Remarks by:
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Stand Up For California
Before Senate G.O. Committee
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Opposition to SJR 47

Stand Up For California asks you to **OPPOSE SJR 47**, not because tribal governments shouldn't be recognized, they should; however a federal process has been established which should apply to all tribal groups. If tribal groups can meet the federal standards they should have all the rights and privileges of sovereignty.

Passage of this resolution supports the enactment of HR 3824 seeking to recognize this tribal group as a Band of Mission Indians. This tribal groups claim flies in the face of a letter dated January 16, 1888, by Indian Commissioner J. D. C. Atkins who was asked to inventory and identify for Congress the Mission Indians living in California. This letter is reproduced in Senate Report No. 74, 50th Congress, 1st. Session.

The letter reported that the Mission Indians are members of four distinct tribes: Serrano, Dieguence (doe gain yos), Coahuilas (co we ha) and San Luis Rey (or San Luisenos). The Commissioner went onto identify 42 specific villages of Mission Indians and their tribal names today are products of those places, (such as Agua Caliente, Cabazon, Temecula, Rincon, etc. The investigative work, which led to this report for the Congressional inquiry, was "detailed and specific". Yet there is no mention of "Gabrielino Indians" or a place named Gabrielino occupied by Indians at that time.

This does not mean that there was no native people living near a mission with that name, but Congress had no knowledge of such a group living as "an independent community" and did not include them in the Indians identified for the purposes of the Mission Indians Relief Act, which established reservations for Missions Indians.

However, this report does raise serious questions for the need of skilled professionals to investigate the claim of this tribal group.

This resolution only identifies the Gabrielino Indians in an Indian Census to 1928, the federal regulations require historic contact from 1900 and prior, and the contact must be much more than direct lineal descendants. The tribal group may be eligible for special programs and services provided by the United States under the Urban Indian programs as all individual Indians who qualify are entitled. But this again does not mean they meet the federal requirements for federal recognition of a sovereign governmental entity.

Tribal recognition is a matter of great social and economic concern to local governments, state governments, non-Indian businesses and the general public. The emerging problems that are accompanying the development of tribal gaming in California make it clear that recognition of sovereign tribal governments are far from being decisions which affect only the petitioning tribal groups.

It is a fundamental necessity that there is adherence to the federal acknowledgment process. Federal recognition establishes a perpetual government-to-government relationship between a tribe and the United States. It has considerable social, political, and economic implications for the petitioning group, its neighbors, and federal, state, and local governments.

The Bureau of Acknowledgement and Research supports a uniform process, which all-tribal groups must adhere to and meet the criteria. Tribes that are recognized through an Act of Congress are clear exceptions under section 20 of the Indian Gaming Regulatory Act. This exception allows for the purchase of land for gaming after the 1988 cut off date and circumvents the Governors Veto authority. While it is important to note in section 9 of HR3824 there is a gaming exemption, it is likewise important to state that the Committee of Indian Affairs are on record for not passing any legislation that would set a precedents against gaming for newly recognized tribes. i.e. Graton Legislation by Congresswoman Woosley.
Stand Up For California urges you to vote no, your support of this legislation circumvents and diminishes the federal regulatory process.

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