the 1928 applications filed by her descendants, though Margarita's father was shown as "unknown" and she was shown as a halfblood Agua Caliente Indian. Margarita's blood degree was erased and typed over with no initials or explanation on the 1928 applications of several of her descendants. Margarita was thereafter considered as a halfblood in computing the blood degree of most of her descendants named on the 1940 Pala census though she was considered a fullblood in calculating the blood degree of several of her descendants. When the individual history cards were made out for Margarita's children by L. W. Green, Special Allotting Agent, on December 5, 1910, he consistently showed Margarita's children as possessing 1/2 degree Cupa and 1/2 degree non-Indian blood but did not list the name of Margarita's father thereon. When the Pala Band was preparing a membership roll in the 1960's, the 1913 Pala Allotment Roll was reconstructed using information on the original roll and combining information from other BIA records pertaining to date of birth, degree of Indian blood, date of death and remarks. Margarita Britten was shown as a fullblood and her children as halfbloods on that roll but there were subsequent pen or ink corrections that changed their degree of blood to halfblood and one quarter blood, respectively. The corrections were not noted in any way. Since the membership roll was updated, there have been several inconsistent determinations as to the blood degree of Margarita's descendants. Up until July 24, 1984, the BIA considered Margarita as a halfblood in determining the blood degree of her descendants. On that date, however, the Acting Superintendent of the Southern California Agency concluded that a mathematical error in computing Violet Inglett's blood degree had been made and corrected the records to show her as possessing 1/4 degree Pala Indian blood.

On February 22, 1984, the Pala General Council considered the Margarita Britten blood degree issue and determined that she possessed 4/4 degree Indian blood. The motion to approve the change of blood degree for Margarita's children passed by a vote of 29 in favor, 25 opposed with two abstentions. During the General Council meeting held February 22, 1984, Mr. Mel Lavato stated that "his grandmother, Rocinda Nolasquez knew Margarita Britten because, her (Rocinda) Grandmother Mercedes Nolasquez was her half sister, (same mother, different father). There is a question mark to who the Father is." During the sworn testimony taken on July 22, 1921, regarding the estate of Merced Nolasquez, Merced's daughter, Carolina Nolasquez, stated that she did not know the names of her mother's parents, "they died long ago." She then went on to identify her mother's half sisters and half-brothers. Merced's other children, including Rocinda's father, Salvador, testified that Carolina's testimony was correct. In Carolina's testimony, she stated, as shown above, that Merced and Margarita were half-sisters sharing the same father. Mr. Lavato's statement that Merced and Margarita had the same mother

is in conflict with the sworn testimony. Subsequent to the General Council's action, on December 18, 1985, several members of the Pala Executive Committee submitted a petition signed by 105 persons who, it is claimed, are enrolled and eligible voting Band members. The petition opposes the most recent enrollees to the Pala Band. The petition is deficient in that it does not specifically identify the person whose blood degree is in question and there are numerous instances where someone other than the person named signed.

Based on the statement by Carolina Nolasquez that her mother, Merced Nolasquez, and Margarita Britten had the same father, Peligrino (Saubel) Ortega, the fact that Margarita used "Saubel" as her maiden name, the 1910 family history cards that showed the children of Margarita as possessing 1/2 degree Cupa and 1/2 degree non-Indian blood and the undated Industrial Status Report prepared around 1910 which stated that Margarita was a fullblood, we have concluded that Margarita Britten was a fullblood Indian. We are directing that the blood degree of her descendants be reviewed and corrected accordingly.

Accordingly, we find that you possess 1/16 degree Cupa Indian blood. You, therefore, meet the minimum blood degree requirement for enrollment. Your appeal is sustained. The Southern California Agency staff is hereby directed to add your names to the roll being prepared for the distribution of tribal assets. This decision is based on authority delegated to me by the Secretary of the Interior and is final for the Department.

Sincerely,


Acting Assistant Secretary - Indian Affairs



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

RECEIVED

SEP 15 1989

PALA BAND

SEP 11 1989

CHAIRMAN	
VICE CHAIRMAN	
SECRETARY	<i>[Signature]</i>
TREASURER	
COMMITTEE	
COMMITTEE	

Patricia R. Nelson, Chairperson
Pala Band of Mission Indians
P. O. Box 43
Pala, California 92059-0043

Dear Ms. Nelson:

This is in response to your letter dated July 27 in which you protested the Assistant Secretary's May 17 decision that Margarita Britten, Pala Allottee 25, was a fullblood Indian. You say the council was denied an opportunity to participate in the evaluation of the case before a determination was made.

A decision as to Margarita Britten's blood degree was necessitated by appeals from adverse action on enrollment applicants by the Pala Tribal Council. The documentation in this case is on file at the Southern California Agency and was routinely available to the council prior to its decision not to enroll the appellants. We received no documentation which was not a part of the official records of the Southern California Agency except for the individual birth records of the appellants and those records should be part of the Pala Band's files. Those records were available to the Pala Tribal Council when the roll was being prepared and continue to be available.

With regard to tribal participation in the disposition of appeals, Ordinance No. 1 adopted by the Pala Executive Committee on March 19, 1961, and approved by the Sacramento Area Director on October 23, 1961, establishes the appeals procedure. Section 5 provides that a person whose application has been rejected shall have 30 days from the date of the mailing of the notice to him to file with the Director an appeal from the rejection of his application, together with any supporting evidence not previously furnished. The Director shall forward to the Commissioner of Indian Affairs, the appeal, supporting data, his recommendation thereon, and the report and recommendation of the Executive Committee on the application. Section 5 further provides that the Commissioner shall notify the appellant in writing and the Executive Committee shall enter the applicant's name on the membership roll. Although Section 5 states that the Executive Committee's report and recommendation shall be part of the file, we believe the reference is to the Committee's initial action on the application since that section does not state that the appeal once filed with the Area Director shall be furnished to the Executive Committee for consideration prior to being forwarded to the Washington Office for determination.

The Bureau's reasoning is carefully outlined in the decision letter. The reference to Carolina Nolasquez' statement is part of the testimony taken during the probate of the estate of Merced Nolasquez, Margarita's half-sister. The family history cards of Margarita Britten's children

show those children as "1/2 Cupa 1/2 white" and show their father, Jim Britten, as white and Margarita Britten as Cupa. With a non-Indian father, the children's mother must have been considered a fullblood Cupa Indian. To verify relationship shown on the family history cards, we checked the 1928 applications for enrollment with the Indians of California. Specifically, we checked the application of John Ortega who filed application No. 1276. Our reference to the 1913 Pala Allotment Roll is self explanatory. The handwritten document does not show blood degree; but the typewritten document was prepared utilizing the handwritten document and "other BIA records." Margarita Britten is shown on the typewritten document as a fullblood Indian and her children as halfblood Indians. Someone, however, by pen and ink change, has changed their blood degrees to 1/2 and 1/4 degree, respectively. Of 162 persons named on the allotment roll, other pen and ink changes were made only for Florencio Portillo (No. 115) and Esperanza Trujillo and her daughter Vibiana (Nos. 145 and 146). As we stated in our decision letter, the corrections to the typewritten allotment roll were not noted in any way.

We explicitly identified the documentation relied upon in reaching our conclusion that Margarita Britten was a fullblood Indian. That documentation is all on file at the Southern California Agency.

Although generally the Bureau does not have authority to make decisions which affect membership for tribal purposes, as specified above, Ordinance No. 1 provides that the Executive Committee shall enter the applicant's name on the membership roll when his/her appeal is sustained. In this situation, therefore, the decision of the Assistant Secretary - Indian Affairs is final for all purposes. You submitted no documentation with your letter which would have proven that the Assistant Secretary's decision was erroneous and we have no basis upon which to request that the Assistant Secretary reconsider his May 17 decision. That decision, therefore, is final.

The authority to approve the membership roll of the Pala Band is vested in the Superintendent of the Southern California Agency. His staff will review the roll prior to submitting that roll for his approval. We would suggest that you invite the Superintendent or a member of his staff to meet with the Tribal Council with regard to the approval of the Pala Band's current membership roll prior to its approval. The issue of Margarita Britten's blood degree has been decided.

Sincerely,

Walter R. Mills

Acting Assistant Secretary - Indian Affairs

July 29, 1985

SCA, Tribal Operations
F.Y. '85 - Pala Band

Superintendent, Southern California Agency

Appeal - Jacqueline Florence Boisclair, Cheryl Lynn Majel, Anthony Allen Freeman and Luanne Cynthia Moro

Area Director, Sacramento Area Office

Jacqueline Florence Boisclair, Cheryl Lynn Majel, Anthony Allen Freeman and Luanne Cynthia Moro, are appealing the Bureau of Indian Affairs computation of their degree of Pala Indian blood which renders them ineligible for enrollment with the Pala Band of Mission Indians. The bases for their appeal is on a February 22, 1984, General Council meeting of the Pala Band whereby a vote was taken to approve the change of blood degree for Margarita Britten's children due to previous documented decisions by Bureau of Indian Affairs officials favoring 4/4 degree for Margarita. Minutes of the February 22, 1984, meeting are attached. Unfortunately, definite discrepancies are revealed in decisions rendered by past BIA Administrations regarding Margarita Britten's Indian blood degree. Copies of those past decisions are attached.

Pursuant to extensive research of records on file at this agency and records at the Sacramento Area Office, we are unable to concur that records should be changed to show Margarita as 4/4 degree Indian. Our records are void of documentation to show who Margarita Britten's father was. He is listed as "unknown."

The 1913 Pala Allotment Roll showing Margarita as 4/4 degree has been named as supporting evidence by relatives applying for enrollment at Pala as well as relatives requesting a change to show 4/4 degree Indian. The original 1913 Pala Allotment Roll did not contain Indian blood degree computations. We must, therefore, question the source from which the computations originated.

Attached is a Family Tree Chart, for Jacqueline Florence Boisclair, Cheryl Lynn Majel, Anthony Allen Freeman, and Luanne Cynthia Moro, which was prepared from all available records maintained by the Bureau of Indian Affairs.

Unless Jacqueline Florence Boisclair, Cheryl Lynn Majel, Anthony Allen Freeman and Luanne Cynthia Moro, can produce documentation substantiating their claim to increase their Pala Indian blood degree, our computation of 1/32 degree should remain unchanged.

I therefore, recommend disapproval of their request.

TOM W. DOWELL

Attachments

RACHESS/su 7/20/85
Desk file copy - T. O.

COPY

EXHIBIT 4

Jacqueline Florence Boisclair
Cheryl Lynn Majel
Anthony Allen Freeman
Luanne Cynthia Moro

cc:

JAN 17 1986

Area Director, Sacramento Area Office

Special - Jacqueline Polscuir, Cheryl DeJal, Anthony Freeman, Isaura Lora,
Euliana Leicia, Michael and Phillip Inglett, and Leah, Ryan and
Lucas Lattimer

Assistant Secretary - Indian Affairs
(Code IA/00) Room 4100 K, Main Interior Building

A review of the records in this office reflect attempts have been made to
decide the true degree of Indian blood for Margarita Brittain, Pala Allottee
#25. These attempts have included changing her blood quantum to 4/4 Cuyong on
Cuya Indian blood.

During May 1985, we completed a review of the membership roll of the Pala Band
of Mission Indians in response to Resolution No. SCA-PL-2-85 which requested a
per capita distribution of tribal assets as of July 6, 1984. According to the
Band's membership ordinance (Ordinance No. 1, attached), the membership roll
requires approval by the Secretary of the Interior before it can be used for
the distribution of tribal assets. Under delegated authority, each new
application was reviewed to determine whether the applicant(s) met the Band's
membership requirements specified in the Articles of Association and Member-
ship Ordinance. It was during this review that approximately fifty-five (55)
applicants were found ineligible to share in the Pala per capita payment based
on their degree of Pala Indian blood required under Section 2.4(2) of the
Band's Articles of Association. Although the Band's Executive Committee
approved the enrollment applications, we did not agree with their determina-
tion and therefore omitted the above named individuals from sharing in the
last Pala per capita payment.

In accordance with the provisions of Section 4 of Ordinance No. 1, the
ineligible persons who filed were notified of their right to appeal in
writing. As a result, this office received eleven (11) appeals (attached).
The above listed individuals are appealing the Bureau of Indian Affairs
computations of their degree of Pala Indian blood which renders them
ineligible for enrollment with the Pala Band of Mission Indians.

It is the recommendation of this office that the degree for Margarita
Brittain, great-great grandmother of the individuals listed above, be changed
to reflect 3/4 degree Pala Indian. This change may have far reaching effects
which we will discuss further; however, our reasons and justification for
making the change, we believe, are well founded:

1. Based on the attached July 1921 testimony of Carolina Holasquet,
a niece of Margarita Brittain, this office completed additional
research of the records of Margarita Brittain and her descendant
members with regard to their degree of Indian blood. We are pro-
viding the attached copies of the 1921 Enrollment Applications
which were filed by Margarita Brittain's children and are listed
below in numerical order:

1928	AN:	1113	Brittain, Santiago (James)
	AN:	1175	Freeman, Jesus Regetti
	AN:	1196	Brittain, Maria Antonia (Janabon)
	AN:	1363	Walters, Leonilda (Aguilar)
	AN:	4645	Brittain, Miguella

It appears the above listed applications which reflect the fractions of blood degree were tampered with. The exception to this is 1928 Application Number 4645, assigned to Miguella Brittain. We suggest the original documents stored with the National Archives and Records located in Washington, D.C., be reviewed as another source for blood degree information.

2. An affidavit of Degree of Indian Blood and Date of Birth for Maria Antonia Brittain, daughter of Margarita Brittain, shows her to be 1/2 degree Cupeno. This affidavit was signed by Carl Spinner, Chief Clerk of the Mission Indian Agency, Riverside, California, dated and notarized July 16, 1947. The information was taken directly from the June 30, 1904, Census Roll. (Copy attached.)

An additional document is a letter from the Riverside Area Field Office to Mrs. Juliana Calac, Chairman, Pala Enrollment Committee, reporting a record made by Mr. L. W. Green, Special Allotting Agency, on December 5, 1910, shows that Margarita Brittain was a full blood Cupa Indian. Her husband, Jim Brittain, was a non-Indian. This letter is dated February 27, 1942 and is filed under 003 - Pala, Reports & Recommendations of the Riverside Agency. The record referred to is an Individual History Card (copy attached) signed by L. W. Green, Special Allotting Agent, December 5, 1910.

3. In conformance with Carolina Bolaquez's July 1921 testimony, a research of Margarita's half brothers and sisters' 1928 applications, as follows, indicate that Felegrino Ortega, 4/4 Agua Caliente, could have been the natural father of Margarita Brittain:

1928	AN:	1275	Ortega, Jesus
	AN:	1276	Ortega, John
	AN:	1281	Owlinguish, Kefaele
	No Application		Nolasquez, Merced
	No Application		Ortega, Antrosio
	No Application		Sibinoat, Melvina
	No Application		Sibinoat, Marcella
	No Application		Michac, Ysedora

In stead of delaying the paperwork to support our recommendation, we will forward you a copy of the death certificate for Margarita Brittain upon receipt from the California Department of Health Services, Bureau of Vital Statistics. Such supporting documentation may assist in determining the father of Margarita as there is no supporting birth document available.

4. We also found some of Margarita's grandchildren listed on the 1940 Pala Census roll as possessing 3/4 Degree Indian blood or 1/4 Degree Pala or Cupa blood. This computation must have been based on the fact Margarita's children were considered to possess no less than 1/2 degree Indian blood because their spousers' blood quantum in each case would not have been sufficient to warrant such degrees as 1/4 Indian.

The attached letter dated December 18, 1985, represents a petition on the part of certain members at Pala whose views are opposite to our recommendation. Also, for your information, it was discovered during the review of the Pala Tribe's enrollment applications, the computation of new applicants' blood degree was taken from a typed "Pala Allotment Roll Approved by Secretary of Interior November 3, 1913". The original Pala Allotment Roll approved by the Assistant Secretary of Indian Affairs, November 3, 1913 is located in the Real Property Management Office at the Bureau of Indian Affairs, Southern California Agency and has names and assigned allotment numbers opposite the allottee's name; however, no blood degrees are provided, nor enrollment numbers shown.

As mentioned earlier in this memorandum, there may be significant developments arising as result of changes which are made to the documents of Margarita Britain relating to blood quantum. Most notable would be an upgrade of approximately 364 persons' blood degrees should the blood degree of Mrs. Britain be increased. In addition, there would be a requirement of the Agency and the Tribe to revise their existing membership rolls based on the number of persons who would become eligible and receive approval for membership in the Tribe. The Pala rolls currently reflect 557 members. It is our understanding this could increase by as many as 24 if the blood degree of Mrs. Britain is increased.

It is apparent from our research that certain previous administrative actions taken by the Southern California Agency to resolve this matter have been either misinterpreted or ignored by those persons who signed the petition of December 18, 1985. It is hoped a final decision from the Central Office would be consistent with the Bureau's prior attempts at correcting the rolls of the Tribe so that their current enrollment will be truly reflective of the base roll of 1913 which is the official record of the Tribe.

In conclusion, this office recommends that the Secretary authorize the Bureau to officially record the blood degree of Margarita Britain as 1/4 degree Cupeno on the official roll of the Pala Band of Mission Indians.

/s/ Ronald M. Jaeger

Attachments

cc: Superintendent, Southern California Agency
attention: Tribal Operations

UNITED STATES
DEPARTMENT OF THE INTERIOR

063 - Pala
Reports & Recomm.

OFFICE OF INDIAN AFFAIRS
FIELD SERVICE
Riverside Area Field Office
6192 Magnolia Avenue
Riverside, California

February 27, 1962

Mrs. Juliana Galac, Chairman
Pala Enrollment Committee
Pala, California

Dear Mrs. Galac:

In regard to our recent conversation about certain Pala Indians, we wish to report the following:

Margarita Brittan, Allottee #25

A record made by Mr. L. W. Green, Special Allotting Agent, on December 5, 1910, shows that Margarita was a fullblood Cupa Indian. Her husband, Jim Brittan, was non-Indian.

Catherine Valenzuela, Allottee #149

In this case, the maternal grandparents were Fred Griffith, non-Indian, and Manuela Sibimoot, fullblood. Their daughter, Salvadora Griffith, would have 1/2 degree Indian blood. The paternal grandparents were Jose Antonio Valenzuela, Mexican, and Ramona Valenzuela (maiden name unknown), Indian; the tribe or band is unknown. The records indicate they lived on a homestead in the vicinity of the Mesa Grande Reservation. Their son, Santos Valenzuela, would be 1/2 Indian and 1/2 Mexican. Catherine Valenzuela would be 1/2 degree Indian of which only 1/4 is Pala blood. Her father was carried on the Pauma Census Roll for a number of years as a result of his marriage to Anita Pachito. He was never considered a member of the Pauma Band. We also note that Catherine was married to ~~Cefterio, Mr. ... La Jolla Reservation, ...~~ Indian.

There are copies of affidavits in Catherine's folder issued by this office that show she is a fullblood. The affidavits were made from information on the census records. However, you can readily see that the natural family history proves that the information on the census record is not correct.

Alvino Salazar

We cannot find information to show that this person is a descendant of an allottee at Pala. The 1905 Pala Census contains the following names:



Gla

IN REPLY REFER TO
Tribal Operations
063 - Pala

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Southern California Agency
5750 Division Street, Suite 201
Riverside, California 92506-3286

November 17, 1983 RECEIVED NOV 18 1983

Forest Wright, Attorney
California Indian Legal Services
1860 South Escondido Blvd.
P. O. Box 2457
Escondido, CA 92025

Dear Mr. Wright:

We are in receipt of your letter. We have reviewed the documents that you submitted on behalf of your client, Margaret Hilton. We did find that a "mathematical error" did exist. We are going to change the records to show that Margarita Brittain was 4/4 degree, which means that Maria Antonia Brittain Sanchez will possess 1/2 Pala & 1/2 total. This will bring Mrs. Hilton's blood degree to 1/4 Pala & 1/4 total.

We will notify the Pala Band of Mission Indians of the change.

Sincerely,


Superintendent

cc: Pala Band of Mission Indians



CALIFORNIA INDIAN LEGAL SERVICES

1860 SOUTH ESCONDIDO BOULEVARD, P. O. BOX 2487
ESCONDIDO, CALIFORNIA 92025 • (619) 746-8941

FOREST E. WRIGHT
CHARLES SCOTT
EUGENE R. MADRIGAL
ATTORNEYS

25 July 1984

CENTRAL OFFICE
1796 FRANKLIN STREET
SUITE 301
OAKLAND, CA 94612
(415) 838-0264

Thomas A. Dowell, Superintendent
Bureau of Indian Affairs
Southern California Agency
5750 Division St., Suite 201
Riverside, Ca 92506-3268

Re: VIOLET MIGUELLA (FREEMAN) INGLETT, DOB 5/11/29,
Pala Roll No. 203; Redetermination of degree of
Indian blood in light of the Bureau'd decision
of 11/17/83, your reference Tribal Operations 063
Pala, correcting the degree of blood for Maria
Antonia Brittain, a daughter of Margarita Brittain

Dear Mr. Dowell:

Last year we assisted Margaret Hilton in her request to the Bureau to correct an apparent error in the degree of blood determination for her mother, Maria Antonia Brittain (Sanchez), where it appeared incorrectly in the 1932 Indian Census Roll and in some documents subsequent to that date. Mrs. Hilton's object was to correct her own degree of blood record.

Based on a review of the relevant documents the Bureau concluded that there was an error and changed the record to show that Maria Antonia Brittain (Sanchez) was 1/2 degree of Indian blood, in conformance with the 1913 Roll. See, decision dated 11/17/83, copy enclosed, and our letter to the Bureau, dated 10/24/83, which set forth the basis for Mrs. Hilton's request.

Violet M. (Freeman) Inglett is also a granddaughter of Margarita Brittain. Mrs. Inglett's mother was Juana Reggetti, a sister of Maria Antonia Brittain. Juana is listed correctly on the 1913 Pala Roll as 1/2 degree of Indian blood. (A copy of the page on which this information appears is enclosed.)

Mrs. Inglett believes that her degree of Indian blood has been incorrectly calculated as 1/8 Pala instead of 1/4 Pala as a consequence of the same error in calculation that occurred as to the record of her aunt, Maria Antonia Brittain. She therefore requests that the Bureau certify her degree of Indian blood based on her grandmother's correct degree of blood, that being 4/4.

CALIFORNIA INDIAN LEGAL SERVICES

Thomas A. Dowell, Superintendent
Bureau of Indian Affairs
25 July 1984
Page Two

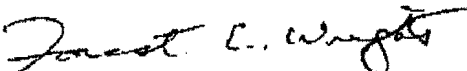
(Note: Mrs. Inglett could not furnish us with a Certification of Indian Blood, current or otherwise, in order to ascertain whether her's is, in fact, in error. However, her belief is that her current record is incorrect.)

As Mrs. Inglett does not appear on the 1913 Roll, enclosed is a certified copy of her birth certificate to document her parents, date and place of birth. (For further evidence of her identity, i.e., difference in name, see, enclosed birth certificate for her child. However, she believes that she is sufficiently identified in other Bureau documents. Mrs. Inglett would like the original documents returned to her.)

Also enclosed is Mrs. Inglett's consent to allow disclosure of information. Please advise if the Bureau requires additional information. Thank you for your attention to this matter.

Very truly yours,

CALIFORNIA INDIAN LEGAL SERVICES


Forest E. Wright

FEW:sa
Enclosure

GENERAL COUNCIL MEETING MINUTES

February 22, 1984

The Pala Band of Mission Indians held their regular scheduled meeting on February 22, 1984 at 7:00p at the Pala Tribal Hall, with Vice-Chairwoman LeeAnne Hayes presiding, and Secretary Marie Ravago, as recording Secretary. There being sixty (60) Tribal members present, and five (5) Council members present, the meeting was then called to order at 7:20P.

MINUTES:

The minutes of the January 11, 1984 meeting were read and disapproved. Mel Lavato made a motion that, "the minutes be disapproved and re-read at the next meeting." Second by, Marie Smith. VOTE: 16 for, -0- against 44 abstentions. Motion carried.... Vice-Chairwoman LeeAnne Hayes, stated that there was too many people talking at once, and it is very difficult to translate the tapes. She wished to express that the members take turn in speaking, to keep meeting in order.

AGENDA CHANGE:

Roy Lattin Jr. made a motion that: "item number eight (8) on the agenda be changed to number one (1) for discussion." Second by, Jewell Trujillo Vice-Chairwoman Hayes stated that, there were guests present to make a presentation. Roy Lattin Jr. recended his motion, as did Jewell Trujillo

Roy Lattin Jr. made a MOTION "to put item number eight (8) on the agenda to number two (2)." Second by Jewell Trujillo. VOTE: 21 for, 17 against, -0- abstained. Motion carried.....

BINGO:

Guy Madison, Tulalip Tribe Wn. State, presented a Bing operation for the Pala Tribe. There was discussion on the pros and cons of such operation including managements, traffic control, taxes, liabilities and assets. Roy Lattin Jr. made a motion: "that Bingo be tabled, and a special meeting be set up on just the subject." Second by Mel Lavato. VOTE: 28 favor (0) against, 1 obstension. Motion carried... It was felt by the Gen. Council to have all the necessary information to present to the Tribe such as; site of project, collateral possibilities, and loan options. It also, was felt that other firms be contacted for offers.

MEMBERSHIP:

Vice-Chairwoman Hayes stated that, there was a misprint on the agenda. The word "approval" needed to be corrected to read "change." Margaret ~~Hillen~~ had presented to the Executive Council, a correction of Indian blood degree for Margarita Britten. Doreen Vega made note, that this was done with the last Exec. Council. Vice-Chairwoman Hayes stated that: the Bureau had made the change of blood degree and this Exec. Council wish it to be known to the Gen. Council. Polly Pink (Britten) state from the 1913 Census, the blood degree for her Grandmother, Margarita Britten was changed from Full-blood, to one-half.

Feb. 22, 1984
Gen. Council Cont:

it was penciled in, and the Bureau corrected, and recognized it. All we are trying to do is correct it!! Mel Lavato stated that the Bia does not have the right to change our membership rolls per Articles of Association, and without the approval of the Pala Band. To change something without our knowledge, and later on be told, is not acceptable. He stated that the Tribe should look at it because, it effects alot of the members and also, other areas. Vice-Chairwoman Hayes stated that, if anyone has proof to present it to the Gen. Council. Roy Lattin Jr. questioned the legal right of the Bureau over the Tribe, and the Articles of Association. He expressed that the family of Margarita Britten should have come to the Tribe first, and ask the Tribes permission. We could have voted on it. We go by our Constitution, and Articles of Association, it is our Law that we go by. The paper work that has been done is not valid. I you want to file a class-action suit, as a Tribe not against the blood but, the way it was done. Vice-Chairwoman Hayes stated, that it is anyone's prerogative to go and do any investigation. Bernyce Ponchetti stated that there was an enrollment Committee, and it was approved by the Band from 1913 Census, and had to be sent to the Bureau, and they were approved over there. Marie Smith stated that during the Census for the Calif. Judgement there was a time allotted to say how much blood they were and to make corrections. Vice-chairwoman Hayes stated, that the change from full to half was made, and that the Archives show Margarita Britten as full blood. Ione Mendez stated that, rolls have been changed at the Bureau but, it is up to the Pala Band to accept them or not. Jane Blackmon mentioned that there are alot of errors at the Bureau. Vice-chairwoman Hayes recommended that the affidavits be submitted to show evidence that the blood degree is incorrect. Mel Lavato stated that his Grandmother, Rocinda Nolasquez knew Margarita Britten because, her (Rocinda) Grandmother Mercedes Nolasquez was her half sister, (same Mother, different Father) There is a question mark to who the Father is. He stated that Rocinda told that to the family, to other Tribal members, and to the Bureau in 1964. He believed his Grandmother was telling the truth. Jane Blackmon commented that her sister knew of Margarita Britten also. Bernyce Ponchetti stated that; when they started the original allottees that were moved down here, a committee was formed for enrollment, they were approved by the bureau and the Secretary of Interior. after a lengthy discussion as to what was correct or incorrect, Theresa Griffith made a Motion: to approve the change of blood degree for children of Margarita Britten: Second by Mary Ownby. 29 in favor, 25 opposed, 2 obstensions.....Motion carried....

FLOURIDE:

It has been discussed that Indian Health would like to add flouride to the water pump, at a first six (6) month free cost, after that there would be a \$200.00 annual fee, which would include a weekly check by one of their agents. Mel Lavato made a Motion: " Not to accept the flouridation services to the Pala water system. Second by Ione Mendez. 23 for, 5 opposed, 8 obstensions.....Motioned carried.....

Tribal Operations
3721-P5

June 7, 1989

Pala Executive Committee
Pala Band of Mission Indians
P. O. Box 43
Pala, CA 92059

Dear Sirs:

Our office has completed reviewing twenty-three (23) enrollment applications for membership with the Pala Band of Mission Indians.

We have determined that the following twenty (20) applicants meet the criteria for membership as possessing one-sixteenth (1/16) or more degree of Indian blood of the Band whose ancestors are described in Ordinance No. 1.

EXHIBIT 10

The Executive Committee disapproved the following applications due to insufficient blood degree.

<u>NAME</u>	<u>DATE OF BIRTH</u>
Villa, Cassandra	11/02/1988
Villa, Daniel	06/28/1986
Villa, Estella	04/11/1985

At the time the Enrollment Committee reviewed the above applications the decision was correct. However, as you are aware the Central Office sustained the appeal of descendants of Margarita Britten and concluded that Mrs. Britten's blood degree is fullblood. We have been directed to correct the blood degree for Mrs. Britten's descendants and add their names to the membership roll being prepared for the distribution of tribal assets. This decision is based on authority delegated by the Secretary of the Interior to the Assistant Secretary for Indian Affairs.

In addition to the Villa children there are approximately seventy (70) enrollment applications on file at this Agency that will be affected by the Central Office descision. These applications will have to be reviewed before the applicants can be added to the membership roll. Also, there are descendants of Mrs. Britten already on the membership roll whose blood degrees will have to be corrected. These corrections will not affect their eligibility, but it will be a time-consuming task to identify the descendants and make the necessary corrections.

We are reluctant to delay payment to the tribal members whose applications have already been approved by the Band and this Agency. For this reason, we propose making payment to the approved enrollees as soon as the supplemental roll is approved by the Area Director, and those applications pending review will be paid when that process is completed. Funds will be set aside to allow for payment to these individuals when the review is completed. Please advise if this procedure is agreeable with the Band.

Any questions on the above may be directed to Branch of Tribal Operations at (714) 351-6630/6634.

Sincerely,

TOM W. DOWELL

Tom W. Dowell
Superintendent

Area Director, Sacramento Area Office
Attn: Tribal Programs

January 23, 1961

Field Representative, Riverside

Pala Articles of Association

The Commissioner's conditional approval of the Pala Articles of Association was accepted by the members of the Pala Band at a general meeting on November 6, 1960. We are informed the long delay in taking action on the suggested changes resulted from referral to an attorney for review which was arranged by an American Friends Service Representative. It was only last week that we received a sufficient number of signed copies from the Spokesman and Secretary.

We are attaching for your distribution five copies of the amendment. The certification on two of the copies has been signed by the Spokesman and Secretary.

At a general meeting on January 13, 1961, the Band directed the Enrollment Committee to draft an ordinance on enrollment regulations. This committee held their first meeting on January 19, 1961. At this meeting the Committee reviewed the membership requirements in the Articles of Association and they thought perhaps Section 2,3 of the Articles of Association should be eliminated in its entirety since almost 3 months has elapsed since the Articles became effective and the correct period can be included in the ordinance. We would like to have your comments on the proposed amendment.

Orlando Garcia

Attachments

JL:Pappa/bc



IN REPLY REFER TO.

UNITED STATES
DEPARTMENT OF THE INTERIOR

Tribal Operations
3721-P5

BUREAU OF INDIAN AFFAIRS
SOUTHERN CALIFORNIA AGENCY
3600 LIME STREET, SUITE 722
RIVERSIDE, CALIFORNIA 92501

APR 19 1994

James Brittain
P.O. Box 364
Hemet, CA 92546

Dear Mr. Brittain:

On May 17, 1989, the Assistant Secretary of Indian Affairs, Washington, D.C., determined that Margarita Brittain possessed 4/4 degree Indian blood and directed our office to correct the blood degrees for her descendants. This action was a result of enrollment appeals by certain descendants.

Our Tribal Enrollment Specialist, has completed extensive research to identify all descendants of Margarita Brittain and determine the correct blood degrees involving five generations. It is our responsibility to notify all individuals affected by this decision. The attached tree chart shows the blood degree as shown on the Pala membership roll. However, the correct Pala and total blood degree is in bold print which includes an increase after the Assistant Secretary's decision. Please notify our office within 30 days if you agree or disagree with our computation of the blood degree for you and your minor children (if applicable). We have identified you and your children (if applicable) as follows:

<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>CORRECT BLOOD DEGREE</u>
James Brittain	06-23-1931	1/4 Pala; 3/4 Total

Our staff met with the Pala Business Committee on March 2, 1994, and provided them with our findings and supporting documentation including tree charts. We advised them that the correct blood degrees should also be noted on their membership roll.

EXHIBIT 12

Please complete the attached form and return to our office. Enclosed is a pre-addressed envelope for your convenience. If you have any questions, please contact the Branch of Tribal Operations at (909) 276-6630.

Sincerely,

A handwritten signature in cursive script, appearing to read "Virgil Townsend".

Virgil Townsend
Superintendent

Enclosures

cc: Pala Business Committee

Pauline B. Pink

DOB: 05/22/1917

1/8 Pala; 5/8 Total RN:369

1/4 Pala; 3/4 Total

Bertha Brittain Jackson

DOB: 09/21/1937

1/8 Pala; 5/8 Total RN:207

1/4 Pala; 3/4 Total

Seraphine Brittain

DOB: 09/21/1922

DOB: 08/18/1988 RN:77

1/4 Pala; 3/4 Total

Elizabeth Martha Brittain

DOB: 01/19/1925

DOB: 08/03/1968

1/4 Pala; 3/4 Total

Aloysius Brittain

DOB: 05/03/1915

DOB: 12/16/1931

1/4 Pala; 3/4 Total

Joseph James Brittain

DOB: 10/27/1912

1/8 Pala; 5/8 Total

RN: 75

1/4 Pala; 3/4 Total

Ione (Brittain) Mendez

DOB: 06/22/1928

1/8 Pala; 5/8 Total

RN: 290

1/4 Pala; 3/4 Total

James L. Brittain

DOB: 06/23/1931

1/8 Pala; 5/8 Total

RN: 74 1/4 Pala; 3/4 Total

James Santiago Brittain

DOB: 08/05/1887

DOD: 08/30/1971

1913 RN: 28

1/2 Pala

Non-Indian

Margarita Brittain

Allottee #25

4/4 Pala

Flora (Machado) Brittain

DOB: 01/07/1885

DOD: 05/12/1970

4/4 Pechanga

Maurice Brittain

DOB: 05/10/1920

1/8 Pala; 5/8 Total RN: 76

1/4 Pala; 3/4 Total

Hifford P. Brittain

DOB: 05/31/1933

1/8 Pala; 5/8 Total RN: 73

1/4 Pala; 3/4 Total

Margaret B. Holley

DOB: 01/19/1914

1/8 Pala; 5/8 Total RN:199

1/4 Pala; 3/4 Total



ONE HUNDRED TEN

NORTH INDIAN CANYON DR.

PALM SPRINGS.

CALIFORNIA

92262

TELEPHONE
(6 19)325-5673

FAX
(6 19)325-0593

October 23, 1995

Mr. Stan McGarr, Secretary
Pala Band Mission Indians
P O Box 43
Pala, CA 92059

RECEIVED
OCT 25 1995

Re: Margarita Brittain - Pala Allottee No. 25
Blood Quantum

Dear Mr. McGarr:

Per our telephone conversation this morning, the Tribal Council of the Agua Caliente Band of Cahuilla Indians is seeking copies of verification regarding the degree of Indian blood in your above referenced Tribal Member.

The Tribal Council needs to have copies of your verification regarding the following additional members of the Pala Band in order to correct the Agua Caliente Tribal membership rolls. Margarita Brittain was the mother of Casilda Welmas, also a Pala member. Would you please forward copies of all of your verification of the blood quantum of Casilda Welmas following the correction of Indian blood quantum of her mother, Margarita. Also, Casilda was married to Cayetan Welmas and we would appreciate any information you can provide advising of his blood quantum's. Casilda and Cayetan Welmas were the parents of Jose Welmas, Rufina Welmas and Miguel Welmas, all three of whom were Pala members. Could you please forward the corrected Indian blood quantum's of each of these individuals. Each of these descendants bore children who are members of the Agua Caliente Tribe whose blood quantum cannot now be correctly identified without knowing the corrected blood quantum of the above-noted ancestors.

We appreciate your assistance in this matter. We have rescheduled our hearing so as to allow time to obtain this information from the Pala Band.

Sincerely yours,

Barbara Gonzales-Lyons, Vice Chairman
AGUA CALIENTE BAND OF
CAHUILLA INDIANS

BGL:jsw
TC-560-10-95

Date

Agua Caliente Band of Cahuilla Indians
110 North Indian Canyon Dr.
Palm Springs, CA 92262

The Pala Allotment Roll (PAR) approved by the Secretary of Interior November 3, 1913, and the Pala Census (PC) for the year 1919, show Margarita Britten to be of the following:

1. Female, (PAR) (PC)
2. Village, Kupa (PC)
3. Moiety, Wildcat (PC)
4. Clan, Auliatim (PC)
5. 4/4 Degree Indian Blood (PAR)
6. Seven Children, Casilda, Miguela, Maria, Santiago, Esperanza, Juans and Martha (PAR)
7. All Children to be 1/2 Degree Indian Blood (PAR)
8. The child named Casilda is shown to be married to Cayetan Welmas 1/2 Degree Indian Blood (PAR)
9. Casilda and Cayetan had eight children, Alfred, Phillip, Merced, Rafina, Miguel, Jose, Rose and Clara
10. All Children to be 1/2 Degree Indian Blood (PAR)

11. **Juan Jose Children enrolled at Agua Caliente Reservation**
12. **The Pala Allotment Roll (PAR) approved by the Secretary of Interior November 3, 1913 and the Pala Census (PC) for the year 1919 are acknowledge by the Pala Band of Mission Indian Tribe to be true and the Tribe agrees with the Degree of Indian Blood in these records.**

**Stanley H. McGarr
Tribal Secretary
Pala Band of Mission Indians**

cc: Gigi M. Mauch



**Pala Band Of
Mission Indians**

P.O. Box 48
Pala, California 92059-0048
(619) 742-3784

November 15, 1995

Barbara Gonzales-Lyons, Vice-Chairman
Agua Caliente Band of Cahuilla Indians
110 North Indian Canyon Dr.
Palm Springs, CA 92262

Dear Barbara:

After researching our Tribal Enrollment Records, we show Cayetan & Casilda Welmas each possess 1/2 degree Indian blood as stated in the Pala Allotment Roll of November 3, 1913. Jose, Refina and Miguel Welmas also possess 1/2 degree Indian Blood. I hope this information will be helpful to you.

If you should need any further information, please contact me at (619) 742-3761.

Submitted,

Robert H. Smith
Tribal Chairman

Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Road
Pala, CA 92059

7 June, 2011

ATTN: Kilma Lattin, Secretary
Pala Band of Mission Indians

Dear Mr. Lattin:

I am in receipt of a certified letter signed by you and dated June 1, 2011. I am writing this letter seeking clarification as to the intent of the letter. I am to understand the letter to mean that you are reporting to me the results of a meeting held by the Pala Enrollment Committee (date unknown) and as a result of that meeting the Pala Enrollment Committee wishes to have my name removed from the Rolls of the Pala Band.

I must first ask, why are you sending me this letter? Are you sending me this letter in your capacity as the Tribe's Secretary, as a member of the Enrollment Committee or as an individual reporting the wishes of the Executive/Enrollment Committee?

Are you informing me that the Executive/Enrollment Committee intends to meet and take an action affecting my member status with the Tribe or what? If the Executive/Enrollment Committee does intend to meet to discuss my membership with the Tribe I would like to be present during this meeting and ask that I be duly noticed and informed as to the cause of the meeting so that I might prepare to answer any questions the Executive/Enrollment Committee might have.

At best, due to the incoherent nature of the letter, I am only able to discern that the Executive/Enrollment Committee wishes to have my name removed from the Rolls of the Pala Band. I am sorry they feel that way as I do not wish them any ill will.

If there has been a formal action taken by the Executive/Enrollment Committee then why was I not properly noticed as is my right under the Indian Civil Rights Act and our Tribal Constitution. Again, if there has been a formal action taken by

EXHIBIT 16

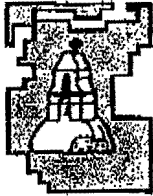
the Executive/Enrollment Committee please provide me with a record of that action and duly signed by the Executive/Enrollment Committee members.

Thank you for your time and may I only wish you the best.

Sincerely,

A handwritten signature in cursive script that reads "Gina Howard". The signature is written in black ink and is positioned above the printed name and address.

Gina Howard
35501 Verde Vista Way
Wildomar, CA 92595



**PALA BAND OF
MISSION INDIANS**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
Phone 760-891-3500 | Fax 760-742-1411

June 8, 2011

Gina L. Howard
35501 Verde Vista Way
Wildomar, CA 92595

Ms. Howard:

I am in receipt of your letter dated June 7th, 2011, whereby you wish to seek some clarification regarding the letter you received in the mail from my office. I am happy to assist you in this regard, and will provide you with the clarification you are seeking.

First, thank you for taking the time to address this matter. I understand this is an important issue for everyone involved and time is of the essence. The intent of this letter is to address all the concerns you have noted in your letter, as well as provide some background information as to how and why the letter was generated.

There were three intents to the letter sent on June 1. The first intent for sending the letter was to inform those affected by the recent disenrollment action of the Enrollment Committee of the Pala Band of Mission Indians. The meeting was held on May 26th and the decision was made at that time.

I sent the letter in the capacity as the tribe's official corresponding secretary. It is my job to send letters on behalf of the tribe and some of its committees. I am responsible for many of the tribe's official correspondences, as well as agendas and minutes of the tribe. Likewise, the letter was also intended to inform the Bureau of Indian Affairs of the occurrence.

The second intent of the letter was to give the background as to how the decision came about. The decision did not come about without warrant or evidence. Due diligence was performed to ensure that the action being taken was the correct action. The Executive Committee, under the request of a Pala Tribal Member, asked the BIA for the Regetti files. The BIA provided the files. The Enrollment Committee reviewed the files sent from the BIA, and determined that the descendants from the Regetti application did not meet the criteria to be enrolled with the band. Under the tribe's Enrollment Ordinance, Section 6, A, 1, any new information can be used to reevaluate an existing or old application (as can information that should have been provided at the time of the application).

EXHIBIT 17

Currently, the Executive Committee is the same thing as the Enrollment Committee. In the tribal constitution, the Executive Committee is responsible for carrying out all ordinances of the band. This includes the Enrollment Ordinance.

Currently, the Enrollment Ordinance does not make the separation between the Executive Committee and an Enrollment Committee. Therefore, the power to enroll and dis-enroll currently rests with the Executive Committee and not the General Council or some other separate committee.

The third intent of the letter was to advise those affected that they have 30 days to appeal the decision. Again, according to the Enrollment Ordinance, the appeal must be with the Bureau of Indian Affairs. The process for the appeal is set forth in the Enrollment Ordinance.

Please keep in mind that the ultimate decision regarding enrollment rests with the Tribe. Even if the federal B.I.A. disagrees with the actions of the Executive Committee, the action cannot be overturned by the B.I.A.. The United States Supreme Court has made it clear that enrollment matters are the sovereign right of the individual tribes, i.e., tribes have the final authority in determining membership.

If this letter does not clarify your understanding, or if you have any more questions or concerns, please respond in writing.

Submitted:



K. Lattin, Secretary
Pala Band of Mission Indians

Cc: Anthony Allen Freeman
Cheryl Lynn Freeman Majel
Luanne Cynthia Freeman Moro
Keith Christopher Denver
Milton K. Denver
Gina Denver Howard
Jacqueline Boisclair Withers
Mia Tahirih Boisclair
File
BIA/SCA
BIA/PRD

-Office of the Secretary-

**PALA BAND OF
MISSION INDIANS**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
Phone 760-891-3500 | Fax 760-742-1411

June 8, 2011

Jacqueline F. Withers
PMB 83, 35008 Pala Temecula Road
Pala, CA 92059

Ms. Withers:

Effective June 1, 2011, after re-evaluation of your enrollment information, you are hereby disenrolled as a member of the Pala Band of Mission Indians.

This action is pursuant to the Pala Band of Mission Indians' Enrollment Ordinance (Tribal Ordinance No. 1). You may refer to Section 6. A. "Reevaluation of Approved Applications," paragraph (1).

This action was voted on by the Enrollment Committee at a duly called meeting of the Executive Committee, on May 26, 2011, with a quorum present.

Your rights to all tribal benefits including monetary, insurance, etc. are hereby terminated.

You have thirty (30) days from June 1, 2011 to appeal to the Pacific Regional Director of the Bureau of Indian Affairs and address your eligibility for enrollment as a member of the Pala Band of Mission Indians.

Submitted:

Robert H. Smith, Chairman
Pala Band of Mission Indians

Cc: File
BIA/SCA
BIA/PRD

EXHIBIT 1

Tribe's vice chairman must serve 10 more days of probation

North County Times North County Times - The Californian | March 15, 2011

PALA ---- The vice chairman of the Pala Band of Mission Indians must serve an additional 10 days of probation after he violated the terms of his probation stemming from a lewd conduct conviction in Riverside County last year, according to court records.

Pala Vice Chairman Leroy Miranda, 44, was cited on Nov. 6, 2009, by Moreno Valley police for allegedly soliciting a prostitute at the Happy Time Adult Book Store in Moreno Valley, according to court records. He pleaded guilty to a misdemeanor charge of lewd conduct in February 2010.

Under terms of the plea, Miranda agreed to pay a fine of \$570, enroll in an AIDS education program, stay away from the Happy Time Adult Book Store and wear an electronic monitoring device.

According to court records, Miranda violated his parole by failing to complete the electronic monitoring program. He must complete a total of 24 days in the monitoring program.

The tribe owns a large casino and resort in North County.

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EXHIBIT 19



**PALA BAND OF
MISSION INDIANS**

PMB 50.35008 Pala Temecula Road
Pala, CA 92059
Phone 760-891-3500 | Fax 760-742-1411

May 12, 2011

Dear Members of the General Council,

On Monday, May 2, 2011, I received a petition on behalf of members of the General Council who wanted to have a special meeting. The topic of the petition and the meeting was gross misconduct of the Vice-Chairman, Leroy H. Miranda Jr. Over the next two days, my assistant and I followed our constitutional duty to validate the signatures. What we found was that the petition process was followed properly and the required numbers of signatures were present on the petition, all of which were valid. Upon completion of the verification process, I submitted the petition to the Executive Committee for review.

On Thursday, May 5, 2011, the full Executive Committee met to review and discuss the petition. At that meeting a long conversation took place regarding the next course of action. Bound by the constitution, the Executive Committee voted to hold the special meeting, and a meeting date of May 26th was set.

On Monday, May 9th, 2011, my office prepared the agenda for the special meeting, and that agenda was set to be mailed out on Thursday, May 12th, which is 14 days advanced notice of the meeting, which is a constitutional requirement.

Beginning that Monday, May 9th, and continuing through the week, my office began receiving letters from various people who had signed the petition. The letters all stated the same request: to have their name taken off the petition. By Wednesday, May 11th, 2011, my office had received 5 such letters. That number of name withdraws was enough to disqualify the petition. It disqualifies the petition because without the proper number of members wanting to have the meeting (10%), we cannot have the meeting.

On Thursday, May 12, 2011, the Executive Committee met to review the requests. The same day, the Committee voted to disqualify the petition, and therefore cancel the meeting.

Thank you for your time and attention to this important correspondence.

Sincerely,

Kilma Sivamoat Lattin
Tribal Secretary
Pala Band of Mission Indians