



**Tejon Indian Tribe: Request for Confirmation of IRA Half Blood Community Process**

Sibbison, Heather to: George Skibine, Paula.Hart,  
sequoyah.simmermeyer, alockesq

01/27/2009 02:36 PM

Mr. Skibine, Ms. Hart, Mr. Simmermeyer:

First, thank you so much for making the time to meet with Chairwoman Morgan. As you can imagine, this has been a long and difficult road for her and the Tejon Indian Tribe's members, and so I think Chair Morgan was particularly appreciative of your time and your attention.

We are attaching a copy of the letter in which she has asked, in writing, that the Department confirm the half blood community process as set forth in the IRA.

Again, thank you so much for your time and attention.

Best regards,

Heather and Arlinda

PS Sequoyah, if I'm mangling the spelling of your name I very much apologize!

<<Tejon Half Blood Community Request.pdf>>

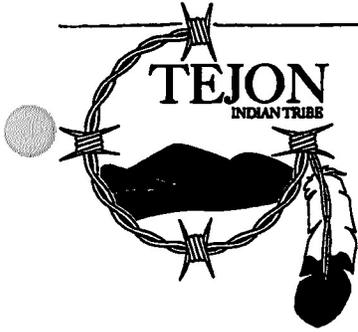
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Tejon Half Blood Community Request.pdf



January 23, 2009

The Hon. George T. Skibine  
Acting Assistant Secretary  
Bureau of Indian Affairs  
Department of the Interior  
1801 C Street, N.W.  
Washington, D.C. 20240

Dear Assistant Secretary Skibine:

I want to express my sincere gratitude for your having taken the time to meet with me concerning my Tribe, the Tejon Indian Tribe of California. As you know from our meeting, my Tribe submitted acknowledgement-related requests to the Bureau almost three years ago, and these requests have remained unresolved. Not having a response from Interior is causing significant anxiety among my tribal members, so it is my great hope that you will be able to help us.

As you know, in June 2006, we submitted a request for confirmation of our status as a federally recognized tribe. Our request is based on our longstanding and continuing government-to-government relationship with the United States, and the fact that our status was never been terminated by an act of Congress. Some of the more notable aspects of our longstanding relationship with the United States include:

- The Tribe signed a treaty with the United States in 1851 (one of the many California treaties never ratified by the Senate).
- The Department of the Interior exercised active trust supervision over the Tribe for generations, including efforts by Indian agents to secure a permanent land base for the Tribe and protection of tribal members from abuse by local landowners.
- The Department of the Justice, at the request of the Secretary of the Interior, pursued a land claim on the Tribe's behalf in 1920, specifically advising the federal courts, including the Supreme Court, that it acted "in furtherance of its Indian policy and also in its capacity, and to discharge its obligations, as guardian for sundry Indians known as the Tejon Band or Tribe of Indians..."
- Interior set aside public domain lands as the Tribe's reservation, and these were held by the Department for the Tribe until 1962.
- Interior established and funded the operation of an Indian school for Tejon children from 1915 through 1949.
- Interior sent many of our members or their parents to the Sherman Indian School and Chemawa boarding school.

Many of our tribal elders alive today are literally the same tribal members who went to the BIA school and for whom the reservation was held. As our status was never terminated by Congress, we have been desperate to be returned to the list of federally recognized tribes.

Even though we believe that as a matter of law our status should be restored without further process, our June, 2006 request for confirmation of our status included as an alternative a request to reorganize ourselves pursuant to the half-blood community provisions of the Indian Reorganization Act. In December 2006, the Department confirmed the statutory half blood community process as follows:

[After the issuance of Certificates of Degree of Indian Blood (CDIB)], the half-blood members must acquire land, request that the Department accept that land in trust for them [25 U.S.C. § 465], and request that the Department proclaim a reservation under Section 7 [25 U.S.C. § 467] of the Indian Reorganization Act of 1934 (IRA). The identity of the half-bloods and other policy factors will inform those decisions. Only after the land has been acquired, taken in trust and proclaimed a reservation is the Department in a position to consider reorganizing the half-blood residents as a community of adult Indians residing on one reservation.

December 19, 2006 Letter from Regional Director Dale Morris to Chairwoman Morgan (copy attached).

Shortly after the Department's letter, the Tribe provided genealogical information for 35 members that possess one-half or more Indian blood. After waiting for OFA to review our documentation for nearly a year, the Assistant Secretary finally forwarded the genealogical information to the Pacific Region for review and issuance of CDIBs. In correspondence dated April 16, 2008 Assistant Secretary Artman stated:

It seems to me the exceptional historical circumstances at Tejon support possible reorganization as a half-blood community, assuming all necessary and appropriate facts are present. To make the initial factual determination, the Bureau requested additional genealogical information from the tribe to establish blood quantum of the individuals referenced in the ancestry charts I am faxing to you today. Based on OFA's review of additional genealogical data submitted by the tribe and OFA's preparation of the ancestry charts, it appears as though the individuals in the charts have the necessary degree of Indian blood. . . . Based on this information, and in accordance with agency practice, I ask that your office issue CDIB determinations in accordance with the ancestry charts if your interpretation is similar to mine.

April 16, 2008 Letter from Assistant Secretary Artman to Amy Dutschke (copy attached). Less than a month later, Regional Director Dale Morris issued 35 CDIBs for Tejon members (out of 214 tribal members, all of whom are closely related), confirming that those members possess at least one-half degree of Indian blood. The Region confirmed its understanding that the purpose of issuing the

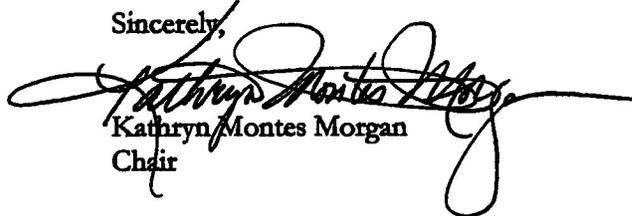
CDIBs was to “assist the Tejon Tribe’s request for restoration of their federal status.” See May 14, 2008 Letter from Regional Director Dale Morris to Assistant Secretary Artman.

Now that the first step in the statutory half-blood community process (confirmation that thirty-five members possess at least one-half degree Indian blood) is complete, the Tribe is ready to move to the next step, acquisition of land. Before the Tribe moves forward with this second step, however, the Tribe seeks confirmation that the Department will in fact continue with this statutory process assuming that the Tribe can acquire land that meets the Department’s requirements for the fee-to-trust process. The Tribe seeks this confirmation because the acquisition of land is costly and there are inherent hardships involved with moving families to accommodate the Indian Reorganization Act’s requirements (some of our members who are one-half or more Indian blood are tribal elders). The Tribe needs to know whether Interior will honor the requirements of the Indian Reorganization Act before the Tribe incurs these costs and subjects these members to relocation.

It continues to be the Tribe’s strong preference that the Department recognize the Tribe’s continuing status as a federally acknowledged tribe, as this would spare the Tribe significant expense and hardship. However, we also strongly believe that we are entitled as a matter of law to reorganize pursuant to the Indian Reorganization Act. The Tribe looks forward to working with the Department to expeditiously obtain confirmation of its status either through correction of the Department’s list of tribal entities recognized as eligible to receive services from the United States or through the Indian Reorganization Act half-blood community process.

Again, we well understand how many demands there are on your time. Please know that we appreciate very much your time and your continued attention to our request. If you have any questions, please do not hesitate to call me at 661-758-2303, Heather Sibbison at 202-457-6148, or Arlinda Locklear at 202-237-0993.

Sincerely,



Kathryn Montes Morgan  
Chair