

# PROGRESS REPORT TO THE GOVERNOR AND THE LEGISLATURE

by the

## STATE ADVISORY COMMISSION ON INDIAN AFFAIRS

(Senate Bill No. 1007)

on

### INDIANS IN RURAL AND RESERVATION AREAS



#### *Commission Members*

Senator Stephen P. Teale, *Chairman*  
Senator Stanley Arnold, *Retired Chairman*  
Senator Paul J. Lunardi  
Assemblyman Charles B. Garrigus  
Dr. Malcolm H. Merrill  
Dr. Max Rafferty  
J. M. Wedemeyer

#### *Committee Members*

Thomas Weaver (*Exofficio Chairman, 1964*)  
Mrs. Eleanor Bethel  
Leo Calac  
Erin Forrest  
Michael Harrison  
Bert D. Lane  
Mrs. Jesse H. Parker  
Mrs. Waldo H. Pate

Thomas Weaver, Ph.D.  
*Executive Secretary, 1964*  
*Consultant, 1965*

Jack A. Tobin  
*Social Research Analyst, 1964*  
*Executive Secretary, 1965*

*Past Members*  
Senator Edwin J. Regan  
Assemblyman James L. Holmes

February 1966

**APPENDIX D**

**Senate Bill No. 1007**

**CHAPTER 2139**

*An act to add Chapter 2.5 (commencing with Section 8110) to Division 1 of Title 2 of the Government Code, relating to the State Advisory Commission on Indian Affairs, and making an appropriation.*

[Approved by Governor July 19, 1961. Filed with Secretary of State July 20, 1961.]

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 2.5 (commencing with Section 8110) is added to Division 1 of Title 2 of the Government Code, to read:

**CHAPTER 2.5. STATE ADVISORY COMMISSION ON INDIAN AFFAIRS**

8110. There is in the State Government a State Advisory Commission on Indian Affairs.

8111. As used in this chapter, "commission" means the State Advisory Commission on Indian Affairs.

8112. The commission shall consist of nine members, the Director of Social Welfare, the Director of Public Health, the Director of Education, three Members of the Senate appointed by the Senate Committee on Rules, and three Members of the Assembly appointed by the Speaker.

8113. Each member of the commission shall be entitled to receive his actual necessary expenses while on official business of the commission.

8114. The chairman of the commission shall be designated by the governor.

8115. The commission shall appoint a secretary who may be one of its members and may employ such employees as it deems necessary to carry out its functions under this chapter. It may also incur necessary expenses to effectuate its purposes.

8116. The commission shall study the problems of the American Indians residing in California, including, but not limited to, the problems presented by the termination of federal control over Indian affairs, the operation, effect, administration, enforcement, and needed revision of any and all state laws pertaining to the Indians and the three relocation centers in California and shall report its findings, together with any suggested legislation, to the Governor and to the Legislature not later than the 15th day of June, 1962.

8117. The commission has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out the purposes for which it is created.

(b) To co-operate with and secure the co-operation of county, city, city and county, and other local agencies in investigating any matter within the scope of this chapter.

(c) To report its findings and recommendations to the Governor, the Legislature, and to the people from time to time and at any time, not later than provided in Section 8116.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this chapter.

(e) To appoint an advisory committee consisting of not more than seven members, three of whom shall be appointed from among the recognized leaders of the California Indian reservations in the northern, central and southern sections of the State, and four of whom shall be appointed from the public at large. Section 11009 of the Government Code is applicable to the advisory committee.

8118. This act shall be operative until September 15, 1964, and shall thereafter be of no force or effect.

SEC. 2. The sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, is hereby appropriated out of the General Fund in the State Treasury for the support of the State Advisory Commission on Indian Affairs created by this act, including the expenses of the advisory committee.

*Civil Code, State of California*

**Section 182**

§ 182. [Valid alliance or separation under Indian custom as valid marriage or divorce for purpose of succession laws: Extent of applicability of section.] For the purpose of application of the laws of succession set forth in the Probate Code to a decedent who died prior to September 11, 1958, an alliance, which by custom of the Indian tribe, band, or group of which the parties to the alliance, or either of them, are members is commonly recognized in such tribe, band, or group as marriage, is deemed a valid marriage under the laws of this State. In the case of such marriages and for such purpose a separation, which by custom of the Indian tribe, band, or group of which the separating parties, or either of them, are members is commonly recognized in such tribe, band, or group as a dissolution of marriage, is deemed a valid divorce under the laws of this State.

This section shall be effective and shall apply only to the extent that such marriages or separations would affect succession to property subject to the laws of this State.

**LEGISLATIVE HISTORY**

Added by Stats 1957 ch 2121 § 1 p 3757.

**COLLATERAL REFERENCES**

Am Jur Divorce and Separation §§ 10, 11, Indians §§ 1 et seq., Marriage §§ 40, 153.

Words and Phrases:

"Succession": Cal Words, Phrases and Maxims.

*Water Code, State of California*

**Section 31175**

**Contract with United States for water service to Indian lands.** A district may contract with the United States, upon such terms the board finds to be to the best interest of the district, for permanent or

temporary service of water to Indian lands lying within the exterior boundaries of the district.

#### LEGISLATIVE HISTORY

Added by Stats 1949 ch 274 sec 1 p 514. Based on Stats 1913 ch 592 sec 12 subd 13 p 1058 as amended by Stats 1919 ch 407 sec 1 p 816, Stats 1923 ch 152 sec 1 p 312, Stats 1933 ch 873 sec 5 p 2259, Stats 1935 ch 749 sec 3 p 2108, added as sec 12.14 by Stats 1941 ch 332 sec 18 p 1566, without substantial change.

#### Water Code, State of California

#### Sections 1241, 1241.5, 1241.6

§ 1241. Reversion of unused water. When the person entitled to the use of water fails to beneficially use all or any part of the water claimed by him, for which a right of use has vested, for the purpose for which it was appropriated or adjudicated, for a period of three years, such unused water reverts to the public and shall be regarded as unappropriated water.

#### LEGISLATIVE HISTORY

Enacted 1943. Based on Stats 1913 ch 586 § 20a, as added by Stats 1917 ch 554 § 2 p 748, without substantial change.

#### CODE COMMISSIONERS' NOTE

This provision is restricted to rights by appropriation. Considered as of the time of its addition to the Water Commission Act in 1917, § 20a may have been intended to have a retrospective as well as prospective application and thus to apply to appropriations theretofore made whether under the Water Commission Act or under the Civil Code prior to that act. The provision in this draft is no more specific, and no more general, than it is in the section codified. Accordingly, the provision in the draft will continue to have the same application as it had when originally enacted.

#### CROSS REFERENCES

Exception as to "trust land" held for or owned by Indians: § 1241.5.

Exception as to land not irrigated in compliance with crop control or soil conservation contracts with United States: § 1241.6.

#### COLLATERAL REFERENCES

Cal Jur 2d Waters §§ 192, 199, 516, 521.  
McKinney's Cal Dig Waters §§ 176 et seq., 341 et seq.  
Am Jur Waters (1st ed §§ 306-308, 318).

#### Law Review Articles:

3 CLR 347 (forfeiture of riparian rights of nonuser).  
45 CLR 676 (procedure for appropriation of water rights).

#### NOTES OF DECISIONS

One whose appropriation right to water has developed into a prescriptive right may not permit the water thus appropriated to run to waste for an indeterminate period and maintain his rights therein as against riparian owners upon the stream who can use it and have undertaken to put the water to a beneficial use, since this is contrary to the spirit and purpose of this statute. *Bazet v Nugget Bar Placers, Inc.* (1931) 211 C 607, 296 P 616.

This statute is inapplicable to pueblo rights, since such rights are not based on appropriation or adjudication. *Los Angeles v Glendale* (1943) 23 C2d 68, 142 P2d 289.

Under this statute it is only necessary to show a failure to use the water beneficially; intent to abandon need not be shown. *East Side Canal & Irr. Co. v United States* (1948) 76 F Supp 836.

Where a canal company holds appropriative rights to stream waters only to maintain a reserve to supply a possible deficiency, the company does beneficially use the waters held in reserve, but loses by nonuser the right to waters in excess of the amount held in reserve and the lost water reverts to the public. *East Side Canal & Irr. Co. v United States* (1948) 76 F Supp 836.

Where to prevent depletion of a ground water basin not within the purview of § 1200, the production of water in the area had to be limited by a proportionate reduction of the pumping conducted by overlying, appropriative, and prescriptive owners, the amount which each party had taken throughout the statutory five-year period of prescription was the proper measure, and the three-year period of this section was inapplicable to determine whether there had been a loss of rights. *Pasadena v Alhambra* (1949) 33 C2d 908, 207 P2d 17.

#### Decisions Prior to Water Commission Act

After ditch by which water of creek was appropriated for mining purposes has fallen into disuse and has been abandoned, water right is destroyed by abandonment; where, after such abandonment, water of creek has continuously flowed over lands belonging to riparian owner and been used by him for irrigation and for domestic and general farming purposes, for many years, no person claiming under appropriators can revive old ditch and water right so as to divert water beyond water-shed of creek, to injury of riparian owner. *Kirman v Hunnewell* (1892) 93 C 519, 29 P 124.

Improper and ineffective change of location of ditch as against rights of homestead settler does not have effect to lose prior right to flow of water which is not intended to be abandoned;

whether he abandoned his property in former ditch and right to lead water through same is question of fact to be determined under proper pleadings. *McGuire v Brown* (1895) 106 C 660, 39 P 1060, 30 LRA 384.

Water rights acquired by possession depend on possession and continued use; on abandonment of use of any part of water, that part becomes subject to new appropriation and continued possession by another. *Smith v Green* (1895) 109 C 228, 41 P 1022.

Where defendant had for many years exercised right to convey water in flume across plaintiff's lands, abandonment of dilapidated part of flume thereon and substitution of iron pipe in place thereof is distinct from abandonment of substantive right to convey and divert water. *Wood v Etiwanda Water Co.* (1905) 147 C 228, 81 P 512.

§ 1241.5. Same: "Trust land" held for or owned by Indians: Legislative declaration: Operation of section on establishment of California Indian Water Affairs Commission. The laws of this State with respect to loss of water rights by nonuse, abandonment, prescription, and lack of diligence shall not apply to water rights appurtenant to or for use on any trust land for the period of five years following the conveyance by the United States of an unrestricted title to the land and the water rights appurtenant to or for use on such land.

As used in this section, "trust land" means any land in this State (a) to which the United States holds title in trust for any tribe, band, or other group of Indians, or for any particular Indian; or (b) owned by a particular Indian or any tribe, band, or group of Indians subject to a restriction against alienation imposed by the United States; or (c) held by the United States for the use of Indians in California, but not for any particular tribe, band, or group of Indians, or any particular Indian, if any part of such land is occupied by Indians or their families.

The Legislature hereby finds and declares that because of historical conditions, the Indians of California will not be in a position fully to utilize and to protect water rights owned by them when unrestricted title to trust land is conveyed to them by the United States. A period is required during which the laws with respect to loss of water rights by nonuse, abandonment, prescription, and lack of diligence are suspended with regard to such land and water rights so that they will not lose the benefit of the water rights and the opportunity to make productive utilization of their land. The Legislature further finds and declares that such a suspension of the laws of this State with regard to such water rights is in the public interest and will promote the public welfare since it will promote the economic and social well-being of the Indians and the communities in which they reside and will encourage the self-sufficiency of the Indians.

This section shall become operative upon the enactment of federal legislation authorizing the establishment of a California Indian Water Affairs Commission.

NOTE.—Section operative upon enactment of federal legislation authorizing the establishment of a California Indian Water Affairs Commission.

#### LEGISLATIVE HISTORY

Added by Stats 1959 ch 636 § 1 p 2612.  
Former § 1241.5, relating to suspension or limitation of mining operations, was added by Stats 1945 ch 34 § 1 p 1301, effective April 18, 1945, expired September 19, 1947, and was repealed by Stats 1957 ch 53 § 4 p 618, ch 1932 § 66 p 3380.

#### COLLATERAL REFERENCES

Cal Jur 2d Waters §§ 318 et seq., 372.  
McKinney's Cal Dig Waters §§ 142, 148.  
Am Jur Waters (1st ed § 295).

**§ 1241.6. Extension of forfeiture period applicable to water appropriated: Limitation.** When water appropriated for irrigation purposes is not used by reason of compliance with crop control or soil conservation contracts with the United States, and in other cases of hardship as the State Water Rights Board may by rule prescribe, the three-year forfeiture period applicable to water appropriated pursuant to the Water Commission Act or this code, and the forfeiture period applicable to water appropriated prior to December 19, 1914, shall be extended by an additional period of not more than 10 years or the duration of any crop control or soil conservation contracts with the United States if less than 10 years.

## LEGISLATIVE HISTORY

Added by Stats 1957 ch 1391 § 1 p 2726.

## COLLATERAL REFERENCES

Cal Jur 2d Waters §§ 307, 318.

*Government Code, State of California***Section 186**

**§ 186. "Public domain": "Indians": Activities in which Indians may engage in practice of Indian culture on public domain: Authorized transportation of material possessions: Indians to take fish and game in accordance with rules and regulations of Fish and Game Commission: Authority of commission to adopt rules and regulations, etc.**

(a) As used in succeeding subdivisions of this section "public domain" refers to such portion of the public domain of the State of California as is contiguous to the portion of the Klamath River between the mouth of the river and Katamin Rancheria and such portion of the public domain of the State of California as is contiguous to the portion of the Trinity River between the junction of the Klamath and Trinity Rivers and the junction of the Trinity and South Fork Rivers.

(b) As used in this section "Indians" refers to those persons listed on the California Indian Roll whose Indian ancestors originated in the area adjacent to the two stretches of river described in subdivision (a).

(c) Every Indian may, on the public domain, in the practice of Indian culture, engage in the following activities:

(i) Gather acorns, berries, mushrooms, fruits, insects, seaweed, fish, and other natural foods, materials for regalia and ceremonial purposes and for traditional Indian activities such as making baskets, boatmaking, stoneworking, woodworking, and making of nets, such as roots, reeds, bark, wood, skins, feathers, shells, seeds, nuts, grasses, stones, bones, dye-stuffs, plants, sticks, and leaves;

(ii) Engage in traditional activities, including religious dances and ceremonies, and the making of baskets and woodworking, making of costumes, and other handicrafts.

(d) Transportation to or from any area of the public domain or between different areas of the public domain of material possession of which, pursuant to the foregoing provisions of this section, is permitted on the public domain, shall not be unlawful.

(e) Indians taking fish and game under this section shall do so in accordance with the rules and regulations of the Fish and Game Commission and under permit issued by the Department of Fish and Game. The commission may adopt rules and regulations and impose conditions on the issuance of such permits which shall limit the taking of fish and game to taking for ceremonial purposes in such manner as the commission deems proper. [Added by Stats 1963 ch 1498 § 1.]

*Government Code, State of California***Section 12523**

**Authority to represent Indians.** The Attorney General may appear for and represent the Indians of the state of California before the Indian Claims Commission created by an act of Congress approved August 13, 1946 (Public Law 726).

## LEGISLATIVE HISTORY

Added by Stats 1955 ch 84 sec 4 p 528. Based on Stats 1947 ch 46 sec 1 p 532.

*Fish and Game Code, State of California***Sections 7154, 7155**

**§ 7154. Issuance to resident Indians free of charge: Conditions.** The department may issue to any Indian residing in this State a sport fishing license, free of charge. The license may be issued only to such resident Indian as is, in the discretion of the department, financially unable to pay the fee required for the license, and only to such resident Indian as has not been convicted of the violation of any law of this State relating to the protection of fish and game.

## LEGISLATIVE HISTORY

Enacted 1957. Based on:  
(a) Former F & G C § 429, as amended by Stats 1933 ch 167 p 616, Stats 1953 ch 1702 § 1 p 3446, without substantive change. "Department" substituted for "commission."  
(b) Stats 1927 ch 798 § 9 p 1570.

## CROSS REFERENCE

Form of license to be issued to persons designated to receive sport fishing license without charge: § 7149.

## COLLATERAL REFERENCES

Cal Jur2d Fish and Fisheries § 33.  
McKinney Cal Dig Fish and Fisheries § 12.  
Am Jur Fish and Fisheries § 46.

**§ 7155. Right of members of Yurok Indian tribe to take fish from Klamath River: Conditions.** Notwithstanding any other provision of this code, California Indians who are bona fide registered members of the Yurok Indian Tribe may take fish, for subsistence purposes only, from the Klamath River between the mouth of that river and the junction of Tectah Creek with it, exclusive of tributaries, without regard to seasons, under the following conditions:

(a) Upon application therefor, the department shall issue to any Yurok Indian who is listed on the register of the Yurok Tribal Organization, as furnished to the department, a renewable, nontransferable permit to take fish pursuant to this section for a period of one calendar year. Any Indian of the Yurok tribe while taking fish pursuant to this section shall have upon his person such valid permit, and shall display it upon the request of any duly authorized officer.

(b) Hand dip nets, and hook and line only may be used for taking fish pursuant to this section.

(c) Pursuant to this section not more than three trout or salmon or combination thereof, or more than one sturgeon, may be taken in any one day. There is no bag limit on any other fish.

(d) No Yurok Indian while fishing pursuant to this section may be accompanied by any person who does not possess a valid permit as prescribed by this section. It is unlawful for any person who does not hold such permit to accompany any Yurok Indian who is taking fish pursuant to this section.

(e) The sale of any fish taken under the provisions of this section shall constitute cause for permanent revocation by the commission of the permit held by the person making the sale.

#### LEGISLATIVE HISTORY

Enacted 1957. Based on former F & G C § 429.8, as added by Stats 1951 ch 1436 § 1 p 3467, without substantive change.

#### CROSS REFERENCE

Minimum punishment for violation of section: § 12005(a).

### Welfare and Institutions Code, State of California

#### Division VII

### DIVISION VII

#### Indians

- Chapter 1. Administration of Federal Funds. §§ 8000, 8001.  
2. Suits in Behalf of Indians. § 8025.

#### COLLATERAL REFERENCES

- Law Review Articles:  
14 CLR 83, 157 (legal status of California Indian).  
2 UCLA LR 143 (right of Indians to indigent county relief while living on federal reservation).

#### Attorney General's Opinions:

- 18 Ops Atty Gen 88 (county's right, duty, and jurisdiction to provide indigent relief to Indians residing on reservation).

### CHAPTER 1

#### Administration of Federal Funds

- § 8000. Expenditure by State agencies.  
§ 8001. Preparation and coordination of budgets: Accounting to Federal disbursing officers: Responsibility of department officers and employees.

#### § 8000. Expenditure by State agencies.

State agencies authorize to administer. If provision is made by law of the United States for the administration by public agencies of this State of Federal appropriations for the welfare of the Indians in this State, such State agencies may administer the expenditure of such Federal appropriations within the scope of their legal powers.

The State Department of Public Health shall administer the expenditure of all such Federal appropriations for the care and hospitalization of, and for medical attention to, sick or injured Indians and for the control and prevention of communicable and infectious diseases and general sanitation among the Indians in this State.

The State Department of Education shall administer the expenditure of such Federal appropriations for the construction and maintenance of schools and the education of the Indians in this State.

The State Department of Social Welfare shall administer the expenditure of such Federal appropria-

tions for the relief of aged, infirm, and indigent Indians in this State.

**Purposes for which funds may be spent.** Subject to such limitations as the law of the United States or the Secretary of the Interior lawfully imposes upon the administration of such funds, the State departments above mentioned may expend the same for the purposes within their respective jurisdictions which the respective heads of the departments deem best to conserve the interests and welfare of all the Indians residing within the State.

#### LEGISLATIVE HISTORY

Enacted 1937. Based on Stats 1927 ch 148 §§ 1, 2 p 285, without substantial change.

#### CROSS REFERENCES

State Department of Social Welfare: §§ 100 et seq.  
State Department of Education: Ed C §§ 351 et seq.  
Execution and charge for bonds in connection with education and welfare of Indian children: Ed C § 1007.  
Indian school reimbursement fund: Ed C §§ 20301-20305.  
State Department of Public Health: H & S C §§ 100 et seq.

#### COLLATERAL REFERENCES

Cal Jur 2d Indians §§ 5, 6, Paupers § 6.  
McKinney's Cal Dig Indians.  
Am Jur Public Funds §§ 42 et seq.

#### Attorney General's Opinions:

- 1 Ops Atty Gen 98 (funds received from Federal Indian Bureau as remaining in Federal Government).

**§ 8001. Preparation and coordination of budgets: Accounting to Federal disbursing officers: Responsibility of department officers and employees.** If the law of the United States requires the submission of budgets to the Secretary of the Interior or to any other Federal agency before Federal funds may be expended the State agencies may prepare budgets showing the amounts necessary during each year to carry out the purposes for which such Federal appropriations are made, and shall submit such budgets when prepared to the State Department of Finance, who shall coordinate the same so far as possible and approve them before they are forwarded to the Federal agency charged with receiving them. Thereafter the State agencies shall account directly to the Federal disbursing and auditing officers for the expenditures of Federal funds made subject to their administration, and the officers and employees of each department shall be responsible upon their official bonds to the Federal disbursing and auditing officers for a proper accounting for all funds so disbursed.

#### LEGISLATIVE HISTORY

Enacted 1937. Based on Stats 1927 ch 148 § 3 p 285, without substantial change.

#### CROSS REFERENCES

Executive budget: Const Art IV § 24.  
Fiscal year budgets of State agencies: Gov C §§ 13320 et seq.

### CHAPTER 2

#### Suits in Behalf of Indians

**§ 8025. Powers of Attorney General: Reimbursement for services.** If the Attorney General of this State is authorized by any law of the United States to institute suits in the court of claims in behalf of the Indians of this State, and if the law of the United States provides for reimbursement of this State for all necessary costs and expenses incurred by this State in the event that the court renders judgment against the United States, the Attorney General may,

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with the approval of the Governor, cause such suits to be instituted, employ special counsel to assist in the prosecution therefor, and pay all necessary expenses incident thereto from moneys appropriated to the Attorney General. No reimbursement shall be made to this State for the services rendered by its Attorney General in person.

#### LEGISLATIVE HISTORY

Enacted 1937. Based on Stats 1927 ch 643 § 1 p 1092, without substantial change.

#### CROSS REFERENCES

Powers of Attorney General: Gov C §§ 12510 et seq.

#### COLLATERAL REFERENCES

Cal Jur 2d Indians § 10.

#### Forms:

10 Am Jur Pl & Pr Forms, No. 10:1231 (form of complaint to recover damages for seizure and destruction of livestock belonging to Indians), No. 10:1232 (form of complaint for judgment declaring citizenship status and validity of conveyance of former Indian ward, to cancel deed made on mistake as to such validity, and for mandamus).

#### Attorney General's Opinions:

10 Ops Atty Gen 103 (authority of attorney general to represent Indians as group before Federal Indian Claims Commission).

### Welfare and Institutions Code, Section 113, State of California

#### Department of Social Welfare

§ 113. **Advisory and supervisory duties.** The department shall advise public officers regarding the administration of poor relief by public agencies throughout the State, and it shall supervise the administration of State aid to all persons receiving or eligible to receive State aid. It shall also supervise the expenditure of any funds for Indian relief which may be granted to the State by the Federal Government.

#### LEGISLATIVE HISTORY

Added by Stats 1937 ch 397 p 1218, effective August 27, 1937. See Stats 1937 ch 369 p 1011.

Former § 113, similar to present § 204.5, was enacted 1937 and repealed by Stats 1937 ch 397 p 1218, effective August 27, 1937.

#### CROSS REFERENCES

Expenditure of funds: § 110.  
Administration of federal funds for Indians: § 8000.  
Contracts between federal government and states with respect to benefit of Indians: 25 USC §§ 451-455.

#### COLLATERAL REFERENCES

Cal Jur 2d Indians § 5.

#### Supplement 113

Department's advisory and supervisory duties. The Department shall advise public officers regarding the administration of public social services by public agencies throughout the State, and it shall supervise the administration of state aid to all persons receiving or eligible to receive state aid. It shall also supervise the expenditure of any funds for Indian relief which may be granted to the State by the federal government. (Amended by Stats. 1963, ch. 1916, Sec. 32.)

## PUBLIC LAW 86-121—JULY 31, 1959

### AN ACT

To amend the Act of August 5, 1954 (68 Stat. 674), and for other purposes.

#### Indians, Sanitation Facilities. 42 USC 2001-2004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 5, 1954 (68 Stat.

674), is amended by adding at the end thereof the following new section:

"SEC. 7. (a) In carrying out his functions under this Act with respect to the provision of sanitation facilities and services, the Surgeon General is authorized—

#### Surgeon General—Powers

"(1) to construct, improve, extend, or otherwise provide and maintain, by contract or otherwise, essential sanitation facilities, including domestic and community water supplies and facilities, drainage facilities, and sewage- and waste-disposal facilities, together with necessary appurtenances and fixtures, for Indian homes, communities, and lands;

#### Acquisition of Lands

"(2) to acquire lands, or rights or interests therein, including sites, rights-of-way, and easements, and to acquire rights to the use of water, by purchase, lease, gift, exchange, or otherwise, when necessary for the purposes of this section, except that no lands or rights or interests therein may be acquired from an Indian tribe, band, group, community, or individual other than by gift or for nominal consideration, if the facility for which such lands or rights or interests therein are acquired is for the exclusive benefit of such tribe, band, group, community, or individual, respectively;

#### Construction and Maintenance

"(3) to make such arrangements and agreements with appropriate public authorities and nonprofit organizations or agencies and with the Indians to be served by such sanitation facilities (and any other person so served) regarding contributions toward the construction, improvement, extension and provision thereof, and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of facilities in an effective and operating condition; and

#### Transfer of Facilities

"(4) to transfer any facilities provided under this section, together with appurtenant interests in land, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, and the special health needs of the Indians concerned, to any State or Territory or subdivision or public authority thereof, or to any Indian tribe, group, band, or community or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian home served thereby.

#### Transfer of U.S. Land

"(b) The Secretary of the Interior is authorized to transfer to the Surgeon General for use in carrying

out the purposes of this section such interest and rights in federally owned lands under the jurisdiction of the Department of the Interior, and in Indian-owned lands that either are held by the United States in trust for Indians or are subject to a restriction against alienation imposed by the United States, including appurtenances and improvements thereto, as may be requested by the Surgeon General. Any land or interest therein, including appurtenances and improvements to such land, so transferred shall be subject to disposition by the Surgeon General in accordance with paragraph (4) of subsection (a): *Provided*, That, in any case where a beneficial interest in such land is in any Indian, or Indian tribe, band, or group, the consent of such beneficial owner to any such transfer or disposition shall first be obtained: *Provided further*, That where deemed appropriate by the Secretary of the Interior provisions shall be made for a reversion of title to such land if it ceases to be used for the purpose for which it is transferred or disposed.

“(c) The Surgeon General shall consult with, and encourage the participation of, the Indians concerned, States and political subdivisions thereof, in carrying out the provisions of this section.”

SEC. 2. Section 6 of such Act is amended by striking out the word “This” and inserting in lieu thereof the words “Sections 1 to 5, inclusive, of this”.

Approved July 31, 1959.

## PUBLIC LAW 959

### CHAPTER 930

August 3, 1956 [S. 3416]

#### AN ACT

Relative to employment for certain adult Indians on or near Indian reservations.

#### Indians—Vocational Training

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to help adult Indians who reside on or near Indian reservations to obtain reasonable and satisfactory employment, the Secretary of the Interior is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship, and on the job training, for periods that do not exceed twenty-four months, transportation to the place of training, and subsistence during the course of training. The program shall be available primarily to Indians who are not less than eighteen and not more than thirty-five years of age and who reside on or near an Indian reservation, and the program shall be conducted under such rules and regulations as the Secretary may prescribe. For the purposes of this program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates

in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment.

#### Appropriation

SEC. 2. There is authorized to be appropriated for the purposes of this Act the sum of \$3,500,000 for each fiscal year, and not to exceed \$500,000 of such sum shall be available for administrative purposes.

Approved August 3, 1956.

## PUBLIC LAW 85-671—AUG. 18, 1958

### AN ACT

To provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes.

#### Indian Rancherias. Land Distribution

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands, including minerals, water rights and improvements located on the lands, and other assets of the following rancherias and reservations in the State of California shall be distributed in accordance with the provisions of this Act: Alexander Valley, Auburn, Big Sandy, Big Valley, Blue Lake, Buena Vista, Cache Creek, Chicken Ranch, Chico, Cloverdale, Cold Springs, Elk Valley, Guidiville, Graton, Greenville, Hopland, Indian Ranch, Lytton, Mark West, Middletown, Montgomery Creek, Mooretown, Nevada City, North Fork, Paskenta, Picayune, Pinolville, Potter Valley, Quartz Valley, Redding, Redwood Valley, Robinson, Rohnerville, Ruffeys, Scotts Valley, Smith River, Strawberry Valley, Table Bluff, Table Mountain, Upper Lake, Wilton.

#### Distribution of Assets

SEC. 2. (a) The Indians who hold formal or informal assignments on each reservation or rancheria, or the Indians of such reservation or rancheria, or the Secretary of the Interior after consultation with such Indians, shall prepare a plan for distributing to individual Indians the assets of the reservation or rancheria, including the assigned and the unassigned lands, or for selling such assets and distributing the proceeds of sale, or for conveying such assets to a corporation or other legal entity organized or designated by the group, or for conveying such assets to the group as tenants in common. The Secretary shall provide such assistance to the Indians as is necessary to organize a corporation or other legal entity for the purposes of this Act.

#### Referendum

(b) General notice shall be given of the contents of a plan prepared pursuant to subsection (a) of this section and approved by the Secretary, and any Indian who feels that he is unfairly treated in the pro-



posed distribution of the property shall be given an opportunity to present his views and arguments for the consideration of the Secretary. After such consideration, the plan or a revision thereof shall be submitted for the approval of the adult Indians who will participate in the distribution of the property, and if the plan is approved by a majority of such Indians who vote in a referendum called for that purpose by the Secretary the plan shall be carried out. It is the intention of Congress that such plan shall be completed not more than three years after it is approved.

#### Record of Conveyance

(c) Any grantee under the provisions of this section shall receive an unrestricted title to the property conveyed, and the conveyance shall be recorded in the appropriate county office.

#### Taxation

(d) No property distributed under the provisions of this Act shall at the time of distribution be subject to any Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the distributee shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

#### Surveys

SEC. 3. Before making the conveyances authorized by this Act on any rancheria or reservation, the Secretary of the Interior is directed:

(a) To cause surveys to be made of the exterior or interior boundaries of the lands to the extent that such surveys are necessary or appropriate for the conveyance of marketable and recordable titles to the lands.

#### Improvement of Roads

(b) To complete any construction or improvement required to bring Indian Bureau roads serving the rancherias or reservations up to adequate standards comparable to standards for similar roads of the State or subdivision thereof. The Secretary is authorized to contract with the State of California or political subdivisions thereof for the construction or improvement of such roads and to expend under such contracts moneys appropriated by Congress for the Indian road system. When such roads are transferred to the State or local government the Secretary is authorized to convey rights-of-way for such roads, including any improvements thereon.

#### Water Systems

(c) to install or rehabilitate such irrigation or domestic water systems as he and the Indians affected agree, within a reasonable time, should be completed by the United States.

(d) To cancel all reimbursable indebtedness owing to the United States on account of unpaid construction, operation, and maintenance charges for water facilities on the reservation or rancheria.

#### Land Exchanges

(e) To exchange any lands within the rancheria or reservation that are held by the United States for the use of Indians which the Secretary and the Indians affected agree should be exchanged before the termination of the Federal trust for non-Indian lands and improvements of approximately equal value.

#### Water Rights

SEC. 4. Nothing in this Act shall abrogate any water right that exists by virtue of the laws of the United States. To the extent that the laws of the State of California are not now applicable to any water right appurtenant to any lands involved herein they shall continue to be inapplicable while the water right is in Indian ownership for a period not to exceed fifteen years after the conveyance pursuant to this Act of an unrestricted title thereto, and thereafter the applicability of such laws shall be without prejudice to the priority of any such right not theretofore based upon State law. During the time such State law is not applicable the Attorney General shall represent the Indian owner in all legal proceedings, including proceedings before administrative bodies, involving such water right, and in any necessary affirmative action to prevent adverse appropriation of water which would encroach upon the Indian water right.

#### Conveyances

SEC. 5. (a) The Secretary of the Interior is authorized to convey without consideration to Indians who receive conveyances of land pursuant to this Act, or to a corporation or other legal entity organized by such Indians, or to a public or nonprofit body, any federally owned property on the reservations or rancherias subject to this Act that is not needed for the administration of Indian affairs in California.

(b) For the purposes of this Act, the assets of the Upper Lake Rancheria and the Robinson Rancheria shall include the one-hundred-and-sixty-acre tract set aside as a wood reserve for the Upper Lake Indians by secretarial order dated February 15, 1907.

(c) The Secretary of the Interior is authorized to sell the five hundred and sixty acres of land, more or less, which were withdrawn from entry, sale, or other disposition, and set aside for the Indians of Indian Ranch, Inyo County, California, by the Act of March 3, 1928 (45 Stat. 162), and to distribute the proceeds of sale among the heirs of George Hanson.

#### Disbursements

SEC. 6. The Secretary of the Interior shall disburse to the Indians of the rancherias and reservations that are subject to this Act all funds of such Indians that are in the custody of the United States.

**Claims**

SEC. 7. Nothing in this Act shall affect any claim filed before the Indian Claims Commission, or the right, if any, of the Indians subject to this Act to share in any judgment recovered against the United States on behalf of the Indians of California.

**Appointment of Guardians**

SEC. 8. Before conveying or distributing property pursuant to this Act, the Secretary of the Interior shall protect the rights of individual Indians who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs, by causing the appointment of guardians for such Indians in courts of competent jurisdiction, or by such other means as he may deem adequate, without application from such Indians, including but not limited to the creation of a trust for such Indians' property with a trustee selected by the Secretary, or the purchase by the Secretary of annuities for such Indians.

**Educational Training**

SEC. 9. Prior to the termination of the Federal trust relationship in accordance with the provisions of this Act, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the Indians to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

**Finality of Plan**

SEC. 10. (a) The plan for the distribution of the assets of a rancheria or reservation, when approved

by the Secretary and by the Indians in a referendum vote as provided in subsection 2 (b) of this Act, shall be final, and the distribution of assets pursuant to such plan shall not be the basis for any claim against the United States by an Indian who receives or is denied a part of the assets distributed.

**Laws Applicable**

(b) After the assets of a rancheria or reservation have been distributed pursuant to this Act, the Indians who receive any part of such assets, and the dependent members of their immediate families, shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall be inapplicable to them, and the laws of the several States shall apply to them in the same manner as they apply to other citizens or persons within their jurisdiction. Nothing in this Act, however, shall affect the status of such persons as citizens of the United States.

**Revocation. 25 USC 461-479**

SEC. 11. The constitution and corporate charter adopted pursuant to the Act of June 18, 1934 (48 Stat. 984), as amended, by any rancheria or reservation subject to this Act shall be revoked by the Secretary of the Interior when a plan is approved by a majority of the adult Indians thereof pursuant to subsection 2 (b) of this Act.

**Rules and Regulations**

SEC. 12. The Secretary of the Interior is authorized to issue such rules and regulations and to execute or approve such conveyancing instruments as he deems necessary to carry out the provisions of this Act.

**Appropriation**

SEC. 13. There is authorized to be appropriated not to exceed \$509,235 to carry out the provisions of this Act.

Approved August 18, 1958.

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APPENDIX E

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## BISHOP UNION ELEMENTARY SCHOOL DISTRICT

A study of the socio-economic and anthropologic impact of the Paiute Indian culture on the educational development of the children: A pilot project in compensatory education during the school year 1964-65 under the provisions of Article 15 of Chapter 6 of Division 6 of the Education Code (the McAteer Act).

### *The Nature of the Group and Need*

In general the children come from families that are on the lower scale of the socio-economic classification. The majority of them live on the reservation in sub-standard housing. Few of the parents are employed steadily, and many of the families are on welfare.

The cultural values and child-rearing practices are in conflict with the generally accepted values of the community. This conflict of cultural values and standards often results in the children being at variance with the limits of acceptable social behavior. Patterns of delinquency are developing at early ages, and alcoholism is an acute problem.

These children are required to make a daily cultural transition from a society that does not stress intellectual or physical ambition. Most of them have a good intelligence potential which is never realized.

The preschool children remain suspended in an onerous-type cultural bubble until it is burst by their introduction to kindergarten and the requirements of formal education. This introduction is many times unsatisfactory, because the children have not been exposed to the activities and experiences that assist in making a child ready for school. Early failure often results and conditions them to accept failure and to entrench themselves in their cultural attitude of the "poor, lowly, insignificant Paiute." This group comprises a large percentage of the local high school dropouts and druggins.

Approximately 95 percent of the children in the group to be studied are Paiute Indians, and 5 percent are Shoshone. There has been limited intermarriage with Caucasians, mainly with Basque shepherders.

A high rate of truancy is present in this group, and throughout their educational experiences many of the children are only physically present in school. They do not achieve at their potential level or grade placement. It is noted in screening for mentally retarded placement that a predominance of the referrals are from this group. Attempts by church groups to help the Indians assimilate and embrace some of the values and standards of the community, as well as develop a respect for and perpetuation of some of the acceptable mores of their own culture, have not been wholly successful.

### *Expected Outcomes*

By having a program for the preschool children of this Indian group, it is expected that this will correct the imbalance between their potential and their future

achievement. This program will center on school or educational readiness before they enter the kindergarten or first grade.

In addition, it is expected that the other Indian pupils in the school will receive benefits from this program through enrichment and guidance that will be provided to them through their families, homes, and resulting community activities.

Some other specific questions for which we seek answers or information that will be of assistance with motivation for this group are as follows:

- a. To what degree is the lack of verbal skills a reflection of the subcultural values?
- b. Can this lack of verbal development be partially or completely compensated for by a pre-school program?
- c. What is the relationship between the cultural background and the socio-economic status as it relates to learning?
- d. What will have to be done to assure motivation for the Indian pupils as they progress through the educational program and ensuing school grade structure?
- e. What agencies and organizations in the community are available that can assist the school with this situation?
- f. Will remedial teaching and personal counseling be beneficial to the upper-grade students?

### *Selection*

The group to be selected will be composed of the total Indian population enrolled in kindergarten through grade eight, as well as a preschool group which will be eligible for kindergarten in September 1964. This preschool group will be tested and will receive a special readiness program; for comparison, a matched control group of non-Indian children will be tested, but will not participate in the readiness program.

The Indian children are readily identifiable from existing school records, and the control non-Indian group will be identified from the preschool survey and will be matched in chronological age, mental age, sex, and socio-economic level.

### *Preschool Class Program Organization and Development*

Parents of the preschool boys and girls were informed of the program and invited to participate by a letter from the governing board of the Bishop Union Elementary School District, and then personally contacted for their response by school representatives and the teacher of the class. This personal contact was to tell them more of the program and to invite them to the first meetings. All parents responded with interest to the initial idea of the program.

Two class meetings were held in the Line Street School cafeteria with the parents and children attending. School personnel in charge were introduced at the first meeting and the program explained. Ques-

tions were asked by the parents, to which direct and satisfactory answers were given. They were then asked about a meeting time for the class and other details for the class organization. The individual testing program was explained at this time also.

The class group then started a regular schedule in the Line Street School cafetorium, with very good attendance. The pupils have been transported to school by schoolbus, which has been a most interesting experience for them. Some of the parents attend the class. A nutrition period, composed of serving milk and graham crackers, is part of the daily schedule. The daily schedule at this time is similar to that of a preschool and kindergarten program. The regular kindergarten teachers of the district are assisting with this schedule to make sure that it includes and gives special emphasis to the items that they note have been lacking in the experiences of the Indian boys and girls.

Individual testing (Stanford-Binet) was administered to each pupil of the preschool group by Dr. Cecil Johnson, district psychologist, assisted by Gordon Strachan, assistant project director. The parents were most cooperative in bringing the boys and girls to the school for their testing appointments. These were completed using a Saturday, with no absences. A brief summary of the testing results is as follows:

a. Chronological ages—4 years 1 month to 4 years 10 months. Mental age range—3 years 7 months to 5 years 0 months.

b. IQ range from 111 to 78, with the mean IQ 98.526.

c. The earliest failures in the tests were in picture vocabulary, opposite analogues, and comprehension. Other areas of difficulty were in commissions, folding a triangle, copying a square, and patience triangles.

#### Summary of Parent Conferences

Parent conferences were scheduled for half-hour sessions on January 13 and 14. Eighteen of the 20 children were represented by one or more parents. Two parents did not come. During the conferences the results of the Stanford-Binet testing were discussed in terms of percentile scores and the apparent strengths and weaknesses of the child. Teacher comments on the child's work in the class were discussed.

The discussions of the individual child led to broader discussions of the feelings of the parents regarding the program. Some of the comments which were made are discussed below.

Mother: "The program is wonderful and the whole family couldn't be more pleased." We discussed the language factor and she said that it is still a problem on the reservation. The grandparents still speak Piute. There are also families in which Spanish or Mono Lake Indian is spoken. An interesting side comment is that the children of a son call the grandmother "huitsi" and those of a daughter "mugi." However, the grandfather is known to both as "togo."

Mrs. X: During the testing interview it was impossible to get a response from Mike. It was felt that

the child was severely retarded and extremely anxious. He would not leave his mother. Since starting the class, the child now rides the bus by himself, seeks contacts with other children, and is showing an interest in the world around him.

Mother: "Bug is fortunate; I hope the program can be kept up." The mother completed the 11th grade at Sherman Institute and her husband had a year of college. Their children in grades two, three, and five are having learning difficulties. She mentioned this, so the facet of our program for remedial work was discussed and received complete support.

Mother: "It's a wonderful program."

Mother: "Pretty good. Keeps her (daughter) busy and interested."

Mr. and Mrs. X: Both parents were present and the father has stated that he had asked that his request for relocation and training be held in abeyance until his child finished the preschool program. They felt that the program was one of the best things that had happened to help the Indian children. They indicated that some of the problems on the reservation were lack of supervision of the children, alcohol, and that the children group too much. The children cannot move back and forth between Indian and other groups with acceptance by both. Any break from the group is a clear break and the child is not allowed back in the group.

In general, the tone of the parents was one of appreciation for what was being done and a desire to see the program continued.

#### Preschool Observation and Evaluation Report By Miss Lindblad, Teacher

Most of these Indian children have a limited vocabulary, and some are shy and retiring. I have seen a noted improvement since the beginning of the class in many of the children. By sharing experiences, dramatic play, and the free play time their language development has shown remarkable improvement. The shy and timid children are joining the group in play, where they previously would rather be by themselves. They are doing more verbalizing, even to pretending with the toy telephone.

These children show evidence of very little training or discipline. "Rough-house play" is the order of the day in their lives. It is quite difficult for many of them to conform to rules or to what is expected of them. Restrictions seem unknown to many of them.

These children are very proficient and quite daring on the playground equipment for their age. I believe they surpass the average child of their age in this area.

Many of these children, even the most immature, have become aware that there is something in books for them. They have learned about pets, farm and zoo animals and enjoyed seeing them in the books, as well as on the flannelboard and in films.

Most of the children endeavor to please and enjoy helping and being near the teacher. Many are starved for an outward expression of affection or a sense of belonging and worthwhileness. They are on the whole adorable, eager youngsters.

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One rewarding development is the interest and cooperation of the parents. These parents are becoming more involved with the school and seem to be enjoying it. They also seem to be realizing their moral responsibilities in a greater way.

#### *Outline of Daily Schedule—Revised With Beginning of Second Semester*

8:50—9:00—Hang up wraps, roll call, flag salute, sharing.

9:00—9:15—Instruction period. Lesson on health, safety, animals, geometric shapes, or something seasonal. Use books, pictures, films, filmstrips, and real objects.

9:15—9:30—Seat work. Follow up activity (tied in with the morning's instruction), such as cutting, pasting, coloring, clay, etc.

9:30—9:45—Recess. P.E., games; outdoors on the playground equipment as weather permits.

9:45—9:55—Nutrition period—milk and graham cracker.

9:55—10:10—Story, nursery rhymes, or records for listening.

10:10—10:25—Free play. The children choose what they want to do—cars, blocks, dolls, puzzles, beads, pegboards.

10:25—10:30—Cleanup, lineup, pass out children's work to take home.

10:30—Dismiss and get them to the bus.

#### *Community Interest and Concern for This Project*

Publicity on this project has been confined to giving educational emphasis through the PTA's and faculties. Questions have been asked as to why this program is only for Indians, and when told it was a compensatory education project no other questions have been asked.

To provide for a nutrition program for these preschool boys and girls of milk and graham crackers, it was suggested that some of the local service clubs might want to assist. When the information was passed on the Bishop Elks Lodge and the Junior Women's Improvement Club both donated \$100 for this nutrition program. Other groups have indicated they would help if needed.

#### *Program for Indian Students Who Are in The Regular Elementary School Program*

In reviewing the expected outcomes of this compensatory education project, these questions are asked: What will have to be done to assure motivation for the Indian pupils as they progress through the educational program and the ensuing school grade structure; what is the relation between the cultural background and the socio-economic status as it relates to learning, and what agencies and organizations in the community are available that can assist the school with this situation; what will benefit the Indian students in the regular school program and how should the school provide needed motivation. In addition, it is proposed to provide remedial instruction and per-

sonal counseling for the Indian students to further enrich their individual educational achievement.

The data on the following pages and information were taken from the achievement and mental maturity tests given to all of the students in the Bishop Elementary School District last fall, and then the results and placements of the Indian students plotted. It is to be quickly noted that although their potential is almost the same as the other students, their achievement scores lag behind. Such a lag continues throughout the continuing grades, and they are always behind. These Indian boys and girls make up most of the slow-learner groups in the grade levels.

In addition to this academic achievement lag, it is noted that many of them have been retained or have been given social promotions because of physical size and age. Poor attendance is often noted on their records. Also this group has a serious delinquency record in the community, which is alarmingly increasing and is repetitious as to the individuals involved. The dropout rate of this group in the high school is also excessive.

#### *Outline of the Program for the Indian Students in the Regular School Program*

The program for this group of Indian boys and girls will consist of three parts and has begun by trying to locate the student in terms of his academic needs, interests and degree of potential achievement, by providing remedial assistance and enrichment, and will involve the parents of these students in an information program regarding the importance of an education and achievement. Details of the program are as follows:

I. Preparation of case studies of each Indian student, with testing and individual conferences as needed.

II. Set up remedial classes for those Indian students who show excessive achievement lag.

III. Arrange conferences with parents of these students to make sure they understand the requirements of the school's program and advantages of good educational achievement.

IV. Organize a community youth council to provide a continuing guidance program for prevention of delinquency.

The first three phases of this outline are organized and have begun.

#### *Program for the Indian Children Age 9 Months to 4 Years*

When our program for the preschoolers was initiated it was discussed with Richard Koch, M.D., Children's Hospital, and Victor Hough, M.D., Inyo County Health Department. Dr. Koch visits our community regularly conducting clinics for the mentally retarded. They became interested in the extension of our program to include a thorough pediatric examination and Gesell development testing of the Indian children age nine months to four years.

The proposal is to make a cross group study (1963-64) and followup with longitudinal studies to identify

those aspects of the Indian culture which might tend to create a situation of cultural retardation. Present research quoted by Dr. Koch indicated that to alleviate the problem the children need extended experiences at an early age. It is expected that these populations will fit a normal curve of distribution at an early age but as they mature in their environment there will be a lessening of intellectual development which would be reflected in a skewing of the normal curve to the left. Our testing of the preschoolers in November did not confirm this theory as the mean IQ was 98.526 and the standard deviation was 8.6. However, the earliest failures of these children on the Stanford-Binet were in the areas that reflect verbal growth, therefore reflecting a problem in communication.

This study is expected to produce a body of knowledge that will:

- (1) Follow the physical growth and development of the children yearly until they enter kindergarten;
- (2) Follow the growth of the children in the areas of motor, adaptive, language, and personal-social development. An anthropological study is being proposed and will be headed up by a UCLA professor. All data collected will be treated statistically for significance.

This program is financed through the State of California, Department of Public Health, by the Children's Bureau, Department of Health, Education, and Welfare, Washington, D.C.

#### *Evaluation Techniques for the Compensatory Education Project*

Basically our program is operating in four areas:

- (1) A preschool program for Indian children who will attend kindergarten in September 1964;
- (2) The identification of Indian children in grades one through eight with remedial educational needs;
- (3) Counseling with children in upper grades to improve self and cultural concepts;
- (4) Parent education.

Therefore, different techniques are to be used as outlined below:

#### *(1) Preschool*

The Stanford-Binet was administered to the preschool experimental group in November and will be given again in May. This data will be treated statistically for significance. An observational check sheet based on the Gesell developmental schedules will be used by the teacher to measure observable growth in motor, adaptive, and personal-social skills. (Copy follows.) Parent interest and comments indicate the degree of support for the program. To date the following occurrences have indicated the support and interest of the parents:

A. One father has asked that his request for relocation and training be held in abeyance until his child completes the preschool program.

B. After the children were evaluated, individual parent conferences were scheduled. Eighteen of the 20 parents were present. Comments were made, such as, "This is the best thing that has happened for the Indian children." One father was impressed when his son came home and was angry because he had been the little bear and "somebody ate my porridge, broke my chair, and slept in my bed!" The boy had never been this interested and communicative before.

C. At our evening meeting January 7, 26 parents represented 19 of the 20 children. The program was for the purpose of discussing test results, scheduling individual conferences, and discussing the growth and development of the children. As the meeting was drawing to a close one parent asked if we could meet monthly, as she felt she was learning a lot.

D. Community interest has been generated as indicated by contributions by the Elks Lodge and Junior Women's Improvement Club to finance nutrition breaks.

E. The preschool program has generated interest by other community agencies in our program. See specifics under Dr. Koch's study.

F. When this group completes kindergarten (June 1965) we will be able to make a cross-group study of this group and previous groups without the program. The results of the Pinter-Cunningham and the Harrison-Stroud reading readiness test will be studied and the differences between the means will be analyzed and treated statistically.

G. We shall follow these children through longitudinal case studies as they progress through the grades.

#### *(2 and 3) Remedial Educational Needs and Counseling, Grades 1-8*

The differences between means of achievement test results of control and experimental groups widens with each successive grade. This is not true with mental maturity test results. It appears, therefore, that achievement is not commensurate with potential. Our work to date shows that it is not possible to separate the need for a remedial program from the need for counseling.

No research design has been established for the measurement of growth in achievement or change in self-concept. These children will be evaluated through a longitudinal case study.

#### *(4) Parent Education*

As our program has unfolded, we have received initial support and sustained interest from the parents. Parental attendance has remained high at all meetings and individual conferences. School attendance of the children has been regular. We have had requests from Indian parents with younger children to continue the program.

## REAPPLICATION FOR

## A Study of the Socio-economic and Anthropologic Impact of the Piute Indian Culture on the Educational Development of the Children

### 1. *The Nature of the Group and the Problem*

The group, all of the Indian boys and girls in the Bishop Elementary School District and the four-year-old preschool group that will be in the 1964-65 project, are the same pupils as those included in the study of last year with the exception of the graduated eighth grade students and a new four-year-old preschool group. The last year's preschool group will be in the regular kindergarten program of the district this year. There has been very little, if any, change during this past year in the basic cultural and environmental factors in the lives of these Indian pupils, which are in conflict with the general standards of behavior and achievement of the community and which create the problems contained in the study.

The problems in the 1964-65 compensatory education project are the same as those listed for last year's study. Specifically, the Indian boys and girls are required to make daily cultural transitions from a society and environment that stresses little intellectual or physical ambition to one of the opposite magnitude, as represented by the formal educational setting of the community and its demands and requirements on the individual's intellect and efforts. A factor or condition which further frustrates and confuses these Indian children is that in most cases these individuals have a satisfactory intelligence and achievement potential but do not recognize the need for its use because of the cultural apathy towards any future job or occupational accomplishment.

The initial year of this compensatory education project has resulted in the production of a more vivid and animated picture of the problem, its peculiar ingredients, and apathetic outcomes. In addition, it has also produced some satisfactory results by providing experiences for the older Indian students and their parents which reminded them that they have the ability to achieve more than they had in the past and that they are able to set up a pattern and program for accomplishment of specific goals.

### 2. *Expected Outcomes*

The expected outcomes for the 1964-65 project are the same as those listed in the initial project and application. They are restated below with minor revisions for clarification and some additions which further amplify the need for continuing the study and finding answers to the problems.

a. To assist with the correction of the imbalance in the potential and achievement of the Indian boy and girl in proper relation to the requirements for continuous educational progress by providing a preschool program for the four-year-old Indian pupils.

b. To provide much needed parent education and information activities with special emphasis

on the major importance of the completion of an educational program, requirements for the secondary graduation, and necessary achievement for further education, college enrollment, and completion.

c. To find out to what degree the lack of verbal skills is a reflection of the subcultural values of the Indian group.

d. To find out to what degree this lack of verbal development can be partially or completely compensated for by the preschool class and program.

e. To find out the relationship between the influence of the Indian pupil's cultural background and his socio-economic status as it relates to learning in the educational environment.

f. To ascertain what will have to be provided for the Indian students to motivate continuous progress through the formal educational program and traditional grade levels.

g. To contact agencies and organizations which will assist with the perplexing Indian situations and to utilize their services in the accomplishment of the outcomes of the project for the Indian boys and girls of the school and community.

h. To find out how beneficial a remedial instruction program and personal counseling will be for the Indian boys and girls in upgrading their degree of educational and occupational achievement.

### 3. *Procedure Proposed*

#### a. *The 1964-65 Program:*

The program will be basically the same as the one utilized for the 1963-64 project. The preschool class for four-year-olds will begin with the opening of the school year and meet daily in the same classroom used last year. The instructional program for them will be centered on educational readiness and training in the routines of the classroom and school. Special emphasis will be provided in those requirements which are in conflict with their home environment and culture.

The Indian pupils in the primary grades will be given individual and small group remedial instruction to assist in upgrading their achievement. This type of program will also be organized in the upper and middle grades. The individual student counseling program and special recognition of all types of achievement in both academic and general school activities provided an immediate and most satisfactory stimulus for the middle and upper grade Indian students. They responded noticeably by participating and showing interest in activities previously not attempted.

The monthly parent meetings will be continued and their programs extended. More time will be included for answering their individual questions as it was found these people asked many pertinent and interesting questions when given the opportunity. The type of questions indicated a



sincere desire to learn more about the program of the school.

The community advisory committee activity will be augmented and revitalized. This program is needed for evaluation of the compensatory education project to give guidance for its extension and continuance.

*b. The 1964-65 Schedule:*

*August-September 1964—*

1. Recontact all parents of the Indian boys and girls in the district to tell them of the continuance of the project, review plans, and ask for their suggestions and assistance.

2. Identify the preschool group of four-year-old boys and girls for the class and set up the individual testing program.

3. Review the project with the faculty of the district during the preschool orientation program.

*September 1964-January 1965—*

1. Start the preschool class.

2. Begin the counseling program with the regular school Indian pupils.

3. Organize and start remedial reading and arithmetic classes for all pupils in the district, with special attention on the needs and progress of the Indian students.

4. Begin an observation and evaluation program of the achievement and progress of the 1963-64 preschool class pupils who will be in the kindergarten program for 1964-65.

5. Set up and plan the program for the monthly meetings of the Indian parents. This group is divided into three sections—preschool, primary, and middle and upper grades.

6. Schedule and plan monthly meetings of the lay advisory committee.

7. Schedule and program for periodic meetings of the staff and teachers of the project.

8. Screen the October district achievement testing scores of the Indian boys and girls and evaluate them in terms of normal progress according to their potential and expectancy data. From this evaluation any needed changes will be made in placement of the students for remedial or enrichment purposes.

*February-June 1965—*

1. Continue the individual testing and evaluation program for all students in the project.

2. Continue the monthly meetings of the Indian parents with increasing emphasis on their ideas as to solution of the problems presented and activities which will assist with the achievement of the outcomes of the project.

3. Continue meetings of the lay advisory committee as needed.

*c. The 1964-65 Evaluation:*

1. The individual pupil's cumulative records will be completed to date for utilization in evaluation.

2. The results of the individual testing of the preschool pupils (Stanford-Binet) will be summarized, using the same statistical treatment of the data that was used for 1963-64.

3. The regular district group achievement testing results will be analyzed and summarized in terms of the patterns used in 1963-64.

4. Individual and group testing, such as the occupational interest inventory and aptitude tests, will be administered to the Indian pupils in the upper grades to continue the counseling program and motivate activities for the continuance of their education in the secondary schools. This data will also be compared with the results of the 1963-64 project program.

5. Gather significant data on the progress and achievement of the Indian pupils in the local high school, particularly concerning those who were in the compensatory education project in 1963-64.

6. Request an evaluation of the project from the Indian parents and record the results. Then, make comparisons with the data gathered for the 1963-64 program.

**4. Personnel**

*Project director, supervisor and coordinator*—Sidney L. Gardner, superintendent of Bishop Union Elementary School District for the past six years, has had experience as a teacher, principal, and chief administrator on elementary and secondary school levels.

*Assistant supervisor and project coordinator*—Gordon Strachan, district director of testing and counseling, has pupil personnel services credential as well as general elementary and administrative.

*Teacher of preschool group*—Miss Pauline Lindblad, district home teacher. She has had several years' experience working with this Indian group, and has been in their homes.

*District psychologist*—Delbert Bechthold has been employed by the district for two and one-half days per week.

*Consultants available*—Dr. Richard Koch, director of the Child Development Clinic, Children's Hospital, Los Angeles, and his staff, who hold clinics in Inyo County for preschool boys and girls with indication of special physical and mental problems. This group has already given assistance with the 1963-64 project and works with Dr. Victor Hough, Inyo County director of health. Dr. Hough also assists the district with this project by giving physical examinations as needed.

*Remedial and special teachers*—The teachers for these special and remedial groups will be recruited from the general faculty.

**5. Facilities**

There are no changes in facilities planned. The preschool class will meet in a kindergarten room in the Line Street School where it met last year. Transportation was furnished for this preschool group last

year and it is planned to continue. All other phases of the project will be held in the regular school district plant. It is possible that some of the special rooms of the school may be utilized after school and on Saturday, such as the library, to provide added motivation, enrichment, and supplementary help for the students.

#### 6. Other Commitments

No other commitments for the data from this compensatory education project have been made. The materials from this project will be shared by making a request to the director. It is hoped that the final reports and resulting recommendations for the future may attract the attention of other state and federal agencies whose programs will assist with the upgrading and rehabilitation of the Indian students here. This program will be continued in the Bishop Elementary School District as long as it can be financed.

Mr. Thomas Weaver, *Executive Secretary*  
State Advisory Commission on Indian Affairs  
Room 3023, State Building  
1111 Jackson Street  
Oakland, California 94607

Dear Mr. Weaver:

In reply to your request I am enclosing for your perusal a copy of the survey conducted by me in cooperation with the Warner Union School District staff.

As you may note, the study deals with perceptions of responsibilities development in reservation Indians and Anglo-American school children. The Indian children, incidentally, come primarily from the Los Coyotes and Santa Ysabel reservations located in northeastern San Diego County. Although a rather small sample was available for inclusion, it is felt by school district personnel that the data gives them additional potential direction for working with reservation Indian students in the classroom. Perhaps even more important is the interest generated by further investigation of the problem on a local level.

Perhaps you will be interested in our present efforts. Based on a cursory investigation of local standardized measurement data and teacher ratings, we have noted that reservation Indian children tend to perform well until reaching the upper primary or lower intermediate grades. Upon reaching this point both their motivation and achievement appear to drop off. As a result of these observations, we are initiating a formal study of the test data available for both reservation Indian students currently registered and those who are attending or have attended the high school serving Warner Union School District. It is hoped that we will be able to determine what might be a "critical period" in the educational and motivational development of the Indian school children.

As many of the questions presented in your survey deal with high school as well as elementary school data, I have contacted Julian Union High School which serves Warner Union, and you should be receiving data from them in a short while. In addition,

I have taken the liberty of forwarding your survey request to the Fallbrook Union High School District which also serves as an educating agency for Indian youth.

Although I am a relative neophyte as far as problems of Indian children are concerned, I have a real interest and concern in this area. Please feel free to contact me if I can be of any further assistance.

Sincerely yours,

RICHARD HOOVER  
*Guidance Coordinator*

DRH:PY  
Enc.

### DEVELOPMENT OF RESPONSIBILITY IN RESERVATION INDIAN CHILDREN WARNER UNION SCHOOL DISTRICT, SAN DIEGO COUNTY

Reservation Indian youngsters have been an unique problem to the educational system for many years. In spite of efforts by the federal government and local boards of education to provide equal educational opportunity, the achievement level of the reservation child has been generally lower than that of Anglo-American children.

Presently there seems to be little information in the literature concerning the extent to which values or aspirations of reservation Indian children actually differ from Anglo-American youngsters. The purpose of this survey is to determine whether such a difference does exist and what pertinence might be seen for teachers and counselors who are working with these youngsters.

#### General Description of Area

The area being surveyed is a single-unit school district which is made up of approximately seven regions, all of which at one time had their individual one-room schools.

The principal means of livelihood are: (1) a resort area, (2) ranching, (3) forestry, (4) correctional institution, (5) naval survival camp.

There are two Indian reservations within the school attendance area. The Indians on these reservations are mainly of a mixed blood and there are very few that have maintained a complete Indian bloodline. The reservations are semi-arid in nature and the Indians living on the reservations survive mainly by working on one of the previously mentioned occupations or by obtaining relief.

Socially, the status of the district would be upper-lower with the bulk of the Indian population falling into the lower-lower category. Historically, the Indians are mission Indians and have retained a great amount of the dependence on the church.

The Anglo-American population of the valley is composed mainly of a semi-transit type person who moves approximately every two or three years. Another major element is the permanent resident who has made the community his home. Most of this latter group is involved in cattle ranching.

### Procedure

A questionnaire regarding the development of responsibility perceptions of children was adapted from *The Children's Responsibility Inventory* of Walters.

The questionnaire was administered to 80 children in the first through eighth grades. The teachers in the third, fourth, fifth, sixth, seventh and eighth grades read the questions orally to the class and the children responded on an answer sheet. In the first and second grades the teacher administered the test individually and filled in the answers for the children. The children were not aware of the purpose of the questionnaire. The answer sheets were then matched according to age and sex, comparing the Anglo-American and reservation children.

Prior to compiling the data all responses of children under 10 years of age were removed due to incomplete conditions and inconsistencies of their answer sheets. Comparisons were then drawn between 27 Anglo-American children (F=14, B=13), and 27 reservation Indian children (F=14, B=13), age 10-15, matched for age and sex. A Chi-square analysis was made to determine significance of difference between group medians for reservation-Indian and Anglo-American children. Data is presented in tabular form giving medians for the Indian and Anglo-American groups and for boys and girls.

### CONCLUSIONS

To the limited extent that these 27 matched pairs permit generalization, the following tentative statements about reservation Indian children versus Anglo-American children and their perceptions of the age at which responsibility will be accepted, can be made.

1. Indian children tend to accept responsibility for *care of self and clothing, household chores and performance of activities alone* at a later age than do Anglo-American children.
2. Acceptance of responsibility by Indian boys for *self-care and clothing, household duties, and chores* and for *working or getting married* was generally seen by them as occurring later than by any other group.
3. Anglo-American children tend to accept responsibility earlier for tasks involving behavior more closely related to school than did Indian children.
4. Indian girls saw themselves working and getting married earlier than Indian boys or Anglo-American girls.
5. Anglo-American girls apparently see education as continuing longer than did any other group.
6. Results seemed to confirm that Indian children remain dependent for a longer period of time and thus would not fit the Anglo-American

value of early self-reliance nor the Anglo-American held stereotype of the Indian child as self-reliant and independent.

7. Indian boys do not expect to "become responsible men" as early as Anglo-American boys.

8. In spite of seeing education as ending at the same time, Indian boys do not see going to work or getting married as soon as Anglo-American boys.

9. Achievement level of the reservation Indian may follow the trend indicated for his accepting responsibility. We might thus anticipate this to be one year behind that of the Anglo-American student. This area should warrant further investigation.

10. Being with Anglo-American children and teachers has undoubtedly resulted in some acculturation. However, the Indian youngsters' total return to the reservation during the summer months probably results in a slowing down of the acculturation process.

### SUMMARY

It appears that reservation Indian children do reflect a different system of attitudes, values, and aspirations within the typical school situation. This "control" by what Hall (4) terms the *formal system* may have much to do with how well the Indian youngster achieves in the classroom and behaves in the school situation. Expecting the Indian child to "see the value of education," as it relates to doing for himself or to "the world of work" would not appear to be a valuable motivational device with these children. In fact, the education philosophy and purposes of a school and its teachers may not be in step with what the reservation Indian and his culture expects from him. Schools may do the training but developing the incentive and the will appears to be a much larger problem. Perhaps weaning the Indian youngsters from the reservation where he has had a dependency relationship and a ready-made security may be one step. Certainly, the teachers' pleas and admonitions will not be considered seriously by any except those Indian children whose families aspire to vertical social or economic mobility.

Another interesting question might be posed here. Should the reservation Indian be expected to meet "grade-level" standards or even learn the "same things" as the Anglo-American if the Indian's culture places little emphasis or value on these learnings?

Perhaps it is time for educators to follow the advice of Hall who admonishes that it is first necessary to understand and accept the *formal culture system* of people before we can expect to work effectively with them. The results of this study would tend to confirm that such understanding on the part of teachers and guidance personnel is necessary if their work with the reservation Indian child is to have meaning for the child in view of the culture which he represents.

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**APPENDIX F**

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## THE COMMISSION, STAFF AND CONSULTANTS

### *The Commission*

The State Advisory Commission on Indian Affairs was created by the 1961 State Legislature to study the problems of Indians in California in all aspects and to report its findings and recommendations to the Governor and the Legislature. Governor Brown appointed Senator Stanley Arnold as chairman, and in 1965 his successor Senator Stephen P. Teale. Following is a résumé of the background of commission members.

Senator Stephen P. Teale, chairman (since September 1965)

Democrat, 26th District—Calaveras, Mariposa and Tuolumne Counties—b. San Francisco, 1916, of pioneer California family dating back to the days before statehood; graduate of Fresno State College and Los Angeles Medical College; interned Los Angeles General Hospital; served five years on Calaveras county board of supervisors prior to election to the Senate at a special election in 1953; a member of Rules Committee and chairman of the Senate Fact Finding Committee on Water; as past chairman of the Senate Interim Committee on Aviation, received the Harris-Franklin award for services to aviation; legislation has affected governmental reorganization, education, aviation and water; member of the Forty-first Medical Society and Lions Club.

Senator Stanley Arnold, chairman (October 1961 to August 1965)

(now judge, Susanville)

Democrat, 1st District—Lassen, Modoc, and Plumas Counties, special election, 1955; attorney; b. Indiana; resident of Lassen County since 1922; L.L.B., Hastings College of Law; district attorney, Lassen County, 1949-55; past president, Rotary Club of Susanville; past exalted ruler, Elks; member: Knights of Columbus, American Legion; chairman, Senate Fact Finding Committee on Governmental Administration; member of the following standing committees of the Senate: Rules; vice chairman of Education; Finance; Governmental Efficiency; Revenue and Taxation; Natural Resources; special legislation: revision of the juvenile court laws; expansion of the use of correctional inmates in the conservation program.

Senator Edwin J. Regan, retired member (now judge, Weaverville)

Democrat, 5th District—Shasta and Trinity Counties—elected 1948; attorney; b. San Francisco; graduate St. Mary's College and U. of C.; married Julia Frances Beauman, October 1, 1936; three children, Michael Burke, Kathleen, and Craig; district attorney, Trinity County, 1934-1948; chairman, Senate Committee on Judiciary and Joint Committee on Fairs Allocation and

Reclassification; member of Committees on Governmental Efficiency, Local Government, and Water Resources; served as chairman of the Joint Judiciary Committee on Administration of Justice and was appointed as the first Senate representative on the Judicial Council; member of Native Sons, Elks, Commonwealth Club, Grange, Press Union League, Sacramento-San Joaquin Wine and Food Society, Sutter Club, Riverview Country Club at Redding.

Senator Paul J. Lunardi

Democrat, 7th District—elected 1963, reelected 1964; member State Assembly 1958-1963; chairman, Legislative Representation Committee; b. Roseville, September 30, 1921; attended Roseville High School; Western School of Business; married Geraldine F. Shirley; children, Herman, Yvonne, Nancy; U.S. Coast Guard 3½ years, WW II; resides in Roseville; city councilman, Roseville, 1950-58; mayor, 1954-58; member American Legion, VFW, Eagles, Sons and Daughters of Italy in America, Western Mining Council, Placer County Democratic Central Committee, Mariposa County Historical Society, E. Clampus Vitus, Placer County Historical Society, Moose Lodge, Elks, Rotary, South Tahoe Rod and Gun Club, Kit Carson Mountain Men.

Assemblyman Charles B. Garrigus

Democrat, 33rd District—elected 1958; chairman, Committee on Education; college instructor in philosophy, American history, and literature; b. Benton, Illinois, June 13, 1914; attended Marion, Illinois, grammar and high schools, and University of Illinois, receiving B.A. and M.A. degrees; has served 26 years in administration and elementary, secondary, and college education; first established residence in California at Kingsburg in 1947; married Fern Marie Fetters, December 28, 1936; children, Marmarie, Charles, Jr., Richmond, Karis, and Rose Ann; resides in the country near Reedley.

Assemblyman James L. Holmes, retired

Republican, 36th District—elected 1954; member Committee on Rules; owner, real estate and insurance business; vice president Linear Systems Inc., advanced communications; b. in Indian territory, now Dover, Oklahoma, July 10, 1903; moved to Santa Barbara, 1937; attended Oklahoma public schools, National Cash Register Trade School, La Salle Extension business administration; married Ruth Gerlach, December 28, 1927; Oklahoma National Guard; U.S.N.R., Washington, D.C., and San Jose; member of Masons, Elks, Shrine, S.A.R., Santa Barbara Real Estate Board, California Real Estate Association, National Association Real Estate Boards, Santa Barbara Amateur Radio Club, Quarter Century Wireless Club, Western Single-side Band Association, Horseless Carriage Club, Channel

City Club, Santa Barbara Commonwealth Club, honorary director, Old Spanish Days, Inc., Navy League; advisor to state coordinator, Air Force military affiliate radio system.

**Dr. Malcolm H. Merrill**

B. 1903, Richmond, Utah; married Thelma Holdaway; three children; B.S. Utah State University, M.S. St. Louis University, M.D. St. Louis University, M.P.H. University of California; intern and resident in medicine, University of California Hospital; director of Department of Public Health, 1954 to November 1965; assistant, Rockefeller Institute for Medical Research, California State Department of Public Health; chief, Bureau of Venereal Diseases; chief, Division of Laboratories, also deputy director of the department; served on numerous advisory committees and councils of the U.S. Public Health Service; participated in several international consultative missions to Central America and Panama; consultant in public health for Department of State in India; member of U.S. visiting public health team to Russia; alternate U.S. delegate to the World Health Assembly; consultant in family planning for Ford Foundation in India; consultant for U.S.A.I.D. to Philippines, Thailand, India, Pakistan and Turkey; president, U.S.-Mexico Border Public Health Association; president, American Public Health Association; president, Association of State and Territorial Health Officers.

Dr. Loyd W. Bond represented Dr. Merrill on the commission.

Dr. Bond is chief, Bureau of Public Health Contract Services; b. 1927, Roanoke, Virginia; married; three children; B.S. Roanoke College, Salem, Virginia; M.D. University of Virginia, and master of public health, University of California at Berkeley; rural general practice in Virginia; assistant county health officer of Madera and Tulare Counties, California; first State of California resident in public health; public health medical officer, State of California Department of Public Health 1956 to present; Phi honor society, Alpha Omega Alpha honor medical society, Delta Omega honor public health society; diplomate of American Board of Preventive Medicine, American Public Health Association.

**Dr. Max Rafferty**

B. 1917, New Orleans, Louisiana; married Frances Longman; three children; B.A. in history, UCLA; M.A. UCLA; Ed.D. USC; state superintendent of Public Instruction since 1963; superintendent of La Canada Schools; district superintendent of Needles school districts; district superintendent of Saticoy Elementary School District; principal of Big Bear Senior High School; teacher and vice principal of Trona Unified School District; member of Phi Delta Kappa, Sigma Pi, National Education Associa-

tion, California Teachers Association, California Association of School Administrators, Lions, Big Bear Lions Club, president of Rotary, Needles.

Dr. Rafferty was represented on the commission by Jack T. Erikson

B. 1923, Long Beach, California; married; two daughters; graduated from University of California at Santa Barbara, 1947, with A.B. degree; received masters in education from University of Southern California in 1953; taught 1947-1949 in Bakersfield City School District; supervisor of child welfare and attendance for Bakersfield city schools, 1949-1964; state consultant, child welfare and attendance, State Department of Education, 1964 to present; member of Elks, Scottish Rite, Phi Delta Kappa, honorary life member PTA, life member of SAE; former vice president of Community Coordinating Council, Bakersfield; former president of Kern County council, Camp Fire Girls of America; past president of Phi Delta Kappa; served with First Marine Division, World War II, on Okinawa and China.

**J. M. Wedemeyer**

B. 1907, Cheyenne, Wyoming; educated at Grinnell College in Iowa, University of Wyoming, and the University of Nebraska; director Department of Social Welfare since 1959; director of Santa Clara County Department of Social Welfare; director of research in San Mateo; area director, State Department of Social Welfare in San Francisco; various social welfare positions in State of Washington; executive secretary, Nebraska Conference of Social Work; county welfare director, Wyoming; 1965 chairman of the National Membership Committee of the American Public Welfare Association; member of the National Council of State Public Welfare Administrators; member of many state and national commissions and coordinating councils.

Mr. Wedemeyer was represented on the commission by Mrs. Eunice Evans

B. 1914, Berkeley; A.B. and M.S.W. University of California, Berkeley; chief deputy director, State Department of Social Welfare, since 1960; medical social work director, Los Angeles County department of charities; medical and psychiatric services, Veterans Administration; USO Traveler's Aid in California, Nevada, Arizona, and Texas; family service agency, Santa Barbara; California State Relief Administration; member of the National Commission on Social Work Careers; board of social work examiners.

**The Advisory Committee**

Senate Bill 1007 called for the appointment of a seven-member advisory committee to sit and advise with the commission. The following citizens were named by the commission:

Eleanor W. Bethel (Mrs. Bethel was named to the committee on August 21, 1965)

B. 1918, Owens Valley, of the Paiute tribe; married; two children; graduated from Riverside Junior (City) College; correspondence extension classes, Utah State University, Logan, Utah; California State Division of Highways for approximately nine years as clerk in right-of-way department, and as a radio dispatcher in maintenance; claims assistant, Department of Employment; member of board of trustees of Paiute-Shoshone bands of Owens Valley, for approximately 17 years; member of Bishop Museum and Historical Society; member of community choir and CSEA.

#### Leo Calac

B. 1920, Riverside; married; two children; B.C.S. Southwestern University, Los Angeles; business manager since 1952 for Escondido Union High School District; six years in public accounting work; 3½ years in U.S. Army; member of the Rincon band; served two terms as chairman of Rincon tribal council; previously member of the council for a total of nine years; currently serving on Rincon tribal council; chairman Indian claims meetings, San Diego area; past president of the Rotary Club, Escondido; on the board and vice president and treasurer of Rotary Club; president of the Palomar chapter of the Society of California Accountants; chairman, American Indian Economic Opportunity Conference Advisory Committee, Fresno, California.

#### Erin Forrest

B. 1920, Alturas; married; five children; educated Alturas High School and Riverside Junior College; self-employed rancher; ranch manager of Pit River Home and Agricultural Cooperative Association; state inheritance appraiser; chairman of XL Indian Reservation tribal council, 1946-1961; manager of tribal operations; California representative to Governor's Interstate Indian Council since 1958; chairman, Modoc County E.O.A. committee; chairman, Modoc County Democratic Central Committee.

#### Michael Harrison

B. 1897, Paterson, New Jersey; married; retired, U.S. Bureau of Reclamation; Bureau of Indian Affairs, California and New Mexico; National Park Service; U.S. Army; member of Maple Creek Willie Scholarship Fund board; board member, California League for the American Indian; California State History Commission; membership in many historical societies; Council of Friends of the Bancroft Library, University of California; president, Book Club of California; maintains a research library on the history of the West, with special emphasis on Indians, cross-indexed with over 220,000 cards.

#### Bert D. Lane

B. 1894, Chickasaw, Iowa; married; business college; general manager, assistant publisher, vice president, News-Press Publishing Company; treasurer, Santa Barbara Chamber of Commerce;

past president Kiwanis Club; past president and director 19th Agriculture District Association; director Goleta Savings and Loan Association; director St. Francis Hospital Foundation; director Old Spanish Days in Santa Barbara, Santa Barbara Club, Montecito Country Club, University Club of Santa Barbara, Ranchero Club of Santa Barbara, American Legion (46 years), Knights of Columbus (46 years), Santa Barbara Ad Club.

#### Mrs. Jesse H. Parker

B. 1909, Montclair, New Jersey; married; two children; Whittier College; director, public relations and special services, American Baptist Churches of Northern California; director, release time education, Vallejo; chairman, Commission on Indian Affairs, Northern California-Nevada Council of Churches; program chairman, state PTA board; board member, Oakland YWCA; Camp Fire Girls; past vice president, American Baptist Convention; state president, American Baptist Women.

#### Mrs. Waldo H. Pate

B. 1907, Beaver County, Pennsylvania; high school, Auburn; nurse training; laboratory technician, Stanford Medical School; nurse and technician in husband's office; chairman of Indian affairs for the Sutter district of the California Federation of Women's Clubs; presently dean of chairmen; past president of Auburn Federated Women's Club; past member of Alturas Business and Professional Women's Club; past president of Petaluma American Legion Auxiliary; past president of Alturas Veterans of Foreign Legion Auxiliary; sponsored Indian activities at the 20th Agricultural District Fair, Auburn, since 1955; actively participates in tribal dances and ceremonies throughout northern California; owner of an outstanding collection of Indian arts, crafts, and artifacts.

#### Staff and Consultants

##### Dr. Thomas Weaver

An anthropologist, was appointed executive secretary by the commission on January 1, 1964; besides organizing and administering the commission's efforts, he was responsible for research design and implementation, wrote the commission report, and was ex officio chairman of the advisory committee; he was retained as consultant after leaving the commission staff in January 1965.

B. 1929, Grenville, New Mexico; married; three children; B.A., M.A., University of New Mexico; Ph.D., University of California, Berkeley; assistant professor, department of behavioral science, School of Medicine, and department of anthropology, University of Kentucky; executive secretary, Commission on Indian Affairs; research assistant, California Department of Public Health; teaching assistant, department of anthro-

pology, University of California; staff anthropologist, Rural Health Survey, New Mexico; research assistant, Indian land grant cases, New Mexico; member American Anthropological Association, Society for Applied Anthropology, American Academy of Political and Social Science; past member, board of directors, Governor's Interstate Indian Council.

#### Jack A. Tobin

An anthropologist, was research assistant for the commission from February to September 1964, during which he visited over 25 reservations and rancherias, and was appointed executive secretary of the commission in April 1965.

B. 1920, Los Angeles; B.A., Stanford University; graduate studies and teaching fellowship, University of Hawaii; Hastings College of Law at San Francisco; graduate studies, University of California, Berkeley; anthropologist, U.S. National Institute of Health, National Heart Institute, Bethesda, Maryland; museum aide, Smithsonian Institution, U.S. National Museum, Washington, D.C.; field trip officer, district administrator's representative, and political affairs officer in the Marshall Island district, territory of the Pacific islands; district anthropologist and officer in-charge, rehabilitation projects for displaced Marshallese people; U.S. Navy 1937-1945, served in the Pacific theater in WW II.

The commission contracted with Professor William Davis, department of anthropology, Sacramento State College, for work on the California roll. He was assisted by Alan Mason, who researched and drew the map on the distribution of California Indians.

This report has been greatly helped by three successive able secretaries: Mrs. Kathryn Whaley, Mrs. Gracie McLeod, and Miss Penny Lykins.

#### Acknowledgments

The commission acknowledges with appreciation the following persons and groups who have provided information or assisted the commission during its study:

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Mrs. Kathleen Egelkrou, Department of General Services  
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George Feliz  
Herman Gallegos, Youth Opportunity Center  
Rev. Donald E. Ganoung  
Dr. David E. Glow  
James Grass, Department of Employment  
William Gratan  
Mrs. Grace Guterrez  
Fred Gunsky, California League for American Indian  
Alfred Hicks, United Bay Council for American Indians  
Leonard M. Hill, Sacramento area office, BIA  
Dr. James Hirabayashi  
Wesley Huss, Inter-tribal Friendship House  
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Edmund Jackson, Jr.  
Earl James  
Honorable Harold T. (Bizz) Johnson, U.S. House of Representatives  
Henry C. Jones, Sierra Indian Center  
Francis Johnston  
Arthur Knight  
Walter Knodel, Chief, employment assistance branch, BIA  
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Walter Lasley, Inter-tribal Friendship House  
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Mrs. Carmen Logan  
Betty Faye Lund  
D. L. Mahoney, field employment assistance office, BIA  
Mr. and Mrs. John S. Marvin  
Mrs. Mary Ortega Matteson  
Max C. Mazzetti  
Herman J. Merte, field employment assistance office, BIA  
Richard McKenzie, American Indian Council, Inc.



Francis McKinley  
Myrtle Mercer  
Vernon Miller  
Mrs. Clarice Morton  
Phileo Nash, commissioner BIA  
Wallace J. Newman  
William Ng, the Indian Welcome Center  
Adam Nordwall, United Bay Council for American Indians  
Dr. Paul F. O'Rourke  
Donald Page, Department of Employment  
Sidney Parrish  
Mrs. Jane Penn  
Marie Potts, Federated Indians of California  
Mr. Prisin-Zano, Public Housing Administration  
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David Risling, Jr.  
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Bob Santos  
Dr. Lloyd W. Shannon  
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