

Stand Up For California!

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May 30, 2002

Honorable Mary Bono
U. S. Congress Woman
404 Cannon House Office Building
Washington, D. C. 20515
202-225-2961

RE: Opposition to H. R. 3824

Dear Congresswoman Bono:

Stand Up For California is the only statewide organization in California giving voice to community groups, local elected representatives, members of law enforcement and individual supporters who are directly affected by the recent authorization of tribal casino gaming and issues of tribal sovereignty. I have been involved with this issue for many years and frequently serve as a resource to policymakers and elected officials at the state and national levels.

Stand Up For California is greatly distressed by the complete lack of documentation and process presented in this Congressional Action to recognize a new tribal entity in our State. This should not be something that is given away so lightly. These actions allow the tribal group to circumvent critical criteria in the federal process.

It is a vital 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 and has considerable social, political, and economic implications for the petitioning group, its neighbors, and federal, state, and local governments.

California is vitally affected by 108 perpetual government-to-government relationships with federally recognized tribal governments. Less than one third of the 36,000 California Native Americans live on Indian lands scatter throughout California, in mostly residential locations. Overall the emerging complex multi-jurisdictional problems which are accompanying tribal recognition and the expansion of trust land status make it clear that far from being decisions which affect only the petitioning groups, tribal acknowledgment and trust land decisions are also a matter of great social and economic concern to local governments, state governments, non-Indian businesses and the general public.

Allowing the Gabrelino/Tongva group to circumvent the standard acknowledgment process weakens the existing process established with the support of Congress. Serious decisions must be made in the creation of a federally recognized sovereign entity, which carries a series of tribal rights and immunities that have a substantial impact on the states and communities in which they exist. The reserved rights of federally recognized sovereigns authorize the ability to pursue aboriginal land claims, seek land in trust (free from local and state taxes, zoning and environmental laws), immunity from civil jurisdiction, and more recently, the ability to develop casinos.

The recognition process must be based on the merits or review of anthropological, genealogical and historical information. The process although currently under attack from tribal fundamentalist is needed to provide a fair, objective and consistent review of each group. The political influence of third party gaming investors have been well documented in reports by the Government Accounting Office, the Inspector General for the Department of the Interior, and various congressional oversight proceedings.

We ask that you drop this Congressional Act and immediately urge the Gabrelino/Tongva to pursue the federal regulatory process for recognition. Since their members already receive grants from the Bureau of Indian Affairs and many I have been advised reside on the Pechanga Reservation are receiving benefits. For those that need additional benefits, the BIA offers programs for urban Indians.

Sincerely,

Cheryl Schmit
Director
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