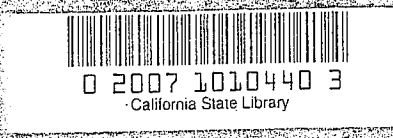


L500
I6
1955
no. 47
L2

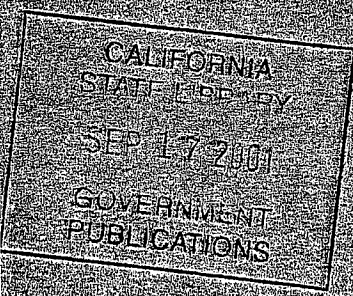


PROGRESS REPORT TO THE LEGISLATURE
by the
**SENATE INTERIM COMMITTEE
ON CALIFORNIA INDIAN AFFAIRS**

(Senate Resolution No. 115)

MEMBERS OF THE COMMITTEE

SENATOR FRED WEYBRET, *Retired Chairman* SENATOR CHARLES BROWN, *Chairman*
SENATOR A. W. WAY SENATOR DALE C. WILLIAMS
JOHN A. BOHN
Counsel and Executive Secretary
WINNIE L. HOWELL
Secretary



LDA

Published by the
SENATE
OF THE STATE OF CALIFORNIA

HAROLD J. POWERS
President of the Senate
GLARENCE C. WARD
President pro Tempore
JOSEPH A. BEEK
Secretary

I. THE SCOPE OF THE PROBLEM

A. FEDERAL LEGISLATION

The matter of the termination of federal trusteeship over Indians has been discussed for many years. However, the present program seems to be the result of House Concurrent Resolution 108, 83rd Congress, First Session, which reads as follows:

August 1, 1953.

WHEREAS, It is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

WHEREAS, The Indians within the territorial limits of the United States should assume their full responsibilities as American citizens:

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the Individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Oregon, the Menominee Tribe of Wisconsin, the Potowatamie Tribe Indians: The Flathead Tribe of Montana, the Klamath Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservations, N. Dak. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians, and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation as, in his judgment, may be necessary to accomplish the purposes of this resolution.

ATTEST:

LYLE O. SNADER,
Clerk of the House of Representatives.

ATTEST:

J. MARK TRICE,
Secretary of the Senate.

On August 15, 1953, there was approved Public Law 280, 83d Congress, which in substance terminated federal jurisdiction over civil litigation and criminal prosecution and conferred this jurisdiction upon the State of California with certain exceptions set forth in the statute. A copy of this enactment is attached as Appendix "A" to this report.

Pursuant also to the foregoing resolution there was introduced at the last session of Congress a series of bills generally referred to as the "Emmons Bills" (named for the Commissioner of the Bureau of Indian Affairs, Department of Interior). These bills seek in a variety of ways to terminate the "ward" status of Indians in the several states. The effective date of the termination differs in each state and various other

conditions are set forth depending upon the problems peculiar to a particular area.

Insofar as California is concerned S. 2749 and H. R. 7322 were companion bills terminating federal supervision of Indian affairs in this State. Joint hearings on these bills have been held by the respective committees on March 4 and 5 of 1954 and a transcript of the hearings printed by the Government Printing Office (#44734).

There are attached hereto as Appendices "B" and "C" the following: (1) copy of H. R. 7322 and S. 2749; (2) an analysis by the Office of the Legislative Counsel of the proposed bills. By separate letter the same office has suggested several problems which will confront the State of California upon the enactment of the proposed federal legislation, as follows:

It appears to us that the problems that will confront the State upon federal withdrawal can be broken down into the following two categories:

A. Impact Upon the Indians

In general, the enactment of the proposed bill will result in the removal of federal restrictions on California Indians, particularly with respect to land transactions. It will also result in the discontinuance of certain services presently rendered to the Indians by the Federal Government, primarily in the fields of education, welfare, health, and agriculture. The Indian will then be in the same position as any other citizen of the State.

Upon federal withdrawal the State must decide whether the Indian is to become a ward of the State, as he was a ward of the Federal Government, or whether he is to be treated in the same manner as other citizens of the State. The problem is then whether the State should continue to give special aid to the Indians, and if so, to what extent and in what manner.

B. Impact Upon the States and Counties *

(1) The Federal Government at present pays various school districts a subvention designed to help needy Indian children take full advantage of the public educational institutions. We cannot say whether the termination of this subvention will have any serious financial consequences on the State.

(2) While it is true that numerous counties now extend general assistance to all indigent Indians who are legally resident therein, other counties refuse to do so on the theory that this is the responsibility of the Federal Government. There is little doubt but that federal withdrawal will impose an additional obligation on those latter counties.

(3) The Federal Government offers gratuitous medical service and hospitalization to Indians. It also provides a certain amount of agricultural guidance and assistance to Indians. Whether or not the State should continue to provide such services is a matter to be considered.

(4) The Federal Government now constructs and maintains the roads in Indian country. No county has as yet assumed full responsibility for the maintenance of such roads. Federal withdrawal undoubtedly will have an effect in this field.

(5) Important stands of commercial timber are located on certain Indian reservations in California. The disposition of this timber presents a difficult technical, economic, social and administrative problem.

(6) Irrigation and water projects on Indian lands are now maintained, at least in part, by the Federal Government. What the State's policy will be with respect to such projects is as yet unknown.

(7) Many problems may result from the transfer of property presently owned by the Federal Government to the Indians. For example, due to the fact that the Federal Government has, up to now, recognized commonlaw marriages between Indians, which the State does not recognize, a serious problem as to the inheritance of Indian property may result.

* Our information is taken from the "Program for the Termination of Indian Bureau Activities in the State of California," prepared by the California Indian Agency in 1949. We do not believe that there has been a great deal of change in Indian Problems since this publication was issued.

We believe than an investigation of considerable scope would be required in order to determine the full extent of these problems and others which might exist. We also believe that, as part of this investigation, it would be necessary to consult with the Indians themselves and with other interested groups.

In addition the matter has been considered by the Office of the Attorney General of California. The following comments from that office indicate his views:

Two features of the present bill seem to me to be quite objectionable:

(1) The bill provides that certain of its provisions become operative at specified dates after its enactment. For example, Section 7 (a) provides that all restriction on alienation of land owned by not more than one Indian shall be removed six months after passage of the act. On the other hand, the bill requires that many things be done by the Secretary of the Interior before the Indian properties are in shape to be transferred. In his report to Congress the Secretary stated:

"In order to carry out the provisions of the proposed bill and to place the reservations in a satisfactory condition prior to termination of Federal supervision, additional investments will be needed in road, irrigation, and soil conservation facilities. Moreover, the termination program, which involves the preparation of final rolls, reservation plans, and land surveys, cannot be completed within the time specified in the proposed bill by the present staff of the Bureau of Indian Affairs."

Congress should either pace the operation of the bill to accord with the ability of the Interior Department to perform its administrative functions, or, alternatively, Congress should accompany the present bill with sufficient appropriations in order to permit the Interior Department to meet the deadlines established in the bill. In its present unworkable form California will have thrust upon it legal obligations which it simply cannot discharge because of the absence of administrative preparation for the turnover on the part of the Interior Department.

(2) Section 9 (a) of the bill provides that all Indian lands shall be tax exempt for five years after the turnover of property to the Indians, or during the minority of infants, or during the lifetime of Indians now fifty years of age or older. This provision will affect California property estimated to be worth some thirty millions of dollars. I am advised that no comparable provision is contained in the six or seven other withdrawal bills now before Congress which provide for Federal withdrawal from Indian affairs in other states. Such discrimination against California certainly deserves an explanation not presently available.

(3) Another point of concern to the State in Section 6 (a), which authorizes, in permissive language, the Secretary of the Interior to provide reasonable assistance to Indians in the formulation of plans for disposition and management of their property. It is recommended that this provision should be made mandatory.

The Attorney General has also submitted a comprehensive letter on the subject which is attached hereto as Appendix "D."

The California Legislature has adopted several resolutions on the subject as follows:

SENATE JOINT RESOLUTION No. 29—RELATIVE TO THE AMERICAN INDIAN

Filed with Secretary of State May 18, 1951.

WHEREAS, The American Indian has, on numerous occasions, demonstrated his worth and value as an American citizen; and

WHEREAS, He has participated in the wars in which his Country has engaged, and has served her ably and with distinction, receiving many citations for valor and battlefield courage; and

WHEREAS, He has grown in political and civic stature and understanding so as to demonstrate by his conduct, both in war and in peace, that he is deserving of United States citizenship without any diminution, restriction, or exception whatsoever; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to dispense with any and all restrictions, whatever

their nature, whereby the freedom of the American Indian is curtailed in any respect, whether as to governmental benefits, civil rights, or personal conduct; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

SENATE JOINT RESOLUTION No. 29—RELATING TO THE WELFARE
OF THE INDIANS OF CALIFORNIA

Filed with Secretary of State, April 30, 1953.

WHEREAS, Remedial congressional legislation is urgently needed for the benefit of the Indians of California on several subjects, some of which are now before Congress represented by bills and other bills are being drafted which deal with the following subjects:

A bill, H.R. 1063, by Congressman Poulson "To amend title 18 United States Code entitled "Crimes and criminal procedure," with respect to state jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of California civil jurisdiction over Indians in the State."

A bill, H.R. 2974, by Congressman Phillips "To add to the revised roll of Indians of California certain Indians who made application for enrollment within the time fixed by law, and for other purposes."

A bill, H.R. 2976, by Congressman Phillips "To authorize leasing of restricted Indian lands in the State of California for public religious, educational, residential, business, and for other purposes requiring the grant of long-term leases."

A bill, "To facilitate termination of federal supervision over Indian affairs in California."

A bill, "To authorize traveling expenses and pay to delegates representing Indians in California from funds in the treasury of the United States to the credit of the Indians of California"; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to enact remedial legislation for the purposes herein enumerated; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Interior, to the Commissioner of Indian Affairs, to the Chairman of the Senate Committee on Interior and Insular Affairs, to the Chairman of the House Committee on Interior and Insular Affairs, and to each Senator and Representative from California in the Congress of the United States.

ASSEMBLY JOINT RESOLUTION No. 38—RELATIVE TO THE TERMINATION OF AUTHORITY
OF THE BUREAU OF INDIAN AFFAIRS IN CALIFORNIA

Filed with Secretary of State, June 15, 1953.

WHEREAS, American Indians, who are citizens of the United States of America, generally remain subject to numerous restrictions on their activities, particularly with respect to land transactions, promulgated and enforced by the Bureau of Indian Affairs; and

WHEREAS, The Bureau of Indian Affairs has outlived its usefulness, though its employees, understandably alarmed by the prospect of unemployment, regularly engage in strenuous efforts for self-perpetuation in office; and

WHEREAS, The State of California is able to provide for the well-being of American Indians, as it does for other citizens, by laws of general applicability; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to take such steps as are necessary to effect a termination of the authority of the Bureau of Indian Affairs, particularly in the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

SENATE JOINT RESOLUTION No. 4—MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO REFRAIN FROM TERMINATING FEDERAL CONTROL AND PROTECTION OF INDIAN RESERVATIONS

Adopted in the Assembly March 31, 1954 and in the Senate April, 1954.

WHEREAS, There are presently before the Congress of the United States three bills, S. 2749, S. 2515, and H. R. 7322, which would affect Indian tribes, bands, groups, and individual members thereof in California by abolishing the Bureau of Indian Affairs of the Department of the Interior, by removing federal guardianship, and by terminating supervision over Indian property; and

WHEREAS, The American Indians conveyed their property to the United States Government in exchange for the promise of perpetual federal protection and certain other benefits; and

WHEREAS, The Federal Government set aside certain of the ancestral homelands of the American Indians for their perpetual use and enjoyment; and

WHEREAS, Federal control and protection of Indian reservations has served to prepare the American Indian for transition to a different way of life by continuing on the reservations a culture deeply cherished by the Indians and at the same time permitting tribal members to leave a reservation when they so desire; and

WHEREAS, There are 117 separate Indian reservations in California upon which 40 tribes of American Indians reside; and

WHEREAS, These tribes vary widely in their educational level, and social and economic development and many of them would suffer greatly if federal control and protection of their reservations was terminated; and

WHEREAS, The State of California is not prepared to take over control and protection of the Indians within its boundaries with the results that termination of federal protection will mean that many tribes that are not sufficiently developed economically to fend for themselves will suffer greatly; and

WHEREAS, Federal control and protection of the Indians should be gradually withdrawn as each tribe reaches the proper cultural development to assume responsibilities for its members; and

WHEREAS, The Legislature of the State of California has not and does not seek to terminate federal control and protection of the Indians; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to continue federal control and protection over the American Indians within California; and be it further

Resolved, That the Secretary of the Senate of the State of California is authorized to transmit copies of this resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States.

The views of the former Governor of California were referred to in the testimony at the hearings on the bill by quoting the following letter dated May 9, 1952 and to Mr. Joseph O. Chandler, State Representative of the Governor's Indian Council:

DEAR MR. CHANDLER: This is in answer to your telephone call concerning S. 3005, dealing with the Bureau of Indian Affairs in the State of California.

I am unable to obtain any letter signed by Governor Warren concerning the bill, because of the fact that he is out of the State and will not be available before the end of next week.

You are familiar with the general view of the Governor that it is most desirable to extend full citizenship rights to the Indians in this State as soon as it may practically be done. It is the Governor's belief that our Indians should as rapidly as possible be removed from the disabilities of a form of guardianship and incorporated into the body of our citizenship on a basis of equality.

The Governor has not had an opportunity to make a personal study of this individual bill, inasmuch as he has been traveling a great deal of the time since the reports of his departments have been made available to him. * * *

James H. Oakley, Executive Secretary.

The Honorable Goodwin J. Knight, the present Governor of California, has expressed his opinion of the proposed legislation to Senator Thomas H. Kuchel as follows:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 17, 1954.

HON. THOMAS H. KUCHEL,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR TOMMY: The congressional committees on Interior and Insular Affairs are currently considering S. 2749 and H. R. 7322. These bills relate to the complete withdrawal by the Federal Government from the administration of Indian affairs in California.

As you know, the California Legislature memorialized the Congress to this end and the present bills were drafted by the Department of the Interior pursuant to House Concurrent Resolution No. 108, dated June 9, 1953.

I think it can fairly be stated that California supports the broad objectives of the present bills. However, my attention has been directed to certain features of these bills which appear to me to be detrimental to the present interests of California.

First, it is provided that certain provisions shall become operative at specified dates after enactment. For example, section 7 (a) provides that all restriction on alienation of land owned by not more than one Indian shall be removed 6 months after passage of the act. On the other hand, the bill requires that many things be done by the Secretary of the Interior before the Indian properties are in shape to be transferred. In his report to the Congress the Secretary of the Interior stated:

"In order to carry out the provisions of the proposed bill and to place the reservations in a satisfactory condition prior to termination of Federal supervision, additional investments will be needed in road, irrigation, and soil-conservation facilities. Moreover, the termination program, which involves the preparation of final rolls, reservation plans, and land surveys cannot be completed within the time specified in the proposed bill by the present staff of the Bureau of Indian Affairs."

In these circumstances the effect of the bills in their present form must necessarily be to thrust upon California legal obligations which it will be unable to discharge because of the absence of administrative preparation for the turnover on the part of the Interior Department. Congress should either pace the operation of the bills to accord with the ability of the Interior Department to perform the necessary administrative preparation, or, in the alternative, Congress should accompany the present bill with sufficient appropriations in order to permit the Interior Department to meet the deadlines established in the bills.

Secondly, the tax-exemption features of the bill appear to unreasonably discriminate against the State of California. Section 9 (a) provides that all Indian lands shall be tax exempt for five years after the turnover of property to the Indians, or during the minority of infants, or during the lifetime of Indians now 50 years of age or older. This provision will affect California property estimated to be worth some \$30 million. I am advised that no comparable provision is contained in the 6 or 7 other withdrawal bills now before Congress which provide for Federal withdrawal from Indian affairs in other States. Such discrimination against California certainly deserves an explanation not presently available, in the absence of which this provision should be opposed. Aside from its discriminatory features it would seem that there is a serious question of the constitutionality of such a provision.

Another point of concern to California is in section 6 (a), which authorizes, in permissive language, the Secretary of the Interior to provide reasonable assistance to Indians in the formulation of plans for the disposition and management of their property. It is recommended that this provision should be made mandatory upon the Secretary. Planning for the changeover is a prerequisite thereto and a part of the present obligations of the Federal Government. In view of the inadequacy of the present staff of the Secretary of the Interior to prepare for the changeover, I am

apprehensive lest the permissive nature of the present language would result in little or no assistance actually being rendered to Indians badly in need of it.

I would greatly appreciate your taking appropriate steps to fully protect the interests of California in the formulating of this epochal legislation. You may be aware of other features of the present proposal which require some modification. If so, I would appreciate an expression of your views in order that I may be of help and assistance to you.

For your information, the senate interim committee on Indian affairs of the legislature is taking steps to insure that the State will be in a position to discharge its obligations when and if the proposed withdrawal occurs.

Senator Fred Weybret, chairman, and the members of his committee, are formulating a program which, I am sure, they will communicate to you in due course.

With kind personal regards, I am,
Cordially yours,

GOODWIN J. KNIGHT, GOVERNOR.

B. PROBLEMS PRESENTED TO THE STATE OF CALIFORNIA

As indicated in the opinions of the Attorney General and legislative counsel, the State of California is faced with very substantial problems in connection with the proposed federal legislation. It is believed to be the duty of this committee to aid in their solution.

At the outset it should be stated that it is clear that the decision as to whether federal supervision over California Indians is to be terminated is the sole responsibility and prerogative of the Federal Government. It is only in the event that the decision to terminate is made that the interest of the State of California appears. Thus, it was believed that this committee should neither investigate nor conduct hearings on *whether* supervision should be terminated. On the contrary, the committee determined to limit itself to a study as to *how* termination is to be effected if the Federal Government determines to do so.

However, by the passage of House Concurrent Resolution 108, the United States Congress has already indicated that " * * * at the earliest possible time, all of the Indian tribes and the individual members thereof located within the State (s) of California * * * should be freed from federal supervision and control. * * *". Therefore, it is believed to be the obligation of the State of California to as promptly as possible present its official views as to the circumstances under which such termination would not cast an undue burden on the State or its political subdivisions. Furthermore, it is deemed to be an obligation of the State to all of its citizens, including Indians, to require that federal withdrawal be accomplished in an orderly manner with as few dislocations and hardships as possible.

Some of the questions which present themselves are as follows:

1. Is the State of California going to assume guardianship of the Indians or does federal withdrawal conclusively establish that they are competent to conduct their own affairs in the same manner as other citizens of this State?
2. What will be the exact financial effect on local school districts when federal aid for the education of Indians is withdrawn?
3. What will be the extent of increased welfare benefits, if any, required to be paid by the political subdivisions of California to indigent Indians upon federal withdrawal?

4. What additional expenses, if any, for hospitalization and medical benefits will be incurred by the political subdivisions of California upon federal termination?

5. Are the roads on and traversing Indian reservations completed and of such a standard as could be accepted for maintenance by local and state highway departments?

6. Are the irrigation and water projects constructed for Indian use economically feasible when operated without federal aid or are there apt to be wholesale foreclosures on the land subjected to liens for these purposes?

7. Should the State of California agree to real property tax exemptions for Indians over 50 and under 21 years of age?

8. Can the Indian tribes in California prepare the tribal rolls within six months from the effective date of the act and are adequate funds available to accomplish this result?

9. Are the rules and regulations for eligibility for tribal enrollment already established by the Secretary of the Interior in such a clear manner as to permit adoption and if not so established how long will it take after the effective date of the act to provide such rules?

10. Have rules and regulations of general applicability been adopted to provide the circumstances under which tribal or other property not occupied by tribal members will be allocated to actual occupants or otherwise.

11. Do the Indian tribes and members have sufficient funds and legal assistance to formulate and decide upon plans for the disposition of tribal property? If assistance is to be provided by the Department of the Interior are funds available and is assistance from the department in this manner acceptable to the Indians?

12. Are funds available for the preparation of maps and the conducting of surveys in the event an Indian tribe desires a division of tribal land into individual parcels?

13. What provisions have been made and funds allocated for the disposition of the heirship cases now affecting California Indians. This would appear to be particularly pertinent as to lands which will be freed from restraints on alienation five years from the effective date of the act and which will become taxable. Thus, it is conceivable that a given parcel would be taxable and salable except for flaws in the title created by heirship problems and before such flaws are removed, the equity in the property could be lost.

14. How shall real and personal property held by the Federal Government for the benefit of the "Indians of California" be distributed?

15. How is the personal property such as funds from the sale of timber, etc., held by the Federal Government for the benefit of certain tribes to be distributed?

16. What legislation needs to be adopted by the State of California to validate Indian marriages of all types?

17. What relation does the validation of Indian marriages have to the pending heirship cases?

18. As to land owned by Indians over 60 years of age and as to land owned by Indians determined by the Secretary of the Interior to be unable to conduct their own affairs, what is the effect of a statutory

restriction against alienation without the consent of the State of California and what agency of the State is competent to make these determinations? What are the rules for determining inability to conduct their own affairs, i. e., is the normal test of incompetency to be used subject to the same rules of evidence, etc.?

19. What is the constitutional effect of Federal prohibition against state taxation of land within the State?

20. What will be the exact cost to the State of California by the provisions of Section 9, Subdivision D prohibiting further expenditure of federal funds for Indians in California?

21. What water rights or cases involving water rights are now existing involving Indians which will affect the State of California and in what manner and through what agency are these matters to be processed?

22. What are the financial and other effects, if any, of excluding portions of reservations from the applicability of the act as provided in Section 28?

C. PROGRAM OF THE DEPARTMENT OF THE INTERIOR

It should be noted that the Bureau of Indian Affairs has plans of one kind or another to at least partially solve some of the questions outlined above. The question arises, however, as to how complete this program is and whether the details as planned by the Department of the Interior are acceptable to the State of California.

There is also another serious problem and that is, whether within the time limits specified, the Department of the Interior can solve all of the problems arising by virtue of the bills. As part of the same question does the Department of Interior have the funds to accomplish this job?

It is feared that both of the above questions must be answered in the negative.

Thus, the Secretary of the Interior has stated:

In order to carry out the provisions of the proposed bill and to place the reservations in a satisfactory condition prior to termination of federal supervision, additional investments will be needed in road, irrigation, and soil conservation facilities. Moreover, the termination program, which involves the preparation of final rolls, reservation plans, and land surveys, cannot be completed within the time specified in the proposed bill by the present staff of the Bureau of Indian Affairs.

It therefore is clear that bills in the form of H.R. 7322 and S. 2749 are simply unworkable without being supplemented by additional funds. Furthermore, in the opinion of this committee more than additional funds will be needed to accomplish the results desired. In the view of this committee a more practical and realistic pattern will have to be adopted if federal supervision over Indian affairs is ever to be satisfactorily terminated.

As an example it has been stated that there are more than two thousand six hundred (2,600) matters in heirship status. No estimate can be made as to the number of attorneys required to conclude these cases but it appears safe to assume that under the operating restrictions of a government department regardless of the number of employees added to the staff it will take years to bring these cases to a conclusion particularly if they are compounded by additional deaths.

Also there is the complicated land ownership pattern. A representative of the Department of the Interior in testifying on the bill made the following statement:

I would like to point out that our primary problem in withdrawing from the State of California is the complicated land ownership pattern. We have approximately 117 different reservations or rancherias. The ownership of those lands is extremely complicated. In some instances it is not clear who the lands were set aside or purchased for. In other instances, the particular band that the land was acquired for has moved off and a different set of Indians have moved on. We have the problem of determining the ownership as between the persons that actually occupy the lands and have been using them and improving them over the past few years as against all of the Indians of California. In other words, it is a very, very complicated land ownership problem.

In my opinion, it is the most complicated in the Bureau of Indian Affairs. I think you gentlemen will agree that is saying quite a bit.

The same witness also testified as follows:

On the reservation trust property. We have very little information on the 412 public domain allotments. Most of them are unoccupied, because they are in isolated areas with no water and no opportunities for employment. * * *

It would appear sound to note that in order to solve these "complicated land problems" some recognized legal pattern will have to be adopted by someone sometime. In addition, whatever further information is required in connection with the 412 public domain allotments will have to also be obtained. Whether the California rules of adverse possession and prescription can be utilized is problematical, nor does this committee have any information as to any alternative legal patterns which are to be followed in disposing of these problems.

Furthermore, in connection with annual operating costs and federal health programs, the following testimony is pertinent:

* * * Our staff is made up of about 150 full-time employees and about 50 part-time employees. We operated on an annual budget for Fiscal Year 1953 of \$1,713,000. In 1954, it was a little higher, because of the increase in construction funds. Our health program is about a half-million dollar program which includes the operation of two hospitals, one at Fort Yuma and one at Hoopa Valley, costing about \$138,000 per year. TB-treatment accounts for about one-half of the total allotment for health. The nonbureau hospitalization accounts for about \$242,000.

Representative Berry: Are your TB patients treated in your state hospitals?

Mr. Hill: The TB patients are treated primarily at two hospitals in which the Bureau of Indian Affairs has an interest. Back in the thirties there were constructed two tuberculosis sanatoria, one in Fresno County and one in Placer County. The Indian Bureau cooperated with the local people in constructing those hospitals and have an interest of 49 beds in one and 50 beds in another.

Representative Berry: How are they compensated for patients?

Mr. Hill: We pay a per diem cost to the hospital for the patients hospitalized. I would like to point out, however, that most of the treatment given in those hospitals is for out-of-State Indians. The funds are allotted to us just for convenience. They are mostly Navajo, Papago and out-of-State Indians. In other words, the division of the cost between the California and out-of-State is as follows for all TB care. For California Indians in 1953, we spent about \$90,000 and for out-of-State Indians about \$152,000. We have contracts with the State and local governments for psychiatric care, for public health, and we have three contract physicians located around the State. We have no public health personnel on our staff, nor any other personnel except the personnel at the two hospitals and our very small area medical staff.

Representative Berry: Would the State or the counties involved be willing to take over the obligation of those California Indians requiring hospitalization? The \$90,000 that you spent, would the local governments or the State or both be willing to take over that obligation?

Mr. Hill: Many of the counties have already taken over the obligation. We have only 8 counties comprising the more populous areas—when I say populous I mean where there is a concentration of Indians—where we spend most of that money. In those 8 counties where about \$287,000 of the expenditure is made. In about 17 counties we spent only \$35,000. I think in those 17 counties, the county would be willing to take over. I think some of the others they might. We have been working in that direction, attempting to get the local counties to take over the health job in all the counties. We are attempting to get out of the health business in the State as fast as we can and have had negotiations with several of the county boards of supervisors to that end.

Here again it appears that negotiations with counties have not been completed nor as far as is known have there been negotiations completed with any state agency to assume all or any substantial portion of these problems. Presumably, the contracts between the Federal Government and the State and local governments for psychiatric care and public health would terminate on the effective date of the termination of federal supervision. What substitute financing will be available from any source is not yet known to this committee.

Congressman Engle, at the Congressional Committee hearings, raised another interesting problem as follows:

Do you think as a legal matter the Federal Government can hand the people of California the Indians and tell them to look after them when that has traditionally been the Federal obligation? It would occur to me that a bill like this might need an act from the State Legislature to prevent a lawsuit that would go to the Supreme Court of the United States. I just have grave doubts as to whether or not the Congress of the United States can walk up and toss this out of the window, so to speak, hand this obligation to the local taxpayers of the State, without some ratifying or accepting legislation on behalf of the State of California. Have you given any consideration to that?

Certainly, it would appear to this committee that an agreement between the State of California and the Federal Government specifying the details as to the termination of federal supervision would be desirable and it seems equally clear that state legislation in many fields will have to supplement the plans of the Federal Government.

Congressman Engle has also raised additional questions with regard to the rolls to be adopted under this bill in the following language:

* * * I notice in this bill you call for a new roll. Why do you do that in the light of some 25 years of work with the rolls of the Indians of California, starting in 1928? Is it your idea that this new roll will simply be an elaboration to some extent, or will merely transpose over into the Federal Register for announcement the list of names which have been secured under the act of 1928, the act of 1931, the act of 1948, and the new one, if it goes through, would permit you to complete the applications now pending, or do you intend to reopen the whole business, and go through all that again?

Mr. Sigler: Mr. Congressman, may I answer that question on the roll? I would like to make it clear that the 1928 roll and the amendments to that roll pursuant to later acts is concerned exclusively with one subject, and that is the judgment fund. Those Indians in California who have an interest in the judgment fund are not enrolled according to any tribal scheme. They need not be a member of a tribe at all.

Bringing that problem down to our present time, when we start disposing of tribal trust property, we must have a tribal roll. The judgment fund roll is not a tribal roll. It is a roll of all Indians who trace their ancestors back to a particular date. So it is impossible to use that roll for our present purpose. Not only that, but there are many people on that judgment roll, some thirty thousand-odd, and some of them have no interest in the trust property. For that reason we must start with tribal rolls. There are some tribal rolls in existence. They are not up to date. They must be brought up to date before we can terminate our trust property.

Representative Engle: I appreciate that, but tribes consist of individuals and the individuals are on the 1928 rolls and succeeding rolls; therefore, it seems to me it would be merely a reshuffling of the roll into tribal chunks rather than a rehashing of the whole business from the beginning. It seems, in short, that the roll now established as far as individuals are concerned, could be the basis of constituting and establishing the tribal rolls. I do not know whether that is the fair way to do it or not, but I ask you that question because I can see you will be another 10 years getting the rolls straightened out.

Mr. Hill: We must finish the rolls under this bill within a much shorter time than that.

Representative Engle: I know what you must do, but you never do it. I was the author of the 1948 act and we put a time limit on it to keep the Bureau of Indian Affairs from monkeying around with the situation for 10 years. They ran out of time and are right back and we are going to be soft-hearted and maybe soft-headed and extend it in justice to the Indians. I do not think we ought to go back over the whole thing again after we have been fussing with the roll of the California Indians for 25 years.

Representative Berry: Would you suggest that the Congress define an Indian in California?

Representative Engle: We have tried to do that. We tried to do that in the 1928 roll, because the Indians of California were entitled to this judgment. Therefore, every fellow who had any claim at all wanted to get his oar in as far as the cash money was concerned. I cannot conceive of an Indian in California not getting on that roll.

Representative Berry: That roll would be different, however, than the roll of the members of these tribes.

Representative Engle: The tribes are made up of individuals, Mr. Chairman. Although you go down through the roll and there were 23,000 to begin with and there are those individuals who belong to tribes, or did at some time, or some of them did. You ought to be able to block them off through groups, rather than go through the whole long interminable difficult procedure, because you get Indians who are only part Indian, and all that sort of thing, and it makes a very difficult problem. If you take this roll we now have, and make the determinations tribewise from it, you can let it go at that.

Mr. Sigler: The existing judgment roll does not show tribal affiliation. There is no way of taking that roll and showing tribal affiliations.

Representative Engle: Why not?

Mr. Sigler: The statute did not require the roll to be prepared that way.

Representative Engle: I grant you that. The Indian's name is there and you have to locate him to send him his check. When you send his next check, ask him what tribe he belongs to.

Mr. Sigler: You will find a large number of that 31,000 who do not belong to a tribe.

Representative Engle: That is perfectly all right. In that case he does not fit into a tribal arrangement, but he is nevertheless on the roll. So far as the responses indicate the tribe to which he belongs, then he participates in the tribal affairs and the property rights of those particular tribes. It seems to me that is the simplest way to do it. If you write him a letter and send him a check, you can surely ask him what tribe he belongs to and supplement the information on the old roll.

Representative Berry: You would include those that had one-sixteenth or one-thirty-second Indian blood, too?

Representative Engle: I would include those that are on the roll now or have applications pending on the roll, and who are determined to be entitled to be on the roll under this new bill we are considering. But I would not go back and re-do the whole business. In other words, open the door, hire "umpteen" people in the Bureau here to take 10 years to do it again. I will make a prediction that if this enrollment section stays in the bill, you will not get the affairs of the California Indians wound up for 25 years, because these fellows will be out hunting up Indians when we already have a list of them. * * *

It seems to be apparent from the foregoing that the Bureau of Indian Affairs does not have complete rolls of at least the tribal Indians and perhaps there is some question as to the accuracy of other rolls. In any

event, it seems unlikely that even the names of the Indians having interest in tribal property could be made available within the six-month period prescribed by the act. In the words of Mr. Lee:

* * * I think one of the basic problems is the way the authority read. We realize the fact that we have a very, very complicated problem in making up these tribal rolls and in dividing up these lands. I appreciate the fact that you have some concern about the length of time it is going to take us because we do also.

Congressman Engle also pointed out another problem which appears to create some difficulties in establishing the ownership of tribal lands or at least the persons to whom tribal lands are going to be transferred.

This tribal business is not going to be too easy to settle. Let us assume that I am an Indian, and I am on the 1928 roll. I did not like it on the reservation and I could not make a good living. The abandonment of any number of those reservations proves that. I took off and being an enterprising fellow, I went to work and lo and behold, somebody comes along and tells me that I have no right in the tribal property or the old homestead on the reservation on which they have found oil. I have an idea that if that kind of situation develops you will find a great deal of argument about who belongs where, and whether or not a man by showing a little industry and initiative in going out and doing a day's labor some place to support his family, sacrificed the aboriginal rights which he is entitled in the old homestead on the old reservation. I think that ought to be given some careful consideration. So far as the State Legislature is concerned, it seems to me that their acquiescence in any law that undertakes to leave the Indians of California as foundlings on the doorsteps of the taxpayers of the State of California has to have the acceptance of the State Legislature.

Senator Kuchel has commented upon the foregoing problem in the following language:

Senator Kuchel: You recommended to the Congress (in) this bill.

Mr. Sigler: Yes.

Senator Kuchel: I think that my good friend, Clair Engle, has brought up quite an important point, and I assume that before the joint committee would sit in judgment on what, if any, recommendations it would make, we would have the benefit of the government of California, the Governor, and the Attorney General, with respect to the problems that were raised by Congressman Engle.

There are a great many other questions in connection with the existing bills and with the whole Indian problem in California which have been raised by representatives of various Indian tribes. However, it appears in general that in one form or another these are variations of some of the questions raised in this report.

D. FEDERAL-STATE RELATIONSHIPS

The federal termination bills (S. 2749 and H.R. 7322) are the result of a great deal of work by the Bureau of Indian Affairs and other federal officials. It is believed, however, that these bills in their present form are not only unacceptable to the State of California but are not workable. Primarily because they fix a termination date and make other provisions relating to termination without a solution of the many problems preceding effective and equitable termination.

A very rigid time table is specified for a solution of all of the problems leading up to termination, but no funds are provided to meet the time schedule and the Bureau frankly admits they cannot keep it.

There can be only one result therefore, and that is that if these bills are passed by Congress in their present form all unsolved Indian problems will be inherited by the State of California upon the effective date of termination. The number of such unsolved problems is likely to be very great in view of the lack of funds and other weaknesses set forth herein.

The ultimate solution to the basic problems, it appears to this committee, depends upon basic planning and negotiations between the State of California and the Federal Government. The State should be prepared for a continuing program of such negotiations leading to federal termination, but this committee has come to the conclusion that such negotiations should precede the passage of a termination bill, rather than come after such passage. Otherwise, the residuum of responsibility would be shifted to the State and the penalty of any delay or inadequate financing on the part of the Federal Government would be at the expense of the State.

It is suggested, therefore, that it might be worthwhile for the California Legislature to memorialize Congress to take such action as will result in the fair and prompt determination of all pending Indian claims solely on their merits and the good faith of the claimants, to avoid dissatisfaction with which the State would have to deal by denial of recovery on some purely technical ground. This determination of claims should precede federal withdrawal in order that both the State and the Indians will know the resources with which they are dealing upon the termination and can plan intelligently and purposefully with this important segment of their population.

In the event it becomes advisable to have any of the attorneys involved in this litigation appear at the hearing to which you refer, we will endeavor to so arrange. At the present time, however, it is not believed that such an appearance will be necessary.

Very truly yours,

F. M. GOODWIN

E. CALIFORNIA INDIANS' CONGRESS

STATEMENT BY THE CALIFORNIA INDIANS' CONGRESS

MR. CHAIRMAN: My name is Erin Forrest. I am a Pit River Indian and my residence is Alturas, California. I am presently acting President of the California Indians' Congress. Other officers of this organization are:

First Vice President
Mrs. Vyola Olinger
2807 San Francisco Ave.
Long Beach, California
Second Vice President
Mr. Glen Moore
Box 191
Hoopa, California
Secretary
Mrs. Eileen W. Miguel
473 North Calle Encelia
Palm Springs, California

Treasurer
Max Mazzetti
Valley Center, California
Councilman
Mr. Frank Treppa
Upper Lake, California
Councilman
Mr. Cruz Siva
Box 1282
Palm Springs, California

I would like to submit a recent article by John Collier for the record, also a proposed bill which we favor.

GENTLEMEN: For quite some time I have been attempting to express the existing mental emotion of Reservation Indians in regards to past experiences with the State and the Federal Government and with regards to present and future legislation. I have written several lengthy statements which have extended to the utmost, my efforts to justly represent their true feelings and, I have failed miserably. I have found no words that might equitably express the meaning of a hundred years of heartache. Heartache brought about by dispossession, discrimination, ridicule, hunger, poverty, and countless other maladies that have plagued the Indian since the coming of the non-Indian. I will not attempt to express this condition now, however, be aware of the fact that no matter how stoic we may appear there are very tender emotions that rise within us.

You have heard many testimonies and you know of the many complex and varied problems that exist on our Reservations. Present withdrawal legislation does not guarantee any solution, so we find ourselves again faced with another era of insecurity and questionable outcomes.

I compliment this committee for its untiring efforts to understand our physical problems. I'd like also to compliment the Area Director, Mr. Leonard Hill for his honest contributions of facts. There is one aspect that I believe is very important, and as far as I know, has not been touched. This is the human problem which must not be overlooked. The problem is of historical basis and is perfectly natural in view of historical incidents. I realize the Indian Bureau is not equipped to cope with this problem, but this is no excuse that it should be overlooked. Certainly in this age of highly trained public relations experts, something should be done. It is because of this human problem that we believe a termination program should be based on consent. A mandatory program will only serve to aggravate this century-old wound and will not present the happy solution that is intended.

In considering termination proposals we would request this committee to carefully examine the following information.

1. Present withdrawal proposals are without orderly procedure or justification. I would ask the so-called "emancipator" Sen. Watkins of Utah why he did not include the Utes of Ft. Duchesne in the termination bill for Indian Tribes of the State of Utah? Why was the largest and richest reservation in that state excluded while a few more than one hundred poor Indians were withdrawn from federal supervision? Financially I would say that the Utes of Ft. Duchesne are worth more than all the reservations in California combined. Do not be misled by the screen of smoke that Sen. Watkins has thrown around Utah. Ask him why the Oklahoma Indians have been exempted from several Indian bills including a termination bill? Logically it would seem that those Indians should be the first to be "emancipated." We who have received so little are at a loss to comprehend this justification based on the economical and political strength of Indians.

2. Our present unfortunate predicament is largely due to the fact that we in California are the only Indians who are not protected by treaties. This is of course mainly due to the fact that the State of California opposed ratification of Indian treaties. We question the legality of being included in similar termination proposals as Treaty Indians of other States.

3. In 1951 a survey made of Indian lands showed that if taxed, Indians would be subject to land taxes amounting to about \$90,000 annually. Since then more than 100,000 acres of Indian lands have been deeded or otherwise disposed of. Under present proposals the Federal Government reserves the right to place the first mortgage on Indian lands, which could mean that the Federal Government could reclaim our lands shortly and once again these lands would enter into a nontaxable status. The State of California would have only gained the sole burden of assisting thousands of landless, homeless Indians and many Indians will have been reduced to utter destitution without hope.

4. Since 1950 the Indian Bureau accelerated a program to deed individual Indian Allotments and to sell those in Heirship status. The primary purpose of this program seems to be, more to ease the burden on the Area Office Staff rather than to benefit Indians. I would judge that less than 10 percent of these lands are still in Indian hands. If this is any indication of a pattern that is to follow, we are surely in need of guidance now, before it is too late.

5. Public Law 280 is an ignoble example of an Indian Bureau under pressure. The hearings held at Redding will bear me out on this subject.

6. Once, about 150,000 Indians lived well; chiefly from hunting and fishing in California. They hunted daily and yet with the coming of civilization, the mountains and valleys, and streams were unbelievably abundant with game and fish. Shame on the so-called California sportsmen who blames a few hundred Indians for fish and game shortages. Many, many sportsmen I have known who would leave illegal game to rot and who knew nothing of a legal limit while fishing. Indians exercise hunting and fishing rights only in the restricted boundaries of their reservations and only when there is a need. We are not forgetting that fish and game play a major part in religious ceremonies of Indians and we consider any effort to abolish these aboriginal rights to be not only immoral but unconstitutional.

7. We are very much aware of the fact that untold billions have been spent to rehabilitate our former enemies in Europe and Asia. We Indians are paying our share of that give-away. Our country never expects a repayment on those billions of dollars. Now look at a quite similar but different situation. In more than 100 years a negligible few million dollars have been spent to rehabilitate Indians of California, and the Federal Government has forced repayment on the major portion. Inevitably, with the closing of the California Indian Claims Case this government will have collected in full. Suppose our lands had been taxable for the past 50 years at \$90,000 annually. Now, consider the fact that California Indians have paid back in cash \$12,500,000 for services rendered them because of the nontax status of their land. The \$12,500,000 would represent a payment in taxes, at \$90,000 annually for 140 years. We who have been persecuted because we paid no land tax are confused and at a loss to explain the intent of so great a country as ours. We wonder if the Federal Government could give a justified account of the spending of that \$12,500,000.

8. Congress has blamed everyone else for our Indian problem and yet its own appropriations have been so limited that the Indian Bureau has been handcuffed in its effort to properly assist California Indians.

9. The mandatory termination of the trust and tax exempt status of all California Indian restricted property, as proposed in the termination legislation is not

in the best interests of the State of California or the California Indian. The proposal is an outright renunciation of the federal obligation, and violates Indian rights. Most California Indians are extremely poor, and their trust status lands low in value, but essential to their present way of life. Forced termination of the trust and tax exempt status of their properties will result in a rapid loss of their lands through alienation and confiscation and reduce thousands of California Indians to homeless poverty.

10. No withdrawal program should precede a judgment on California Indian claims. This has not been a policy in other states, why California?

11. We wish no hasty deal that will affect our future. We are skeptical of the results of a premature "emancipation." The American Negro is still fighting for equality, after more than 100 years of emancipating. It is a shameful fact that there are communities in California today who consider the Indian as inferior; *only time* will remedy that situation.

12. Although we oppose liquidation of the Indian Bureau we certainly suggest its overhauling. An efficient Indian Bureau with adequate funds and specific goals of rehabilitation would hasten our redness.

13. Since 1950 the Indian Bureau has not always functioned in the best interests of California Indians. A multitude of administrative personnel changes have been made for the specific purpose of liquidating that bureau. Officials with a lifetime of experience have been replaced by others whose main qualifications was experience in the liquidation of another bureau. This has been most disheartening to us. Originally that bureau was created to assist and give guidance to Indians. We have been stunned by officials who seem no longer to give this once intended service. So it is today that we stand alone without experienced leadership and totally lacking in education, protesting proposed termination legislation. We have remained silent too long. We speak knowing full well that the proposed measures will eventually fractionate and decimate Indian communities and erase forever a God-given right to exist as a race of people.

In closing we would request this committee:

1. To recommend opposition to blanket legislation for California Indians and to insist on a withdrawal based on economic and social development.

2. To recommend the creation of a special commission exclusive of federal influence, and including Indians, for the purpose of instituting a detailed study of each reservation. In view of the fact that a previous California State Legislature contributed immensely to our present predicament, by requesting the Senate of the United States to reject our treaties, we feel that the State of California owes us this consideration. A comparison of the findings of this commission with the Indian Bureau Report to Congress will be astounding.

3. To recommend restoration of Revolving Loan Funds. (federal)

4. To recommend a change in status of assignment and allotment lands. We oppose security based on withdrawal proposals. Security could easily be gained by issuance of trust patents, thus easing Indians into the assimilation program. Later if all is well a deed could be issued on request.

5. To carefully analyze the California Indian position. Do not be rushed into any decisions because of Federal ultimatums. For 100 years there has been no rush to assist Indians, why rush now. Haste in these proposals will never seriously alter the destiny of this world but *will* accelerate our extinction. Observe the developments of terminated Indians of other states, particularly Utah and Oregon. Keep in consideration at all times that most Indian land owners on reservations are of middle age and older and with negligible education or none at all. They will not survive in competition with sharpsters who are backed by a never ending supply of money. Consider the fact that their children *now* have full access to an equal education and that within a few years, they will be the land owners. We are progressing rapidly and social and economic equality is in the near foreseeable future. It has been **OUR** fight against almost insurmountable odds and we demand the right to be our own emancipators. Certainly no man in Congress today deserves this distinction. Indian languages are now being forgotten as are Indian crafts, Indian customs, etc. *The Indian land owner of tomorrow will demand the very program that those without honor would force upon us now.*

I thank you.

BRIN FORREST
President, California Indians' Congress

February 24, 1955

Senate Interim Committee on Indian Affairs
State Capitol, Sacramento, California

Mr. Chairman and Members of the Committee: The attached resolutions were sponsored by the California Indians' Congress, and are self-explanatory.

Because we are not now entirely familiar with current problems of society, we have in all probability missed many technical issues in our resolution. We trust your experience and ability to make additional recommendations.

We hope you will carefully consider our resolution and the following three-point criteria for termination:

1. That any termination basically involve the betterment of California Indians and not his ultimate dispossession and destitution. Beneficial action will mean improvement for the State and its communities.

2. That termination should be orderly, with unquestionable understanding among all concerned. We want no repetition of P. L. 280. The Federal Government should not withdraw until it has *formal* assurance from the State, and local acceptance of responsibility.

3. That federal assistance and protection should not be withdrawn unless the earning power, and in general the economic status of the Indian gives assurance that he will be self-supporting and will not be a burden on the local community and the State.

Our present social and economic condition may partially be attributed to the fact that a former Legislature of California, blocked the ratification of our treaties in the Senate of the United States.

We pray that your thoughts be guided by God and that you will demand just and honorable consideration for California Indians and for the State of California.

Respectfully,

(Signed)

ERIN FORREST,
President, C. I. C.

Resolution

WHEREAS, The Congress of the United States has resolved to terminate federal supervision over Indian bands and tribes of California at the earliest possible date; and

WHEREAS, The social and economic status of the 117 reservations in California vary from one extreme to the other, and

WHEREAS, Mandatory blanket legislation will not be in the best interests of most of the Indians who live on reservations in California, then, be it hereby

Resolved, That the Legislature of the State of California support, on our behalf the following program in regards to termination legislation.

SECTION I

That the State of California oppose any federal attempt to terminate the Bureau of Indian Affairs in California by mandatory blanket legislation, which treats all of the 117 reservations in this State as if they were exactly alike. That the State of California support a program which seeks to terminate federal supervision, at the earliest possible date, over certain tribes and bands in California, who have expressed their desire to be terminated. Such determination should be made by a majority vote of all voting members of those tribes.

SECTION II

That the State of California create a Special Indian Commission, exclusive of federal influence and including Indians, and nonpolitical parties, to make a detailed study of Indian groups who may oppose termination at this time. That this study include education, social problems, economic problems, roads, water rights, natural resources, history, taxes, possible litigation, etc.

SECTION III

That all liens against Indian property be canceled in accordance with an act of Congress approved July 1, 1932 (47 Stat. 564:25 U. S. C. 386a) commonly known as the Leavitt Act, coinciding with effective date of termination.

SECTION IV

That the rights of Indians to hunt and fish, within the boundaries of their reservations, be restored by means of amendments to Public Law 280, or by state legislation.

SECTION V

That revolving loans be reactivated by the Federal Government for individuals and groups.

SECTION VI

That the State of California insist that all Indian lands be surveyed and deeded in trust, either individually or tribally, or both, according to the wishes of each Indian group. This is prerequisite in giving the Indians security in respect to land ownership.

SECTION VII

That the State of California recommend that tribal funds heretofore held to restricted use, be surrendered by the Indian Bureau, on request, and transferred to the rightful owners. With the security of their lands and the unrestricted use of their money, Indians can go through the trial period without fear of losing their lands.

SECTION VIII

That in the interests of all concerned, the Indian Bureau give a detailed accounting of all funds expended for California Indians and for all other funds spent on individual reservations.

SECTION IX

That termination then proceed on a group by group basis as each reaches social and economic quality and as each gives its *consent* to termination.

Adopted this twentieth day of February, 1955, by the California Indians Congress.

ERIN FORREST, *President.*

February 20, 1955

Further recommendations:

SECTION VI

In possession of trust deeds certain Indians may decide to secure patents in fee for the purpose of selling their share of Indian land. We oppose further fractionating of Indian reservations by sale to non-Indians. Provisions should be made to give Indians and Indian tribes first preference in the purchase of such lands, and should further provide funds through which purchases could be financed on a long-term repayment plan.

SECTION VII

Extra care should be provided so that unauthorized Indians, who do not represent the majority, do not acquire such funds. Satisfactory plans for investing such funds should accompany any request for tribal funds.

Countersigned:

MAX C. MAZZETTI, *C. I. C. Treasurer Rincon Indian Reservation.*
GLENN MOORE, *C. I. C. 2d Vice President.*

Copies of the foregoing resolution sponsored by the California Indians' Congress, were signed by individuals of the following organizations, reservations and rancherias:

Moronga (With certain reservations concerning Sections III, V, and VII and comments on Section VII)

Chicken Ranch

Table Mountain

Alturas

North Fork

Jackson

Sycuan

Pit River Home and Agri. CoOp.

Assoc.

Santa Rosa

Yurok Tribal Organization, Inc.

Hopland

Redwood Valley

Auburn

Rincon

Wilton Community Council

Ft. Bidwell

Potter Valley

Barona Council

Cabezon

Yurok Extension Business Organization	Elk Valley
Lone Pine	Cloverdale
Big Pine	Fauima Tribal Council
Bishop	Rumsey
Pala	Augustine
Smith River (Howonquet Indian Council)	Quartz Valley Community Council (with amendments to Sections II, VI)
Hoopa Business Council	

F. FREDERIC A. BAKER, COUNSEL, FEDERATED INDIANS
OF CALIFORNIA

296 Lexington Road,
BERKELEY 7, CALIFORNIA, November 16, 1954.

MR. JOHN A. BOHN, *Counsel, California Legislature,
Senate Interim Committee on California Indian Affairs,
Benicia, California.*

Re: California Indian Affairs; Termination of United States Authority
and supervision over the Indians of California.

MY DEAR MR. BOHN: Your letter of October 19, 1954 was received while I was absent from home and this fact has delayed an expression of opinion on the above subject. In general my views on this question have been best expressed by a Committee of the Federated Indians of California, one of the organizations among the California Indians, in their report dated March 4, 1954 in connection with two bills, H.R. 7322 and S. 2749 pending before the Congress which recently adjourned. This report was published in the Smoke Signal, the organ of their organization and a marked copy is enclosed for your perusal and for your records. I regard it as one of the most cogent and reasonable statements made up to this time by the Indians of California.

I would like to emphasize a few points at this time, some general observations on the proposed plan of the Federal Government to relinquish its authority.

1. This plan is the logical end of Indian administration. Indians are now citizens of the United States and of the State of California. It is about time that Guardianship over them by the United States should come to an end. But this termination should not be made until its effects are clearly studied and foreseen. *No fixed date should be set for this relinquishment of authority.* It should be accomplished when all things are done *which need to be done.* To fix by legislation now a definite *time limit* would be a mistake. This is the view of officials most intimately acquainted with the problems involved.

2. The Indians living on and having rights on each tract of trust lands should be consulted fully and their wishes taken into consideration in so far as may be possible. The plan should be fitted to the diverse conditions existing on the various rancherias and reservations now owned by the Indians.

3. Of the 35,000 Indians now on the official rolls, the number being an estimate as the roll is not yet completed, only some ten thousand or thereabouts will be affected by the relinquishment of federal authority; the other 25,000 live away from reservations among the general body of white citizens.

This class is generally largely of mixed Indian blood and live the same as white citizens. Therefore, the Indians who have rights on the rancherias and reservations should be the ones who should have the most to say about the subject of withdrawal of federal authority inasmuch as such withdrawal will not affect the largest class just mentioned. They have no rights in lands held in trust by the Federal Government. Nor should the Senate Interim Committee depend too much upon what a few so-called white leaders of Indian organizations may say on the subject. It is well known that several of them have selfish motives and plan to enrich themselves at the expense of the Indians when the lands are no longer held in trust by the Federal Government. Several of this class have advocated *immediate termination of federal authority.* No greater mistake could be made than to give weight to such unreasonable demands. The sober thought of the intelligent Indians favors the policy of gradual withdrawal under wise laws carefully drafted so as to protect the interests of the Indians.

I have sometimes thought that there has been too great apprehension on the part of some officials of the State of California about this withdrawal program. The thing

I most fear about it is the loss by the Indians of their lands by taxation, by judgments of the courts, by mortgage sales and by sales of land promoted by local land sharks. Indians have had very little experience in unrestricted land ownership. And it has been a common experience in other states that many of them lose their lands when the protecting hand of the United States has been removed. This can be taken care of by permitting the trust status to remain for different periods of time on the lands of certain classes of Indians, the old, minors, those incompetent for any cause, etc.

The burden upon the State of California will not be too great as the total amount of lands will not exceed three quarters of a million acres and much of this acreage is of poor quality. In time local communities will be benefited as ultimately all this land will without doubt be taxable. It should not be lost sight of that some reservations cannot be divided up into allotments but should be held in some community form or corporate form. To divide up some areas into separate tracts would destroy their unity as a grazing or a forest area which should be held in a body. The taxation of logged off timber lands offers a problem also which must be worked out.

Again the State of California will be deprived of certain federal funds now available for education and for the promotion of the health of the Indians. I see no reason why Congress should not be requested to continue such aid during the early stages of the withdrawal program so as not to embarrass the State or certain local communities by reason of a lack of funds. The most liberal treatment of the Indians by both the State and the Federal Governments can never repay the Indians of California for the losses they sustained by the failure of the Senate of the United States to ratify the 18 treaties negotiated with them in 1851-1852.

Provision should be made in the withdrawal bill that the withdrawal of federal authority thereunder shall not affect in any way the litigation of any claims the Indians of California have against the United States pending at the time of the termination of federal jurisdiction over the Indians of the State. I see no reason why the settlement of the claims of the Indians of California should not go along hand in hand with the settlement of the other problems involved; settlement of claims is really one of the problems of withdrawal.

The issues involved in the settlement of their claims are very simple. The lands held by the Indians of California at the time of the treaty with Mexico in 1848 by immemorial ownership, use and occupancy were taken from them by the United States and they have never been paid for such lands. Pending suits ask for payment for such lands in the form of a judgment satisfied by appropriations by the Congress. These funds when appropriated will be placed as trust funds in the Treasury of the United States and according to present plans will be paid out to the individual Indians per capita and thus become funds belonging to the individual Indians whose names may appear upon the official rolls. If the judgments are substantial, as they should be, they will result in much good to the Indian people and also be of much benefit to the State of California in elevating the living standards of the Indian people of the State. It is important that any withdrawal bill should contain a provision which will protect the right of the Indians to have all their just claims settled under the Indian Claims Commission Act. But in my judgment this question can be taken care of properly along with all the other questions of the withdrawal program.

A final word: As one of the counsel for the Indians of California I favor the proposed policy of withdrawal provided it is done gradually after all the angles of the problem have been studied thoroughly and provisions have been made which will safeguard for a reasonable time the title of the Indians to their lands.

Thousands of the Indians of California have been citizens of California for years; some of them for several generations. I have not heard a single Indian express himself as being in favor of a return to tribalism or tribal government. Enlightened laws and humanitarian interpretation of them have made the Indians of California citizens of the State and of the Nation, with all the rights of other citizens. Discriminatory laws have been repealed. The eyes of the Indians of California look not to the past but to the future. For them the end of federal guardianship is not the end of the trail so often spoken of in connection with the fate of the American Indian; it is but the severing of the final cord which leads them out upon the broad highway of American Citizenship which they shall henceforth follow hand in hand with the children of all the other races of men of California, all marching together toward the Dawn of a New Day!

Respectfully submitted,

FREDERICK A. BAKER.

G. COUNCIL OF CALIFORNIA INDIANS

STATEMENT OF MARY GIST DORNBACK
Executive Secretary, Council of California Indians

SAN JOSE, September 25, 1954.

Mrs. Rice, Chairman for American Indian Day, and members of the Women's International Forum and other interested people.

It is gratifying to me to appear for the second time before you in behalf of my Indian people's problems. The most important problem to us of Indian ancestry is the just settlement with the United States Government for lands taken from us over 100 years ago by people from other lands.

Just so you may have a clear picture of how the Council of California Indians came into existence and how we went about bringing the California Indian Claims Case to its present status, I will give you a short outline.

In 1946, the Indian Claims Commission was set up in Washington, D. C. allowing Indians to secure attorneys of their choice to help them in getting just settlements of their claims. The Indian leaders around the Bay area decided to call meetings to formulate plans to interview attorneys and get more of their people interested in trying to get a just settlement through this act. Working towards these ends, they formed a new group with new aims and purposes that could include all Indian groups interested in their people's problems.

After a state-wide convention held in Sacramento, March 29, 30 and 31, 1947, May 3, 1947, was set as the date when officially appointed local delegates from all over the State of California would return and decide by majority vote the future procedure to be followed, and present their choice of private attorney or have the Attorney General act for them as they had had to date. The choice of the majority of delegates was for private attorney Reginald E. Foster. Out of this came the Council of California Indians who immediately set about getting their choice of attorney, Reginald E. Foster, officially recognized by the Interior Department, who has charge of the Indian Bureau.

Some of us had never been members of any Indian organizations but had the good fortune to have received good educations and an opportunity to adjust to the white man's way of life, which gave us the contacts to build up an organization that could get essential justice to enable our people to progress.

By December of 1952, we had selected most of our nationally famous expert witnesses who testified before the Indian Claims Commission in the Court Room of the Law School of the University of California, June 22 to July 6, 1954. These experts were Dr. A. Kroeber, Dr. R. Heizer, Dr. Sherbourne Cook, Dr. Donald Cutter, Dr. L. Moreno, Dr. Gifford, and Dr. S. A. Barret. These men are outstanding men in their respective fields of anthropology, ethnology, physiology and history.

Their testimony established the fact that the California Indians owned the state land through original use and occupancy, which land was forcibly taken away from them by the white men at the time of the Gold Rush and in the next years to follow.

Reginald E. Foster, our chief counsel, said there were some 345,000 words of testimony taken down by two court reporters and transformed by a single typist into a permanent record consisting of 1,140 pages in 11 separate volumes and there were more than 2,000 separate exhibits weighing a total of about 100 pounds, entered as evidence.

As to the termination of federal supervision over California Indians, I covered that quite thoroughly last year, but will state that there is a legislative report of 576 pages of testimony taken in the joint hearing before the 83d Congress March 4 and 5, 1954, Bill S. 2749 and H.R. 7322, which was defeated. The consensus on this was that termination of federal supervision of Indian affairs in California is the ultimate goal for California Indians but that the majority of them do not feel that affairs have been adjudicated in the proper manner for immediate termination.

Before ending my talk, I would like to give you a few of my personal views on the Indian's problems.

The California Indian is very much in need of friends interested in his cause, people who are capable of sustained and resourceful initiative and action, diplomatically patient and skillful, and above all, loyal to the Indians and their welfare. Without these personal contacts with people interested in their future welfare, my Indian people will not progress into the prevailing civilization as they should after their 100 years of subjugation.

A large number of our ancestors (far more than the entire Indian population of today) were persecuted by being placed by military force on small isolated and unwanted lands.

It was not till 1934 that the Federal Government negotiated with the State of California whereby Indian children could be sent to public schools, without special red tape. The Federal Government still pays in the neighborhood of \$300,000 for the education of Indian children. Untaxable land held for the Indians by the Secretary of the Interior would amount to less than one-third of that amount each year.

It will require active concern to help the descendants of those misused human beings who originally possessed this great land of ours and who were displaced involuntarily all too often with selfish disregard of their rights to live their lives in their own way.

Progress of the world and of our nation depends on the unity of mankind and the eternal dependence of the whole people through beneficent action toward less fortunate peoples.

H. SAN DIEGO MUSEUM OF MAN

SAN DIEGO MUSEUM OF MAN
SAN DIEGO, CALIFORNIA, November 12, 1954.

STATEMENT ON POLICY

To Be Presented at Hearing, Senate Interim Committee on California Indian Affairs

While I am certain that it is the desire of the Indians and of the government to have the Indian become an American citizen with full privileges, there are certain factors which must be taken into consideration if the job is to be a constructive one. For years, the Bureau of Indian Affairs has set the Indian on the reservation apart from our culture. We cannot now suddenly insert him into our culture and expect him to become a contributing citizen if we do not provide him with some equipment, both educational and material. It should be noted that our government has spent millions in other areas of the world for similar purposes, and it seems only just that we provide the same type of constructive program for our own American Indian.

In regard to San Diego County reservations, I feel that the final disposition of the property should be based upon the economic possibilities of those lands. The diverse nature of the various reservations of San Diego County will indicate different types of disposition. I feel that a committee composed of business and technical advisors should study the areas and make recommendations as to the economic potential of the reservations. In many instances where agriculture is impossible, recreational facilities might provide income.

These recommendations should also be correlated with the amount and type of manpower available.

A legal survey of the boundaries of the reservations should be made and water rights, mineral rights, etc., should be determined. Few Indians have either the financial ability or the knowledge of our legal procedures to establish these rights on their own.

It should be ascertained that the Indian will not be dispossessed due to his inability financially to meet the existing county ordinances as to housing, sanitation, and so forth.

While everyone is in agreement that the Indian should become a full citizen and reservations abolished, his transition from reservation protection to citizenship must be guarded so that unscrupulous persons do not gain possession of his lands and force him to become a ward on county relief.

If an intelligent program is adopted, and then if the Indian fails through his own responsibility, then we shall not feel that we have been instrumental in adding another page to the many abuses which the Indian has received in the past.

CLARK C. EVERNHAM, Managing Director
San Diego Museum of Man

I. INDIANS OF CALIFORNIA, INC.

FREDERICK GEORGE COLLETT, EXECUTIVE REPRESENTATIVE
225 POWELL STREET, SAN FRANCISCO, CALIFORNIA

February 23, 1955

HON. CHARLES BROWN, *Acting Chairman*
State Senate Interim Committee on Indian Affairs
Sacramento, California

DEAR SENATOR: We would like to have you and your committee know that Indians of California are sincerely grateful for the interest you have taken in them and their problems. Some of which grew out of the proposed federal bill to terminate supervision and control of Indians and their property by the Indian Bureau. Indians quite generally throughout the State wish to express their appreciation for the services of your committee. They feel that they have a new lease on life and appreciate your assistance in securing proper federal legislation of remedial nature.

Many group conferences among Indians have been held in Sonoma and adjoining counties, also with a special conference of delegates of Indians of California, Directors of the Indians of California, Inc., and other Indian spokesmen assembled in Sacramento, December 11, 12 and 13, 1954.

The conferences have resulted in a tabulation of some of the provisions that they would like to have incorporated in a new congressional bill for the termination of federal supervision of Indians of California.

The new proposed bill will create legal problems that are much too difficult for the several tribes and bands of Indians of California to solve without the best qualified legal counsel that can be secured. The Indians for the most part are seasonal laborers and are financially unable to employ counsel to reach a determination of what course should be taken and to prepare legal documents that may be necessary.

We therefore suggest that your committee sponsor the enactment of legislation by the State Legislature whereby the Attorney General of California will be authorized to use his good offices and to call on legal or other counsel in the communities where the Indians reside at the expense of the State of California. The proposed legal counsel should be in the nature of necessary services within the reach of Indian tribes and bands who may conclude that they need such services.

We earnestly hope that your committee will also sponsor memorials by the State Legislature of California to Congress intended to have a beneficial effect on the proposed withdrawal bill. In view of the fact that the State of California is definitely concerned with the Indians of the State, and suitable legislation affecting their problem, that John A. Bohn, attorney for your committee, be authorized to appear before the committees of Congress and heads of departments of the government in the interest of legislation for the benefit of the Indians of California.

Many Indians have signed the enclosed petition. It is probable there will be many thousands more who will sign.

Respectfully yours,

(Signed)

OFFICERS OF INDIANS OF CALIFORNIA,
INC.

Lloyd Barrington, President, Sierraville
W. E. Scott, Vice President, San Francisco

Ellen L. Norris, Secretary, General Delivery, Klamath
Ida F. Amundsen, Treasurer, 3232 Calhoun Street, Alameda

DIRECTORS OF INDIANS OF CALIFORNIA,
INC.

Lloyd Barrington, Sierraville
W. E. Scott, San Francisco
Ida F. Amundsen, Alameda
C. I. Billy, Hopland
Herbert Young, Oroville
Matthew Billy, Oakland
Ellen Norris, Klamath

CONFERENCE OF INDIANS
ELLEN L. NORRIS, Secretary

Linwood Ward, Eureka
Clyde F. Tomson, Redding
Julia Jones, Weitchpec
Lala Curl, Redding
Mary Clark, Covelo

ADVISORY COMMITTEE, INDIANS OF CALIFORNIA, INC.

R. E. Barrington, Sierraville
August Lumas, Thermal
Talbert Wilson, Cassel
Manuel Cordova, Healdsburg
Frankie Moorhead, Redding
Mrs. Rose Areras, San Jacinto
John Somerville, Bishop
Wm. Seidner, Loleta
Hazel Walker, North Fork
Solida Stevenson, Los Angeles
Ben Kimsey, Salyer
Virginia Timmons, Redding
Wm. Freeman, Paskenta

March 18, 1955

HON. CHARLES BROWN
State Senate Committee on Indian Affairs
Senate Office, Capitol Building, Sacramento, California

DEAR SENATOR: Records acquired by your committee in its study of Indian affairs in several parts of California have resulted in much valuable information and will, without doubt, help greatly in the solution of many Indian problems.

It has occurred to me that if your records do not disclose a carefully tabulated list of lands bought by special Congressional appropriations for "landless Indians of California and improvements thereon," you may wish to request such information. Several hundred thousand dollars were employed for that purpose. The lands are located throughout the State and are known as "rancherias". Although Indians have been given the *privilege* to use these lands, they have not received title of any kind whatsoever, only assignments. These assignments could be considered only temporary in nature because the Indian office reserves the right to take the lands from one assignee and give to another. The deed to such lands is vested in the United States.

Because the Indians have never been given any title to these "rancherias," they are void of proper incentive to improve the lands and build suitable housing. The description of these lands and the price paid for them might reasonably prove a convenience and service in your study and efforts to help the Indians and to protect the interests of the State. The Indians, for the most part at least, would like to have their "rancherias" subdivided and title given to persons entitled to a home-site. Many of them have said that they would be glad to pay taxes and would take a pride in paying their share toward the maintenance of the State and Federal Governments.

There are 39 or more tracts of land known as "reservations" established by direct acts of Congress and by Presidential Executive Orders, consisting of 611,226 acres, and perhaps more. The titles to these lands are vested in and held in trust by the United States for the Indians. A tabulation should show the date the reservations were established, for whom, their descriptions and estimated values.

Many of the Indians concerned with these reservation lands would like to have them subdivided and title given to the persons entitled to them. Many of them seek the *privilege* to pay taxes and would be proud to share in helping to maintain the State and Federal Governments.

It would also be of considerable value to your committee to receive a tabulation from the Indian Bureau as to several trust funds held by it for the benefit of the reservations, tribes, individuals and for any organization supervised by agents of the Federal Government. The locations and boundary descriptions of reservations and rancherias held in trust by the United States Government should be included in the tabulations relating thereto.

I hope these suggestions may be helpful to your committee.

With very best wishes, I am,
 Sincerely,

F. G. COLLETT
 Executive Representative

1515 1/2 South Wilton Place
 Los Angeles 19, California

J. THE MISSION INDIAN FEDERATION OF CALIFORNIA

Valley Center, San Diego County, California
 November 8, 1954

HON. CHARLES BROWN, Acting Chairman
State Senate Interim Committee on California Indian Affairs
State Capitol, Sacramento, California

Re: State Senate Interim Committee Hearing on "problems imposed by the proposed termination of Federal supervision and services to Indians in the State of California"

DEAR MR. CHAIRMAN: I have just been handed a copy of a notice sent out by the Federal Indian Bureau office at Sacramento, announcing that your Honorable Committee is to hold a two-day meeting at the City Hall at Palm Springs, starting at 10 o'clock Tuesday, November 16th. No notice of the meeting was sent me direct

IV. SPECIFIC PROBLEMS PRESENTED BY INDIAN TRIBES, BANDS AND GROUPS

There are 117 "Indian reservations" in 33 California counties. The term "reservation" is used as a convenient word to describe land which is set aside for or is used by Indians, but it should be noted that these parcels of land fall into various categories as to ownership, method of acquisition and tribal status. Also, the lands differ widely in usage and as to the management of sundry agricultural and business affairs being conducted thereon. The committee, therefore, believes that great care must be taken not to generalize with regard to the lands contained in these "reservations" but, on the contrary, feels that each parcel or unit has to be separately analyzed and examined. There is accordingly attached to this report as Appendices "F." and "G." a tabulation and map indicating the names and locations of each of the parcels of land involved as well as population and acreage data.

The following information obtained at committee hearings throughout the State refers for the most part to problems connected with one or more of these parcels of land. For the sake of convenience the various reservations, rancherias and public domain allottees were grouped in accordance with land usage and were heard after segregation into geographical areas throughout the State. To accommodate witnesses, hearings were held in each of these geographical areas as follows:

- At Redding, California—September 13 and 14, 1954;
- At Hoopa, California—September 16 and 17, 1954;
- At Palm Springs, California—November 16 and 17, 1954;
- At Bishop, California—November 19, 1954; and
- At Sacramento, California—November 22 and 23, 1954.

It is the purpose of the committee in this segment of the report to submit some of the significant testimony presented at these various hearings.

A. HEARING, REDDING, CALIFORNIA, SEPTEMBER 13 AND 14, 1954

Reservations, rancherias or public allotment areas covered by this hearing are the following:

Alturas, Cedarville, Redding, Susanville, Chico, Strawberry Valley, Montgomery Creek, Big Bend, X L Ranch, Quartz Valley, Fort Bidwell, Enterprise, Mooretown, Grindstone Creek, Greenville, Lookout, Taylorsville, Likely, Berry Creek, Roaring Creek, Paskenta, and Rufeys.

For the sake of convenience these rancherias were grouped in accordance with problems which might be common to several. Descriptive of and in connection with this grouping the Bureau of Indian Affairs has stated as follows:

1. RANCHERIAS OR RESERVATIONS PROVIDING HOMESITES IN THE VICINITY OR ADJACENT TO TOWNS

- a. Alturas
- b. Cedarville

- e. Redding
- d. Susanville
- e. Chico
- f. Strawberry Valley

The acreage in these rancherias is generally small and has no utility except for homesites. The land was acquired by purchase and title is held by the United States, no trust patent having been issued to any particular group. The only water problem concerns that for domestic use. Domestic wells exist on four of these rancherias and on the other two, namely Susanville and Chico, water is supplied by an outside municipal system. The Indians pay for its use individually. I believe that there are no water right problems, as such. There is some rehabilitation of the domestic wells needs, which we are working on at this time. Because of the proximity of these rancherias to existing towns, there are no road problems. We know of no boundary disputes and are not aware of any boundary surveys needed. In a couple of cases subdivision surveys have been made and the areas are divided into lots. However, on others the occupancy pattern is not well defined. No land is allotted but is assigned, and in most cases the assignments have had the formal approval of this office. The occupants of these rancherias make a living primarily from employment in and around the adjacent villages.

2. RANCHERIAS PROVIDING HOMESITES IN RURAL AREAS

- a. Montgomery Creek
- b. Big Bend

These rancherias are in isolated rural areas and the residents are generally employed on the local ranches or in the timber industry. The land is held by the United States and no trust patent has been issued to any particular group of Indians. The land is not allotted but is occupied under assignments, not all of which have been formally approved by the Bureau of Indian Affairs. The domestic water is provided by springs and wells and to our knowledge no water right problems exist.

3. RESERVATIONS ON WHICH AGRICULTURAL ENTERPRISES ARE CONDUCTED

- a. X L Ranch
- b. Quartz Valley
- c. Fort Bidwell

The X L Ranch and the Quartz Valley Reservation were purchased under authority of the Indian Reorganization Act and title is held by the United States in trust for certain groups of Indians. The Fort Bidwell Reservation was set aside by Executive Order for a specific group and a trust patent has been issued to that group. None of these reservations are allotted and land is held under approved assignments. All of these reservations are partially irrigated from water diverted from streams and from underground sources. Two of the reservations have organized livestock associations and graze livestock on their own land, and in the case of the X L Ranch, lease additional federal land. There may be some water rights problems on each of these units, however in the case of the purchased properties a water right presumably was acquired with the land. There is a rather difficult use right dispute to certain land on the X L Ranch which may require litigation for settlement. Each of the reservations has irrigation liens. The Fort Bidwell Reservation contains some merchantable timber and steps are being taken to advertise this timber for sale in the near future. A peculiar problem presents itself on the X L Ranch in that it was acquired for the benefit of the Pit River tribe but only a small segment of that tribe actually has assignments.

4. RESERVATIONS PROVIDING HOMESITES BUT WHICH HAVE ADDITIONAL UNUSED AGRICULTURAL AND NONAGRICULTURAL LAND.

- a. Enterprise
- b. Mooretown
- c. Grindstone Creek
- d. Greenville
- e. Lookout

All of these reservations, except Greenville, were acquired by purchase and title is held in the United States and no trust patent has been issued to any Indian group. The Greenville Reservation was partially set aside by Executive Order and

a trust patent issued, but certain segments were acquired by purchase and are held in the same manner as the others indicated. The land is not allotted but is occupied under assignments, not all of which have been formalized. A domestic water system was recently installed on the Grindstone Creek Rancheria and we contemplate installing a system at Lookout. The existing system at Greenville is in need of rehabilitation and we hope to accomplish the necessary work. It is possible that certain water rights problems will arise in connection with the Grindstone and Greenville Rancherias but we cannot foresee such problems on the remainder at this time. These reservations are somewhat isolated and the people generally derive their livelihood from wage work among ranches in the vicinity and in the timber industry. One segment of the Greenville Rancheria is leased to a non-Indian for grazing.

5. RESERVATIONS WHICH HAVE BEEN INTERMITTENTLY OR PERMANENTLY OCCUPIED

- a. Taylorsville
- b. Likely
- c. Berry Creek
- d. Roaring Creek
- e. Paskenta
- f. Ruffeys

These reservations were acquired and are held by the United States, but in at least one case was acquired for a specific group of Indians. At the present time we believe that there is one family each on the Taylorsville and Paskenta Reservations. The Taylorsville Reservation is adjacent to the town of the same name and a portion has been leased to the town. It is not believed that any of these tracts will present any particular problem in connection with water supply or water rights. The principal question to be answered is whether specific groups of Indians have a valid claim to the land or whether ownership could more equitably be vested in "The Indians of California."

I. RANCHERIAS OR RESERVATIONS PROVIDING HOMESITES IN THE VICINITY OR ADJACENT TO TOWNS

(a) Alturas

The following statement was submitted by the residents of the Alturas Rancheria:

This letter is to certify our wishes here at Alturas Rancheria, which was not heard at the last Senate Interim Committee on California Indian Affairs during last September 13, 14 that took place at Redding, California. We were unable to appear then as we had not gotten together to discuss our problem, therefore we were not represented.

We are the residents of Alturas Rancheria. It has been our home for at least 10 years and more. This Rancheria covers 20 or 30 acres; there are six houses here, five of which are occupied. We feel we could ask for aid. The government could give us running water to our homes. The pump we now share is a very shallow well and it is very far for some of us to carry water. We need material to remodel our homes. The houses we now live in are made from the most common lumber, cull or scrap wood which we gathered from the mill. All five homes need to be remodeled. It is very cold here during the spring, fall, and winter and our houses are not warm. Some of us have small children which suffer many colds during the cold weather from the lack of warm homes. Our road on our rancheria is in very bad condition and in wet weather it is very hard to get in and out. We feel we should have this divided among us as individuals. We would feel more secure in knowing just what part belonged to us.

There is a creek running through our rancheria used for irrigation; it has been for years. A new owner has purchased the adjoining ranch and has put in a levee which backs the water on the rancheria when the water is high in the spring. This water floods some of the houses. This has been reported to Mr. Hill's office several times but nothing has been done. We have also told the owner of the ranch. He shrugs it off as if to tell us that's too bad, let your children drown. We would like this straightened out as soon as possible. The foregoing statement is expressing our desires as residents of the Alturas Rancheria which is our only home. To some of us the only home we have ever known. We ask aid as we have no money to do

APPENDIX E

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS

Map No.	Reservation and rancherias by counties	Population 1951	Area, in acres	How land was acquired	Present status of land	Source of water supply		
						Stream	Under-ground	Other
1	Del Norte County Coast Indian Community (Ressighini)	40	228	Purchased	Trust Patent	Klamath River unnamed stream		
2	Crescent City (Elk Valley)	22	100	Purchased	Trust Patent		Wells	
3	Smith River	110	164	Purchased	Trust Patent	Lopez Creek		
4	Siskiyou County Quartz Valley	40	604	Purchased	Trust Patent	Shackleford Creek	Wells	
5	Ruffeys	2	441	Purchased	Trust Patent			None
6	Modoc County Alturas	12	20	Purchased	Trust Patent		Well	
7	Cedarville	13	17	Purchased	Trust Patent		Well	
8	Fort Bidwell	112	3,340	Executive order and purchased	Trust Patent	Bidwell Creek Venning Creek	Springs	
9	Likely	0	40	Purchased	Trust Patent			None
10	Lookout (2 parcels)	16	50	Purchased	Trust Patent		Wells	
11	X L Ranch (4 parcels)	39	8,760	Purchased	Trust Patent	North Fork Pit River and tributaries		Reservoirs
12	Humboldt County Big Lagoon	0	9	Purchased	Trust Patent			None
13	Blue Lake	22	26	Purchased	Trust Patent			City mains
14	Hoopa Valley	600	87,497	Executive order	84,562 acres Trust Patent 2,939 acres allotments	Tributaries of Trinity River	Springs	
15	Hoopa Extension (Klamath strip)	375	13,960	Executive order	2,829 acres Trust Patent 11,168 acres allotments	Tributaries of Klamath River	Springs	
16	Rohnerville	30	15	Purchased	Trust Patent		Springs	
17	Table Bluff	40	20	Purchased	Trust Patent		Wells	
18	Trinidad	9	60	Purchased	Trust Patent		Wells	
19	Shasta County Big Bend (Henderson)	11	40	Purchased	Trust Patent		Well	
20	Montgomery Creek	1	72	Purchased	Trust Patent	Montgomery Creek	Springs	
21	Redding (Clear Creek)	36	31	Purchased	Trust Patent		Well	
22	Roaring Creek	0	80	Purchased	Trust Patent			None
23	Lassen County Susanville	45	30	Purchased	Trust Patent			City mains
24	Tehama County Paskenta	4	259	Purchased	Trust Patent	Thomes Creek		
25	Plumas County Greenville (2 parcels)	40	275	Executive order and purchased	Trust Patent	Wolf Creek	Springs	
26	Taylorville	0	160	Purchased	Trust Patent			None
27	Glenn County Grindstone Creek	20	80	Purchased	Trust Patent	Stoney Creek		

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Irrigated area in acres	Use of water		Diversion and distribution facilities			Water distribution		Apparent basis of water right	Decrees or agreements involving water rights
	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
60	Domestic	100	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
None	Domestic	40	Tribe	Indians	None	Individuals		Ground water	None
5	Domestic	5	Tribe	Indians	\$1,166	Individuals		Appropriative and /or riparian	None
354		354	Tribe	Indians	8,063		State water-master	Adjudicated and ground water	Shackelford Creek Decree No. 13775
None		None			None				
None	Domestic	10	Tribe	Indians	None	Individuals		Ground water	None
None	Domestic	None	Tribe	Indians	None	Individuals		Ground water	None
223	Domestic	300	Tribe	Indians	123	Individuals		Appropriative and /or riparian	Presently being adjudicated
None	None	None	Tribe	Indians	None	Individuals	State water-master	Ground water	None
None	Domestic	None			None			Adjudicated and /or appropriative	North Fork of Pit River Decree No. 4074
None	Domestic	None		City of Blue Lake	None				
None	Domestic	None		Indians	None				
1,170	Domestic	1,910	Tribe	Indians	101,022	Individuals		Appropriative and /or riparian	None
None	Domestic	50	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
None	Domestic	5	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
None	Domestic	12	Individuals	Indians	None	Individuals		Ground water	None
None	Domestic	None	Individuals	Indians	None	Individuals		Ground water	None
None	Domestic	None	Individuals	Indians	71	Individuals		Ground water	None
3	Domestic	20	Individuals	Indians	None	Individuals		Appropriative and /or riparian	None
1	Domestic	8	Tribe	Indians	2,120	Individuals		Ground water	None
None	Domestic	None		City of Susanville	None				
2		15	Tribe	Indians	226	Individuals		Appropriative and /or riparian	None
67	Domestic	67	White and Indians jointly	Indians	1,146		State water-master	Adjudicated	Indian Creek Decree No. 4185
None		None			None				
15	Domestic	18	Tribe	Indians	14,500	Individuals		Appropriative and /or riparian	None

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS—Continued

Map No.	Reservation and rancherias by counties	Population 1951	Area, in acres	How land was acquired	Present status of land	Source of water supply		
						Stream	Underground	Other
28	Butte County Berry Creek.....	0	33	Executive order	Trust Patent			None
29	Chico (Mecchupta).....	40	25	Grant	Trust Patent			City mains
30	Enterprise (2 parcels).....	14	81	Purchased	Trust Patent		Spring	
31	Mooretown.....	14	160	Purchased	Trust Patent		Spring	
22	Mendocino County Coyote Valley.....	34	100	Purchased	Trust Patent	Russian River available	Spring	
33	Guidville.....	35	243	Executive order	Trust Patent		Well	
34	Hopland.....	75	2,070	Purchased	Trust Patent		Spring	
35	Laytonville.....	90	200	Purchased	Trust Patent	Garcia River	Well	
36	Manchester—Point Arena ..	85	309	Purchased	Trust Patent		Wells	
37	Pinoleville.....	100	96	Purchased	Trust Patent		Wells	
38	Potter Valley (2 parcels) ..	12	96	Executive order and purchased	Trust Patent		Wells	
39	Redwood Valley.....	17	80	Purchased	Trust Patent		Wells	
40	Round Valley.....	500	26,578	Executive order and purchased	Trust Patent		Wells	
42	Sherwood Valley.....	0	291	Purchased	Trust Patent		Springs	
42	Lake County Big Valley (Mission).....	124	102	Purchased	Trust Patent		Well	Clear Lake
43	Cache Creek.....	2	160	Purchased	Trust Patent		Spring	
44	Lower Lake.....	6	140	Purchased	Trust Patent		Well	
45	Middletown.....	21	109	Purchased	Trust Patent		Wells	
46	Robinson.....	45	88	Purchased	Trust Patent		Wells	
47	Scotts Valley (Sugar Bowl)	25	57	Purchased	Trust Patent		Wells	
48	Sulphur Bank.....	13	50	Purchased	Trust Patent			Clear Lake
49	Upper Lake (2 parcels).....	70	561	Purchased	Trust Patent	Middle Creek	Well	
50	Colusa County Colusa (Cachil Dehe).....	50	257	Purchased	Trust Patent	Sacramento River	Wells	
51	Cortina.....	4	640	Purchased	Trust Patent			None
52	Yuba County Strawberry Valley.....	2	1	Purchased	Trust Patent		Well	
53	Nevada County Nevada City.....	4	75	Executive order	Trust Patent		Spring	
54	Placer County Auburn.....	80	40	Purchased	Trust Patent			Boardman Canal
55	Colfax.....	0	40	Purchased	Trust Patent			None
56	Sonoma County Alexander Valley.....	12	59	Purchased	Trust Patent		Well	
57	Cloverdale.....	45	27	Purchased	Trust Patent		Well	

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Irrigated area, in acres	Use of water		Diversion and distribution facilities			Water distribution		Apparent basis of water right	Decrees or agreements involving water rights
	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
None		None			None				None
14	Domestic	14	City of Chico	City of Chico	None				None
None		None			None			Appropriative and /or riparian	None
None		None			None			Appropriative and /or riparian	None
None	Domestic	4	Tribe	Indians	\$1,886			Riparian	None
None	Domestic	5	Tribe	Indians	681			Ground water	None
None	Domestic	5	Tribe	Indians	574			Appropriative and /or riparian	None
None	Domestic	5	Tribe	Indians	8,086			Ground water	None
None	Domestic	30	Tribe	Indians	139			Riparian and ground water	None
None	Domestic	35	Individuals	Indians	2,569			Ground water	None
None	Domestic	16	Tribe	Indians	None			Ground water	None
None	Domestic	2	Individuals	Indians	None			Ground water	None
50	Domestic	4,000	Individuals	Indians	793	Individuals		Ground water	None
None	Stock-water	40	Individuals	Indians	None			Appropriative and /or riparian	None
86	Domestic	86	Tribe	Indians	23,569	Individuals		Appropriative and /or riparian and ground water	None
None	Domestic	None			None			Appropriative and /or riparian	None
None	Domestic	2			None			Ground water	None
None	Domestic	2	Tribe	Indians	11,369			Ground water	None
None	Domestic	35			3,509			Ground water	None
None	Domestic	5			3,553	Individuals		Ground water	None
1	Domestic	5			None			Appropriative and /or riparian	None
None	Domestic	5			None			Appropriative and /or riparian	None
51	Domestic	118	Tribe	Indians	9,862	Individuals		Appropriative and /or riparian and ground water	None
100	Domestic	218	Tribe	Indians	25,870	Individuals		Appropriative and /or riparian and ground water	None
None		None			None				
None	Domestic	None			None			Ground water	None
None	Domestic	5			None			Appropriative and /or riparian	None
None	Domestic	1	Tribe	Indians	1,488	Individuals		Water is purchased from Pacific Gas and Electric Co.	None
None	None	None			None				
None	Domestic	6	Tribe	Indians	None	Individuals		Ground water	None
20	Domestic	20	Tribe	Indians	7,099	Individuals		Ground water	None

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS—Continued

Map No.	Reservation and rancherias by counties	Population 1951	Area, in acres	How land was acquired	Present status of land	Source of water supply		
						Stream	Under-ground	Other
58	Sonoma County—Continued Dry Creek.....	14	75	Purchased	Trust Patent		Springs	
59	Graton.....	3	15	Purchased	Trust Patent			None
60	Lytton.....	10	50	Purchased	Trust Patent	Markwest Creek	Wells	
61	Mark West.....	4	35	Purchased	Trust Patent		Wells	
62	Stewart's Point.....	88	40	Purchased	Trust Patent			Wells
63	Yolo County Runsey (2 parcels).....	18	141	Purchased	Trust Patent		Wells	
64	Sacramento County Wilton.....	30	39	Purchased	Trust Patent		Well	
65	El Dorado County Shingle Springs.....	1	240	Purchased	Trust Patent		Well	
66	Amador County Buena Vista.....	5	70	Purchased	Trust Patent		Springs	
67	Jackson.....	5	331	Purchased	Trust Patent		Springs	
68	Calaveras County Sheep Ranch.....	9	2	Purchased	Trust Patent			None
69	Tuolumne County Chicken Ranch.....	9	40	Executive order	Trust Patent		Spring	
70	Tuolumne.....	50	310	Executive order and purchased	Trust Patent	Turnback Creek	Spring	Black Oak Ditch
71	Madera County North Fork.....	6	30	Purchased	Trust Patent		Spring	
72	Picayune.....	21	30	Executive order	Trust Patent		Wells	
73	Fresno County Big Sandy (Aulerry).....	71	280	Purchased	Trust Patent		Spring and well	
74	Cold Springs (Sycamore) ..	25	160	Executive order	Trust Patent		Spring and well	
75	Table Mountain.....	50	160	Purchased	Trust Patent		Well	
76	Inyo County Big Pine.....	50	279	Land exchange with City of Los Angeles	Trust Patent	Big Pine Creek	Well	
77	Bishop.....	500	875	Land exchange with City of Los Angeles	Trust Patent	Bishop Creek	Well	

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Irrigated area, in acres	Use of water		Diversion and distribution facilities			Water distribution		Apparent basis of water right	Decrees or agreements involving water rights
	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
1	Domestic	1	Tribe	Indians	231	Individuals		Appropriative and /or riparian	None
None	Domestic	None	Tribe	Indians	None	Individuals		Ground water	None
30	Domestic	45	Tribe	Indians	5,265	Individuals		Appropriative and /or riparian	None
None	Domestic	4	Tribe	Indians	None	Individuals		Ground water	None
None	Domestic	None	Tribe	Indians	1,711	Individuals		Ground water	None
66	Domestic	70	Tribe	Indians	2,080	Individuals		Ground water	None
10	Domestic	10	Tribe	Indians	3,809	Individuals		Ground water	None
None	Domestic	5	Tribe	Indians	None	Individuals		Ground water	None
None	Domestic	15	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
None	Domestic	5	Tribe	Indians	116	Individuals		Appropriative and /or riparian	None
None		None			None				
None	Domestic	None	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
35	Domestic	75	Tribe	Indians	5,002	Individuals		Water purchased from Pacific Gas and Electric Company Black Oak Ditch	Agreement No. 1898 (Cherokee Ditch from Turnback Creek) Recorded Book A. Vol. 69 P. 261, County Court House
None	Domestic	20	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
None	Domestic	20	Individuals	Indians	None			Ground water	None
4	Domestic	12	Tribe	Indians	223	Individuals		Appropriative and /or riparian and ground water	None
2	Domestic	10	Tribe	Indians	332	Individuals		Appropriative and /or riparian and ground water	None
None	Domestic	4	Tribe	Indians	1,055	Individuals		Ground water	
270	Domestic	270	City of Angeles	Government and Indians	18,590	Individuals	Diversion by city water-master ^d	Ground water	Agreement with City of Los Angeles
700	Domestic	858	City of Los Angeles	Government and Indians	77,357	Individuals	Diversion by city water-master and own water-master ^d	Ground water	Agreement with City of Los Angeles

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS—Continued

Map No.	Reservation and rancherias by counties	Population 1951	Area, in acres	How land was acquired	Present status of land	Source of water supply		
						Stream	Under-ground	Other
78	INYO COUNTY—Continued Fort Independence.....	42	320	Executive order	218 acres Trust Patent; 102 acres allotments	Oak Creek		
79	Indian Ranch.....	0	560	Purchased	Trust Patent	Halls Canyon		
80	Lone Pine.....	115	237	Land exchange with City of Los Angeles	Trust Patent	Lone Pine Creek	Well	
81	Kings County Santa Rosa.....	82	170	Purchased	Trust Patent		Well	Last Chance Ditch and York Drop Ditch Companies
82	Tulare County Strathmore.....	0	40	Purchased	Trust Patent	South Fork Tule River	Well	
83	Tule River.....	200	54,116	Executive order	Trust Patent			
84	Santa Barbara County Santa Ynez.....	28	99	Deeded to Indians	Trust Patent	Zanja Decota River		
85	San Bernardino County San Manuel.....	18	653	Executive order and purchased	Trust Patent		Well	Purchased from Bear Valley Mutual Water Company
86	Twenty-Nine Palms.....	0	161	Executive order	Trust Patent			
87	Riverside County Agua Caliente (Palm Springs)	78	31,128	Executive order, purchased and secretarial withdrawal	28,166 acres Trust Patent; 2,961 acres allotments	Taquit Canyon San Andreas Canyon	Springs	City mains
88	Augustine.....	8	616	Executive order	462 acres Trust Patent; 154 acres allotments			

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Irrigated area, in acres	Use of water		Diversion and distribution facilities			Water distribution		Apparent basis of water right	Decrees or agreements involving water rights
	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
207	Domestic	300	Tribe	Indians	\$1,268	Individuals	Diversion by City water-master ^d	Appropriative	Oak Creek decree entered June 17, 1924 ^e
13	Domestic	20	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
224	Domestic	224	Tribe	Government and Indians	20,420	Individuals	Diversion by City water-master ^d	Ground water	Agreement with City of Los Angeles
55	Domestic	110	Tribe and Last Chance Ditch and York Drop Ditch Companies	Ditch Companies	6,925	Individuals	Company water-master	Ground water and 1/4 share of water stock in Ditch Companies	None
None	None	None	Tribe	Indians	None		Own water-master	Appropriative and /or riparian and ground water	Agreement between Government and South Tule Independent Ditch Company
100	Domestic	150	Tribe	Indians	16,628				
60	Domestic	90	Tribe	Indians	16,010	Individuals		Appropriative and /or riparian	Conveyed from Santa Ynez Development Company
6	Domestic	8	Tribe	Indians	16,979	Individuals	Company water-master	Ground water and 40 shares water stock, Highland Land Company	None
None	None	None			None				
208	Domestic	208	Tribe and City of Palm Springs	Indians and City of Palm Springs	2,356	Individuals		Appropriative and /or riparian	Whitewater River decree No. 18035
		616							

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS—Continued

Map No.	Reservations and rancherias by counties	Population 1951	Ares, in acres	How land was acquired	Present status of land	Source of water supply:		
						Stream	Under-ground	Other
89	Calazon.....	15	1,480	Executive order	320 acres allotments 1,029 acres Trust Patent 121 acres Fee Patent		Springs and wells	
90	Cahuilla.....	32	18,272	Executive order and purchased	18,232 acres Trust Patent 20 acres Government		Springs and wells	
91	Mission Creek.....	1	5,561	Secretarial order	2,402 acres Trust Patent 158 acres allotments	Mission Creek		
92	Morongo.....	125	31,724	Executive order and purchased	30,285 acres Trust Patent 1,427 acres allotment 11 acres reserved	Paiuroo Canyon, Hathaway Canyon	Springs and wells	
93	Pechanga.....	20	4,125	Executive order and purchased	2,853 acres Trust Patent 1,269 acres allotments 3 acres reserved		Springs	
94	Ranona.....	0	520	Act of Congress	Trust Patent		Springs	
95	Santa Rosa.....	10	11,733	Purchased	Trust Patent	Palm Canyon	Wells	
96	Soboba.....	150	5,116	Executive order and purchased	Trust Patent		Wells	
97	Torres-Martinez.....	250	30,132	Executive order	320 acres Fee Patent 47 acres Government 8,550 acres allotments 21,215 acres Trust Patent	Colorado River		
98	San Diego County Barona Ranch.....	22	5,005	Purchased	Trust Patent		Wells	
99	Campo (2 parcels).....	63	15,010	Executive order and purchased	Trust Patent	Campo Creek	Springs and wells	
100	Capitan Grande.....	0	17,785	Executive order	17,605 acres Trust Patent 180 acres allotments			
101	Cuyapaipe.....	3	5,320	Executive order	Trust Patent		Springs	
102	Inaja ^b	20	880	Executive order	Trust Patent		Springs and wells	
103	Cosmit ^b							
104	La Jolla.....	112	8,329	Executive order	7,584 acres Trust Patent 745 acres allotments	Ypecha Creek La Jolla Creek		
105	La Posta.....	0	3,879	Executive order and purchase	Trust Patent			None

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Use of water			Diversion and distribution facilities			Water distribution		Apparent basis of water right	Decrees or agreements involving water rights
Irrigated area, in acres	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
30		1,350	Tribe	Indians	None	Individuals		Appropriative and /or riparian, and ground water	None
60	Domestic	80	Tribe	Government	9,540	Individuals		Appropriative and ground water	None
160		160	Tribe	Government	2,703	Individuals		Appropriative and /or riparian	Whitewater River decree No. 18035
775	Domestic	775	Tribe	Government	81,279	Indians set up own schedule	Pump operator	Appropriative and /or riparian	Whitewater River decree No. 18035
10	Domestic	190	Tribe	Government	17,376	Individuals		Appropriative and /or riparian	None
None		None			None			Appropriative and /or riparian	None
25	Domestic	60	Tribe	Government	8,637	Individuals		Appropriative and /or riparian and ground water	None
185	Domestic	340	Tribe	Government	20,744	Individuals		Ground water	None
340		8,177	Tribe	Government	None	Individuals		Appropriative and /or riparian	None
60	Domestic	740	Tribe	Indians and Government	1,922		Pump operator	Ground water	None
45	Domestic	150	Tribe	Government	7,512	Individuals		Appropriative and /or riparian and ground water	None
None	None	None			None				
20	Domestic	20	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
10	Domestic	20	Tribe	Indians	10,848	Individuals		Appropriative and /or riparian and ground water	None
184	Domestic	300	Tribe	Government	10,523	Individuals		Appropriative and /or riparian	None
None	None	5			None				

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS
FOR CALIFORNIA INDIAN LANDS—Continued

Map No.	Reservations and rancherias by counties	Population 1951	Area, in acres	How land was acquired	Present status of land	Source of water supply		
						Stream	Under-ground	Other
106	Los Coyotes.....	25	25,050	Executive order and purchase	Trust Patent		Wells	
107	Manzanita.....	27	3,530	Executive order	Trust Patent		Springs	
108	Mesa Grande.....	100	5,963	Executive order and purchase	Trust Patent		Springs and wells	
109	Mission Reserve.....	0	9,480	Executive order	Reserved			None
110	Pala.....	106	11,016	Executive order and purchase	9,642 acres Trust Patent 1,374 acres allotments	San Luis Rey River	Wells	
111	Pauma and Yuima.....	76	250	Purchase	Trust Patent	Pauma Creek		
112	Rincon.....	85	3,486	Executive order	3,048 acres Trust Patent 418 acres allotments 20 acres other	San Luis Rey River	Wells	
113	San Pasqual.....	8	1,343	Executive order	Trust Patent		Springs and wells	
114	Santa Isabel.....	40	9,679	Executive order and purchase	Trust Patent	Carrizo Creek	Wells	
115	Sycuan.....	15	604	Executive order	369 acres Trust Patent 234 acres allotments 1 acre other	North Fork Sweet Water River	Wells	
116	Viejas (Baron Long).....	37	1,609	Purchase	Trust Patent		Wells	
117	Imperial County Fort Yuma.....	1,100	7,979 ¹	Executive order	Trust Patent	Colorado River	Wells	
	TOTALS.....	7,148	485,463					

NOTES

- ^a Reimbursable charges were compiled by the Bureau of Indian Affairs as of June 30, 1953.
- ^b The Bureau of Indian Affairs assists the Indians with major repairs on all projects.
- ^c The well is located on adjacent lands of Lynus Goyett; Indians pay a token fee of \$1 per annum for use of the well. The pumping equipment is government property.
- ^d The Los Angeles City Watermaster turns the Indians' allotments in their ditch and the Indians distribute it from there.
- ^e This decree has no court number.
- ^f In addition an unknown area within the Augustine, Cabazon and the Torres-Martinez reservation located in Riverside County is presently irrigated with Colorado River water by lessees who obtain this supply through the Coachella Valley County Water District. The government is presently negotiating a contract with this district to supply water for Indian use on an estimated total irrigable area within these reservations of 10,152 acres.
- ^g A portion of this reservation including 10,080 acres and a population of 21 is located in Imperial County and has no water supply.
- ^h Inaja and Cosmit are treated as one unit in this table.
- ⁱ There is an area of approximately 4,400 acres accreted to the reservation because of the change in course of the Colorado River. This area is irrigable and may become part of the reservation when ownership is determined.
- ^j There is an annual operation and maintenance charge of \$58,075 paid to the Bureau of Reclamation for irrigation water.

APPENDIX E—Continued

SUMMARY OF LAND OWNERSHIP WATER UTILIZATION AND STATUS OF WATER RIGHTS FOR CALIFORNIA INDIAN LANDS—Continued

Irrigated area, in acres	Use of water		Diversion and distribution facilities			Water distribution.		Apparent basis of water right	Decrees or agreements involving water rights
	Domestic	Estimated irrigable area, in acres	Owned by	Maintained by ^b	Present reimbursable charges, ^a in dollars	By Indians	Other		
6	Domestic	100	Tribe	Government	21,005	Individuals		Ground water	None
18	Domestic	34	Tribe	Indians	None	Individuals		Appropriative and /or riparian	None
30	Domestic	60	Tribe	Government	8,231	Individuals		Appropriative and /or riparian and ground water	None
None	None	None			None				
630	Domestic	630	Tribe	Government	85,750		Pump operator	Appropriative and /or riparian and ground water	Henshaw agreements
100	Domestic	207	Tribe	Government	9,720	Individuals		Appropriative and /or riparian	Superior Court decree dated, March 31, 1892 ^c
720	Domestic	720	Tribe	Government	115,260		Pump operator	Appropriative and /or riparian	Henshaw agreements
10	Domestic	50	Tribe	Government	9,017	Individuals		Appropriative and /or riparian and ground water	None
10	Domestic	60	Tribe	Government	13,903	Individuals		Appropriative and /or riparian and ground water	None
7	Domestic	15	Tribe	Indians and Government	11,682	Individuals		Appropriative and /or riparian and ground water	None
15	Domestic	500	Tribe	Indians and Government	67	Individuals		Ground water	None
7,743	Domestic	12,400 ^d	Bureau of Reclamation	Indians and Government	335,823	Bureau of Reclamation ^e		Appropriative and /or riparian	Colorado River Contract
16,211		39,075			\$1,233,704				

APPENDIX F
DATA ON INDIAN RESERVATIONS IN CALIFORNIA

County and reservation	Tribe	Popu- lation*	Reser- vation acreage†	Mailing address
Amador County				
Buena Vista	Mc-Wuk	5	70	RFD, Ione
Jackson	Mc-Wuk	5	331	RFD, Jackson
Totals		10	401	
Butte County				
Berry Creek		0	33	Berry Creek
Chico (Mechuupa)	Mixed	40	25	Chico
Enterprise (3 parcels)	Maidu	14	81	Oroville
Mooretown	Maidu	14	160	Feather River (Star R.L.)
Totals		68	299	
Calaveras County				
Sheep Ranch	Mc-Wuk	9	2	Sheep Ranch
Colusa County				
Colusa (Cachil Dehe)‡	Wintun	50	257	Rt. 1, Box 225, Colusa
Cortina	Mc-Wuk	4	640	Williams
Totals		54	897	
Del Norte County				
Coast Indian Community (Resighini)	Yurok	40	228	Klamath
Crescent City (Elk Valley)	Crescent City	22	100	Crescent City
Smith River	Smith River	110	104	Smith River
Totals		172	492	
El Dorado County				
Shingle Springs	Mc-Wuk	1	240	El Dorado
Fresno County				
Big Sandy (Auberry)	Mono	71	280	Auberry
Cold Springs (Sycamore)	Mono	25	160	Tollhouse
Table Mountain	Chukchansi	50	160	Friant
Totals		146	600	
Glenn County				
Grindstone Creek	Wintun	30	80	Star Rt., Orland
Humboldt County				
Big Lagoon		0	9	Orick
Blue Lake	Blue Lake	22	26	Blue Lake
Blue Lake	Hoopa	600	87,497	Hoopa
Hoopa Valley	Yurok	375	13,960	Weitchpec
Hoopa Extension (Klamath Strip)	Bear River	30	15	Rohnerville
Rohnerville	Miami	40	20	Loleta
Table Bluff	Yurok	9	60	Trinidad
Trinidad				
Totals		1,076	101,587	
Imperial County				
Fort Yuma	Yuma	1,110	7,979	P.O. Box 1591, Yuma, Ariz.
Torres-Martinez (See Riverside Co. also)	Coahuila	21	10,080	Thermal
Totals		1,131	18,059	
Inyo County				
Big Pine	Paiute	50	279	Big Pine
Bishop	Paiute	500	875	Bishop
Fort Independence	Paiute	42	320	Fort Independence
Indian Ranch		0	560	Fanaintment
Lone Pine	Mixed	115	237	Lone Pine
Totals		707	2,271	
Kings County				
Santa Rosa	Tache	82	170	Lemoore

APPENDIX F—Continued
DATA ON INDIAN RESERVATIONS IN CALIFORNIA—Continued

County and reservation	Tribe	Popu- lation*	Reser- vation acreage†	Mailing address
Lake County		124	1102	Lakeport
Big Valley (Mission).....	Pomo.....	2	160	Clearlake Oaks
Cache Creek.....	Pomo.....	6	140	Lower Lake
Lower Lake.....	Pomo.....	21	109	Middletown
Middletown.....	Pomo.....	45	88	Upper Lake
Robison.....	Pomo.....	25	57	Lakeport
Scotts Valley (Sugar Bowl).....	Pomo.....	13	50	Clearlake Oaks
Sulphur Bank.....	Pomo.....	70	561	Upper Lake
Upper Lake (2 parcels).....	Pomo.....			
Totals.....		306	1,267	
Lassen County		45	30	Susanville
Susanville.....	Mixed.....			
Madera County		6	80	North Fork
North Fork.....	Chukchansi.....	21	80	Coarsegold
Picayune.....	Chukchansi.....			
Totals.....		27	160	
Mendocino County		34	100	Ukiah
Coyote Valley.....	Pomo.....	35	243	Talmage
Guidville.....	Pomo.....	73	2,070	Hopland
Hopland.....	Pomo.....	90	200	Laytonville
Laytonville.....	Caddo and Mixed.....	85	369	Point Arena
Manchester—Point Arena.....	Pomo.....	100	96	Box 55, Ukiah
Pinoleville.....	Pomo.....	12	96	Potter Valley
Potter Valley (2 parcels)*.....	Pomo.....	17	80	Redwood Valley
Redwood Valley.....	Pomo.....	500	26,578	Covelo
Round Valley.....	Mixed.....	0	291	Sherwood Valley via Willits
Sherwood Valley.....				
Totals.....		948	30,123	
Modoc County		12	20	Alturas
Alturas.....	Pit River.....	13	17	Cedarville
Cedarville.....	Palute.....	112	3,340	Fort Bidwell
Fort Bidwell.....	Palute.....	0	40	Likely
Likely.....	Pit River.....	16	50	Lookout
Lookout (2 parcels).....	Pit River.....	39	8,760	Alturas
X L Ranch (4 parcels).....	Pit River.....			
Totals.....		192	12,227	
Nevada County		4	75	Nevada City
Nevada City.....	Maidu.....			
Placer County		80	40	RFD, Box, Newcastle
Auburn.....	Maidu Mixed.....	0	40	Colfax
Colfax.....				
Totals.....		80	80	
Plumas County		40	275	Greenville
Greenville (2 parcels).....	Maidu and Mixed.....	0	160	Taylorville
Taylorville.....				
Totals.....		40	435	
Riverside County		78	31,128	Palm Springs
Agua Caliente.....	Coahuila.....	8	616	Thermal
Augustine.....	Coahuila.....	15	1,480	Indio
Cahazon.....	Coahuila.....	32	18,272	Anza
Cahuilla.....	Coahuila.....	1	2,561	White Water
Mission Creek.....	Sarrano.....	125	31,724	P.O. Box 2, Banning
Morongo.....	Sarrano.....	20	4,125	Temecula
Pechanga.....	Luiseno.....	0	520	Valle Vista or Anza
Ranoma.....	Coahuila.....	10	11,733	Hemet
Santa Rosa.....	Coahuila.....	150	5,116	San Jacinto
Soboba.....	Coahuila.....	229	20,052	Thermal
Torres-Martinez.....	Coahuila.....			
Totals.....		668	127,327	
Sacramento County		30	39	Wilton
Wilton.....	Mc-Wuk.....			

APPENDIX F—Continued

DATA ON INDIAN RESERVATIONS IN CALIFORNIA—Continued

County and reservation	Tribe	Popu- lation*	Reser- vation acres†	Mailing address
San Bernardino County				
San Manuel.....	Serrano.....	18	653	San Bernardino Twentynine Palms
Twentynine Palms.....	Serrano.....	0	161	
Totals.....		18	814	
San Diego County				
Barona Ranch.....	Diegueno.....	22	5,005	Lakeside
Campo.....	Diegueno.....	63	15,010	Campo
Capitan Grande.....		0	17,785	Lakeside
Cuyapaipe.....	Diegueno.....	3	5,320	Pine Valley
Inaja-Cosmit.....	Diegueno.....	20	880	Julian
LaFolla.....	Luiseno.....	112	8,329	Valley Center
LaPosta.....		0	3,879	Boulevard
Los Coyotes.....	Lujeño.....	25	25,050	Warner Spring
Mauzanita.....	Diegueno.....	27	3,520	Pine Valley
Mesa Grande.....	Luiseno.....	100	5,963	Santa Ysabel
Mission Reserve.....		0	9,480	
Pala.....	Luiseno.....	100	11,016	Pala
Patma and Yuma.....	Luiseno.....	70	250	Valley Center
Rincon.....	Luiseno.....	85	3,486	Valley Center
San Pasqual.....	Luiseno.....	8	1,343	Star Rt. Valley Center
Santa Ysabel.....	Diegueno.....	40	9,079	Santa Ysabel
Sycuan.....	Diegueno.....	15	604	El Cajon
Viejas (Baron Long).....	Diegueno.....	37	1,609	Alpine
Totals.....		727	128,208	
Santa Barbara County				
Santa Ynez.....	Chumash.....	28	99	Santa Ynez
Shasta County				
Big Bend (Henderson).....	Pit River.....	11	40	Big Bend
Montgomery Creek.....	Pit River.....	1	72	Montgomery Creek
Redding (Clear Creek).....	Mixed.....	36	31	Box 225, Redding
Roaring Creek.....		0	80	Montgomery Creek
Totals.....		48	223	
Siskiyou County				
Quartz Valley.....	Shasta.....	40	604	Fort Jones
Rufey's.....		0	441	Etna
Totals.....		40	1,045	
Sonoma County				
Alexander Valley.....	Wappo.....	1	54	Healdsburg
Cloverdale.....	Pomo.....	45	27	Cloverdale
Dry Creek.....	Pomo.....	14	75	Geyserville
Graton.....	Pomo.....	3	15	Rt. 1, Box 101, Sebastopol
Lytton.....	Pomo.....	10	50	Lytton
Mark West.....	Pomo.....	4	35	Santa Rosa
Stewart's Point.....	Pomo.....	88	40	Stewart's Point
Totals.....		165	296	
Tehama County				
Paskenta.....		0	260	Paskenta
Tulare County				
Strathmore.....		0	40	Strathmore
Tule River.....	Tule River.....	200	54,116	Rt. 5, Box 300, Porterville
Totals.....		200	54,156	
Tuolumne County				
Chicken Ranch.....	Me-Wuk.....	9	40	Jamestown
Tuolumne.....	Me-Wuk.....	50	310	Tuolumne
Totals.....		59	350	
Yolo County				
Runsey (2 parcels).....	Wintun.....	18	141	Runsey
Yuba County				
Strawberry Valley.....	Maidu.....	2	1	Yuba City

APPENDIX F—Continued

DATA ON INDIAN RESERVATIONS IN CALIFORNIA—Continued

County and reservation	Tribe	Popu- lation ^a	Reser- vation acreage [†]	Mailing address
TOTAL UNDER SACRAMENTO AREA:				
Reservations.....		7,131	482,452	
Lands in Public Domain Allotments.....			55,394	
Lands of Sherman Institute.....			120	
Additional reservation lands within Cali- fornia administered by PHOENIX AREA:				
San Bernardino County				
Chemehuevi.....			28,000	
Ft. Mohave.....			4,407	
Colorado River (small portion in River- side County).....			20,621	
GRAND TOTAL INDIAN TRUST LANDS WITHIN CALIFORNIA.....				
			593,994	

¹ There may be approximately 27 acres of lakeshore area added to this reservation.

² One parcel consists of a 160-acre woodlot.

³ One parcel consists of an 80-acre woodlot.

* Reservation population varies, particularly due to seasonal employment. Figures used were obtained during Spring and Summer of 1951.

† Acreage figures as of July 1, 1952, acreage fractions computed to nearest whole number.

‡ Additional acreage may be added by accretion.