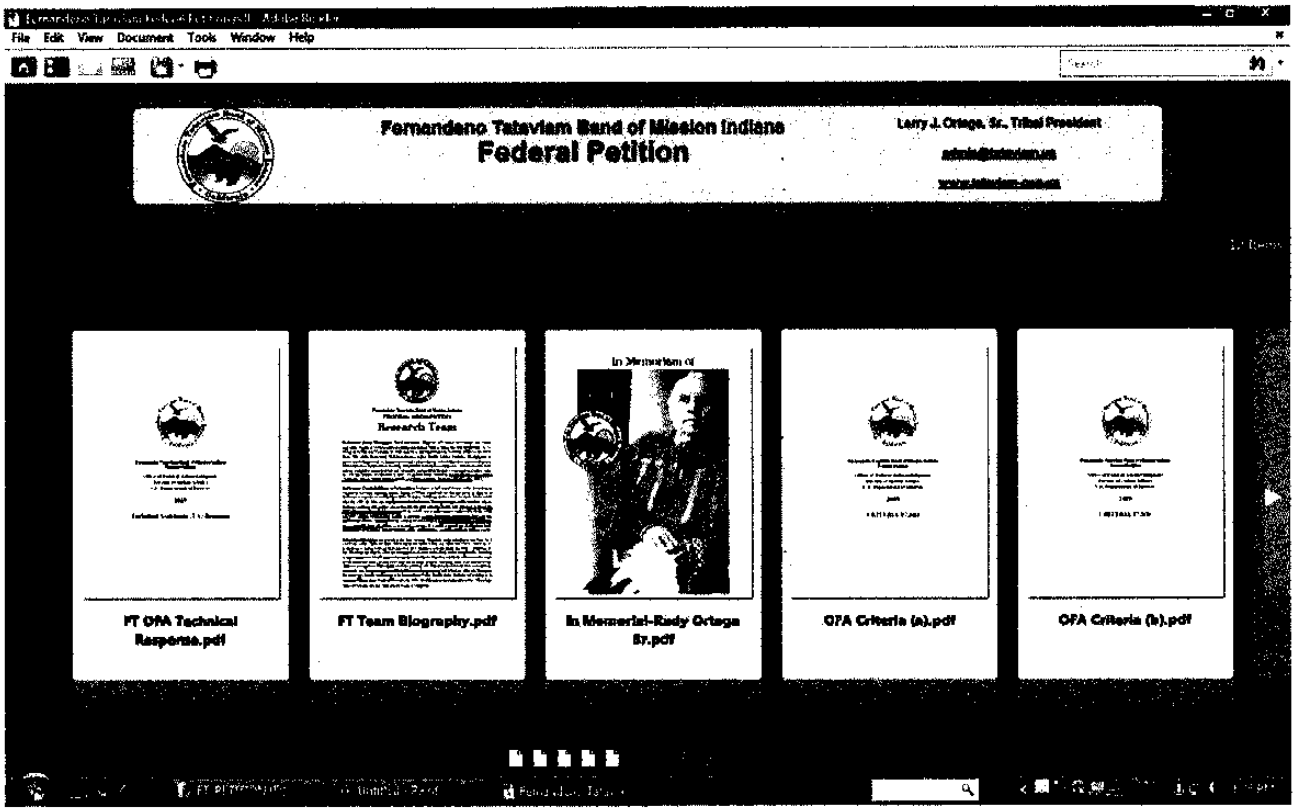
Instructions for Reading Documentation to Fernandeño Tataviam Petition

The tribe has submitted one hard copy of the petition and three USB drives, each containing a copy of the petition and it's supporting documents. The entire petition is presented in digital format and can be inserted into a PC computer through the provided USB drives. The documentation in support of the petition is almost exclusively in digital form. Each supporting document can be accessed while reading the petition by selecting the file number located in the footnote citation with a mouse and clicking once. Every citation has an independent code, which is linked to folders where the files are located, usually in PDF format. The purpose of presenting the documentation in linked digital form is to increase the reader's ability to examine the indicated supporting documentation at every stage of the petition. The reader has full access to each document at the point in the petition where the document is cited because of the hypertext linking of the documentation to footnotes in the petition pages. The reader will find copies of all supporting documentation at the click of their mouse, which should help the reader, understand and organize a large amount of historical material.

The petition and linked documentation are embedded in the Adobe Acrobat program. To access the petition properly, the reader must download the latest version of the Adobe Reader program, which is available online. If the reader does not have a copy, Adobe Acrobat provides a link to a free download of Adobe Reader.

The name of the USB hard drive is "FT-Petition." After inserting the USB hard drive into a PC, the reader should be able to open the folder to the files of the Fernandeño Tataviam Federal Petition (FT Petition). The USB hard drive contains the "Fernandeno Tataviam Federal Petition" and additional folders all totaling approximately 14.2 gigabytes (GB). The Fernandeno Tataviam Federal Petition PDF file is about 3 GB. The reader should copy the USB hard drive to the hard drive on his or her computer. The Adobe Reader program will work faster if the petition data file and folders are copied to the hard drive of the computer where the petition will be read.

After the data is copied to the computer's hard drive, open the Fernandeno Tataviam Federal Petition PDF. The Fernandeno Tataviam Federal Petition contains the petition narrative, memorial pages, introductory files, and files that address each of the seven required criteria. Each document has footnotes, which are linked to source materials. The documentation files are also accessible to the reader. The criteria are independently numbered, so criterion "A" starts with page 1, and criterion "B" starts with page 1, and so on. The reader can access each criterion separately.



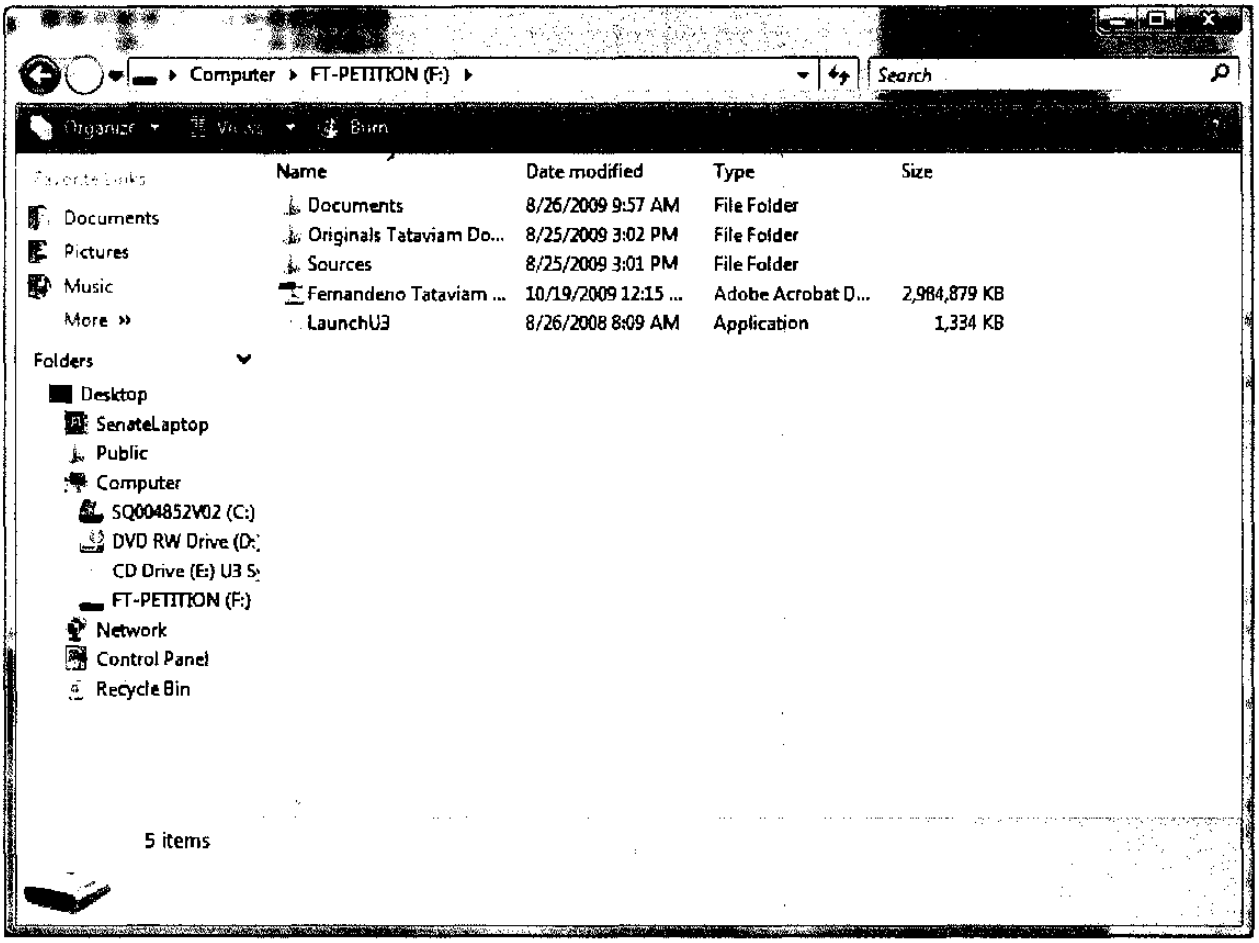
The codes are attached to citation and source information in the lists given in "Sources Cited and Coded." The Sources Cited and Coded is a list of source and citation information for each coded document. For example, the file code 80006.A.FTO refers to the code 80006.FTO in the Sources Cited and Coded, which is listed as:

Code #	Type	Description	Citations	83.7.(a-g)
80006.FTO	Tataviam Chronology	Tataviam Chronology	Rudy Ortega Jr., History: Tribal Chronology; Email May 8, 2008.	

The Sources Cited and Coded lists present source and citation information for all the documents cited in support of the petition. The document list is not in bibliographic order, but is in electronic form and can be searched by using key words or author names. When a coded footnote is selected the reader can not only see the actual document, but also the reference within the Sources Cited and Coded lists, which will provide the reader with the source and citation information for the document under review.

The easiest way to retrieve supporting documents is by clicking the links contained in the footnotes inside the petition. There are other ways to navigate the petition's supporting documents however. Aside from the petition and System folder, which details how to access and use the petition, the USB drive contains two main folders; the "Originals Tataviam Documents" folder, which contains all original data in a variety of

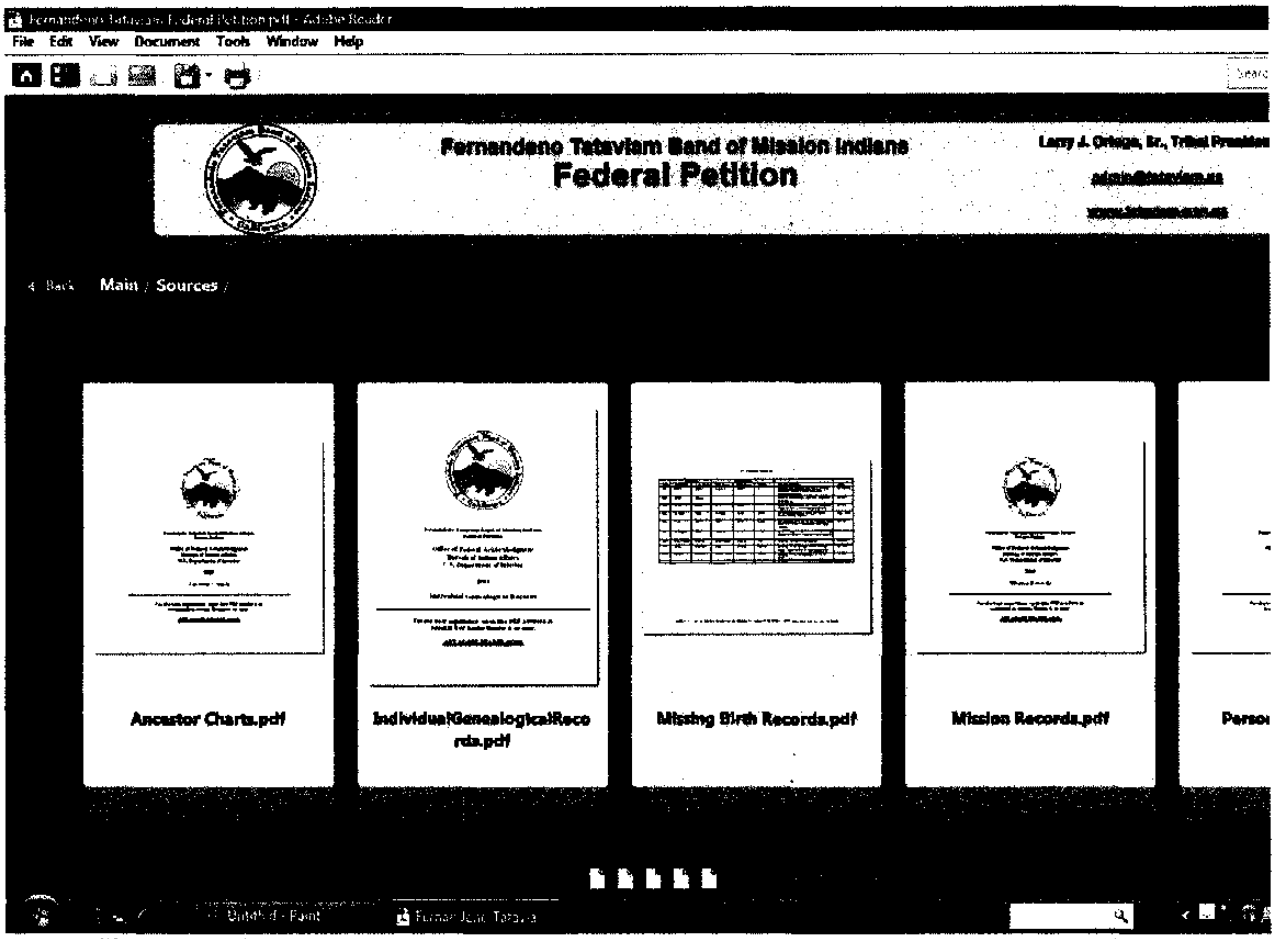
formats such as PDF, JPEB, HTML etc. and the "Sources" folder, which contains all sources in PDF format.



The "Originals Tataviam Documents" folder contains digital versions of many original documents pertaining to the petition. The reader can find a coded document as an original document and can see more information than what has been directly cited. Whole books are not contained within the Originals folder, but many historical documents and reports are included. The documents in the Originals folder are not hypertext linked to the footnotes, but the label codes will correspond with those found in the folder and on the Sources Cited and Coded List. For example, the code 80006.A.FTO will correspond to the code 80006.FTO in the Originals Folder. The documents in the Originals folder can be browsed by the reader.

The "Sources" folder contains PDF subfolders that hold coded copies of cited materials, ancestral charts, mission records, individual genealogy records, personal history records, and tribal member consent documents. The cited materials include: census records, birth certificates, historical documents, photographs, and other sources. The sources PDF files are organized into subfiles: 00000 to 50000; 60000, 700000, 80000, 90000. Each file within the sources.pdf subfolders has a coded number. Such as 80006.A.FTO, which is a label number and a location code. The Sources folder is a set

of digitized documents, each represents one page, like a book citation. The documents are listed in order: 80006.A.FTO, 80006.B.FTO, 80006.C.FTO, etc. these documents are best accessed by clicking the footnotes in the narrative text. Sources files are not in



a readily recognizable order, so it is recommended that the reader view the criteria narratives and access the Sources files by clicking the footnotes, thereby gaining access to the files appropriate for that point in the narrative.

In addition, cited documents are found in the folder "Mission Records." Each of the mission record files are PDF versions of records from the Early California Population Project (http://www.huntington.org/Information/ECPPmain.htm) located in a server at the Huntington Library, San Marino, CA. The Mission Records folder contains baptismal and burial records that are cited in the genealogy sections and in support of the historical narratives given within the criteria. The coded mission records files are cited in footnotes, and will appear for examination when clicking footnotes in the narrative discussions.

The Criterion D section contains additional source materials that must be accessed as whole files. These files are found in the Sources folder as a PDF labeled "Tribal Member Consent Records," which contains Band membership application documents.

Theses documents are not cited specifically in the footnotes of the narrative, but are referred to as a separate folder. Once inside the Sources folder, click on the PDF folder Tribal Member Consent Records to open the Tribal Member Consent Records PDF folder. Then click on a name to select the copy of any individual's membership consent file in PDF format. The reader can access the folder and browse the membership consent forms. The forms are arranged in alphabetical order with tribal enrollment numbers attached to the names.

Criterion E includes several additional source material files that need to be accessed as whole files or folders. These files are found in the Sources folder. The Criterion E folders are PDF folders. Once inside the Sources folder, click on the PDF folder, for example, "Ancestor Charts" to open the Ancestor Charts PDF folder. Then click on a name to select the copy of any individual's ancestor chart in PDF format.

The folder "Ancestor Charts" includes ancestor charts in PDF format that are not cited in footnotes, and need to be accessed as a folder. The files are arranged in alphabetical order with tribal enrollment numbers attached to the name.

The folder "Individual Genealogical Records" contains the documents of ancestry (birth certificates, baptismal records, and others) for ancestors, progenitors, and current band members. This folder needs to be accessed as a folder and the reader can browse the materials. The files are arranged in alphabetical order with enrollment numbers attached to the name.

The folder "Personal Reports" contains personal genealogy, ancestor, descent, source materials, and other personal data on individual band members. While the source materials are helpful in the Personal Reports files, more source data can be found in the accompanying Family Tree Maker data and program, also attached. The files are arranged in alphabetical order with enrollment numbers attached to the name.

The file labeled "Missing Birth Records" presents a spreadsheet of progenitors and band members for which we could not yet locate birth certificates or other supporting genealogical data. The files are arranged in alphabetical order with enrollment numbers, when applicable. This file is an Excel file.

The program Family Tree Maker contains a community database of the direct ancestral database in genealogical order. In addition to the direct progenitors and members of the Fernandeño Tataviam Band of Mission Indians, additional individuals associated with the broader regional community of Fernandeños and/or referred to within the narratives at various points, are also included. The source codes for genealogical and personal information correspond to the codes in the Sources Cited and Coded files, the Mission Record folder, and the Sources folder, as well as the Originals Tataviam Documents folder. The sources in the Family Tree Maker are not hypertext linked to the genealogy content, so the sources need to be looked up manually.

The general instructions are:

1. Open the Fernandeno Tataviam Federal Petition PDF file.
2. Open a document, choose from OFA Criteria (a).pdf, or OFA Criteria (b).pdf, etc. though (g), and 83.8 (a-f).
3. Read the document.
4. To access a cited document, click once on the footnote, which is hyperlinked directly to the supporting document and citation information.
5. Select "Home" to return to the Main Page containing the content files of the petition, (i.e., the seven criteria (A-G) and introductory material, and citation fold).

For technical assistance contact Rudy Ortega, Jr. at [rortega@tataviam.us] or call the Fernandeño Tataviam Band of Mission Indians Tribal Office at (818) 837-0794.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

INTRODUCTION

2009: FEDERAL RECOGNITION NOW:
A Social and Political History of the Fernandeño Tataviam Band of Mission Indians

The Fernandeño Tataviam Band of Mission Indians (Band) deserves federal recognition now. The Band has continued as a kinship-based social and political group from the 1700s to present. The Band was previously recognized at least as recently as 1892 when a Special Assistant U.S. Attorney recommended that the federal government take action to Fernandeño land rights. Federal recognition is long overdue and it is time for the United States to correct a terrible injustice that the Fernandeño Tataviam Mission Indians have endured for over 150 years.

The Pre-Mission and Mission Periods

In the pre-Mission period, before 1797, the Band's ancestors formed into villages comprised of a single patrilineal lineage for the Takic speaking Tongva and Tataviam ancestors, and a matrilineal lineage among the Chumash ancestors. These lineages are: Chaguayabit, Cabuepet, Tujubit, and Suitcabit. Each lineage had a headman or leader, assistants, and ceremonial leaders. The women also had political and ceremonial ranks within each lineage. The lineages held territory, engaged in collective economic and ceremonial activity, and intermarried with other lineage groups of different dialects and languages to establish a complicated regional network of kinship, economic, and ceremonial ties.

The social and cultural ties and organization of the lineages established in the pre-mission period continued through the mission period from 1797 to 1846. While living at San Fernando Mission, the Band's ancestors adapred to mission life, nominally accepred Christianity, learned and took up new work skills within the mission economy, retained their traditional languages, and maintained many aspects of traditional social, ceremonial, and political life within the mission.

Dispossession: Land Rights and Community Survival

Between 1847 and 1885, the ancestors of the Band received, held and were then dispossessed of Mexican land grants at Encino, Cahuenga, Tujunga, Rocha's grant, and Sikwanga, all located near the old Mission San Fernando on land formerly held in trust for the Indians by the Catholic Church. The dispossessions were illegal under Mexican law, which preserved land and village government for Mission Indians. Through the early American period the Fernandeños lost additional land, and were forced to enter the American economy. In particular, the Fernanendo dispossession is highlighted by the famous case of Rogerio Rocha, Captain of the San Fernando Mission Indians (1852-1904), and his ultimate eviction from his land. Unfortunately, while a special U.S. Attorney requested it in one

instance, the federal government did nothing to protect the Fernandeños from the attacks on their land or the impacts of settlement and economic and political forces on their communities. Treaties, legislation, and court cases contributed to the failure of the United States to take up trust responsibility and protect Fernandeño land. Notwithstanding the displacement and other adverse effects of the land losses and effects of settlement, the Band maintained its social and political structures.

Between 1886 and 1951, the Band members lived in a highly discriminatory environment that discouraged use of Indian languages, the expression of Native identity and culture, promoted segregated living patterns, and discouraged actions to uphold band land and political rights. The community gathered and lived during this period in the old section of the city of San Fernando, a couple of miles east of the San Fernando Church grounds. Most worked as laborers, semi-skilled workers, and ranch hands. The San Fernando Mission Indians mainrained organization and polirical leadership patterns based on lineage groups, and regional ties to related lineages in the area. After the Captain Rogerio Rocha passed in 1904, Antonio Maria Ortega was recognized as Captain by 1910, because he spoke the Tataviam language, and had considerable cultural and historical knowledge of the community.

Nation Building and Cultural Renewal

From 1952 to 2002, the Band retained the traditional political relations comprised of a coalition of cooperating lineages. The community met quarterly at family gatherings, while the adults, men and women, discussed political, social, and mutual help issues. The assembly of adult members came to comprise the general council and has had considerable power. Rudy Ortega, the grandson of Antonio Maria Ortega, was appointed Captain by community consensus in the early 1950s. In the 1971, Rudy Ortega was elected chief of the Band. Between the late 1940s and 1972, the Band considered American-style bylaws. In 1972 the Band formed a non-profit organization to apply for grants and carry on community benefit activities. In 1975 the band adopted new bylaws, creating a board of members and nonmembers to advise the Captain, while the General Council was not in session. The leadership engaged in a variety of community building activities, held cultural and community events, sought to protect indigenous rights, sought California and federal recognition, and worked to recover history, genealogy, and cultural knowledge within the community. In 2002 the Band adopted a constitution.

The Contemporary Fernandeño Tataviam Band of Mission Indians

For the past decade, the community residence patterns, political organization, and the continuity of the base coalition of lineages that form the community and general council. Contemporary life consists of community organization and benefit activiries, efforts to recover land, efforts to gain federal recognition, cultural renewal of ceremonies, recovering language, relations with local government, local politicians, community agencies and organizations. The Fernandeño Tataviam Band of Mission Indians is one of those indigenous communities that will persist into the indefinite future whether the United States government recognizes them or not. The Fernandeño Tataviam Band of Mission Indians have demonstrated significant external recognition, community continuity and identity for ovet two centuries, and a long and consistent stream of recognized leaders and community-based political process. Larry Ortega is the current President.

The Band deserves recognition as an Indian tribe from the federal government; now.

Exemption 6

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Fernandeño Tataviam Band of Mission Indians

FEDERAL RECOGNITION

Research Supporting the Petition for Federal Acknowledgment

The research team consists of two co-directors (a professor of law and a professor of sociology, both specialists in American Indian Studies), an archival researcher who is a Ph.D. candidate in History, an oral history researcher who is a professor of anthropology, a professional genealogist, and three research associates, all of whom have advanced degrees.

The research database accumulated in support of this petition includes more than 4,220 documents, including photographs and maps. There are also nearly 1,500 individuals in the genealogical database that was created for purposes of the petition.

In preparing the petition, the research team conducted extensive *archival research* for government documents at the National Archives (Washington, DC; San Bruno, CA; and Laguna Niguel, CA), the Library of Congress, and the California State Archive in Sacramento, CA. Among the government documents reviewed were those associated with the 1928 California Judgment Act and the Indian Claims Commission, and memos and correspondence involving the Bureau of Indian Affairs. Archival research was also conducted at research libraries, mainly the Huntington Library in San Marino, CA, the UCLA Young Research Library Special Collections, and the Bancroft Library in Berkeley, CA,. These archives provided resources including private papers, anthropological field notes, and more government documents. Additional private papers, such as the Workman Temple Papers and the papers of the Association of American Indian Affairs, were also examined. A comprehensive set of books and research articles relevant to the Fernandeño Tataviam was also reviewed, such as the writings of historian Frank Latta and the memoirs of influential Californian J.J. Lopez. Papers and publications of Mission San Fernando were included in the archival research, as were local newspapers in publication during the nineteenth and early twentieth centuries, such as the Los Angeles Star, the San Fernando Valley Times, and the San Fernando Sun. All of the archival documents utilized in connection with the perition have been scanned and numbered, and can be referenced electronically.

A professional genealogist oversaw and carried out the genealogical research for the petition. The research team utilized comprehensive databases such as the Early California Population Project and ancestry.com, searched mission records and other church records independently, hunted down public records and newspaper announcements, and pursued all leads exhaustively. Ancestry documentation was created for every current tribal member, and entered into Mac Family Tree software.

Oral history research, conducted by an experienced oral historian, included nearly 30 interviews with elders, tribal community members, and knowledgeable outsiders. All interviews have been transcribed

and included in the electronic database included with the petition. For each interviewee, the research team requesred photographs, guest books, and other personal papers and memorabilia that might bear on the criteria for federal recognition. The identities of individuals who appear in photographs have been specified wherever possible, and all personal papers and photos have been scanned and entered into the document database.

Research Team

Co-Director Duane Champagne (Turtle Mountain Chippewa) is Professor of Sociology and American Indian Studies at UCLA and Senior Editor for *Indian Country Today*. He received his Ph.D. in Sociology from Harvard University in 1982, and was a visiting professor in Sociology at Harvard in 2006. From 1991-2002, he directed UCLA's American Indian Studies Center. Professor Champagne's research and writings focus on issues of social and cultural change in both historical and contemporary Native American communities, the study of justice institutions in conremporary American Indian reservations, and policy analysis of cultural, economic, and political issues in contemporary Indian country. He has written or edited more than 125 publications, including Social Change and Cultural Continuity Among Native Nations (2007) and Native America: Portraits of the Peoples (1995).

Co-Director Carole Goldberg is Distinguished Professor of Law and Director of the Joint Degree Program in Law and American Indian Studies at UCLA School of Law. She also serves as a Justice of the Court of Appeals of the Hualapai Tribe. Professor Goldberg received her J.D. from Stanford Law School in 1971. In 2006, she was the Oneida Indian Nation Visiting Professor at Harvard Law School. Professor Goldberg is co-author of a casebook in the field of federal Indian law, American Indian Law: Native Nations and the Federal Sysrem (5th ed. 2007) and co-editor and co-author of both the 1982 and 2005 editions of the leading treatise in the field, Cohen's Handbook of Federal Indian Law. She and Professor Duane Champagne are co-authors of a major report, Law Enforcement and Criminal Justice under Public Law 280 (2008), and recently received a $1.5 million grant from the National Institute of Justice to conduct a nationwide study of the administration of criminal justice in Indian country.

Colin Cloud Hampson is a partner in the firm Sonosky, Chambers, Sachse, Endreson and Perry, LLP a national Indian rights law firm which represents Indian tribes and tribal and Native American organizations on Indian law and related matters. Mr. Hampson is in the firm's San Diego, California office. He joined the firm in 1994 and is engaged in all areas of the firm's Indian law practice, including recognition matters. Mr. Hampson has represented rribes in litigarion in federal, tribal and state court as well as before federal agencies involving a broad range of issues, including tribal, state and federal jurisdiction, recognition, water rights, taxation, gaming, Self-Derermination Act, election and administrative law. Mr. Hampson graduated with distinction from Stanford Law School in 1994. Mr. Hampson also received a Master of Arts degree in International Policy Studies and a Bachelor of Arts degree in American History from Stanford University in 1991. Mr. Hampson is a descendent of the Winnebago Tribe of Nebraska and the White Earth Band of Chippewa.

Oral History Researcher Gelya Frank is Professor of Occupational Science & Occupational Therapy and Anthropology at USC. She earned her Ph.D. in Anthropology from UCLA in 1981, and has published books and articles on a variety of topics, including disability studies and the uses of community history within Native American tribes. For 2002-03, she was a National Endowment for the Humanities Resident Scholar at the School for American Research in Santa Fe, NM. She also ditects the Tule River Tribal History Project, and with Professor Carole Goldberg, has a book about the Tule River Tribe in press with Yale University Press.

Archival Researcher Heather Ponchetti Daly (Santa Ysabel Band of Mission Indians) is a Ph.D. candidate in the Department of History at UCLA. She received her M.A. in History in 2006, and was advanced to candidacy in 2007. She has received numerous fellowships and awards, including the UCLA Gold Shield Alumni Oral History Graduate Research Grant in 2007. Her research focuses on political resistance to the Indian Reorganization Act and the 1953 Termination Act by southern California Mission Indians.

Genealogy Researcher John Schmal is an historian, genealogist, and lecturer. With Donna Morales, he coauthored "Mexican-American Genealogical Research: Following the Paper Trail to Mexico" (Heritage Books, 2002). He has degrees in History (Loyola-Marymount University) and Geography (St. Cloud State University) and is a board member of the Society of Hispanic Historical Ancestral Research (SHHAR). He has been an associate editor of SHHAR's online monthly newsletter, www.somosprimos.com, and regularly presents lectures in southern California and elsewhere about past and present indigenous Mexico.

Research Associate Demelza Champagne (Turtle Mountain Chippewa) is pursuing a Ph.D. in Anthropology at the New School for Social Research in NYC. She received her B.A. from UCLA in Anthropology in 2003, and her M.A. in Women's Studies from Cal State San Francisco in 2006. From 2006-2009 she was a cultural interpreter and researcher at the National Museum of the American Indian in Washington, D.C.

Research Associate James Kirkpatrick (Quinault) is a 2007 graduate of UCLA School of Law, where he was Articles Editor of the Journal of Environmental Law and Policy and Chief Comments Editor of the Indigenous People's Journal of Law, Culture, and Resistance. He received his B.A. in Native American Studies from the University of California, Berkeley, and has conducted research for numerous projects and organizations, including the National Institute of Justice-funded study, "The Administration of Criminal Justice in Indian Country," the Wishtoyo Foundation, and the Tribal Law & Policy Institute.

Research Associate Nicole Johnson received her M.A. in American Indian Studies from UCLA in 2008, and her B.A. in Anthropology from UC Riverside in 2004. She has worked for the Cabazon Band of Mission Indians in Indio, CA in the areas of government and public affairs.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

TA RESPONSE

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

Technical Assistance (TA) Response

RESPONSE TO TECHNICAL ASSISTANCE (TA) LETTER

General Comments

The attached submission contains a historical narrative, historical documentation that includes the period between 1850 and the present, and statements specifically indicating how the group meets the seven mandatory Federal acknowledgment criteria, 83.7 (a) – (g). It also includes a copy of the Fernandeño Tataviam Band of Mission Indians' constitution,[1] as well as a current membership list and the size of current enrollment, which is 266 including minors under 18, and approximately 200 adults.[2]

This submission includes, as well, documents that demonstrate previous acknowledgment of the Fernandeño Tataviam Band of Mission Indians by the United States, as of 1892 and 1904. By virtue of this previous acknowledgment, the Fernandeño Tataviam Band of Mission Indians is entitled to review under 25 C.F.R. § 83.8. Documents in the attached submission further substantiate how the group meets the criteria for Federal acknowledgment under § 83.8.

Original documents are provided in digital form wherever they are available, and a bibliography of all sources cited is included.

Criterion 83.7 (a) :

EXTERNAL IDENTIFICATION OF THE GROUP AS AN AMERICAN INDIAN ENTITY ON A SUBSTANTIALLY CONTINUOUS BASIS SINCE 1900

Our historical narrative and criteria-responsive statements include evidence of external identification of the Fernandeño Tataviam Band of Mission Indians on a substantially continuous basis since 1900. That evidence includes identification by governmental entities, scholars or other writers, newspaper and books, and recognized tribes. At least one type of such evidence is presented for each decade since 1900. Where anthropological evidence is used, we have supplied field notes, wherever available.

As our historical narrative explains, external identification of the *group* as an Indian entity must take into account the nature of social/political cohesion and identity among the Fernandeño Tataviam. Before, during, and after the period of missionization, the Fernandeño Tataviam Indians existed as a collection of villages/extended lineages, practicing intermarriage and mutual support. Because of intermarriage across Tataviam, Tongva, Kitanemuk, and Chumash lines, there were often individuals from each of those linguistic groups inhabiting any given village, and several different identities might be available to village occupants. Leadership was primarily within each village or lineage, although individuals who could mobilize support across villages or lineages were accorded broader leadership roles as well.

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[1] Docs: 90129.FTBMI; 90130.FTBMI; 60001.FTO; 60005.FTO.
[2] Docs. 60002.FTO; 90259.OTC.

Thus, during the period following missionization, the people who organized as the Fernandeño Tataviam Tribe were members of those lineages that chose to identify with villages and leadership that were Tataviam or based in the San Fernando Valley area. Under these circumstances, in the period from 1900-1950, we find that external recognition tends to focus on the situation of lineage leaders who have been supplying support to others and maintaining identity. There is also some more general external identification of the fact that Indian communities remain in southern California (see discussion under Criterion 83.7(a)).

Beginning in 1950, under the leadership of Rudy Ortega, Sr., the three lineages that identified as Tataviam or Fernandeño began creating a more formal central institution to advance their interests in dealings with outside governments and private entities or individuals. That more central institution eventually took the form of the constitutionally-based Fernandeño Tataviam Band of Mission Indians. Leadership and social interaction at the lineage level proceeded simultaneously, as well. We have provided documentation of external identification of this more central institution representing the group from 1950 to the present (see discussion under Criterion 83.7(a)).

We can show that the present petitioning group is the same as or the successor to the group identified in the past, because the present petitioning group consists of three of the four lineages that were identified in the past, minus the Rogerio Rocha lineage that has no descendants today (see discussion under Criterion 83.7(e)). Furthermore, its mode of functioning as a group is directly continuous with the mode of functioning of those lineages, taking into account new challenges and conditions that they have confronted. One particular adaptation has been an increase in centralized organization, layered over continued operatiou of leadership and social interaction within each lineage.

Criterion 83.7 (b):

A PREDOMINANT PORTION OF THE PETITIONING GROUP COMPRISES A DISTINCT COMMUNITY AND HAS EXISTED AS A COMMUNITY FROM HISTORICAL TIMES UNTIL THE PRESENT

Our historical narrative and discussion under Criterion 83.7(b) include evidence that a predominant portion of the Fernandeño Tataviam Band of Mission Indians comprises a distinct community and has existed as a community from historical times until the present. Specifically, the narrative and discussion provide documentation from archival sources and oral histories for the following:

- the geographic boundaries of the villages in which the Fernandeño Tataviam people lived before missionization, the location of each of the village/lineage populations during and shortly after the mission period, and the residential patterns of group members through the latter part of the nineteenth century and the entire twentieth century;
- the social roles and influence of members and ancestors of members, identified by name;
- the nature of community life before, during, and after the mission period;
- the identity of churches, cemeteries, and other institutions that have served as a central focus for the group's activities;

- baptismal records that show how the group's members have traditionally served as godparents for one another's children;
- levels of participation in group activities;
- mechanisms to provide for the welfare of members, including fundraising for education, health care, and burial expenses.

Intermarriage within the group is not traditional for the Fernandeño Tataviam, as members of each village or lineage typically married members of other villages, Chumash as well as Takic, before the mission period.

We have also provided a description of the Fernandeño Tataviam Band of Mission Indians' modern community, with emphasis from 1985 to the present. That description includes modes of communication among members as well as member participation in group activities such as fundraising events and ceremonies. The evidence is taken from letters, group newsletters, oral history interviews, and signed guest lists from community events such as funerals and marriages.

Criterion 83.7 (c) :

THE PETITIONER HAS MAINTAINED POLITICAL INFLUENCE OR AUTHORITY OVER ITS MEMBERS AS AN AUTONOMOUS ENTITY FROM HISTORICAL TIMES UNTIL THE PRESENT

Our historical narrative and discussion under Criterion 83.7(c) explain how members have emerged as leaders, how actions have been taken on issues of importance to the group as a whole, how leaders have been authorized to represent it to outsiders or mediate with outsiders in matters of significance, how political influence has been maintained through social cohesion and connections, and how consensus has been maintained and disputes resolved within the group. These materials also explain how the Fernandeño Tataviam Band of Mission Indians was organized and who was involved in its organization. A list of leaders of the Fernandeño Tataviam Tribe throughout its recorded history is included, along with copies of all existing minutes of tribal and tribal council meetings.

As the TA letter acknowledges, leadership need not be centralized or authoritarian in order to count for purposes of federal acknowledgment. In the case of the Fernandeño Tataviam Band of Mission Indians, leadership was primarily localized to villages and later lineages, emerging in more centralized form only over the past 50 years, in response to new challenges in dealing with external governments and institutions. The Fernandeño Tataviam Band of Mission Indians is now a constitutional government, in which all members aged 18 years or older may vote, so long as they have registered.

The TA letter identifies three qualifying ancestral lineages, expressing concern that one of the three progenitors, Juana Bautista Dominguez Duarte, was Gabrieleno rather than Fernandeño. That information does not correctly reflect the current membership of the Fernandeño Tataviam Band. While there are indeed three ancestors or progenitors from whom all tribal members are descended, each of those three ancestors is associated with Mission San Fernando, as our documentation demonstrates. Margarita Yuca Hinio and Juana Bautista Dominguez Duarte are

not among the three significant progenitors for the current tribal membership (see discussion under Criterion 83.7(e)). The line related to Margarita Yuca Hinio has removed itself from consideration for the Fernandeño Tataviam Band. And the lineage associated with Juana Bautista Dominguez Duarte was asked to sever its formal association with the Fernandeño Tataviam Band based on their connection to the Mission San Gabriel rather than Mission San Fernando. Maria Rita Alipas Ortega is in fact one of the three progenitors. The two others are Leandra Culeta and Rafaela Arriola (see discussion under Criterion 83.7(e)).

The TA letter also questions how descendants of Maria Rita Alipas Ortega maintained and expressed common tribal political interests. The letter points out that Maria Rita Alipas Ortega married a non-Indian, and that her only child in the tribal bloodline, Antonio Maria Ortega, was, according to Thomas Workman Temple II, raised as an orphan in the Geronimo Lopez household. In fact, as our sources demonstrate, Maria Rita Alipas's husband, Fernando Ortega, was half Yaqui Indian from Mexico.[3] Furthermore, she came from a prominent Native family, that was well-linked to other Fernandeño Tataviam villages and lineages (see Historical Narrative and discussion under Criteria 83.7(e)). The fact that her child, Antonio Maria, was later known to speak the Tataviam language,[4] indicates that she was passing her heritage and identity on to him.

Antonio Maria Ortega was indeed orphaned some time between 1864 (when his last sibling was born), and 1870, when the census shows him living with Pablo and Angela Reyes (*not* Geronimo and Catalina Lopez).[5] But that does not mean he was adopted by another family or that he lost his Indian identity. To understand why, it is important to know the backgrounds of Pablo and Angela Reyes.

Pablo Reyes was the grandson of Juan Francisco Reyes, the first mayor of Los Angeles.[6] Juan Francisco claimed to be the recipient of an early Spanish land grant for the tract that later became the Mission San Fernando, and was godparent to many of the Indians baptized in the Mission, including Francisco Papabubaba's mother, the grandmother of Maria Rita Alipas.[7] Angela Reyes, subsequently married to Pablo in 1876, was born Maria de los Angeles Lopez, daughter of Pedro Lopez, who was mayordomo of Mission San Fernando.[8] Angela was the sister of Catalina Lopez, who married Geronimo Lopez.[9] There is every reason to think that Antonio Maria Ortega was not formally adopted by the Reyes or Lopez family, and that he continued to identify his interests with the Fernandeño Tataviam people. According to Frank Latta, Fernando

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[3] *See* Latta, Frank F., Saga of Rancho Tejon (Santa Cruz, CA: Bear State Books, 1976), p. 61.
[4] Docs. 00339.A.SW and 80310.INT, interview with Rudy Ortega, Sr.
[5] Docs. 80112.A.LPC and 80110.A.USC.
[6] SG Baptism # 7646.
[7] Pauley, Kenneth E. and Carol M., San Fernando Rey De Espana: An Illustrated History (Spokane, WA: Arthur H. Clark Company, 2005), Doc. 80382.A.SFRDE; SF Baptism # 226.
[8] SG Baptism # 8407.jpg and # 8407Maria de los Angeles Lopez.jpg.
[9] Jorgensen, Lawrence C. (ed.) "Plat of the Ex Mission de San Fernando 1871," The San Fernando Valley: Past and Present (Los Angeles, CA: Pacific Rim Research, 1982), Doc. 80368.A.SFVPP.

Ortega, Antonio Maria's father, worked for the Geronimo Lopez family as a cartmaker after the Indians were told to leave the Mission and after Maria Rita Alipas lost her land at Encino.[10] The 1860 census shows Maria Rita Alipas and Fernando "Otero" (probably a misspelling of Ortega) living adjacent to the Geronimo Lopez household.[11] It is most plausible that when Fernando Ortega and Maria Rita Alipas both died, the Reyes/Lopez family took Antonio Maria in not as an adopted child, but as the child of a former mission Indian for whom they felt some ties and responsibility. In the 1870 census, for example, he is listed in the Reyes household by his biological parents' last name, Antonio Ortega, not as "Reyes" or "Lopez."[12]

Further evidence that Antonio Maria Ortega maintained his Indian identity is the fact that his Mexican-American wife, Isidora Garcia, had a brother who married the daughter of a closely associated Tataviam/Chumash lineage from Mission San Fernando. Isadoro Garcia, Antonio Maria's brother-in-law, married Josefina Levya, daughter of Leandra Culeta, one of the three progenitors for the Fernandeño Tataviam Band. Josefina was from a family closely associated with that of Maria Rita Alipas Ortega, mother to Antonio Maria Ortega (see Historical Narrative and discussion under Criterion 83.7(b)). In other words, Antonio Maria Ortega maintained close connections with other Tataviam people through his own sister-in-law.

Criterion 83.7 (d):

GOVERNING DOCUMENT

A signed, dated, and certified copy of the Constitution of the Fernandeno Tataviam Band of Mission Indians is provided.[13] Prior governing documents, including articles of incorporation and minutes of meetings where such prior documents were discussed, are provided as well.[14]

Requirements for membership are set forth in Chapter 3, Article 6 of the Constitution of the Fernandeño Tataviam Band of Mission Indians. The procedure for considering membership applications is the Tribal Citizenship Enrollment Process, governed by the Tribal Enrollment Code. The Citizenship Enrollment Process is administered by the Office of Tribal Citizenship.

- Applicants must submit a Tribal Citizenship Enrollment Application form (available at http://www.tataviam.org/OTC-AP001.pdf), either during an in-person appointment or by mail, accompanied by payment of $24.00 filing fee.
- Applicants who were enrolled with another tribe must submit a sworn Letter of Relinquishment of membership in the other tribe.
- An Open Enrollment period is followed by a Review Period.

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[10] Latta, Frank F., Saga of Rancho Tejon (Santa Cruz, CA: Bear State Books, 1976), p. 61.
[11] Doc. 80110.A.USC.
[12] Doc. 80110.A.USC.
[13] Docs: 90129.FTBMI; 90130.FTBMI; 60001.FTO; 60005.FTO.
[14] Docs: 80449.FTBMI; 80452.FTBMI; 90050.SFVII; 90052.FTT to 90059.FTT.

- Following the Review Period, applicants are notified of any incomplete information, and given two months in order to submit incomplete, inaccurate, or unsubstantiated information, as indicated in the Notice of Failure to Complete.
- For the following three months, the Office of Tribal Citizenship reviews documents submitted by applicants who received a Notice of Failure to Complete.
- The Office of Tribal Citizenship then has two months to submit the names of qualifying applicants to the Tribal Senate.
- The Tribal Senate then reviews the submitted list of applicants and votes whether to approve Tribal Citizenship.

Criterion 83.7 (e):

CURRENT MEMBERSHIP LIST; EVIDENCE OF DESCENT FROM THE HISTORIC TRIBE (GENEALOGIES OF CURRENT MEMBERS)

A membership list is provided, which is dated and certified by the governing body of the Fernandeño Tataviam Band of Mission Indians.[15] Comprehensive lists of former members do not exist.

Birth certificates and ancestry charts are provided alphabetically for all current members and for their direct Fernandeño Tataviam ancestors.[16] These documents show that each of the members traces his or her ancestry to one of three Fernandeño Tataviam progenitors. We have also documented the Fernandeño Tataviam ancestry of these three ancestors.[17] These documents respond to the inquiries in the TA letters regarding Estanislao Santiago Ortega, Kathryn Ortega Newman, and Isidora Tapia Salas.

The TA letter raised questions about the Indian ancestry of those Fernandeño Tataviam Band members claiming through Antonio Maria Ortega. In 1969, Thomas Workman Temple II filed an affidavit[18] in connection with the California Indian Judgment Act enrollment process, stating:

> This is also to certify that ANTONIO M. ORTEGA, #4 on said Chart used and was known by that name in life, although he had been baptized JOSE ROSARIO ORTEGA, having been raised by the Geronimo Lopez family of San Fernando, California as an orphan. The said Maria Rita Alipas, #9 on said Chart and Mother of Antonio M. Ortega, was living in the San Fernando Mission in 1852.

The TA letter specifically asks:

> Historically, what is the evidence that led genealogist Thomas Workman Temple II to conclude in 1969 that Antonio M. Ortega, whose death certificate stated that he was born in on [sic] June 13, 1848, was the same individual as Jose Rosario Ortega,

[15] Docs. 60002.FTO; 90259.OTC.
[16] See folders labeled "Ancestry Charts" and "Individual Genealogical Records."
[17] See discussion under Criterion 87.3(e).
[18] Docs. 80443.A.TEMPLE; 80443.B.TEMPLE.

born in September 1857 at San Fernando Mission, the son of Fernando Ortega and Maria Rita Alipas? Were there affidavits, or school or census records? Is Mr. Temple still available to make a statement? If not, are his papers on deposit with a local library or historical society?

We have conducted extensive research in order to respond to these questions.

Mr. Thomas Workman Temple II died in January, 1972. We have checked the Workman papers at Loyola Marymount University, and found nothing from Thomas Workman Temple II that would shed light on his conclusion regarding Antonio Maria Ortega. The major Thomas Workman Temple II papers that are available are the abstracts or extracts of genealogical records that he is well known for having compiled. They do not make any reference specifically to Antonio Maria Ortega.

We strongly believe, however, that Thomas Workman Temple II was correct in making the connection between the person baptized in 1857 as Jose Rosario Ortega, child of Maria Rita Alipas and Fernando Ortega, and Antonio Maria Ortega. Our analysis is as follows:

There is evidence[19] showing that in March, 1862, Rita Alipas married Fernando Ortega. On the abstracted marriage record, Rita Alipas is listed as a widow and a neophyte from Mission San Fernando. Fernando is listed as being from "Sonora," which we believe to be Sonora, Mexico, since Sonora, California was not founded until 1848, 18 years after Fernando's birth. There are baptismal records for six children of Rita Alipas and Fernando Ortega. The first, Jose Arcadio "Ortis," was born in 1851,[20] while Rita's first husband, Benigno, was still alive.[21] Two others were born before Rita's marriage to Fernando: Jose Rosario,[22] and Pablo Miguel.[23] The last two children, Luis Eduardo[24] and Maria del Rosario,[25] were born after Rita and Fernando married.

Although genealogists know that individuals of that period did not always carry their baptismal names, that fact does not prove that Jose Rosario, son of Maria Rita Alipas, in fact was known by the name of Antonio Maria. The best source of evidence to show that Antonio Maria Ortega was the son of Maria Rita Alipas would have been his marriage certificate. The marriage certificates of the second half of the nineteenth century typically listed the parents of the bride and groom.

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[19] Doc. 80111.A.LPC.
[20] SF Baptism # 2735, Doc. 80115.LPC.
[21] In 1845, according to records of Mission San Fernando, Rita Alipas had married a man named Benigno, also Indian. (SF Marriages # 0912). With Benigno, she had children: Maria de Jesus (1846, SF Baptism # 2087), Felipe de Jesus (born 1848, LA Baptism # 1999), and Francisco (born 1853, Doc. 80112.A.LPC). Some time between 1853 and 1862, when Maria Rita Alipas married Fernando Ortega, Benigno died. We could not locate a death record for Benigno.
[22] Born 1857, Doc. 80004.A.LPC.
[23] Born 1860, Doc. 80113A.LPC.
[24] Born 1862, Doc. 80116.A.LPC.
[25] Born 1864, Doc. 80112.A.LPC.

From census records as well as the birth records of Antonio Maria's nine children,[26] it is evident that he was married to Ysidora (or Isidora) Florentina Garcia, a woman of Mexican descent.[27] Census records from 1900, 1910, 1920, and 1930 all show Antonio living with Isidora in San Fernando, and all state he was born in California.[28] Yet despite a concerted and thorough effort, the Tribe could not locate a marriage record for Antonio Maria Ortega and Ysidora Florentina (or simply Isidora) Garcia.

The official death record for Antonio Maria Ortega also is not helpful in determining whether he was the son of Maria Rita Alipas. Filed by Sally Verdugo, Antonio and Isidora's youngest child, this record lists his date of death as March 14, 1941, the parents unknown, the place of his birth as Mexico, and the date of birth as June 13, 1848.[29] However, the fact that Sally Verdugo was born in 1900, long after the death of her paternal grandparents, may explain why she did not know who they were. The listing of Antonio Maria Ortega's place of birth as Mexico is refuted by the census records for Antonio Maria Ortega for 1900, 1910, 1920, and 1930, all of which list his place of birth as California.[30] The 1848 date given by Sally Verdugo for her father's birth is also contradicted by documentary evidence. Maria Rita Alipas was pregnant with a different child in 1848, Felipe de Jesus, fathered by her first husband, Benigno.[31] Thus, Sally Verdugo must have been incorrect in placing Antonio Maria Ortega's date of birth as 1848. Further evidence that Sally Verdugo was mistaken about his birth year are the entries in the Census data from 1900, 1910, 1920, and 1930 for Antonio Maria Ortega.[32] The 1900 Census shows his year of birth as 1859, the 1910 census shows it as 1849/50, the 1920 Census shows it as 1857/58, and the 1930 census shows it as 1857/58. All but one is consistent with the 1857 birth date of Jose Rosario, and none shows a birth date as early as 1848, the year given by Sally Verdugo. Thus, the death record is probably incorrect.

There is some positive evidence supporting the claim that Antonio Maria Ortega was the son of Maria Rita Alipas, and that he was the person baptized as Jose Rosario Ortega.

- No death record can be found for Jose Rosario Ortega.
- In the 1860 census, Rita (Maria Rita Alipas) is listed in a household near the Geronimo Lopez household, with her known children, including one named Antonio, age 4.[33] That

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[26] Christina (1881, Doc. 80128.A.LPC), Erolinda/Refugia (1883, Doc. 80009.A.USC), Estanislao (1885, Doc. 80069.L.OTC), Eulogio (1887, Doc. 80128.B.LPC), Luis (1890, Doc. 80135.A.USDR), Isabel (1893, Doc. 80009.B.USC), Catherine (1896, Doc. 80128.A.LPC), Vera (1898, Doc. 80123.A.LPC), and Sally (1900, Docs. 80266.A.LPC; 80338.A.LAC).
[27] Born 1865, Doc. 80012.A.LPC
[28] Docs. 80009.A.USC; 80010A.USC; 80010.B.USC; 80008.A.USC; 80008.B.USC; 80011.A.USC.
[29] Doc. 80289.081.OTC.jpg.
[30] See documents referenced in note 28, *supra*.
[31] See note 21, *supra*.
[32] See note 28, *supra*.
[33] Doc. 80110.A.USC.

would have been the same age as the child baptized Jose Rosario (born 1857). There is also a child named Jose in Rita's household, but the age of that child is 11, which would have corresponded to the approximate age of her child Jose Arcadio (born 1851). Thus, that other Jose would not have been the child baptized as Jose Rosario. (Perhaps the existence of an older child named Jose is one reason that the child baptized Jose Rosario was given a different name in practice.) Fernando "Otero" (probably an erroneous writing of Ortega) is living next door at this time, not with Rita, and listed as Laborer. And another adult, listed as Jose, is listed as living with Rita. Despite these curious facts (was the adult Jose the same person as Rita's first husband, Benigno?), the presence of a child named Antonio, living with Rita, is highly significant.

- In the 1870 census, an Antonio Ortega, age 18, is listed in the household of Pablo Reyes/Farmer and Angela Reyes/Keeps House.[34] Pablo Reyes was grandson to Juan Francisco Reyes, the first alcalde or mayor of Los Angeles.[35] Juan Francisco had claimed to be the recipient of an early Spanish land grant for the tract that later became the Mission San Fernando, and was godparent to many of the Indians baptized in the mission, including Francisco Papabubaba's mother, the grandmother of Maria Rita Alipas.[36] Angela Reyes, subsequently married to Pablo in 1876, was born Maria de los Angeles Lopez, daughter of Pedro Lopez, the former mayordomo of Mission San Fernando.[37] Angela was the sister of Catalina Lopez, the wife of Geronimo Lopez.[38] Thus, even though we cannot locate records showing Antonio in the exact household of Geronimo Lopez, it appears that he was in the household of Geronimo's sister-in-law. That would tend to confirm the Workman Temple affidavit, which indicated Antonio was raised in the Lopez household. Furthermore, through his grandfather, Pablo Reyes had connections to Maria Rita Alipas and her ancestors, making it reasonable that Rita's son would find refuge in the Reyes household when his parents died. It appears that some time during the middle to late 1860's, after the birth of the last child of Maria Rita Alipas and Fernando Ortega in 1864. Antonio Maria/Jose Rosario was thus left an orphan. The only problem with the 1870 census record is that it shows Antonio as 18, while the child baptized Jose Rosario would have only been 13 or 14 at that time. The fact that Antonio is not listed as a Laborer, however, suggests he may have been younger than 18, as an older child would have been put to work.

- Frank Latta writes: "An expert carreta maker worked for my father for many years. In fact, he died while employed by my father as a foreman. This man was a half-blood Indian and Spaniard named Fernando Ortega. He was born on the Yaqui River in Sonora, Mexico, of a Yaqui mother and a Spanish father....Ortega was one of my father's most trusted employees. He has a son, Antonio Maria Ortega, living (1924) in San Fernando. Another son, Luis Ortega, lives in Fresno. Luis was raised by my father and

[34] Doc. 80020.A.USC.
[35] SG Baptism # 7646.
[36] Pauley & Pauley, Doc. 80382.A.SFRDE; SF Baptism # 226.
[37] SG Baptism # 8407.jpg and # 8407.Maria de los Angeles Lopez.jpg.
[38] Jorgensen, Doc. 80368.A.SFVPP.

mother and I believe now goes by the name of Luis Lopez."[39] This description of the father fits the Fernando Ortega, husband to Maria Rita Alipas, who is listed on his marriage certificate to her as born in "Sonora."[40] Furthermore, Antonio Maria Ortega indeed had a brother named Luis Eduardo Ortega, born in 1862, whose godfather on his baptismal record[41] is Geronimo Lopez; who is shown in the Geronimo Lopez household in the 1880 census;[42] and who ended up in Fresno in the 1930 census.[43] Latta's informant was J.J. Lopez, eldest son of Geronimo Lopez.

- Three of the four census records described above (1900-1930) give Antonio Maria Ortega the same approximate age and birth year as the child baptized as Jose Rosario. The fourth census record, suggesting he was born in 1850, seven years before Jose Rosario, is almost certainly incorrect. We could not locate any birth record for an Antonio Maria around 1850. One of those census records (1900) lists Antonio as Indian. And two of those same census records (1900 and 1930) indicate that at least his mother was born in California. The other two (1910 and 1920) list his parents as having been born in Mexico.[44] Census records can be highly variable, depending on who is in the household to fill them out. But it seems highly unlikely that people would ever be described as Indian who are not.

- Two of Antonio and Isadora's children[45] list the name of their father as Antonio *Maria* Ortega, excluding the possibility of other Antonio Ortegas with other middle names.

- Anthropologist/linguist John Peabody Harrington noted in 1933 that according to his informant, Martin Feliz, "Antonio Maria Ortega is still alive at San Fernando & 90 yrs old, and talks Indian."[46] Although the age is problematic if Antonio Maria was in fact baptized as Jose Rosario (and would have been only 76 in 1933), the fact that he "spoke Indian" suggests he had an Indian parent. The age may only have been an estimate.[47]

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[39] Latta, Frank F., Saga of Rancho Tejon (Santa Cruz, CA: Bear State Books, 1976), p. 61.
[40] Doc. 80111.A.LPC.
[41] SF Baptism # 1239.
[42] Docs. 80447.A.USC and 80447.B.USC.
[43] Doc. 80446.A.USC.
[44] Docs. 80009.A.USC; 80010A.USC; 80010.B.USC; 80008.A.USC; 80008.B.USC; 80011.A.USC.
[45] Christina, born 1881, Doc. 80128.A.LPC; and Luis, born 1890, Doc. 80135.A.USDR, LA Baptism # 2392.
[46] Doc. 00339.A.SW.
[47] If Antonio Maria had actually been 90 in 1933, his birth year would have been 1843. There are no mission records of a birth to Maria Rita Alipas in that year. She was only 13 years old in 1843.

- The oral history of Ortega family members, that Antonio and Isidora Garcia met at Lopez ranch[48] is supported by the 1880 census, which shows the proximity of the Garcia household to the Geronimo Lopez household. The two households are on adjacent pages in the Census book, and were surveyed on the same day.[49] The oral history is that Isidora worked for the Lopez family.

- The same equation that Thomas Workman Temple II made between Antonio Maria and Jose Rosario Ortega is the subject of another affidavit, made by Antonio Maria's daughter, Cristina (or Christina) Ortega Rodriguez, before the Oblate Fathers of the Santa Rosa Church in San Fernando, on April 24, 1972.[50]

The TA letter asks whether Antonio Maria Ortega had additional children besides Estanislao, Kathryn, and Isidora. Also, if they survived to adulthood, are their descendants enrolled in another Indian tribe? Antonio Maria and Isadora Ortega had nine children (see note 26, above). From the records we have found, all except one (Isabel) survived to adulthood.[51] Five of the eight children who survived to adulthood have descendants in the Fernandeño Tataviam Band of Mission Indians. For example, the current Chief/President of the Tribe, Rudy Ortega, Sr., also known as Edward Arnold Ortega, is the son of Antonio Maria Ortega's son, Estanislao, also known as James E.[52] The remaining three children of Antonio Maria Ortega (Christina, Luis, and Eulogio) seem not to have married or to have had children. The descendants of Antonio Maria Ortega are not enrolled in any other Indian tribe.

The TA letter requests copies of applications submitted by Fernandeño Tataviam ancestors for the judgment fund created under the California Indian Jurisdiction Act. Copies of the group's ancestors' applications during the 1928-1932 time period under the California Indian Jurisdiction Act are included in this submission.[53]

Criterion 83.7 (f):

MEMBERS OF THE PETITIONING GROUP MAY NOT BE ENROLLED IN ANY RECOGNIZED TRIBE

We have provided a statement, signed by the governing body, indicating that a predominant portion of the petitioner's members are not enrolled in any federally acknowledged North American Indian tribe.[54]

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[48] Docs. 80316.INT, interview with Jimmy Ortega; 80321.INT, interview with Kathryn Shirley Traba; 80310.INT, interview with Rudy Ortega, Sr..
[49] Docs.70001.A.USC and 70002.A.USC.
[50] Doc. 80438.A.SRC.
[51] The last Census record in which Isabel appears is 1900 (Doc. 80009.B.USC). She was born in 1883.
[52] Doc. 00130.J.FTO.
[53] Docs. 80126.DC. and 000104.LN-000115.LN.
[54] Doc. 60003.FTO.

Criterion 83.7 (g):

NEITHER THE PETITIONER NOR ITS MEMBERS MAY BE THE SUBJECT OF TERMINATION LEGISLATION

We have provided a statement that neither the Fernandeño Tataviam Band of Mission Indians nor its members are the subject of congressional legislation that has expressly terminated or forbidden a Federal relationship.[55]

Previous Acknowledgment under 25 C.F.R. § 83.8

The Fernandeño Tataviam Band of Mission Indians was previously recognized by federal officials as coming within the jurisdiction of the United States and entitled to the federal government's protection and benefits as of 1892, and as late as 1904. Accordingly, the Band's petition must be reviewed under 25 C.F.R. § 83.8 with a date of previous acknowledgment of 1904.

In 1892 Frank D. Lewis served as Special Assistant U.S. Attorney for Mission Indians in a number of matters, including some involving the Fernandeños.[56] In a letter dated October 17, 1892, Mr. Lewis wrote the Commissioner of Indian Affairs regarding "a condition of a company of Indians living on the edge of the San Fernando grant in Los Angeles County, California" and his charge, which was "to take such steps as [he] might find possible and advisable in order to secure to them lands of which they had been unjustly deprived."[57] He reported:

> Upon examining into the case, I found that these people were the remaining members and descendants of the Band or Village to whom Manuel Micheltorena, governor of California, granted one league of land May 3, 1843.

He further reported that, "[t]hese people had lived in quiet and undisturbed possession of the land called for in the grant, for many years," but later Governor Pico had granted the land to Eulogio de Celis. In 1873 the Board of Land Commissioners (established under the Act of 1852 to settle private land claims derived from Mexican law) confirmed the grant to de Celis. He found, "[n]ot only had these Indians lived quietly and peaceably on the tract granted them by Micheltorena, but that Rojerio, the chief or captain had, up to 1884, paid state and county taxes regularly upon the land – that in 1886 under color of legal process they were removed entirely from the land and have ever since been kept out of possession."[58]

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[55] Doc. 60004.FTO.

[56] For example, in one matter Mr. Lewis reported to the Commission of Indian Affairs by letter dated September 2, 1892 that he had secured the cancellation of a homestead deed of a landowner in San Diego County, presumably to land in which Indians had an interest. Mr. Lewis signed that letter as Special Assistant U.S. Attorney for Mission Indians. Docs. 40009.Z03.DC; 40009.Z04.DC; 40009.Z05.DC.

[57] Doc. 40009.B.DC.

[58] Doc. 40009.C.DC.

Mr. Lewis further reported that, "[t]hese Indians are extremely poor and are unable to stand the expense of an action in the courts to maintain their legal rights." He argued that the failure of the Board of Land Commissioners to address the interests of the Indians in the land as required by the Act "should not be allowed to in any way militate against the interests and rights of the Indians, but their case is at the present time in such condition that it seems to be impossible to re-establish them in their lands within the outside boundaries of the San Fernando Ranch as long as the grant owners remain in their present position."[59]

Mr. Lewis reasoned that if the 1873 land patent confirming the grant could be cancelled and annulled, "the Indians will be put upon in equality with the grant owners before the courts, provided the sixteenth section of the Act of Congress created in the California Board of Land Commissioners is held to exempt the Indians from the necessity of presenting their claims to the Commission, and there seems to be no reason for placing any other construction upon it."[60]

Mr. Lewis concluded:

> It is clear that by reason of the palpable neglect of its officers, the United States owes to these people the duty of using every means within its power to right the wrong under which they have suffered for so long a time, and I have the honor to request that you will recommend to the Honorable Secretary of the Interior that the necessary proceedings for the cancellation of the patent issued February 8, 1873, to Eulogio de Celis for the ex-Mission of San Fernando in Los Angeles County, California, be instituted.[61]

Mr. Lewis enclosed with his letter a translation of the deed to the property and the Fernandeños' petition for the land in 1843.

Mr. Lewis contacted the General Land Office to research the Fernandeño matter. In a letter dated November 25, 1892 from the Commissioner of the General Land Office to the Commissioner of Indian Affairs, the Land Commissioner reported that a "gentleman representing himself to be Special U.S. Attorney for your office and giving his name as Lewis, called at this office and examined the complete record in the case," including documents related to a prior analysis of the question of whether a claim should be filed seeking to cancel the de Celis patent.[62]

Mr. Lewis was not entirely accurate about his facts. The land upon which Rogerio Rocha lived at the time of his eviction in 1886 was not the same league of land that had been granted by Governor Micheltorena in 1843 and later taken by Governor Pico to grant to Eulogio de Celis in 1846. Rather, Rocha was living (and had been paying taxes) on a 10-acre plot, to the northeast of the 1843 land grant to the forty Indian petitioners. The circumstances of Rocha's acquisition of this 10-acre plot are not entirely clear, but it appears that de Celis had agreed, as a condition of

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[59] Doc. 40009.D.DC
[60] Doc. 40009.E.DC
[61] Doc. 40009.G.DC.
[62] Doc. 40009.T.DC

his receiving the land from Governor Pico, to allow Indian occupants such as Rocha to remain on the land.[63] That error, however, does not change the fact that Mr. Lewis was acknowledging a federal obligation to protect the Indian group that had been dispossessed from their lands – whether those lands were the original league granted by Governor Micheltorena or the much smaller substitute tract offered by Mr. de Celis.

That Mr. Lewis's actions constitute recognition of a tribe of Indians is evident from his references to "a company of Indians living on the edge of the San Fernando grant," "members and descendants of the Band or Village to whom Manuel Micheltorena, governor of California, granted one league of land May 3, 1843," and also to "[t]hese people" and "these Indians." These are references to the 40 Fernandeños who petitioned for and received the one-league grant and the Indians under their care, as well as to their descendants. Mr. Lewis expressly acknowledged a federal obligation to the Fernandeños, specifically "the duty of using every means within its power to right the wrong under which they have suffered for so long a time" and their entitlement to federal protection because of their status as an Indian tribe.

Similarly, H.N. Rust reported that while he was an Indian agent to the Mission Indians in the 1890s he provided Rogerio Rocha and the other Indians under his charge, with assistance from federal funds for Indians and that his successor did as well, presumably up until Rocha's death in 1904.[64] These actions by the Mission Indian Agents indicate recognition of a group of Indians to whom the federal government owed obligations of protection and support.

The assistance provided to Rogerio Rocha and his people by Agent Rust and his successor and Mr. Lewis's request for litigation on behalf of the Fernandeños were "action[s] by the Federal government" which were "premised on identification of a tribal political entity and indicating clearly the recognition of a relationship between that entity and the United States" within the meaning of 25 C.F.R. § 83.1 (definition of *previous Federal acknowledgment*). In taking these actions, Mr. Lewis and Agent Rust dealt with the Fernandeños as a group and identified it as a distinct political and social entity.

As required under 25 C.F.R. § 83.8(d)(1), the documents in this submission show that the Fernandeño Tataviam Band of Mission Indians is, and has been identified as, "the same tribal entity that was previously acknowledged or ... a portion that has evolved from that entity." As indicated above, Special Assistant U.S. Attorney Lewis characterized the group as "the remaining members and descendants of the Band or Village to whom Manuel Micheltorena, governor of California, granted one league of land May 3, 1843." Documents presented with this submission, including the 40 Fernandeño Indians' petition for land and the deed itself, demonstrate that the grantees were all Indians of Mission San Fernando, or Fernandeños.[65] As prescribed in their constitution, all of the members of today's Fernandeño Tataviam Band of Mission Indians are descended from Indians of that Mission. Furthermore, the forty Fernandeños who petitioned for the land grant were seeking land at or near the site of Mission San Fernando. The members of today's Fernandeño Tataviam Band of Mission Indians represent lineages belonging to a network of interdependent lineages that remain geographically

[63] See discussion of Criterion 83.7(b) at page 10; discussion of Criterion 83.7(c) at 11 and 19.
[64] Doc. 80374.C.SFVPP.
[65] See discussion under Citerion 83.7(c), page 10.

tied to the territory closest to the Mission. Indeed, the progenitor of a large number of current members of the Fernandeño Tataviam Band of Mission Indians, Antonio Maria Ortega, was living only seven city blocks from Rogerio Rocha, and in close proximity to Mission San Fernando, when Mr. Lewis wrote his letters and the Mission Indian Agent Rust and his successor provided assistance.[66]

To understand why the Fernandeño Tataviam Band of Mission Indians is "the same tribal entity that was previously acknowledged or ... a portion that has evolved from that entity," one must first begin with a proper characterization of the group as it existed at the time Governor Micheltorena made his grant in 1843, and supplement it with a proper characterization of the group in 1892 and 1904. In one highly important respect, Lewis's letter missed important features of the group of grantees from Governor Micheltorena. As the submitted documents and genealogy analysis show, the petitioners/grantees of the league were not "members and descendants" of a single "Band or Village," as Lewis referred to them. Rather, they came from a wide range of Tongva, Tataviam, Chumash, and Kitanemuk lineages, associated with particular village sites; and they had organized themselves through a collective leader, or alcalde, in order to deal effectively with the Spanish and Mexican authorities, without abandoning their lineage affiliations and organization.[67] In other words, they represented a type of confederation of independent villages or lineages. The lineages allied together in the present Fernandeño Tataviam Band of Mission Indians have social, geographical, political, and genealogical ties to several of the villages represented in the grant.

For example, Cornelio, one of the petitioners/grantees, is descended from the lineage known as Chaguayabit, whose village is Chaguayanga. This is the same lineage to which the Ortegas belong, and hence there are blood line connections between Cornelio and the Ortega lineage in the Fernandeño Tataviam Band of Mission Indians.[68] Cornelio was also grandfather to Leandra Culeta, a progenitor of the Garcia line of the Fernandeño Tataviam. Cosme, another signer of the petition for the land grant, belonged to the lineage based in the village of Cahuenga. Cosme's son, Benigno, was the first husband of Maria Rita Alipas, progenitor of the Ortega line through her second husband, Fernando Ortega. Additional ties between the forty petitioners and Maria Rita Alipas are found through the leader, or First Alcalde, of the forty petitioners, Pedro Joaquin, who was an uncle to Rita. Joaquin married Felipa, a sister of Rita's father, Francisco Papabubaba.[69] In 1845, at the wedding of Maria Rita Alipa and Benigno, Pedro Joaquin was an official witness to the marriage. The Alcade in 1845, Francisco Vicente, was also an official witness to the wedding and a member, and now the leader, of the forty petitioners.[70] The witness ties to the leadership of the forty petitioners documents clear social ties and relations between the Rita Alipas family at Encino and the forty petitioners at San Fernando Mission.

The presence of members from the Cabuepet lineage, such as Cosme, among the forty petitioners, also documents family-lineage ties to the family of Jose Miguel Triumfo, a member of Cabuepet and a direct ancestor to the Ortiz family, present-day Band members.

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[66] See discussion under Criterion 83.7(b), page 36.
[67] See discussion under Criteria 83.7(b) and (c).
[68] See discussion under Criterion 83.7(b), pages 5-6.
[69] See SF Marriage #0819, SF Baptism #2286, and SF Baptism #1617.
[70] See SF Marriage #0912.

Rogerio Rocha, both a signer of the petition and the Indian who attracted H. N. Rust's concern in 1904, was descended from the Chumash lineages located in the village of Quimisac and Lalimanu, and probably also from the Tujubit lineage of Tujunga. Through descent and marriage, he is closely connected to all three other Fernandeño Tataviam lineages.[71] Rocha's is one of the four lineages of the Fernandeño Tataviam, although he has no descendants.

As a final illustration of the range of lineages represented in the group of forty petitioners/grantees, signatory Emiterio or Emeterio was from the Kitanemuk lineage of Tobambepet, situated in the Tejon area north of the Mission. This lineage is not currently represented in the Fernandeño Tataviam Band of Mission Indians. Its absence, however, is completely understandable in light of the nature of the group of petitioners/grantees. Each of the independent, confederated lineages was free to leave the group and return to its ancestral village. When Governor Pio Pico dispossessed the Indians from their league of land, the Kitanemuks left for their ancient homeland in Tejon, which was a considerable distance from Mission San Fernando. Only the Indians whose village ties were closer, geographically, to the Mission seem to have remained in the alliance, under the leadership of Rogerio Rocha after closure of the Mission.

Thus it is clear that the 1843 land grant from Governor Micheltorena that Special Assistant U.S. Attorney Lewis referenced was for the benefit of individuals drawn from a network of interdependent and autonomous lineages/villages. What linked these individuals and lineages together was their recognition of a common leadership to contend with the new conditions brought about by external powers (for example, Pedro Joaquin listed as "1st Alcalde" at the time they petitioned for land), and their common wish to establish a secure land base for themselves near Mission San Fernando as the mission system collapsed. At that time, each of the lineages was free to relocate geographically away from Mission San Fernando, and some did so, such as the Kitanemuk from relatively distant Tobambepet.[72] So long as lineages remained within the territory surrounding the Mission, however, they would be connected to the network of relations mediated by a local "captain."

Not all of the direct progenitors of the Fernandeño Tataviam Band of Mission Indians are represented through direct ancestry in the group of grantees that Mr. Lewis referenced because two of the progenitors, Maria Rita Alipas (Ortega line) and Jose Miguel Triumfo (Ortiz line) already had separate land grants at the time the forty petitioners requested and received the land grant from Governor Micheltorena in 1843. But lineage and village ties are evident both to the Ortega and Ortiz lines. Both the village of Tijunga, the village of Ortiz progenitor Jose Miguel Triumfo, and Chaguayanga, the ancestral village of Ortega progenitor Maria Rita Alipas, are represented among the 40 petitioners/grantees. Furthermore, Maria Rita Alipas was married to the son of one of the signers, Cosme, and under Tataviam practice would have become a member of his lineage and village of Cahuenga when they married. Thus, the group of Indians that Lewis referenced in his 1892 letter encompasses ancestors of the Fernandeño Tataviam Band of Mission Indians.

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[71] See discussion under Criterion 83.7(b), pages 6-7.

[72] See discussion under Criterion 83.7(b), pages 30, 32-33, and 37.

Furthermore, as noted above, the progenitor of the Ortega lineage, Antonio Maria Ortega, was living in very close proximity to Rogerio Rocha and his people in 1892 and 1904. According to the oral history, members of the Ortega lineage viewed Rogerio Rocha as their captain/leader. They clearly formed part of a connected set of lineages. Moreover, it is evident from Lewis's letter that he understood the obligation of the United States was to protect a land grant that had been established for landless Indians who formed the social and political network of lineages based in San Fernando. He was not advocating for particular individuals. As the analysis above demonstrates, through blood lines and intermarriage, the Ortega and Ortiz lines were unquestionably within the network of connection that included descendants of Rogerio Rocha and Cornelio.[73]

By the time Lewis sent his letter, Maria Rita Alipas and Jose Miguel Triumfo had long ago lost their lands in the San Fernando Valley to American land speculators and developers.[74] Under the evolving practices of the lineages associated with Mission San Fernando, resources were to be shared among the lineages so long as they chose to remain in that geographic area. For example, Rogerio Rocha achieved respect as a leader of the interconnected network of lineages through sharing of water that was located on his parcel of land.[75] He could not accommodate all of the landless Indians in the vicinity of Mission San Fernando, including the Ortega and Ortiz descendants, because his plot of land was only 10 acres in size. But any larger tract of land recovered as the result of Lewis's activity would have been viewed as land for the benefit of those local lineages who were lacking a place to live and make a living. Hence Rogerio Rocha, as captain in the latter part of the nineteenth century, would have understood and treated the 1843 petition and land grant as being for the benefit of the broader community of lineages in need of a place to settle, not merely for any named grantees. And thus the actions of Lewis and H. N. Rust were not merely for the benefit of Rocha personally and for the Garcia line represented by Cornelio, but also for those with social and family ties within the network of local lineages, including the ancestors of all three other Fernandeño Tataviam lines to which Rogerio Rocha was so closely connected.[76] The members of the Fernandeño Tataviam Band of Mission Indians all come from lineages that would have been beneficiaries of Lewis's and Rust's acts of previous aeknowledgment, and thus constitute the "same tribal entity" or a portion "that has evolved" from that entity.

The materials submitted for purposes of satisfying 25 C.F.R. § 83.7 criteria (a), (b), and (c) are also intended for use in satisfying 25 C.F.R. § 83.8. The proof required under 83.8 is less onerous than the proof specified under 83.7, either because the time span is shorter or the forms of proof required are fewer. Thus, the evidence supporting continuous tribal existence for purposes of 83.7 should more than suffice to prove such existence should previous acknowledgment be found.

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[73] In evaluating the Muwekma Ohlone Tribe's petition, the Bureau included in its proxy list of the previously acknowledged entity persons living in settlements located "in the area" associated with the entity and their close relatives. Muwekma FD at 143-145; Muwekma PD at 43-46.
[74] See discussion under Criterion 83.7(b), pages 30-32.
[75] Id. at pages 31, 45, and 50.
[76] Id. at page 36.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

HISTORICAL NARRATIVE

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

HISTORIC NARRATIVE

HISTORIC NARRATIVE

Introduction

The Fernandeño Tataviam Band of Mission Indians petition the Office of Federal Acknowledgment to review the attached submitted evidence and make recommendations to the Secretary of the Interior for federal recognition. In the following pages, we present the history and evidence in support of federal recognition of the Fernandeño Tataviam Band of Mission Indians. With the help of the extensive San Fernando Mission baptismal and death records, members have traced their lineages to ancestors living in villages and family lineages that existed before and after the establishment of the Mission. We provide argument and evidence for the continuity of significant features of political influence and community organization starting in the pre-Mission era, continuous to the present. Supporting government documents and requested certifications are provided. To supply the reader with sufficient guidelines for interpreting the extensive supporting documents, we have offered more detail than requested in the discussion of criteria sections.

We have supplied all documents and charts in coded digital form that should enable the reviewer to quickly find those cited in the petition. All documents are in JPEG or PDF format which are universal platform documents, and therefore accessible to any computer. The document references in the text refer to the coded sources documents, and there is a list of all source documents that easily links the coded documents to citation or source information for each document. The supporting documentation also provides a community genealogy digital program and data that not only enables tracing of family genealogies but also contains extensive documentation of individual participation in historical and community events, starting as early as the 1750s through the present. The event data is left for the reviewers to examine in individual and raw data form, while the genealogical and historical data will be used and analyzed to present information on community residence patterns and for interpreting community and political action during each decade.

Brief Chronological Narrative

San Fernando Mission was established in 1797 and gathered converts from the Indian villages in the geographically surrounding area ranging from present day Santa Catalina Island and Malibu in the west, Cahuenga and Encino in the south, Tuhunga in the east, and as far north as present-day Tejon ranch.[1] The tribal villages, or triblets, in this area consisted of Chumash, Kitanemuk, Tataviam, and Tongva speakers.[2] All four major groups intermarried extensively and had economic, social, and cultural relations.[3]

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[1] For maps see Docs. 80450.L.TFBMI; 80359.A.SFVPP; 80359.B.SFVPP; 00083.A.FTO; 00083.D.FTO; 00214.A.BL; 00269.A.BL.

[2] Docs. 00083.D.FTO; 00083.E.FTO; 00083.H.FTO; 00353.A.HD; 80381.A.SFRDE; 80381.B.SFRDE

[3] Docs. 00123.A.FTO; 00353.B.HD; 80002.WW; 00083.O.FTO

Exogamy, or marriage outside of the group, was a consistent pattern and was emphasized as a way of gaining knowledge and increasing economic resources and political and social ties. Each tribelet or lineage held territory and maintained political and economic sovereignty over its local area.[4] The villages or bands, as the anthropologist A. L. Kroeber says, "were de facto self-governing, and it was they that each owned a particular territory, rather than that the nationality owned the overall-territory. Ordinarily, the nationality, miscalled tribe, was only an aggregate of miniature sovereign states normally friendly to one another."[5] A. L. Kroeber defines a tribelet as containing 250 to 200 people, and a lineage having 100 people or less.[6] He argues there were few tribes in California, instead lineages tended to prevail in the arid desert and mountain areas while tribelets were frequent in the valleys, with both acting as miniature sovereign states over local territories.[7] The villages commonly recognized in the literature for the San Fernando Indians were not corporate entities, but rather were extended lineages. The Takic speakers including the Tataviam, Kitanemuk and Tongva were patrilineal and patrilocal, while the Chumash lineages were matrilineal.[8]

The various lineages intermarried for strategic economic and political ends and generally formed a loose coalition of mutually beneficial social, economic, and ceremonial cooperation.[9] San Fernando Mission recruited from all four groups, and at the mission considerable political, social, and cultural organization and identity were retained and practiced by the San Fernando Mission Indians. While there, Indian families generally married among each other, and created new forms of relationship through god parenting initiated by the Spanish padres.[10] The padres introduced the Indians to farming, adobe building techniques, trades, sheep and cattle raising, Catholic religion, and electoral political forms.[11] The padres arranged to have the Indians elect officials, alcaldes and corporals, and numerous other offices to help manage relations between the Indians and the church.[12] The mission Indians at San Fernando, however, retained traditional family organization, political leadership in families, language, food preferences, and many spiritual beliefs.[13] The San Fernando Mission Indians maintained contacts and family

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[4] Docs: 00264.A.BL; 00206.A.BL; 00261.E.BL; 00261.F.BL; 00261.G.BL; 00261.I.BL; 00261.BL; 00261.L.BL; 00261.M.BL; 00261.P.BL; 00263a.B.BL; 00263a.D.BL; 80381.B.SFRDE

[5] Doc. 00264.A.BL

[6] Docs: 00264.E.BL; 00264.F.BL

[7] Docs: 00264.H.BL; 00264.I.BL

[8] Docs: 80381.B.SFRDE; 80388.A.SFRDE; 00264.H.BL; 00264.I.BL

[9] Docs: 80360.A.SFVPP; 80381.B.SFRDE; 00355.A.HD; 30075.A.UCLA; 00353.B.HD; 00354.A.HD; 00354.H.HD; 30063.B.BL; 80005.B.CK; 80005.A.CK; 80003.Q.JJ; 80003.S.JJ; 80003.X.jj; 00123.A.FTO; 80002.WW

[10] Docs: 80005.B.CK; 80429.D.USDT

[11] Docs: 50041.B.UCLA; 80365.A.SFVPP; 80374.B.SFVPP; 80397.A.Wilson; 80399.A.Wilson; 80402.A.Wilson; 00360.C.HD; 00366.A.HD

[12] Doc. 30065.D.BL

[13] Docs: 80388.A.SFRDE; 00364.A.HD; 00366.B.HD; 80388.A.SFRDE; 30075.B.UCLA; 80362.B.SFVPP

ties with their non-mission relatives, and often non-Christian relatives visited at the mission and conducted traditional ceremonies.[14] The Mission Indians at San Fernando continued to speak one or more of the local Indian languages.[15]

During the height of the mission period, the San Fernando Mission administration held control over local lands, but under the later Mexican Secularization Act of 1834, the Indians retained rights to land and self-government under Mexican government administration.[16] In the spring of 1843, forty San Fernando Mission Indians petitioned Governor Manuel Micheltorena for a land grant. The governor granted one square league of mission lands, with the provision that the Indians could not sell the land, and that they would continue to provide their usual labor to the Mission.[17] Among the forty petitioners were Rogerio Rocha,[18] who was recognized as a captain some years later, and Cornelio,[19] who was the grandfather of Leaudra Culeta,[20] a progenitor to the Josephine Leyva Garcia-Petra Garcia Valenzuela lineage that forms one of three families composing the contemporary Fernandeño Tataviam Band of Mission Indians.

The forty petitioners held their square league in joint ownership, but the next Mexican Governor, Pio Pico, did not honor their title, terminating the land grant. When San Fernando Mission was secularized in the middle 1840s, most San Fernando Mission Indians were forced to leave the mission in San Fernando township and find employment elsewhere.[21] Some elderly San Fernando Mission Indians were allowed to retire at the Mission, but most of the forty petitioners left, believing that they could not hold onto land, and many went to work for nearby ranchos, or to live with their relatives in their traditional lands or villages. Many San Fernando Mission Indians had gained ranching and trade skills during the mission period, and many went to work for local ranches. However even the non-Indian ranches were pressed by taxes and economic issues by the late 1850s, and most were sold to American farmers who turned from ranching and cattle raising increasingly to grain production, and later to commercial and private development by the 1880s.[22]

In 1846, Governor Pio Pico sold mission lands and assets, leaving only a few Indian land grants intact. Trying to raise funds in opposition to the US army, Governor Pico sold much of the California District land, including the mission assets that were held in trust for redistribution to the Mission Indians of San Fernando. These sales of land to non-Indians were violations of the Secularization Act, which provided that the Indians were to retain mission land under government trust and protection, and had the right to organize

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[14] Doc. 00366.B.HD
[15] Doc. 80381.C.SFRDE
[16] Docs. 50049.A.UCLA; 50049.B.UCLA; 80427.A.DLO
[17] Docs: 40009.K.DC; 40009.Q.DC; 40009.P.DC; 40009.K.DC
[18] San Fernando Baptism #2565, hereafter SF Baptism #2565
[19] SF Baptism #765
[20] SF Baptism #2987
[21] Doc. 80372.A.LAT
[22] Doc.80403.A.Robinson

electoral village governments.[23] Governor Pico did however provide land grants to Chumash and Tongva Indians at Escorpion, Chumash and Tataviam Indians at Encino, and to Tongva Indians at Cahuenga. Samuel,[24] a Tataviam Indian from the village of Chaguayanga, held a land grant into the 1870s in the northwest sector of Ex-Mission San Fernando. The ancestors of the Ortega family line also were from the village or lineage of Chaguayanga, and therefore were patrilineally related to Samuel. Thus, ancestors of the Ortega family were joint owners of the Encino grant of one square league. Maria Rita Alipas,[25] daughter of Francisco Papababa[26] whose ancestors were from the Tatavaviam village of Chaguayanga, were one-third joint owners of the Encino grant. Rita's mother, Paula Cayo was a Chumash from Siutcabit, the lineage historically living at Encino. Paula Cayo's father, Tiburcio Cayo [27] was from the Chumash village of Tapuu. He negotiated living at Encino with his family by 1840. Francisco Papababa and Roman, married daughters of Tiburcio Cayo and were most likely living with his family at Encino by the early 1840s. In 1843 Tiburcio Cayo petitioned and received a land grant from Governor Manuel Micheltorena, but the grant deed has proved difficult to find. Tiburcio Cayo died in 1844, and in 1845 Francisco Papababa, Roman, and Rogue, a Chumash from the Mission Santa Barbara, petitioned Governor Pio Pico for title to one square league at Rancho Encino. On July 24, 1845 the land was granted jointly to all three petitioners.

After the death of her father Franscico Papababa in 1847, Maria Rita Alipas (his only surviving child) became a one-third joint owner of Encino land and water assets.[28] During the mission period an alcalde managed Encino ranch and reported to the mission.[29] Although they no longer reported to the mission, the joint Indian owners of land and water at Encino most likely were recognized as leaders, or captain or capitana, with similar status as an alcalde. After the loss of the land grants at Encino, Tuhunga and Cahuenga, the Fernandeno families needed to find new means of support and had to rely on their farming, ranching, or trade skills acquired during the mission period. Without a land base, most labored on farms and ranches. The Maria Rita Alipas family lingered at Rancho Encino, and by the late 1850s moved the short distance back to San Fernando. When Rita's first husband died (probably in 1861) she married Fernando Ortega, who was working for the Geronimo Lopez family transportation business making and managing carts. Ortega later became a foreman on the Lopez Ranch.[30] The Lopez Adobe was a couple of blocks west of the homes where most of the Ortega family lived, on or near Coronel Street in San Fernando. Both Rita Alipas and Fernando Ortega appear to have died in the middle 1860s during a period of droughts and epidemics.[31] Only two

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[23] Docs. 50049.A.UCLA; 50049.B.UCLA
[24] SF Baptism #691
[25] SF Baptism #2742
[26] SF Baptism #1617
[27] SF Baptism # 849
[28] SF Deaths #2393
[29] Docs: 00366.A.HD; 00366.B.HD
[30] Doc. 80301.Z2.FTO
[31] Docs.: 00354.D.HD; 80432.B.SC; 80366.B.SFVPP

of their children, Antonio Maria Ortega and Luis (Louis) Ortega appear in the record after the 1860 census. The two surviving orphaned children Antonio, about 9 or 10 years old, and Luis, a small child, were helped by godparents and members of the Lopez family.

Antonio Maria Ortega (born in 1857) was an Indian language speaker, and must have learned from his mother, as its most likely "Indian" was the language of preference for Rita Alipas. Growing up in San Fernando, Ortega worked as a caretaker at the Lopez adobe, and in the late 1870s met his future wife, Ysidora Garcia, who worked for the Lopez household.[32] According to subsequent census reports, both Ysidora and Antonio Maria claimed to be married by 1878, but in the 1880 census Ysidora was still listed in her family's household.[33] Their first child Christina Ortega was born in 1881. Ysidora's brother Ysidoro Garcia married Josephine Leyva, the daughter of Juan Leyva and Leandra Culeta. The families of Ysidoro Garcia and Antonio Maria Ortega, now in-laws, met on May 23, 1882 at La Plaza Church in downtown Los Angeles, and on the same day in succession baptized their children Christina Ortega and Petra Garcia. Ysidoro was godfather to Christina Ortega.[34] Two lineages of the contemporary Fernandeño Tataviam Band of Mission Indians are joined in in-law and god parenting relationships. Some of the descendants of Josephine Leyva Garcia and Petra Garcia Valenzuela are currently members of the Fernandeño Tataviam Band of Mission Indians. Antonio Maria Ortega left a consistent record since he was born, grew up, and had all his children in San Fernando; the record for Jose Miguel Triumfo is harder to uncover however.

Jose Miguel Triumfo[35] petitioned for a land grant of about 388 acres encompassing Cahuenga village, and received the grant in 1843. Triumfo was a Tongva whose mother, Maria Encarnacion[36] was a member of Cahuenga village, and his father was a Spanish man named Miguel. Triumfo lived at Cahuenga, and, while it was active, worked for the mission there. After the military clashes in Cahuenga Pass that led to the expelling of Governor Manuel Micheltorena in early 1845, Triumfo traded Rancho Cahuenga with its important water supply for the much larger Rancho Tuhunga to the north and east. In 1850, Jose Miguel Triumfo sold Rancho Tuhunga, and went to join the Rita Alipas family at Encino.[37] Encino and Cahuenga had long time social and political relations. Rita Alipas's maternal grandmother Teresa[38] was baptized at Cahuenga and may have lived there. Rita Alipas's first husband, Benigno,[39] had ancestral ties to Cahuenga. The village and people of Siutcabit, the Tongva name for the people of Encino, were mixed Chumash, Tataviam, and Tongva. The descendants of Triumfo and Alipas form the two largest lineages within the current Fernandeño Tataviam Band of Mission Indians.

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[32] Doc. 80321.INT
[33] Doc. 80070.A.USC
[34] Doc. 80128.A.LPC
[35] SF Baptism #2140
[36] SF Baptism #951
[37] Docs: 80109.E.USC, 80108.A.USC; 80359.A.SFVPP; 80371.BP; 80359.B.SFVPP
[38] SF Baptism #432
[39] SF Baptism #2735

After selling Rancho Tuhunga in 1850, Samuel, the land grantee who was born in the Tataviam village of Chaguayanga, provided the Triumfo family with a gift deed of 200 acres of land northwest of San Fernando Mission, called Sikwanga.[40] Jose Miguel Triumfo established a ranch where he planted orchards that grew pears, oranges, and pomegranates.[41] After the loss of a son in 1849 and a second such loss of "another son they carried to the isla and therefore the old man went crazy and his wife Rafaela sold the ranch to a woman of the Feliz family and she sold 20 acres to Geronimo Lopez."[42] Jose Miguel Triumfo appears to have died in San Fernando before 1877, as he does not accompany the family who migrate to Kern County in 1877. It appears that at least his daughter Rosaria and his wife, Maria Rafaela, lived in San Fernando until 1877 when they move to Kern County.[43] In the late 1850s, Rosaria, the daughter of Jose Miguel Triumfo, married Miguel Ortiz, but after three children she separated from him. Her third child, Jose (Joseph) Ortiz, (b. 2/15/1861) was the progenitor of the Ortiz family line that has many members in the current Fernandeño Tataviam Band of Mission Indians. After the family moved to Kern County, Rosaria remarried. Joseph Ortiz, started work at the Rancho Tejon, where he stayed for fifteen years and lived among the Tejon Indian community with its many San Fernando Mission descendants.

Besides the Ortiz and Ortega families, the Leandra Culeta family also lived in the San Fernando at least until the early 1880s. Leandra Culeta married Juan Leyvas[44]. Oral history suggests Juan Leyvas was a Chumash born in Saticoy and records show he was father to Josephine Leyva, who was born and baptized in 1865.[45] Their daughter Josephine Leyva married Isodore Garcia, and two of their children were born in San Fernando in the early 1880s, after which the family moved about 8 miles to work at Newhall Ranch. By 1896, however, Josephine Leyva left her partnership with Isodore Gracia. She was living in Kern County, near Bakersfield, in 1900, and probably by 1902 left her second husband, and together with her daughter Petra moved to Ventura, California.[46] The Josephine Garcia family expressed a Chumash identity, and there was an unrecognized Chumash community in Ventura, Ventura County, as well as in Newhall.[47] Many of the unrecognized Chumash trace ancestry to the San Fernando Mission. At the mission, the Chumash, like the Kitanemuk, Tatavaviam, and Tongva intermarried and exchanged god-parenting obligations. Most of the San Fernando Indians have ancestors from a variety of the identities represented among the San

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[40] Doc. 80444.A.Norton
[41] Doc. 80444.A.Norton
[42] Doc. 00325.A.SW
[43] Doc. 80126.K.DC
[44] In the 1900 census for Kern County, a Juan Leiva (Leyva) who is 60 years old appears living with a mother and sister (Doc. 80267.USC). There is no mention of Leandra Culeta, his wife. She may have been dead or separated from Juan Leyva or erroneously excluded from the enumeration.
[45] Doc. 80291.A.LPC
[46] Docs: 80155.A.USC; 80270.USC; 80152.A.ANC
[47] Doc. 80448.CJR

Fernando Mission Indians. Some of Josephine Garcia's and Petra Garcia's descendants are enrolled in the contemporary Fernandeño Tataviam Band of Mission Indians and identify as part Chumash, but their membership also recognizes their social and political ties to the San Fernando Indian families in San Fernando.

Rogerio Rocha, a significant leader for the Fernandeño Tataviam Band of Mission Indians, while among the 40 petitioners of the 1843 grant, received a separate land grant in the late 1840s. Rogerio Rocha's father, German,[48] was born in the Chumash village of Quimisac, in the valley north of Simi Valley. Rocha's mother Benita Maria Guadalupe[49] was from Tuhunga, a Tongva village. Rocha's father died in the year of his birth, and Rogerio was raised by his mother and baptized at San Fernando mission in 1824.[50] The grandfather of Rogerio Rocha was Mariano Antionio,[51] who was also the father to Conrado Leyva[52] and his brother Marcelo[53] both from the village of Cahuenga. Conrado Leyva was the main witness at the wedding of Francisco Papabubaba and Paula Cayo.[54] Both Marcelo and Conrado Leyva had in-law ties to Encino. Marcelo was the grandfather of Benigno, the first husband of Maria Rita Alipas. Conrado Leyva married Maria Rafaela Arriola Cañedo,[55] who was the mother of Maria Rafaela Perfecta Cañedo, the wife of Jose Miguel Triumfo. The Cahuenga and Encino connections were strengthened, and the Tataviam family of Francisco Papabuba was included in the network of relationships and ties. Rogerio Rocha was connected to the Tongva families at Tuhunga and more distantly to the families at Cahuenga. A community of strategic marriages, marriage witnesses, and god parenting was carried on through the mission period and into the post mission period. Rogerio Rocha's connections through his mother to Tuhunga established connections to Leandra Culeta[56] and her Garcia descendants since the maternal grandfather of Leandra Culeta was Francisco del Spiritu Santo,[57] who was born to the Tuhunga lineage or Tujubit. The lineages of Triumfo, Rita Alipas, Rogerio Rocha, and Leanda Culeta are all interrelated in a web of family and community relationships.

In the late 1840s, Rogerio Rocha was allowed to claim roughly 10 acres of land several miles northeast of the Mission. Rogerio Rocha managed to retain control of his land throughout the late 1800s, asserting aboriginal rights, paying taxes, and retaining Mexican protection. He controlled some resources, as his land had water, and he was a financially successful blacksmith and silversmith. Rocha played the violin, sang in the Mission church choir, spoke an Indian language, probably Tongva, as well as Spanish

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[48] SF Baptism #817
[49] SF Baptism #312
[50] San Buenventura [SBV] Deaths #2727
[51] San Buenventura [SBV] Baptism #1731
[52] SF Baptism #553
[53] SF Baptism #558
[54] SF Marriage #765
[55] La Plaza Church [LA] Baptism #451
[56] SF Baptism # 2987
[57] SF Baptism # 171

and some Latin.[58] Popular in the San Fernando Indian community, he became recognized as a captain by the San Fernando Indians and non-Indians alike.[59] While Rocha was not a traditional hereditary captain, he had recognized leadership ability and cultural skills, wealth, land, and water, which he shared with the local San Fernando Indian community so he gained their following and respect. His management was a combination of traditional concurrence-based leadership patterns, and the consensual appointment of an alcalde—an individual elected by the community for their values and skills. Rogerio was recognized as the captain of the San Fernando Indian community until his death in 1904. As he left no children, he does not have descendants in the present-day community.

Rogerio Rocha was evicted from his land, as a squatter, by a land development company in November 1885. After his eviction, Rogerio Rocha moved to Lopez Canyon. The Special Agent to the Mission Indians, H.N. Rust knew Rogerio Rocha personally, and helped provide him with federally funded financial aid. After Rust left office he persuaded the subsequent Special Mission Indian Agents to continue providing support. A small amount of government aid was provided to Rogerio Rocha though the government did not take up the defense of his land rights.[60] Rocha fought the development company for many years, and had lawyers supporting him, who argued that he retained aboriginal rights to the land. His eviction was well publicized and used by the Indian Rights Association to gather public and congressional support for legislative action to establish reservations for California Mission Indians.[61] Many Mission Indians profited from the legal actions and publicity efforts on behalf of Rogerio Rocha, but neither Rocha nor any San Fernando Indians directly benefited from legislation enacted to create reservations or to purchase and restore land to California Indians.[62]

During the 1850s, when many San Fernando Mission Indians were dispossessed and pressured to move from Mission lands, some Indians returned to their traditional homelands and tribelets. Several signed a treaty near Fort Tejon in June of 1851.[63] No members of the three lineages from the contemporary Fernandeño Tataviam Band of Mission Indians was party to the treaty, which, if ratified, would have ceded the whole of Los Angeles County, including all the land any San Fernando Indian occupied there. A few years after the treaty, the U.S. government created the San Sabastian Reservation at what later became part of Rancho Tejon. The land was near both Kitanamuk and Chumash villages. The San Fernando Mission had recruited converts from both communities, and several signers of the 1851 treaty were San Fernando Mission Indians, although in the treaty they represented their village communities and not San Fernando Mission Indians as a whole.[64] Vicente Francisco Tinoque Cota was baptized at the

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[58] Docs: 00372.A.HD; 00372.B.HD; 80265.A.LAT
[59] Docs: 00083.T.FTO; 00109.C.LN; 80006.B.FTO; 80013.LAT; 80014.LAT
[60] Doc. 80374.B.SFVPP
[61] Docs: 00121.E.FTO; 00121.G.FTO; 00121.F.FTO
[62] Docs: 80433.A.DI; 80433.B.DI
[63] Docs: 00048.A.FTO: 00048.B.FTO; 00048.C.FTO
[64] Doc. 80404.A.Lopez; 80437.A.JJL; 00048.A.FTO

mission in 1819.[65] His mother, Paulina,[66] whose Indian name was Yucsuiban, and grandmother, Zenona,[67] both were baptized at San Fernando Mission, as well as his sister, Teofila.[68] Vicente Francisco also had an unbaptized brother, who signed the 1851 treaty at Tejon as the chief of the Tejon tribe. Francisco split his name, and gave Vicente to his brother, and thereafter he used Francisco and later Francisco Cota.[69] Teofila married Francisco del Espiritu Santo, who was from the village of Tuhunga, and they became grandparents to Leandra Culeta, the progenitor of the Garcia-Venezuela line, which has members within the contemporary Fernandeño Tataviam Band of Mission Indians.

Several Indian communities were invited to live and work at the San Sebastian Reservation. Many Indians from Mission San Fernando went to live there, some stayed and married into Kitanemuk families, while others stayed for a short time only. The reservation lands were quickly ceded to a competing Mexican land grant claim and the reservation was closed by 1864. Soon thereafter Edward F. Beale, the first superintendent of the San Sebastian Reservation, purchased land, including parts of the former reservation, and formed Rancho Tejon. Since Beale knew many of the Indians personally, he invited them to work the ranch and gave them considerable freedom to keep their own farms and manage sheep and cattle. Beale agreed that he would allow the Indians to live on his land as long as it remained in his possession; he kept his word. Many Indians worked at Rancho Tejon during Beale's lifetime, and after, when ownership passed to Beale's son, Truxtun. By the late 1890s, however, many Indians left Rancho Tejon and moved to Bakersfield, about 30 miles to the north. A group stayed on at the ranch, many of who were Mission Indians and Kitanemuk descendants, who today are known as the Tejon tribe.

Congress passed the California Mission Indian Relief Act of 1891 and sent agents to study the land needs of the Mission Indians. The instructions to the agents on how to define Mission Indians included San Fernando Mission Indians and stated that they were eligible for services and land.[70] The Fernandeño Tataviam Band of Mission Indians was previously recognized by federal officials as coming within the jurisdiction of the United States and entitled to the federal government's protection and benefits as of 1892, and as late as 1904. In 1892 Frank D. Lewis served as Special Assistant U.S. Attorney for Mission Indians in a number of matters, including some involving the Fernandeños.[71] In a

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[65] SF Baptism #2385
[66] SF Baptism #1916
[67] SF Baptism #1917
[68] SF Baptism #1848
[69] Doc. 00048.A.FTO
[70] Docs: 00186.A.DC; 00186.B.DC; 00186.E.DC 00033.A.FTO; 00130.B.FTO
[71] For example, in one matter Mr. Lewis reported to the Commission of Indian Affairs by letter dated September 2, 1892 that he had secured the cancellation of a homestead deed of a landowner in San Diego County, presumably to land in which Indians had an interest. Mr. Lewis signed that letter as Special Assistant U.S. Attorney for Mission Indians. Docs. 40009.Z03.DC; 40009.Z04.DC; 40009.Z05.DC.

letter dated October 17, 1892, Mr. Lewis wrote the Commissioner of Indian Affairs regarding "a condition of a company of Indians living on the edge of the San Fernando grant in Los Angeles County, California" and his charge, which was "to take such steps as [he] might find possible and advisable in order to secure to them lands of which they had been unjustly deprived."[72] Despite Lewis' efforts, however, the Act did not result in land for the San Fernando Mission Indians nor did his advocacy of Fernandeno land rights advance their claim.

As early as the 1850s, U.S. agents thought that creating a reservation in Los Angeles County was impractical, given the competition for land ownership, and advised the Indians in the county to migrate to reservations like Morongo or Pechanga. The San Fernando Mission Indians generally were not interested in moving to reservations in California, but preferred to uphold their land and self-government rights in the San Fernando Valley. The San Fernando Mission Indian community remained in San Fernando continuously although some members moved to other communities like Tejon. Some later returned, while others developed strong identities as non-recognized coastal Chumash or Kitanemuk at Tejon Ranch. The San Fernando community retained multiple identities of Tongva, Chumash, and Tataviam, just as in the mission and pre-mission days.

Between the 1850s and the 1930s there were many policy discussions about the plight of landless California Mission Indians and possible remedies to their situation.[73] While many California Mission Indians were placed on reservations in the 1890s, there's frequent mention in the government literature of urban landless California Indians and Mission Indians. Several documents contain suggestions for taking action to provide federal government assistance.[74] Congressional committees and Mission Indian agency officers note several thousand landless California Indians and, while they acknowledged the government's responsibility to provide aid, claimed there were too few funds to cope with the number and conditions of the landless California Mission Indians. In 1906, congress passed legislation that specifically designated funds for landless California Mission Indians to repurchase land to be put into trust. While the San Fernando Mission Indians qualified under the act, no San Fernando Mission community regained land, although there was much discussion for buying land for the Tejon Ranch Indians in the 1910s and 1920s.

According to oral history, after Rogerio Rocha's death, three prominent men were considered candidates for the role as captain. The criteria for serving as captain were still highly traditional and relied on demonstrated cultural expertise and the ability to speak one of the San Fernando languages. Antonio Maria Ortega became captain because he was at the head of a large family, spoke Tataviam, and had cultural knowledge.[75] As in

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[72] Doc. 40009.B.DC

[73] Docs: 80433.A.DI; 80433.B.DI

[74] Docs: 30034.C.BL; 40216.C.DC; 40216.D.DC; 40216.E.DC; 80374.B.SFVPP; 80432.C.SC; 80434.A.BIA; 80434.B.BIA

[75] Docs: 80310.INT; 80316.INT; 80312.INT

traditional times, family heads or captains, did not have executive powers, but maintained influence through respect and knowledge possession. In traditional San Fernando Indian government, a captain had responsibility for land and resources, but by the early twentieth century no family head in San Fernando controlled significant land or water rights. While Rogerio Rocha's influence derived in part from his control of some land and his willingness to share the water from his spring with members of the community, Antonio Maria Ortega worked as a ranch or farm hand, and he did not have significant material resources to share. He had the leadership and respect of his family however, and the respect from community members who recognized his cultural and linguistic skills. Business that concerned the community was discussed during family gatherings such as dinners, weddings, or funerals. Important issues could spark animated arguments and spur continuous dialogue over a period of months. As in traditional times, decisions were made by long discussion aimed at arriving at common ground. If no clear consensus could be made, each family segment followed its own course.[76]

An animated discussion engaged the community during the late 1920s. On May 18, 1928, Congress passed an act authorizing payment to California for lands taken in the non-ratified treaties of 1851. The mission Indians as San Fernando discussed whether to register for the treaty payments. Several interviews from San Fernando elders independently mentioned this discussion and provided relatively similar and consistent points. The discussion involved the entire community that we now know as the three main lineages composing the present-day Fernandeño Tataviam Band of Mission Indians. Josephine (Leyva Garcia Gardner) Guttierez argued against applying for the 1928 Indian Judgement Roll Fund, since she feared that registration with the Bureau of Indian Affairs would lead to forced removal to reservations. Josephine expressed the view of many San Fernando Indians who preferred to live in the communities located on their traditional homelands, and was not interested in placement on reservations outside the Chumash, Kitanemuk, Tataviam or Tongva territories.[77] Following her mother's lead, Petra Garcia Riviera did not apply to the 1928 Indian Census Roll. Josephine's ex-husband Isidoro Garcia, and her daughter, Frances Garcia Cooke, were active in organizing the Garcia family living in Newhall to apply to the 1928 judgment roll however. Many of Josephine's children with Isidoro Garcia, except Petra, and her children with her second husband William Gardner from Kern County, were accepted onto the 1928 California Indian Judgment roll. Most of the Josephine Garcia family developed an organization of San Fernando Mission Indian descendants from the Newhall area in part based on the 1928 organizational experience.[78]

At San Fernando, the debate was lively. The Erolinda (Refugia) Tapia family advocated the families apply for the 1928 California Indian Judgment Roll. Cristina Ortega Rodriguez and her husband also favored registration.[79] Discussions took place at family

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[76] Docs: 00261a.C.BL; 00261a.D.BL; 00261a.E.BL; 00261a.F.BL; 00263.H.BL; 00263a.D.BL; 00263a.E.BL; 00267a.B.BL; 00267a.C.BL

[77] Doc. 80302.INT

[78] Docs. 80305.INT; 80306.INT

[79] Doc. 80302.INT

events, casual meetings, and meetings specifically arranged to discuss the issue. As Antonio Maria Ortega's children reached maturity and started families of their own, they began to develop into several lineages consisting of the Tapia, Estanislao Ortega, Verdugo, Newman, and Salazar families. Over time the families grew, forming relatively autonomous family lineages that compose a significant segment of the contemporary Fernandeño Tataviam Band of Mission Indians. Antonio Maria Ortega's daughters often took strong leadership roles in family issues and discussions. Despite active lobbying for registration by these families, the general sentiment was that enrolling in the 1928 judgment roll could lead to reservation removals.[80] Most community members did not want to leave their homes in San Fernando and move to areas that were not part of their traditional territory. Antonio Maria Ortega expressed caution about enrolling in the judgment program. He feared removal to a reservation and suggested that the community was better off managing its own affairs in their accustomed manner.[81] Antonio was then in his early 70s and his wife Isidora was ill and bedridden. He made some income selling candy outside his house at the corner of San Fernando Mission Blvd. and Coronel Street. Ultimately the community decided to allow any individual or family to enroll if they wished. The entire Ortega extended lineage, however, held rank, and none applied to the 1928 judgment roll. Antonio Maria Ortega's opposition appeared to be enough to deter younger and relatively independent family members from pursuing the land claims and securing federal recognition as individual California Indians.

In the late 1920s, the Joseph Ortiz family, descendants of Jose Miguel Triumfo from Cahuenga village, returned from Bakersfield to San Fernando. The family lived in Kern County with the Indian community at Rancho Tejon for 15 years and then in Bakersfield with the Indian community there, and now returned to take residence near the Ortega families about a mile or two east of the old San Fernando Mission, the Ortiz family residing on Kewen Street, about a block from many Ortega family homes on Coronel St. Members of the Ortiz extended family advocated for application to the 1928 California Indian Judgment Roll. Joseph Ortiz, now in his early 70s, and in need of financial support, applied for his extended family and was accepted to the Roll.[82] The two lineages, with long standing social and family ties dating back to the mission and pre-mission period, lived among each other and today form the majority of members comprising the Fernandeño Tataviam Band of Mission Indians.

On June 9, 1933, Martin Feliz, a Tongva cultural informant for the anthropologist J.P. Harrington, identified Antonio Maria Ortega, as a member of the San Fernando Indian community and speaker of an Indian language. Feliz told Harrington that he would visit Antonio to see if he would be willing to work with Harrington. Feliz did contact Antonio, but Antonio declined participation.[83] By the middle 1930s, Antonio had lost his wife, and was suffering from loss of memory, perhaps an Alzheimer's condition. This illness continued until his death in 1941. Antonio Maria Ortega did not speak fluent

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[80] Doc. 80318.INT; 80316.INT
[81] Doc. 80318.INT
[82] Doc. 00113.A.LN; 80126.A.DC
[83] Doc. 00339.A.SW

Spanish, and spoke English and Spanish with an accent. He spoke Tataviam.[84] The Ortega family identity as Tataviam is derived from Rudy Ortega Sr.'s research and findings that Antonio Maria Ortega's maternal grandfather, Francisco Papabubaba, had ancestry on his mother's side at Tochonanga and on this father's side at Chaguayanga, both now identified in the contemporary scholarly literature as Tataviam villages. Since the Tataviam were patrilineal and patrilocal, Chaguayanga was the home village of Francisco Papabubaba's family lineage.

We do not have a death record for Joseph Ortiz, but he must have died in the 1930s or 1940s. He suffered from tuberculosis late in his life. Joseph Ortiz was the captain or spokesperson for his family. He left four children, three of who accompanied him when migrating from Bakersfield to live in San Fernando by, if not before, May 1928. Three out of four of Joseph Ortiz's children have descendants who are current members of Fernandeño Tataviam Band of Mission Indians. Like the Ortega family, the Ortiz family is comprised of several lineages. Frank Ortiz did not accompany the family to live in San Fernando; he died in 1924. His son Frank Ortiz II moved to Fresno, California.[85] His descendants enrolled as members of the Fernandeño Tataviam Band of Mission Indians in 1995, and most continue to live in Fresno. Joseph Ortiz's three other children Fortino, Juanita Ortiz de Montes,[86] and Helen accompanied him to San Fernando in the 1920s and took up residence in San Fernando in the Ortega families' neighborhood.[87] Many of the descendants of Helen Ortiz and Fortino Ortiz are currently enrolled in the Fernandeño Tataviam Band of Mission Indians. Juanita Ortiz did not have children.

After Antonio Maria Ortega's death, his oldest son Estanislao Ortega became captain until his own death in 1951.[88] He and his wife worked in fruit packing and later Estanislao worked as a security officer. Estanislao raised funds, organized family gatherings, and held festivals and meetings among the families.[89] He led in traditional style and was knowledgeable of family history and genealogy.[90] Like his father, Estanislao held the position that the Ortega lineages should not register in the 1928 roll, and should not participate in a later 1950 roll update.[91]

After Estanislao Ortega's death, Rudy Ortega became captain of the San Fernando Mission Indian lineages.[92] Estanislao's two younger brothers Eulogio and Luis both had problems with alcoholism and did not assume leadership roles within their family nor did

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[84] Doc. 80312.INT
[85] Doc. 80037.G.OTC
[86] Juana Ortiz de Montes married Raymond Montes but their marriage did not yield any children, and therefore no descendants of Juana Ortiz de Montes are enrolled as members of the contemporary Fernandeño Tataviam Band of Mission Indians.
[87] Docs: 80377.A.USC; 00113.A.LN
[88] Docs: 80310.INT; 80312.INT; 80316.INT
[89] Doc. 80310.INT; 80302.INT; 80312.INT; 80314.INT
[90] Doc. 80310.INT
[91] Doc. 80314.INT
[92] Doc. 80302.INT; 80312.INT

they advance greatly in the broader San Fernando Indian community. The two younger brothers served in World War I, claiming San Fernando Indian identity on their draft cards. When they returned from the war, they both developed alcohol dependencies, and as late as 1930 were living with their parents. Luis died in the early 1930s, and Eulogio spent time in veteran's hospitals, but the family withdrew him and he lived with his parents, later moving to San Fernando to live on his own. Neither Eulogio nor Luis married or had children. Rudy's older brother, Jose Ernest Ortega, had little interest in pursuing Indian identity and issues, believing in the early 1950s that such activity would not lead to few benefits. Ernest was not willing to take a leadership role in the community, and Rudy, the second son of Estanislao, gained consensual support as family leader or captain.[93] Later, in 1995 and after, many of Ernest's descendants enrolled as members of Fernandeño Tataviam Band of Mission Indians.

Rudy did not agree with his father and grandfather that the family should have withheld participation in the California Indian Judgment rolls and payments. Rudy developed a clear Indian identity early in life, knew his grandfather Antonio Maria Ortega, and during the 1940s started to research his family history and genealogy. Community members attended some of the monthly fiestas at San Fernando Church during the 1930s. Indians from out of town were asked to dance there. Rudy started by querying his father about his knowledge of family history, and then went to search for other proof, although he had no training in research or genealogy. The search for tbe ancestry of the Ortega lineages became part of his life work. After discharge from the Army in 1949, Rudy Ortega returned to organizing dances, festivals, and government meetings. These meetings were usually accompanied by family supported potlucks at the Mission Park near the old San Fernando Mission.[94] After 1940, the San Fernando Mission stopped putting on regular monthly festivals, and so the San Fernando Mission Indians began to hold their own, which were combined social, cultural and political gatherings.[95] These festivals and social gatherings continue in the present and probably have their roots in San Fernando Mission history. The San Fernando Mission Indians also attended festivals at Santa Ynez Reservation, and participated in occasional festivals organized by the City of San Fernando and the San Fernando Mission. After San Fernando Mission was restored in the middle 1860s, it did not reconstitute a parish and members of the San Fernando Mission looked elsewhere to participate in a Catholic Church community.

Already by the 1940s, Rudy Ortega actively pursued his people's claims by contacting the Sacramento Bureau of Indian Affairs office about whether the San Fernando Mission Indians could recover land or participate in upcoming judgment fund distributions.[96] In 1951, months before his father's death, Rudy submitted a claim for enrollment in the updated 1950 roll for the 1928 California Indian Judgment Roll.[97] Rudy's application was eventually rejected, as he could not establish a blood connection to any of the 1928

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[93] Doc. 80310.INT
[94] Doc. 80310.INT
[95] Doc. 80310.INT
[96] Doc. 80310.INT
[97] Docs: 80289.123.OTC; 80289.115.OTC

judgment fund enrollees. He was born before May 18, 1928, and therefore was eligible for the initial enrollment, but had not applied.[98]

Rudy was helped and encouraged in his application by his aunt Mary Garcia, a granddaughter of Josephine Leyva Garcia.[99] Mary Garcia moved to the San Fernando area by 1950, and probably lived in Pacoima, a nearby town a few miles from the Ortega residences in San Fernando. In the late 1940s and early 1950s, Rudy Ortega and his immediate family were also living in Pacoima. Mary Garcia was a close political confidant of Rudy Ortega, and actively participated in the community of San Fernando Indians through the 1950s, 60s and 70s. She identified as Chumash but was tied by in-law relations to the Ortega family, and was active in the community. Her son Theodore Garcia became an officer and active member of the San Fernando Mission Indian community.[100] The descendants of Mary and her son Theodore, however, preferred to identify as Chumash and did not apply for membership in the Fernandeño Tataviam Band of Mission Indians when formal enrollment was opened in 1995.[101] The Mary-Theodore Garcia family members are active participants in the coastal Chumash recognition movement, and are active in artistic and ceremonial Chumash culture.[102]

Josephine Leyva Garcia Guttierez died at Oxnard, California in 1951, and her daughter Petra Garcia Riviera Valenzuela died at Ventura, California, in 1930. Both lived among the Chumash in the Ventura and Oxnard area where many Chumash of San Fernando Mission descent lived. Victoria Olivarez, the great granddaughter of Petra Garcia, was born in 1951. Victoria was active in ensuring that her children became enrolled members of the Fernandeño Tataviam Band of Mission Indians.

Several of Rudy's aunts, the daughters of Antonio Maria Ortega, were actively engaged in family affairs and had a strong sense of San Fernando Indian identity. They challenged Rudy's claim to leadership during the 1950s, in part because of his youth, and because they were strong figures in family issues and lineage affairs.[103] Vera Ortega Salazar was active in leading and helping Rudy organize community events from the 1950s into the 1970s.[104] She sometimes disputed Rudy Ortega's position, and some of her descendants continue to offer alternative leadership, while others have enrolled in the Fernandeño Tataviam Band of Mission Indians. Antonio Maria Ortega's other daughters, Cristina Ortega Rodriguez, Catharine Newman, and Rufugia (Erolinda) Tapia all were active in helping organize family and community activities.[105] Most of the aunts accepted Rudy Ortega's leadership based on his political activity and efforts to research family and community history and genealogy. Their descendents, the Tapia, Salazar,

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[98] Docs: 80239.123.OTC, 80239.121.OTC
[99] Doc. 80289.111.OTC
[100] Docs: 80310.INT; 80289.133.OTC
[101] Doc. 80310.INT
[102] Doc. 80302.INT
[103] Doc. 80310.INT
[104] Docs: 80313.INT; 80324.INT
[105] Docs: 80310.INT; 80324.INT

Ortega, and Newman lineages, remained actively engaged in community affairs. Rudy Ortega became a source of cultural information since he had researched Fernandeno Tataviam history and worked to gain registration with the Bureau of Indian Affairs. He maintained the contact he established with BIA officials in the 1940s, and sought recognition and land for the San Fernando Mission Indians,[106] though members of the Ortega family were unsuccessful in gaining California Indian recognition until the 1972 judgment roll.

The efforts of Rudy Ortega to seek registration as a California Indian, with the advice of his aunt Mary Garcia, who was enrolled in the 1928 roll through her family then living in Newhall, led to greater organizational experience in mobilizing community and family members. Mary Garcia had passed her experience to Rudy Ortega during the 1950s when she also helped the families organize to enroll and qualify for the 1972 California Indian judgment fund. Additionally, Rudy Ortega gained knowledge of American-style bureaucratic and organizational activity through his service during World War II. In the late 1940s he suggested the families adopt a set of bylaws and the tribe took on the name of San Fernando Mission Indians during the middle 1950s.[107] The community built a display booth, constructed by [redacted], with a banner titled San Fernando Mission Indians.[108] The booth was set up during festivals organized by the City of San Fernando, and used at festivals and powwows of other tribes, such as the Chumash reservation of Santa Ynez, where the community members had relatives. Before the middle 1950s, the community was known as or used the expression Fernandeño, or Indian of San Fernando Mission, or Fernandeño Indians.[109]

Rudy was recognized as the tribal coordinator for the San Fernando Mission Indians in 1967.[110] The San Fernando Mission Indians often met in Rudy Ortega's house or at the homes of other community members. The San Fernando Band of Mission Indians met monthly and discussed issues and problems within the community reaching decisions by consensus. The formation of bylaws was often discussed but the families did not assume them until extended debates lead to their adoption in 1972.[111] Before their enactment, traditional forms of leadership and consensus formation among the families prevailed at meetings.[112]

During the middle 1960s, Rudy Ortega also became involved in community activities, some funded by the city and new antipoverty programs. The facilities for the new programs often provided places to meet, and additional support resources. Rudy Ortega's efforts enabled the San Fernando Mission families to access to these resources. In 1971, he also sent a letter to the BIA requesting land and a reservation for the San Fernando

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[106] Doc. 80310.INT
[107] Docs: 80313.INT; 80320.INT
[108] Doc. 80451.SFBMI
[109] Docs: 80135.USDR; 80134.USDR
[110] Docs: 80301.T.FTO; 80301.B.FTO; 80301.C.FTO; 80416.A.LAT; 80423.A.LAT
[111] Doc. 80310.INT
[112] Doc. 80310.INT

Mission Indians.[113] The families were convinced by Rudy Ortega's leadership to enroll in the 1972 California Indian Judgment fund. Rudy Ortega and other community members assisted about 500 individuals applying for the 1972 California Judgment Fund rolls. Many members of the Ortiz, Ortega, Tapia, Newman, and Salazar families enrolled.[114] Anyone who enrolled in the 1972 judgment fund was provided with a file and enrollment numbers which were accepted as proof of California Indian ancestry.

During the 1970s and 80s, the San Fernando Mission Indians sought funding to create the San Fernando Inter-Tribal Indian Club, a center for Mission Indians of the San Fernando Valley.[115] The San Fernando Mission Indians pursued BIA funding, but appear not to have been able to access funds sufficient to maintain a center at an outside location. Instead, the San Fernando Valley Inter-Tribal Club was housed at Rudy's home at 11640 Rincon Ave., San Fernando, CA 91340. The Rincon house became the center for organization and government for the San Fernando Mission Indians. In 1973, the club was incorporated as a nonprofit under state and federal law, and was renamed the San Fernando Valley Inter-Tribal Inc. Today this center is known as Pukúu, Culture Community Services, which like its predecessor organization is a nonprofit that raises scholarship funds and manages social and community service grants.[116] Pukúu means "one" in the Tataviam language. "Pukúu, Cultural Community Services, is a community based American Indian organization motivated to strengthen family and youth continuity. Compassionate for the tribal community and low-income neighborhoods of the Los Angeles County, the Fernandeño Tataviam Band of Mission Indians has created this not-for-profit charitable organization to enrich Indian families and youth in the communities of need."

The non-profit was an outgrowth of previous family and lineage based traditions of sharing and taking care of those in need. Families, lineages, and leaders often gathered resources and redistributed them to those in the local Indian community. While these efforts usually were aimed at the needy members of the Fernandeño Tataviam community, help was given to members of other tribal communities, who increasingly appeared in the San Fernando Valley area. Non-profit status enabled the Fernandeño Tataviam community to qualify for grants and other sources of funding. Before the 1970s, captains were responsible for raising funds and goods for helping the needy. Gathering toys for distribution to children during the Christmas season was a common effort.

The band's non-profit organization served any Indian, regardless of tribal affiliation, in the San Fernando Valley, including members of the Fernandeño Tataviam Band of Mission Indians.[117] The San Fernando Valley Inter-Tribal Inc. charged dues for

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[113] Doc. 00036.FTO
[114] Doc. 80289.045.OTC
[115] Docs. 80289.136; 802289.137
[116] Docs: 80324.INT; 0029.FTO; 00066.C.FTO
[117] Docs: 80313.INT; 00029.FTO

membership, provided social support services, and held cultural events like powwows.[118] The names for the nonprofit were formed by community group decisions. For about three years, the San Fernando Valley-Intertribal Inc. nonprofit served as the main organization for the San Fernando Mission Indians. The initial bylaws were written for the nonprofit with the help of legal aid attorneys in the early 1970s. The nonprofit evolved into an independent service and fundraising organization, and the Fernandeño Band of Mission Indians was maintained as a government organization. In 1976 the non-profit was separated from the government of the Fernandeño Band of Mission Indians.[119]

The San Fernando Mission Indians, renamed in 1976 as the Fernandeño Band of Mission Indians, was involved in the 1972 California Indian judgment roll registration, federal recognition, cultural preservation and protection, and community service activities.[120] These activities were extensions of the mutual help, community, and traditional leadership and lineage forms that existed before the 1950s. The nonprofit organization managed many of the social service and community programs, while the Fernandeño Band of Mission Indians government managed membership and intergovernmental relations and issues. In 1993, after discussion and approval among elders, the band changed the name of its government to its present version: Fernandeño Tataviam Band of Mission Indians. Shortly thereafter, in 1995, the band called on community members to formally register. Members were asked to file lineage charts, and detail family relations, as well as account for new children. In 2002, the band adopted a new constitution with the aid of the UCLA Tribal Legal Development Clinic. In 2004, the Fernandeño Tataviam Band of Mission Indians asked members to make formal applications for membership and to supply supporting genealogical documents.

The Fernandeño Tataviam Band of Mission Indians was formally incorporated as nonprofit Mutual Benefit Corporation under California state law on June 16, 2006. The tribe now handles its financial affairs through the mutual benefit corporation, which by charter will dissolve "when the Fernandeño Tataviam Band of Mission Indians achieve federal recognition as an Indian Tribe from the United States government and secure the rights, benefits, privileges and powers provided to such a Federal Recognized Tribe."[121] On July 1, 2008, the citizenship rolls were again opened for applications from eligible individuals. Successful applicants had to document their parentage and lineage, had be a descendant of a baptized San Fernando Mission Indian, and must have been listed or were a descendant of a person listed as a California Indian in the 1928 or 1972 California Indian judgment rolls.

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[118] Docs: 80313.INT; 00081.A.FTO

[119] Doc. 80313.INT

[120] Docs: 00029.FTO; 00052.A.FTO; 00076.K.FTO; 00076.O.FTO; 00080.FTO; 00081.A.FTO; 00081.B.FTO 80301.F.FTO; 80301.H.FTO; 80301.L.FTO; 80301.P.FTO; 80301.T.FTO; 80301.Q.FTO; 80303.INT; 80305.INT; 80310.INT; 80311.INT; 80308.INT; 80312.INT

[121] Doc. 80452.TFBMI

Over the years, the Fernandeño Tataviam Band of Mission Indians, both today and as the San Fernando Mission Indians, have built many contacts with businesses, governments, political leaders, and carry on friendly and cooperative relations with local governments and officials.[122]

Description of the Current Group

The current Fernandeño Tataviam Band of Mission Indians can be described, according to the California anthropologist Albert Kroeber's definition, as a tribelet composed of identifiable cooperative but relatively autonomous lineages. While contemporary Fernandeño Tataviam lineages do not collectively own territory, the band members exercise economic autonomy by holding jobs within the market economy that are not subject to band government regulations. The lineages and band have survived despite the loss of its territory and substantial economic displacement and pressure and neglect by the federal government.

The contemporary Fernandeño Tataviam government works in a radically changed economic, political, and cultural environment from pre-mission times. Nevertheless, the Band has retained lineage-tribelet organization and political culture, even through organizational changes over tbe past fifty years like the adoption of bylaws and a constitution that make the Fernandeño Tataviam government more compatible with contemporary American institutions. Despite radical transformations in their urban and economic environment, a tribelet political and social order persists based on cooperative and consensual ties among constituents and their relatively autonomous lineages. The social and political institutions of the contemporary Fernandeño Tataviam Band still remain remarkably compatible with their history and traditions.

There are 264 members, most of who currently live in the San Fernando Valley area. The name for the Fernandeño Tataviam Band of Mission Indians was specifically adopted to indicate that the Band's government includes only a portion of the possible descendants of the San Fernando Mission Indians. Several other bands of descendents of San Fernando Mission Indians are active at Tejon, Newhall, and Oxnard-Ventura, and each of those communities have their own specific recognition efforts particular to their own lineage and village ancestries. This form of regional decentralized political organization continues to reflect the social and political patterns of the pre-mission period. The Fernandeño Tataviam Band of Mission Indians is composed only of those persons and families that self-identified as San Fernando Indians in the 1928 and 1972 rolls. Many people who identified as San Fernando Mission Indian in the 1928 and 1972 judgment rolls had strong ties to Chumash and Kitanemuk communities, and those families have joined the political and social communities at Tejon, Newhall, or Oxnard-Ventura.

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[122] Docs: 00029.FTO; 00059.A.FTO; 00066.A.FTO; 00066.B.FTO; 00066.C.FTO; 00081.A.FTO; 00080.A.FTO; 80289.013.OTC; 80130.B.FTO; 80301.F.FTO; 80301.H.FTO; 80301.Y.FTO; 80301.Z.FTO

The Fernandeño Tataviam Band of Mission Indians is composed of three lineages that have historical and community ties principally from the lineages of Chaguayabit (Chaguayanga), Cabuepet (Cahuenga), Tujubit (Tujunga), and Suitcabit (Encino). In an American sense of bilateral ancestral reckoning these main lineages contain ancestors from Chumash, Tataviam, and Tongva cultural and language groups. The band is not composed of a single Indian ethnic identity, but rather formed by a specific community of kinship, social, and political ties among lineages that have several cultural and linguistic identities. There is no ethnically homogeneous identities or groups in the San Fernando Mission Indian region, at least according to American lineal reckoning. Lineages were exogamous and people were required by normative rules to marry into from other lineages without prejudice about ethnicity or language. Consequently, in the contemporary period and with the adoption of American bilateral descent rules, rather than strictly patrilineal Takic or matrilineal Chumash traditional rules, families and individuals can chose from a menu of identities and historical and contemporary lineage and community relations. In the contemporary world, individuals chose among several San Fernando Indian communities according to their lineage connections and cultural and ethnic identity. The Fernandeño Tataviam Band of Mission Indians is composed of lineages and families that have bound together and have family and social relations from the pre-mission period.

Until the early 1970s, traditional patterns of family organization and political leaders, or captains according to the Spanish, prevailed. The community now has adopted bylaws and a constitution and thus relies on elected leaders, and a senate body of elected members.[123] In many ways, nevertheless, political leadership and community and political organization remain consistent with traditional patterns. Political leadership and community values continue to follow patterns of community self-help, as well as providing aid and support to other Indian families living in the surrounding community. While leaders are elected under the constitution, traditional lineage and family ties continue to influence leadership and management positions. Contemporary political leaders must be concerned about individuals and family issues and be ready to provide leadership for the entire group. As in traditional times, leaders led by example, by accumulating and sharing cultural knowledge, by willingness to put aside personal issues in favor of family and community interests. Each of the constituent lineages retains considerable political and social autonomy, and the leaders must respect the autonomy of individuals, families, and lineages in their exercise of governance. Contemporary persons gain political influence by showing leadership within the community and band government. Politically active individuals gain broader respect and acknowledgement within the community and band. Individuals from many lineages are incorporated into the Senate or legislative branch, and families express their views in the Senate meetings, during regular committee meetings, and at community events. Leaders must be willing to listen to the views and positions of the families and members. Families and lineages manage conflicts according to family rules and from within the constitution for band

[123] Doc. 80449.TFBMI

governance issues. The constitution allows development of a culturally informed court system that will uphold the tribal constitution and laws.[124]

Marriage patterns continue to follow a pattern consistent with pre-mission emphasis on exogamy. There are virtually no marriages within lineages, and very few marriages between members of the lineages within the community. Most marriages are with individuals outside the community. Some marriages are made with people from American or Mexican Indian communities, and a few with members of other California Indian communities. As in pre-mission times, exogamy is seen as a way of gaining knowledge, economic resources, and political and social ties within a changing economic, political, and social environment. Children of exogamous marriages are accepted within the family lineages. In traditional times, among the Tongva, Tataviam, and Kitenamuck, the bride is lost politically and socially to the lineage and village of the groom. In contemporary times, the children of marriages with non-members are accepted into the lineages and in practice the contemporary usage is one of recognizing lineal descent from both male and female lines.

The contemporary government (2009) has been operating with a constitution since 2002. The Tribal President is Larry Ortega, Sr., the Vice President is Darlene Villaseñor, the Secretary is Selena Salas, and the Treasurer is Elisa Ornelas. The executive branch is responsible for day-to-day administration and for upholding the constitution, tribal code, and ordinances.[125] The legislative branch is called the Tribal Senate, which is composed of nine elected members, who are responsible for setting tribal policies, developing government programs, and working toward self determination. The Vice President serves as Chair of the Senate. The current members of the Senate are: Bill Gonzalez, Michael Ortega, Steve Ortega, Berta Pleitiz, Raymond Salas, Selena Salas, Robert Vasquez, and Darelene Villaseñor. The tribal government last opened enrollment on July 1, 2008 and closed it December 19, 2008. The Tribal Senate reviewed each applicant's submitted materials and voted on tribal citizenship status.[126] The Fernandeño Tataviam Band of Mission Indians maintains an administrative department responsible for day-to-day activities and management of departments and programs. The administration carries out the work of external grants, organizes monthly community events, and produces a newsletter that is distributed to all members. The tribal administrator supervises personnel, submits contract and grant applications to funding agencies, oversees grant administration, and carries on regular relations with federal, state, local and tribal governments. The administrator also provides support to the Tribal Senate committees, boards, and to tribal members.

The tribe has several administrative departments. The Historical and Cultural Resource Department is committed to protect, preserve, and promote the cultural heritage of the Fernandeño Tataviam Band of Mission Indians. The primary mission of the department is the preservation and protection of all ancestral lands according to applicable laws and

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[124] Doc. 80449.O.TFBMI
[125] Doc. 80450.A.TFBMI
[126] Docs: 80450.C.TFBMI; 80450.E.TFBMI

the traditions and usage of the Fernandeño Tataviam Band of Mission Indians. Any cultural resources that are unearthed are honored with a traditional ceremony of songs, prayers, and dances performed by Fernandeño Tataviam elders and a tribal spiritual leader.[127]

For many years, the meetings of the Fernandeño Tataviam Band of Mission Indians were conducted in public spaces or at the house of the tribal captain or president. Since the early 2000s, the Fernandeño Tataviam Band of Mission Indians had rented business offices for government affairs and administration now located at 601 S. Brand Street, San Fernando, CA. Successes with grant funding and support from the local business community have greatly enhanced the financial capabilities and stability of the government over the past decade.

The Fernandeño Tataviam nonprofit is currently engaged in a variety of projects to enhance the well-being and future continuity of the American Indian community: the Tuhunga watershed environmental and cultural education project, development of Heritage Park with the City of San Fernando, building a Tataviam village for educational purposes at North Hollywood High School, supporting the First Nations Arthritis Self-Management Program in presenting a six-week workshop series, and formation of a one-stop emergency service center to provide for the needs of low income American Indians and Fernandeño Tataviam members. Pukuu also provides emergency assistance to those affected by California wildfires, and through fundraising events provides scholarships to California American Indian students.[128] The Fernandeño Tataviam non-profit and government also distribute historical information about the Fernandeño Tataviam Band of Mission Indians and provide presentations, consultations, and information to public schools and programs.[129]

[127] Doc. 80450.F.TFBMI
[128] Docs: 80450.G.TFBMI; 80450.H.TFBMI
[129] Doc. 80450.I.TFBMI

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (A)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(a)

CRITERIA 87.3(a)

83.7(a) Requires that the petitioning entity have been identified by reliable external sources on a substantially continuous basis as an Indian entity since 1900.

Documents containing evidence of external sources' identification of Fernandeño Tataviam Band of Mission Indians and its predecessors as an Indian entity are summarized and referenced below.

1900 to 1910

March 22, 1904. *The Los Angeles Times* reported: "Aged San Fernando Mission Indian Buried" "Rojerio Rocha, the oldest of the San Fernando Mission Indians, was buried today by the side of his wife in the old cemetery back of the mission chapel."[1]

May 13, 1904. Letter to President Theodore Roosevelt, stating: "The third difficulty arises from the undefined condition of the land question of the Mission Indians. When California was ceded to the United States in 1849, treaty between Mexico and the United States stated that the inhabitants of California, including the Indians, being citizens of the Republic of Mexico, had the privilege to emigrate to Mexico and a term of two years was given during which they might dispose of their land, etc., and then go south to Mexico. All those who would rather stay, however, would enter the United States in the commonwealth under the same conditions as they were under the Mexican rule. Hence, also, the Indians became ipso facto citizens of the United States. They apparently did not know the ways of their new masters; the deeding of their lands and the paying of taxes, it seems, were not done properly. Consequently, the Indian lands were by wholesale into the hands of white people. In some cases, the Indians themselves sold their lands for a trifle. To remedy the evil and to save at least some land for the Mission Indians, Congress reserved 85,000 acres of land in the Southern California for the Mission Indians, empowering the President to have the surveys made and the land reserved, thus the many reservations were created by executive order of the President..."[2]

In this letter an argument is made that the Mission Indians retained rights to land and self-government from Spanish and Mexican law. The term Mission Indian should not be interpreted as a collection of individuals who have ancestry to a baptized member of one of the California Indian missions. The Padres took possession and trust responsibility for the land and for government over the portions of Indian country the Missions came of occupy. According to the California secularization laws of 1834, the Padres were required to return both land and limited self-rule within the Mexican government and laws.[3] The rights of Mission Indians were protected by specific laws and were to be retained in American society after the treaty with Mexico. Missions Indians are groups that had rights to specific mission lands and assets, and they carried these rights with them into the American period. While securing some land was a major issue for landless Mission Indian communities, the US government policy for remedying the landless conditions also included rights to self-government on reservations. The San Fernando Mission Indians retain collective rights to land and self-government and retain those rights under American policy, as is often noted in the literature, as in the letter presently provided above. The San Fernando Mission Indians are a subgroup of California

[1] Doc. 80265.A.LAT
[2] Docs: 40022.B.DC; 40022.C.DC
[3] Docs: 50049.A.UCLA; 50049.B.UCLA; 80427.A.DLO

Mission Indians, and retain rights to land and self-government within the territories once held by San Fernando Mission when it was fully able to protect its trust responsibilities to the several Indian communities within its protection. The San Fernando Indians did not recover or receive protection for their land, nor were their inherent rights to self-government fully and appropriately acknowledged by the US government, as was done with other Southern California Mission Indian communities.

1904. H. N. Rust, a former Special Agent to the Mission Indians, wrote: "Poor old Rogerio Rocha, almost the last of the Mission Indians of San Fernando, has carried his appeal to the Last Court -- that only court in which seems to be justice for his people." "Rogerio is the [San Fernando] Mission Indian whose case became historic by his being made the unwilling corner-stone of a theological seminary. This peculiarly bitter commentary on American ethics was much exploited in the Southern California Press and in the publications of the Mohonk Conference and of the Indian Rights Association at the time, some seventeen years ago." "For sixty years, or more, Rogerio had lived on a little plot of about ten acres of good moist land, near San Fernando." "The old grant by which the title of part of the [San Fernando] Mission properties passed to the De Celis family, it was distinctly specified (as it always was the case in these Spanish titles) that the Indians who might be upon the lands should not be disturbed in their tenure. Eviction was impossible under those old laws."

"In 1889 I [H. N. Rust] was appointed U.S. Indian Agent to the Mission Indians, and during my term assisted Rogerio as well as I could with the miserable pittance allowed by the government to the agent for the sick and indigent of 3000 Indians --about $200 per annum all told! Since then I have called his case to the attention of my successors, and the present incumbent has sent him a few rations. So far as I know, he received about $5 worth in all."[4]

1906. "Responding to pressure groups and Indian demands Congress initiated a series of acts beginning in 1906 to provide land for homeless Indians in California. ....In southern California none of the many landless bands or individuals were provided with home sites as a result of these appropriations. For the most part these federal funds were used to enlarge existing reservations and improve water systems."[5]

The Fernandeños during this time qualified as a landless band, composed of decentralized interacting and cooperative lineages. Along with Mission Indian rights, the Fernandeños would have rights to self-government according to their own laws.

1906. C.E. Kelsey, wrote on June 1, 1916 to the Commissioner of Indian Affairs: "In 1906 I had a conversation with Truxton Beale, Son of E. F. Beale, one of the two heirs, in regard to these Indians. I suggested that was an opportune time to see that the Indians should be provided for as to land, but the purchase from him by the government, of the small tract occupied by the Indians. The Act of 1906 had just been passed with its appropriation of $100,000 for the purchase of land for the California Indians. Mr. Beale was unwilling to make any arrangement. He assured me that the Indians should remain there without molestation as long as the Beale heirs owned the ranch: that he had no intention of selling and that there was no reason for alienating a small tract from the center of

[4] Docs: 80374.A.SFVPP; 80374.B.SFVPP; 80374.C.SFVPP
[5] Doc. 00352b.E.HD

his ranch. As the Tejon Indians were in no immediate danger of eviction and as several thousand other Indians were either evicted or likely to be, I felt it advisable to buy land for the others first."[6]

1907. "Mission Indian Relief Act of 1891 authorizing reservations for each band or village of the Mission Indians in California. Amended as the Indian Appropriations Act." [12/29/1891; Mission Indian Relief Act of 1891] "That it shall be the duty of said Commission to select a reservation for each band or village of the Mission Indians residing within said State, which reservation shall include, as far as practicable, the lands and village which have been in the actual occupation and possession of said Indians, and which shall be sufficient in extent to meet their just requirements, which selection shall be valid when approved by the President and Secretary of the Interior."[7]

April 19, 1908. The Northern California Indian Association adopted the following resolution: "Resolved, That we pledge ourselves individually and collectively to assist to the best of our ability the upholding and the continuance of this work until every landless Indian in California shall he secured the land upon which he can maintain a home; and until public sentiment shall demand full justice for all California Indians."[8]

1910 to 1920

July 20, 1914. The Second Assistant Commissioner (of Indian Affairs) wrote, "Regarding the appropriation for the purchase of lands for homeless Indians in California, you are advised that there is an item of $20,000.00 in the Indian Appropriations Bill for the fiscal year 1915, for this purpose, a part of which may be used for the purchase of lands for the Tejon Indians should it become necessary."[9]

January 15, 1915. Special Indian Agent C.H. Asbury wrote, "There is a small amount of money available for the purchase of land for Indians in California and in a report I made on December 7th suggesting places where this money should be used, I recommended the Tejon situation to be given first consideration and we are anxious to know whether there is a chance of purchasing some land there, in order that steps be taken to use this money."[10]

March 5, 1916. A Special Indian Agent wrote to Mr. C. W. Newberry, "In this connection you will recall that on account of the limited appropriation by the former Congress for the purchase of tracts of land for the location of Rancheria Homes for the landless and homeless Indians of California, it was suggested that only small tracts at this time could be considered, or at least only a limited amount of money could be used for any one band."[11]

1915-1919. Executive Representative of the Indian Board of Co-operation wrote to Dr. W. H. Carruth, Stanford University: "In order that the Indians of California may submit their case to Court

[6] Doc. 40208.B.DC
[7] Doc. 00033.FT0; Doc. 00432.A.RA
[8] Docs: 30018.A.BL; 30018.B.BL
[9] Doc. 40217.A.DC
[10] Doc. 40214.A.DC
[11] Doc. 40212.J.DC

of Claims, it will be necessary for some 300 different bands or groups to formally organize in a way that may enter into a contract with the attorney or attorneys who may present their case."[12]

1916. A.L. Kroeber wrote in "Landless California Indians" "With all the tremendous decrease of the last sixty years, California still ranks fifth in the number of its Indians - 16,000; and yet no western state contains so little reservation land, in proportion to its area. A belated attempt was made in the last ten years (1906-1916) to remedy the earlier oversights and neglect, Congress voting some two hundred thousand dollars for the purchase of homes for homeless California Indians. This amount, wisely spent, has relieved some acute suffering; and has had the salutary moral effect of making the Indians feel that they were not being dealt only injustice."[13]

October, 1916. J.P. Harrington's notes with Informant Setimo Lopez (Tongva Ferandeno married to a Chumash Fernandeño and community member)[14] state: "Fernandeno Linguistic and Ethnographic Notes Recorded in the Field."[15] "Rogerio lived here (San Fernando). He had 10 acres."[16] Espiritu and her son Juan Melendrez (Menenes) [Menendez] spoke Chumash and Tongva dialects.[17] Setimo Lopez knew of Miguel (Leonis) Grande, who was married to Espiritu.[18] Espiritu was the daughter of Odon Chihuya, the Chumash captain on the western San Fernando Valley and also a grantee of the Escorpion land grant in the 1840s.[19] Setimo Lopez was probably born about 1854, and he also knew the Triumfo family. Harrington took the following note: "The Geronimo Lopez Ranch = Sikwagna" "Belonged to Jose Miguel, an old Indian. His son died and another son they carried to the isla and therefore the old man went crazy and his wife Rafaela sold the ranch to a woman of the Feliz family and she sold 20 acres to Geronimo Lopez and some to Reynaldo and they sold all to the company."[20]

"He (Setimo Lopez) apparently lived in San Fernando for much of his life. He was said to have married 'Lola', widow of one of Odon Chihuya's sons, who may have been a daughter of Urbano, another of the grantees of Ranch El Escorpion... Setimo told Harrington that his half-brother Martin Violin returned to live with him at the end of his life and had died in 1904. He further mentioned that Pantaleon, an uncle of Jose Juan Olivas, had lived with him in his old age and had died at his home in 1912.... Clearly Setimo was an integral member of the old San Fernando Indian community, even if there remains some uncertainty about his identity."[21]

Jose Juan Olivas's grandfather, Pedro Antonio Chuyuy, was a member of San Fernando Mission and in 1870 they both moved to and thereafter lived at Tejon Ranch.[22] They were born at Saticoy, a Chumash village, and had relatives at Escorpion and among the Odon family.[23] For his second wife,

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[12] Docs: 30035.C.BL; 30035.D.BL
[13] Doc. 00207.F.BL
[14] Docs: 30056.A.BL; 80003.Z05.JJ
[15] Doc. 00302.A.SW
[16] Doc. 00333.A.SW
[17] Doc. 00322.A.SW
[18] Doc. 00327.A.SW
[19] Docs: SF Baptism #0780; 00329.A.SW
[20] Doc. 00325.A.SW
[21] Doc. 80003.Z05.JJ
[22] Docs: SF Baptism #0231; 80003.Z02.JJ; 80003.Z03.JJ; 80003.Z04.JJ; 80003.Z05.JJ
[23] Docs: 80003.Z02.JJ; 80003.Z03.JJ; 80003.Z04.JJ; 80003.Z05.JJ

Urbano Chari, a grantee for Escorpion ranch, married Marcelina Chihuya, a daughter of Jose Odon Chihuya, the captain of the western part of the San Fernando Valley and grantee at Escorpion Ranch.[24] The name Chari was a title among Gabrielino, Serrano, and Tataviam political leaders and were passed onto their sons. Those who held the title Chari were said to be chiefs.[25] The Escorpion families are connected to the Jose Miguel Triumfo and Maria Rita Alipas families by godparenting and social relations. Jose Miguel Triumfo and his wife Rafaela Arriola [Maria Rafaela Perfecta Cañedo] are godparents to Jose Rafael Perfecto, the son of Urbano and Marcelina.[26] Furthermore, Marcelina was Madrina, or godmother, to Francisco Xavier, the son of Agueda and Roque. Agueda lived in the same household as Maria Rita Alipas at the time of the 1850 census, and they are joint owners of Encino Ranch since the late 1840s, and Agueda is Rita's maternal aunt.[27] Godparenting established social ties among the families and owners of Escorpion, Encino, Tuhunga, Cahuenga, and Sikwagna land grants. Setimo Lopez, Harrington's informant, seems to have married a daughter of Urbano, and he added his own Santa Catalina Tongva background to the web of relations among the prominent families within the Fernandeño community.[28]

1916. J.P. Harrington's notes describing information from "Charles Bell, informant" state: "Los Escurpiones was the ranch of Maria Encarnacion Chohyuya (as I remember the name). She was daughter of Odon, Mr. Bell said, who was chief of all the Indians of the sw. end of the valley. Rogerio or Rodger was chief at San Fernando. Miguel Grande married Encarnacion and the ranch had been her ranch. Encarnacion's son Juan Melendrez, lives at the fine old adobo house (both stories have verandas) at Calabazas. He may know placenames at this end of the valley."[29]

February 14, 1919. F.G. Collett, Field Secretary of the Indian Board of Co-Operation wrote to "Friends" that: "On February 14, 1919, the undersigned in company with California Congressmen and a member of the Board of Indian Commissioners, presented to the Senate Committee on Indian Affairs the pressing needs of the California Indians. At this time we urged that the Secretary of the Interior be authorized to appoint a commission to investigate the condition of the California Indians. The representative of the Office of Indian Affairs opposed that item of legislation and promised the Senate Committee that if the Commission was not authorized, the Office of Indian Affairs would make an investigation and be prepared to report at the next session of Congress. The Office began its investigation on the 15th day of August, 1919, and as a result of the late beginning, is not ready to report...."[30]

1920 to 1930

January 20th, 1920. F.G Collett, Field Secretary of the Indian Board of Co-Operation wrote to "Friends": "The California Congressmen were gotten together on the 20th of January for a Conference. At this Conference, two items were approved as amendments to the Indian Appropriation Bill; one for $20,000 for the care of non-reservation indigent Indian in California;

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[24] Docs: 00329.A.SW; Urbano Chari (SF Baptism #0358); Marcelina Chihuya (SF Baptism #2406); Jose Odon Chihuya (SF Baptism #0780).
[25] Doc. 80005.D.CK
[26] Docs: Jose Rafael Perfecto (SF Baptism #3000); Jose Miguel Triumfo (SF Baptism #2140).
[27] Docs: Francisco Xavier (SF Baptism #3051); Roque (Santa Barbara Mission Baptism #3604); Agueda (SF Baptism #2649); Maria Rita Alipas (SF Baptism #2742); 80109.B.USC; 80332.G.SCUS; 80332.F.SCUS.
[28] Docs: 80003.Z04.JJ; 80003.Z05.JJ
[29] Doc. 00329.A.SW
[30] Doc. 30032.A.BL

...These items were introduced in the Senate by Senator Phelan, but failed to get just consideration....It was passed without our amendments, other than $10,000 for land for homeless Indians. The California Conference members also appointed a committee of three members, namely, Senator James D. Phelan, and Representatives John E. Raker, and John Nolan, accompanied by your Field Secretary (W. L. Collett), to interview the Secretary of the Interior and the Commissioner of Indian Affairs relative to what steps should be taken to gain for the Indians of California their just rights.... The Indians with whom the eighteen treaties were negotiated have a claim of at least $11,000,000, under the provision of said treaties and on the basis of $1.25 per acre. Our California Congressmen are united in an effort to gain the remedial legislation and appropriations that shall be required."[31]

March 23, 1920. Commissioner Meritt testified to Congress: "Mr. Meritt. Congresss has also been making appropriations for the purchase of lands for the California Indians coving a period of years. Several years ago we had employed as a representative of the Indian Bureau Mr. Kelsey, who made the report cited by Judge Raker. Mr. Kelsey spent considerable time in purchasing lands for California Indians our of appropriations made by Congress. Mr. Rhodes. Have those Indians practically all been provided with homes? Mr. Meritt. We have provided homes for approximately 5,000 Indians, and it is estimated that there are about 3,000 Indians who are at this time without lands..."[32]

April 15, 1920. Congressional Report: Claims of Indians Residing in California "NonReservation Indians": "There are about 20,000 Indians belonging to the various bands and tribes of California distributed throughout 50 of the 58 counties of the State. These bands, numbering approximately 300, reside in small villages and range in number from 15 to 600 persons. About 5,000 of these Indians are on small reservations that do not provide sufficient lands upon which they can become self-supporting. The remaining 15,000 are known as "nonreservation Indians," and constitute in the main the bands and tribes who desire to take their claims against the Government for lands originally occupied by them and from which they were for various reasons dispossessed or forced to abandon to the Court of Claims for final adjudication.

Under the Spanish and Mexican laws which controlled prior to the cession of the territory now known as California to the United States, the Indians' rights to occupancy was expressly recognized; and under the Mexican treaty of Guadalupe Hidalgo of 1848, by which California was ceded to the United States, this Government guaranteed the Mexican land titles in the ceded territory as they stood at the time of transfer. Under the Act of Congress of March 3, 1851 (9 Stat. L., 631), which provided for a settlement of the titles to Spanish and Mexican land grants, a commission was appointed to make the settlement and to ascertain the rights of these Indians to lands with a view to setting the same apart to them for their use. From the report dated March 21, 1906, of a special agent of the Department of the Interior, it appears that the said commission in but two cases -- at Pauma and Santa Ynez-- out of several hundred grants, reserved lands for the Indians practically all of these grants having been disposed of as public lands to early miners and settlers who desired the same.

[31] Docs: 30032.A.BL; 30032.C.BL
[32] Doc. 30059.B.BL

In 1851-52 a United States commission was appointed and duly authorized to obtain the consent by cession of the various bands and tribes in California, and secured the signatures of about 400 Indian chiefs and heads of bands to 18 treaties, all similar in terms. However, it appears that there were a few bands with which no treaties were negotiated. The latter bands will, under the said bill, also be allowed to take their claims against the Government to the Court of Claims.

These treaties, which are printed in the report hearings before the subcommittee of the Committee on Indian Affairs, were transmitted with a message from the President of the United States to the Senate an were on June 7, 1852, read and referred to the Committee on Indian Affairs and ordered to be printed in confidence for use in the Senate. The terms of these treaties were substantially as follows:

The Indians agreed--
1. To accept the sovereignty of the United States and to keep the peace.
2. To refrain from retaliation for wrongs done them by the whites, and to aid the civil authorities in keeping the peace and in bringing criminals to justice.
3. To accept certain diminished reservations, 18 in number (aggregating about 7,500,000 acres), described in said treaties by metes and bounds, worth at the Government price of $1.25 per acre about $9,375,000.
4. To quitclaim and cede their rights in their lands to the United States Government.

The Government agreed--
1. To pay the Indians certain sums in goods, agricultural implements, seeds, farm stock, etc., amounting to about $1,800.000.
2. To reserve in perpetuity for the Indians' use and enjoyment different reservations specified in said treaties.
3. To provide skilled instructors in farming, blacksmithing, and woodwork; supervisors, and such assistants as should be found necessary. Said instructions to be continued as long as might be found necessary by the President.

Although the Senate did not ratify these treaties, the Government, which disposed of the lands of the Indians as public domain, made gratuity appropriations from time to time from August 30, 1852--largely for subsistence and civilization--to the present time, aggregating approximately $4,000,000...

Following the transmission to Washington, D.C., of said treaties, these Indians maintain that they made prompt compliance with the terms therein agreed upon and carried out fully tbeir covenants with the Government, and also with the civil authorities. However, no further effort was made by the United State to make new treaties with them or in any way acquire the Indian title to the lands from that day to this nor have the California Indians ever received compensation, other than gratuity appropriations for their rights in lands which they lost.

As to the present condition of these Indians your committee finds that only about one-fourth of them reside on reservations and that the appropriations by Congress for the care and relief of California Indians are usually inadequate for the needs of the reservation Indians--leaving no available means for the remaining (estimated) 15,000 nonreservation Indians. As shown, the latter, who are in the

main the claimants, are without proper school facilities, lands for homes, and care for their aged, indigent, and sick."[33]

July 13, 1920. Albert Kroeber, addressing the Indian Board of Co-Operation on the conditions of California Indians, wrote: "The Indians of California occupy a unique position in their relation to the Federal Government as well as in their social status. The great majority are not on reservations and have never been except transiently some sixty or seventy years ago. The reservation system, so well defined and regulated elsewhere, was at the outset applied to California only half-heartedly, and most of it soon crumbled away. Not only are a plurality of Indians in this State reservationless: they are also landless, and in no direct communication with the Federal Government. In fact, except for such occasion has been instituted in recent years through the efforts of the Indian Board of Co-operation and similar philanthropic enterprises, most of these Indians were not in relation with the Government. Far from being its wards as has been generally assumed, there were outcast orphans, neglected, and with their existence virtually ignored. The treaty guarantees, rationing and annuity payments, school funds, oil and mineral land royalties, government day and boarding schools, assistance from government farmers and physicians, centralized Mission establishments, all of these advantages which at least all the larger tribes elsewhere have enjoyed, the California natives have been practically without.

There are several causes for this anomaly. The first perhaps is the character of the Indians themselves. In contrast with the majority of American natives, they are peaceful, uncomplaining, docile almost to the point of apathy. The Franciscan Padres were able to gather thousands of them at the Missions without resort to force, using only the pressure of persuasion. In other words, it was the very gentleness of the California Indians that has led to their receiving the short end of the deal.

A second factor that militated against their fortunes was their lack of political organization, of cohesion. There were almost no true tribes within this State. The latest map compiled by the University of California shows more than a hundred names sets or bands of Indians. A number of these are linguistic groups embracing several dialects and therefore from the native point of view, a number of distinct nationalities. In effect what little native government these Indians possessed was restricted to the village community and of these there are probably more than a thousand within the present confines of the State. Given this tremendous splitting up into small bodies, coupled with their natural passivism, it is clear that these people were not in a position to succeed in a sufficiently effective resistance against the incoming white to make themselves felt and their just claims respected.

The third cause, the lack of status of the California Indian, is contained in a sad record of the treaties entered into in 1851 and 1852 between the majority of the Indians as represented by their recognized chiefs and duly authorized commissioners of the Federal Government. By these treaties the Indians ceded the most of the land to which they had claims, were guarantee certain reservations of considerable extent upon which they were to remain unmolested, and were promised payment in money and goods. The lands which the Indians thus gave up were in effect appropriated. At least they were thereafter treated as if the Indians had never possessed title to them. The treaties however were not ratified but were buried in the United States senate, with the results that the Government terms with regard to payment and reservation were not kept. When reservations were established it

[33] Docs: 00003.FTO; 00004.A.FTO

was with other limits than had been agreed upon, with due provision for the habits of life to which the natives were wont, and without due provision in fact in most cases for their needs on the reservation itself. The result is that most of them became squatters on worthless corners of land which had belonged to their forefathers, or floated around mining camps and pioneer towns, subject every moment to eviction and without means of support except such as they could pick up.

Considering these tremendously adverse conditions, the California Indians have shown real character. First of all, they have proved themselves ready to work. Farm labor and wood chopping were the principle occupations open to them in view of their complete lack of education, but they were successfully adapted themselves to these. Where they could they farmed for themselves but until allotments which were made to a fraction of the population in recent years, the vast majority never received title to any land, nor were they able in their existence on the ragged edge of society to accumulate sufficient money to repurchase some small bits of the holdings which had been their forefathers.... The shrinkage in California (Indian population) has been enormous. There are a variety of reasons. But one of the most important causes if not the most important has been the homelessness with its attendant conditions bordering on vagrancy, bad housing, lack of dependable subsistence."[34]

May 16, 1921. F.G. Collett, Field Secretary of the Indian Board of Co-operation wrote the Commissioner: "Prior to and at the time of the treaty of Guadalupe Hidalgo the California Indians were in possession of several hundred Spanish grants. The treaty guaranteed to them protection in their possessions. Through trickery and subterfuges of various kinds, these Indians have been wheedled out of all their valuable possessions."[35]

September 5, 1924. Special Assistant wrote to the Attorney General: "We looked into and considered the law somewhat and came to the conclusion that the carrying out of the Government's Indian policy, which embraces the securing of lands for Indians who are dispossessed in any way and particularly for these Mission Indians of California, would be sufficient public purpose to justify condemnation."[36]

1925. Albert Kroeber wrote: "The Indians of this region, Serrano, Gabrielino, and Luiseño, have long had relations to the old ranchos or land grants, by which chiefly the country was known and designated until the American began to dot it with towns. The Indians kept in use, and often still retain, native names for these grants. Some were the designations of the principal village on the grant, others of the particular spot on which the ranch headquarters were erected, still others of camp sites, or hills, or various natural features. The villages, however, are long since gone, or converted into reservations and the Indians, with all their native terminology, think in terms of Spanish grants or American towns. Over much of southern California -- the "Mission Indian" district -- the opportunity to prepare an exact aboriginal village map passes away 50 years ago. The numerous little reservations of to-day do in the rough conserve the ancient ethnic and local distribution; but not under the old circumstances."[37]

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[34] Docs. 30034.A.BL, 30034.B.BL, 30034.B2.BL; 30034.C.BL
[35] Doc. 40220.A.DC
[36] Doc. 40224.D.DC
[37] Doc. 00349.D.HD

Kroeber was outlining a similar pattern for the San Fernando Indians who continue to live in decentralized and autonomous local communities composed of relatively independent lineages at San Fernando, Newhall, Oxnard-Ventura, and Tejon. As Kroeber argues, the Tataviam, Tongva, and Chumash continue to conserve the ancient ethnic and local distribution, "but not under the old circumstances." When reading Kroeber's text, he is assuming that the Tataviam[Alliilklik] are a subgroup of the Serrano; or are the "Western Serrano divisions, the Alliklik and Kitanemuk," as compared to the "two eastern, the Vanyume and present true Serrano."[38] So for Serrano, one can also read Tataviam in the passage above.

May 21, 1927. An article in the *Kansas City Times* recounted the following: "Rojerio Rocha, gold and silversmith at the San Fernando mission, who sang and played a violin and led the choir of many Indian voices, not only helped beat the plates and platters of yellow metal into form for the alter, refectory and dining room. He was also one of the trusted party which stole out from the mission one night and hid golden utensils in Pacoima Canyon, where white men could and cannot find it.

The hiding place was done when word came that the United States soldiers were marching down the San Fernando Valley. The alarm was that they were coming to take possession of the mission and seize all of the material wealth it contained. But there was nothing in this alarm.

Rocha, a stalwart Indian, straight as an arrow and strong as a giant, worked in metals, iron, silver, and gold, at the mission smiths for many years. At his forge he could fashion a window bar of iron, point a plow or with a blowpipe and hammer turn a silver piece of Spanish eight into a finger ring or bracelet for an Indian maiden, as readily as he could beat a lump of gold into plate or platter.

With just as much skill too, he turned lumps and bars of silver into bridle bits, chains, rosettes, stirrups and spurs and similar decorative trifles with which to ornament the saddle horses of the Spaniards.

A tract of about three acres three miles east of the mission on the Pacoima Creek was given to Rocha in an allotment of land to the Indians by Governor Pico. There an adobe home was built for the Rocha family but they were not to live there in peace for long...Rocha wife, sickly to begin with, died from exposure at the roadside where the white men had made them outcasts.

Rojerio Rocha never forgot nor forgave this wrong that had been perpetuated on his family and himself. His faith in Americans, which had come through the gentler treatment of his mission friends, had been outraged and destroyed.

A short time before his death in 1904, when Rocha was nearly 100 years old, he told an Indian friend that he would reveal the secret place of the mission mine...After Rocha died, the Indian friend to whom he had given the sheepskin map delivered it to some white men for a price, with the further stipulation that he was to share in the distribution when the gold plates were discovered."[39]

February 8, 1828. A letter in the Congressional Record from representatives of the State of California, say that Indian rights have been disregarded by the loss of lands negotiated in the 1851

[38] See Doc. 00349.D.HD
[39] Docs: 00372.A.HD; 00372.B.HD

and 1852 treaties, over 70,000,000 acres given up and about 75,000 acres retained on reservations. "The rights of the Indians to their lands in California had been guaranteed by the Treaty of the United States with Mexico. Congress has also passed certain statutory enactments for the protection of Indian titles. The United States Statutes prohibited the purchase of Indian lands from individual Indians. The law further provided that Indian lands could not be sold except by Indian treaties with the United States or by consent of the United States. It was made and offense to settle on Indian lands without having first lawfully acquired title."[40]

"A large percentage of the California Indians are homeless and live in poverty, and suffer from diseases and insanitary conditions. If the action this bill authorizes shall be successful, Congress can provide that this money shall be expended for the benefit of California Indians in relieving them of poverty and disease, and enable them to advance toward independence and self-reliance. The California Indians were deprived of their property in a manner shockingly in disregard of every consideration of justice and humanity. This bill is a belated but commendable attempt to rectify in part the injustice that was done the California Indians."[41]

February 8, 1928. Secretary of Interior wrote to Senator Frazier: "It does not appear practicable, if a suit is to be authorized, to have the usual provision authorizing a contract by the Indians with attorneys. This is because the California Indians are widely scattered and consist of many bands. It is said they comprise no less than 180 different and distinct bands."[42]

1930 to 1940

June 3-9, 1933. J. P. Harrington's notes stated: "June 3, 1933. McPherson, Hovey and me to interview Martin Feliz, 70 years old, ...man of mixed Indian descent...born in Los Angeles now living in a shack ... 1/2 mile downstream of the Pacoima Dam, near San Fernando, Calif. Mr. Feliz is not of the Feliz Ranch family, but is an old timer about LA county. He knew Espiritu, Juan Melendez and others. Martin Feliz says he learned a few Fernandino words which he knows from Rogerio Rocha, whom he knew well."[43]

June 9, 1933. Harrington's notes stated: "Martin Feliz says that Antonio Maria Ortega is still alive at San Fernando and 90 years old, and talks Indian. He will ask him some Indian words."[44]

Martin Feliz was acquainted with many of the leading families and individuals in the San Fernando Indian community.

January 22, 1935. Nathan R. Margold, Solicitor of the Department of Interior wrote: "The California project is to be located on tracts purchased by the United States from private owners under authority of the Act of June 21, 1906 (34 Stat. 325), the Act of April 30, 1908 (35 Stat. 70) and the Act of August 24, 1912 (37 Stat. 518), all of which are general Indian appropriation laws. The 1906 act

[40] Doc. 00012.A.FTO
[41] Doc. 00012.B.FTO
[42] Doc. 00012.B.FTO
[43] Doc. 00338.A.SW
[44] Doc. 00339.A.SW

contains the following language: for the use of the Indians in California now residing on reservations which do not contain land suitable for cultivation, and for Indians who are not now upon reservations in said State, suitable tracts or parcels of land, water, and water rights in said State of California (34 Stat. at 333.)"[45]

March 27, 1937. Mission Indian Agency, Riverside, CA reported: "It is estimated approximately 4,000 people having some degree of Indian blood but not affiliated with any Mission reservation reside within the jurisdiction of this agency. This includes a large number of Indians living iu and adjacent to the city of Los Angeles. Many of these people are not enrolled at any agency. Others are enrolled at jurisdictions elsewhere. We do not have field personnel available with which to make a census or any kind of record of these unenrolled Indians. However, we feel that an addition to the Indians carried on the Mission census rolls number 2956, it should be considered for population purposes that we have at this agency some 4,000 unenrolled Indians for whom we are more or less responsible. Much of our time and attention is devoted to the affairs of these people."[46]

1940 to 1950

March 18, 1941. Obituary for Antonio Maria Ortega appearing in the *San Fernando Valley Sun* reported: "Mission Indian, 93, Dies at Home Here. Reputed to be the last of the old San Fernando Mission residents, born and raised on the Mission grounds, Antonio Ortega, believed to be 93, or possibly older, passed away at his home here on Coronel St. last Thursday....He is mourned by seven sons and daughters, Mrs. Crissie Rodrigues, Kathryn Mendosa, Mrs. Vera Salazar, Mrs. Sallie Verdugo, James Ortega and Leojio Ortega. He also leaves 24 grandchildren, 14 great great grandchildren and one great-great-great grandchild. All live in San Fernando."[47]

March 17, 1948. "On the other hand, some Indian groups that originally were tribes in the ethnological sense have become subdivided in the course of time into separate bands, each exercising political authority, and these bands have secured recognition from Congress or the executive officers of the Government. Governmental recognition of tribes and bands has been accorded in the process of treaty-making, or has been implicit in the establishment of reservations for groups of Indians by acts of Congress or Executive orders, or in the types of legislative or administrative action. There has been no such recognition of "the Indians of California or the "Indians of California, Inc." or the "Mission Indians of California" or the "Federated Indians of California" as a tribe or band exercising political authority."[48]

The legal opinion given here states that corporate groups such as Mission Indians of California or Indians of California are not recognized as a tribe or band. Many bands as subgroups of Indians of California or Mission Indians have been recognized. While much of literature talks about Indians of California, or landless Indians, or Mission Indians, few if any argue that any of the latter groups are collective political Indian groups or entities. California Indian social and political organization tends toward lineages and tribelets, which compose small politically sovereign entities of lineages or coalitions of lineages. The Fernandeño Indians of San Fernando follow the general pattern

[45] Doc. 80433.A.DI
[46] Docs. 80434.A.BIA; 80434.B.BIA
[47] Doc. 80129.A.SUN
[48] Doc. 000433.A.RA

throughout California, being composed of several political autonomous lineages and which engage in cooperative and friendly relations. Political leadership is often focused with lineage headmen, or captains, and who have limited executive powers, and who rule with consent from their families. The literature, for matters of convenience, uses expressions like Indians of California or California Mission Indians, but these expressions are not designed to erase the specific band character of the political communities. California Mission Indians or California Indians or Landless Indians do not comprise a historical political group or have common culture, but may share similar policy interests, such recovering some tribal land and reestablishing federal recognition. The Fernandeño Mission Indians, the expression generally used before 1955, were a coalition of specific family or lineage ties composing one of the many Indian bands in California.

1950 to 1960

1953. Albert Kroeber's analysis of land claims for the Indian Court of Claims inAppendix D identifies villages that should have claims to land among the Gabrielinos of Los Angeles County. Several Fernandeno villages are also mentioned: Cahuenga, and other San Fernando Mission villages.[49]

1953. Albert Kroeber's Notes stated that the land claim brought by the 46 bands included damages suffered by the Fernandeños: "Fernandeño - most of territory".[50]

1955. Dr. Robert Heizer stated inCourt of Claims testimony: "The data are contained in a statement by A. L. Kroeber entitled "Continuity of Indian Population in California from 1770/1848 to 1955". Dr. Kroeber's study is an analysis of a sample of 600 individual applications from the 40,000 or so in the great roll of Indians of California as officially drawn up by the Bureau of Indian Affairs enrollment under the law of 1928. The sample of 600 was concentrated on supposedly vanished, obscure, or what were commonly believed to be extinct groups. 491 of the applications provided pertinent data (the balance were either in error, referred to well known groups with large numbers of survivors, or could not be found...) ....In most cases survivors of identifiable groups could trace their ancestry back to 1852 had, in 1928, offspring who have continued the Indian strain to the present day...Kroeber's analysis shows that with the exception of some of the Shoshonean groups (e.g., N. Paiute, Chemehuevi) the Washo, and the large groups such as the Yokuts, Miwok, Maidu, Yurok, etc. which are known to have large numbers of survivors today that almost ever group identified between 1700 and 1850 is represented by some lineal descendants surviving today."[51]

1955. Research Results of Albert Kroeber state: "Gabrielinos, Fernandeno p. 154. 1. The mission recruitment was indeed heavy. In fact it was complete for these two (Gabrielino, Fernandeno) related groups. It did not however lead to complete racial extinction. The 600-name sample of affidavits for 1928 roster includes 8 Fernandeño and 6 Gabrielino -- these figures being as always minima."[52]

1960 to 1970

[49] Doc. 00251.A.BL
[50] Docs: 00265.A.BL; 00265.C.BL
[51] Doc. 00255.A.BL
[52] Docs. 00256.B.BL; 00256.C.BL

May 1969. San Fernando Mission Indians formed a baseball team for young boys. Funds gathered by donations from nearby merchants and the public. The baseball team lasted for 10 years, 1969 to 1979.[53]

1970 to 1980

1970s. *The Valley News and Green Sheet* reported: "Mission Indians Will Hold Meeting, Dinner at Park. "The San Fernando Mission Indians will hold their regular meeting and pot luck dinner on Sunday, starting at 1 p.m., at Brand Park, 15174 San Fernando Mission Blvd., in Mission Hills ...This meeting will be of great interest to non-reservation Indians also since information on benefits available to them will be offered ..."

June 26, 1970. *Los Angeles Times* reported: "Indians to Confer.. MISSION HILLS - Members of the San Fernando Mission Indians, an organization of descendants of the Mission, will meet Sunday at noon at Brand Park, 15174, San Fernando Mission Road, to organize a July 4 meeting with the Chuma(sh) Indians of Santa Inez."[54]

December 9, 1970. *The Valley News and Green Sheet* reported: "Donations of a vehicle as well as Christmas toys and food items is being sought for the San Fernando Mission Band Indians. Rudy Ortega, field representative of the Joint Venture Project of the Northeast Valley, reports a pickup truck, van, or station wagon is needed to serve the Valley's Indians descendants of representatives of a number of tribes who lived and worked at the San Fernando Mission ..."

December 30, 1970. *Enterprise Sun & News* reported: "Rudy Ortega, coordinator for the Mission Indians and field representative for the Joint Venture project, is heading the effort...Mission Indians are conducting the search, although they are being sponsored by the Joint Venture Project, under the federally funded Economic Your Opportunities Agency. Joint Venture had three office in the San Fernando Valley - Pacoima, Van Nuys, and San Fernando - which supply aid of food, clothing and housing to members of all races in need of the service."

"Rudy himself is a fifth generation Mission Indian, so his interest in preserving his own heritage is well-founded....Ortega, descended from the San Fernando Mission Indians, said pictures and writing were discovered in the cases in earlier explorations and are given brief mention in existing books....Ortega said this was the first historically oriented effort of the San Fernando Mission Indians, sponsored by Joint Venture. However, their work with the community people in the past has been tremendous. Ortega described his efforts as assisting the Indians in receiving welfare if they are eligible, and finding jobs for them as soon as possible... Ortega has worked with Joint Venture for nearly three years. He often takes his story to area schools for presentation."[55]

January 28, 1971. *The Valley News* reported: "Tribal History Preserved: Cave Drawings Reveal Chumash Indians' Past". "Rudy Ortega, member of the San Fernando Mission Band Indians....

[53] Docs. 80301.L.FTO; 77077.A.FTO; 70078.A.FTO
[54] Doc. 80423.A.LAT
[55] Doc. 80301.T.FTO

Friday's group included two members of the San Fernando Band of Mission Indians, Rudy Ortega and Paul Aguilar."[56]

January 31, 1971. *The Los Angeles Times* reported: "Mission Indians Try to Safeguard Cave Paintings of their Ancestors" by Kenneth Lubas. "Valley descendants of the San Fernando Mission Indians are going to ask Rocketdyne to safeguard ancestral cave paintings by enclosing them in glass...and the Fernandeno Indians who roamed the Valley and Los Angeles basin ... 'This is why we're so interested in protecting the paintings,' says Rudy Ortega, 44, a fifth generation Mission Indian and coordinator of the tribe, which has 62 adults."[57]

February 17, 1971. *The Los Angeles Times* reported: "Tribe Opens Petition Drive for Monument...Valley descendants of the San Fernando Mission Indians are conducting a petition drive to have a portion of Rocketdyne's rugged Santa Susana Mountains engine test site declares a state and/or national historical monument....Rudy Ortega, a fifth generation Mission Indian and tribe coordinator, said the petitions request not only park designation for the land, but also protection for the cave paintings immediately by enclosing them in glass. 'We are also planning to meet with Rep. James Corman (D-Van Nuys) to outline our drive,' Ortega said.... 'If there is any chance of our securing the site for the people, we are going to try,' he said.... They describe the cave paintings and surrounding terrain as important 'in the sense it is a real find in the Mission Indian's search for self identity and heritage.'"[58]

March 7, 1971. *The Valley News and Green Sheet* reported: "Indians in Quake Area Offered Aid" "Indians of all tribes who need help as a result of the Feb. 9 earthquake are invited to get in touch with Rudy Ortega of the San Fernando Mission Band Indians ... The Mission Band Indians will discuss problems causes by the earthquake when they meet Sunday, March 7, in San Fernando Mission Park, Ortega said."

June 10, 1971. A Letter from Mrs. Lupe Ramirez to Dr. Miguel Montes, Chairman of the Joint Venture Board of Directors stated: "...the San Fernando Community voted to support and demand that the American Indians be given equal representation on the Board and fully supported the nomination of Rudy Ortega representing the Mission Indians of San Fernando.... The following organizations had members in attendance at this meeting of June 10, 1971...Mission Indians..."[59] The Joint Venture Project of Northeast Valley in 1971 was an antipoverty project.

August 27, 1971. The Valley News reported: "Indians May Press Claim on Rocketdyne Test Site" by Julie Jacobs. "Last January another group, including an anthropology instructor, two members of the San Fernando Mission Band Indians and members of the press, accepted Rocketdynes hospitality. Now the paintings and their setting have become important to Mission Band Indians, newly conscious of their role in history, and to one in particular, Rudy Ortega, ambitious and aggressive tribal coordinator of the Mission Indians. Ortega, also known as Chief Little Bear, wants the land around

[56] Docs: 80560.A.SFVN: 80560.B.SFVN; 80301.U.FTO
[57] Docs: 80561.A.LAT; 80561.B.LAT
[58] Doc. 80425.A.LAT
[59] Doc. 80301.B.FTO

the cave set aside as a San Fernando Mission Band Indian Reservation and his group has had several meetings. An 11-man council has been elected to pursue the project ... Members of the San Fernando Mission Band, descendants of those who resided at the mission in the early days, represent a number of tribes and could possibly qualify as protectors of Chumash culture."

September 28, 1971. William Oliver, Acting Area Director, BIA, Sacramento wrote: "It is suggested that the San Fernando Mission Band first verify the status of the lands, obtain a legal description, and explore with the Band's State Congressional Delegation the possibility of having a bill introduced." (to establish a new Indian Reservation).[60]

September 11-13, 1971. A local newspaper, perhaps the *Daily News,* reported: "Fifty-six children of the San Fernando Mission Band Indians are preparing uniforms and dances for a celebration of Mexican Independence Day. The young people have been making the Indian clothes and practicing authentic Indian dances under the sponsorship of the Northeast Valley Joint Venture Project, an anti-poverty agency."[61]

October 31, 1971. *The Los Angeles Times* reported: "Pacoima -- -- Norman Schumant, official with the Federal Bureau of Indian Affairs, will discuss the $29.5 million vote by Congress to pay off land claims of California Indians at the installation of officers of the Mission Indians. Installation ceremonies will be held Sunday, November 7, at 1 p.m. at the Mary Immaculate Catholic Church, 13838 Mercer St. Rudy Ortega, president of the San Fernando Mission Indians, said local Indians are wondering about the status of the allocations."[62]

February 18, 1972. *The Valley News and Green Sheet* reported: "Indians Invited to Valley Meeting at Mission Park" "Rudy Ortega, who has been the tribal coordinator for the San Fernando Mission Band Indians, has announced the meeting ... Mission Band members are only those who are descendants of San Fernando Mission Indians."

July 9, 1974. A Resolution of the Senate Rules Committee by Senator Alan Robbins, Relative to Commending Mr. Rudy Ortega found: "Whereas, He formed the San Fernando Mission Indians in 1968, the San Fernando Valley Inter-Tribal, Inc., in 1970...."[63]

1970s. An unidentified newspaper reported: "Indians Return to Mission" San Fernando Indians reconstruct demonstration Indian village for public event at San Fernando Mission grounds.[64]

1980 to 1990

January 5, 1985. *The Daily News reported:* "Ortega said that many people believe the descendants of the original Gabrielinos and Fernandino Indians from the San Fernando Valley are gone, but he

[60] Doc. 00130.G.FTO
[61] Doc. 80643.A.FTO
[62] Doc. 80416.A.LAT
[63] Doc. 00029.FTO
[64] Doc. 80301.L.FTO

knows of at least 280 descendants in this area and he would like them to use the Encino artifacts to remind them of their heritage."[65]

February 7, 1985. *Los Angeles Times* reported: "Indian Tribes to Demand Reburial of Ancestors: 'Lost Village of Encino' Excavation'".[66]

February 8, 1985. *Los Angeles Times* reported: "Tribes Question Which Will Bury Ancestor's Bones" " About 25 members of the Chumash and Fernandino tribes turned out Thursday morning for a meeting at Los Encinos State Historical Park, across the street from the construction site, to discuss reburial of the human bones found by archeologists. The talked for two hours in private, and participants later said only they had agreed to meet again....Barthelemy said the Gabrielenos believe the ancient settlement 'was a Gabrieleno-Fernandino village.' The remains discovered are those of their ancestors, and perhaps some Fernandinos, but not of the Chumash, whose territory was west and south of the Santa Monica Mountains, he said."[67]

1985. *The Los Angeles Times* reported: "Unearthing a Hidden Past" "Maybe by displaying these artifacts, we will remind people that we [Indians] have been here a long time and plan to stay here. Rudy Ortega, Fernandeno Leader."[68]

1989. In "Brief Regarding Federal Protection for Indian Burial Sites on 'Private Lands' in Southwestern United States" California Indian Legal Services wrote: "Plaintiff RUDY ORTEGA is the descendant of many of those buried and the elected Chief of the "Fernandeno" tribe to which such individuals belonged during their lifetimes. Although the "Fernandenos" are not a Federally recognized tribe, their interests in protection this burial site are no different that those of other recognized tribes in protecting ancestral burial sites now located in nominally "private" lands once subject to Spanish and Mexican jurisdiction."[69]

1990 to 2000

October 13, 1993. *The Los Angeles Times* reported: "Chief Little Bear's Thoughts" "Rudy Ortega (Chief Little Bear) of San Fernando, who is chief of the Fernandeño Tribe."

March 27, 1996. In *A Second Century of Dishonor: Federal Inequities and California Indian Tribes* it states: "The Fernandeño Tataviam tribe's greatest strength lies in unity. Through reliance on the community for support and survival, the tribe has been able to endure the lack of government funding. Families play an important part in tribal affairs. All members of the Tataviam are entitled to vote and have a voice in everything that is brought before the tribal council. Although the tribe has a contemporary tribal council, traditional forms of government also remain.... The tribe uses traditional forms of settling disputes among its members. The tribal council then appoints someone to initiate the process of mediation, notifying the persons involved to schedule the time and location. In the mediation process a neutral third person helps the two parties resolve their differences and to

[65] Doc. 80301.P.FTO
[66] Doc. 80301.Y.FTO
[67] Doc. 80301.Z.FTO
[68] Docs: 80301.R.FTO; 80301.S.FTO
[69] Doc. 00129.A.FTO

arrive at an agreed-upon solution. The parties are immersed in resolving the dispute, creating ownership of the solution, and producing an agreement that both can accept... Despite being unrecognized, the Tataviam tribe maintains a tribal organization and holds monthly meetings. The tribe conducts a powwow, makes presentations in the surrounding communities, deals with dispute resolution, and ensures equality among the members. "[70]

July 24, 1996. *San Fernando Valley Sun.* "The Fernandeno/Tataviam Tribal will host the Peace and Dignity Journeys, spiritual runners on Tuesday, July 30, from 12 noon to 4 p.m. at San Fernando Park, 208 Park Ave. Fernandeno/Tataviam Chief Little Bear (Rudy Ortega, Sr.) states "Peace and Dignity Journeys is a non-profit organization set up for the purpose of spiritual runs throughout North, Central, and South America. As indigenous people, we know that running was and is vital par of ceremonial life, involving nations, their cultures, traditions and way of life to other native nations and the rest of the world."[71]

July 21, 1997. T*he Daily News* reported: "Indians to Join Celebration; Mission to Honor Bicentennial, Valley History" "The San Fernando Mission's 200th birthday party will include participation by American Indians, now that tribal members have settled their disagreements with event organizers. Still, members of the Fernandeno Tataviam Tribal Council say their contributions to the Sept. 5-7 event may be somber in recognition of what many consider a particularly painful chapter in American Indian history. 'They're asking us to celebrate the beginning of the end of our freedom,' said council member Jim Garcia. 'What's to celebrate?' Although many historians dispute such accounts, Fernando Tataviam tribal members contend that Indians provided the muscle and sweat to build San Fernando Mission under conditions equivalent to forces labor.... While disputes over history may never be resolved, other points of contention have been settled as a result of talks among Rudy Ortega Sr., chairman of the Fernandeno Tataviam council; Los Angeles City Councilman Richard Alarcon, who is organizing the celebration; and Monsignor Francis Weber of the San Fernando Mission.... The tribe plans a private rather than a public ceremony, including song and prayer, with a few members of the press but no cameras, said the senior Ortega. 'This is a very sacred ceremony,' he said."[72]

September 3, 1997 The *Los Angeles Times* reported: "Native Americans Resurrect Heritage," "For more than 30 years, Ortega--who goes by the name of Chief Little Bear--has donned a headdress and American Indian garb and led community parades and hosted civic functions, as head of the local Tataviam tribe. These days, he is often accompanied by this 22-year old son, Rudy Jr. -- or Standing Bear, the tribe's aspiring "spiritual leader." As chief Ortega Sr. heads the council of elders for the Valley's Tataviam tribe, which arranges help for the needy Native American families and sponsors holiday parties and toy giveaways at Christmas and Easter."[73]

July 27, 1999. *The Daily News* reported: "New Tribal Rites: 18 Holes Challenged for Indians" "Chief Little Bear knows preserving the heritage and culture of his people depends on much more than their federal recognition as an American Indian tribe. Their future is their young people. That belief brought him and other members of the Fernandeno/Tataviam tribe to visit the Vista Valencia

[70] Docs: 80453.A.Ferguson; 80453.B.Ferguson; 80453.C.Ferguson
[71] Doc. 80679.FTO
[72] Docs: 80456.A.DN; 80456.B.DN; 80456.C.DN
[73] Doc. 80680.A.FTO

Golf Courses on Monday for the inaugural tournament to raise money for activities of children and teens... The tribe hopes to promote participation by children and teens in events that help teach them about the tribe's history, spiritual practices, music, traditional arts and ceremonies... Chief Little Bear said there have been 60 years of periodic paperwork, organization and tracking down tribe descendants..."[74]

2000 to 2009

2000s. *The San Fernando Valley Sun* reported: "An Opportunity to Share their Heritage Fernandeñ Tataviam Band of Mission Indians Will Conduct the Blessing at Day of the Dead Festival. "At lot of people don't know that there's a tribe here in the San Fernando Valley," said Mark Villaseñor, one of the Fernandeño Tataviam Indian tribe members how will be conducting the blessing for the Day of the Dead Family Festival this Saturday. Dia de los Muertos is a religious tradition steeped in its indigenous roots. The blessing by a local indigenous people is in keeping with tradition.... Currently there are about 450 tribe members living in the San Fernando Valley, which all stem from four ancestral families, said Villaseñor. The tribe is set up as a self-governing entity, with their own senate, chief, and constitution. 'This [blessing] is special because it's sharing our culture with the people in the Valley.' Villaseñor said of the tribe's participation in the Day of the Dead Festival.[75]

May 28, 2000. *The Los Angeles Times* reported: "Tribal Heritage: Native Americans Seek U.S. Recognition of Their Status" by Annette Kondo. "Ortega, also known as Chief Little Bear, dreams of a clinic, a youth center and a home for the elderly. But it is his younger, more pragmatic son and heir apparent who sees a casino in Los Angeles County as a way to pay for those dreams. 'My father might not want to see that,' said Rudy Jr., after a recent meeting of about six of his tribal council members at his Sylmar home ... Fernandeno/Tataviam tribe traces its history to the early days of the San Fernando Mission ...[76]

July 13, 2001. *The Los Angeles Times* reported: "Rita N. Rivera, an elder of the Tataviam tribe....in the late 1960s she helped revive the Fernandeno-Tataviam Council to represent people with Tataviam roots attempting to get federal recognition." "She was proud when her grandson became a board member. She was thrilled her grandchildren were continuing the tradition." (Rudy Ortega Jr.; last two lines only).[77]

November 15, 2001. *The Daily News* reported: INDIAN VILLAGE PROJECT DEBUTS, STUDENTS CREATE EARLY TRIBAL TOWN "North Hollywood - A representation of a traditional Fernandeno Tataviam Indian village - handcrafted from willow branches, cattails and canvas - officially opened Wednesday in a ceremony at North Hollywood High School. About 40 students who spent more than a year creating the village will now serve as docents to touring groups of elementary students... Members of the Fernandeno Tataviam Tribe - one of Southern California's original American Indian tribes - designed the village based on their knowledge of how their ancestors lived.[78]

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[74] Docs: 80455.A.DN; 80455.B.DN; 80681.A.FTO
[75] Doc. 00098.FTO
[76] Docs: 80567.B.LAT; 80567.A.LAT; 80567.C.LAT
[77] Doc. 80331.A.LAT
[78] Doc. 80454.A.DN; see also 80584.A.FTTC; 80584.C.FTTC

November 14, 2002. *The Daily News* reported: "LAND: City of San Fernando Plans for Open Land", pp. 4, 10: "Several ideas for the park were presented during the meeting. Among them was to plant a row of fruit trees, to create a Fernandeño Tataviam Native American village in honor of the Indian tribe in San Fernando ... Chief Little Bear (Rudy Ortega Sr.), President of the Fernandeno Tataviam tribe said he supports exploration of the site,, "We support the idea of the city acknowledging DiTomaso's proposal to conduct an archeological dig to further study the location that might have been a possible village site. The village that may be there is called 'Pasakenga' which means the 'place of the pass through San Fernando.'"[79]

February 2003.A report stated: "The Fernandino/Tataviam has reached agreement with State Senator Richard Alcorn that a bill to grant State recognition will be introduced in February, 2003...The draft legislation has already been approved by the Senator's office...There are presently three non-recognized Tribes in California that believe they have received State recognition. This situation should be clarified by Fernandeno/Tataviam legislation."[80]

2003. Fernandeno/Tataviam Tribe Act "In the House of Representatives, 2003, Mr. Berman introduced the following Bill; which was referred to the Committee on Resources: To Affirm and clarify the Federal Relationship of the Fernandeno/Tataviam Tribes as a distinct federally recognized Indian tribe and to restore aboriginal rights, and for other purpose. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled.*"[81]

May 25, 2004. Letter from Howard L. Berman, Member of Congress, to the Department of Health and Human Services stated: "Re Fernandeño Tataviam Tribe....cc. Mr. Rudy Ortega, Jr., Tribal Administrator, Fernandeño/Tataviam Tribe, 601 South Brand Blvd., Suite 102, San Fernando, CA 91340." [82]

June 6, 2006. Secretary of State of State of California stated in: "Articles of Incorporation" "The name of this corporation is **Fernandeño Tataviam Band of Mission Indians.**" "Endorsed-Filed in the Office of the Secretary of State of the State of California."[83]

October 27, 2006. *The Tidings* reported: "Mayor Ushers in Inaugural American Indian Heritage Month" "Before the City of Los Angeles was founded by settlers 225 years ago, 'we had the Tongva in the L.A. Basin, the Tataviam in the North San Fernando Valley, the Chumash in the coastal areas around the Santa Monica Mountains,' said (Mayor Antonio) Villaraigosa. 'These were the first people of Los Angeles and today we acknowledge them... Everywhere we go throughout the city and county our Indian roots still stand,' he continued. 'But let us not relegate our American Indian history and traditions to the past, because it's part of our present and future culture.'" "Rudy Ortega, Sr., Tribal Chair of the Fernandeño/Tataviam Tribe, told *The Tidings* he was pleased with the city's

[79] Doc. 80718.A.FTO
[80] Doc. 00076.C.FTO
[81] Docs: 00046.A.FTO; 00046.B.FTO; 00046.C.FTO; 00046.D.FTO
[82] Doc. 00071.A.FTO
[83] Doc. 80452.A.TFFMI

proclamation of November as American Indian Heritage Month. 'We waited a long time for this and we got it with the mayor's support.' said Ortega."[84]

February 4, 2007. *The Daily News* reported: "Who Are You Calling Extinct? Development Report Neglects Tribe." "They have an office in San Fernando, their own web site...They are the Fernandeno Tataviam Band of Mission Indians. But an environmental impact report for a 1,400-home housing development outside Santa Clarita found the tribe to be extinct, drawing criticism from Indian groups.... Rudy Ortega Jr., tribal adminstrator for the Tataviam band of Indians, said developer Newhall Land knows the tribe exists because it is working with them on another project involving Tataviam cultural sites. 'For us at first, when we discovered this error, many of the tribal representatives were kind of shocked to heat that," he said, "but (we) knew that is was a mistake and that Newhall would correct it was well.... In addition to the Wishtoyo Foundation's criticism of the EIR (Environmental Impact Review), the California Native American Heritage Commission also submitted a letter to the Planning Commission arguing the Tataviam had been overlooked. Marlee Lauffer, spokeswoman for Newhall Land and Farming Co., said the part of the EIR that calls the Tataviam extinct was based on a report written in the 1970s. But Newhall Land has been working with Ortega and his tribe, she said."[85]

October 26, 2007. A press release from the Office of the Mayor announced: "Mayor Villariagosa Kicks Off American Indian Heritage Month" "Honoring the City's American Indian heritage, Mayor Villariagosa welcomed 200 guests to the opening reception, including elected officials, and City and community leaders. The Mayor also welcomed Anthony Morales, of the Gabrieleno Tongva Indians, and Rudy Ortega, Jr., of the Fernandeño Tataviam Indians."[86]

January 23, 2008. *Wilderness Way* reported: " He (Rudy Ortega, Jr.) is the son of the chief of the Tataviam, Rudy Ortega, Sr., also known as Standing Bear. We learned that the bear is a key totem to the Tataviam.... According to anthropologist Chester King, the Tataviam are clearly not extinct. 'The only thing extinct about the Tataviam is their language.' says King... The Tataviam people have also been known as the Fernandenos, after the San Fernando Mission. Indeed, the mission was built there precisely because these people were there... The Tataviam currently commemorate four main ceremonies each year, corresponding to the solstices and equinoxes. Only the summer solstice is closed to the general public. Today, members still do sweats, typically in private gatherings in backyards. Rudy Jr. works to follow in the footsteps of his father. As the administrative director of the Tataviam tribe, he assists with schooling, mentoring, and anti-gang and antialcohol programs..."[87]

[84] Docs: 80458.A.DN; 80458.B.DN; see also 80591.A.FTMI
[85] Docs: 80457.A.DN; 80457.B.DN
[86] Doc. 00124.A.FTO
[87] Doc. 80002.WW

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (B)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(b)

CRITERIA 87.3(b)

83.7(b) Requires that the petitioner has maintained a continuous community from historical times to the present day. A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times.

Pre-Mission Regional and Lineage Community Organization: Before 1797

The distinct community of the present-day Fernandeño Tataviam Band of Mission Indians (hereafter sometime referred to a Band) originates in the lineages, villages and culture of the pre-1797 period. San Fernando Mission was established in September 8, 1797 and we take this date as a marker between the pre-mission and mission period. Before establishment of San Fernando Mission, the Indians in the region lived in lineages-villages associated with territories. San Fernando Mission gathered converts from the Indian villages in the geographically surrounding area ranging from present day Santa Catalina Island and Malibu in the west, Cahuenga and Encino in the south, Tujunga in the east, and the present-day Tejon Ranch in the north.[1] The tribal villages, or tribelets, in this area consisted of Chumash, Kitanemuk, Tataviam, and Tongva speakers[2]. All four major linguistic groups intermarried extensively and had economic, social, and cultural relations with one another.[3] Each tribelet or lineage held territory and maintained political and economic sovereignty over its local area.[4]

The villages or bands, as the anthropologist A. L. Kroeber said, "were de facto self-governing, and it was they that each owned a particular territory, rather than that the nationality owned the overall-territory. Ordinarily, the nationality, miscalled tribe, was only an aggregate of miniature sovereign states normally friendly to one another."[5] A. L. Kroeber defines a tribelet as containing 250 to 200 people, and a lineage having 100 people or less.[6] He argued there are few tribes in California, but lineages tend to prevail in the arid desert and mountain areas; while tribelets were more frequent in the valleys, and both acted as miniature sovereign states over local territories.[7]

The villages commonly recognized in the literature for the San Fernando Indians were not corporate entities, but rather were extended lineages.[8] Kroeber said "[i]n southern California, the mountain and desert peoples lived in lineage groups, each possessing a territory, a chief, and a fetish bundle or set of religious paraphernalia (Strong, Aboriginal society in Southern California, UC-PAAE. 26,1929). Whose groups can be conceived either as clans or as tribelets, according to the factor of consanguinity or autonomous territoriality is emphasized... I concur fully in Gifford's (Lineages) interpretations. Any seeming difference is due to the fact that he was

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[1] For maps see Docs. 80450.L.TFBMI; 80359.A.SFVPP; 80359.B.SFVPP; 00083.A.FTO; 00083.D.FTO; 00214.A.BL; 00269.A.BL; 80575.C.JCGBA.
[2] Docs: 00083.D.FTO; 00083.E.FTO; 00083.H.FTO; 00353.A.HD; 80381.A.SFRDE; 80381.B.SFRDE
[3] Docs: 00123.A.FTO; 00353.B.HD; 80002.WW; 00083.O.FTO; 00354.H.HD; 00353.B.HD; 30063.C.BL
[4] Docs: 00264.A.BL; 00206.A.BL; 00261.E.BL; 00261.F.BL; 00261.G.BL; 00261.I.BL; 00261.BL; 00261.L.BL; 00261.M.BL; 00261.P.BL; 00263a.B.BL; 00263a.D.BL; 80381.B.SFRDES
[5] Docs: 00264.A.BL; 00206.A.BL
[6] Docs: 00264.E.BL; 00264.F.BL
[7] Docs: 00264.H.BL; 00264.I.BL
[8] Doc. 00206.A.BL1

concerned with showing the local lineage as the structural element historically underlying California societies, whereas I am dealing descriptively with the political or population units as actually found in certain areas only."[9]

Takic speakers like the Tataviam, Kitanemuk and Tongva lived in patrilineal and patrilocal lineages, while the Chumash lineages were matrilineal.[10] In the Takic lineages, when the bride moved to her husband's village, she broke relations with her family and was expected to remain loyal to her husband's people.[11] The lineages in the region intermarried for strategic economic and political ends and formed a loose coalition of social, economic, and ceremonial cooperation.[12]

The area which became the estate of the San Fernando Mission was not occupied by one homogenous cultural or political group. The region was a crossroads of multiple cultures, languages, and numerous sovereign political entities, mainly lineages organized as villages. The language groups in the area were Tataviam, Tongva, Chumash, and Kitanemuk. Only portions of these populations were baptized and joined the San Fernando Mission. Neither language nor marriage patterns determined political or national organization.

The Tongva, Kitanemuk, and Tataviam were western Takic speakers and they shared ceremonial, marriage relations, and economic exchanges. The Takic speakers are patrilineal, patrilocal and exogamous. The Chumash were matrilineal and spoke a language from a different language group than the Takic speakers. Nevertheless, the Chumash were engaged in the social, economic and political exchange of the region. Because of the high level of interaction, all groups had ceremonial, marriage, and political ties to lineages and villages that were both inside and outside the territories that would come under the San Fernando Mission.

For the western Takic cultures, the primary entity of social organization was not the village, but the kinship group, what we might call a lineage or a clan or band.[13] Kroeber called this pattern a cultural emphasis on consanguinity, rather than on territoriality. This pattern was prevalent throughout most of southern and other parts of California, and among most groups who became known as the Mission Indians of Southern California. Bands or tribelets were composed of groups of cooperative lineages who share a common culture, but political power, social identity,

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[9] Docs. 00263.H.BL; 00263.I.BL. See also Strong, William Duncan *Aboriginal Society in Southern California* (Berkeley, CA: University of California Press, 1929), pp. 342-349, and throughout the book.

[10] Docs: 80575.B.JCGBA; 80381.B.SFRDE; 80388.A.SFRDE; 00264.H.BL; 00264.I.BL

[11] Doc. 30075.B.UCLA

[12] Docs: 80575.B.JCGBA; 80360.A.SFVPP; 80381.B.SFRDE; 00355.A.HD; 30075.A.UCLA; 00353.B.HD; 00354.A.HD; 00354.H.HD; 30063.B.BL; 80005.B.CK; 80005.A.CK; 80003.Q.JJ; 80003.S.JJ; 80003.X.jj; 00123.A.FTO; 80002.WW; 80305.INT "Yeah, but there were too many tribes taken into San Fernando. There's Tataviam from right here. Kitanemuk in Antelope Valley over on the Tejon Ranch. The Vanyume in Victorville, and the Yokuts/Yokotch in the San Joaquin Valley, and the Chumash people from the coast. And, of course, people in the San Fernando... called Fernandeños. They're part of the Shoshone people."

[13] Villages can be corporate entities in many Indian cultures where the village organization supersedes the prerogatives of families, lineages, or clans. In such circumstances, political decisions are made by a village council, composed of clan leaders and village headmen, and decisions represented the entire village. The villages among the Muscogee, for example, are of this corporate character where village government supersedes political powers of the constituent clans. This pattern is what Kroeber above called an emphasis on autonomous territoriality, where like a city precinct, membership is defined by residence.

and territory is vested in the lineages. The lineages were sovereign mini-states that control territory and make independent decisions. They cooperated with other villages, and often were bound by marriage ties, ceremonial relations, and economic exchanges that were mutually beneficial to both groups. The ties extended not only to other lineages of the same linguistic group, but also to lineages in the region where social, ceremonial and associated economic exchanges and gift giving are essential ways to maintain access to regional foods and materials.[14]

Marriages were arranged with other lineages or villages that extended from the Pacific coast deep into the eastern desert. Spreading marriage ties and connections broadly ensured access to gifts and exchanges throughout the region, and created social and political relations. Among the patrilineal Takic speakers, when a woman married out to another lineage, she changed her lineage affiliation. She abandoned social and political identity with the lineage of her birth, and she adopted the identity, culture, and community of her husband. She did not visit her birth relations unless her husband's lineage had ceremonial or social relations with them. In conflicts between two villages, the married-in females were expected to show loyalty to their husbands' lineage. However, if a husband mistreated a wife, her birth relations had the right to retrieve her, return her bride payment, and remarry her to another lineage.

Much of what we know about Mission Indian lineage relations comes from the San Fernando Mission records. When Indians were baptized the padres followed the Spanish practice of writing out the place of origin for the person baptized. The first generation of baptized individuals usually had a village or lineage name attached to their baptism record. Consequently, it is possible to trace the village, or more precisely the lineage, from where most of the Indian members of San Fernando Mission originated, or were living at the time of baptism.

The padres often recorded village names or lineage names, and generally used both expressions interchangeably. For example, the Tongva village of Tujunga means the "place of the Tuju," which translates into "place of the old woman" which is a noted rock landmark near the village in the shape of an elderly lady (and which is a source of traditional stories). However, the expression Tujubit means a person from the Tuju lineage. Although the padres used the expressions interchangeably, the lineage designation is more in keeping with the emphasis on consanguinity. Villages were composed of one lineage among the Takic speakers, and probably also among the Chumash villages. The lineage distinction is important since lineages were portable, movable, flexible, and continue culture, social and political relations, while territorial village sites were abandoned after the Indians were taken into San Fernando Mission. While the economic and political circumstances changed drastically during the mission period, the lineage political and social organization was carried into the Mission, and survived the mission period, and remains critical for understanding contemporary social and political relations among the t community.

The mission records enable us to determine the ancestral lineages of individuals and understand relations among lineage groups. We can identify the ancestors of the present-day members of

[14] Chester King has done an extensive amount of empirical work on regional ties and intermarriages in the San Fernando Mission area. For a map see Doc. 80005.E.CK. For a discussion of marriage and other ties within the San Fernando Mission area according to the mission record see Original Doc. 80005.CK, pages 21-113. Or see Docs: 80005.E.CK thru 80005.Z18.CK; 80575.B.JCGBA; 80575.G.JCGBA; 80575.L.JCGBA; 30093.G.UCLA;

the petitioning community through the mission record. If we reckon descent in traditional manner, that is patrilineal for the Takic speakers and matrilineal for the Chumash, we have four lineages which compose the historical and contemporary lineages of the petitioning community. Those lineages are the Ortegas, the Garcias, the Rochas, and the Ortizes. Through analyzing the first generation of baptism from the ancestors of the Band's four lineages, one can understand the historical and continuous culture of the comtemporary community that traces back to pre-mission networks and connections.

The Ortegas (Chaguayabit)

Maria Rita Alipas is one of the progenitors of the Ortega lineage.[15] Her father was Francisco Papabubaba, who was baptized at Mission San Fernando, and therefore the padres identified the Mission as his place of origin.[16] Working back to his ancestors through the father's line leads us to Juan Maria, who is a first generation convert born in the village of Chaguayanga.[17] The lineage name was Chaguayabit or person from Chaguaya. We will use the spellings given by the padres in the mission record of simplicity and consistency. Chaguayanga is a well documented village, whose last known site was located in the present-day city of Santa Clarita, California, near Castaic Canyon by US Highway 5.[18] Juan Maria's wife, Francisca Xaviera, was born in the village of Tochonanga, a well-known Tataviam village located in present-day Newhall, California, near Chaguayanga.[19] Francisca Xaviera's mother, Leocadia, was also baptized at San Fernando Mission and her place of origin was Tochonabit, the lineage name for the village of Tochonanga.[20] Since Leocadia was a woman in a patrilineal and patrilocal system, one may deduce that her birth lineage was not Tochonabit, but somewhere else, and she adopted the lineage of her husband after marriage. The husband was not listed in the mission record suggesting that he was already dead, or he did not convert to Christianity. According to traditional reckoning, Francisco Papabubaba was a direct descendant and member of Chaguayabit, but according to American style bilateral descent reckoning he was also a descendant of his mother's lineage, Tochonabit.

Paula Cayo was Maria Rita Alipas's mother and wife to Francisco Papabubaba.[21] Paula was born at San Fernando Mission, but her father, Tiburcio Cayo, was born at Tapuu, a Chumash village in present day Simi Valley.[22] According to Chumash matrilineal reckoning, Paula belonged to the lineage of her mother, Teresa, who was baptized in the Tongva village of Cahuenga, but we are not sure whether she lived there or was born there.[23] Teresa's mother, Juana Josefa, was baptized, and she belonged to Suitcabit, or the lineage from the village located at Encino, about 11 miles due south of the San Fernando Mission site.[24]

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[15] SF Baptism #2742.
[16] SF Baptism #1617.
[17] SF Baptism #0317.
[18] Doc. 80575.C.JCGBA; 80582.C.FTTC
[19] Doc. 80575.D.JCGBA; SF Baptism #0226; 80582.C.FTTC. The lineage of Nuhubit was also located near Chaguayabit and Tochonabit, and was also located in the present-day Newhall-Santa Clarita area. See 80582.C.FTTC
[20] SF Baptism #0320.
[21] SF Baptism #2071.
[22] SF Baptism #0849.
[23] SF Baptism #0342.
[24] SF Baptism #0475.

There is some controversy about whether Suitcabit was a Tongva or Chumash lineage. *Suitcabit* is a Takic expression and therefore a Tongva or Tataviam word, but the Suitcabit people were intermarried with Chumash, and had many ties to nearby Cahuenga. Many of the people at Suitcabit spoke both Chumash and Takic languages.[25] According to Tongva descent reckoning, Paula Cayo was a member of her father's lineage at Tapuu, but it is not clear how the lineage lines and social obligations within mixed Chumash and Takic marriages were worked out. Nevertheless, according to American bilateral lineal descent rules, Maria Rita Alipas had ancestors from the lineages of Chaguayabit, Cabuebet, Suitcabit, and from the lineage at Tapuu. Her ancestral lineages contain Tataviam, Chumash and Tongva linguistic groups. The mixed marriages among lineages and across linguistic lines are typical of the region before the establishment of San Fernando Mission and during the mission period.

The Garcias (Chaguayabit).

A progenitor for a second lineage among the Band community was Leandra Culeta.[26] She was an ancestor of Josephine Garcia and Petra Rivera. Her ancestral ties include Kitanemuk, Tataviam, and Tongva lineages. In traditional patrilineal reckoning, she had strong ties to the Tataviam lineage of Chaguayabit. Furthermore, on her mother's side she descended from the leadership or captains of the Kitanemuk lineage of Topipabit and the Tongva lineage of Tujubit. Her marriage and social ties in the pre-1797 period also ranged across the region and were multi-linguistic and multi-ethnic.

Culeta's parents were Ramon and Eugenia, both born at the mission (consequently the padres do not record a lineage of origin for them).[27] Ramon's father was Cornelio, who was born before establishment of the mission in 1778, though his village or lineage of origin is unstated. Oral history suggests Cornelio was born in one of the Alliklik or Tataviam villages, possibly Tsawanyng, an alternate linguistic spelling for Chaguayanga.[28] Cornelio was living at Chaguayanga before joining the mission in 1803. Cornelio's wife, Maria Antonia, was born to the Chaguayabit in 1785 and therefore she was a member of the lineage at the village of Chaguayanga.[29] Both Maria Antonio's parents, baptized as Amando and Amanda originated from Chaguayabit.[30]

Leandra Culeta's patrilineal ties to Chaguayanga suggest that she was a blood relative to Francisco Papabubaba, and his daughter Maria Rita Alipas, since the latter also trace patrilineal ancestry to Chaguayabit. In a Takic lineage all members claim common descent from a past patrilineal ancestor. Culeta's ancestor, Amando, was living at Chaguayanga from his birth in 1742, until his baptism at the mission in 1802. Alipas's patrilineal ancestor Juan Maria was

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[25] Docs: 80575.M.JCGBA; 80575.W.JCGBA;80582.C.FTTC; 80305.INT "Just like Encino was another site. They had bilingual abilities. I was raising hell on that one. And being bilingual they were supposed to have a Chumash person monitoring and a Gabrieleño person, a Fernandeño, but no, this archeologist only had this Gabrieleño guy from Baldwin Park or someplace down there monitoring them."

[26] SF Baptism #2987.

[27] Ramon (SF Baptism #1712) and Eugenia (SF Baptism #2298).

[28] SF Baptism #0765. Doc. 00021.C.FTO. Johnson, John R. "The Trail to Kashtiq." *The Journal of California Anthropology* 5:2(Winter, 1978):188-198.

[29] SF Baptism #0717.

[30] Amando (SF Baptism #706) and Amanda (SF Baptism #0716). Docs. 80007.B.LW; 80007.A.LW; 00022.FTO.

living at Chaguayanga from his birth in 1778 until his baptism in 1800. Two of our lineages can be traced to a common ancestral lineage before establishment of San Fernando Mission. Both lineages shared the economy of the local village, lived under the same lineage leader, practiced exogamy, participated in the same ceremonies, and had common identity as Chaguayabit.

Leandra Culeta's mother was Eugenia, and she was born at the mission, but her father was Francisco del Espiritu Santo, who was born in 1794 at Tujunga, a Tongva village.[31] The padres recorded Francisco's mother, Bernardina as born at Quissaubit, a Tataviam village. However, both of Bernadina's parents, Albaro and Albara, were Tujubit, or members of the Tongva village of Tujunga.[32] Bernadina's only husband was Daniel, a member of Chaguayabit. Leandra Culeta had strong ties to Tujubit through her material grandmother and ties to Chaguayabit through her maternal grandfather.

Culeta's maternal grandmother was Teofila, whose Indian name was Gigiuco, who belonged to a chiefly Kitanemuk lineage, Topipabit, and who early joined at San Fernando Mission.[33] The Kitanemuk became known as the Tejon Indians. Teofila's mother, Paulina, was married to Taari, whose name was a revered leadership or hereditary chief title.[34] Both of Teofila's brothers, Vicente, and Francisco Cota, became prominent chiefs among the Kitanemuk. Vicente and Francisco both signed the 1851 Treaty with the United States on behalf of the Tejon Indians. Francisco was baptized in 1819 and served as an alcalde at San Fernando Mission in 1845.[35] Teofila's maternal grandmother, Zenona, born in 1751 and baptized in 1811, was Topipabit.[36]

Rogerio Rocha (Tujubit)

A third Band lineage is that of Rogerio Rocha, who was a captain at San Fernando by the 1850s. Both Rocha's father, German, and his grandfather, Mariano Antonio, were born at the Chumash village of Quimisac, which was located in the next valley north of present-day Simi Valley.[37] Chumash lineages in this region are called Ventureños in the scholarly literature, because they lived within the influence of the old mission in present-day Ventura, California. Rocha's paternal grandmother, Manuela Francisca, was born at the coastal Chumash village of Lalimanu, located north of present-day Malibu city. Both Rocha's paternal grandparents chose to receive baptism at San Buenoventura Mission. Manuela Francisca was baptized in 1788, while her husband Mariano Antonio waited until 1803. Their son, German, was baptized at San Fernando Mission, about a month before his father.

German married Benita Maria Guadalupe, who was baptized at San Fernando Mission to parents who did not accept Christianity, and therefore the padres did not supply information about them in the baptism record. Benita's place of origin is unstated on her baptism record, but her brother Gervasio was born at Tujunga in 1795,[38] suggesting that Benita, born a few years later in 1799,

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[31] SF Baptism #0171.
[32] Bernardina (SF Baptism #0295); Albaro was born in 1721 (SF Baptism #0461); Albara (SF Baptism #0472)
[33] SF Baptism #1848.
[34] Doc. 80005.D.CK; Paulina (SF Baptism #1916).
[35] Vicente Francisco (SF Baptism #2485); See also Docs: 00048.A.FTO; 00048.C.FTO; SF Marriage #0912; 80437.A.JJL; 80437.B.JJL.
[36] SF Baptism #1817.
[37] German (SF Baptism #0817) and Mariano Antonio (San Buenaventura Mission Baptism #1731).
[38] Gervasio (SF Baptism #0124); Benita Maria Guadalupe (SF Baptism #0312).

was also born in Tujunga. The oral history also suggests Rogerio Rocha had lineal ties to Tujunga. German died less than six months after Rogerio was born. Rocha lived most of his life at San Fernando Mission, most likely raised by his mother with the help of her Tujunga relatives.

Rogerio's wife, Maria Manuela, was born at San Fernando Mission. Maria Manuela's mother, Nerea, was from the Tataviam village of Piru, and her father, Efren, was from Jucjauibit, which was the Takic word for the Chumash village of Escorpion in the western part of the San Fernando Valley.[39] Efren's mother, Benita, and maternal grandmother, Saturnina, were both born at Escorpion.[40] Rogerio Rocha probably had most contact with his mother's Tujubit relatives, but he also had relatives and in-laws from several Chumash villages or lineages. Rogerio's ancestors in the Tujubit lineage were from the same lineage as Leandra Culeta's Tujubit ancestors. The pre-mission ancestors of Leandra Culeta and Rogerio Rocha shared common patrilineal ancestral ties to the Tujubit lineage, lived and worked in the same village, and shared a common identity. Rocha's pre-mission relatives range through several Tongva and Chumash lineages.

Ortiz (Cabuepet)

A fourth lineage which forms a branch of the petitioner community is the ancestors of the Ortiz family. They were Tongva speakers from two lineages, Yabit and Cabuepet. Rosaria Arriola Ortiz was a progenitor of this lineage, and her ancestors extend through her father, Jose Miguel Triumfo, whose origin is listed as San Fernando Mission.[41] Triumfo's father was a Spaniard named Miguel who was a parishioner at the San Gabriel Church. His mother, Maria Encarnacion, was born in 1783 among the Cabuepet, the lineage located at Cahuenga, a Tongva village. Triumfo's wife, Maria Rafaela Perfecta Cañedo, was baptized at San Diego Mission and she was of mixed Spanish and Tongva descent. Her Tongva ancestry traces to Maria Dolores born in 1763 and baptized at San Gabriel Mission. Maria Dolores was Yabit, the Tongva lineage that hosted the site for San Gabriel Mission.

Summary

The four cooperative lineages were among many lineages of the region before establishment of San Fernando Mission. The region that came under the influence of San Fernando Mission was not composed of a single homogeneous culture, political, or ethnic group. At least four distinct dialects were spoken. The lineages and villages were the main family, social, and political units among the Chumash-, Tongva-, Tataviam-, and Kitanemuk-speaking peoples. All lineages practiced exogamy, and in general they married outside their lineage group, and often married outside their dialect and language group. The marriages strengthened social, political, economic and ceremonial ties among the lineages. The whole region formed a network of intermarriages that formed a basis for friendly and cooperative economic, cultural, and social exchanges. Each lineage group, including the four lineages from which the Fernandeños descend, however, remained economically, socially, and politically autonomous, and guarded their territories and independence.

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[39] Maria Manuela (SF Baptism #2639); Efren (SF Baptism #0803); and Nerea (SF Baptism #0898). Doc. 80003.D4.JJ.

[40] Benita (SF Baptism #1193) and Saturnina (SF Baptism #1270).

[41] Jose Miguel Triumfo was baptized as Jose de Todos Santos (SF Baptism #2140); see also SF Baptism #3031.

Addressing the Criterion for Section 83.7.(b), subsections 1 & 2

During the pre-1797 period, the pre-mission lineage villages of the petitioners' ancestors satisfy nearly all criteria for autonomous community. "Community means any group of people which can demonstrate that consistent interactions and significant social relationships exist within its membership and that its members are differentiated from and identified as distinct from nonmembers. Community must be understood in the context of history, geography, culture and social organization of the group."

§ 83.7(b)(1)(i)
Significant rates of marriage within the group and/or as may be culturally required, patterned out marriages with other Indian populations.

The Indians in the San Fernando Mission area were exogamous (as defined by the scholarly literature), and the analysis of the four constituent lineages for the petitioner bears out a regular pattern of marriage and social commitment. The historical record indicates that it was customary for most individuals to marry outside of their lineages. Although there are some Spanish individuals in the Los Angeles area by the early 1770s, few members of our four primary lineages married Spanish individuals before 1797, when San Fernando Mission was established. As noted, the Band's ancestors were from the lineages of Chaguayabit, Suitcabit, Cabuepet, Tujubit, where they followed the general rules of social, cultural, and political relations as well as patterns of exogamous marriage within the region. Some early marriages to Spanish persons are recorded among the ancestors of the Ortiz family, but those marriages were to persons in Los Angeles, and involved members of the San Gabriel Mission. Several maps were cited that provide the locations of villages, and other maps display the patterns of intermarriage ties among many of the villages in the region. See pages 2-3, and 4-9.

§ 83.7(b)(1)(ii)
Significant social relationships connecting individual members.

Lineages were social, political, and economic groups. Membership in each lineage required strong commitments and social and cultural participation. Women who married into patrilineal lineages took up the social, cultural, and political duties of their husbands' lineage, and were expected to maintain loyalty to her husbands' family over loyalties and commitments to her own lineage. A regional network of marriage, economic and shared ceremonies connected the lineages together. See pages 2-5.

§ 83.7(b)(1)(iii)
Significant rates of informal social interactions which exist broadly among members of a group.

There is little documented evidence of internal lineage group actions during the pre-1797 period, but the scholarly literature suggests that lineal groups living on their own shared territory, and living in villages under common leadership would have significant daily contact with their lineage members. The lineages were consisted of extended families that shared a common ancestor, and therefore had regular social and kinship rights and obligations. See pages 2-5

§ 83.7(b)(1)(iv)
Significant degree of shared or cooperative labor or other economic activity among the membership.

The scholarly literature suggests that local lineages controlled territory, local economic resources, and worked collectively to harvest and utilize local assets. Economic resources were shared through local and regional ceremonial and kinship exchange. Lineages worked as collective economic units. See pages 2-5.

§ 83.7(b)(1)(v)
Evidence of strong patterns of discrimination or other social distinction.

The Spanish visitors and early settlers recognized the lineages and Native peoples of the region as peoples of different cultures. They initiated the activities of Christianization of Indians to lead them to adopt Spanish cultural ways. The San Fernando Mission record distinguished village-lineages groups as social, cultural, and economic groups. The four main lineages of the petitioning community are recognized in the Mission records as distinct villages-lineages. Chaguayabit, Suitcabit, Cabuepet, Tujubit, the main ancestral village-lineages of the petitioning community, were all well documented in the Mission records. The lineages in the region recognized the territory, lineages, and political autonomy of other village-lineages. Pages 2-6.

§ 83.7(b)(1)(vi)
Shared sacred or secular ritual activity encompassing most of the group.

According to the scholarly literature, each village-lineage had ceremonial leaders, both male and female, shared a distinct language, lineage structure, and share religious beliefs and practices. Many ceremonies were known throughout the region and many lineages participated in the major ceremonies of other village lineages, sometimes in regional celebrations. The historical and anthropological literature suggests that each village-lineage shared a ceremonial house that may have been attended by all adult members of the lineage. Political, social decisions were made by the ceremonial council of all adult members and all adult members of the community were required to participate in ceremonial activities. See pages 2-6.

§ 83.7(b)(1)(vii)
Cultural patterns shared among a significant portion of the group ...

The scholarly and historical literature suggests that each lineage-village group had a common language, but because of intermarriage, and close physical proximity, and ceremonial and kinship ties, many people spoke more than one language or dialect in the region. Takic speaking lineages shared a similar pattern of patrilineal patrilocal kinship, while Chumash speakers were matrilineal. The ancestors from the lineages of Chaguayabit, Suitcabit, Cabuepet, and Tujubit all spoke one of the Takic dialects, but because of intermarriage and kinship relations, many of the members probably spoke multiple Takic dialects such as Tongva and Tataviam, and some may have spoken Chumash or Kitanemuk languages as well. Ceremonies were practiced

individually by each village-lineage, but some ceremonies were shared among related and allied lineages, where social and economic exchanges often supported the seasonal celebrations. See pages 2-9.

§ 83.7(b)(1)(viii)
The persistence of a named collective Indian identity continuously over a period of more than 50 years notwithstanding changes in name.

Many lineages were consistently named over long periods, more than 50 years, and bear the same identities or names. For example, when Albaro is baptized in 1801, he is already 80 years old, and he informed the padres that he was born Tujubit. The lineage-village names of Chaguayabit, Suitcabit, Cabuepet, and Tujubit most likely were extremely old, perhaps centuries old, if not longer. The Mission baptized many elderly individuals from all four lineage-villages, suggesting the lineages were stable and enduring social and political entities, and carried stable names over that time period. Most likely the lineage names were ancient. See pages 2-9.

§ 83.7(b)(2)

Section two states: A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided to demonstrate any one of the following (subsections i-v). We recount subsections i-v below.

§ 83.7(b)(2)(i)

More than 50 percent of the membership resides in a geographical area exclusively, or almost exclusively, composed of members of the group....

All, or virtually 100%, of members of all four main lineages from Chaguayabit, Suitcabit, Cabuepet, and Tujubit lived on their own territories. When a women intermarried, she became a social and political member of her husband's lineage. Therefore, generally all persons living on their lineage's land were members of the lineage. See pages 2-5.

83.7(b).2.(ii)
At least 50 percent of the marriages in the group are between members of the group.

The rule for all lineages in the region was exogamy, all persons married outside their lineage group. Therefore it was not possible that 50% of the group married within the lineage-village or among any of our four main lineages. The criterion does not conform well with the exogamous marriage traditions of the petitioning community. Nevertheless, the petitioning community had clear rules and patterns of marriage. See pages 2-5.

§ 83.7(b)(2)(iii)
At least 50 percent of the group members maintain distinct cultural patterns...

Virtually 100% of lineage-village members maintained distinct cultural patterns. Each lineage is known as a distinct social, cultural, and political entity. Members of each lineage-village spoke a

Takic dialect, and many probably spoke multiple dialects, as well as some spoke Chumash. All groups in the region understood and respected the kinship lineage social structure. Each lineage-village group held ceremonies, and all adult members were required to participate in social, political, and religious activities within the community. The large majority of members of each kinship lineage upheld their social and cultural obligations, as far as we can tell from the historical and scholarly literature. See pages 2-5.

§ 83.7(b)(2)(iv)

There are distinct community social institutions encompassing most of the members ...

According to the scholarly literature all members of the lineage-villages in the region shared a kinship structure, a ceremonial cycle, collective economic activities and cooperation, leadership patterns, and a shared identity as a collective entity. All four main lineages of the petitioning group observed similar patterns of social, cultural and political organization. See pages 2-9.

Conclusions for Community During Pre-1797 Period

The four main lineage-villages of the ancestors of the petitioning community satisfy virtually all the criterion for community during the Pre-1797 Period. The main exception is the practice of exogamy, which prevents marriages within each lineage group.

The Continuity of Regional and Lineage Community Within San Fernando Mission and During Secularization: 1797 to 1846

San Fernando Mission recruited from all four regional linguistic groups. The Indians at the Mission retained considerable political, social, cultural organization, language, and identity Indians.[42] There may have been as many as ninety distinct and independent lineages in the recruitment area of San Fernando Mission. The Indians became known as the Indians of San Fernando Mission, or Fernandeños. Approximately 25 percent of the Indians at the Mission spoke Tataviam, 40 percent spoke Tongva, 9 percent spoke a Serrano language, and about 24 percent spoke Chumash or Ventureño.[43] The padres did not recognize the four linguistic groups, but they did document the names and places of the various villages and lineages in the area.

The establishment of the San Fernando Mission meant considerable economic, political, social and cultural change for the Indians. The Mission took control of land, social life, religious life, and political organization. "They were put to continuous repetitious labor, restrictions of freedom, and punishments give by impersonal authorities. Once a native became a neophyte, every moment of his time was planned and supervised."[44] The purpose of the Spanish mission was not to enhance or support the continuity of indigenous culture, but rather to teach the new converts a new way of life, religion, and to enable them to live and participate in Spanish colonial culture and society. The missions were designed to detribalize Indian people and communities and assimilate them into Spanish society and government. Had the original purposes of the Mission been fulfilled, the indigenous peoples would have wholly adopted

[42] Doc. 80360.A.SFVPP; 80360.B.SFVPP; 80381.A.SFRDE; 80381.B.SFRDE; 80381.C.SFRDE
[43] Doc. 80381.B.SFRDE
[44] Doc. 80583.C.FTTC

Christianity, abandoned lineage relations and ties, and accepted Spanish culture, language, social and political organization. Yet traditional forms of social and political organization persisted through the mission period. One observed remarked, "Fernandeños, the natives that were baptized at the San Fernando Mission, had two religions--one of custom and one of faith. In mass the Fernandeños never assimilated the full significance of Christian ethics."[45]

The padres baptized and moved their converts, usually called neophytes, to the Mission grounds at San Fernando. Children were kept in boys and girls dormitories, while unmarried adults also lived in gender separated dormitories. Married people were provided a room to live together. The padres tried to discourage the continuity of lineages and the practice of many families living together in interconnected extended family lodges. The Spanish recognized nuclear families and the padres complained in reports in the middle 1810s that the Indians only followed their captains, and tended to work collectively for the benefit of the entire lineage.[46]

The padres did not discourage use of Indian languages, and Spanish seems not to have transplanted Indian languages. The Mission Indians at San Fernando continued to speak one or more of the local Indian languages.[47] Many neophytes did not take to speaking Spanish and for many years, throughout the mission period, Indian languages may have been preferred in home and lineage environments while Spanish became the language of public space and relations within the mission.[48]

The Indian population peaked around 1810 at about 1,200, and then it declined to under 800 by 1832. Over the next 15 years during secularization and the beginning of the American period, many Indians left the mission, most returning to their home communities.[49] By 1835 there were 541 Indians still living at the mission.[50]

In 1839, the Mission Indians complained about land grants made to Antonio del Valle, a mission employee, for the lands in the present-day Santa Clarita Valley, where the Tataviam villages were located in the pre-mission period. The San Fernando Mission Indians expressed concerns to Mexican government officials that if their land was taken and not returned to them, they would grow hungry.[51]

At the mission the Indian families generally married among each other, and created new forms of relations through god-parenting practices introduced by the Spanish padres.[52] The padres introduced the Indians to farming, adobe building techniques, trades, sheep and cattle raising,

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[45] Doc. 80583.C.FTTC
[46] Doc.80362.B.SFVPP
[47] Doc. 80381.C.SFRDE
[48] Docs: 80362.A.SFVPP; 80362.B.SFVPP
[49] Doc. 80388.B.SFRDE; 90158.A.WCS; 80324.INT: "Fernandeño? SS: Yes. GF: Tell me how you knew that. SS: From my grandma, but I guess even young I didn't really like the term 'Mission Indian.' They go, "Oh, you're a Mission Indian." And I kept thinking, gee, what were we before the Mission? What did the Mission do to Indians? Did they help us? Did they destroy us? First of all, they took us from our villages. They had us work here. We worked for them and when the Mission period was over they said, 'Okay, you can go home now.' That was brutal, I think."
[50] Doc. 803890.A.SFRDE
[51] Doc. 80393.A.SFRDE
[52] Docs: 80005.B.CK; 80429.D.USDT

Catholic religion, and electoral political forms.[53] The padres arranged to have the Indians elect officials [alcaldes, corporals and other officials], to manage relations between the Indians and the church.[54]

The Mission Indians at San Fernando, however, retained family organization, political leadership in families, language, food preferences, and many spiritual beliefs.[55] "The Indians respect only those who were the chiefs of their rancherias in paganism; and these do not molest them at all, nor do they [the chiefs] demand any service from them."[56] Many Indian leaders served as mission alcaldes or managers though the neophytes maintained loyalties to their lineages, and created social ties and intermarriages among the families and lineages in ways that resembled to the pre-mission period. The traditional emphasis on decentralized lineage based leadership continued, though modified somewhat by the alcalde leadership style introduced by the padres. During the mission period the lineage identities persisted, and when San Fernando Mission was dismantled in the 1830s and 1840s, many San Fernando Mission Indians returned to their regional lineages and the San Fernando Mission Indians returned to a pattern of regionally decentralized communities built upon a network of local coalitions of specific lineage ties and relations.[57]

Economic organization took the character of a large ranch, or Spanish latifundia, where orchards, grain fields, sheep and cattle, became the main economic sources. The lineages, now moved to the mission premises did not control the land, did not depend on the hunting and gathering of the past, and turned to providing labor and new specialized forms of work within the mission economy. Over time, owing to military and government economic needs, the demands on Indian labor increased, and the Indian share of economic support declined.[58]

The neophytes retained work patterns from the lineage settlements. One scholar wrote, "All work in the community, and from its products they eat and dress."[59] The neophytes were allowed to supplement their food preferences with gathering of acorns, tuna--the meat of a cactus plant, and other foods. The Indians maintained contacts and family ties with their non-mission relatives, and at a regular cycle of festivals and religious events, non-Christian relatives visited at the mission and participated in traditional ceremonies.[60]

There are several ways in which the transition to the mission life and economy changed the organization of the Band's four ancestral lineages. The Mission introduced new forms of economy, new forms of political leadership, and new ideas in community organization. As most Mission Indians did, they conformed to the labor and organizational demands of the padres, and which changed the way that the lineage members worked, influenced patterns of leadership and

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[53] Docs: 50041.B.UCLA; 80365.A.SFVPP; 80374.B.SFVPP; 80397.A.Wilson; 80399.A.Wilson; 80402.A.Wilson; 00360.C.HD; 00366.A.HD
[54] Doc. 30065.D.BL
[55] Docs: 80388.A.SFRDE; 00364.A.HD; 00366.B.HD; 80388.A.SFRDE; 30075.B.UCLA; 80362.B.SFVPP; 80575.W.JCGBA
[56] Doc. 80362.B.SFVPP
[57] Doc. 80575.W.JCGBA; 90158.B.WCS; 90158.C.WCS
[58] Doc. 80363.A.SFVPP
[59] Doc. 80362.B.SFVPP
[60] Doc. 00366.B.HD

brought Spanish and Mexican ideas of land ownership, trust, and protection of aboriginal land title. The mission alcalde system introduced elected leadership, and leadership based on multi-lineal constituents. Before the mission the lineage headman was the primary leader. There were no tribal councils or of chiefs with authority over the many regional lineages. The mission introduced a new form of social relations based on Catholic god-parenting relations. The alcalde leadership, god-parenting relations, and the continuity of lineage identities and relations created a vibrant social community among the Indians at San Fernando Mission. We trace the community relations and recorded activities of the four ancestral lineages of the petitioning community.

In 1803, the padres at San Fernando Mission established a small church, called an assistencia, named San Francisco and located near Chaguayanga. The assistencia maintained a ranch where sheep and cattle were herded. The members of the Tataviam villages at Chaguayanga and Tochonanga, including the ancestors of the Ortega family, were baptized soon after its establishment, and by 1810, most people in the Tataviam lineages were baptized and removed to San Fernando Mission. The present-day Santa Clarita Valley, where the Chaguayanga was located, was about 10 miles north of San Fernando Mission.

At the mission, in 1806, a son was born to Juan Maria and Francisca Xaviera. The child was baptized Francisco de Assis, and he was also given the non-Christian name of Papabubaba or Papavubaba.[61] The Spanish Missionaries introduced Christian baptisms, and they also gave Christian baptismal names, and often reeorded the non-Christian name of many individuals. The name Papabubaba was not a surname, but rather an "Indian" name, which was most likely used by individuals who continued to speak the Tataviam dialect. We use the expression Francisco Papabubaba to distinguish him from other Indian persons with the Spanish name "Francisco" at the Mission.

Along with baptism, the Spanish padres introduced Spanish names, ethnic classifications, and the Catholic custom of godparenting. Persons of Indian descent who accepted baptism were listed as ethnically "Indios" for males and "India" for females. Non-Christian Indians usually were not named in the baptismal records and were merely referred to as "Gentiles," indicating a person outside the Catholic faith or community.[62] Mixed blood people, people of both Indian and Spanish descent were recorded as "mestizos."[63] Persons of Spanish descent or full members of the Catholic Church were listed as ethnically *Razon* or *Gente de Razon* meaning literally people with reason, or civilized individuals.[64] The record shows that the Spanish distinguished Indians as other people both on cultural, religious, and racial grounds.[65]

The godfather was called *Padrino* and the godmother *Madrina*. The godparents were a friend to the baptized person, and established a new extra-lineal form of relationships among the Mission Indian families. Godparents looked after the spiritual well-being of their godchild, but in practice godparents were people that the godchild could look to for friendship and aid depending on the godparents' resources. Godparenting duties were shared by many prominent members of

[61] SF Marriage #0765.
[62] See SG Baptism #4194.
[63] SG Baptism #8415.
[64] Doc. 00090.A.FTO; 00352.D.HD
[65] Doc. 00352.D.HD

the Los Angles community. The purpose was to create ties and relationships among the Catholic community members, which included the Indians at the Mission, as well as Spanish colonists. For example, the padrino to Francisca Xavier, the mother of Papabubaba, was Juan Francisco Reyes.[66] Reyes was the first mayor of Los Angeles, and a prominent landholder in the early Los Angeles colony. His family remained active in Spanish and Mexican politics for many years, and he and his son Jacinto, were especially active in church activities and were the godparents to many individuals, including many Indians. Many of the Mission Indians took up the duties of godparenting, and established community relations and obligations between families and generations.

The Mission Indian community intermarried, took on godparenting relations, and bore witness at marriages, all of which established or reinforced family and individual ties within the community. For example, the Ortega and Ortiz families established ties in this period through godparenting relationships. In 1827 Francisco Papabubaba married Paula Cayo, who was the daughter of Tiburicio Cayo, from the Chumash village of Tapuu. Paula Cayo's mother was Teresa, who was baptized at the village of Cahuenga, and had ties to Suitcabit (Encino) through her grandmother Juana Josefa. The godparents of the marriage were Conrado Leyva and his wife Estefana.[67]

Conrado Leyva was born at the village of Cahuenga. Leyva's first wife was Lorenza, who was Tujubit, or born at the Tongva village of Tujunga, and baptized at San Gabriel Mission. Lorenza died in 1815 after only four years of marriage and no children.[68] Leyva married Estefana in 1818, and after bearing two children, Estefana died in 1832. She was born and baptized at San Fernando Mission.[69] Conrado Leyva's third wife, Maria Rafaela Cañedo, was baptized as San Gabriel Mission and was of mixed Tongva and Spanish descent.[70] They had four children, the first was born in 1834 and the last in 1840.

In 1822 Maria Rafaela Cañedo had a daughter, Maria Rafaela Perfecta Cañedo, prior to her marriage to Conrado Leyva in the early 1830s.[71] Conrado Leyva became Perfecta's step-father, and she moved from the pueblo at Los Angeles with her mother to live at Rancho Cahuenga. Perfecta, known as Rafaela Arriola by the Ortiz family, was the grandmother of Joseph Ortiz, and the progenitor of the Ortiz family members of the petitioning community.[72] The Rancho Cahuenga was a part of the San Fernando Mission where grains were raised and stored, and sheep and cattle were tended. A storage facility for grains and housing for workers was built by the mission. The rancho grounds included the last recorded historical site of Cahuenga village.

[66] SF Baptism #0226.
[67] SF Marriage #0765. Conrad Leyva (SF Baptism #0553) and Estefana (SF Baptism #0439).
[68] SF Deaths #1125; SF Marriage #0507.
[69] SF Baptism #0439; SF Deaths #1947; SF Marriages #0641.
[70] See SG (San Gabriel) Baptism #4194; and SG Baptism #1387; and SF Baptism #0969.
[71] SD [San Diego] Mission Baptism #5305.
[72] Docs: 00113.A.LN; 00113.C.LN; 000113.D.LN

In 1837, Perfecta had a child named Gertrudis out of wedlock at Rancho Cahuenga. This child could have been the daughter of Jose Miguel Triumfo, since they were married or living together by 1839 at Rancho Cahuenga.[73]

Conrado Leyva was living at Rancho Cahuenga during the middle 1830s, if not earlier, and most likely providing labor for the San Fernando Mission. His role as godfather to the Papabubaba and Paula Cayo wedding in 1827 illustrates the existence of long standing relations between Suitcabit, the lineage from Encino, and the Cabuepet, the lineage from Cahuenga which relations the wedding deepened. In 1837 Paula Cayo was godmother to the baptism of Gertrudis. The godparenting relation strengthened social ties between the Papabubaba-Paula Cayo family and Conrado Leyva family, and also to the Jose Miguel Triumfo family after he formally married Maria Rafaela Perfecta Cañedo.

Before the mission period there were long standing marriage, ceremonial, trading ties between Cahuenga and Encino, and the witness and godparenting relations between the Papabubaba family and the Conrado Leyva, and Jose Miguel Triumfo families follow in those old traditions and relations. Paula Cayo, with her Chumash father and ties to Encino though her maternal family, was probably the focus of the social ties, but Francisco Papabubaba brought his Chaguayanga heritage to the network of relations.

Conrado Leyva had a half brother named Marcelo, who was married to Marcelina. Marcelo, like Conrado Leyva, was Cabuepet, that is a member of the lineage at the village of Cahuenga.[74] Marcelo and Marcelina had a son named Cosme, who in turn had a son named Benigno, who was the first husband of Maria Rita Alipas, the daughter of Francisco Papabubaba and Paula Cayo.[75] Benigno and Maria Rita Alipas were born in the same year, 1830, and were married in 1845 at San Fernando Mission. Benigno's patrilineal lineage ties were to Cabuepet, and Maria Rita Alipas's had ties on her mother's side to Suitcabit and ties to Chaguayanga on her father's side. ranch

The marriage between Benigno and Maria Rita Alipas followed long standing interrelations and marriages between the lineages at Cahuenga and Encino. Since Benigno and Maria Rita Alipas were married at age 15, their marriage may well have been arranged by their respective families or lineages. The Ortiz and Ortega progenitors carried on long standing social and marriage relations between Encino and Cahuenga lineages while living at San Fernando Mission. Marcelo, Conrado Leyva's brother, was the uncle of Regerio Rocha, who later became captain of the San Fernando Mission Indian Community. Marcelo was the son of Mariano Antonio and half brother to German, Rocha's father.[76] Mariano Antonio was a Chumash from the village Quismisac and baptized at San Buenaventura and his son German was also born at Quismisac, but baptized at San Fernando Mission. Marcelo was born at Cahuenga and baptized at San Feruando Mission.

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[73] Doc. 80108.A.USC; LA[La Plaza Church, Los Angles] Baptism # 1022. Perfecta and Jose Miguel Triumfo had five children between 1839 and 1846.

[74] Marcelo (SF Baptism #0558), Marcelina (SF Baptism #0565).

[75] Cosme (SF Baptism #1519), Benigno (SF Baptism #2735); SF Marriage #0912.

[76] German (SF Baptism #0817), Mariano Antonio (SBV Baptism #1731). For a list of the children of Mariano Antonio see SBV #1731 and look into the relatives section, where Marcelo and German are listed as sons of Mariano.

Rocha's ties to the brothers Conrado Leyva and Marcelo established social and family relations to Maria Rita Alipas and Jose Miguel Triumfo. Maria Rita Alipas's first husband, Benigno, was a grandson of Marcelo, and Conrado Leyva was a father-in-law to Jose Miguel Triumfo, who married the daughter of Conrado Leyva's third wife, Maria Rafaela Arriola Cañedo. Rocha's mother was born at Tujunga, and the maternal grandfather of Leandra Culeta, Francisco del Espiritu Santo was also a member of Tujubit, the lineage at Tujunga. Rocha's mother and Leandra Culeta's maternal grandfather were blood relatives, since they belonged to the same patrilineal lineage. Rogerio Rocha thus had family, in-law, or social connections to ancestors of the Garcia, Ortiz, and Ortega families, which comprise the present-day membership of the petitioning community.

Isabelle Villegas Brooks recorded her grandmother's recollections of life at the San Fernando Mission in the 1830's and 1840's. Her grandmother's father was the majordomo of the Mission. She recalled that the Mission Indians held ceremonies at San Fernando Mission and participated in the Mission festivals or "Fiestas." People came from about 100 mile radius in southern California to join in the festivals. "The Indians were divided into four groups or rancherias, each under an alcalde, or foreman, who was responsible to the majordomo.....Those tribes known as the Mission Indians were the Tijungas [Tujungas], El Encino, and El Escorpion, and, of course, those who lived in the mission proper."[77] "The Indians had special fiestas of their own; the greatest of these was the anniversary of the death of an Indian chief. Indians came to San Fernando from what at that time were great distances. Whole tribes would make the yearly pilgrimage, some coming from Tehachapi, and others from San Jacinto ... The feature of the fiesta was a dance in which all members of the different tribes joined. A large image of the Indian chief was erected, around which a fire was built. As the dancers moved in a circle about the image, they cast into the fire some personal belongings of their dead. The music to the dance was the wailing and weeping of the dancers themselves."[78]

The San Fernando Mission Indians maintained their own ceremonies at the mission as late as the 1837 to 1846 period. Observers noted the San Fernando Mission Indians performing the same ceremonies into the 1870s. [79] Also they kept ceremonial and social contacts with Indian communities who are not Christians and who were living in as far north as Kitanemuk country at Tehachapi, and over 100 miles east to where the present-day Soboba Band of Luiseño Indians lives at San Jacinto in present-day Riverside County. Rather than living in isolation at the Mission, the Indian converts at San Fernando maintained ceremonial and social relations with the non-Mission communities in the region, which consisted of a network of lineage relations that extended throughout and beyond the province of the mission.

Leandra Culeta (a progenitor of the Garcia line) was born at San Fernando Mission on March 28, 1840. Culeta's godmother was Rafaela, the wife of Vicente Francisco, the alcalde in 1845 who served as witness to the Benigno and Maria Rita Alipas marriage.[80] Vicente Francisco also was

[77] Docs: 00366.A.HD; 00366.B.HD
[78] Doc. 00366.B.HD
[79] Docs: 90148.A.SFS; 90148.B.SFS
[80] Rafaela (SF Baptism #2374); Vicente Francisco (SF Baptism #2385); SF Marriage #0836; Docs. 00048.A.FTO; 00048.C.FTO; 80347.A.JJL; 80347.B.JJ

a signer of the 1851 Tejon treaty, and after San Fernando Mission dissolved, he rejoined his Kitanemuk lineage and lived as a chief at the Tejon Ranch until his death. Vicente Francisco was Leandra Culeta's great uncle, since his sister Teofila married Culeta's maternal grandfather, Francisco del Espiritu Santo. The godparenting relation of Rafaela to Leandra Culeta strengthened relations between Culeta and her Kitenamuk relatives at Tejon. Rafaela was born at San Fernando Mission, and her parents Dionisio and Dionisia were both from the Chumash lineage at Tapuu. Leandra's paternal family ties to Chaguayabit and maternal ties to Tujubit were augmented by social and family ties to Tejon and social ties to the Chumash lineage at Tapuu.[81]

By 1840, Tiburcio Cayo was raising forty to fifty cattle at Rancho Encino and began negotiating with the padres as San Fernando Mission for title to the land and probably emancipation under the secularization laws.[82] Tiburcio Cayo's son Joseph was born at San Fernando Mission in 1823, and Joseph's baptism godfather was Francisco del Espiritu Santo, the maternal grandfather Leandra Culeta, and a member of the lineage at Tujunga.[83] Espiritu Santo and Tiburcio Cayo must have been on friendly terms in order for him to invite Santo to godfather his son. Tiburcio Cayo's daughter Paula married Francisco Papabubaba in 1827, and a second daughter, Agueda, probably in the early 1840s, married Roque, a Chumash who was born and baptized at the Santa Barbara Mission.[84]

Marcelina Chihuya, daughter of Jose Odon Chihuya and wife to Urbano Chari, was godmother to Agueda's and Roque's two sons, Francisco Xavier born in 1843 and Pacifico born in 1846.[85] Marcelina's father Odon was the Chumash chief of the western portion of the San Fernando valley and a village near the present-day city of Malibu. And her husband, Urbano Chari, was a member of Siutcabit, the lineage living at Encino. Chari carried an esteemed name that can be translated as chief.[86] Since Maria Rita Alipas's maternal relatives also were Siutcabit, she was a blood relative to Urbano.

In the spring of 1843, forty San Fernando Mission Indians petitioned Governor Manuel Micheltorena for a land grant. The governor granted them one square league of mission land with the provision that the Indians could not sell the land, and they would continue to provide their usual labor to the mission.[87] Among the forty petitioners were Rogerio Rocha (who became a captain some years later) and Cornelio, Leandra Culeta's grandfather. Cosme, the son of Marcelo, and father to Benigno, Maria Rita Alipas' first husband, was also among the forty petitioners.[88]

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[81] Dionisio (SF Baptism #0858) and Dionisia (SF Baptism #0863).
[82] Doc. 80332.B.SCUS
[83] SF Baptism #2528
[84] Roque (SB [Santa Barbara] Baptism #3604); Agueda (SF Baptism #2649).
[85] Pacifico (SF Baptism #2089a); Francisco Xavier (SF Baptism # 3051); Marcelina Chihuya (SF Baptism #2406); Urbano Chari (SF Baptism #0358);
[86] Doc. 80005.D.CK; 80413.A.USC; 80380.D.USC; In Urbano Chari's baptism record (SF Baptism #0358), his place of origin is unstated. However, Urbano's father, Eduardo (SF Baptism #0405;) and mother, Eduarda (SF Baptism #0375; SF Deaths #0148) can be traced, and Eduardo's place of origin is Suitcabit, or the lineage at Encino.
[87] Docs: 40009.K.DC; 40009.Q.DC; 40009.P.DC; 40009.K.DC
[88] Cosme (SF Baptism #1519); Docs: 40009.Q.DC; 40009.P.DC; 40009.O.DC; 40009.M.DC; The forty Mission Indians petitioned to secure stable title to land so they could farm for their livelihood, while the Mexican government eventually rented and sold the land, contrary to the secularization laws. The forty petitioners held their

In 1843 Governor Micheltorena also granted 200 acres northwest of the mission to Samuel, and about 388 acres at Rancho Cahuenga to Jose Miguel Triumfo. Samuel, of Chaguayabit, and Triumfo were granted land because of their service to San Fernando Mission. By 1840 Tiburcio was managing the ranch at Encino, and may have been the mission alcalde there. He was negotiating for "liberation" under the secularization laws and petitioning for a land grant from the mission. [89] Tiburcio Cayo was a captain.[90] Jose Miguel Triumfo was working for the mission at Rancho Cahuenga, where he had ancestral ties. Triumfo's mother, Maria Encarnacion, was a member of Cahuenga village, and his father was Spanish.

Samuel held possession of his grant into the early 1850s.[91] The ancestors of the Ortega family liue also were from the village or lineage of Chaguayanga, and therefore they were Samuel's blood relatives.

Governor Micheltorena was dedicated to carrying out secularization providing for the distribution of mission assets to the Indians.[92] Under the Secularization Act, the Indians were to retain Mission land under government trust and protection, and had the right to organize electoral village governments.[93] Micheltorena's secularization plans and reaffirmation of Church assets led to a rebellion from the Californios who wanted to dismantle the missions and distribute the land among themselves. Dissatisfaction among the landed classes with Governor Micheltorena's policies resulted in Micheltorena's expulsion from Alta California.[94]

The main battleground for the rebellion was at Cahuenga Pass and near Rancho Cahuenga. After the military clashes in Cahuenga Pass that led to the Governor Micheltorena's ouster in early 1845, Jose Miguel Triumfo traded Rancho Cahuenga with its important water supply for the much larger Rancho Tujunga to the north and east of San Fernando Mission. The new owners at Cahuenga sought its water assets.

In 1845 Pio Pico became governor. He represented the landed classes, and over the next year and a half he dismantled the missions, and sold the land and assets.[95] In spring of 1845, under the new regime of Governor Pico, Francisco Papabubaba, Roque, and Roman petitioned Governor Pico for a deed to one square league at Rancho Encino. All three had been living at Encino probably since at least 1840 under the leadership and mentorship of Tiburcio Cayo. The three petitioners were from different lineages. Francisco Papabubaba and Roque married Tiburcio Cayo's daughters, Paula Cayo and Agueda, respectively.[96] Roque (born at Santa Barbara Mission) probably married Agueda in the early 1840s, and he took up residence at

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square league in joint ownership, but their title was not honored by the next Mexican Governor, Pio Pico. When San Fernando Mission was sold in 1846, most San Fernando Mission Indians were forced to leave the mission and find employment elsewhere. Doc. 80372.A.LAT

[89] Doc. 80332.B.SCUS

[90] Doc. 80323.INT

[91] SF Baptism #0691.

[92] Doc. 80365.A.SFVPP

[93] Docs. 50049.A.UCLA; 50049.B.UCLA

[94] Doc. 00132.C.FTO

[95] Doc. 80418.A.LAT

[96] Doc. 80332.B.SCUS. The testimony of Saturnina Reyes in 1852.

Encino. By 1846, both Roque and Agueda were classified in the mission record as "liberes" and residents of Rancho Encino.[97] By 1843, Roman (called Ramon) married Paula, who had Chumash lineage ties to Simi Valley and Humaligo, the latter a village near present day Malibu. Roman's ancestors on his father's side were from Sanja, perhaps a Chumash village (since it does not have the Takic place name ending).[98] Francisco Papabubaba's ancestors were from the Tataviam village of Chaguayanga while his wife Paula Cayo had maternal ancestors from Siutcabit, the lineage historically living at Encino. On July 24, 1845 the land of Rancho Encino was granted jointly to all three petitioners.[99]

The petitioners at Rancho Escorpion, Urbano Chari, Jose Odon Chihuya, and Manuel, the son of Urbano, do not have descendants among the Band (though Urbano Chari had ancestral ties to Siutcabit and was thus related to the Ortega lineage).[100] Many of the Chumash Indians at Escorpion have taken up Chumash identities and their descendants have joined the coastal Chumash recognition movement.

In 1846 Governor Pico sold half of Ex-Mission San Fernando, including one square league owned by Rogerio Rocha and the forty petitioners of 1843. Some elderly San Fernando Mission Indians were allowed to retire at the Mission, but most of the forty petitioners left the Mission, believing that they could not hold onto land, and many went to work for nearby ranchos, or left to live with their relatives in their traditional lands or villages.

General Don Andres Pico, Governor Pico's brother, held lands around the Mission and took up residence at San Fernando Mission.[101] General Pico hired Mission Indians to work his ranch and maintain his household. Governor Pico was trying to raise funds to organize opposition to the US army, and so he sold land, including the San Fernando Mission assets.

Rocha was allowed to claim about 10 acres of land a few miles northeast of the Mission. Rogerio Rocha's connections through his mother to Tujunga makes connections to the Leandra Culeta and her Garcia descendants since the maternal grandfather of Leandra Culeta was Francisco del Spiritu Santo, who was born to the Tujunga lineage or Tujubit.

On September 1, 1845, Maria Rita Alipas and Benigno were married at San Fernando Mission. Both were 15 years old, having been born in 1830. The list of witnesses gives an illustration of the breath of community that attended the event. The number of recorded guests and the members of the San Fernando Mission leadership in attendance suggest that the marriage was significant for the community and leadership. The first testimonial witness was Manuel who was born at the Mission, but whose father was Cabuepet, and paternal grandfather was Siutcabit.[102] The second testimonial witness was Francisco, the alcalde of the Mission. This witness was

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[97] See the baptism of Roque's son Pacifico (SF Baptism #2089a) and Doc. 80332.B.SCUS

[98] Roman's father is Vicente Ferrer (SF Baptism #0371) who was born at the village of Sanja. Roman's (Ramon) Baptism is number is: SF Baptism #1763.

[99] Docs: 80332.A.SCUS; 80332.B.SCUS; 80332.C.SCUS; 80332.D.SCUS; 80332.E.SCUS; 80332.F.SCUS; 80332.G.SCUS; 80332.H.SCUS; 80332.I.SCUS; 80332.J.SCUS

[100] Manuel (SF Baptism #2494) and Jose Odon Chihuya (SF Baptism #0780);

[101] Docs. 90132.A.SFS; 90132.B.SFS

[102] See SF Marriage #910; SF Marriage #912; Manuel (SF Baptism #2666), his father Alejo (SF Baptism #0343; and his paternal grandfather Macario (SF Baptism #0580).

likely Vicente Francisco who is listed on a variety of sources as having served as an alcalde at San Fernando Mission. Vicente Francisco was born to a Kitanemuk lineage. In 1851 he returned to his lineage where his brother was the chief. Vicente Francisco was a signatory to the Tejon Treaty on behalf of the Tejon Indians.[103] The third testimonial witness was Secundino, who was born in the Vanyume (Serrano) village of Chibuna.[104] Secundino's mother and maternal grandmother were members of the lineage at Cuecchao, a Tataviam speaking community.[105]

The first witness was Thomas, the sacristan. Most likely this person was the elderly Thomas from Momonga, a village located in the northwest portion of the San Fernando Valley and which likely contained both Tataviam and Chumash speakers.[106] The second witness was Pedro Juaquin who in 1845 married Maria del Carmen. Juaquin was First Alcalde in 1843. Thomas, Pedro Juaquin and Cosme, the groom's father, were among the owners, with Rogerio Rocha, of the square league granted to the Indians in 1843.[107] At the time of the wedding, in 1845, the owners of the square league of land were farming the land and maintaining their labor contributions to San Fernando Mission.

Pedro Juaquin was Maria Rita Alipas's uncle because he was previously married to Felipa, the sister to Francisco Papabubaba. Pedro had two sons with Felipa who were both first cousins to the bride Rita.[108] San Fernando Mission was the birth place for Pedro Juaquin, while Pedro's father, Mariano, was born at the village of Sanja, and his mother, Lorenza, was born at Tapuu, a Chumash village and to the same lineage as Maria Rita Alipas's maternal grandfather, Tiburcio Cayo.[109]

We have recounted that Cosme, the father of Benigno, had ancestors who were Cabuepet, and Benigno's mother Esperanza was born at the village of Tusina (Tuusingna), a Kitenamuk lineage (Tucsibit), and a lineage that became recognized as part of the Tejon tribe after the 1851 treaty.[110] Consequently, Maria Rita Alipas had in-law relatives among the Tejon Indians. Maria Rita Alipas was a member of her father's lineage until she married, and then according to traditional reckoning, she would take on the lineage of her husband. Her first husband was Benigno, whose lineage through his grandfather, Marcelo, was Cabuepet, or in other words, the grandfather was born to the lineage at the village of Cahuenga. If traditional reckoning was still used, Maria Rita Alipas's children with Benigno were Cabuepet, and she would be a member of Cabuepet, until Benigno's death about 1861.

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[103] Docs. 80005.D.CK; 00048.A.FTO; 00048.C.FTO; 80347.A.JJL; 80347.B.JJ; SF Marriage #0589; SF Baptism #2385.
[104] Docs. 80003.D.JJ; 80005.Z16.CK; 80005.Z17.CK; SF Baptism # 1921.
[105] Doc. 80003.D2.JJ; SF Baptism #1936X and SF Baptism #1935; 80575.W.JCGBA
[106] Doc. 80003.A.JJ; SF Baptism #0037.
[107] Doc. 40009.Q.DC
[108] SF Marriage #0819; Pedro Joaquin (SF Baptism #2080), Felipa (SF Baptism #2286), and the two sons and cousins to Rita were Juan Francisco (SF Baptism # 2820), and Jose Guadalupe (SF Baptism #2888). Jose died in before his first year (SF Deaths #2155) and Felipa, Francisco Papabubaba's sister, died in 1842 (SF Deaths #2277).
[109] Mariano (SF Baptism #0963), Lorenza (SF Baptism #0507).
[110] Esperanza (SF Baptism #2476X). Docs: 80005.Z17.CK; 80005.Z18.CK

During the Mission period, 1797 to 1847, the lineages of Jose Miguel Triumfo, Maria Rita Alipas, Rogerio Rocha, and Leandra Culeta are all interrelated in a web of family and community ties. The family connections help them to maintain contacts and community in the post mission period. Before establishment of San Fernando Mission there was an active region exchange of marriages, trade, and sharing ceremonies, and active relations among lineage groups continued throughout the mission period.

As late as 1837-1846, reports suggest that the Indians at San Fernando Mission were engaged in an annual round of traditional ceremonies, which were attended by the Mission Indians as well as non-Mission Indians, some of whom traveled over 100 miles to attend the events. San Fernando Mission also introduced a cycle of Christian festivals, the most important was the feast day of Saint Fernando. The ceremonial ties and family ties to non-Mission Indians throughout the San Fernando Mission territory, and beyond, appears to have been active throughout the San Fernando Mission period (1797 to 1846).

The Criterion for Community during the 1797 to 1846 Period

This section addresses the criteria for § 83.7(b)(1), as documented in the above narrative for the 1797 to 1846 Mission Period. During the 1797 to 1846 Mission Period, the petitioning groups satisfies several criteria for community.

§ 83.7(b)(1)(i)
Significant rates of marriage within the group and/or as may be culturally required, patterned out marriages with other Indian populations.

The Mission tried to break up lineage groups, the San Fernando Indians nevertheless continued the rules of exogamy, married individuals outside of their lineage, and strategically married members of other lineages across Kitanemuk, Tongva, Tataviam, and Chumash linguistic, dialect, kinship and differences in political organization. The lineages at San Fernando Mission almost exclusively only married other Indians from the usual regional lineages to whom they were not closely related and who were present at San Fernando Mission. The Mission Indians did not marry non-baptized Indians, and for the most part did not marry Spanish or Mexican individuals. The Jose Miguel Triumfo line, among our main four lineages, has Mestizo ancestry. Triumfo's father was Spanish, and his wife's lineage had several generation of intermarriages with Spanish families. In general, however, there were relatively few marriages by Mission Indians outside of the Mission Indian community to Spanish or Mexican persons during the mission period. Most of the ancestral members of the petitioning group married baptized Mission Indians. See pages 13-14, 19-25.

§ 83.7(b)(1)(ii)
Significant social relationships connecting individual members.

The godparenting relations, while designed to integrate the Indians into the larger Catholic community, helped accentuate and extend new ways for Mission Indians to form social relations beyond kinship ties with other members of the Mission Indian community. Many Catholic institutions like witnesses at weddings, such as the Benigno and Maria Rita Alipas wedding in

1845, brought political and social allies together. The marriage of Benigno-Alipas brought members of the Encino and Cahuenga lineages together in social and kinship relations. The godparenting, witnessing, and marriages patterns of the mission period sustained the lineages of Chaguayabit, Suitcabit, Cabuepet, Tujubit in a network of social and kinship relations that reinforced traditional close ties between Suitcabit and Cabuepet, in particular. Most of the current members of the petitioning group have ancestral ties to Suitcabit and Cabuepet. Marriage relations between lineage members of Chaguayabit and Tujubit established kinship ties to Rogerio Rocha, who became Captain of the Mission Indians at San Fernando, and whose mother was Tujubit. The Indians at San Fernando were engaged in an active network of social and kinship relations that accentuated and extended by the adoption of Catholic forms of godparenting and witnessing. See pages 18-25.

§ 83.7(b)(1)(iii)
Significant rates of informal social interaction which exist broadly among members of a group.

There is little documented direct evidence available about internal lineage group social actions during the 1797 to 1846 period, but the scholarly literature suggests that lineal groups survived and were active during the Mission period, to the point that the padres lamented to control that lineages and their leaders had over the Mission Indians. Frequent and active social interaction can also be inferred from the marriage, witnessing, and godparenting, collective labor patterns of the mission, and the continuity of lineages. See page 15-16.

§ 83.7(b)(1)(iv)
Significant degree of shared or cooperative labor or other economic activity among the membership.

While at the Mission, the Indians were trained to labor for the Mission estate which consisted of a large farm, orchards, and ranches. The Indians were trained to work at the skills necessary to sustain the needed labor of the Mission estate. New skills as cowboys and numerous trades were acquired, and the Indians were engaged in regular work regimes that not only supported themselves, but also the Mission, and the supporting Spanish and later Mexican military staff. Some Mission Indians became alcaldes, and led work teems in the various Mission ranches at Tujunga, Encino, Escorpion, at the Mission, and probably elsewhere. Virtually all adult Mission Indians were engaged in the collective economy of the mission, and constituted a degree of cooperative labor across lineages that was not evident during the pre-mission period. See pages 13-19, 22-23.

§ 83.7(b)(1)(v)
Evidence of strong patterns of discrimination or other social distinction.

The Mission Indians at San Fernando were distinguished socially, religiously, and racially. On the Mission baptismal records the Indians were labeled as Indio for men or India for women, while Spanish individuals were labeled as razon. Most Mission Indians were given Spanish names, and often their Indian name was recorded, but they rarely were given surnames. Most likely a sign of subordinate social status. In the Baptismal records, Mission Indians and their parents were also distinguished by their achievements in the Catholic Church. Most were

designated a Neophytes, a status that indicated they had made a commitment to enter the Catholic Church community, but had not made any significant progress toward the study of Catholic doctrine. To a large extent, Mission Indians at San Fernando were a captive group, subject to strict punishment for disobeying rules, and chased if they ran away and flogged if they were caught. See page 18.

§ 83.7(b)(1)(vi)
Shared sacred or secular ritual activity encompassing most of the group.

The San Fernando Mission Indians continued to practice a cycle of religious ceremonies, and many Indians from the region, as in pre-mission times, came to Mission San Fernando to carry out traditional ceremonies. Furthermore, most Mission Indians at San Fernando became, at least, nominal Catholics. The padres introduced Catholic holidays and the festival of St. Ferdinand, and the Mission Indians took up participation in the Catholic Mission festivals. See pages 15-16, 20, 25.

§ 83.7(b)(1)(vii)
Cultural patterns shared among a significant portion of the group ...

At the Mission, most Indians continued to speak their own languages. The padres encouraged the use of Spanish, but did not discourage the use of Indian language. The Indians spoke their own language in their homes, while Spanish was spoken by some. The ancestors from the lineages of Chaguayabit, Suitcabit, Cabuepet, and Tujubit all spoke one of the Takic dialects, but because of intermarriage and kinship relations, many of the members probably spoke multiple Takic dialects such as Tongva and Tataviam, and some may have spoken Chumash or Kitanemuk languages as well. Indigenous ceremonies were practiced by the Indians at San Fernando Mission, as well as nominal Catholic faith, and participation in Mission festivals, baptisms, marriage, godparenting, and ceremonial witnessing. See pages 13-16.

§ 83.7(b)(1)(viii)
The persistence of a named collective Indian identity continuously over a period of more than 50 years notwithstanding changes in name.

Although Mission authorities discouraged extended family or lineage organization, family relations, leadership patterns and identities continued into and past the Mission period. The padres gave the name "Fernandeño" to the Mission Indians of San Fernando, by which name the Indians of San Fernando Mission have been known as ever since. The expression is still used today, and the petitioning group is known as the Fernandeño Tataviam Band of Mission Indians. Throughout the 1797 to 1846, period, the name was given to all Mission Indians living and working at San Fernando Mission. The four main lineages of the petitioning group were included in the name Fernandeño Indians. See page 13-14.

§ 83.7(b)(2)

Section two states: A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided to demonstrate any one of the following (subsections i-v). We address subsections i-v below.

§ 83.7(b)(2)(i)
More than 50 percent of the membership reside in a geographical area exclusively, or almost exclusively, composed of members of the group....

All, or virtually all, of the direct line ancestors of all four main lineages from Chaguayabit, Suitcabit, Cabuepet, and Tujubit lived at San Fernando Mission by 1810, and until the middle 1840s. In the 1840s, Mexican governors granted ancestors of the petitioning community land grants at Encino, Cahuenga, the land grant of the 40 petitioners in 1843, and Rogerio Rocha's land grant. All ancestors were living on Mexican land grants near the Mission by the middle 1840s. The grant to forty petitioners in 1843 was retracted in early 1845, and descendants from Tujubit left the mission. Rogerio secured a land grant at a different location. See pages 13-14, 16, 21-24.

83.7(b).2.(ii)
At least 50 percent of the marriages in the group are between members of the group.

The rule for all lineages in the region was exogamy, all persons married outside their lineage group. Therefore it was not possible that 50% of the group married within any one of our four main lineages, and the marriage patterns ranged throughout the region and were not restricted to our four main lineages. The Fernandeño Mission Indians chose their spouses almost exclusively among the baptized Indians of San Fernando Mission. See pages 13-14, 18-20, 22, 24-25.

§ 83.7(b)(2)(iii)
At least 50 percent of the group members maintain distinct cultural patterns...

Virtually 100% of Fernandeños maintained distinct cultural patterns. Members of each lineage-village spoke a Takic dialect, and many probably spoke multiple dialects, as well as some spoke Chumash. Some Mission Indians spoke Spanish and a few gained some facility with Latin. The Fernandeño Mission Indians held ceremonies, attended Mission festivals, were nominal Catholics, and acquired farming, trade, ranching and other skills, which distinguished them from non-Mission Indians. See pages 12-15, 18, 20, 24.

§ 83.7(b)(2)(iv)
There are distinct community social institutions encompassing most of the members ...

The Fernandeños retained their autonomous lineage organization and relations, observed a ceremonial cycle, engaged in collective economic activities and cooperation with the Mission economy, maintained leadership patterns, and a shared identity as a collective entity. The institution of elected leaders, such as alcaldes and other posts, created new forms of collective leadership, not based directly on lineage or heredity, but on popularity, management skills, and leadership. Many of the alcaldes were men who showed good leadership ability and were respected among the lineages. The Mission Indians shared labor tasks, and contributed labor in

support of the Mission. The community of the Mission was to a large extent sustained by Mission rules and goals, which were to detribalize the Indians and turn them into Spanish subjects and later into citizens under Mexican rule. The families, lineages, and ceremonies, however, persisted through to the end of the mission period. The regional arrangement of mission and non-mission lineages continued to interact with non-Christian Indians and lineages. The padres probably discouraged continued patterns of marriage to non-Christian Indians, and the Mission Indians appear not to have the privilege to visit and attend ceremonies among relatives throughout the region as in the past. The solution to the travel restrictions were that the non-Christian lineages around the region traveled to San Fernando Mission to carry on visiting, trade, and a cycle of ceremonies, and perhaps they took part in the new Catholic festivals offered by the padres. These ceremonial and social relations with non-Christian lineage members and other lineages helped maintain ties and relations to lineages throughout the region. The four lineages who are the progenitors of present-day Band membership were embedded within a web of marriages, kinship, and godparenting relations that accentuated and maintained the regional ties and lineage autonomy apparent before the mission period.

By the 1840s, San Fernando Mission Indians were petitioning for land grants to support their livelihood. The land grants were often given jointly to several lineages, and owned jointly. The four lineages secured Mexican land grants at Encino, Cahuenga, Rocha's land grant, and the one-square league of land for the forty petitioners in 1843. The mission ancestors of the petitioning community took up ranching and farming by the middle 1840s. By early 1845, the land of the forty petitioners was withdrawn by Governor Pico, who sold the land to private interests. All the forty petitioners, except Rogerio Rocha, were compelled to leave the Mission and were left landless. See pages 16-25.

Conclusions for Community During 1797 to 1846 Period

The Band's four main lineages satisfy most of the criteria for distinct community during the 1797 to 1846 period. The ancestors within the four lineages were embedded within a web of marriages, kinship, ceremonies and festivals, marriage witnessing and godparenting, and Mission economy. They showed a clear and distinct pattern of community organization. During the Mexican secularization process, the ancestors of the petitioning community moved to secure their social and economic future in the form of Mexican land grants.

The Continuity of Regional and Lineage Community in the Early American Period: 1847 to 1885

By the summer of 1846, Governor Pico sold Mission land and assets, leaving a few land grants to Indians and no lands at San Fernando Mission to the Church.[111] He sold the land to raise funds to support military opposition to an advancing American Army. The Mexican forces under Pio Pico, while making a show of military strength, surrendered without a fight and agreed to terms after securing protection of assets and land under the Treaty of Cahuenga on August 15, 1847.

[111] Doc. 50020.B.UCLA

Under the Secularization Act of 1834 the Indians were to retain Mission land under government trust and protection, and had the right to organize electoral village governments.[112] Mexican secularization law and policy recognized the right of Indians to retain land, have the trust protection of the government, and exercise self-government under Mexican law. The secularization plan was to move the Mission Indian population out of the direct administration of the Catholic Church and turn over administration to secular government authorities. The Indians would organize under independent villages and the land would not be alienable but would be held in trust by the Mexican government. The mission assets, land and cattle, were to be divided among the Indians to help them secure a livelihood on the new lands. The Church fathers would maintain their spiritual administration of the liberated Indian communities and finance Church administration through donations from the Indian parishioners. The Indian communities would pay money or labor taxes to the government, and thereby provide support to the government. The Indian communities would elect governing boards who would report and negotiate with government administration.

The Mexican secularization plan recognized rights to land, self-government, and citizenship under protective land and political protection and trust from the Mexican government. These relations were to be preserved in the American period according to the Treaty of Guadalupe Hidalgo in 1848. The administration of Governor Pico, however, ignored the secularization regulations, and sold the mission assets and land, though he did make certain Indian land grants, several among the San Fernando Indians.

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[112] Docs. 50049.A.UCLA; 50049.B.UCLA; See also: 80390.A.SFRDE; 80390.B.SFRDE; Docs: 80427.A.DLO; 00193.E.DC; 00207.C.BL; See also Doc. 90390.B.SFRDE. 50049.A.UCLA; 50049.B.UCLA: "Provincial Regulation for the Secularization of the Missions of Upper California (August 17, 1833).... the Supreme Government, jointly with the religious missionaries, will convert the missions of the territory partially into villages.... Article 5. To each head of a family, and to all who are more than twenty years old, although without families, will be given from the lands of the mission, whether temporal (lands dependent on the season) or watered, a lot ground not to contain more than four hundred yards in length, and as many in breadth, nor less than one bundred. Sufficient land for watering the cattle will be given in common. The outlets or roads sball be marked out by each village, and at the proper time the corporation lands shall be designated. Article 6. Among the said individuals will be distributed, ratably and justly, according to the discretion of the political chief, tbe balf of the movable property, taking as a base the last inventories which the missionaries have presented of all descriptions of cattle. Article 7. One-half or less of the implements and seeds indispensable for agriculture shall be allotted to them ... Political Government of the Villages Article 14. The political government of the villages shall be organized in accordance with existing laws. The political chief shall take measures for the election and establishment of Boards of Magistrates. Article 15. The internal police of the villages shall be under the cbarge of the Boards of Magistrates ... Article 18. They shall not sell, mortgage, nor dispose of lands granted to them; neither shall they sell their cattle. Contracts made in contravention of these prohibitions shall be of no effect; and the Government shall seize the property as belonging to the nation, and the purchasers shall forfeit their money. Article 19. Lands, the proprietors of which die without heirs, shall revert to the nation ... tbe commissioner will inform the natives -- explaining to them, with mildness and patience that the missions are to be changed into villages, which will only be under the government of priests so far as relates to spiritual matters; that the lands and property for wbich each one labors are to belong to himself and to be maintained and controlled by himself without depending on any one else; that the houses in wlhich they live are to be their own, for which end they live are to be tbeir own.....The lots will be given to them immediately, to be worked by them as the 5th article of these regulations provides. The commissioner, the priests and the steward shall choose the location, selecting the best and most convenient to the population; and shall give to each the quantity of ground which he can cultivate, according to his fitness and the size of his family, without exceeding the maximum established. Each one shall mark his land in such manner as may be most agreeable to him."

One main difference between Mission Indians and non-mission treaty Indians is that Spanish and Mexican law, as well as the 1848 Treaty provided a legal basis for the protection of land and self-government among the Mission Indians. The Spanish and Mexican political and land trust were transferred to the United States without any direct treaty negotiation with the Mission Indians. The Spanish and Mexican trust relations were extended from aboriginal title. When the padres assumed control over Indian lands and assets they assumed a trust relation, not ownership, and were intending to return the land to the Indians after the Indians had passed through and education process of detribalization. Territorial and self-government rights extending from Spanish and Mexican law help define the status of Mission Indians after 1848.[113]

By late 1846, most of the Indians at San Fernando Mission were forced to leave the Mission.[114] Many sought employment on ranchos in Los Angeles county and others found work as servants. Others began to return to their lineages back in their original villages and territories, and sought American recognition through treaties and reservations.[115] A few aged and infirm Indians retired at Mission San Fernando, and some retirees lived there into the 1890s.[116] At Escorpion, Encino, Tujunga, and Samuel's grant, the Indian grantees maintained ranches.[117]

The Mission Indians were trained in agriculture and a variety of marketable skills such as blacksmith, masons, carpenters, wine makers, tanners, shoemakers, soap makers, millers, coppersmiths, bakers, cooks, brick makers, carters, weavers, saddlers, constructors of adobe buildings, shepherds, horticulturalists, agriculturalists, cowboys, and other trades.[118] Indian Agent B.D. Wilson reported to the Interior Department in 1863, "[t]hese same Indians had built all the houses in the country, planted all the fields and vineyards."[119] The Mission Indians were trained and lived within the San Fernando Mission organization and protection. The model of the great farm or latifundia, was a system of organized labor, where the Indians learned skills and provided much of the labor required to generate food and wealth. San Fernando Mission had the reputation of the most economically successful of all the California missions.

The advent of the American period, however, introduced an entirely different mode of economic organization, based largely on market forces. Most San Fernando Mission Indians were forced

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[113] Docs: 00206.D.BL; 80410.B.LAH; 00193.E.DC; 00207.C.BL; 40009.D.DC; 40009.F.DC; 40009.G.DC; Doc. 80365.V.SFVPP; 80390.A.SFVPP; 80390.B.SFRDE; 50020.A.UCLA; 50021.A.UCLA

[114] Doc. 00268.B.BL

[115] Doc. 30065.C.BL; 80400.B.Wilson

[116] Doc.-Photos: 80507.A.SFVHDL; 80509.A.SFVHDL; 80510.A.SFVHDL

[117] A tribal member recounted: "My grandma said that there was relative... they gave one of our elders a Rancheria called Los Encinos, and it was two brothers that had the Rancheria. And as sometimes families—I might even have some of this wrong—that having falling outs. These two brothers went different ways. One stayed there. The one who stayed there died and the wife sold the Rancheria. To this day you can go to Encino. It's Los Encinos, and there's a little plaque and a little adobe house, and stuff. And that was my grandmother's connection to the Valley. And the Valley, for us, was a place to come and work because, first of all, when we came to the Mission... I was asking my dad some of these questions. We don't know about the Mission period other than what we would joke about or what we hear, but basically when the Mission period was over and they had all these Natives at the Mission they said, "Okay, today, now you guys can go back home." Well, all their villages and a lot of their land was already taken away from them. And the ones that did have villages went back and got kicked out of them. But the Rancheria in Los Encinos was one connection of a piece of land that was left that was taken away through taxes, I believe. Water rights or it got dry, or something." Doc. 80323:

[118] Docs. 40021.A.DC; 50017.A.UCLA; 80364.B.SFVPP

[119] Docs: 00193.F.DC; 00364.A.HD; 30065.C.BL; 40021.A.DC.

or voluntarily left the mission by late 1846, and many started to work on the ranches around the San Fernando Valley. They had the skills to support a ranch style economy since it was similar to the economy of the Mission.[120] William H. Brewer observed in 1861 that, "[t]he natives ... are slowly giving way before the Americans, with whom they do not assimilate."[121] Agent Wilson similarly found, "A better crop and more commodious hut -- perhaps, a table and chair or two -- may distinguish them from the denizens of the mountain village. Everything else is quite after the Indian fashion. Still, with these, and the right to land, and honest conduct, they have made a broad step toward civilization."[122]

However, even the non-Indian ranches were pressed by taxes and economic issues by the end of the 1850s, and most were sold to American farmers who turned from ranching and cattle raising increasingly to grain production, and then to commercial and private development of the San Fernando Valley by the late 1870s and 1880s.[123] Through the 1850s the ranches did well enough, but owing to disease, drought, and taxes, the ranch economy declined, and by the 1860s many of the ranches were sold to Americans.[124]

During the 1850s, many San Fernando Mission Indians returned to their traditional homelands and tribelets, and some took on recognized leadership roles within their communities.[125] Albert Kroeber observed: "At any rate, we gather from the evidence that with few exceptions no tribelet voluntarily completely abandoned its tribal home and upon secularization many, if not a majority, of the missionized Indians returned to their ancient habitats."[126]

Several San Fernando Mission Indians were signatories to the Treaty near Fort Tejon in June of 1851.[127] None on the members of the three lineages from the contemporary Fernandeño Tataviam Band of Mission Indians were party to the Fort Tejon Treaty, although if ratified, the treaty would have given away the whole of Los Angeles County, including all the land the San Fernando Indians occupied there. A few years after the treaty, the US government created San Sabastian Reservation at what later became part of Rancho Tejon. The land was near both Kitanamuk and Chumash villages. San Fernando Mission early had recruited eonverts from both communities, and several signers of the 1851 treaty were San Fernando Mission Indians, although in the treaty they represented their village communities and not San Fernando Mission Indians as a whole.[128]

Vicente Francisco Tinoque Cota, a Tejon Treaty signatory, was baptized at the mission in 1819.[129] His mother, Paulina , whose Indian name was Yucsuiban, and grandmother, Zenona,

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[120] Docs. 30365.A.SFVPP
[121] Doc. 80394.A.UCLA
[122] Doc. 80400.A.Wilson
[123] Doc. 80372.A.LAT
[124] Doc. 80403.A.Robinson;
[125] Doc. 00268.B.BL; 00352.G.HD; 50018.B.UCLA; 80391.A.SFRDE; 80397.A.Wilson; 80400.A.Wilson; 80400.B.Wilson; 80426.B.LH; 80365.A.SFVPP; 80397.A.Wilson; 80418.A.LAT; 80418.A.LAT
[126] 00268.B.BL
[127] Docs: 00048.A.FTO: 00048.B.FTO; 00048.C.FTO; 80575.O.JCGBA; 80575.R.JCGBA;
[128] Doc. 80404.A.Lopez; 80437.A.JJL; 00048.A.FTO
[129] Doc. 80404.A.Lopez; 80437.A.JJL; 00048.A.FTO

both were baptized at San Fernando Mission, as well as his sister, Teofila.[130] Vicente Francisco also had an unbaptized brother, who signed the 1851 treaty at Tejon as the chief of the Tejon tribe. Francisco split his name, and gave Vicente to his brother, and thereafter he used Francisco and later Francisco Cota.[131] Teofila married Francisco del Espiritu Santo, who was from the village of Tujunga, and they both became grandparents to Leandra Culeta, the progenitor of the Garcia lineage.

The San Sebastian Reservation was established in the middle 1850s, and many Indian communities were invited to live and work there. Many Indians from Mission San Fernando went to live on the reservation, and some stayed and married into Kitanemuk Mission Indian families, while others stayed for only limited time. The reservation lands were quickly in jeopardy because of a competing Mexican land grant claim, and the competing claim eventually prevailed and by 1864 the reservation was closed.

Soon thereafter Edward F. Beale, the first superintendent of the San Sebastion Reservation, purchased the former reservation lands and other lands and formed Rancho Tejon. Since Beale knew many of the Indians personally, he invited them to work at the ranch and gave the considerable leeway to keep their own farms and manage sheep and cattle, as well as providing steady ranch work. Beale promised the Indians he would allow them to live on the land as long as he was owner, and he kept his word. Many Indians worked at Rancho Tejon during Beale's lifetime, and through part of the ownership and lifetime of his son, Truxtun. The community at Rancho Tejon were descendants of long standing regional relations and intermarriage. The Tejon community gained more social contacts through godparenting and alcalde relations with other San Fernando Indians. The Tejon Indian community forms a continuous community from the pre-mission period and it continues to form a related and friendly community for other historical lineages in the area.[132]

Other San Fernando Indians took land grants and others worked in the Indian non-Indian land grants in the San Fernando Valley during the 1850s. The most relevant land grants to the petitioning community were Encino, Tujunga, Rogerio Roeha's land, Escorpion, and Samuel's grant. Relations remained one of friendly and cooperative lineages and families around the region, and among the people living in the San Fernando Valley and the emerging town of San Fernando near the old mission site.

None of the Fernandeño Tataviam Band of Mission Indian members traces descent to the owners or community at Escorpion, which was located around the old Chumash village of Huam.[133] Many of the descendents from Rancho Escorpion, owners, and workers, identified as Chumash or Tongva, and have joined those contemporary federally unrecognized communities. As discussed above, the owners of Encino, Tujunga, Samuel's grant, and Escorpion were tied together in social relations through godparenting, ancestral ties, lineage, and marriage relations.

[130] SF Baptism #1916; SF Baptism #1917; SF Baptism #1848
[131] Doc. 00048.A.FTO
[132] Doc. 80402.A.Wilson
[133] Doc. 80005.C.CK

Maria Rita Alipas and her maternal grandfather, Tiburcio Cayo, were captains at Encino.[134] Perhaps Francisco Papabubaba, by virtue of his joint ownership of the square league at Encino, would have been attributed to a status like captain or alcalde. Most likely, Papabubaba represented his family's interests in discussions with the other two families of Roque and Roman. Papabubaba was then family spokesman, or a leader in a traditional sense. Ownership of land and water, and the sharing of such resources with other community members, providing work, and a place to live, made leaders of Francisco Papabubaba and the other joint owners of Rancho Encino. Francisco died in 1847 and so his joint ownership was brief, less than two years. Papabubaba's only surviving child was Maria Rita Alipas, who inherited his one-third joint ownership of Encino land and water assets.[135]

In 1850, Jose Miguel Triumfo sold Rancho Tujunga for $400, and went to join the Rita Alipas family at Encino.[136] Encino and Cahuenga had long time social and political relations, Rita Alipas's maternal grandmother Teresa was baptized at Cahuenga and may have lived there.[137] Rita Alipas's first husband, Benigno had ancestral ties to Cahuenga. In 1850, the Triumfo and Alipas families, as well as Agueda and Roman, were living at Encino. The descendants of Triumfo and Alipas form the two largest lineages within the current Fernandeño Tataviam Band of Mission Indians organization. The two families had social and ancestral ties through the lineages as Cahuenga and Encino.

In 1851, Samuel, the land grantee who was born in the Tataviam village of Chaguayanga, provided the Triumfo family with a gift deed of 200 acres of land northwest of San Fernando Mission.[138] This land, according to Setimo Lopez, J.P. Harrington's informant, was called Sikwanga, and located in present-day Sylmar, California, northwest of San Fernando Mission. Jose Miguel Triumfo established a ranch at Sikwanga where he planted orchards to grow pears, oranges, and pomegranates. After the loss of a son in 1849 and after "another son they carried to the isla[,]and therefore the old man went crazy[,] and his wife Rafaela sold the ranch to a woman of the Feliz family and she sold 20 acres to Geronimo Lopez."[139] Triumfo apparently died or was disabled in San Fernando by 1854, after which his wife Rafaela sold the ranch to a women from the Feliz Family Ranch, and she in turn sold part of the ranch to Geronimo Lopez, who in the 1860s built the famous Lopez Station, as store and stagecoach stop.[140]

In the late 1850s, Rosaria the daughter of Jose Miguel Triumfo, married her second husband, Miguel Ortiz, but after three children she separated from him. Her third child, Jose (Joseph) Ortiz, born on February 15, 1861, was the progenitor of the Ortiz lineage. Rosaria and her mother, Maria Rafaela, lived in San Fernando until 1877, when they moved to Kern County, where Rosaria remarried.[141] After a few years, Joseph Ortiz, when old enough started to work at the Rancho Tejon, and he stayed for fifteen years and lived among the Tejon Indian community with its many San Fernando Mission descendants.

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[134] Doc. 80232.INT
[135] SF Deaths #2393.
[136] Docs: 80109.E.USC, 80108.A.USC; 80359.A.SFVPP; 80371.BP; 80359.B.SFVPP
[137] SF Baptism #432
[138] Doc. 80444.A.Norton
[139] Doc. 00325.A.SW
[140] Doc. 80444.A.Norton
[141] Doc. 80126.K.DC; 80126.I.DC

The Leandra Culeta family lived in San Fernando.[142] Leandra Culeta married Juan Leyvas about whom the historical record contains limited information. Oral history suggests he was a Chumash born in Saticoy and became a very successful cowboy at Rancho Tejon. There was a Leyva family attached to the Tejon Indian community, but it is not clear whether they were related. In 1865, Leandra Leyva and Juan Leyva were parents to Josephine (Maria Josefa) Leyva, who was born at San Fernando and baptized at the La Plaza Church in downtown Los Angeles.[143]

The San Fernando Mission baptism records stop in 1855. The priests continued to baptize people and often recorded the baptism at La Plaza Church. San Fernando Mission was not operating as a parish church after about 1846, and the parish was never restored. The Church won the return of some land and buildings from the Mission in the early 1860s, but the Catholic Church has used the buildings for administrative purposes and had not invited the local Indians or other Catholics to restore a Catholic community at the San Fernando Mission Church. Although the Catholic Church held the land in trust for the San Fernando Mission Indians, the Indians have not been restored to land or assets.

In 1880 or 1881, Josephine Leyva married or took up partnership with Isidoro Garcia. Isidoro Garcia was of Yaqui descent and was born in Stockton California about 1860. His parents, Santiago Garcia and Catalina Leyva were born in Mexico and moved to California. Isidoro was living with his mother, Catalina Garcia, in San Fernando in 1880 as recorded by the census of that year.[144] The first child of Josephine Leyva Garcia was Frances Garcia, born in 1881 and the second child, Petra, was born in 1882. Both children were born at San Fernando. Petra was baptized at La Plaza Church on May 23, 1882 together with her first cousin Christina Ortega, a member of the Ortega lineage.[145] The Ortega and Garcia families arranged to meet at La Plaza Church and baptized their two children together. Isidoro's sister, Isidora, married Antonio Maria Ortega, the son of Maria Rita Alipas, and the Ortega's were baptizing their first child, Cristina. The baptism record shows the two cousins were baptized consecutively with La Plaza Baptism records 462 and 463. Isidoro Garcia served as godfather to Christina Ortega. The Garcia and Ortega families continued to exchange godparenting relations among their children.

Francis Garcia Cook indicated in her 1928 Roll affidavit that she was born in San Fernando, and she and her children lived most of their lives in Newhall, California.[146] Francis Garcia's statement suggests that during the early 1880s, the Isidoro Garcia-Josephine Leyva family moved to Newhall and lived there continuously. Newhall is part of present-day Santa Clarita, about six miles north of San Fernando. The Garcias were employed in the local ranch economy, working mainly as ranch hands and in associated trades.

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[142] Doc.00242.A.BL

[143] Docs: 80291.A.LPC; Doc.00242.A.BL; 80152.A.ANC

[144] Doc. 80070.A.USC. See also Doc: 80321.INT. Isidoro's sister Isidora was working at the Lopez Adobe in the late 1870s and early 1880s. Isidora is also recorded as living with her mother in the 1880 Census. The Lopez Adobe is located in the old part of San Fernando near the present-day main business areas at 1100 Pico St, San Fernando, CA 91340. The main neighborhoods where the Ortiz and Ortega families rented houses were only a few blocks away around Coronel Street.

[145] Doc. 80128.A.LPC

[146] Doc. 40064.A.DC; 40064.B.DC

The Tataviam village Tochonanga was located on Newhall Ranch, and was not far, a few miles, from Chaguayanga. The Leandra Culeta line had ancestors from the lineage at Chaguayabit and they shared this ancestral line with the Maria Rita Alipas family. There was a community of Chumash, Tataviam, and Kitanemuk Indians at Newhall, many with ancestors baptized at San Fernando Mission. They recognized relations and ties with the San Fernando Mission Indians at Tejon, Ventura-Oxnard, and San Fernando.[147]

Jose Juan Olivas, an informant for J.P. Harrington and a resident at Rancho Tejon, was an important resource for identifying and verifying many of the San Fernando Mission Indians during the 1928 California Indian Judgment Roll. Olivas was born in the Chumash village of Saticoy and was orphaned at the age of 12. He moved to Tejon Ranch by 1870 with his grandfather, Pedro Antonio Chuyuy, a baptized member of San Fernando Mission.[148] Olivas had ancestral ties to the lineage at Escorpion through his paternal grandmother, Euqueris.[149] Through his grandmother, he was related to the captain Jose Odon Chihuya at Escorpion and to his sisters, who were Olivas's aunts. At Tejon Ranch, Olivas married Madgalena Cota, the daughter of (Vicente) Francisco Cota, the former alcalde at San Fernando Mission and a chief among the Tejon Indians in the late 1800s.[150]

Olivas verified the San Fernando Mission Indian claims of many of the Garcia family members.[151] He was familiar with the Garcia family and parentage, and recognized them as related family members.[152] Jose Juan Olivas himself did not apply during the 1928 roll as a member of San Fernando, instead preferring to identify with the Tejon Indians, where he made his home and with whom he intermarried. Frances Garcia became an active member and leader among the San Fernando Mission Indians at Newhall, and they claimed Chumash descent. The present-day San Fernando Mission Indians of Santa Clarita act as independent community, in an analogous decentralized way as lineages and regional relations were in the pre-mission period.

The Maria Rita Alipas family lingered at Rancho Encino, and by the late 1850s moved about 11 miles back to San Fernando.[153] Rita lost her one-third joint interest in Rancho Encino for failure to pay taxes. Her business partner and joint owner of Rancho Encino, Vicente De La Osa, arranged to pay the taxes on Rita's interest, as he had done some years before while acquiring Roque's one-third joint interest. By the late 1850s, Rita and her family were without legal claims to ownership of any interest in Rancho Encino.[154] When Rita's first husband, Benigno,

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[147] As one tribal member recounted," I tried to meet my family, some of my relatives. I went to Oxnard. I went to Ventura." Doc. 80312.INT

[148] Pedro Antonio Chuyuy (SF Baptism #0231), Jose Juan Olivas's father was Melquiades (SF Mission #2954). The surname Olivas comes from his father's godmother, Teodora Lopez, who was married to Raymundo Olivas.

[149] SF Baptism #0832. Doc. 80003.D4.JJ

[150] Docs. 80642.A.JJL; 80642.B.JJL; 80003.Z02.JJ; 80003.Z03.JJ; 80003.Z04.JJ; 40213.K.DC; 00048.A.FTO; 80437.B.JJL; 80437.A.JJL; Vicente Francisco Tinoque Cota (SF Baptisms #2385).

[151] Docs: 40057.D.DC; 40056.E.DC; 40058.E.DC; 40060.E.DC; 40067.H.DC; 40064.G.DC; 40064.H.DC; 40064.I.DC

[152] Docs: 40064.G.DC; 40064.H.DC; 40064.I.DC

[153] Doc. 80110.A.USC

[154] Docs: 80332.A.SCUS; 80332.B.SCUS; 80332.C.SCUS; 80332.D.SCUS; 80332.E.SCUS; 80332.F.SCUS; 80332.G.SCUS; 80332.H.SCUS; 80332.I.SCUS; 80332.J.SCUS; 80427.C.DLO; 00129.D.FTO; 80657.A.FTO: "Rudy Ortega, organizer and head of the San Fernando Valley Inter-Tribal Council, wishes deleted a sentence which

died in 1861, during the next year she married Fernando Ortega, who was working for the Geronimo Lopez family transportation business making and managing carts, and eventually worked as foreman on the Lopez Ranch.[155]

The Lopez Adobe is a couple of blocks east of the homes where most of the Ortega family lived on or near Coronel Street in San Fernando. Both Rita Alipas and Fernando Ortega appear to have died in the middle 1860s. There were droughts and epidemics during this time.[156] Maria Rita Alipas was the mother of Antonio Maria Ortega, the progenitor of the Ortega family, one of the main lineages in the contemporary Fernandeño Tataviam Band of Mission Indians.[157] Antonio Maria Ortega was born in 1857 and lived all his life in San Fernando where his children were born.[158] Only two of Maria Rita Alipas' children, Antonio Maria Ortega and Luis (Louis) Ortega appear in the record after the 1860 census. The two surviving orphaned children Antonio about 9 or 10 years old and Luis a small child were helped by godparents and members of the Lopez family.[159]

Antonio Maria Ortega was an Indian language speaker, and probably learned from his mother. Most likely the Indian language was the language of preference for Rita Alipas. Unlike American missions schools, the padres at San Fernando Mission did not discourage, or were not successful at discouraging, the everyday use of Indian languages. Many San Fernando Indians learned Spanish and some Latin, although the language of the household may well have been the preferred Indian dialect of the parents. Some oral history suggests that Antonio Maria Ortega

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states that Indians who were granted the 4460-acre Encino Rancho 'tired of the Rancho and sold it ... ' The rancho had been granted to three Indians, Ramon, Francisco and Roque, after Francisco Reyes, prior owner, was accused of not dealing justly with Indians he employed as ranch workers. Carl Wilson, area manager for the State Dept. of Parks and Recreation agree that eth line is in error and the Ranco actually was lost through non-payment of taxes. Ortega, descendant of Francisco, further charges that the Indians were paid for their labor in wine and consequently had uo money to pay taxes ... The ranch was lost in 1851, when Rita, daughter of Francisco, and great grandmother of Ortega, was one of the owners, Ortega said. It was then deeded to Don Vicente de la Osa, who built the adobe still existing at the park."

[155] Doc. 80301.Z2.FTO

[156] Docs.: 00354.D.HD; 80432.B.SC; 80366.B.SFVPP

[157] Doc: 80004.A.LPC

[158] Docs: 80110.A.USC; 80021.A.USC; 80009.A.USC; 80010.A.USC; 80008.A.USC; 80011.A.USC

[159] Doc.80316.INT: "JO: I don't know. That came from the (Reyes?) that built that house right there, Lopez House. What they call 'Lopez Home' now, right here on (Pico) and Maclay. D: The adobe house? JO: Adobe house. They built that house there. In fact, that house is still there. Has been damaged by the interstates and the city owns it now, and they've been remodeling it to fix it up. GF: What's the connection between the Geromimo Lopez and Antonio Ortega families? JO: What I understood that they were raised together and they had gone to school together as far as my father and Lopez. That's about all I understand. GF: When you say 'raised together' what does that mean? JO: Not raised together, but I mean they were real close to each other. D: They grew up together. JO: And they go to school together. And some of them were in the same class at that time. But that's about all my father used to tell us about it. GF:Your father knew about that. JO: Well, my father knew about it. GF: Were the Lopez' part of your community? Were they people that you had dinners with or (overtalking)...JO: The Lopez' were old people here in San Fernando. There are very, very few people that were here from San Fernando. GF: They were also Native people. JO: Native people of San Fernando. Right. So that's about the only thing I knew. GF: Did any of the younger generations of the Lopez', like your grandfather Antonio's friend that he went to school with, do they have any children, grandchildren that are grown now? JO: That, I never knew. GF: So the families didn't stay that close. JO: Yes."

might have been born at the Sebastian (Tejon) reservation, but there is no evidence given on his baptism or other record.[160]

Antonio Maria Ortega grew up in San Fernando, lived nearby and worked as a caretaker at the Lopez Adobe and probably farm hand for the Lopez family. In the late 1870s, he met his future wife, Ysidora Garcia, who worked in the Lopez adobe household.[161] They exchanged vows by 1878. Subsequent census reports state that Ysidora and Antonio Maria were married in 1878, but in the 1880 census Ysidora is still listed in her family's household at San Fernando.[162] Their first child Christina Ortega was born in 1881. Isidora's brother Isidoro Garcia married Josephine Leyva, the daughter of Juan Leyva and Leandra Culeta. Two of the Band's lineages were thus joined by in-law and godparenting relations. Petra Garcia and Cristine Ortega were baptized together at La Plaza Church and Isidoro Garcia served as godfather to Cristine.

The recognized community Captain at San Fernando was Rogerio Rocha, who lived on a 10-acre farm until November of 1885 when he was evicted by the San Fernando Land and Water Company, a real estate development enterprise.[163] Rogerio Rochas farm was located at the present-day corner of Hubbard St. and Fourth Street about nine short city blocks from the Lopez Adobe and Coronel St., which became the long term residence of Antonio Maria Ortega and family.[164] Rocha's land had water, and he was a financially successful blacksmith, silversmith, played the violin, sang in the Mission church choir, spoke an Indian language, as well as Spanish and some Latin.[165] Indian community members were welcome to take their water at Rocha's farm. He was very popular in the San Fernando Indian community, and became recognized as a captain by both San Fernando Indians and non-Indians.[166]

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[160] Doc. 80313.INT: "ROS:That's when they sent them to Tejon Ranch. That's when they took them all over there. That's when my grandfather went up there to live. GF: What decade are we talking about? Is that the 1880s or what? ROS: No. That's 1880, 1882, some place in there that happened.GF: Because Rocha was thrown off the land in '85. ROS: Right. " An obituary for Isadora Ortega, Antonio Marie Ortega's wife, states in 1932 that the Ortega family lived as the same San Fernando city address of 1229 Coronel Street for 43 years. Hence the family began occupying the Coronel house in 1889 [90153.A.SFS]. While Antonio Marie Ortega and Isadora Garcia say they were united in marriage in 1878, Isadora is living with her mother during the 1880 census.[80070.A.USC]. Furthermore, four children are born to the couple during the 1880s. Christine was born in 1881, and Erolinda was born in 1883, Estanislao was born in 1885, and Eulogio was born in 1887. All four children are documented born in San Fernando and/or baptized at the Los Angeles Plaza Church. Consequently, there is strong likelihood that the Ortega family stayed in San Fernando during most, if not all, of the 1880s, and did not go to live on the Ft. Tejon ranch for any significant amount of time.

[161] Doc. 80321.INT; 80318.INT: RO: My grandfather, Antonio Ortega. He came to live with...I knew all these names, now I get them already...anyway, they said that...GF: Oh, Geronimo, Geronimo...? RO: Lopez. The letter from the BIA states that they say he was adopted by the Lopez family, no he wasn't. GF: He wasn't adopted? RO: As far as we know he wasn't, my aunts told me no. I don't have no proof of it, just what my aunts said. He lived with the Lopez family because he worked for them as a caretaker and there's where he fell in love with my grandmother, (Name?[Isadora]) Garcia and they got married from there and then they moved out. But there's no document stating, showing that he was adopted by the Lopez family."

[162] Doc. 80070.A.USC

[163] Docs: 80571.A.LAT; 80013.A.LAT; 80014.LAT; 80015.LAT; 80016.A.LAT; 80017.A.LAT; 80018.A.LAT; 80572.A.LAT; 80589.A.FTBMI

[164] Doc. 80589.A.FTBMI

[165] Doc. 00372.A.HD; 00372.B.HD; 80265.A.LAT

[166] Docs: 00083.T.FTO; 00109.C.LN; 80006.B.FTO; 80013.LAT; 80014.LAT

Rogerio Rocha was not a traditional hereditary captain, but he had people and cultural skills, wealth, land, and water, which he shared with the local San Fernando Indian community and he gained their respect and leadership. His leadership was a combination of traditional leadership patterns, and the consensual appointment of an alcalde, someone who was elected by the community because they had leadership and cultural skills. Rocha held on to his land and paid taxes, and claimed aboriginal rights and Spanish-Mexican trust protection of his land.[167]

Rocha's eviction was a well-publicized event and was used by the Indian Rights Association and other activist organizations to underscore the issues of landless Mission Indians, and to help Congress to write legislation to assist California Mission Indians to recover land and self-government. Rocha's plight helped Mission Indians in southern California to recover reservation land and tribal governments, but he nor the Indians of San Fernando Mission benefited from his efforts with the recovery of land or reestablishment of self-government. When Rocha was evicted from his farm in 1885, several Chumash men and women, and their families, were living on the Rocha farm, and the adults were named in the eviction suit.[168] Some of the other members of the eviction suit lived on the land because they also claimed territorial rights. Perhaps some were descendants of the 40 petitioners for a land grant in 1843. Rocha had in-laws and social ties among the Cabuepet and therefore some relations with the Ortega and Ortiz families. Through his mother, Rocha had ties to Tujubit and the Garcia family. In the 1928 California Roll, many Fernandeños recognized Rogerio Rocha as captain of the San Fernando Mission Indian community at the time of treaty making on June 1, 1852.[169]

Between 1850 and 1877, all four of the Band's lineages were living in and around San Fernando, either in the town or on land grants in the San Fernando Valley. In the 1850s through 1880s, the village of San Fernando is a small settlement with its own community. The San Fernando Mission Indians at San Fernando remained a loose and friendly coalition of lineages and families, many of them Chumash from Escorpion and Tongva lineages who were not closely related to our four lineages. In-law, godparenting, and long standing lineage ties from the lineages of Suitcabit, Cabuepet, and Chaguayabit bound the Band's four lineages into mutually recognized relations. The marriages by the Isidora and Isidoro Garcia to Antonio Maria Ortega and Josephine Leyva, respectively, resulted in in-law relations and godparenting exchanges between the two families.

The marriage patterns in the period 1847 to 1885 began to change. Previously there were few non-Indians in the pre-mission and mission environments who are eligible or desirable for marriage. For example, the marriages of the pre-mission period were associated with economic exchanges carried on through ceremonial obligations. Economic distribution and trade occurred through participation and kinship obligations to relatives and lineages scattered throughout the region. During the mission period, the ceremonial and trade relations continued throughout the region and beyond, somewhat modified, but similar to the pre-mission days. At the Mission, the

[167] Docs: 00117.A.FTO; 00117.B.FTO; 00117.C.FTO; 00117.D.FTO; 00117.E.FTO; 00117.F.FTO; 00117.G.FTO; 00117.H.FTO; 00117.I.FTO; 00117.J.FTO; 00117.K.FTO; 00117.L.FTO; 00117.M.FTO; 00117.N.FTO; 00121.E.FTO; 00121.F.FTO; 00121.G.FTO.

[168] Docs: 00169.C.DC; 00117.D.FTO

[169] Docs: 40056.C.DC; 40058.D.DC; 40059.C.DC; 40060.A.DC; 40064.C.DC

Mission Indians were encouraged not to marry non-Christians or anyone who was not willing to convert to Christianity.

After the closure of San Fernando Mission, the Indians no longer were bound by the restrictions on marriage imposed by the padres, and many Mission Indian women started to marry Mexican Indians, Mexican and later American men. The marriage pattern continued to be exogamous, and, in the San Fernando area and among our four lineages, there tended to be little or no marriage between the four lineage members. After 1850, the marriage patterns for young women, and later for young men, within our four lineages became almost exclusively to marry outside the lineages and generally outside the San Fernando Mission Indian community. The children of such unions remained identified with the lineages, and so exogamy did not deplete lineage ranks, but over time enabled greater growth among the families and lineages.

The lineages continued to maintain regional and local coalitions. At Tejon Ranch many San Fernando Mission Indians found ranch work and community relations. Many San Fernando Mission Indians returned to their traditional lineages and home territories after the break-up of the San Fernando Mission and the decline of Californio and Indian ranches and land grants. By the middle 1880s, the regional community was focused at San Fernando, Newhall, Tejon, and at Oxnard-Ventura and within Ventura County.[170]

The regional network of lineages retained contacts and recognized family relationships, but generally each community remained local and politically autonomous. Each of the regional communities was comprised of families. Tejon, San Fernando, and at least into the 1870s Escorpion had recognized chiefs or captains. We have less information about political leadership among the families in Ventura and Oxnard during the 1847 and 1885 period. Many of the families and relations at Escorpion and the western San Fernando Valley, generally people of Chumash and Western Tongva descent, tended to move into their own communities, some at San Fernando, and others throughout Los Angeles or Ventura County. Some observers remark that the San Fernando Mission Indians practiced their annual ceremonies well into the 1870s, and

[170] Doc. 80323.INT "But anytime I would bring something up I would bring a memory back to him. We went up to the cemetery up here, and it's Saugus Dam, and it was the Indian Village that they opened up the dam to flood this village out. And I didn't realize that my dad even had the connection to that cemetery, but he had went there as a young man to go with his brothers to bury an elder. Charlie Cooke was one of his elders. And I didn't realize, and I started looking around, they were all Indian families in that cemetery. And there's this rancher that tried to pull us up there because they were building condos around it, and I'm a little facetious in my language, so I'm, like, "Why are we here?" He goes, "I don't want these condos around my ranch." And I'm, like, "Well, why don't you give the tribe your ranch because it's our land anyway." So then he got real quiet and he didn't talk to me anymore that day, but I realized for the first time we had ten or fifteen families that hadn't really talked to each other for a long time. The Ortegas were here, the Salazars were here, and the Cookes were over here, and the (Shackunacks?), they were there. And a few of them actually knew who was buried around the area. GF: In the Newhall area? SS: Yes. Saugus. Because it's on the way from Fort Tejon to here, and there was a number of villages. But my grandma did tell me that she did come to the San Fernando Valley when she was only five years old in a covered wagon. They worked at the Mission, and that they didn't stay... GF: She came to San Fernando Valley from where? SS: From Palmdale. And she was living out there in Lancaster. GF: Is that Tataviam country? SS: Yeah. We were, kind of, scattered out is because what it was is that no one wanted to live in Fort Tejon at that time because being out there, there was no work. If you just wanted to sit out there to die with nothing then that's where you would stay, but if you wanted to work, the work was in the Valley."

most likely retained ceremonial contacts with their regional network, always a part of the principal renewal ceremonies practiced by the western Takic speaking communities.[171]

The San Fernando Indians were dispersed after the decline of San Fernando Mission, they lost control over property and land, and were required to take up wage-labor to live.[172] They had limited options about where they could live, since by the late 1870s, a development company, was surveying and selling lots, in a process that led to the urbanization of the San Fernando Valley that we know today.[173] Most of the San Fernando Indians were workers with little property, and most therefore did not own houses, and needed to rent homes to live. Except for Rogerio Rocha, an elderly man by 1885, the men within the tracked lineages worked as ranch or farm hands. Antonio Maria Ortega worked most of his whole life as farm laborer and handy man at San Fernando. The Garcia family worked the ranches at Newhall when they moved in the early 1880s. Jose Miguel Triumfo was a farmer, but after his death or disablement in about 1854, his wife Rafaela sold the land. Rosaria, Triumfo's daughter, briefly was married to a Mexican laborer, Miguel Ortiz. When the family moved to the Tejon Ranch area in 1877, Rafaela accompanied them and then married another Mexican laborer. Her son, Joseph Ortiz, attended school for several years in Kern County and then started working as a ranch hand at Tejon Ranch in the early 1880s.[174]

The San Fernando Mission Indians are one of the California Mission Indian communities. Some discussion of the historical and legal status of Mission Indians is given above in this section already. Mission Indians, sometimes referred to domesticated Indians, had work skills, language skills in Spanish, some Catholic religion and culture, and were distinguished from the California Indian communities who did not have the Mission experience.[175] "Mission Indians" became a commonly used expression, although Mission Indians as a collective group did not have tribal organization, own land, or have rights to self-government, each individual Mission Indian community, attached to a historical mission like San Fernando Mission, had the legacy of aboriginal rights and Spanish and Mexican trust responsibilities that were transferred to the United States and which upheld rights to land, self-government, and cultural autonomy. The Indians of San Fernando Mission are one of the communities that should have been preserved in their rights, and should have had protection of their land grants, and protections that would have assisted them in maintaining their cultures and kinship networks and achieving self-government.[176] The Mexican secularization regulations prohibited the sale of Indian lands by Indians to private individuals, and preserved their rights to organized village governments. In the end, the San Fernando Mission Indian rights were ignored, and they were subject to discriminatory practices that are well recognized among Indian agents and observers during the 1847 to 1885 period.[177] Some of these comments are set out below.

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[171] Docs: 90148.A.SFS; 90148.B.SFS
[172] Doc. 8030.C.USC
[173] Docs: 80368.A.SFVPP; 80403.A.Robinson
[174] Doc. 80126.K.DC
[175] Doc. 80418.A.LAT; 50054.A.UCLA
[176] Doc. 80345.B.USCongress
[177] Doc. 80400.A.Wilson

The Mission Indians were a class of Indians with land rights and self-government, through Spanish and Mexican law, but their rights were ignored.[178] Federal Commissioner Charles Whitmore found that Mission Indians included "San Fernando Rey, September 8. 1797," and "[w]hen [the Mission Indians'] lands became valuable and coveted by whites, there were speedily made paupers and vagrants to accommodate the white brother whose laws had been promised for their protection and improvement...They have begged in vain for legal rights. Their right of petition to Congress has been ignored."[179]

In hand written notes about 1883, Helen Hunt Jackson reported to the Commission of Indian Affairs: "That our government received, by the Treaty of Guadalupe Hidalgo, a legacy, of a singularly helpless race, in a singularly anomalous position. It would have been very difficult, even at the outset to devise practicable methods of dealing justly with these people, and preserving their rights. But with every year of our neglect, the difficulties have increased, and the wrongs have multiplied, until now, it is humanely speaking, impossible to render to them full measure of justice. All that is left in our power is to make to them some atonement."[180]

Robert Kenny, Attorney General of the State of California, wrote: "The results of the rejection of the treaties left the Indians of California exposed, helpless and largely unprotected to ruthless evictions, unprovoked aggression, bitter persecution, conscienceless exploitation, dispossessed and despoiled of their property without recourse, to become homeless wanders in the land of their fathers... In the bitter struggle for existence thousands perished in despair as the result of unprovoked war, massacre, disease and famine."[181] Many dispossessed Indians were driven from place to place.[182]

The Mission Indians were dispossessed of land and stock during the 1870s and 1880s, and made it difficult to make a living as farmers.[183] A *Los Angeles Times* editorial proclaimed: "[t]he poor Neophytes, as they were called, were cut off from all resources and the remnant of a once large and industrious people have been driven to the mountains to starve."[184] A scholar reported on events related to El Escorpion: "In the 1870's, Miguel Leonis acquired title to the El Escorpion by marrying a Chumash woman [Espiritu, the daughter of Odon]. He employed the Indians living there, as well as other Indians and Mexicans, to look after his cattle herds and sheep flocks... About 1875, Anglo-Americans slowly started to move into the area, believing that the land was open to free settlement, ...Legal disputes ensued, with Leonis regularly utilizing the Los Angeles Courts to drive out these interlopers. Just as often, the disputes turned violent, with regular battles erupting between Leonis' employees and those who tried to establish claims and

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[178] Doc. 80417.A.LAT; 80417.A.LAT; 00153.A.DC; 00154.A.DC; 00154.B.DC; 80435.B.US Congress; 80396.A.Wilson; 00018.C.FTO; 00101.D.FTO; 00121.G.FTO; 00171.F.DC; 00171.G.DC; 00207.E.BL; 00207.G.BL; 00206.C.BL; 00352a.HD; 40021.B.DC; 50013.A.UCLA; 50022.A.UCLA; 80432.D.SC; 80374.B.SC; 80390.A.SFRDE; 80390.B.SFRDE; 80397.A.Wilson; 80418.A.LAT; 80435.B.USCongress; 80435.C.USCongress;
[179] Docs. 00171.F.DC; 80435.B.USCongress; 40009.D.DC (2); 40009.F.DC (2); 40009.G.DC (2);
[180] Doc. 00193.K.DC
[181] Doc. 80432.B.SC; 40021.B.DC; 50013.A.UCLA; 50043.B.UCLA
[182] Docs. 00171.B.DC; 00207.E.BL; 50022.A.UCLA
[183] Docs. 80418.A.LA; 00140.A.DC; 00140.B.DC; 00140.C.DC; 00140.D.DC; 00140.E.DC; 00141.B.DC; 00260.C.BL;
[184] Doc. 80418.A.LAT

homes in the area. In these violent confrontations, many of the still surviving Chumash workers of Leonis were killed."[185]

California and Mission Indians did not receive fair protection within US courts.[186] California Indians could be attacked without fear of government justice.[187] Violence against Mexicans was common. One author observed: "[o]n July 5, 1851, a mob of miners in Downieville lynched a Mexican woman who was three months pregnant... Juries would convict greasers on very moderate evidence indeed, and the number of lynchings has never been computed... The practice of lynching Mexicans [by the late 1850's] soon became and outdoor sport in Southern California."[188] Many Americans could not tell the difference between a Mission Indian and a Mexican, especially if, as was common in the region, the Mission Indian spoke Spanish and had a Spanish name. Homeless Indian children were bound out as servants by the courts, and drunken Indians who could not pay fines were bound out to ranchers to work off their fines.[189]

In 1860 the Los Angeles Star reported: "The war of extermination continues upon the poor aborigine. Although his fate is all but accomplished, yet we have not sympathy, but a very great contempt, for those who seem to think the work of extermination is committed to their especial charge, and so practice upon the poor native (often more gentle and humane than their white neighbors), all the cruelty, oppression, and spoliation, which cold calculation and base avarice, dictate."[190]

In 1866, a federal report on landless non-reservation Indians, which would include the San Fernando Mission Indians says; "The Indians in this superintendency are placed, by circumstances over which they have no control, under peculiar hardships ... with no lands, no treaties, no annuities, no power or means of extricating themselves from the influences with which they are surrounded."[191] Indian agents reported abusive practices against Indians by Americans wishing to appropriate their land and stock, while lawyers benefited excessively when some tried to protect their assets in court.[192] In turn, others suggested that the US agents embezzled from Indians many assets intended for their well being.[193] Indian agents and policy makers argued that California Indians needed protection on reservations.[194] By the late 1870s some bills were presented to Congress to provide reservations and protection to Mission Indians.[195]

California and Mission Indians suffered from wage discrimination. Agent B. D. Wilson reported that "[e]ven the sober, industrious, and best skilled among them could earn but little; it having

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[185] Doc. 80361.B.SFVPP
[186] Docs: 80400.B.Wilson
[187] Doc. 00352.a.B.HD; 00352a.C.HD; 00352a.D.HD; 00352a.D.HD;
[188] Doc. 80366.A.SFVPP
[189] Doc 80397.A.Wilson; 50022.A.UCLA
[190] Doc. 50013.A.UCLA
[191] Doc. 00352a.H.HD
[192] Docs. 00133.A.DC; 00133.B.DC; 00133.C.DC; 00138.A.DC; 00138.B.DC; 00138.C.DC; 00138.D.DC;80412. A.LAEE
[193] Doc. 80417.A.LAT; 00101.E.FTO
[194] Docs: 00139.A.DC; 00139.B.DC; 00139.C.DC
[195] Docs. 00140.A.DC; 00140.B.DC; 00140.C.DC;

become custom of the country to pay an Indian only half the wages of a white man."[196] Sheriffs jailed Indians for intemperance and then forced them to work off their fines by working for ranch owners or public works. The practice continued well into the 20th century.

Agent B. D. Wilson found that "The Indian has a quick eye for justice he can not see why he is sold out to service for an indefinite period, for intemperance, while the white man goes unpunished for the same thing: And the very richest and best men to his eye are such as tempt him to drink, and sometimes will pay him for his labor, in no other way."[197] He recommended "that the Superintendent be authorized and empowered to gather them to together, by force of arms if necessary, and convey the to the Reservation, where they will at least be free from the contaminating influences of whiskey, and where, if they can be induced to labor, they will receive some better compensation than imprisonment in jails and watch-houses. The system pursued towards the Los Angeles Indians, is infinitely worse than the peonage of Mexico; it is slavery in the most aggravated form."[198]... Wilson concluded that "In Los Angeles, the Indian slaves are badly fed, seldom clothed at all, paid in whiskey, put in jail for getting drunk, fined by the authorities for their misconduct and being unable to pay their fines, hired out again to the owners of the vineyards in order to work out fine..."[199]

The San Fernando Mission Indians suffered, as with all other Mission Indians, loss of all their land by 1885, and thereafter can be classified as landless Mission Indians. The San Fernando Mission found employment on ranches and farms, and were widely distributed throughout the San Fernando Valley.[200] In part the migration to work in ranches at Tejon and Newhall may have been influenced by the changing economy around San Fernando, where development companies and landholders were buying up real estate. By 1874 most of the San Fernando Valley, about 131,000 acres, were owned by eight owners or companies of owners.[201] Indian laborers were getting only about half the pay of American workers.

There were strong incentives to move to more rural locations and carry on ranch life where their skills and training were valued. The opportunity to rejoin communities of San Fernando Mission Indians and their descendants made work at Tejon and Newhall ranches attractive. Antonio Maria Ortega, who had many economic and social ties within the prominent Lopez and Reyes families of the San Fernando Valley had relatively stable employment opportunities as a farm hand, and therefore he was not induced to move from his home at San Fernando to any of the other San Fernando Mission Indian communities attached to ranch economies in their own old homelands.

While there are major demographic declines among California Indians in general between 1850 and 1890, and also among the San Fernando Mission Indians, the Band's four lineages survived this period of discrimination, economic marginalization, disease, and demographic decline. From 1847 to 1885, all four lineages appear able to manage relatively secure work mainly on

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[196] Doc. 00193.J.DC
[197] Docs. 00193.J.DC; 50018.B.UCLA
[198] Doc, 40151.D2.DC
[199] Doc. 40151.E1.DC; 40151.E2.DC; Doc. 80397.A.Wilson; 50022.A.UCLA
[200] Doc. 40160.G.DC
[201] Doc. 80372.A.LAT

farms and ranches, or in Rogerio Rocha's case, managing his own farm. After Rogerio was evicted by a real estate development company, he became economically destitute and too old to make the living he had earlier as a successful blacksmith.[202]

The relative economic self-sufficiency of the four lineages in the new American economy had the advantage of making adjustments to new economic conditions, and helped ensure family well -being and survival. The relative economic stability of the four lineages, however, did not bring the San Fernando Mission Indians to the sustained attention of Indian Agent officials, who were working with Mission Indians. In San Bernardino there was a Mission Indian Agency that is in operation until about 1950. Nevertheless, the Indian agents were largely concerned with the cases of most immediate need. Indians who were not in need of immediate economic aid were passed over for attention to Indian communities in the most need. Limited funds and too many landless, destitute and needy California Indians drew away attention from the Indians who were making a livelihood, and especially those who were living in emergent urban areas like the San Fernando Valley.

The agents gave their attention to those Indian groups who needed land, economic self-sufficiency, and government, while giving little attention to Indian families at San Fernando. The disadvantage for the San Fernando Mission Indians is they got little direct contact with Indian agents, and gained little benefit from any of the reservation plans. Without attention from Indian agents, and lack of protection of land, the San Fernando Mission Indians were inhibited from the full and recognized expression of self-government. The San Fernando Mission Indians retained under Spanish and Mexican law the powers of self-government, which was embedded within the traditional political forms of lineages and villages dating from the pre-mission period.

The regional network of lineages did not disappear during the San Fernando Mission period, and after the dissolution of the mission, the San Fernando Mission Indians returned to their communities and lineages. The new market conditions, and political restraints of treaties, reservations, fostered reliance on old community relations and attachments to ranches in traditional areas, which however, were owned by Mexicans and then Americans. The San Fernando Mission Indians turned to labor on old traditional lands that under American law no longer were owned by them. Nevertheless, the network of decentralized communities, and family and lineage ties, continued within the context of changed American economy and legal regime, where there were lineage clusters gathered at San Fernando, Newhall, Tejon, and Ventura county containing all the old intermarried ethnic groups of Tataviam, Tongva, Chumash, and Kitanemuk. The regional network, as in pre-mission times, did not have a central chief, or national council, and was composed of loose alliances of specific lineage relations. Still at this time when some elders remembered many generations of lineage ties and alliances, kinships and ties were probably not hard to find for many of the San Fernando Mission Indians who sought employment or community support in what might be called refuge communities.[203]

While the four lineages were relatively successful economically before 1885, they most likely were aware of the discrimination in legal, social, and economic relations that were affecting them and other Indians in Los Angeles County. The absence of legal rights and the suppression of

[202] See doc.-photo: 80513.A.SFVHDL, Rogerio Rocha, 1898, listed as captain or chief of San Fernando Indians.
[203] *See, supra*, note 180.

Mexican and Indian workers, as well as the possible threat of murder without legal recourse, weighed heavy on many individuals and families. The San Fernando Indians kept a low social and political profile, and nurtured their family relations. The Indian community at San Fernando was reluctant to openly lobby for their rights owing to lack of money and discouragement over the inability of the San Fernando community leader Rogerio Rocha to protect his property. These conditions also discouraged the San Fernando Indians from expressing their unique identity and community interests in public. They resulted in fluctuations of Band activity and must be taken account in evaluating the evidence of tribal status. *See* 25 C.F.R. § 83.b(e).

The San Fernando Indians carried on their family and lineage relations in ways that were not well understood or noticed by the surrounding American community, in part because the Indians feared to give public expression to culture, claims for land, and political self-government. Especially as strong and powerful private and corporate land interests emerged in the San Fernando Valley and as the value of the land increased significantly. Indian agents believed that because of the urbanization of the San Fernando Valley it would be impractical to create a reservation there or for the San Fernando Indians to hold land in trust there. The San Fernando Indians were encouraged to move to reservations at Tejon, Pechanga, Morongo, and elsewhere.[204] Some took the agents' advice. The Band's four lineages, however, preferred to remain within the regional network of lineages and relations that enabled them to remain in their homelands, although now without ownership of land. Nevertheless, the lineages and regional communities continued to exercise self-government with traditional patterns of lineage relations, and family leadership.

Addressing the Criterion for Community for the 1847 to 1885 Period

This section directly addresses the criteria for § 83.7(b)(1) as documented in the above narrative for the 1847 to 1885 period. During this time period, the Band satisfies several criteria for community.

§ 83.7(b)(1)(i)
Significant rates of marriage within the group and/or as may be culturally required, patterned out marriages with other Indian populations.

The rule of lineage exogamy continued to be observed for marriages. After the closing of the Mission by 1846, the Fernandeños continued to marry within the regional community, though with the influx into the region of many more people, Americans, Mexicans, other Indians, and others, the marriage patterns were extended to individuals outside of the traditional regional Indian community composed of Chumash, Tataviam, Tongva, and Serranos. Extensive intermarriage with the newcomers, especially for the Fernandeño women, became common. Among the ancestors of the petitioning community, the more extended intermarriage patterns were observed and the children of such unions were considered lineage members, and usually taught Native languages, especially among the descendants of Maria Rita Alipas and Leandra Culeta. These marriage patterns conformed to the general patterns of Indian communities throughout southern California, and to the traditional Fernandeño norms of seeking advantageous

[204] Doc. 30086.A.UCLA; 30086.B.UCLA

social, economic, and political marriages outside the lineage. The old rules were applied to the new circumstances. See pages 34, 38-43.

§ 83.7(b)(1)(ii)
Significant social relationships connecting individual members.

The godparenting relations continued into the 1847-1885 period and helped maintain ties among the Band's ancestors, while lineage relations between the members of Tujubit, Suitcabit, and Cabuepet continued. The marriage of Benigno-Alipas brought members of the Encino and Cahuenga lineages together and reinforced long standing social and kinship relations. At one point, at the time of the 1850 census, the Jose Miguel Triumfo family (progenitors of the Ortiz family) was living at Encino on the jointly-owned land grant of Maria Rita Alipas. The godparenting, witnessing, and marriages patterns of the mission period that connected the lineages of Chaguayabit, Suitcabit, Cabuepet, Tujubit into a network of social and kinship relations continued to bind together the Maria Rita Alipas, Leandra Culeta, Rogerio Rocha, and Jose Miguel Triumfo families. (Most of the current members of the petitioning group have ancestral ties to Suitcabit and Cabuepet, with the Maria Rita Alipas and Jose Miguel Triumfo families respectively.) Marriage relations between lineage members of Chaguayabit and Tujubit established kinship ties to Rogerio Rocha, who was captain of the Mission Indians at San Fernando between 1852 and 1904, and whose mother was a member of Tujubit. The descendents of Leandra Culeta are connected to the descendants of Maria Rita Alipas through godparenting and in-law relations. Josephine Leyva married Isidore Garcia, a part Yaqui Indian, while Antonio Maria Ortega, married Isidore's sister, Isidora Garcia, and members of the Garcia family, including Isidore are godparents to the children of Antonio Maria Ortega. The Indians at San Fernando were engaged in an active network of social and kinship relations that accentuated and extended by the adoption of Catholic forms of godparenting and witnessing, and traditional kinship ties to autonomous village-lineages. See pages 14-18, 33-36, 44-45.

§ 83.7(b)(1)(iii)
Significant rates of informal social interactions which exist broadly among members of a group.

The marriage, witnessing, and in-law relations, godparenting, and the continuity of lineage relations demonstrate frequent and active social interaction among the Band's ancestors during the 1847 to 1885 period. San Fernando was a small village or town, and everyone in the town knew one another. See pages 13-18, 33-39, 40-45.

§ 83.7(b)(1)(iv)
Significant degree of shared or cooperative labor
or other economic activity among the membership.

While the Band's ancestors held land at Encino, Tujunga, Cahuenga, Sikwanga, and Rocha's farm, the families were engaged in farming, tending orchards, and maintaining cattle ranches. Rogerio Rocha was a successful blacksmith, and managed a small farm. Rocha shared water from the stream on his land with other members of the San Fernando Mission Indian community. As Captain at San Fernando, Rogerio Rocha orchestrated the sharing of resources among needy

families and lineage members. After dispossession from the land, the community members were forced to take up labor as artisans, farm, and ranch hands. Skills as cowboys and numerous trades were acquired during the Mission period, and the Fernandeños took up labor to support themselves, becoming part of the local Los Angeles County economy. During the 1847 to 1885 period, the ancestors of the petitioning community adapted to changing economic conditions, and used their mission training to make find work within the emerging ranch economy, and sought work within the greater regional network of Fernandeño communities at San Fernando, Newhall, Tejon Ranch, and Oxnard-Ventura. See pages 32-34, 37-41, 44-49.

§ 83.7(b)(1)(v)
Evidence of strong patterns of discrimination or other social distinction.

Discrimination against California Indians, and the ancestors of the Band was extreme during the 1847 to 1885 period. While federal commissioners negotiated treaties, they were not ratified. The United States failed to assume trust responsibility over Indian lands, and consequently, many land grants were lost because of failure pay taxes and sharp business dealings. The Band's ancestors did not read or write in English, and the padres did not teach most them to read or write in Spanish or any language. They did not have tools to maintain property or protect their rights to land and trust protection. Indians, as well as other ethnic groups, did not get civil protections in courts, and were subject to severe forms of social and cultural discrimination, including random hangings. Indians were paid half the wage rates as white Americans. Often Indians were paid in alcohol, and not in money, which compounded their conditions. The Band's ancestors lost valuable lands and were subject to the same work wage rates and absence of civil protections as other Indians in Los Angeles County and California. See pages 32-35, 43-44, 43-49.

§ 83.7(b)(1)(vi)
Shared sacred or secular ritual activity encompassing most of the group.

During the 1847 to 1885 period, most ancestors of the petitioning community were at least nominal Catholics. Rogerio Rocha was famous for his commitment to the Catholic faith, he sang in the church choir, was trained in Latin, and conducted the funeral ceremony for his wife, after her death soon after their eviction from their land in the middle 1880s. The Ortega, Garcia and Ortiz families practiced Catholic baptisms, godparenting, and Catholic weddings. After San Fernando Mission Church closed in the 1840s, the Mission never reopened as a parish church, and so Fernandeños had to find other Catholic churches to attend. See pages 30-32, 35-36, 36-45.

§ 83.7(b)(1)(vii)
Cultural patterns shared among a significant portion of the group ...

In the post-Mission era, after 1847 through to 1885, most San Fernando Mission Indians continued to speak their own languages. During the Mission period, the padres encouraged the use of Spanish, but did not discourage the use of Indian languages. The Fernandeños spoke their own language in their homes, while Spanish was spoken by some. After 1846, many started to take up speaking English, some children attended American style schools, like Antonio Maria

Ortega and Joseph Ortiz, and were taught to read and write in English. Rogerio Rocha spoke an Indian language, probably Tongva, and spoke Spanish and some Latin, but did not speak English. The ancestors from the lineages of Chaguayabit, Suitcabit, Cabuepet, and Tujubit spoke one of the Takic dialects, but because of intermarriage and kinship relations, many of the members spoke multiple Takic dialects such as Tongva and Tataviam, and some may have spoken Chumash or Kitanemuk languages as well. The Band's ancestors were nominal Catholics and participated in baptisms, marriages, godparenting, and ceremonial witnessing. During the 1847 to 1885 period, most direct lineal ancestors of the petitioning group spoke an Indian language and participated in Catholic ceremonies. See pages 37-44.

§ 83.7(b)(1)(viii)
The persistence of a named collective Indian identity continuously over a period of more than 50 years notwithstanding changes in name.

During the 1847 to 1885 the petitioning community was known as Fernandeños, or Mission Indians, or Indians of San Fernando Mission. The padres in 1797 gave the name "Fernandeño" to the Mission Indians of San Fernando, by which name the Indians of San Fernando Mission have been known as ever since. The expression is still used today, and the petitioning group is known as the Fernandeño Tataviam Band of Mission Indians. Throughout the 1847 to 1885 period, several names were commonly used to identify the Mission Indians living and working within the town of San Fernando and near the San Fernando Mission. The four main lineages of the petitioning group were included in the name Fernandeño Indians, Indians of San Fernando Mission, or Mission Indians, which locally meant Indians from San Fernando Mission. See pages 11-12, 31, 36-37, 38-46.

§ 83.7(b)(2)

Section two states: A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided to demonstrate any one of the following (subsections i-v). We recount subsections i-v below.

§ 83.7(b)(2)(i)
More than 50 percent of the membership resides in a geographical area exclusively, or almost exclusively, composed of members of the group....

Most of the ancestors of the petitioning community lived at or near San Fernando during the 1847 to 1885 period. The Band's efforts to hold exclusive territory failed when they did not receive American trust protection for their Mexican land grants. Nevertheless, virtually all the direct ancestors of the petitioning community lived at or near San Fernando, and near San Fernando Mission, through most of the 1847 to 1885 period. Rogerio Rocha and wife lived in San Fernando through the entire period. The Ortega family resided in San Fernando for the entire period (the Ortega descendants compose more than 50% of the contemporary band membership). While the Garcia and Ortiz families move away from San Fernando, they continued to live within the regional San Fernando community and joined related communities at Newhall and Tejon Ranch, where they did not lose contact with Fernandeño community and culture. The Ortiz family moved to Kern County in about 1877, and lived with the Tejon

community, a part of the Fernandeño regional community network. The Garcia family moved to Newhall in the early 1880s, probably pushed out by real estate companies, and seeking employment in the Newhall area ranching economy. Newhall was only about seven miles from San Fernando, and the location of ancestral Tataviam villages of Chaguayanga and Tochonanga. See pages 33-43, 46-47.

§ 83.7(b)(2)(iii)

At least 50 percent of the group members maintain distinct cultural patterns...

During the 1847 to 1885 period, virtually 100% of direct ancestors of the petitioning community maintained distinct cultural patterns. Members of each lineage-village spoke a Takic dialect, and many probably spoke multiple dialects, as well as some spoke Chumash. Some Mission Indians spoke Spanish and a few gained some facility with Latin, and others started speaking and writing in English. The Fernandeño Mission Indians were nominal Catholics, and acquired farming, trade, ranching and other skills, which distinguished them from non-Mission Indians. See pages 37-44.

§ 83.7(b)(2)(iv)

There are distinct community social institutions encompassing most of the members ...

The Band maintained long standing social, political and kinship relations among members of distinct lineage groups. The community was knit together through ties among the Tujubit, Suitcabit, Cabuepet, and Chaguayabit traditional village-lineages. Most contemporary members are descendants of the Ortega and Ortiz families, and they represent lineal ties, and strong relations between Suitcabit (Encino) and Cabuepet (Cahuenga). Both village-lineages were located relatively near each other in the southeastern portion of the San Fernando Valley, and had a history of intermarriage and social ties. The relations between the Triumfo and Alipas families were carried on through the Joseph Ortiz and Antonio Maria Ortega families. In-law relations and godparenting relations between the Ortega and Garcia families reinforced long standing ties to Chaguayabit and interrelations with Tujubit. The Rogerio Rocha family had ties to Tujubit, and more distant social and kinship ties to Cahuenga and Suitcabit. See pages 18-19, 24-26, 35-42.

Conclusions for Community During 1846 to 1885 Period

The Band's four lineages satisfy most of the criteria for distinct community during the 1846 and 1885 period. The Band's ancestors spoke local Indian languages, formed a coalition of lineages built on long standing traditional village-lineage relations, continued to practice exogamy, were Catholics, practiced godparenting and baptism, most continued through the period to live at San Fernando near the old Mission, and others remained within the economic and social relations of the regional Fernandeño communities. All the families practiced a modified form of exogamy which was an extension of traditional patterns. Similarly, most ancestors of the petitioning community lived at San Fernando for most of the 1847 to 1885 period. Although the area became heavily populated by non-Fernandeños, but this was beyond the control of the Band. If the land of the petitioners had taken into trust, and protected by the US government, according to treaty with Mexico and the Mexican Secularization Act, most likely all the members of the petitioning community would have remained on their land grants.

Regional Communities and Urban Lineages at San Fernando: 1886 to 1951

In the late nineteenth century, San Fernando still was a small town where everyone knew each other.[205] By 1910 there are 3,300 residents of the San Fernando Valley and 2,134 lived in San Fernando township. The Ortiz lineage lived in San Fernando until 1877 and then left for work and marriage in Kern County, near Tejon Ranch. The Garcias lived in San Fernando and then moved north about 10 miles to find work at Newhall Ranch where they have an accepting community among other San Fernando and related Indians who were working in the ranch economy in the Santa Clarita Valley. The Ortega lineage remained at San Fernando, while some San Fernando Indian retirees lived within the old San Fernando Mission grounds, as late as the 1890s, although the buildings were increasingly in ruin.[206] Some families attached to Escorpion, mostly Tongva and Chumash Indians, lived in the western portion of the San Fernando Valley.

As noted, the eviction of Rogerio Rocha was well publicized and used by the Indian Rights Association to gather public and congressional support for legislative action to establish reservation lands for California Mission Indians.[207] Many Mission Indians benefited from the legal and publicity efforts on behalf of Rogerio Rocha, but Rocha and the San Fernando Indians did not benefit from several acts of legislation to create reservations or to buy and restore land to landless California Indians.[208] In the 1890s, the congress passed the California Mission Indian Relief Act of 1891 and sent agents to study the land needs of the Mission Indians. The Interior Department's instructions to the agents about how to define Mission Indians included the San Fernando Mission Indians,[209] demonstrating that the Department considered the Fernandeños eligible for services and land. However, the Act did not result in land for the San Fernando Mission Indians.

As early as the 1850s, US agents thought that creating a reservation in Los Angeles County was impractical, given all the competition for land and ownership, and advised the Indians in the county to migrate to other missions such as Tejon or Pechanga. The San Fernando Mission Indians generally were not interested in moving to other reservations in California, but preferred to uphold their land and self-government rights in the San Fernando Valley. They did not want to move away from their homes. Other communities of San Fernando descendants might want to maintain land and self-government in Newhall, Tejon, Ventura County, Piru, or other locations where they now lived and where their ancestors lived. The Band's lineages remained in San

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[205] Doc. 80368.A.SFVPP. One tribal member recalled, "San Fernando was a small town. It was very small. I mean, we're big now compared to (overtalking)... everybody went to the same school. JO: If I do something wrong in town it gets back to the house. D: If you're not where you're supposed to be. GF:You mean today? JO: Today. D: It's a small town. People know one another. JO: Everybody knows everybody... the old timers... the old people. F: San Fernando used to be all related. GF: Related' you mean? [MULTIPLE SPEAKERS] F:Yeah, everybody was married to somebody in the family and... D:Not first generation, mind you. F:You couldn't get away from it. GF: Are you speaking from the standpoint of the family or are you speaking from the standpoint of the town? JO: The town." Doc. 80361.INT

[206] Doc. 30093.F.UCLA

[207] Docs: 00121.E.FTO; 00121.G.FTO; 00121.F.FTO

[208] Docs: 80433.A.DI; 80433.B.DI

[209] Docs: 00186.A.DC; 00186.B.DC; 00186.E.DC 00033.A.FTO

Fernando continuously, although others maintained strong identities as non-recognized coastal Chumash or Kitanemuk at Tejon Ranch.

After his eviction, Rogerio Rocha lived at Lopez Canyon, located several miles east of the old San Fernando Mission. The Special Agent to the Mission Indians, H.N. Rust knew Rogerio Rocha personally, and helped provide him financial support. After Rust left office he persuaded his successor Special Mission Indian Agents to provide additional support. A small amount of government aid was provided to Rogerio Rocha, but no new land or successful defense of his land rights.[210] Rogerio Rocha died in 1904, and he left no surviving children, and consequently there are no current tribal members who are Rocha's descendants. He was a highly visible and respected member of the San Fernando Indian Community for many years. In 1906, congress passed legislation and specifically designated funds for landless California Mission Indians to repurchase land and that would be put into trust. While the San Fernando Mission Indians qualified under the act, no San Fernando Indian community member regained land, although there was much discussion for buying land for the Tejon Ranch Indians in the 1910s and 1920s.

From the 1850s through to the 1930s there were many policy discussions about the plight of landless California Mission Indians and possible remedies.[211] After many California Mission Indians were placed on reservations in the 1870s and 1890s, policymakers continued to be concerned about landless urban California Indians and Mission Indians and to consider proposals for taking action to provide federal government assistance.[212] Congressional committees and Mission Indian agency officers noted several thousand landless California Indians, and the while acknowledging responsibility and the ability to provide some aid, they frequently claimed there were too few funds to cope with the number and conditions of the landless California Mission Indians.

After Rogerio Rocha's death, according to oral history there were three prominent men who were considered to take on the role of captain. There were several Fernandeño families living in the San Fernando Valley, including the Ortegas, Maria Espiritu Chihuya and family, a Fernandeño Lopez family, some members of the Ortiz family, and others.[213] The main criteria for serving as captain was still very traditional and relied on cultural knowledge and ability to speak one or more of the San Fernando dialects. Antonio Maria Ortega took on the role of captain because he is at the head of a large family, spoke an Indian language, Tataviam according to some family members, and he had cultural knowledge.[214] Like in traditional times, family heads or captains or spokesmen, did not have executive powers, and maintained influence through respect and knowledge. In traditional times, a captain had responsibility for land and resources, but by the early twentieth century no family head in San Fernando controlled significant land or water resources.

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[210] Doc. 80374.B.SFVPP

[211] Docs: 80433.A.DI; 80433.B.DI

[212] Docs; 30034.C.BL; 40216.C.DC; 40216.D.DC; 40216.E.DC; 80374.B.SFVPP; 80432.C.SC; 80434.A.BIA; 80434.B.BIA

[213] Docs.: 80569.A.LAT; 80569.B.LAT; 00322.A.SW; 00329.A.SW; 80004.Z04.JJ; 80003.Z05.JJ; 80559.A.SUN; 80559.B.SUN; 80559.C; 80003.I.JJ; 00329.A.SW; 80570.A.LAT; 80573.A.LAT; 80574.A.LAT; 90150.A.SFS; 90146.A.SFS; 80580.A.FTTC

[214] Docs. 80310.INT; 80316.INT; 80312.INT

Rogerio Rocha's influence derived in part from his control of some land and his willingness to share the water from his spring with members of the community. Antonio Maria Ortega worked as a ranch or farm hand his entire life and he did not have significant material resources to share. He enjoyed the respect of his family and community members who recognized his cultural and linguistic skills. Business that concerned the community was discussed during family gatherings such as dinners, weddings, or funerals. Important issues could be animated and topics of continuous discussion over months. As in traditional times, decisions were made by long discussion aimed at arriving at some common ground. If no clear consensus could be made, then each lineage could follow its own course.[215] Kroeber states that most of the 15,000 California Indians around 1900 retained belief in healers and were passing along information secretly to their children and grandchildren.[216] Many California Indian communities maintained significant parts of traditional world views and normative orders.

There are few recorded discussions during this period of Antonio Marie Ortega's captaincy from about 1910 to 1941 but the oral history recorded an animated discussion within the community during the late 1920s. On May 18, 1928, Congress passed an act authorizing payment to California Indians for lands taken in the non-ratified treaties of 1851. The Indian families at San Fernando discussed whether to register for the treaty payments. Several interviews from Fernandeño elders independently mentioned this discussion and provided relatively similar and consistent points. Josephine (Leyva Garcia Gardner) Guttierez argued against applying for the 1928 Indian Judgment Roll Fund, since she feared that registration with the Bureau of Indian Affairs would lead to forced placement on Indian reservations away from traditional lands. She expressed the view of many Fernandeño, who preferred to live on the lands near their traditional places of residence and were not interested in long term placement on reservations outside the Chumash, Kitanemuk, Tataviam or Tongva territories.[217]

Josephine's eldest daughter, Frances Garcia Cooke, and ex-husband, Isidoro Garcia, were active in organizing the Garcia lineage living in Newhall to apply to the 1928 judgment roll.[218] Except for Petra, Josephine's children applied and were accepted onto the 1928 California Indian judgment fund roll. Petra died in 1931 before the 1928 Indian Judgment Census Roll was completed, and her son Louis Ysidro Velenzuela enrolled and he is a grandfather to the present-day members of the Band, mainly the children of his granddaughter [redacted]. Most of the Josephine Garcia family from Newhall had Chumash identities, and in part based on the experience of registering for the 1928 California Indian Census carried on relations with the San Fernando Mission Indian descendants in the Newhall area.[219]

At San Fernando, the debate was actively engaged. The Erolinda (Refugia) Tapia (a daughter of Antonio Maria Ortega) family advocated the families apply for the 1928 California Indian judgment roll. Cristina Ortega Rodriguez and her husband also favored registration.[220]

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[215] Docs. 00261a.C.BL; 00261a.D.BL; 00261a.E.BL; 00261a.F.BL; 00263.H.BL; 00263a.D.BL; 00263a.E.BL; 00267a.B.BL; 00267a.C.BL
[216] Doc. 00211.A.BL
[217] See Doc. 80302.INT
[218] Doc. 80305.INT
[219] Docs. 80305.INT; 80306.INT
[220] Doc. 80302.INT; Doc. 80312: ROS: Because my dad and my mother was talking about it and I heard them talking to other people. Other Indians, other Native American families and people that they knew that were Indians.

Discussions took place at family events, casual meetings, and meetings arranged to discuss the issue. There was considerable debate among the lineages. There was considerable debate among the family lineages. As Antonio Maria Ortega's children reached maturity and started families of their own, they began to form into several lineages consisting of the Tapia, Estanislao Ortega, Verdugo, Newman, and Salazar families. Overtime the several lineages grew with more children, grandchildren, and great grandchildren, and formed relatively autonomous family lineages that compose a good segment of the contemporary Fernandeño Tataviam Band of Mission Indians. Antonio Maria Ortega's daughters formed families and they often took strong leadership roles in family issues and discussions.

Despite active lobbying by some families, the general discussion gravitated toward the view that enrolling in the 1928 judgment roll might lead to removal to reservations.[221] Most community members did not want to leave their homes in San Fernando and remove to reservations that were not part of their traditional territory. Antonio Maria Ortega expressed concern about enrolling in the judgment program, as he feared the possible removal to a reservation. He suggested that the community was better off with managing its own affairs in their accustomed manner.[222]

Antonio was then in his early 70s, and his wife Isidora was ill and bedridden. He made cash selling candy outside his house at the corner of San Fernando Blvd. and Coronel Street. The

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And they were saying, oh yeah, I remember that Ed Rodriguez, my brother-in-law, he was married to Christina Ortega. He was trying to get people to register. But they didn't want to do it because they were going to the reservation. They didn't want to sign.GF: So this means that at some point your parents were talking about being registered, but they were referring to the past, because you were old enough to hear it and remember it. ROS: Right.GF: What would have been the occasion for them to talk to you about it? ROS: No, they didn't talk to me. I heard them talking. GF:You heard them talk of it. ROS:Yeah, I heard them talking. GF: But this has to be later. So why would be talking about it later? ROS: What do you mean? GF: I'm just trying to think about the registration issue. In 1932 [redacted] are trying to do something. Then 1941, your grandfather dies. Then sometime, 1940s, you're beginning to get some genealogical information.
ROS: Right.

[221] Doc. 80318.INT; 80316.INT; 80321.INT: "GF:What was your mother's name? ST: [redacted] I don't know what her middle name was, but it was Ortega. GF: And your dad? ST: [redacted] GF: Through which side or sides of your family do you trace your Native American or Indian heritage? ST: My mom. GF: How is your mom related to this Indian heritage or ancestry? ST: Well, I heard that nana, her mom, lived iu Lancaster, and that they always used to say things until we'd be afraid of saying things or putting our self into any situation that they could send her back to the reservation, or something. I don't know if that was just talk or if it was... but I really didn't know. I think I was only about four or five years old when she passed away. GF: You did hear some stories about your mom? ST: Yes… Just, I guess, voicing her opinion through talking against anything because she was afraid that they could stick her back on... wherever they stuck them when they went out to live on their own. I don't know which reservation, if they had reservations then or... Rudy would know more about that. GF: You heard this from your mother, so around what decade or when do you think you would've heard this? ST: She's been gone for over 50 years."

[222] Doc. 80318.INT; "RO: His name was Antonio Maria Ortega but he never told us about it. In 1932, they came out, the government wanted all the Native Americans to be registered and in those days there was a rumor, everybody was talking, don't register because they want to send you to a reservation, so don't register at all, because that's how they're going to find out where you live and they're going to come out and pick you up and take you. So nobody registered, my people never registered. So we kept on and then after my grandfather passed away in the forties, '41, '42, there was actually nothing doing then for about a couple of months. Theu one of my aunts—there was five aunts—one of my aunts came out and says, Rudy, let's start an organization, I'd like to have some activities and I says, okay but it's going to be hard. Well, I'll help you, I'll try to help you."

community, in traditional consensual style, decided to allow any one or any family to enroll if they wished. The entire Ortega extended lineage, however, held rank, and none applied to register. Antonio Maria Ortega's opposition was enough to deter younger and relatively independent family members from pursuing the land claims and securing federal recognition as individual California Indians. The Indians' concern about possible forced resettlement on Indian reservations was not without basis, as a report by the Secretary of the Interior in 1860 suggested "some reservation retreats, must be prepared for the reception of those who cannot obtain employment from our citizens, and thus become vagrants and nuisances to the community. Such Indians might be removed by force, if necessary, to the reservations, and there compelled to labor."[223]

In the late 1920s, the Joseph Ortiz lineage (descendants of Jose Miguel Triumfo from Cahuenga village) returned to San Fernando from Bakersfield. By the late 1890s, many Indians left Rancho Tejon and moved to Bakersfield, about 30 miles away, and no longer worked for the ranch. Edward Fitzgerald Beale died in 1893, and material conditions at Tejon Ranch turned less favorable for the Indians. Beale had personal friendships with many of the Tejon Indian community members, and he protected their right to live on the land. He supplied them with work and financial stability.[224] A group stayed on at the ranch, many of whom were former San Fernando Mission Indians and Kitanemuk descendants who maintained a community, and today are known as the Tejon Tribe.

The Ortiz family had lived in Kern County, with the Indian community at Rancho Tejon for 15 years, near present-day Hanford California in the 1890s, then in Bakersfield with the Indian community there, and now returned to San Fernando where they took residence near the Ortega families about a mile or two east of the old San Fernando Mission. The Ortiz family moved into Kewen Steet, about a block from Coronel St., near where many of the Ortega families resided. Members of the Ortiz lineage advocated for application to the 1928 California Indian Judgment Roll, and Joseph Ortiz, now in his early 70s and in need of financial support, applied for his extended family and was accepted in the 1928 California Indian Judgment Roll.[225] The Ortega and Ortiz lineages, with long standing social and family ties dating back to the mission and pre-mission period, lived among each other and formed the majority of members comprising the current Band.

During the 1920s, the records for residence among the Fernandeños improved. Before 1920 public records provided address information, but many records, including the information about census records, often did not provide a full address. Starting in the 1920s, public records included the location of residences of Fernandeños. Also, during this period more people were born in hospitals rather than at home, and more people have recorded death records.

To a high degree, births and deaths correlate with the places of residence and community life. Consequently, the combination of address information, birth and death towns, provide patterns of local living space and community organization. The petition provides residence, birth, and death maps for the 1920 thru 2009 period, and in the following discussion for all decades starting with

[223] Doc. 50011.A.UCLA
[224] See J.J.Lopez, Saga of Rancho El Tejon by Frank F. Latta (Exeter, CA: Bear State Press, 2006),pp. 187-198.
[225] Doc. 00113.A.LN; 80126.A.DC

the decade of the 1920s. The map information is supplemented with photographs, newspaper records, oral history, and other event records.

For the decade of the 1920s, according to the address information available, the Band's ancestors were in the northeastern portion of the San Fernando Valley, in Fresno, Bakersfield and El Rio (near Oxnard). On the maps, a blue icon represents a household descended from Antonio Maria Ortega, a red icon signifies a household descended the Ortiz lineage, and a green icon represents a household with descendants from the Garcia lineage. See map-document in the footnote below, which gives a wide view map of all residences or cities of residence.[226] The map documents the transition of most of the Ortiz family from Bakersfield to San Fernando in the 1920s. By the end of the 1920s, most progenitors of tribal members are living in San Fernando, CA, while a few households are living in Fresno, Bakersfield, and El Rio. Most of the Ortiz family and the Ortega family lived in San Fernando CA, mostly within walking distance of each other.[227] The Estanisalo Ortega and Rudolph Salas families moved to Los Angles for a brief period in late 1929. While the Louis Ysidro Valenzuela household lived in El Rio, near Oxnard, his mother, Petra Rivera Valenzuela, and his grandmother, Josephine Garcia, most likely lived in the Ventura-Oxnard-Camarillo areas, as the data from the 1910s and 1920s show.[228]

When tracking and mapping births and deaths during the 1920s, the recorded results show five births to Ortega families in San Fernando, one in Los Angeles, and one in Pacoima, a township adjacent to San Fernando.[229] The Ortiz lineage registered one death, that of Frank Ortiz in

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[226] Doc. 80465.A.google, see also Doc. 80464.A.MFT. The data for the maps are generated by the MacFamily Tree program and the documents supporting the address, birth and death locations for the maps are recorded in the MacFamily Tree program. The data used to generate the maps from the 1920 thru 2009 by decades are listed in Doc.80464.A.MFT. The data covers all ancestors of tribal members, tribal members, as well as in-laws, relatives including some who are not tribal members, as well as significant other persons who are part of the continuing regional Fernandeño communities at Newhall, San Fernando, Tejon, and Oxnard-Ventura.

[227] See the map in Doc. 80466.A.google. This map gives a close-up view of the progenitors and tribal members in the San Fernando Valley during the 1920s. There are only town names for the [redacted] household in Los Angeles, however, most likely [redacted] lived in San Fernando. Los Angeles as a city included the San Fernando Valley for many years, and the formal boundaries of Los Angeles are at the southern eastern end of the San Fernando Valley. In 1928 residence of the Ortiz family in the late 1920s is on [redacted] so we place the family at that location. In the 1930s, address of the [redacted] family is more clear at [redacted]., San Fernando, CA. Five household, six including the [redacted] household, are within walking distance of each other in the old part of San Fernando, where Antonio Maria Ortega lived for most of his life, and Miguel Raphael Ortiz, the brother of Joseph Ortiz, lived for most of his life. In 1933, the [redacted] household was located at [redacted]., San Fernando, CA and within walking distance in the old section of San Fernando where many of the Ortega and Ortiz family members lived. There is a good possibility that [redacted] was living at the same location in the 1920s. The Estanisloa Ortega family, including Rudy Ortega Sr., lived briefly at [redacted], Los Angles, in 1929. See Doc.-Photo: 80518.A.SFVHDL: Rudy Ortega Sr. and [redacted]., a second cousin to Rudy Ortega through the Ortega-Tapia-Salas line and a progenitor of tribal members.

[228] See Doc.80464.A.MFT for the 1910s, 1920s, and 1930s, and preceding decades through the mission records. For photographs during the 1910s, 1920s, and 1930s containing Ortega and Ortiz family members see the document coding sheets, and associated source and original files containing photographs: 70003.A.FTO; 70004.A.FTO; 70005.A.FTO; 70005.A.FTO; 70005.B.FTO; 70006.A.FTO; 70007.A.FTO; 70008.A.FTO; 70009.A.FTO; 70010.A.FTO, 80617.A.FTO; 80614.A.FTO which include Newman, Verdugo, Ortega, Ortiz and other family members.

[229] See map and associated birth and death data for the decade of the 1920s contained in Doc.80467.A.google. The many births in San Fernando during the 1920s to the Ortega family suggests that more Ortega family household lived in San Fernando or nearby than we have full addresses for in the "Place of Residence" maps. For example, no

Fresno. Both the place of residence and birth-death data indicate that most community residence and major life events activity took place in the eastern San Fernando Valley, mainly in San Fernando. Fernandeños participated in Fourth of July Celebrations at San Fernando Mission in the 1920s.[230] Small and teenage Indian children dressed in native garb during San Fernando Grammar School fiestas during this period.[231] Setimo (Moraga) Lopez, former informant to J. P. Harrington, was the featured guest at a small commemoration of St. Ferdinand's Day on May 30, 1928 at San Fernando Mission.[232]

On June 9, 1933, Martin Feliz, a Tongva cultural informant for the anthropologist J.P. Harrington, identified Antonio Maria Ortega as a member of the San Fernando Indian community and speaker of an Indian language. Feliz said he would pay Antonio a visit and see whether he is willing to work with Harrington. [233] There is no further comment in the record. The oral history of the Ortega family suggests that Feliz did contact Antonio, but Antonio declined to participate. By the middle 1930s, Antonio had lost his wife and was suffering from loss of memory, perhaps an Alzheimer's condition that continued until his death in 1941. Antonio Maria Ortega spoke Tataviam. [234] He did not speak fluent Spanish, and spoke broken Spanish with an Indian accent and English with an Indian accent.[235] Antonio Maria Ortega's funeral was well attended by members of the Band and the general San Fernando community.[236] The Ortega lineage identity as Tataviam is derived from Rudy Ortega Sr.'s research and findings that Antonio Maria Ortega's maternal grandfather, Francisco Papabubaba, had ancestry on his mother's side at Tochonanga and on his father's side at Chaguayanga, both now identified in the

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full address was located for the Traha family in the 1920s, although a daughter, [redacted] was born in San Fernando. In 1930, the [redacted] lived on the [redacted], San Fernando, and most likely they were living there in the 1920s. The Newman household location was within walking distance to the Antonio Maria Ortega household. See Doc.80464.A.MFT for the 1920s and 1930s. Pacoima is the site of lineage known to the Tataviam as Pacuibit and probably had relatives there as part of a regional network of ties and relations. See doc. 80582.C.FTTC.

[230] Docs. 90133.A.SFVP; 90133.B.SFVP; 90133.C.SFVP

[231] Doc. 90147.A.SFS

[232] Doc. 90150.A.SFS

[233] Doc. 00339.A.SW

[234] Doc. 80312.INT; 80584.B.FTTC

[235] Doc. 80325.INT: "ROS: My grandfather would speak Spanish, but I remember that his Spanish wasn't like ours, kind of fluent. He was kind of broken because I guess the Indian language, the sound... and that's what I'd notice about him. But I never questioned it. I was small. I didn't know any better. And I never questioned. But now I think that's what happened. He spoke Spanish but it was a broken Spanish with the sound of the Indian." Doc. 80318.INT: "RO: Well, one of my aunts told the family that her dad spoke Indian, so somebody, one of the kids in the other family, talked to my grandfather. Grandpa, can you speak to us in Indian? Oh, I don't know. But see, his voice in English was kind of a broken sound into the dialect of the Indian, because he spoke a little Spanish, too, hut broken syllables on the words."

[236] Doc 80312.INT "GF: Right. So thinking back to Antonio's funeral, you said there were a lot of people. ROS: A lot of people. GF: So where did they come from, all these people? ROS: A lot of them were relatives. A lot of them were friends of his that he knew, in the past, that lived in San Fernando, Pacoima, you know, Sylmar, Granada Hills. They had a lot of people. GF: And would those have been family? Or....] ROS: They were family and friends. GF: And friends. ROS: Yeah. Family and friends. There was a lot of them. GF: Do you think that he belonged to any organizations? How did he come to have so many friends? ROS: He lived all his life in San Fernando. He worked for the Lopez family in the past. And he walked up and down those streets. I think he measured the streets as he walked. He had that little stand, the candy stand, you know, people. A lot of the Tapias, the family the Tapias. And Romeros. One of the Tapia girls was married to a Romero. They were all ancestors. A lot of them had died and I don't....

contemporary scholarly literature as Tataviam villages. Since the Tataviam were patrilineal and patrilocal, Chaguayanga was the home village of Francisco Papabubaba's family lineage.

The Band was unable to locate a death record for Joseph Ortiz, though he likely died in the 1930s or 1940s. He suffered from tuberculosis late in life. Joseph Ortiz was the captain or spokesperson for his family. He left four children, three of whom accompanied him from Bakersfield to live in San Fernando sometime before May 1928. Three out of four of Joseph Oritz's children have descendants who are current members of the Band. Like the Ortega lineage, the Ortiz lineage contains several lines. Frank Ortiz did not accompany the family to live in San Fernando and died in 1924.[237] His son [redacted] moved to Fresno, California.[238] His descendants are enrolled as members of the Band, and most continue to live in Fresno.

Joseph Ortiz's three other children Fortino, Juana Ortiz de Montes, and Helen accompanied their father to San Fernando in the 1920s and took up residence in San Fernando in the same neighborhood where the Ortega families lived.[239] The Ortiz family lived at [redacted], while during the 1930s Antonio Maria Ortega lived at [redacted], a couple of blocks over. Most of the Ortega and Ortiz children then lived in the same neighborhood within several blocks. The children played together and knew each other very well.[240] Many of the descendants of Helen Ortiz and Fortino Ortiz are currently enrolled in the Band. Juana Ortiz de Montes married Raymond Montes, but their marriage did not yield any children, and therefore no descendants of Juana Ortiz de Montes are enrolled in the Band.[241]

In the 1930s, [redacted] older brother Miguel Rafael ("Ralph") Ortiz lived in the San Fernando Indian community neighborhood on [redacted] (now [redacted] Rd.) Avenue, a few blocks from [redacted].[242] Joseph and [redacted] were the two surviving children of Rosa Arriola Ortiz, the daughter to Jose Miguel Triumfo.[243] Miguel Rafael Ortiz and his family were long time residents of San Fernando and actively participated in the San Fernando Indian community.[244] The Miguel Rafael Ortiz family was active in the San Fernando community as early as 1913-1915 and probably resided in San Fernando most of their lives. His grandchildren, through his daughter [redacted], were close high school friends of Rudy Ortega Sr. during

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[237] Doc. 90025.A.USFC
[238] Doc. 80037.G.OTC
[239] Docs: 80377.A.USC; 00113.A.LN
[240] Doc: 80317.INT: (ROJ) "And actually your family has lived nearby other tribal members within the community. [redacted] herself grew up next to [redacted], [redacted]. So their families were close nearby, actually I believe they lived on the street. We are looking to see the stories that they have, the family's history that they have, any recollections of Indian traditions or Native traditions. AC: Well, at that time, I didn't know about any of this. … I don't know what connections they had in there, because I was little and I just knew them because they were neighbors. At that time, I didn't know my family was Indian at that time. Or they belonged to him. My grandfather actually was named [redacted] and then about 19…. When did they give that money out? Nineteen sixty-something. I can't recall the year. But anyway, that's when we enrolled. As a matter of fact, my mother enrolled us all at that time because they were going to give everybody some money. So they said enroll everybody in the family that's entitled to all that. So at that time, that's when I knew I was Indian, through my parents. But the Salazars, we grew up and they used to go to school where we did. They were our neighbors. We used to play with them. And that's how we got to know them all. And Rudy Ortega, also, senior.
[241] Doc. 30401.B.SB
[242] Doc. 80376.A.USC
[243] Doc. 80329.A.LPC
[244] Docs: 80317.INT; 80559.A.SUN; 80559.B.SUN; 80559.C.SUN

the later 1930s and early 1940s.[245] The [redacted] Ortiz and Dohs families, while identifying as Indian, did not enroll in the 1928 or 1972 California Indian judgment rolls and, therefore are not eligible for membership within the Band.

Residential data during the 1930s show a strong pattern of proximity of homes located in the old section of San Fernando. The large majority of Fernandeño families lived in the northeastern portion of the San Fernando Valley, and most gathered together in the old town section of San Fernando.[246] Most Ortiz and Ortega households live within walking distance and mainly in the old section of San Fernando during the decade of the 1930s.[247] The old section of San Fernando is within a mile or two of the main grounds and buildings of San Fernando Mission. San Fernando Mission Boulevard went directly through the Fernandeño tribal community living at San Fernando.[248] Evidence for later periods suggests that Ortiz family members lived in San Fernando and Fresno. Josephine Garcia, and her daughter Petra Valenzuela, and grandson Louis Ysidro Velenzuela in Oxnard-Ventura areas.

Consistent with residential records, birth and death records during the 1930s suggest most activity by the Ortega and Ortiz households in the San Fernando Valley. In Ventura and Oxnard, Petra Rivera died in 1930 and [redacted] was born in 1931. Three births in the Ortiz family were recorded in San Fernando hospitals, while Luis Ortega, son of Antonio Maria Ortega, died in the early 1930s. Other Ortega line households record births at hospitals in Newhall, North Hollywood, and Los Angeles. All locations well within easy driving distance from San Fernando. Three tribal members of the Ortiz lineage were born in San Fernando hospitals during the 1930s.[249]

Beginning in 1931, San Fernando Mission, local community groups, and the city of San Fernando held festivals celebrating and commemorating the history of the area. Living close by, the Fernandeño community members attended and participated in the festivals.[250] The festivals

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[245] Doc. 80317.INT

[246] See map-document 80468.A.google for a wide angel view including Ventura and LA Counties.

[247] See map-document 80469.A.google for a view of the old section of San Fernando and the household locations of progenitors and tribal members.

[248] Doc. 80314.INT "GF: I'm getting the impression that people lived close by to each other. Is that the case? JO: Yeah, yeah. More or less about not more than three quarters of a mile. GF: How many family members were located in this close proximity to each other? Which households were there? There was Antonio's. Who else lived nearby? You don't have to give me the exact address right now. JO: I can give you the exact address. I'll never forget the addresses. I've got a memory. But the people, I can't remember their names because I haven't seen them for years, but I know who they are. Sally (Verdugo) was the one that lived across the street about two houses over from my grandfatber. And she lived at [redacted]. And when my grandfather died we lived at [redacted]. And my Aunt Chrissie... let's see, my Aunt Chrissie lived at [redacted]. We lived at [redacted]. And Katie lived on, let's see, on [redacted], but that was in the City of L.A., but it's still in San Fernando. I don't know the address. Ruth Tapia lived on [redacted], on the [redacted] block of [redacted]. She was the oldest one in the family."

[249] See map-documents 80470.A.google for births and deaths in Ventura and Los Angeles County.

[250] Doc. 80310.INT "DC: Do you remember the relationship the organization had to the church? It appeared to be on some kind of like.... ROS: No. Like I said, I was small then, but I remember all these things that were going on and we used to go and see it. But no, I really don't know. I was still small. But I enjoyed going out there and seeing them perform and so forth. But at that time, no, I don't remember too much. DC: Did you think of that as specifically a Tataviam event? Or was it a pan-Indian event? ROS: I think it was a pan-Indian event because our people would go and see it. Because most of our people lived in San Fernando and we'd come over and see the

were major social events for the San Fernando community members and were to some extent a carry over from both tribal and Catholic festivals dating from the Spanish-Mexican mission days. In the early 1930s, Mono Indians, linguistically related to the Tataviam, were invited to dance and build traditional houses. The festival events were designed to help raise both awareness and money to restore the grounds and buildings of San Fernando Mission.[251] In the 1930s, the Fernandeño community carried on meetings, dressed in regalia to dance and sang songs, and participated in festivals.[252] The members of the community engaged in fundraising for those in need, and raised money for burials, when families could not afford them.[253] Community members attended some of the monthly fiestas at San Fernando Church during the 1930s.[254]

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fiestas. The word was spread by mouth all over to our people. And then we had our own fiestas. Like we had the weddings. We had showers. We had birthday parties and we had big birthday parties that we invited a lot of our people to come down to the party. We had music and dancing, food. It was just a big blowup with our families. DC: How did people understand the community in those days? There's just multiple families or there's inter-related families? How would you understand who was in the group, who wasn't? Was this exclusively for the Tataviam folks? Or it was private. ROS: Yeah, it was really exclusive for our people, our Native American people. They would send invitations to them. DC: So they sent invitations to everyone in the Tataviam group? Or other Indians too? ROS: No. Just to our tribe."

[251] Docs: 80568.A.LAT; 90152.A.SFS; 90153.B.SFS

[252] Docs: 00359.A.HD; 80310.INT: "DC: Did your father ever talk about your grandfather being captain at one point or anything?ROS: No. Like I said, they never talked about the family background, what they did, they danced, and they dressed with their regalias. DC: They actually did. ROS: And they never talked about that. That's what makes me mad. DC: But they did do it. ROS: Oh yeah. Yeah, they did dress. But they never talked about it. DC: So you actually saw tbe performances and stuff like that. ROS: Yeah. DC: They sang bird songs and stuff like that? ROS: You know I never heard them singing bird songs. But I guess they did, some of them did sing the bird songs. DC: Who was organizing the community events in those days then? Your fatber was involved with that or other people were involved with that? ROS: It was my father and other people. They'd come together. DC: Did they have the monthly meetings still or did they have other meetings or other festivals? ROS: Well, they had festivals. They had meetings. But I don't know when their meetings were. I was still small. DC: Yeah. Any idea what business they transacted, the issues they were iuvolved iu? ROS: No. I don't."

[253] Doc. 80311.INT: DC In tbe community ones, they were sort of like these other events you organized, but they didn't always do them on Christmas? Or did they do any Christmas like you did? ROS: No. They bad their own Christmas party, individual families you know. DC: Okay. So they didn't do a communal one? ROS: No. DC: So what did they organize the events around then? What was the purpose of the festivals? What was the occasion of the festivals? ROS: Well, it was different occasions. They had baptismals. They had a fundraiser for something or other that came up. DC: So they were fundraising in the thirties and stuff, even when you were a kid? ROS: Oh yeah. DC: So that was one of the traditions of the group. ROS: That was one of the traditions. And then also they had car wasb for some family that was hard up for a burial, oue of the families. So they had car wash. And a lot of our people used to get together and go do the car wash. DC: Okay. That was to raise money for families, for community members, sort of like a mutual aid society. ROS: Uh-huh. And they still do it. In Lancaster, my son did it for his wife two years ago. DC: What did they do? ROS: They did car wash up in Lancaster, some of the members up there. They live up there in Lancaster and Palmdale. DC: And that was to benefit her for? ROS: They got together to go wash cars. DC: So they washed cars because she needed some money? ROS: They needed the money to bury her. DC: To bury her. Oh, okay. So that's a big eveut for the community when anyone dies. ROS: Right. DC: So everyone contributes. ROS: Oh yes. When they don't have the money, they don't have insurance, they do that. They did it here in San Fernando. A year ago or two years ago, they did two car washes for a death of one of the Tataviam people. DC: And they were doing that way back then too? ROS: Yeah. Way back there."

[254] Doc. 80310.INT: "ROS: Oh yes. And then there was like a fiesta. I enjoyed going and watching it. DC: Did the Senate take some role in organizing the fiestas? ROS: They organized some of those fiestas, they called it. So the families would go down there to see the fiestas. And the church would do a lot of it too. DC: The fiestas were held every year, annually. ROS: Well, the church would have about once a month, would have one. And they always have a group of Indians come from out of town to do some dancing and so forth. That's where we used to go see them. I just don't remember the tribe names right now. DC: So many of those people coming in weren't really Tataviam folks? ROS: No. The ones that lived there were. We used to go see it. DC: What's your

Indians from out of town often were asked to dance there. The San Fernando Mission Indians began to organize their own fiestas, after those organized by San Fernando Church and community groups became less regular by the late 1940s. Saint Ferdinand's Day was the main traditional fiesta of San Fernando Mission and on April 28, 1946, "(i)n addition to the dedication services, Spanish music and dancing, and a real barbeeue, are promised, with Mission Indians taking part in the program."[255] In April 1948, the pageant, play, and festival was again was put on with much of the same program as in the early 1930s. The event proved popular within the local community.[256]

After Antonio Maria Ortega's death, his oldest son Estanislao Ortega became captain until his own death in 1951.[257] Estanislao had a family and he and his wife worked in fruit packing and later he worked as a nighttime security officer. Rudy Ortega, Sr. described his father's leadership of the Band thus:

> GF:We were talking about Vera. And I was asking you to explain to me about the tribe in that period after your grandfather's death. Who was the chief? ROS: It was idle. GF: It was idle. ROS: It was idle until my dad took over to bring the people, keep the people together. GF: And when did your dad take over? ROS: It was about a year after he passed, my grandfather passed away. GF: Okay. So tell me about that. ROS: To bring the people back together, to not disperse and stay away. So what happened was that we started visiting the families, going around visiting on weekends and talking with the families. My father was talking with them and joking and everything else, like partying with them. And sometimes another family would go the following weekend and they'd have another couple more families of ours there with them and they'd have like a get-together, and a barbecue or whatever in the summertime. And that's how he kept them together, visiting here and there and all over in the Valley.[258]

Estanislao also raised funds, gathered funds for tribal funerals, organized family gatherings, held festivals, and meetings among the families.[259] He also collected and distributed food for elderly

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relationship to the church at this time? Do you remember? Because you have your own organization. ROS: No. At that time, I didn't go to church. I just go to the fiestas that they had out in the open. DC: So was that the same with many of the community members? Some of them went to church, some didn't. ROS: Yes. And they go to the fiesta that they had." Doc.-Photo: 80516.A.SFVHDL: Photo taken by Rudy Ortega, Sr. Tribal members attended San Fernando Church parades and festivals during the 1930s. Josephine Gutierrez participated in a candle light ceremony at the San Fernando Mission Cemetery. The local priest and others revived a tradition among the San Fernando Mission Indians of chanting songs and lighting candles to honor their dead ancestors in the cemetery (80593.A.SUN).

[255] Doc. 90131.A.WFJW

[256] Doc. 90156.A.SFS; 90156.B.SFS. See also: Doc. 90157.A.SFS.

[257] Docs: 80310.INT; 80312.INT; 80316.INT; "GF: The group that your father, Estanislao was the captain, how did this group come together? What did they do together? Were there any family events or community events that brought the family together? JO: Well, usually when they had to get the family together it'd be either a wedding for the group of the families or a funeral. That's about the only time ... sometimes they get an occasion to have a dinner party or something, then they invite the family." For a photograph of Estanislao Ortega with grandson [redacted] t 1942 see Doc. 70069.A.FTO.

[258] Doc.80313.INT

[259] Docs. 80310.INT; 80302.INT; 80312.INT; 80314.INT; 80308.INT; 80313.INT: "GF:So he(Estanislao Ortega) was helping people. What happened if somebody passed away and they didn't have the money for the funeral

community members.[260] He led in traditional style and was knowledgeable about family history and genealogy.[261] Estanislao held to the position that the Ortega lineages should not register in the 1928 roll, and should not participate in the 1950 roll update.[262] His son, Rudy, Sr. disagreed with the position to withhold participation in the California Indian Judgment rolls and payments.[263] Rudy, Sr. developed an Indian identity early in life, knew his grandfather Antonio Maria Ortega, and around 1940 started to research family history and genealogy.[264] He helped organize San Fernando Mission Indian fiestas for the community, and began to collect genealogy and historical information on the San Fernando Mission Indian community.[265] In the early 1940s, Vera Salazar, Rudy's aunt, suggested to Rudy Ortega, who was still a student in highs school, that the Fernandeño community organize a social club for meetings and cultural

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expenses? What would happen? ROS: I don't know. I think my dad used to spread the word around to the people and see if they can donate any part of their money. I heard him say once that even fifty cents if you had nothing else to give. Fifty cents would be a lot of help for the people. So he used to. And then one of my step-brothers, [redacted], which was [redacted], my half-sister's brother, he used to go to the bars and collect money. Even though they weren't related to us, whoever passed away, he said, "Oh, my cousin passed away. Can you help me with some money?" They would give him five dollars at the bar because they were already drinking and they didn't know. So they'd give five dollars. He'd come back with a hundred, two hundred dollars to my dad and give it to the people that they needed it there in the funeral. Or he would give it to the funeral home in place of giving it to the deceased's family. He would give it to the funeral home."

[260] Doc. 80312.INT: "GF:So a little earlier, you were talking about [redacted], your dad, and all that he did for the people. What did he do for the people? ROS: What he did was he would get food for the elderly people. He seen that they needed food so he used to collect food from different stores, organizations. And he sent them out. Actually, what he did, the way I looked at it, at him sometimes, he give them a paper. I guess it was some kind of receipt or something to show. They'd go the store and they give them so much food, like a voucher, I think. I never asked him. I was afraid to ask him. He'd tell me it's none of your business. You're too small too learn, to know anything. You know how the older people would resent the children asking them something, questions. GF: How did you see the paper? Did you go with him or what? ROS: Actually, they would come to the house and he would give them nothing and he'll talk to them and then give them the paper. GF: Were they Indian people? Or also non-Indian people? Do you know who they were? ROS: They were families. I don't know whether they were Indian or not Indian, but he never denied anything to any family that were in need of help. That's the way he looked at it, I guess."

[261] Doc. 80310.INT

[262] Doc. 80314.INT

[263] Doc. 80303.INT: "My father turned the page around and he said, "Now it's time to publicize who we are, and let people know that we're still in existence." So my father's era from the time they went out in public is to tell everybody in the community that San Fernando Indians, the Fernandeños, are still in existence."

[264] Docs: 80312: "GF: So was that what got her started on the genealogies? ROS: I don't know if that was it or not. GF: Because you mentioned also that you started .... ROS:That was, that was. That's right because I was doing it also. I started doing it and I went to her ([redacted]). And then she had already started too, she said. I don't know how, a couple of months back, or when. GF: Do you think that she read it in the newspaper also? ROS: I think that's where she read it. But I had started in 1940." 80323.INT "DSS: Well, some people wanted to say they were Indian. Some people would get mad and say no, because for what they were getting they felt that, well, like anyhody would say, "Oh no, I'm not an Indian," or "My aunt was an Indian." A lot of us back then were, not me but other kids, you know, my mom used to talk about things that would happen years ago. I liked to sit and listen to her stories. It's been so long ago I forget. Mother (Vera Ortega Salazar) was good. She had all the... family used to come over to the house on Christmas and enjoy themselves. Our door was always open. It didn't matter what you had or how much you had, it was for everyhody. And then it got to a time when my mother... I used to talk to Rudy here, my cousin, and I used to tell him, "Go ahead and look hack our tribe, and do something with it." And that's when Rudy got started getting involved in it, and it was good because he really found out a lot of things from different people. He works hard at it. I didn't pay attention too much. I should've paid more attention."

[265] Docs. 80310.INT; 00029.FTO

activities. Vera Ortiz Salazar sought an organization that would help her share her cultural knowledge and stories with the rest of the community. She was a major culture bearer and maintained many important parts of traditional culture which she willingly shared.[266]

Rudy took on the task to gather the people together. During the middle 1950s, the group called themselves the San Fernando Mission Band of Indians. Rudy started by querying his father about his knowledge of family history, and then went to search for other proof, although he had no training in research or genealogy. The search for the ancestry of the Ortega lineages became part of his life work.[267] After discharge from the Army in 1949, Rudy Ortega returned to

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[266] One of Vera Salazar's grandchildren described her: "DSJ: The reason I'm a member of the Tataviam tribe is because my grandmother, which is Vera Ortega, which goes back to... she was born in the 1800s, and she's a full-bloodied Tataviam Mission Indian. All through the years of being raised she taught us about the tradition of being a Tataviam Indian. It goes back in the days the missions were being built. There were a lot of members in our tribe that worked in these missions, and they used a lot of our native people like slaves to build these missions all through the state of California. And my grandmother always taught us to know our heritage. She always taught us where we came from, which was that area which is in San Fernando Valley, Tejon, Lancaster and some parts of Simi Valley, also. She taught us about our ancestors being in that area at that time, living out there out in the country. And she always taught to know that we were Native American people and to be proud that we are. She taught us different ways of cooking different kind of corns and different kind of stuff that the Native people would use when they were, you know, through the years, certain things that they used to cook with and stuff. She taught us certain dances, and when we used to have our certain gatherings and stuff, we used to have our story times with each other and stuff, she would teach us all this. That's why I think it's important right now to teach our children about our Native tribe, to teach them the history about it, to teach them the language which it's really hard. It's a dialect language that it's hard to learn, but I think it's important that we should teach our children that, also. I feel that we should teach them the ways of our ancestors and how they were, and how they lived … GF:Who taught you guys the bird songs? DSJ: My grandmother taught -- GF: That would be your grandmother? DSJ: Vera. My grandmother Vera [Ortega Salazar]. She taught some of the family the bird songs. She taught my dad and my dad and Rudy learned it, Rudy, Sr., and then Rudy taught us. GF: So Vera taught Rudy, Sr., she taught your dad, [redacted], [redacted]. DSJ: And they taught me. And our fathers taught us. GF: How old were you when you learned this stuff? DSJ: I was like 12 years old when I started learning all this. GF: Did anything happen around the time you were 12 that prompted your learning that or is that typical for teaching that kind of thing? DSJ: Things just change. When I started learning like that I realized who we were as a people. Once your parents start teaching you a lot of different things that you didn't know about, then you change your way of thinking, and stuff like that. GF: Do you think your dad had a strong sense of his Indian identity? DSJ: Yes, he did. GF: Can you tell me about that? DSJ: He always mentioned... he used to always joke, and I always remember this, and stuff and "Hey, big chief," because a lot of the Native American... his brothers... you could just see that they were Native American. It's in the blood and stuff, and they always... I remember as a kid they always would say, "Remember you guys you're always Natives. You guys, no matter what you do you guys are always Natives. Whatever happens in your life you guys need to know you're Native Americans and where your ancestors were raised at, which is in the San Fernando Valley." Doc. 80322.INT

[267] Doc. 80318.INT: "RO: Her name was Vera Salizar [Salazar] and she was interested in like a club, she wanted where she could go and talk with people and know the stories and everything. So anyway, I says okay, I'll try. So I started getting people together and after we got the people together, we said, well, what are we going to call it? I said, well, that's up to you people what you want to call yourselves. Don't forget we were born here in San Fernando Valley and we came from the San Fernando Mission so choose the name what you want to be called. He said, how about San Fernando Mission Band Indians? I says, well, tbat's fine, because I heard that they used to call us they used to call us the San Fernando Mission Band Indians but then they took the Band out and they said San Fernando Mission Indians after that. So I says, okay fine, so that's what we started on. So then my aunt said, well, let's do something on the club. So we started, I said, let's see what can we do? First, he says, we've got to find out if we are Indians or not. Oh, I said, here we go, I know what you're trying to say. None of my people want to do anything, they want everything on a silver platter, so I says, okay, this is what we're going to do, how are we going to do it? He said, well, I don't know, but…I said, let's get all the people together and let's talk it over and we'll go down to the park and we'll talk it over and see what happens this summer. Okay, so that's what we did, we went

organizing dances, festivals, and government meetings, which were usually accompanied by family supported potluck dinners and often met at Mission Park near the old San Fernando Mission.[268] While at school during the 1930s and 1940s, the children of Fernandeños were often called "Apaches" in recognition of their Indian identity.[269] After the 1940s, the Mission stopped putting on regular monthly festivals, and so after the war the San Fernando Mission Indians began to hold their own monthly festivals, which were combined family, social, cultural and political gatherings. Rudy Ortega, Sr. recounted:

> [In the] [f]orties it stopped [Church and City Festivals]. And then I started doing some genealogy for my people. They didn't know when I started doing it. Because I myself was Indian, so my blood was boiling then. DC: So you're saying that when you were a kid, the church was organizing events. People actually went to them. ROS:Yeah. They were the ones organizing them. DC: And then the others, just Tataviam events, but these were mostly the weddings and things like that. But then in the forties, the church seemed to fade away from the community. ROS: They kind of faded away on the fiestas. DC: So you started to organize your own events. ROS: Then we started organizing ours. Then I started doing my genealogy. I started getting my people together. Then the war broke out. Then I was taken into the service. So then all that stopped from '41 to '48, '49, when I was discharged. DC: Did people start those events again in '45, '46? ROS: No. Well, the church started a couple of them up in North Hollywood. DC: How about the community? ROS: But the community, no, they didn't start nothing up until I had my people come back after I got out of the service. DC: A lot of people had to come out of the service. A lot of people were gone. ROS: Yeah, they started coming back and so we started doing all that. And then we started having our meetings at the Mission Park, with a potluck dinner. And then my children started dancing. They wanted it. They said, "Dad, I know how to dance." I said, "No, you don't. We're having a meeting here." "Dad, but I know how to dance." "Okay. Show us then." And my oldest boy

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over and a lot of people didn't want to do nothing. Oh no, it's too hard to do anything. What about Rudy? Well, if that's the case you're going to leave me holding the bag, then I'll go ahead and do it then, I'll try. I don't know a thing about archeologist, genealogist, but I'll see what I can find out about our ancestors. Okay, so they were all happy about it. At that time, they come out news in the paper that they were going to give some money out to the tribes, if they could prove they were Native Americans. So, they says, come on, Rudy, let's hurry up and see if we can get some money. I says, okay. But then, at that time at school my teacher says you're going to drum at an auditorium and I says, why me? Well, he said, because I thought the Indians, they drum. I said, but I'm not Indian. Well, you're going to sit there and drum anyway, with the rest of the children. So I was mad. So when I got home, I told my parents, I told my mother, she said, why are you mad? I said, the teacher made me sit on the auditorium and drum a little drum, like an Indian. She said, well, son, you are an Indian. I said what kind of Indian am I then? She said, I don't know really, hut ask your dad, your dad should know."

[268] Doc. 80310.INT; Doc.-Photo: 80517.A.SFVHDL: The caption to the photo is incorrect. The photo date is 1943, and the child next to Rudy Ortega, Sr. in military uniform is not his son, but his nephew [redacted].

[269] Doc. 80316.INT: "JO: When we were going to school everybody used to tell us... used to name us Apaches. That's another name of an Indian tribe. And we were, I'd say, eight or nine years old. No. I'd say about fourteen, thirteen years old. And ever since then my brother Rudy started getting involved in Indian pictures and everything about Indians. And he still kept it up, kept it up, year after year. He went through all that information. D: When you speak to my Uncle Rudy you'll know... he's always said he's just had a burning desire to know who he was, where they came from and get that family lineage. F: I think that stems, too, from hearing Native tongue as a young child and wanting to know just where it came from, finding that pinpoint and getting things rolling."

> would drum a little bit and then my youngest kid would dance. And all of the people were just astonished to see. So from there on, we formed a dancing group and doing parades a lot. And we went clear down to Oceanside for a parade.[270]

The festivals or social gatherings continue to the present and have their roots in San Fernando Mission history. The San Fernando Mission Indians attended festivals at Santa Ynez Reservation, other southern California Indian powwows, and participated in occasional festivals organized by the City of San Fernando and the San Fernando Mission.

After San Fernando Mission was restored by President Abraham Lincoln to seventy six acres of land and buildings in the middle 1860s, the Mission did not reconstitute a parish.[271] The Indian members of the San Fernando Mission looked elsewhere for participating in a Catholic Church community or have turned to traditional beliefs, or other denominations or religions. [272] The band festivals might be seen as a continuity of the traditional festivals as well as Catholic festivals periodically carried on at San Fernando Mission between the 1920s until the middle 1940s. Many tribal members maintained only nominal Christian church participation, although baptism of children and god-parenting remained a tradition, even if weekly participation in services did not.

1940s

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[270] Docs. 80310.INT

[271] Doc. 90132.B.SFS

[272] Doc. 80307.INT: Victoria Stokes (VS) , recounts "VS: We were all baptized at the same church. GF: Which church was that? VS: Oxnard. And it was—I can visualize it—it's closed down now, I think it's a bar, I don't know. But it was just on Cooper Street in Oxnard, California, Our Lady of Guadalupe or something like that." .... GF: Are you Mormon? VS:Yes. ...VS: Well, you know, so anyway—and I wasn't even LVS at that time, in high school. I didn't join the church until a few years later. It just made absolute sense to me. It was like I was going towards something and it was, you know, my history or my people's history. And what happened, you know, to—you know, these things have been going on in history forever. Doc. 80316.INT: "GF:How about the Catholic religion? The family's basically Catholic? JO: Mm-hmm. GF: When your family has had baptisms and weddings is there a church that you all go to? JO: Oh, yeah. Yeah. We all went to different churches. To wherever the parents wanted to go. At first it's to go haptize the children. When I was baptized, they baptized me in Piru, you know, in Piru." Doc. 80320.INT: "LO: I have confusion in praying because I feel the spirits aren't listening sometimes, so I kind of just pray in my mind. I pray in my mind and, you know, I teach my kids that you're not really Catholic, because I don't force anybody. I don't force religion on my kids and stuff. Me, myself, I pray in my mind. I try to just find relief that way. .... LO:Yeah, yeah, that's okay, yeah. Again, I'm not a Catholic. My wife sometimes tries to tell me I'm Catholic, I'm not Catholic. I don't have saints, I don't believe in saints and I think a lot of members are probably confused on that. ... LO: Yeah, just to be honest. But me, myself, because I'm around all this and again in the core, trying to show like my wife, you can get pulled one way because she's Catholic. I can't, that's not my belief." Doc. 80321.INT: "GF: Were you baptized in the church? ST:Yeah. GF: Which church were baptized in? ST:Gee, I don't know.GF:How about you? KG: What church I was baptized in? I don't know. I don't remember. ST: Did your family attend church? Did your mom, also, was she a churchgoer? KG: Once in a while. GF: When she was going to baptize her kids, aside from you... KG: Oh, we down at (Placita?) [Our Lady Queen of Angels Church, (Old Plaza Church), 100 W. Sunset Blvd., Los Angeles, CA 90012] GF: (Placita?)? KG: Huh-uh. GF: Where is that. KG In L.A. by Olvera Street. I was probably baptized there, too. GF: Why did they pick that church for you to he baptized? KG:I don't know. It just seemed like everybody was going to La Placita. Don't you remember everybody going to Placita? ST: Yeah. I didn't know if it was (inaudible)... Aunt [redacted] who took ([redacted] to be christened down there because they wouldn't do it here because she had been married before." See also Doc. 80374.B.SFVP.

During the decade of the 1940s, most members of the community lived in San Fernando, while a few moved short distances to homes in the surrounding towns.[273] The number of households was increasing and the data is more complete for the 1940s. The community continued to live close to the old San Fernando Mission site and the mission cemetery.[274] The households at San Fernando and surrounding towns were composed of a mix of Ortega and Ortiz households. Most community households in San Fernando were within walking distance and located within a one half mile radius.[275] The large majority of community birth and death events continue to occur in households or hospitals in San Fernando. A few births and deaths have Los Angeles addresses, so some community members are using hospitals in Los Angeles, most likely at the southern end of the San Fernando Valley, which was officially in the city of Los Angeles.[276]

The community was relatively close knit with most tribal community members living in the old section of San Fernando near the Mission. Dinners and family gatherings often including Garcia

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[273] See map-document Doc.: 80471.A.google for a wide angle view of the household distribution of the Tataviam community in the 1940s. Doc. 80471.B.google gives an overview of the band community in San Fernando where they are concentrated around the old part of town.

[274] See map-document Doc.: 80472.A.google for close up view of the household distribution of the Tataviam community in the 1940s.

[275] See map-document Doc 80472.A.google and also Doc. 80316.INT "GF:Your grandfather Antonio had the property that was his own property. His wife died. Your father, more or less, inherited it. And Antonio went to live with his daughter. JO: No, no. My father didn't have anything to do with that property. I think my aunt was the one that took care of the property. Sold the property or something. GF: I'm getting the impression that people lived close by to each other. Is that the case? JO: Yeah, yeah. More or less about not more than three quarters of a mile. GF: How many family members were located in this close proximity to each other? Which bouseholds were there? There was Antonio's. Who else lived nearby? You don't have to give me the exact address right now. JO: I can give you the exact address. I'll never forget the addresses. I've got a memory. But the people, I can't remember their names because I haven't seen them for years, but I know who they are. [redacted] ([redacted]?) was the one that lived across the street about two houses over from my grandfather. And she lived at [redacted] Cornell. And when my grandfather died we lived at [redacted]. And my Aunt Chrissie... let's see, my Aunt Chrissie lived at [redacted]. We lived at [redacted] or [redacted]t Street. And [redacted] lived on, let's see, on [redacted], but that was in the City of L.A., but it's still in San Fernando. I don't know the address. [redacted] lived on [redacted], on the [redacted] block of [redacted]. She was the oldest one in the family. GF: Those were all Ortega women who had (overtalking)... JO: Right. GF: How about the Ortega men? JO: Well, like I said, ([redacted] [redacted]) was living at this... went to this home on [redacted] Blvd. Now, as far as Louie, his brother... my dad's brother, he was... I was maybe about two years old when be passed away. So I don't know where he lived. GF: Does he have kids? JO: No. "

[276] See map-documents Doc.: 80473.A.google and 80474.A.google for the distribution of births and deaths in the Tataviam community in the 1940s.

family members from Newhall were regular events.[277] Family, community, and political events overlapped and socializing and political discussions occurred in the same family events.[278]

The community in the 1940s lived in a segregated section of San Fernando with Indians and Mexicans and other minority members on the west of the railroad tracks laid near Truman Street. Generally, however, trihal memhers were often not fluent in speaking Spanish, but spoke enough to get by with local Spanish speakers. Some of the older generation spoke an Indian language in the household to members of their own generation and preferred to speak English publicly, and encouraged their children to speak English.[279] The elders feared that speaking a native language

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[277]. A couple of photographs of soldiers from the 1940s include Docs: 80613.A.FTO and 80615.A.FTO. See also the photo of the marriage of [redacted] in 1948; Doc. 70091.A.FTO; See also Doc. 80323.INT: "GF: When your mom opened the house and people would come who came? Who was there? DSS: My cousins. Rudy. My aunts, my uncles. My mother, on the holidays, her house was opened and there was food on the table, and they sat around and talked about things. I would just listened to them. A lot of tales that they would tell. GF: Pretend you're back at the table now. What are you listening to? What are they saying? DSS: Laughing, giggling, eating. SS: What other families were there? DSS: There was cousin from another cousin to another cousin, they were there. GF: Do you remember any of the family names that were coming together? DSS:Well, the Ortegas, the Garcias. SS: Cookes. DSS: The Cookes. I have to sit down and think about that. ... Christmas, New Years. It was for everybody. GF: Who was 'everybody?' DSS: All the relatives, and if they brought somebody they could come too. Because I had my aunts' kids and my uncles' kids. Everybody would come over. They'd come in groups. They liked my mom's cooking. She loved to have them by."

[278] Doc. 80311.INT: "ROS: No. We didn't do that in 1940. Because we had just started, we didn't know which way to go. I was new. And I was fresh and young. DC: So you started that up later. ROS: All I thought was getting my people together and see what we can do. DC: And what kinds of things did people talk about that they wanted to do? Did they want to reclaim culture and their history? ROS: They wanted to learn about their culture. They wanted to know where they came from. Their identity. And they wanted to know how they could help the rest of their people to come forward. So that was a lot of work. It was hard to do tbings like that with me alone and nobody else to help me. You ask for help and they were shy. Here's an instance. If we were going to have a meeting at the park, Mission Park and Brand, and I say, "Okay, we're going to have a meeting down there. So I need some volunteers to help bring some food in. Who wants to volunteer? I want to see some hands." I won't see no hands. So then I say, "Okay, you Mary, you bring a turkey. You Helen, you bring a ham. And you sir, you can bring some sodas. Now, don't worry about all the food. The organization is going to pay for that. We'll get the stuff, we'll bring it here, and you people just come pick up the food to cook it and arrange it." That's how I used to do it. I used to buy the food. I used to send two women with a check to the store, before we had a Safeway here in San Fernando. And they'd go buy the food, the turkeys. A lot of times, I'd go myself to the stores, the markets, and ask for a donation of a turkey or two and they'd give them to me. I'd say because we're having a big meeting in the Mission here in San Fernando. We're Native Americans. This is my cluh. They said, okay, we'll give you two turkeys. And I'd go to another store and ask for something else, a ham or whatever. They used to give it to me. DC: Did you identify yourself as a Native American or as specifically the Tataviam? ROS: I said Native American. By then, we had cards like these out of cardboard and it said San Fernando Mission Indian...."

[279] Docs. 80316.INT "GF:Your father spoke the Indian language. JO: Not that I know. GF: Who was it you had mentioned earlier? Some spoke it. JO: My grandfather Antonio. D: But I hear stories from the family, though, and I think yon even told us once that Uncle Rudy and you or Uncle [redacted] maybe. I remember hearing Tata, Estanislao, speak the language and it wasn't Spanish. And as a child you knew a couple of words, but because be was a child and it's something that isn't practiced, that you don't remember... it's like when I was small I knew a couple of words of Spanish and that's it because I really wasn't taught it. But you knew a couple and Uncle [redacted] and they recognized it as not Spanish. So it was the Native language which his father knew, but probably didn't speak around in public because, again, of that fear of being put on a reservation, I think." Doc. 80313.INT: "ROS: Well, the only thing is, like I told you before, that I used to walk him down to the house because my mother said, bring your grandpa because your dad wants to have him down here for supper with us. So I used to walk him down. But he never spoke to me about the Indian language or nothing. I remember that he could speak a little Spanish and it was broken, like a little Indian sound in it in the Spanish way. Like he couldn't pronounce the words right or whatever. I can remember that. And that's why he never spoke a lot. And maybe because he knows that my

publicly would invite discriminate actions from the non-Indian community.[280] The preference for speaking English in public set the Indians apart from the San Fernando Latino community which preferred Spanish. Children heard an Indian language spoken among the elders, but were not taught the language; the experience, however, galvanized an Indian identity among many of them.[281] After the second world war, minority groups began to have residential access to the rest of the San Fernando Valley, and demand for housing and associated urban sprawl rapidly increased housing opportunities and opened the social pathways to living outside the older, segregated, and poorer original section of San Fernando.[282]

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mother used to tell us, don't speak nothing but English because you'll get punished. If they hear you, you'll get punished." Doc. 80308.INT: "VNJ: Yeah, I mean, he wasn't fluent, he wasn't trained. GF: Right. VNJ: But you know, that was kind of a skill that he picked up on the streets here, living here, because there were so many of those Spanish-speaking people here and their families. GF: So it means that his mother wasn't speaking Spanish to him when he was being raised. DN: She was like the same way. She could, you know if she had to, carry on." Doc. 80302.INT: "Q1: You guys said something earlier that I thought was interesting about this English/Spanish because you said a lot of people actually, you know, took on Spanish names and, sort of, took on Spanish culture. TG: In that case, ones that were born out there in Newhall, they... and they wouldn't know how to speak Spanish. They didn't learn Spanish except for maybe the older, older people. M: The ones that came from Mexico and Spain." Doc. 80302.INT: "Then when the white settlers came from back east probably when Lincoln was in office, once the Spanish commission started to disintegrate, then they were forced and made to speak English. They were punished for speaking Spanish. So I guess how the tribal languages of the Tataviam, Tongva, Kitanemuk, whatever they were, just kind of got buried and buried and buried and buried. So that's about us, our generation, that we don't know. People say, "So you don't speak Spanish?" "No."'

[280] 80584.B.FTTC

[281] Docs. 80584.B.FTTC; 80316.INT: "D: When you speak to my Uncle Rudy you'll know... be's always said he's just had a burning desire to know who he was, where they came from and get that family lineage. F: I think that stems, too, from hearing Native tongue as a young child and wanting to know just where it came from, finding that pinpoint and getting things rolling … JO: Well, I understood that my father used to tell us that he was a... well, somebody had told us that he was the only one that used to speak English... I mean, Indian language. But be never taught us anything about Indian language at the time before he passed away. I heard that he was one of the chiefs of the tribe. GF: Give me your name, date of birth and then who were your parents, who was your father's parents? JO: My name is [redacted] and my parents was [redacted], which he used to run by [redacted]. My mother was [redacted]. And my grandfather was Antonio. We've known him by Antonio all the time. GF: His last name? JO: His last name's Ortega. That was my father's father. And I was born [redacted]. Now, when he passed away I was about 12 years old at the time." Doc. 80312.INT: "ROS: Well, through my father [redacted] My father was the one that told me that he (Antonio Maria Ortega) was in charge of the tribe in San Fernando's days. My father never told me that he spoke Indian and he never, never told me that he knew Indian language also. So we were all in a closed closet, not knowing any of the history, because they never spoke of it. If you tried to tell it, ask a question of our people, they would turn around and talk about something else. Divert us from learning. I don't know. Maybe because we'd get punished if we talked about it or something back in those days. I don't know. Because like the language we couldn't speak anything but English. "

[282] Doc. 80308.INT: "NJ: And keeping that in mind, and the composition, the ethnic groups that were here in San Fernando at the time. And we had Hispanics—and they weren't called Hispanics. We had white. We had Native Americans of different races, I mean different tribes. So the composition of the community at the time was composite. And to say, you know, does somebody look Indian? You could say, yeah, they looked Mexican, they looked Spanish, they looked brown compared to looking white. And that's part of what was going on with this community in the 30s and 40s. Zoot suits were a thing at that time where if you went into L.A.— DN: Yeah, yeah, the Navy had—VNJ:—there were racial things going on. And the blacks were here and it was a kind of community that at the time was going through this dramatic transition that really took off after the war. DN: Yeah. VNJ: And when they came back and wanted homes, and the valley just became this huge metropolis. DN: There were only a few blacks as I recall it. I only had one in my class. VNJ:(Inaudible—over-talking) … because you lived that and you know, I came in later.

While not certain it appears that the Louis Ysidro Valenzuela family lived in the Oxnard-Ventura-El Rio area, as they did in the decade before and after. Josephine Garcia most likely lived in the Camarillo-Ventura area during this period. She died at Oxnard in 1952, and was living in Camarillo, about 10 miles east of Oxnard in the 1930s. Records for subsequent decades indicate that descendants of Frank Ortiz lived in Fresno.

The 1886 to 1951 period ended with the death of Estanislao Ortega, captain and community leader. We have the guest book recording the registered attendees and participants of (James) Estanislao Ortega's funeral. Members of the regional Fernandeño community, including tribal members, and family paid their respects to Estanislao Ortega. Among the attending relatives were his sisters: Sally Verdugo and family, Catharine Newman and husband Alfred, Vera Salazar and husband Manuel E.[283] Also in attendance were his nephews [redacted], [redacted].[284] In attendance with her husband Nelie was Della Cooke Martinez (granddaughter of Josephine Leyva Garcia).[285] Isidoro Garcia, Josephine's first husband, was the brother of Estanislao's mother, Ysidora Florentina Garcia. Della Martinez's mother, Frances Garcia Cooke, was a sister to Petra Garcia Rivera Valenzuela, an ancestor of Tataviam tribal members through her great granddaughter [redacted]. Frances and Della Cooke were very active in the Fernandeño community at Newhall. Ted (Theodore) Garcia, who in 1951 lived in the San Fernando Valley, attended. His mother was Mary Garcia, daughter of Francis Cooke Garcia, and Mary sent flowers on behalf of her family.[286] Both Ted Garcia and his mother Mary Garcia became active participants in the San Fernando Tataviam community during the 1950s during most of the rest of their lives thereafter. Mary Garcia became a close confidant to Rudy Ortega Sr., and Ted Garcia participated as a tribal officer and treasurer during the 1940s and later. Ted and Mary Garcia formed an active link to relatives at Newhall. The Martinez and Garcia participation at Estanislao's Ortega's funeral demonstrates continuing contacts and relations between the Garcia and Ortega lineages and the Newhall and San Fernando Fernandeño communities.

The Ortiz lineage was represented at Estanislao Ortega's funeral by [redacted] and her husband [redacted], and her mother Mary Ortiz, wife of Raphael Miguel Ortiz, brother of Joseph Ortiz, who is the progenitor of the Ortiz lineage members who are tribal members. Both Ortiz brothers, Miguel Raphael and Joseph, had passed by 1951. [redacted] son, [redacted]. and wife also attended the funeral.[287] The Doh family had a close relation to the Ortega family, and several of the Doh family children were high school friends with Rudy Ortega in the early 1940s. The Miguel Raphael Ortiz family, long time residents of San Fernando, were active in the community but did not apply for any of the California Indian payments, although they identified as Fernandeños.

Marriage Patterns (1886 to 1951)

[283] Docs. 80475.F.Noble; 80475.C.Noble, 80475.H.Noble.
[284] Docs. 80475.C.Noble; 80475.D.Noble; 80475.E.Noble,
[285] See Docs. 80475.C.Noble; 00104.A.LN; 00104.B.LN; 00104.C.LN; 00104.D.LN; 00104.F.LN;
[286] Docs. 80475.F.Noble and 80475.H.Noble.
[287] Doc. 80475.G.Noble

After 1860 and the collapse of San Fernando Mission, marriage patterns remained exogamous but now the tightly restrictive mission community was no longer in force over the Indians, and the Los Angeles County area became infiltrated with many more people from Mexico and the United States. During the mission and pre-mission periods, individuals married outside their lineages, but almost exclusively with members of other recognized Indian lineages within the region. As late as the middle, 1840s, regional ceremonial and contacts and ties were important parts of social relations and community. Each lineage had specific ties with other lineages for social, political, and economic exchange and relations. The American period, however, brought a new market economy, and new legal and political conditions. Many San Fernando Mission members returned to their villages and lineages, and carried on relations under new conditions of limited access to land, impoverishment, and often reservation residence restrictions made traveling to ceremonial and regional gatherings economically, and politically more difficult to carryout throughout southern California. The new marginalized economic conditions made the social, cultural, and economic exchanges of the regional ceremonies and festivals less feasible or necessary. The old pattern of regional economy and ceremonial ties were less possible.

The four lineages we are tracing as progenitors of contemporary band members, practiced exogamy, but under new economic, demographic, and political legal conditions. Girls married outside of the lineages, but now married Mexican and later American husbands. The children were considered members of the Indian lineage if one of the parents had ancestral ties to an identifiable lineage, and the parents chose to uphold family-lineage ties and recognition.

After the death of her first husband Benigno, in 1862 Maria Rita Alipas married Fernando Ortega, who was working for the Geronimo Lopez family in and around San Fernando, then a small village near the old mission. Leandra Culeta married Joseph Cupertino, according to oral history, and after he left or died, she married Juan Leyva. The Band has been able to locate only limited data. According to oral history, Juan Leyva was a Mexican who worked as a cowboy. Others say Juan Levya was a Chumash who was born at the village of Saticoy. Antonio Maria Ortega, married Ysidora (Isidora) Garcia, who was of Yaqui and Mexican descent. Similarly, Josephina Leyva, married Isidore Garcia, the brother of Ysidora, probably in the early 1880s. By the late 1890s, Josephina left Isidore Garcia and went on to marry an American and then a Mexican husband. The children of Josephina Leyva Garcia almost exclusively married outside of the regional San Fernando Mission Indian community, but carried on and passed on Indian identity to their children.

Similarly, Antonio Maria Ortega's children did not marry members of the regional San Fernando Mission community. They married Americans, Mexicans, and/or other Indians. For example, Estanislao Ortega's wife Laura was of Yaqui descent.[288] Magin Tapia was of American Indian descent,[289] as were the first two wives of Rudy Ortega Sr.. Rudy Ortega's first wife was a

[288] Doc. 80293.OTC

[289] Doc. 80312: "ROS: In Sylmar? I guess there were, but I can't remember. Because I had family all over San Fernando here, within blocks, within a half a mile from our own people. GF: And who were they? Who were the families? ROS: Well, the Tapias, Majin Tapia lived in Pacoima almost. Which was Refugia, nicknamed Cuca. GF: She was who? ROS: She was my dad's sister. GF: And you said Majin Tapia. Who was that? ROS: He was the husband of Refugia. GF: Oh, I see. Cuca's husband. ROS: And the Tapias they had a ranch up here in Mulholland Drive with the Indians up there. So I think he was part Indian."

member of the Santa Ynez Chumash reservation[290] and his second wife was from an Indian tribe in New Mexico.[291] The marriages to other Indians provided contacts and information about Indian policy. Generally, however, while there is some intermarriage with other Indians, most marriages by the children of Josephine Leyva Garcia and Antonio Maria Ortega, were to individuals of Mexican and American descent.

Within the Ortiz lineage, Rosa Arriola, the daughter of Jose Miguel Triumfo, married an unknown man by the name of Carlon or Carilon, and then soon remarried to Miguel Ortiz, a Mexican laborer. After leaving Miguel Ortiz, Rosa Arriola married Jesus Peralta, with whom she had one daughter, but both husband and daughter died within a few years. Her son, Joseph Ortiz did not marry a member of the San Fernandeño regional community, and his children also did not marry members of the San Fernandeño regional community, with the possible exception of Juanita Ortiz de Montez. Her husband Raymond Montez may have been a member of the Tejon Indian Montez family, but this has not been confirmed. Finally, the marriage of Rogerio Rocha and Maria Manuela did not yield any children surviving to maturity. By 1910, Josephine Leyva Garcia moved to Ventura and later remarried to a man named Gutierrez, and her daughter Petra followed with her second husband Jesus Valenzuela, and they also lived in the Oxnard-Ventura area. The rest of Josephine's children lived in Newhall or in Kern County, while some moved to Ventura County to live with the Chumash community there.

Antonio Maria Ortega and his children and their spouses lived at San Fernando through the 1885 to 1951 period. The Joseph Ortiz family lived for about 15 years with the Tejon Ranch and Tejon Indian community, and then moved to Bakersfield for about 20 years, and then back to San Fernando by the 1920s. Thereafter, most members of the Ortega and Ortiz families lived in the San Fernando Valley and form the large majority of contemporary tribal membership.[292]

The intermarriages with non-San Fernando Indians brought in new people, new economic resources and skills, and provided access to the new increasingly urbanized and multi-cultural San Fernando Valley. The Fernandeño Tataviam community married exogenously for similar economic and social reasons they had in the mission and pre-mission periods. A similar pattern of exogamous marriage is found throughout southern California among the peoples on the

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[290] Doc. 80326.INT "EO: Well, what they should know is more their tribe. They really don't know that much on my mother's side because... I tell them I can be full blooded Indian and I don't know yet. I says but the thing is, I really don't know that much. I've gone once to San Inez. Once only to the reservation. I have aunts that live over there. Because my husband had a job over there. He does construction and he did a job there on one of the properties there. And then I wanted to go so bad to the Indian casino just to check it out. He didn't like it. I was playing a little bit. Then we left, we came home, and said forget it. But I love the drive. It's real nice driving all the way down the coast on the 101. But I really don't know that much from over there. Only my aunts. I have one aunt that lives here in Sylmar. The rest live over there. I have only two aunts that are living from my mom's side, and one of my mother's brother, but he lives up there towards Bishop. And that's about it. All the rest are all cousins."

[291] Doc. 80312.INT "So my second wife says, "Why don't you get your people together?" She was from New Mexico. She was Indian from New Mexico. I says, "Well, maybe I will."

[292] See Membership residence document for regional and membership ties and living locations (need to code); See also Marriage patterns Document and the genealogy program. Doc. 80305.INT "Yeah, but there were too many tribes taken into San Fernando. There's Tataviam from right here. Kitanemuk in Antelope Valley over on the Tejon Ranch. The Vanyume in Victorville, and the Yokuts/Yokotch in the San Joaquin Valley, and the Chumash people from the coast. And, of course, people in the San Fernando... called Fernandeños. They're part of the Shoshone people."

recognized Mission Indian reservations. The marriage patterns of the San Fernando regional community is not dissimilar from the precontact, mission, and postmission patterns of most recognized Southern California Mission Indians. In general, during the 1885 to 1951 period, exogamy was practiced and extended to newcomers in the region. In the past the regional marriages were quite extensive extending beyond the San Fernando Mission lands, and extending to many lineages, language groups, and cultures. There seems not to have been many inhibitions about marrying non-San Fernando Mission Indians or marrying outside of the regional lineage networks. The regional networks were maintained and honored, and the new non-Fernandeño intermarried family members, children and spouses, were accepted into the regional community.[293] Ties and family relations were maintained with all four major San Fernando Regional communities at Tejon, Oxnard-Ventura, Newhall, and San Fernando.

Discrimination (1886 to 1951)

The Fernandeños believed they lived in a culturally marginalized and discriminatory situation. They had lost land and their legal and political rights had not been supported. They were acknowledged as Mission Indians, but derived no sustained benefits of reservation lands, legal protection, economic aid, or exercise of political self-government from their status. In 1891 a congressional report stated: "The history of the Mission Indians for a century may be written in four words: Conversion, civilization, neglect, outrage. The conversion and civilization were the

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[293] See for instance see the Ortega and Montez family connections to Tejon Ranch area: Doc. 40213.K.DC: Doc. 80314. EO ([redacted])"Like I said, my dad and his two brothers would—we would head for a ranch up in El Tejon and there we had some—I imagine they were cousins of ours? Was that Vicente? RO Vicente? No—well, that we're not sure of who they were or not, but they were definitely...EO: Yeah, they were Indians. They were living in these old dirt shacks, dirt floors, aluminum or tin walls. And we used to go up there because my parents have always liked the outdoors. We've been outdoor people for years, and we'd go up there and sleep outdoors and they would party every night. Every night they would party, and then in the daytime they would go hunting—they would go deer hunting and my dad would go and us kids would stay behind and shoot off rifles. Yeah, but it was very interesting seeing people the way they lived. And then the Tule Reservation—.... GF: How about when you went up to see Vicente Montez—Montez? RO: Montez. EO: Montez, yeah. GF:Tell me a little bit more about that. You know, were they—I know you were just asking if they were family—did you consider them family at the time? EO: Yeah, I thought they were related to my dad. GF: Um-hm. EO: Because they talked about him, you know? They said, "Oh, we're gonna go see cousin Vicente." GF:Um-hm. EO: When you hear that, you know, we just figured they were relatives. We had tons of relatives, you know [LAUGHS]. We had tons. So everybody you went—you figured they were related. And up there, everything was—to me it was Indian, but there again, we never discriminated from us to them or to Mexicans or anything. We just thought of one people, and I imagine they were your pre-Indian type. Not as civilized as we were, because of the way they lived and everything was horse-packed over there. You know, I mean they lived out there probably 30, 40 miles from the highway, back in the canyon, something like that, you know. So we knew they were Indians, but like I said, we didn't pay attention because we didn't discriminate. GF: How do you think your family knew them? EO: I have no idea. All I know is that we went to go visit them. You know, when you're a child, you don't pay attention to relatives, you know? You just—this is your uncle, this is your cousin, this is that, you know. But we up there quite a few times, and we really enjoyed going up there because it was so wild compared to the city."... "I can remember, and while we're talking now, I remember my father taking us to Newhall and that's where a lot of Indians, the relatives came from—the (Chakanakas?) and the Cooks—they were from that area. I remember us going over to picnic with them. And there was a place called—I don't know if anybody has ever told you this—(Sassonia?) Park. GF: No. EO:And we would all meet there and play. Us kids would play, and all the parents would gather and they'd play music or guitars or whatever it was and they'd do it. And I know that was my dad's side. But I remember doing that as a child and like I said, I know that we mingled with the Cooks and the (Chakanakas?). I still have close ties to some of the Cooks. In fact, I belong to a senior's club here in San Fernando—it's 55 and up."

work of the mission fathers previous to our acquisition of California: the neglect and outrage have been mainly own."[294] Through the 1886 to 1951 period, Fernandeños believed their cultures, languages, identity, community and political rights were suppressed and public expression would result in punishment or direct suppression by local authorities. Consequently, many Fernandeño elders felt it was wise not to give public expression to the communities culture, and preferred to remain privately active within traditional families and political and social processes. There was fear among many members of the San Fernando Indian community that federal recognition or registration within the Bureau of Indian Affairs during the 1928 California Indian Judgment Census would result in forced movement to Indian reservations. For this reason, many San Fernando Indians declined to register with the Bureau of Indian Affairs, and community leadership under Antonio Maria Ortega and Estanislao Ortega continued the view that registering with the BIA would involve them in a struggle to continue to live at San Fernando and would lead to removal to reservations where they did not want to live.

The effects of dispossession and economic marginalization, and wage discrimination had huge negative affects on California Indian communities, including the Fernandeño. In 1916, the California anthropologist Albert Kroeber observed: "[w]ith all the tremendous decrease of the last sixty years, California still ranks fifth in the number of its Indians--16,000; and yet no western state contains so little reservation land, in proportion to its area. A belated attempt was made in the last ten years to remedy the earlier oversights and neglect, Congress voting some two hundred thousand dollars for the purchase of homes for homeless California Indians. This amount, wisely spent, has relieved some acute suffering..."[295]

California Indians petitioned the United States government compensation for loss of land, but most observers believe the payments were not enough to enable most landless California Indians to recover their livelihood: "Petitioners' rights in respect to areas of said grants which were occupied and used by petitioners, or upon which petitioners' rancherias were located, were fully established by Spanish, Mexican and American law, and defendant had full notice by decisions of its own highest tribunal that Indian property rights on said grants were inviolate.... Notwithstanding said notice by its own court of last resort, defendant failed to protect petitioners' rights and petitioners were driven from said grants, all to their great loss and damage."[296] "Tbe result is that most of them became squatters on worthless corners of land which had belonged to their forefathers, or floated around mining camps and pioneer towns, subject every moment to eviction and without means of support such as they could pick up."[297]

California activist groups recognized the injustice and discrimination in the management of California Indian Affairs and many prominent citizens dedicated time to secure land, self-government, and government support for Mission and landless California Indians: "RESOLVED, that we pledge ourselves individually and collectively to assist to the best of our ability the upholding and the continuance of this work until every landless Indian in California

[294] Doc. 00434.A.RA
[295] Doc. 00207.F.BL
[296] Doc. 00260.D.BL
[297] Doc. 30034.C.BL

shall be secure the land upon which he can maintain a home; and until public sentiment shall demand full justice for all California Indians."[298]

The Fernandeño were discouraged from expressing their culture, language, and from any political visibility. A great fear of suppression and deportation to Indians reservations inhibited the Fernandeño from visible political activity or cultural expressions on an everyday basis. Many Fernandeño expressed they or their parents were fearful and acted in continually fearful ways that suggested they should repress their public displays of culture, language, community, and should even deny Fernandeño identity in favor of Mexican identity, since Mexicans received better civil rights and social treatment than Fernandeños and Indians. The fear of forcible removal to an unknown reservation was rife within the community, and discouraged the entire Ortega lines of descendants from registering in the 1928 California Indian Roll. Most Fernandeños feared forced removal to reservations, and preferred to continue their social and political community through family and lineage relations. Because of the fear of the stigma of Indian identity and possible unwelcome removal to an Indian reservation, most of the Fernandeños were reluctant to approach government agencies and organizations, and preferred to remain relatively invisible while carrying on their traditional forms of political leadership and lineage-based community organization.

During the 1920s, Indians were discouraged from openly living in San Fernando. One tribal member recalled: "[w]ay back in, I think it was in the twenties, the (inaudible)... lived right here in San Fernando. You had to say that you were Mexican-American because if you were to say that you were Native American here in San Fernando then they would ask you to leave the city back in the twenties. So a lot of our Native people had to speak Spanish in order to live here. Our parents did, but they didn't want to teach us, our children, because things have changed. So they were accepted here back in the thirties and forties, and fifties. But in the twenties they had to speak Spanish in order to live here because if they were Native Americans they had to leave here where I was raised at."[299]

Fernandeños had concrete fear and distrust of others' reactions to the knowledge of their status as Indians. Such fears extended to the government. Rudy Ortega, Sr. explained:

> In 1932, they came out, the government wanted all the Native Americans to be registered and in those days there was a rumor, everybody was talking, don't register because they want to send you to a reservation, so don't register at all, because that's how they're going to find out where you live and they're going to come out and pick you up and take you. So nobody registered, my people never registered. So we kept on and then after my grandfather passed away in the forties, '41, '42, ...[300]

Another tribal member recalled: "D. We've always heard through the years, from my dad and from my uncle, that the reason my grandfather, Estanislao, did not register was because he feared to register.... At that time the world was not friendly to people of color especially in this area to

[298] Doc. 30018.B.BL
[299] Doc. 80322.INT
[300] Doc. 80318.INT

Native Americans. He was afraid if he register as a Native American he would be sent to a reservation. He loved his culture, his language, but he feared being put on a reservation, taken from his family."[301]

Fernandeño Indians living in San Fernando believed they could not express culture, language, or identity without serious negative consequences to persons and the community. Rudy Ortega, Sr. recounted another example of such reticence:

> I used to come to my aunt and take him to my house because my mother would say, "Go get your grandpa (Antonio Maria Ortega) because your dad wants him to come and have supper with us." He was senile almost. So I came down and get him by the hand and walk him to the house. And he never spoke one word of Indian to me and the reason why because in those days, in the thirties, they didn't want us to speak nothing but English. If we spoke any other language but in English they would punish us in school. So this is how we lost our identity of language."[302] He also recalled: "But he never spoke to us in our language. Tataviam. Now I know why in those days because my mother used to tell us. "Remember you're going to school. Nothing but English," Because we used to get punished.... At home we'd speak Spanish and my dad would speak English to us. So that's how we got both languages together.[303]

He also recalled:

> But he (Antonio Maria Ortega) never spoke one word of Indian to me. Because in those days, my mother told me that nobody was supposed to speak nothing but English or they'd get punished. And every time we'd go to school my mother would stand at the doorway and tell me and my brother, "Don't forget; nothing but English or you get punished.... That's why they wouldn't teach us our language. My grandfather never told none of us nothing.... We'd speak Spanish and English (at home).[304]

Another tribal member explained:

> I remember asking her, "How come you speak Spanish and I don't?" and this and that, and but I remember her mentioning, and I've heard it in the past from others and on the Internet that when the Spanish were here the ancestors from maybe a century or two ago had no choice but to speak Spanish or they were punished. I think it was a book written by John P. Harrington. Then when the white settlers came from back east probably when Lincoln was in office, once the Spanish commission [Mission] started to disintegrate, then they were forced and made to speak English. They were punished for speaking Spanish. So I guess how the tribal languages of the Tataviam, Tongva, Kitanemuk, whatever they were, just

[301] Doc. 80316.INT
[302] Docs. 80324.INT; 80318.INT
[303] Doc. 80310.INT
[304] Doc. 80325.INT

> kind of got buried and buried and buried and buried. So that's about us, our generation, that we don't know. People say, "So you don't speak Spanish?" "No."[305] "D: But I hear stories from the family, though, and I think you even told us once that Uncle Rudy and you or Uncle [redacted] maybe. I remember hearing Tata, Estanislao, speak the language and it wasn't Spanish. And as a child you knew a couple of words, but because he was a child and it's something that isn't practiced, that you don't remember ... it's like when I was small I knew a couple of words of Spanish and that's it because I really wasn't taught it. But you knew a couple and Uncle [redacted], and they recognized it as not Spanish. So it was the Native language which his father knew, but probably didn't speak around in public because, again, of that fear of being put on a reservation, I think.[306]

In response to a question why Fernandeños were "passive," Rudy Ortega, Sr. said:

> "RO: I really don't know. I really don't know. I guess, to me, I thought in my mind, at that time, I thought they were kind of embarrassed that they would go up there in front, they're afraid that someone's going to make fun of them or...I really don't know. I couldn't express what they were thinking, why they didn't do it. The same thing, now, with my people. Anybody goes to talk to my people about our tribe, they don't know nothing, but if I call them ahead of time and I says, Mr. So-and-so or Mrs. So-and-so from the Indian Council wherever from another town is going to come and talk to you about our people, so be sure to talk to them and tell them. Okay, Rudy, I'll do that and they will sit and they will talk and they will answer their questions. Outside, they wouldn't say nothing. (He just sat with me all day?) he said he wanted to say. The government told him if you speak any other language but English, you get punished, the kids in school. And my mother used to always tell us before we left the front door, don't forget, English, nothing else. Okay, mom. You get punished in school. They would punish us. [307]

Because many Fernandeño were fearful of discrimination and often outright violent repression, they did not wish to expose their culture and community to outsiders.[308] Charlie Cooke explained:

> People back in the forties particularly, and they were still downgraded as low class, and everything else. Nobody wanted to have anything to do with them. So it was safer not to say anything. It not only happened to our people, but people across the country. They would never claim they were Indian because they would be persecuted that way. That's why they lost their identities so bad and their traditions because they didn't follow them because for survival, that's mainly what it was. (Inaudible)...and they shoot an Indian, they didn't bother you. That

[305] Doc. 80302.INT
[306] Doc. 80316.INT
[307] Doc. 80318.INT
[308] Doc. 80301.P.FTO

> was in the forties."[309] "And I do remember comments that were made and it was kind of making fun about being a Native American or being an Indian. And part of the reason I think that was, from what I remember from some of the stories was because there was such a negative connotation to say you were Indian at that time. It's not something you want to be proud of or speak loudly about. And talk about what happened San Fernando and how they were booting people out and upsets around the country. You know, how the 1800s, what they were doing to the Native Americans. It wasn't something you just went around and said, "I am." Because it was too negative. It had all that stereotypical stuff that went along with it. So they would kind of talk about that, but it was done quietly and it's not something you just go out and start, "Hey, you know what I am?" You didn't do that. So it kind of always—that always stuck with me, is you are, but you don't talk about it much. You don't say much about it. And that's already reiterated—we didn't really have an allegiance with, we are of this tribe, we were the Mission Indians, you know. Well, gee, there's Missions up and down the coast, so what does that mean? So, it was just kind of—I remember that as a young kid, that yeah, there was discussions about it, there was a lot of the family get-togethers where everybody'd do that discussion (inaudible)...[310]

He also recalled that "it was detrimental to the family if they even mentioned something like that (the Bear Dance), you know, because they'd get ridiculed and everything else."[311] Rudy Ortega, Sr. described a strong fear on the part of his grandfather related to expressions of Indian identity:

> He (Antonio Maria Ortega) died with all his experience of the learning the language that he knew. I think there was only three Indians in San Fernando that knew the language.... No Tataviam people here ever talk about the past of their families or what they did. I don't know. Maybe because they were afraid that the white people will punish them if they did something. And they didn't want nobody to do anything... He had a lot of knowledge, but he never gave it up to us at all. I think that's maybe because they were afraid that we'd get punished when we talked their language and all. Because then the government they wanted no languages but English"...ROS: So my father (Estanislao Ortega) told us. He never told me I was Indian, until my mother's the one that told me. And that's because I got mad at the school teacher... They were engaged but they never talked about it. They were afraid. I don't know. Probably they were afraid they would lock us up or something. You know how they were in those days. Very strict. So they were afraid of that.[312]

Another tribal member perceived a similar fear in his ancestors: "M: I think it's because they were either ... this is just my opinion. I think they might've been scared of discrimination. Their families from previous generations being abused and things like that. They just ... you don't need any of that trouble. And that's just my opinion. They said, "We don't need that," so they,

[309] Doc. 80305.INT
[310] Doc. 80308.INT
[311] Doc. 80305.INT
[312] Doc. 80311.INT

kind of, denied their identity."[313] Another recalled, "But like I said, they didn't talk too much about the Indian life because I think they were afraid. I believe that's the way he was brought up—to be afraid."[314] Another tribal member reported: "Well, I heard that nana, her mom, lived in Lancaster, and that they always used to say things until we'd be afraid of saying things or putting our self into any situation that they could send her back to the reservation, or something. I don't know if that was just talk or if it was... but I really didn't know."[315]

Fernandeños faced discrimination about where they could live and could not openly identify as American Indians or as Indians of San Fernando Mission. "SS: It wasn't easy because if you were a Native and said that you were Native in that time you were a second class citizen. If you were Indian, the Indian was the lowest, even lower than being Spanish. If you were Spanish you were treated differently. They treated Indians really badly. We were treated maybe like slaves or something. So people even denied that they were Natives.... No, my grandma didn't. My grandma was one of the very strong ones."[316]

The Ku Klux Klan was active and visible in San Fernando during the 1930s, and for many years earlier in the San Fernando Valley and Los Angeles County.[317]

The 1885 to 1951 period was one of strong discrimination against Fernandeño Indians in San Fernando. At times Fernandeño were restricted to certain parts of the town, mainly the old village section of town where the Fernandeños had lived for many years. The old part of San Fernando where most of the Fernandeño Indians lived was called "Sonoratown" and considered populated mainly by Mexicans, and a less desirable part of town.[318] The American newcomers settled across the railroad tracks and discouraged Indians and Mexican-Americans from living there, and before the 1940s, from crossing the tracks to visit.

A tribal member recalled:

> And then I remember when we were living in San Fernando, where the railroad tracks are, the Mexican-Americans could not cross the railroad tracks going—what was that? That would be going east. You couldn't go anywhere on that side.... AC: Because they were Mexican-American. All the white people lived on that side.... JC: Look here, mother. You go straight. You cross San Fernando Road. It was all white population.... AC: You couldn't go any further than San Fernando Road. You couldn't cross on the other side of San Fernando. The Mexican-American, you had to be on this side.... AC: At that time, there wasn't no fights, but they just were not allowed to go on that side ..... AC: Well, when we got married in 1949, you were already able to cross. So it had to be back when I was in probably even grammar school or something like that.[319]

[313] Doc. 80302.INT
[314] Doc. 80314.INT
[315] Doc. 80321.INT
[316] Doc. 80323.INT
[317] Doc. 90142.A.SFCVT
[318] Docs: 80558.A.SUN and 80558.B.SUN
[319] Doc. 80317.INT

Continuous Name of Community (1886 to 1951)

Throughout the 1885 to 1951 period, a period over fifty years, the Indians at San Fernando were known by a variety of names such as the Fernandeño or the San Fernando Mission Indians, or as Mission Indians. The expression of San Fernandeños or Fernandeños started with the padres at San Fernando Mission and is a expression that is used past 1951 to the present.[320] The Fernandeños were also known as the Indians of San Fernando Mission, which is a descriptive term sometimes used in the literature. More commonly, the Fernandeños were classified by government officials, newspapers, and the public as Mission Indians.[321] Although Mission Indians refers to the collection of Indians were baptized or are descendants of baptized Indians who lived within one of the mission establishments.

On January 12, 1891, Congress enacted the "act for the relief of the Mission Indians of California", and on January 31, 1891 the Secretary of Interior appointed commissioners with instructions "That immediately after the passage of this act the Secretary Of the Interior shall appoint three disinterested persons as commissioners to arrange a just and satisfactory settlement of the Mission Indians residing in the State of California, upon reservations which shall be secured to them ....As you are doubtless aware, these Indians received their name--Mission Indians--from their relation to the early Catholic missions on the Pacific coast, the first of which was established in 1769."[322] The San Fernando Mission Indians were included within the instructions and intentions of the act. Nevertheless, while several acts of the US government were designed to restore land and facilitate self-government, the Fernandeños were not beneficiaries of such acts, although they were by definition qualified for inclusion. The American government recognized the status and issues of Mission Indians with special agents assigned to Mission Indian issues, and continued a special agency to manage Mission Indian affairs, which remained operable until about 1950. For a period of over 50 years, the community at San Fernando was known as Fernandeños, Indians of San Fernando Mission, and/or Mission Indians.

Addressing the Criterion for Community for the 1886 to 1951 Period

This section directly addresses the criteria for § 83.7(b)(1) as documented in the above narrative for the 1886 to 1951 Period. During this period, the Band satisfies several criteria for community.

§ 83.7(b)(1)(i)
Significant rates of marriage within the group and/or as may be culturally required, patterned out marriages with other Indian populations.

The rule of lineage exogamy continued to be observed for marriages. Some members of the petitioning community married other Indians, but there were no normative restrictions to marry only Indians, and most married non-Indian individuals within an increasingly urban and diverse San Fernando Valley population. Marriage with non-local Indians and non-Indians became

[320] Doc. 80381.B.SFRDE
[321] Doc. 00265.A.BL
[322] Doc. 00186.A.DC

common for both males and females. The children of such unions were considered lineage members. The marriage patterns of the petitioning community conformed to the general marriage patterns of Indian communities throughout southern California, and to the traditional Fernandeño norms of seeking advantageous social, economic, and political marriages outside the lineage group. The old rules were applied to the new circumstances. See pages 54-55. 62-63, 77-82.

§ 83.7(b)(1)(ii)
Significant social relationships connecting individual members.

The godparenting, and in-law relations continued into the 1886 to 1951 period and helped maintain community ties among the Ortiz, Garcia, Rocha, and Ortega lineages. The Garcia family and Rogerio Rocha shared ancestry ties to Tujubit, and were therefore related. Rita Alipas's first father-in-law, Cosme, was first cousin to Rogerio Rocha, also underscoring a social relation between Rocha and the Ortega family. The Ortiz and Ortega lineages shared ancestral ties and social relations through the lineage traditions between Encino and Cahuenga. The Indians at San Fernando were engaged in an active network of social and kinship relations that accentuated and extended by the adoption of Catholic forms of godparenting and witnessing, and traditional kinship ties to autonomous village-lineages. See pages 54-55, 57-58, 58-64, 76-80.

§ 83.7(b)(1)(iii)
Significant rates of informal social interactions which exist broadly among members of a group.

The in-law relations, godparenting, and the continuity of lineage kinship relations suggest frequent and active social interaction among the lineage during the 1886 to 1951 period. San Fernando is a small village or town, and everyone in the town was known to each other. Families held dinners and shared holidays like Christmas and New Year, where issues were discussed by adults that concerned the families or community. The holiday family gatherings followed the Christian and American holiday schedule. The family gatherings were similar to the traditional lineage "Big House" gatherings for ceremonial and social occasions where lineages decided social and political issues. Significant issues, like whether to register for the 1928 California Indian Judgment Roll were discussed at family gatherings and informal meetings. The family gatherings were the group meetings of the community. The community was composed of a coalition of autonomous lineages bound together by agreement and specific kinship and social relations. The lineages were now identified as the Ortiz, Ortega, Rocha, and Garcia families. See pages 54-55, 56-58, 60, 63-71, 77-79.

§ 83.7(b)(1)(iv)
Significant degree of shared or cooperative labor
or other economic activity among the membership.

After dispossession from the land, the community members took up labor as artisans, laborers, farm and ranch hands, and became part of the labor force within the Los Angeles County market economy. Antonio Maria Ortega spent most of his life as a laborer, and operated a sidewalk store in his later years. Women worked at home as housewives, while a few began to work in stores and shops. The men generally worked in construction, general labor, and other local

industries. The wage-labor work pattern reflected the increasingly urbanized market economy of the San Fernando Valley and regional economy. The Ortiz lineage sought work within the greater regional network of Fernandeño communities at Tejon Ranch, the Garcias moved the short distance to Newhall to work as cowboys and laborers in the ranching economy there. Josephine Garcia and daughter Petra moved to Oxnard about 1910, married, joined the regional Fernandeño community there. By the late 1920s, the most of the Ortiz lineage returned to San Fernando and found work as laborers. See pages 55-57, 59, 67, 78-80.

§ 83.7(b)(1)(v)
Evidence of strong patterns of discrimination or other social distinction.

Discrimination against California Indians, including Fernandeños, was extreme during the 1886 to 1951 period. While Rogerio Rocha's well publicized eviction in 1885 helped support legislation for aiding and returning land to Mission Indians and finding land for "landless" California Indians, the San Fernando Mission Indians did not benefit from either the 1891 Mission Indian Relief Act or the other acts passed to secure land for landless Indians. Indians, as well as other ethnic groups, did not get civil protections in courts, and were subject to severe forms of social and cultural discrimination. Indian languages were overtly discouraged in public use, and Indian cultures and identities were also discouraged and discriminated against. The ancestors to the petitioning community lost valuable lands, and were subject to the same work wage rates and absence of civil protections as other Indians in Los Angeles County and California. The old part of San Fernando, where most of the petitioning members lived, was ghettoized as a lower class, Mexican ghetto, where Indians were invisible and lived in fear. The 1886 to 1951 period is period of clear discrimination, and the decision not register in the 1928 California Indian Roll was largely due to fear within the community that the members would be forced to give up their homes in San Fernando and to move a reservation where they did not want to live. See pages 54-57, 78-88.

§ 83.7(b)(1)(vi)
Shared sacred or secular ritual activity encompassing most of the group.

During the 1886 to 1951 period, most members of the petitioning community were at least nominal Catholics. Rogerio Rocha was famous for his commitment to the Catholic faith. He sang in the church choir, was trained in Latin, and conducted the funeral ceremony for his wife, after her death soon after their eviction from their land in the middle 1880s. Most families practiced Catholic baptisms, godparenting, and Catholic weddings. See pages 53-54, 65, 71-73.

§ 83.7(b)(1)(vii)
Cultural patterns shared among a significant portion of the group ...

Antonio Maria Ortega spoke Tataviam. He taught the language to his children, who however, did not speak or transfer the language onto their own children. The generation of Antonio's grandson, Rudy Ortega Sr. (born in 1926) grew up speaking Spanish and English, and were not taught the Indian language, which was discouraged at school and in public. The Ortega children of Rudy Ortega Sr.'s generation report hearing the language spoken by their parents, but the language was not used in the home or taught to the children. Rogerio Rocha spoke an Indian

language, probably Tongva, and spoke Spanish and some Latin, but did not speak English. [redacted] spoke an Indian language in the home. The first language for band member [redacted] was taught to her by her grandfather Ysidoro Valenzuela and was an Indian language spoken at home into the 1960s. During the 1886 to 1951 period, most elders of the Ortega family, Rogerio Rocha's family, and the Garcia family segment spoke an Indian language and participated in Catholic ceremonies. See pages 56-57, 69-61, 69, 74-76, 80, 83-86, 98-99.

§ 83.7(b)(1)(viii)
The persistence of a named collective Indian identity continuously over a period of more than 50 years notwithstanding changes in name.

Members of the petitioning community were known as Fernandeños, or Mission Indians, or Indians of San Fernando Mission. The padres in 1797 gave the name "Fernandeño" to the Mission Indians of San Fernando, by which name the Indians of San Fernando Mission have been known as ever since. The expression is still used today, and the petitioning group is known as the Fernandeño Tataviam Band of Mission Indians. Throughout the period, several names were commonly used to identify the Mission Indians living and working within the town of San Fernando and near the San Fernando Mission. The four main lineages of the petitioning group were included in the name Fernandeño Indians, Indians of San Fernando Mission, or Mission Indians, which locally meant Indians from San Fernando Mission. See pages 87-88.

§ 83.7(b)(2)

Section two states: A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided to demonstrate any one of the following (subsections i-v). The criteria in subsections i-v are addressed below.

§ 83.7(b)(2)(i)

More than 50 percent of the membership resides in a geographical area exclusively, or almost exclusively, composed of members of the group....

During the 1886 to 1951 period, over 50% of the direct line ancestors of the petitioning groups lived on or near San Fernando, or when they moved away they stayed within the regional community where they did not lose contact with San Fernando community and culture. The Ortiz family moved to Kern County in about 1877, and lived with the Tejon community, a part of the Fernandeño regional community network. The Garcia family moved to Newhall in the early 1880s, joining the Newhall community which was another center for the regional Fernandeño community. Newhall was only about seven miles from San Fernando, and the location of ancestral Tataviam villages of Chaguayanga and Tochonanga. After his eviction, Rogerio Rocha lived several miles east of San Fernando until his death in 1904. Josephine and Petra Garcia moved to Oxnard-Ventura by 1910, and joined the regional Fernandeño community there. The Ortega lineage resided in San Fernando for the entire period, and the Ortega descendants compose more than 50% of the contemporary band membership. By the late 1920s, most of the Ortiz family rejoined the Ortega family, living in the same neighborhoods in old town San Fernando. While the San Fernando area is not exclusive area to the petitioning

community, the land is old Mission land, and all families continue to live on traditional lands of the Fernandeño communities. They lost exclusive access to land, in part, because of US government's inability to extend trust responsibility to them according to treaty and the Indian policy of the time. See pages 59-63, 72-75, 76-79.

§ 83.7(b)(2)(iii)
At least 50 percent of the group members maintain distinct cultural patterns…

At least 50% of the members of the petitioning community maintained distinct cultural patterns. Most band members learned to speak English, while also learning Spanish. Most band members preferred to use English, and learned Spanish to communicate with the Spanish speakers in their neighborhoods. While the band members usually had Spanish names and often married Spanish speaking individuals, most band members did not take up Mexican-American culture, they often did not read or write in Spanish, and did not participate in the Mexican American holidays or culture. Increasingly they preferred to speak English, and many of the younger generations did not command strong Spanish language skills. The petitioning community preferred to maintain their own cultural identity and Most Fernandeño Mission Indians were nominal Catholics, and most were gainfully employed within the urban market economy, primarily as laborers. See pages 56-57, 59-62, 69, 74-76, 80-86, 98.

Conclusions for Community During 1886 to 1951 Period

The petitioning community satisfies most of the criteria for distinct community during the 1886 and 1951 period. The ancestors within the Band's four lineages most spoke local Indian dialects, maintained a coalition of families built on long standing traditional village-lineage relations, continued to practice exogamy, were nominal Catholics, practiced godparenting and baptism, most lived at San Fernando near the old Mission, and others remained within the economic and social relations of the regional Fernandeño communities.

Contemporary Fernandeño Tataviam Cooperative Urban Lineages: 1952 to 2009

After Estanislao Ortega's death, Rudy Ortega became captain of the Mission Indian lineages at San Fernando.[323] Estanislao's two younger brothers Eulogio and Luis both [redacted] did not participate in leadership within the families or for the broader San Fernando Indian community. The two younger brothers served in World War I, claiming San Fernando Indian identity on their draft cards.[324] When they returned from the war, they both [redacted], and as late as 1930 were living with their parents. Luis died in the early 1930s, and Eulogio spent some time in veteran's hospitals, but the family withdrew him and he lived with this parents, and then moved to live in San Fernando on his own. Neither Eulogio or Luis married or had children. Rudy's older brother, Jose Ernest Ortega, had little interest in pursuing Indian identity and issues, believing in the early 1950s that such activity will not lead to any clear benefit. Ernest was not willing to take a leadership role in the community,

[323] Docs: 80302.INT; 80312.INT
[324] See Docs. 80134.A.USDR and 80135.A.USDR.

and Rudy, the second son of Estanislao gained consensual support as family leader or captain.[325] Rudy Ortega was active in collecting genealogy information and also in develop contacts and community relations to create a cultural club or organization during the early 1940s, and then again after returning from active military duty in the late 1940s. Later in 1995 and after, many of Ernest's descendants enrolled in the Band.

Already in the 1940s, Rudy Ortega was active contacting by telephone the Bureau of Indian Affairs in Sacramento about whether the San Fernando Mission Indians could recover land or participate in upcoming judgment fund distributions.[326] In 1951, months before his father's death, Rudy submitted a claim for enrollment for the 1950 roll of the 1928 California Indian Judgment Act.[327] Rudy's application was eventually rejected as he could not establish a blood line to any of the 1928 judgment fund enrollees, and he was born before May 18, 1928, and therefore was eligible for the initial enrollment, but had not applied.[328]

Rudy was helped and encouraged in his application by his aunt Mary Garcia, a granddaughter of Josephine Leyva Garcia.[329] Mary Garcia moved to the San Fernando area by 1950 and lived in Pacoima, a nearby town a few miles from the Ortega residences in San Fernando. In the late 1940s and early 1950s, Rudy Ortega and his immediate family were also living in Pacoima. Mary Garcia was a close political confidant of Rudy Ortega, and she actively participated in the community of San Fernando Indians through the 1950s, 60s and 70s. She identified as Chumash but was an in-law to the Ortega family. Her son Theodore Garcia became an officer and active member of the San Fernando Mission Indian community.[330] Mary's other descendants, however, preferred to identify as Chumash and did not apply for membership in the Band.[331] They were active community members at San Fernando, and were active participants in the coastal Chumash recognition movement, and are active in artistic and ceremonial Chumash culture.[332] Both Mary and Theodore Garcia were highly respected elders and leaders within the San Fernando Mission Indian community until their deaths.

Rudy Ortega's aunts played active leadership roles in the community and for their family lines. Several of Rudy's aunts, the daughters of Antonio Maria Ortega, were engaged in family affairs and had strong sense of San Fernando Indian identity. They challenged Rudy's claim to leadership during the 1950s, in part because of his youth, and because they were strong figures in family issues and affairs of the lineages.[333] Vera Verdugo was active in leading and helping Rudy organize community events from the 1950s into the 1970s.[334] She sometimes challenged

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[325] Doc. 80310.INT; 80314.INT: "GF: When did you first start hearing the name Tataviam? EO: Back in, like I said, when Rudy made us aware and he made us all sign these roll papers back in, I believe it was the late 50s that he started. Maybe the early, early 60s. GF: Do you think that some people were reluctant even then to sign? EO: Yes. I know my dad was. He was very—he was not against it, but he was like reluctant because he'd always tell me, he'd say, "I don't know why Rudy's doing this, it's not gonna get him anywhere."
[326] Doc. 80310.INT
[327] Docs: 80289.123.OTC; 80289.115.OTC
[328] Docs. 80289.117.OTC; 80239.123.OTC, 80239.121.OTC
[329] Doc. 80289.111.OTC
[330] Docs: 80310.INT; 80289.133.OTC
[331] Doc. 80310.INT
[332] Doc. 80302.INT
[333] Doc. 80310.INT
[334] Doc. 80313.INT; 80324.INT

Rudy Ortega's leadership, and some of her descendants offer alternative leadership, while others enrolled in the Band. Antonio Maria Ortega's other daughters, Christina Ortega Rodriguez, Catharine Newman, and Rufugia (Erolinda) Tapia all were active in helping organize family and community activities.[335]

Most of Rudy Ortega's aunts eventually accepted his leadership based on his political activity and efforts to research family and community history and genealogy. Rudy Ortega became a source of cultural information since he was active in research and worked to gain registration with the Bureau of Indian Affairs, since the Ortega families did not enroll in the 1928 role. He also kept contact with BIA officials as early at the 1940s, and sought official recognition and land for the San Fernando Mission Indians.[336] The families were unsuccessful in gaining California Indian recognition until the 1972 judgment roll. Rudy Ortega's efforts to seek registration as a California Indian, with the advice of his aunt Mary Garcia, who was enrolled in the 1928 roll through her family then living in Newhall, led to greater organizational experience and leadership about how to mobilize community and family members to fill out paper work and file with the Bureau of Indian Affairs. Mary Garcia passed the registration and organizational experience from the 1928 enrollment process onto Rudy Ortega during the 1950s and helped the Ortega and related families organize to enroll and qualify for the 1972 California Indian judgment fund.

Rudy Ortega was an army veteran of World War II, and gained experience in American-style bureaucratic and organizational activity. He suggested to the families they adopt a set of bylaws in the early 1950s. The tribal community adopted the name "San Fernando Mission Indians" during the middle 1950s.[337] The community then used either San Fernando Band of Mission Indians or San Fernando Mission Indians to designate their community organization. The community created a booth, constructed by [redacted], with a banner with the title San Fernando Mission Indians.[338] The booth was displayed during festivals organized by the City of San Fernando, and when attending festivals of other tribes, such as the Chumash reservation of Santa Ynez, where the community members had relatives. Before the middle 1950s, the community was known or used the expression Fernandeño, or Indian of San Fernando Mission,

[335] Docs. 80310.INT; 80324.INT
[336] Doc. 80310.INT
[337] Docs. 80320.INT; 80313.INT: "And then we just found out, or just verified that your dad in October 1951, which would be right after you had done the first enrollment and you found out that you didn't have sufficient information about Catalina Leyvas. And then I'm not clear exactly what happened. I think you said that right around that time, you formed the Mission Indian San Fernando group of Indians. ROS: Right. GF: That would be some time around 1952. ROS: Almost towards the middle of the fifties. GF: Middle of the fifties. Okay. So I was asking whether you were already considered to be the chief, or whether Vera your aunt was thought to be the family leader after your dad died. ROS: I wasn't thinking of nothing like that at all in my mind. I was just thinking of trying to get my people together and do some fun things with them. Just exchange the life of the tribe of our people, how we'd work together. In other words, say, in the old days, if they knew anything about our ancestry, what they did. If they had pow-wows, who danced in the pow-wows? Some of our family, because my five boys, one of them was a drummer, and the others danced. One of them brought it in to our people at the Mission, one meeting. We went to Santa Ynez to the Chumash. They had a pow-wow. I think I mentioned that to you before. We took a booth out there." The tribe also made appearances at Morongo, Oceanside, and other locations for powwows and parades.
[338] Doc. 80451.SFBMI

or Fernandeño Indians.[339] The San Fernando Mission Indians often met in Rudy Ortega's house or at the homes of other members of the community.[340]

The decade of the 1950s saw the Tataviam community living primarily in the eastern San Fernando Valley with most tribal members concentrated within a three mile radius of old town San Fernando, and virtually all tribal members, a mix of Ortega and Ortiz family households lived within an 8 mile radius of old town San Fernando and within 3.5 miles of old town San Fernando.[341] The [redacted] household lived in Fresno, CA and the Valenzuela household lived in Ventura, CA, but the rest of the community households lived in the eastern San Fernando Valley. The households were more geographically dispersed than the tight knit Tataviam community of the 1940s but within a range of 8 miles and within easy driving distance from each other. Birth and death events for the Tataviam community through the 1950s suggest that the [redacted] family lived in Colorado. During the 1950s, [redacted] family in Fresno had a new daughter, Josephine Leyva Garcia died in Oxnard, and a great granddaughter, [redacted], was born. [redacted] and several of her children become members of the Fernandeño Tataviam Band of Mission Indians. Most of the rest of the births and deaths of Tataviam community members occurred in the San Fernando Valley or Los Angeles.[342]

The large majority of community member residencies, and birth and death events were in the eastern San Fernando Valley, and the major were still concentrated in the old section of San Fernando.[343] Families gathered for funerals and tribal events during the 1950s.[344] In the late 1950s and early 1960s, the children of the Olivarez family living in Oxnard-Ventura learned to

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[339] Docs: 80135.A.USDR; 80134.A.USDR

[340] Doc. 80321.INT "GF: May I see it again, please? That's a lovely picture. Kathryn's brothers and sisters, do you know anything about them, who they were? Did you ever meet them or spend time with them, your mom's brothers and sisters? ST: Well, just my Uncle (Ilocio?[Eulogio]), he was around. When didn't spend any special time with him. He was just there when we were there. And then my aunts, my mom's sisters, we were with the kids, we were playing with the kids. There were, you know, parties back and forth that way, but we never spent any special time with them. GF: What kind of parties would the family have? ST: Just birthday parties for the kids. GF: Who came to the party? When you had a birthday who came? ST: When I had a birthday, I don't know if I had any birthday parties. It was after we had the kids that we... and then after the kids got to be teenagers, that went kaput. They didn't mix with the relatives. They just... kids, they met on their own."

[341] See maps-documents : 80476.A.google for a wide angle view, and 80477.A.google for a view of the San Fernando Valley places of residence among tribal members and progenitors. See also 80464.A.MFT

[342] Doc. 00036.FTO

[343] Doc. 80478.A.google and for a closer look the distribution of births and deaths around the eastern San Fernando Valley during the 1950s see Doc. 80479.A.google.

[344] Doc 80308.INT: GF:When you think about the funeral, that was in, you said, 1958. DN: '58, yeah. GF: What do you remember about the funeral? DN: Oh, boy. Not much. Except my husband was, you know, devastated. It was close to Mother's Day, May 7th. GF: Were there a lot of people? DN: Oh, yeah, lots. She had lots of family and relatives, yeah. It's fuzzy, very fuzzy. Because you know, you don't remember when there's funerals, you aren't really looking at what's going on. You're, you know— GF: You're feeling. DN: Yeah. GF: When you think about the extended family getting together like the Newmans and the Salazars and the Ortegas—you know, a real extended kind of get-together— DN: Yeah, um-hm. GF: What occasions would that be? Can you think of any— DN: Well, mostly just pertaiuing to the Indian thing was, as I said, in Newhall. That's the first time I recall. But then there were weddings and there were more funerals and all those things. GF:So you would see the various families come together at the weddiugs and the funerals. DN: Oh, yeah. Yeah. GF: Were there any particular places that were favored by the family to have the funerals or the weddings? Or were there any particular churches? DN: The St. Ferdinand's right here in town—

speak from their parents, an Indian language, probably Tongva. The Indian language was used in the family household, and the children started to speak English and Spanish from other children and for use when starting school. [redacted] and her siblings spoke an Indian language before they learned English or Spanish.[345]

During the 1960s, Rudy Ortega continued with his community activities (some funded by the city and new antipoverty funds and programs). The facilities for the new antipoverty programs often provided places to meet, and some support resources. The San Fernando Mission Indians sought to build an urban social service and cultural community center.[346] Rudy Ortega obtained access to office space and meeting rooms and funding for some activities for the San Fernando Mission Indian families.[347] The possible adoption of bylaws was often discussed but the families did not move to adopt the bylaws until after extended discussion and finally adopted bylaws in 1972.[348] Before then, the traditional forms of leadership and consensus formation among the families prevailed at the monthly meetings.[349] The San Fernando Band of Mission Indians met monthly and discussed issues and problems within the community and made decisions by consensus. Rudy was recognized as the tribal coordinator for the San Fernando Mission Indians in 1967.[350]

During the 1960s, the community residence patterns of the San Fernando Mission Indians became more dispersed, though the large majority continued to live in the eastern portion of the

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[345] Doc. 80307.INT: "VS: Okay. My mom—it's really interesting because my grandfather spoke his mother's language and he taught us before we ever learned English or Spanish. As very small children, my cousins and I spoke—and I think it was whatever language was spoken, you know, like Native American languages. And it was a first language, and of course we lost it as we got older, interacting with children in the neighborhood or going to school or whatever … And my mother, who is Mary Valenzuela Olivarez said that she remembers her grandmother vividly and she'd say, she's like this little Indita, this tiny little Indian lady—short, very short—we're very short in our family [LAUGHS]."

[346] Doc. 80289.137.OTC

[347] Doc. 80312.INT: But the thing is that after my dad died and I was doing the genealogy in the forties and I asked him a lot of questions about his grandmother and so forth, after that when he died, then I started getting the people together. My blood started boiling over telling me, "If you're Indian, why don't you get your people together now?" It came in my mind all the time. And I was thinking, "Maybe I should get my people together." So my second wife says, "Why don't you get your people together?" She was from New Mexico. She was Indian from New Mexico. I says, "Well, maybe I will." So then when I started talking to them about my genealogy, the relatives, trying to get some information on them, they were asking me. They says, "Are you going to form the people like your dad had them?" I said, "I don't know." They said, "Well, you should." "Well, why don't you do it?" I said. "I've got enough work trying to get this genealogy to get it for '68 to get everything done." "Nah," he said, "I don't want to do it. It's a lot of work." "Well, why do you think I don't want to do it? I've got enough work already that I have." "Yeah, but you can do it better than we can. We can follow you. You do it. And I'll guarantee you that you'll have all the people with you, supporting you." "I don't know. Let me think about it." And I kept on it. Finally, almost at the seventies, and I said , "Okay. Let's get the people." When we had them at the Mission to give all the documents to everything, I says, "Everybody you want to have a group together? We'll have it." They said, "Yeah, let's have a group together." "We'll meet where?" They said, "Let's meet here at the Mission." "Okay." So we started getting the people together. We started meeting at the Mission for a while. The wintertime came, then we started meeting them at the homes. But then I started, I went to the County in Pacoima, which is the Department of Social Services, and I have a friend … anyway, he gave us an office. He gave us a phone. We didn't have to pay for this service. And he gave us paper. He gave us a typewriter."

[348] Doc. 80310.INT

[349] Doc. 80310.INT

[350] Docs. 80301.T.FTO; 80301.B.FTO; 80301.C.FTO; 80416.A.LAT; 80423.A.LAT

San Fernando Valley. The majority of tribal households lived within a three mile radius of old town San Fernando, and, with a few exceptions, nearly all tribal community households were located within ten miles of old town San Fernando. [351] [redacted] most likely lived in Ventura, since the family lived in Ventura during the 1950s and the early 1970s. The [redacted] household most likely lived in Fresno, since the family lived there during the 1950s and 1970s. During the 1960s most births and deaths occurred in hospitals from the cities (San Fernando, Pacoima, Sun Valley, Panorama City, Van Nuys, and North Hollywood) within the eastern and southern part of the San Fernando Valley.[352]

During the 1960s, the families had regular gatherings where identity and tribal related issues were discussed, and tribal business was transacted and decisions made in traditional leadership and meeting patterns.[353] Children attended but out of respect for their elders were not expected

[351] See maps-documents 80480.A.google and 80481.A.google.
[352] See maps-documents 80482.A.google and 80483.A.google.
[353] Doc. 80308.INT: VN:So she had—well, the family, when we had the family get-togethers, that's probably the thing I remember the most. We had usually all of my dad's brothers and sisters were there. Their kids were there. Lots of food, lots of, you know, sitting around talking about stuff. And I do remember comments that were made and it was kind of making fun about being a Native American or being an Indian. And part of the reason I think that was, from what I remember from some of the stories was because there was such a negative connotation to say you were Indian at that time. It's not something you want to be proud of or speak loudly about. And talk about what happened San Fernando and how they were booting people out and upsets around the country. You know, how the 1800s, what they were doing to the Native Americans. It wasn't something you just went around and said, "I am." Because it was too negative. It had all that stereotypical stuff that went along with it. So they would kind of talk about that, but it was done quietly and it's not something you just go out and start, "Hey, you know what I am?" You didn't do that. So it kind of always—that always stuck with me, is you are, but you don't talk about it much. You don't say much about it. And that's already reiterated—we didn't really have an allegiance with, we are of this tribe, we were the Mission Indians, you know. Well, gee, there's Missions up and down the coast, so what does that mean? So, it was just kind of—I remember that as a young kid, that yeah, there was discussions about it, there was a lot of the family get-togethers where everybody'd do that discussion (inaudible)…; See also Doc. 80308.INT "The Indian thing has always been kind of like a back burner interest issue for me. And maybe that's because, you know, I've been pretty removed from what this group has been trying to do over the years, other than hearing the stuff through the family get-togethers, etcetera. That ended pretty much 40 years ago, 45 years ago maybe[1960s]? So it's been very distant and yeah, occasionally I hear about it and my mother is still the one that stays in touch and keeps me advised. But, you know, I have this kind of jaundiced view because of what the history is in the native population of this country and what the history is in the state—what they've done to the Natives. And conceiving them as Natives in the first place—you know, it's just all that stuff that went along with it, for my generation anyway, it was, okay, so you're going to do something? Well, we'll see what you do. Well, yeah, you've got guys that are gonna devote a lot of time and effort into doing something and I'm more of the mind, because of what my career was and what I was doing, okay, I'll watch it and if it looks interesting, it looks like you might be pulling something together, great."

See also Doc. 80322.INT: "DSJ: It's just so many years ago. I just remember all the family being together all the time like that. All my uncles and aunts, and stuff, always being together, sharing meals together and talking about how different it is being a Native American, and how close our family was being Natives like that, and how they shared dinners together, and stuff. And they talked about the Native language, and they would speak words to each other because I was a kid, I remember this. I just couldn't remember exactly the English part of it, but I remember them talking to each other. GF:Can you remember any more of the words? DSJ: I'm trying to think. GF: If they come out just let them come out. Tell me more about growing up. You were a kid and they were the elders, so was there a certain order to the way things happened when you got together? Did you do something before the meal, and then the meal, and something after the meal? DSJ: We would get together they would talk. A lot of times we used to go up to Bakersfield. My uncle had a ranch there—[redacted]—and we used to ride horses all the time up there. That was another thing, too, that as Native American people we used to go to my

to participate in the discussions of the adults. The families often met in Mission Park or Sunland for picnics and organized assigned food obligations.[354] Community festivals and gatherings were held during Christmas and picnics during the summer, and family leaders met on a regular basis.[355] Meetings were held to discuss the California Indian settlement funds registration issues during the late 1960s, and some meetings were held at Newhall with Garcia lineage members organizing the event.[356] The major lines of the Ortega lineage continued to have close relations.[357] Some family members grew older, and the size and number of the lineage families

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uncle's ranch and ride horse because that was part of our tradition also back then, was to go up to his ranch and ride horses and the family used to spend time together up there, and stuff. GF: How did he acquire that land? DSJ: He was in the service and he bought that land. He was in Korea. After he came out of Korea he bought some land in Bakersfield. He had a little ranch up there in Bakersfield. So we used to all go up there and have family gatherings, and we would ride the horses, and stuff like that. He was always painting us up with Indian painting and he'd say, "Remember, you guys are big chiefs now," and stuff. So we'd get on the horse and he would ride us around. I always remember this as a kid. We used to have a lot of fun at his ranch. He's passed away now, but he was a veteran in the Korean war. We used to have a lot of good times up there in Bakersfield with my uncle. We used to do a lot of camping, and stuff like that. So he taught us a lot. I'm trying to remember the name of the plants that he taught us. They were Native plants that, our ancestors being raised, used to cook in with certain cheese for certain spices, and stuff. So there's a lot of Native plants that we used."

[354] Doc. 80309.INT: "GN:The early 60s, okay? Because I graduated in 1969, so it's got to be in the 60s, you know ... But I really wasn't too involved with them. My mother was the one, and my Nana would always talk about stuff, you know ... But we weren't allowed to go there and, you know, listen in their conversations or stuff like that because that wasn't right, you know ... We had respect ... For your elders. But like I tell you, we just—I mean, we got along together as far as going to the park and stuff and getting together in families ... we used to just have big picnics. This person would take this thing, this person would take this and you know, my mother was always in charge of taking potato salad ... Everybody loved the potato salad ... I know we used to go to Sunland and we used to go to the Mission a lot. GF: The connected families would go? GN: Yeah, yeah. Just whatever family could make it, they would make it."

[355] Doc. 80310.INT: "ROS: Then we had our pow-wows at the Mission. And small pow-wows afterwards. And Senator Alan Robbins came down ... Then he bought us the bear flag. We did a ceremony for that at the Mission Park. And the people came down and they brought in food, a special dish, everybody to share with all of us. I couldn't afford to feed everybody so I just tell them. I said, I want everybody to bring a special dish of anything you want. Bring it down to the picnic and come to the Mission. Okay. And they loved that. After that, they wanted a picnic every week. They wanted a meeting every week just to bring the food. DC: So is that how the meetings are organized now? People bring some food. ROS: That's why I organized it. DC: So it's really sort of like a community then. ROS: You'd be surprised at people who come during the summer. They were ready for it. Then when the winter came, we'd go in and we would try and get a hall. We got one in Pacoima there, that hall there. And they brought the food in and we had a little lunch there when we had our meeting. A mass meeting of all the people were there. I just brought the people together all the time ... And we have the Christmas events. We have a picnic during the summer also. They have the meetings every month."

[356] Doc. 80308.INT: "DN: Yeah, as far as I could tell you, it was probably when they filed for that California judgment. GF: Right, in the late 60s. DN: Because the cousins—and they had this big meeting in Newhall, we all went. VNJ: Yeah, we'd all sit around, all the kids would sit around and talk and stuff like that. GF: At? VNJ: At these meetings. The elders would tell stories, I remember that. Because they'd gather all the kids and all the adults would go over and have meetings about the whole convention. GF: Oh, I see. Okay so you're saying in the late 60s the tribe would get together for meetings. The adults would talk, they'd occupy the kids with stories. DN: Yeah. VNJ: The elders would. GF: The elders would. And the middle-aged adults would take care of business. Okay. DN: [LAUGHS] GF: And you were mentioning that it happened in Newhall—I love your smile, you are so—DN: Newhall was the first meeting that Verne and I went to about the—we were called the Mission Indians at the time because it had not been totally researched as far as what the names of the actual should have been."

[357] Doc. 80308.INT: GN: In fact, my grandfather built that house for my grandma. It's still standing [LAUGHS]. GN: Anyway, she lived on Griffith and we'd go over there certain times, you know, when they were talking and stuff, we'd go over and visit. Like my brother would say, we'd visit, you know. Aunt Chrissy was my mom—was my grandmother's other sister—was Chrissy [Ortega] Rodriguez.... Christina..She lived on Cornell [Coronel] for

increased, and gatherings became more dispersed among the group.[358] Members of both the Ortiz and Ortega lineages were active in carrying on regular ceremonies and meetings.[359]

During the 1960s, San Fernando Mission asked the Fernandeños to participate in an annual parade.[360] School children recognized differences in language and dress among the Indian students, and their families identified the names and individuals of Indian families. Students distinguished between Latino and Fernandeño students, many of the Indian children did not speak Spanish and did not carry on Latino traditions and festivals.[361] Fernandeño children in the

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awhile and she was married to Johnny Rodriguez and she never had any kids. And then I remember Sister's mom—what's her name? There was another— ROJ: Kathryn [Ortega Newman]. GN: Kathryn—okay. And then—I—see, I don't rem—and then there was (Alochio? [Eulogio Ortega]) and (Alochio?) had died earlier [1966].... I mean, I remember going to see him in a home all the time .... Okay, and (Alochio?)—I remember (Alochio?). GF: So your sister's—your mother—your grandmother Sally [Ortega Verdugo] was close to (Alochio?). GN: Yes, they were close to (Alochio?).

[358] Doc. 80323.INT; "GF: Did people continue to get together while you were living here? Did people have Thanksgiving and Christmas at your house? DSS: They started getting older. The family started getting bigger. They scattered out a little bit. Not so much a one person's house or ours. GF: Was there somebody who would try to hold people together and have a big dinner? DSS: Oh, yeah. Anybody would say, you know, "If you get a chance come on over and we'll have a little feast, or I'll have something." GF: Tell me about the feast. When would people get together for that? DSS: Thanksgiving and Christmas. And then when it was somebody's birthday or something, my mom's sisters or... SS: How about weddings or funerals? DSS: All the family was there then."

[359] Doc. 80320.INT " LO: And I remember her being around there constantly when we had ceremonies going on. Gloria Ortiz, again, constantly involved as we came to these ceremonies, these people were here, involved. I can't recall too many names as I think back. There was always a group, at least of adults, maybe ten, twelve adults that were constantly there. We would go to my aunt's house to do these ceremonies, [redacted]. I believe her daughters were there. [redacted], I don't know what her last name is now. GF: Okay, just do your best and we'll fill in when we need to. LO: As you think back, you're like oh my God. [LAUGHS] You think back, you forget the names and stuff. But constantly, it's like.. [redacted]s daughters were there. Again, the grownups were there and if they were the tribal members that were then, they're tribal members, I probably wouldn't remember their names. A lot of my cousins were there... LO: There was, well let's start with my brothers, my brothers were there. [redacted], [redacted], [redacted], [redacted]. My sisters were there, [redacted], is it [redacted] yeah, I think actually she was—you know, I can't even say she was there because I don't know if she was born then. I'm just saying the times when, the earliest that I can recall, so I can't really... I don't even think Rudy Ortega Jr. was there, because I'm trying to go back to when I believe that I remember that it started ... The cousins that were there would be my aunts' kids, would be [redacted]...let me see here, I can't recall. I'm trying to go by—you know what, there's actually a picture of this and this picture is in my mind, of a group of us all right then and there. GF: Do you have that picture somewhere? LO: Actually, think the tribe has it, they have it on file. They should have it on file. If not, I have it at home but I'm pretty sure they have it there. But I think I might be there maybe nine years old then [1969]. And then the picture, the faces there, I don't want to...but these are constant...

[360] Doc. 80311.INT: "ROS: Only when I was already in my thirties, I guess, when this happened. DC: When they started doing that again [annual parades]? ROS: Yeah. When they invited me to perform in the parade."

[361] Doc. 80319.INT: "PS: I started kindergarten, that's what they called it back then in 1962-63, and you get a chance to see your classmates. At the time the City of San Fernando was somewhat mixed with Anglo students, a few African-American students, and quite a few Hispanic students, but there were also some Hispanic-looking students that kind of had some Spanish surnames but they really didn't speak Spanish. They also had different haircuts, longer hair back then. That was before the Beatles iufluenced pop culture in the United States. So those things. You notice that there are differences among the different students in the class. I continued making friends with fellow students. Back then, I think schools were much different than they are today in that the schools were comprised of a community. That was before busing. So you had a lot of continuity. And as you grew up and listened to your parents talk, they kind of referred to families and their last names. For example, just like this is a Hernandez family and that's a good family. This other Hernandez family, ah, you may not want to be associated with them. And the same thing with some of the Indian families. They would be referred to as an Indian family and

1960s were introduced to ceremonies, often did not speak Spanish, and many took up dancing at a young age.[362] In May 1969, San Fernando Mission Indians formed a baseball team called "Los Indios" for young boys. Funds gathered by donations from nearby merchants and the public. The baseball team lasted for 10 years, 1969 to 1979.[363]

Larry Ortega described his father's leadership as follows:

> "They called my father up and told him that they wanted him to be the leader. So my father started putting things together, projects and all of that, and the next thing you know the organization just started growing with the family, and then we started getting people say they were Indian. So it started building up that way, then I noticed we went to go see the mini trails dance. Well, my brother [redacted], he was the little baby then, he picked up the steps. And I'd seen it one time at home, and I looked at him and I told him, "Hey, what are you doing?" And he told me he was dancing the way of the mini trail. Well, one day me and my father were sitting down and I told him, "Did you know Freddy knows how to dance like an Indian?" And sure enough generation just picked up right there. We started dancing. We started having our feathers. We started having our costumes. We met Florence Henderson that way by dancing for her because she (was interested in?) culture for Indians, and that was very interesting to know. But other than that we just grew up with my father learning more and more. To this decade now we have found out more about our tribe in history especially with the finding of the Indian bowl. We actually didn't have any artifacts to generate to our culture with our tribal family. Finally we have something. And it started pushing more and more history into us."[364] For photos of events during the 1960s see the footnote below.[365]

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not so much a particular tribe name. But those were some things that you kind of had the understanding that there's differences around you.

[362] Doc. 80320.INT: JO: Yeah, I'm a dark person, dark in skin. I always tell people I look more red, not really dark, I'm red. But there was a time when I was in elementary, I could swear that I did not know my nationality, only because the identity process you go through. If you're Hispanic, you listen to your parents speak Spanish. If you're Italian or if you're something else, I did not know. At one point I thought I was White, but because things were starting to shift, as you said, you start to recognize things. If you grow up with nothing but Indian things around you, that's a part of your life, you don't really ask questions about it. But when you go back to school and you see everybody there who's White or Mexican and you ask yourself why don't you speak Spanish, there's something wrong. Then you start to think who are you? Seven, eight years old, you're not sure who you are. But as things start to come out, I believe I didn't start dancing until maybe seven or eight, maybe eight. I'm in, actually some of the pictures that are in the office, that are there, at seven or eight years old. GF: When you say dancing, can you elaborate what you mean by that? JO: It's cultural dances that we were taught when we were small, through our parents, through other tribal members. They've given us different types of ceremonial dances where we'd put on regalians, we would go out to pow-wows or different…I mean, at seven, eight, going to different cities and performing or going to pow-wows, that was a lot and that's what we did. It was part of who we were. At that time, yeah, I went through that identity crisis, but within thinking who you are and then you come to that reality, you're not White, you're not Mexican, you're not speaking Spanish. Your parents are bringing you up this way, then you start to think, hey wait a minute, you start to realize."

[363] Doc. 80301.L.FTO. See photos: 70077.A.FTO; 70078.A.FTO

[364] Doc. 80303.INT

[365] See the following files and associated citation -coding tables for photo information: Docs: 70012.A.FTO; 70013.A.FTO; 70014.A.FTO; 80596.A.FTO; 80597.A.FTO; 80598.A.FTO; 80599.A.FTO; 80600.A.FTO;

In 1971, Rudy Ortega, Sr. sent a letter to the BIA requesting land and a reservation for the San Fernando Mission Indians. He had been talking with BIA officials about tribal recognition since the early 1950s. The Ortega families were convinced by Rudy Ortega's leadership to enroll in the 1972 California Indian Judgment fund. During the late 1960s, the California Judgment fund resulted in social and political meetings, some held at Newhall, where many Mission Indians and gathered and shared culture, while talking about the business of seeking registration.[366] Rudy Ortega and community assisted about 500 individuals to apply for the 1972 California Judgment Fund rolls. Many members of the Ortiz, Ortega, Tapia, Newman, and Salazar families were enrolled in the 1972 judgment roll.[367] Anyone who enrolled in the 1972 judgment fund was also provided with a file and enrollment numbers that was taken as proof of California Indian ancestry. The activities of organizing families and individuals to enroll in the 1972 judgment fund provided another opportunity and experience to establish organizational experience and skills in American style bureaucratic organization and government.

During the 1970s and 80s, the San Fernando Mission Indians sought funding for a community-service center to support the Mission Indians who lived in the San Fernando Valley. The center was called the San Fernando Inter-Tribal Indian Club.[368] The San Fernando Mission Inter-tribal club sought funds from the BIA, but did not gain funding. The San Fernando Valley Inter-Tribal Club was housed at Rudy Ortega's home at [redacted]., San Fernando, CA 91340. The Rincon house became the center for organization and government for the San Fernando Mission Indians. On October 30, 1973, the club was incorporated as a nonprofit under state and federal law, and was renamed the San Fernando Valley Inter-Tribal Inc.[369] Some of the primary goals of the non-profit organization were: establishing an Indian clinic, creating a California Indian historical center with a library, forming a souvenir gallery, organizing a cultural handicraft center and develop a school for Indian education.[370]

80601.A.FTO; 80602.A.FTO; 80603.A.FTO; 80604.A.FTO; 80605.A.FTO; 80606.A.FTO; 80607.A.FTO; 80608.A.FTO; 80609.A.FTO; 80610.A.FTO; 80611.A.FTO; 80612.A.FTO;; 80614.A.FTO; 80615.A.FTO; 80616.A.FTO; 80719.A.FTO; 80728.A.FTO; 80732.A.FTO; 70077.A.FTO; 70078.A.FTO; 70086.A.FTO;

[366] Doc. 80308.INT: DN: Yeah, as far as I could tell you, it was probably when they filed for that California judgment. GF: Right, in the late 60s. DN: Because the cousins—and they had this big meeting in Newhall, we all went. VNJ: Yeah, we'd all sit around, all the kids would sit around and talk and stuff like that.... VNJ: At these meetings. The elders would tell stories, I remember that. Because they'd gather all the kids and all the adults would go over and have meetings about the whole convention. GF: Oh, I see. Okay so you're saying in the late 60s the tribe would get together for meetings. The adults would talk, they'd occupy the kids with stories. DN: Yeah. VNJ: The elders would. GF: The elders would. And the middle-aged adults would take care of business. Okay. DN:[LAUGHS] ... Newhall was the first meeting that Verne and I went to about the—we were called the Mission Indians at the time because it had not been totally researched as far as what the names of the actual should have been. ... Because there are many, many Mission Indians. And so that was the earliest that I personally recall of any meetings. GF: And why did they choose Newhall, do you know? DN: No. But I know that Santa Clarita is supposed to be one of the places where many of the ancestors came from or were living many years ago, wherever that—"

[367] Docs. 80289.045.OTC

[368] Docs. 80289.136; 80289.137

[369] Docs: 90047.A.SFVII; 90050.A.SFVII; 90050.B.SFVII; 80313.INT: "GF: So was it Vera who had the idea of the inter-tribal? ROS: No. Actually, all the people choose that name. They all came together, piece by piece, just started putting it in and said how about San Fernando Valley Inter-Tribal? I said, "Yeah, that sounds good. It rhymes pretty good. Well, let's take a vote on it then." So they did. And they voted for it. So from there on."

[370] Doc. 00081.A.FTO

The San Fernando Valley Inter-Tribal Inc. was a non-profit organization that raised scholarship funds, carried on cultural events, and managed social and community service grants.[371] The non-profit served any needy Indian, regardless of tribal affiliation, in the San Fernando Valley, including members of the Band.[372] The San Fernando Valley Inter-Tribal Inc. charged dues for membership, provided social support services, and held cultural events such as powwows, Christmas parties, fund raisers, cultural training, trips for Indian youth, and services to tribal and Indian people.[373] The names for the nonprofit were selected by group decision.[374]

The nonprofit consisted of a board of directors who were a mixed group of band members and non-band members, and Rudy Ortega Sr., was elected President consistently from formation of

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[371] Doc. 80324.INT; 0029.FTO; 00066.C.FTO; 80301.J.FTO; 80311.INT: "ROS: Yeah. They weren't all Catholics; they were from different religions. They were just like us. When we started going very strong and started getting a lot of toys, now in the seventies and eighties, I started working with the Marines and getting toys from them. We used to get two, three thousand dollars of toys a year. We give toys out and we still had toys left. So I got a warehouse here in San Fernando. We stuck the toys in there for the next year in case we didn't get none since we had toys for the children for that year. DC: This was a community event. ROS: Uh-huh. It was a community event. We didn't leave one child unserved from one toy. From whatever race they were from, we gave toys to all children. DC: And what was the rationale behind that? Just to give to poor kids? ROS: Just to give to poor kids. Yeah. DC: But that was a community fundraiser. That was one of the community things you did as a Tataviam. ROS: As a Tataviam. DC: That and the scholarship. Those were some of the main activities. Yeah, so those are two main activities that you always did—the fundraising for the Christmas and then the fundraising for the scholarship. ROS: Right."...."ROS: I said Native American. By then, we had cards like these out of cardboard and it said San Fernando Mission Indian. DC: Okay. So that was the name you guys were using in those days. ROS: Yeah. San Fernando Mission Indian. I used to send letters out for toys. Mattel, Toys for Tots. Some of these markets that we had before, they're out of business now. They would donate us some toys. We just had to go with a pickup and pick them up in L.A., in Gardena, or anywhere that the main office was, the warehouse. We'd pick up toys. Little wagons, bikes. We had four tricycles and four bikes, with the helmets, donated from one of the markets also. I used to be a go-getter. I was very shy when I was in school. But when I started getting the organization together, I wasn't shy. I'd walk a mall in San Fernando from one end to the other, across and back. I used to pick up shoes for little children, for babies, clothing, you name it, for the Christmas party. And I said, we've got newborn babies. What can you give us? They'd give us a blanket, diapers, a bottle, and some clothing. DC: So the Christmas party became an annual event? A community. ROS: Yeah. DC: And it was mainly for the Tataviam? ROS: Uh-huh. And the women loved it because they'd just sit back and bring their children at Christmas-time and pick up their toys. But the one that really had to work hard was me. I walked up and down. I went to the jewelry stores. I used to get jewelry. Eight hundred dollar jewelries, they'd give it to me because they'd write it off as a tax write-off. And they give me the jewelry in the box already. DC: So when did you start doing those Christmas parties? ROS: I started that. That was in 1985. Actually, it was 1973, but it went through 1985, and I stopped in 1990."

[372] Docs. 80313.INT; 00029.FTO

[373] Docs. 80313.INT; 00081.A.FTO; 80582.A.FTTC; 80423.A.LAT; 80301.J.FTO; 80301.M.FTO; 80301.M.FTO; 90051.A.SFVII; 80644.A.FTO: 80324.INT "SS ([redacted]) :I can remember when I was a kid that Rudy, they would have some things at the Mission sometimes, and we would dress up in little cheap outfits, little bells and little hreech clothes, and they would have us go over there and dance at the Mission. And as I got older I can remember me and Rudy going to Morongo and they had a little powwow and we had a little drum group, and we would go to Morongo and they didn't have... they had Aztec dancers in Morongo. Heck, now they're more Indian than anybody just because they have a casino. But back in the day itwas just a little dusty field, baseball field. And the thing is that I think that the tribes around here they know who we are. They know. I mean, San Miguel, Morongos." Doc. 80311.INT: "DC: So when did you start doing those Christmas parties? ROS: I started that. That was in 1985. Actually, it was 1973, but it went through 1985, and I stopped in 1990."

[374] Doc. 80313.INT

the formal non-profit until the present (2009).[375] For about three years, the San Fernando Valley-Intertribal Inc. nonprofit served as the main organization for the San Fernando Mission Indians. The early bylaws were written for the nonprofit with the help of legal aid attorneys in the early 1970s. The nonprofit evolved into an independent service and fundraising organization, and the Band was maintained as a government organization.[376] The leadership believed that the tribal government and non-profit could not be organized by the same non-profit laws, and so the bylaws were rewritten to reflect the non-profit as a community service organization and the Fernandeño Band of Mission Indians as a government organization.

During the 1970s eighty six percent of San Fernando Mission Indians (40 of 46 households) continued to live in the eastern portion of the San Fernando Valley mainly in the towns of San Fernando, Pacoima, Sylmar, Mission Hills, Van Nuys, and a few others.[377] The majority of tribal members lived within a three mile radius of old town San Fernando, and all lived within a 10 mile radius.[378] The birth and death events are also concentrated on the eastern San Fernando towns. The northeast San Fernando Valley was a recognized area for habitation by Indian families. The pattern of residence reflected many similar features of other Indian groups in metropolitan Los Angeles. There were no identifiable Indian ghettoes, but Indian groups were bound by community, political, and ceremonial relations.[379]

While there are scattered births and death from all three lineages outside of the San Fernando Valley, most birth and death events in the community occurred at Sun Valley, Pacoima, Lake Terrace (Pacoima), Mission Hills, and San Fernando.[380] In the 1970s, contrary to previous decades, most tribal community members found hospitals to care for their newborns outside of San Fernando, but in nearby towns, possibly reflecting changing living patterns, hospital service opportunities, and changing demographic patterns among tribal members. Nevertheless, through the decade of the 1970s, tribal members lived and were engaged in the health care institutions of the eastern San Fernando Valley, which enabled them to participate in community and tribal

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[375] Doc. 00061.FTO

[376] Doc. 80313.INT; GF: How did this other group, Pukúu, get established? What is that? ROS: That's the non-profit organization. GF: Oh, that is the non-profit organization. ROS: Yeah. And that's what we should have had. The Inter-Tribal should have had the non-profit separate name. And we didn't know and we went ahead and put it with San Fernando Valley Inter-Tribal all into one. And Sacramento accepted it and approved it for us. So it was their mistake, not ours. GF: So then later did you separate out the tribe from the non-profit? ROS: Yeah, uh-huh. GF: And when about did that happen? ROS: That happened....GF: This is just to get a quick idea. We can say more later. ROS: 76 I think it was. GF: So it was just two, three years later. ROS: Yeah. But then I said there's something wrong here. We've got to change it, because we're going to get caught sooner or later. They're going to get smart in Sacramento and come down on us hard. So we've got to change it. So we went back to the attorney. And they changed it for us. But if it wasn't for Alan Robbins, I think we'd still be waiting to be approved."

[377] See maps-documents: 80484.A.google and 80485.A.google.

[378] Doc. 80485.A.google

[379] Docs. 80563.A.VN; 80563.B.VN: "Perhaps as many as 8,000 (Indians) live in the San Fernando Valley[in 1979] ... In the [San Fernando] Valley, Burbank-Glendale and the Pacoima-Sun Valley-Sylmar areas appear to have the largest number of Indian families ... But there are no areas that may properly be called Indian neighborhoods. Unlike many of the other ethnic and racial groups in Los Angeles, the Indian community have been spread throughout the metropolitan area ... While there are no Indian ghettos in Los Angeles, economic factors have generally restricted Indian families to the poorer sections of the Los Angeles metropolitan area."

[380] See maps-documents: 80486.A.google and 80487.A.google; and see also 80464.A.MFT.

government activities.[381] The [redacted] household moved to southern Oregon by the late 1970s.

Members of both the Ortega and Ortiz families actively engaged in community events, some intermarriage, and continued relationships started as children in local San Fernando neighborhoods.[382] Picnics, camp outs, fund raisers, and meetings at people's houses were both social and political events and entire families were invited. Social activities, children's activities, potluck dinners were carried on as elders and adults gathered to discuss issues, often federal recognition, and to produce any necessary paperwork.[383] During the 1970s, funds for

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[381] Doc. 80309.INT: GN: "Okay, and they lived on Cornell [Coronel] and let me see—after that is—I only know people in the family—the only time we really all got together, like I tell you is—I'll tell you is like on Sundays or certain weekends we would always go to the park and get together. I know there was always family feuds and we'd always try to get people together and something always seemed to happen.... And even now, you know, even now as old as I am, I've gotten to the point where, okay, enough's enough and you guys need to, you know, get together.You know, and I was always the mediator, because they will always call me—Gerri, call this person, you know, call this person."

[382] Docs: 80317.INT "GF: So you're saying your kids should be proud that they have Mexican and Indian. JC: They liked it. God, we're all Indian. GF: What does it mean to them today? Do tbey participate at all? JC:They don't say nothing bad about it. AC: No, well, they all live in different areas. One lives in Whittier. And some live in Sylmar. I think my daughter [redacted] used to come to a lot of stuff, because her husband [redacted], he used to, and his (mother) [redacted], you remember [redacted]? ROJ: Uh-huh. AC: They used to come to all these functions and stuff. I think she was a board member, wasn't she, [redacted]? ROJ: [redacted]? AC: Uh-huh. And my daughter [redacted] was married to her son [redacted]. GF: And [redacted] maiden name was? ROJ: Newman. GF: Newman. Okay. So the families, even tbough people are living in different places, your family sounds like it's related through marriage to some of the other families in the tribe. The Newmans are part of the Ortega family, more or less. Do you have all of that in your head? You're aware of that. AC:Uh, yeah. I knew [redacted] too for a long time. GF: Tell me about [redacted]. AC: I know she used to work at the school as a cook or something like that. And then I used to visit her a lot with my daughter, because they used to be real close, her and [redacted]. And then [redacted] and her son [redacted], they'd have gatherings at their house so we used to see each other all the time. So we've gotten to be real good friends. GF: Do you think that [redacted] had an identity as Indian? AC: Uh-huh." ... "AC: At that time, Rudy was trying to get together all these Christmas gatherings for the kids and contribute toys to them and stuff. And then he did pow-wows to raise money for the tribe and all that. And that's about all that we used to get involved with. GF: So when you say you got involved, what did you do? What was your role? AC: Just go to the gatherings. And I didn't help out with anything, like working in the stands or anything like that. But we used to show up for everything."

[383] Docs. 90049.SFMI; 80316.INT: "D: Talking about the Ortegas. How about when we went to Francisquito Canyon? Did we have picnics out there once in a while? JO: Where? D: Francisquito Canyon. Isn't that what it's called? F: Bouquet Canyon. D: Bouquet Canyon. JO: Bouquet Canyon. D: Did we go with the Ortegas? JO: Yeah. D: Yeah. We used to go with the Ortegas. It was just a family gathering, picnics. F: Beach outings. Campouts. D: We'd have things like that. Campouts. As we got older the organization of the family in terms of trying to get all this information together, we did ... as I said before, we'd gather at people's housing for discussions, for trying to get things together. When I was in my twenties I remember we met over ... what's that organization we met? It was on Glen Oaks and... JO: Van Nuys Blvd. D: ...Van Nuys Blvd. We'd have our meetings there. JO: That was the boys home. Girls and boys home. D: YMCA type of place. And we used to meet there. We'd have the elders. And at that time I was trying to become more involved also. Difficult with two children. But we'd meet there and we'd have the families come in. All the families would come in from the different branches. GF: When you brought the families together did you have an announcement or some kind of flyer or calling people up? D: Well, I think it was telephoning also, but I remember my Uncle Rudy he's always been ... for a man of his age been on the cutting edge, I think, part of his son. He'd have copiers in his house and they'd type things out or just write flyers out and Xerox them, and mail them out or drop them off at other people's homes. GF: Were they social events or political events? JO: I think they were twofold. Because they were social gatherings, but also it was ... initially, it was to have the meeting, to discuss whatever paperwork we would need because we always wanted to be

scholarships were raised by the community and passed onto students for defraying college expenses.[384] The tribal community was engaged in the protection of cave paintings, sacred sites, and historical tribal graves. For photos of community gatherings and events during the 1970s, see the footnote below.[385] Public dancing, participation in parades, powwows, Christmas gift giveaways and displays of identity and community prompted recognition as San Fernando Indians among the San Fernando Valley community.[386]

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federally recognized, whatever business was at hand, and that was usually trying to get information from everyone to submit together, and then there would always be a potluck or a social gathering after that.

[384] See doc.-photo: 80659.A.FTO: 80514.A. SFVHDL containing: Chief Little Bear, [redacted], [redacted] (future tribal treasurer); Doc. 80658.A.FTO.

[385] Doc.-Photos 80531.A.SFVHDL and 80532.A.SFVHDL: Fernandeño/Tataviam Cave paintings photographed by Rudy Ortega, St. during 1970s. Doc.-Photo: 80535.A.SFVHDL: Chief Little Bear with eagle, 1975; Gift from the U. S. Department of Fish and Game. Doc.-Photo 80536.A.SFVHDL; Chief Little Bear at Rocketdyne in the Santa Susana Mountains. The Chief was registering the site with the State Historical Society, 1970s. Doc. 80301.P.FTO; 80301.Q.FTO. For a range of photos covering community events during the 1970s see the following files and the accompanying notations in the citation and coding tables: 70015.A.FTO; 70016.A.FTO; 70017.A.FTO; 70018.A.FTO; 70019.A.FTO; 70020.A.FTO; 70021.A.FTO; 70022.A.FTO; 70023.A.FTO; 70024.A.FTO; 70025.A.FTO; 70026.A.FTO; 80618.A.FTO; 80619.A.FTO; 80620.A.FTO; 80621.A.FTO; 80622.A.FTO; 80623.A.FTO; 80624.A.FTO; 80625.A.FTO; 80626.A.FTO; 80627.A.FTO; 80628.A.FTO; 80629.A.FTO; 80630.A.FTO; 80631.A.FTO; 80632.A.FTO; 80633.A.FTO; 80634.A.FTO; 80635.A.FTO; 80636.A.FTO; 80637.A.FTO; 80638.A.FTO; 80639.A.FTO; 80640.A.FTO; 80641.A.FTO; 80642.A.FTO; 80643.A.FTO; 80644.A.FTO; 80645.A.FTO; 80646.A.FTO; 80647.A.FTO; 80648.A.FTO; 80649.A.FTO; 80650.A.FTO; 80651.A.FTO; 80652.A.FTO; 80653.A.FTO; 80654.A.FTO; 80655.A.FTO; 80656.A.FTO; 80657.A.FTO; 80668.A.FTO; 80659.A.FTO; 80660.A.FTO; 80661.A.FTO; 80662.A.FTO; 80663.A.FTO; 80664.A.FTO; 80665.A.FTO; 80666.A.FTO; 80667.A.FTO; 80720.A.FTO; 80721.A.FTO; 80722.A.FTO; 80723.A.FTO; 80724.A.FTO; 80725.A.FTO; 80726.A.FTO; 80731.A.FTO; 80733.A.FTO; 70051.A.FTO; 70061.A.FTO; 70062.A.FTO; 70063.A.FTO; 70064.A.FTO; 70065.A.FTO; 70066.A.FTO; 70067.A.FTO; 70070.A.FTO; 70068.A.FTO; 70069.A.FTO; 70070.A.FTO; 70071.A.FTO; 70072.A.FTO; 70073.A.FTO; 70074.A.FTO; 70075.A.FTO; 70076.A.FTO; 70082.A.FTO; 70106.A.FTO; 70107.A.FTO; 70108.A.FTO; 70113.A.FTO

[386] Docs: 80301.M.FTO; 80660.A.FTO; 80303.INT: "SO: That would be great because I think a lot of people in the family will probably know a little bit more, and somebody that's been with my father into when we started dancing and all of that. You can't forget about that because we were just kids and when we were just growing up into our teenager years and all of that, it was more embarrassing because of the girls and all of that. So but we started getting recognized in school when they said, "Oh, the Indians are coming over here." We were actually recognized as the Indians in San Fernando. And to get something like because they saw us do a parade or they saw us dance at the UCLA college or something like that, it tells us that they believe we're Indians, so let's make them believe a little bit more. And that's exactly what we did. So there was no more walking down and saying, "Those are the Indian boys in the corner house," and that's how we were recognized more and more. So I thought that was a great feeling that we didn't have to hide anymore. It was more like bringing out us out in the open and no more shielding ourself (sic) from our father or from our mother or whatever, but we actually came out and showed our true colors. And after that it was being proud of going out there to dance more and more to the women's clubs and all of that. I thought it was a great feeling just when you get older and older because you have more responsibility, and it was pretty hard because to knowing that how much Indian you were and how much Indian that you thought you wanted to he, so there were two things how you wanted to handle it." Doc. 80310.INT: "ROS: Well, you know, actually, I don't know if it was my idea because I told my people you're letting me do all the work. I used to put up the pow-wows myself. I couldn't get no help. Most of them worked. So I set up the pow-wow. I set up a big pow-wow at Devonshire Downs … Devonshire Downs, Northridge. That was the biggest I ever had … No. I did that that one year … That was in the seventies. My cousin, the one that passed on, she signed the paperwork for the Devonshire Downs. She was on the Board. I set up everything." See also: Docs. 80301.J.FTO, 80301.L.FTO; 80301.M.FTO. See photos at: Doc-Photo: 80506A.DFG with Dancers: [redacted], Larry Ortega, [redacted], and [redacted]; Doc-Photo: 80512.SFVHDL with Rudy Ortega, SR., Alan Robbins (California State Senator); [redacted], [redacted] (adult), and [redacted] ([redacted]); Doc.-Photo: 80515.A.SFVHDL: Booth made by [redacted]; [redacted] and [redacted] (adults inside of

[redacted], her daughter [redacted], and their families were active participants in the powwow and Christmas give-away and fund raising events. Members of the Ortiz family were engaged in tribal events.[387]

The San Fernando Mission Indians, named in the middle 1950s and later renamed in 1976 as the Fernandeño Band of Mission Indians, were engaged in the 1972 California Indian judgment roll registration, federal recognition, cultural preservation and protection, and community service activities.[388] The activities were extensions of the mutual help, community, and traditional leadership and lineage forms that existed before the 1950s. The nonprofit organization managed many of the social service and community programs, while the tribal government managed membership and intergovernmental relations and issues. The name of the government was renamed in 1993, after a discussion and approval among elders, to the present-day expression: Fernandeño Tataviam Band of Mission Indians.

Information on residency patterns is less complete during the 1980s. Before the 1970s, birth records recorded the address of the mother. Sometime during the 1970s or 1980s, the State of California stopped recording the addresses of the mother on birth certificates. Consequently, address information is more difficult to find, and during the 1980s and until 1995, when the Fernandeño Tataviam Band of Mission Indians began formal tribal enrollment registration, there is less address documentation for tribal members. Nevertheless, the available residence data indicates that most Tataviam tribal members lived within a radius of a few miles around the old town part of San Fernando, near where the San Fernando Mission was located, and where Antonio Maria Ortega was born and raised.[389]

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booth) and [redacted] in corner outside of booth. Doc.-Pboto: 80522.A.SFVHDL: Cinco de Mayo celebration at Van Nuys Mall included tribal performers: Larry Ortega, [redacted] (drummer), [redacted], [redacted], and [redacted]. Doc.-Photo: 80525.A.SFHDL: Fernandeño/Tataviam Band members dancing in full regalia, 1970s featuring [redacted]. Doc.-Photo: 80526.A.SFVHDL: Fernandeño/Tataviam Band members in regalia at San Fernando Mission Event (2/24/1974) including Rudy Ortega, Sr, [redacted], [redacted], [redacted] (San Carlos Apache); [redacted] (San Juan Capistrano, a linguistically related Luiseno community, helped with parades). Doc.-Photo 80533.A.SFVHDL: [redacted]a at Brand Park, San Fernando on 7/18/1972 for a community meeting. Doc.-Photo 80530.A.SFVHDL: [redacted] (tribal elder); Sue Cunaano (Director of Project: Joint Ventures), Larry Ortega, [redacted] (table), [redacted], [redacted] (background), Three girls in the foreground are relatives of [redacted], the aunt of Rudy Ortega Sr.; Doc.-Photo: 80537.A.SFVHDL: Chief Little Bear, [redacted] dressed in dance regalia.

[387] Doc. 80317.INT: "GF: And how about Tataviam, this tribal designation? When did that begin to come into your awareness that there's this tribe the Tataviam? AC: How did we start with it? I can't remember. How did we get involved with Rudy and all? Do you remember? Was it my mother? JC: Your mother. The pow-wows. AC: Oh yeah. She started telling me about the pow-wows and stuff. That's right. So we started going and then we started going to all the gatherings. And then we got involved in the meetings and all the Christmas things. That's how we got involved with all of that. GF: Let me ask you. What was the draw for you? What brought you in there? What kept you coming? AC: Because I was Indian and I liked to be around everything and learn about everything and see what they did. And that's what brought me into the attention of it."

[388] Docs: 00029.FTO; 00052.A.FTO; 00076.K.FTO; 00076.O.FTO; 00080.FTO; 00081.A.FTO; 00081.B.FTO 80301.F.FTO; 80301.H.FTO; 80301.L.FTO; 80301.P.FTO; 80301.T.FTO; 80301.Q.FTO; 80303.INT; 80305.INT; 80310.INT; 80311.INT; 80308.INT; 80312.INT

[389] Doc-maps 80488.A.google and 80489.A.google.

The birth and death data for tribal members is more complete. While births and deaths took place in more dispersed locations: Seattle WA, Pueblo CO, Redlands CA, San Diego CA, Oxnard-Ventura CA, and Fresno CA, the large majority of recorded births and deaths took place in the eastern San Fernando Valley.[390] The most popular birth places were Mission Hills, Sun Valley, and Panorama City, while other tribal children were born in hospitals around the San Fernando Valley at Granada Hills, Van Nuys, Northridge, and Tarzana. Most births and deaths for tribal members occurred in towns within the San Fernando Valley, and within a ten mile radius of old town San Fernando.

During the 1980s, most tribal members maintained residences and major life events occurred within the eastern San Fernando Valley. The community is more dispersed within the valley and around the country, but most tribal members lived within short driving distance to the Mission and to the old part of San Fernando where the Ortiz and Ortega families were long time residents. Community members participated in family-tribal events, despite the urban environment around them.[391] The Tataviam community organized powwows, Christmas parties, and protected sacred sites and burial grounds whenever possible.[392]

In 1995 the Fernandeño Tataviam Band of Mission Indians called on community members to formally register as members within a tribal organization. Members were asked to file lineage charts, and state family relations, as well as account for new children. The tribal roll provided more accurate and extensive data on tribal members.

During the decade of the 1990s, nine households moved from the San Fernando Valley and took up residence in the communities of Lancaster and Palmdale. All nine households in the Lancaster-Palmdale area are from the Ortega lineages. The increasing costs of real estate during the 1990s created interest among some tribal members to move to the Lancaster-Palmdale area in pursuit of cheaper housing. The households, about 40 to 50 miles distant from San Fernando, continued participate in the Tataviam community and government. In addition to the nine Lancaster-Palmdale households, about another 20 households in the 1990s were not located in the eastern San Fernando Valley. There were four households of the Ortiz family in the Fresno-

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[390] See Doc-maps 80490.A.google and 80491.A.google.

[391] Doc. 80311.INT: "DC: Were there any specific ceremonies that were with these? Anything that we might consider a tradition? ROS: No. You know, one thing we did. I was surprised. The church. That was in 1986 or '87, I believe, the Catholic Church here in San Fernando located me and wanted to know if I could be in the parade. Sunday evening at six o'clock they were baving a parade. It would run nine blocks up toward San Fernando Road and around the other block and come down back to the church. There was a feast of the Virgin Mary and they wanted some of my kids to dance in that parade, dressed as a Native American, dressed in their regalia. DC: And that was really to commemorate the Mission? ROS: I guess ... So I said yeah. And not only that, because we had a banner that said San Fernando Mission Indians. And two of my children carried that banner, and it read San Fernando Mission Indians on it. DC: Actually, that's a good lead. And this was organized by the church. ROS: That was organized by the church. DC: So the church had certain events. Like the Feast of tbe Virgin Mary. They had that every year then. ROS: Yeah. DC: That's an annual. So you guys actually showed up annually." Doc.-Photo 80534.A.SFVHDL: Taking a break at a tribal powwow, Chief Little Bear and his grandson, [redacted], son of [redacted] in the 1990s.

[392] Docs. 80301.Q.FTO; 80671.A.FTO; 80582.A.FTTC; Doc.-Photo: 80528.A.SFVHDL. The caption on this photo is wrongly stated, the date is 1980 and the cbild in dance regalia is present-day tribal administrator, Rudy Ortega, Jr. Doc. 80311.INT: "DC: So when did you start doing those Christmas parties? ROS: I started that. That was in 1985. Actually, it was 1973, but it went through 1985, and I stopped in 1990." See also: Docs: 80669.A.FTO; 80670.A.FTO; 80671.A.FTO;

Hansford area, and four households of the Ortega family in the Simi Valley, Santa Barbara, and Oxnard area. In addition there were households in Long Beach, Whittier, Rosemead, and San Diego. Our data for the 1990s does not show the locations, but most likely from other and past data there are households in Oregon, Pueblo Colorado, and Redlands, CA. If we count the Lancaster-Palmdale suburb as part of the San Fernando community then the large majority of tribal members were living in the San Fernando-Lancaster-Palmdale region. If we count the Palmdale-Lancaster satellite as out of the local community, then a majority of households, about 33 households, remained in the eastern San Fernando Valley, while about 30 households are outside of the San Fernando Valley. Through the 1990s, the majority of tribal member households were located in the eastern San Fernando Valley. Most tribal members lived within a 10 mile radius of the old town part of San Fernando.[393] Community residence patterns, however, extended beyond the local San Fernando Valley community to the Palmdale-Lancaster group.

The majority of reported and documented birth and deaths among tribal members occurred in the San Fernando Valley. Twenty-four births and deaths were recorded for the San Fernando Valley towns of: San Fernando, Sylmar, Mission Hills, Northridge, North Hollywood, Van Nuys, Sun Valley, Tarzana and Panorama City. Although the range of places where births and deaths occurred among tribal members, eighteen births and deaths, about 43% of the total were recorded outside of the San Fernando Valley. Fifty seven percent (57%) of birth and death events occurred in the San Fernando Valley, and probably a higher percentage is more accurate since the births and deaths recorded for Los Angeles are often ambiguous since part of the San Fernando Valley is officially part of Los Angeles. The birth and death events from the newly formed Lancaster-Palmdale community satellite might also be included in the community of the San Fernando tribal members. If both Lancaster-Palmdale and the Los Angeles numbers are birth and death events are included with the San Fernando Valley numbers then 78% of birth and death events occurred within the tribal community among San Fernando Valley and Lancaster-Palmdale members.[394]

In the 1990s, the San Fernando Valley residents remained the focus of major life activities for tribal members. Events included trips to Fernandeño cultural sites like Vasquez Rocks, Fernandeño Tataviam powwows, a newsletter, and Children's Christmas party.[395] Funerals were widely attended by tribal members, family members and friends.[396] In the spring of 1999, the

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[393] See maps-documents 80492.A.google and 80493.A.google.

[394] See maps-documents 80494.A.google and 80495.A.google.

[395] Docs: 80580.C.FTTC; 80580.D.FTTC; 80581.D.FTTC; 80581.E.FTTC; 80582.A.FTTC; Doc. 80311.INT: "DC: So when did you start doing those Christmas parties? ROS: I started that. That was in 1985. Actually, it was 1973, but it went through 1985, and I stopped in 1990."

[396] The funeral of Irene Marie Verdugo Reyes was well attended by the Band's lineages: Doc. 80309.INT "GN:All the families came. Everybody that I can think of to tell you the truth. Let me see—GF: Were there any families from the tribe? GN: Families from the tribe. GF: Can you tell me which families? GN: I know that a lot of Vera's—Vera's family was there … Katie's family was there. [redacted]—there was [redacted]. I know her son—I know a couple—some of her sons went because I know some of her sons. GF: Um-hm. Do you know their last name?GN: Salazar. … And then Katie's family—Kathryn, Katie. The, like Sister and, and [redacted] and—([redacted]) … Her family went—Kathryn—I can't remember Kathryn's last name. GF: Is it Newman? GN: Yes. … And a lot of the family—a lot of the families went. I mean, it was a big funeral. GF: Did the Ortegas come? GN: Or—you know—yeah, I'm sure they did because my dad was, you know, so connected with everything. I know [redacted]) was there."

some Tataviam band members restarted fasting for four days, and performing the bear dance.[397] The Fernandeño Tataviam community cooperated with the city of San Fernando and Catholic Church in the commemoration of the 1797 founding of San Fernando Mission in 1997. State parks and local high schools asked for cultural demonstrations and in 1999, the Tataviam constructed traditional village for study by students at North Hollywood High School.[398] The tribal community engaged in ceremonial activities such as blessings for the Day of the Dead Family Festival, an annual bear ceremony, a spring equinox ceremony, a charity Christmas party, and activities supporting local museums and cultural groups.[399] A major band fund raising event was the "Chief Tarahat Golf Classic," which was held in July 1999. Proceeds went to fund college student scholarships, a long time Fernandeño Tataviam charity drive.[400] "As chief, Ortega Sr. heads the council of elders for the Valley's Tataviam tribe, which arranges help for needy Native American families and sponsors holiday parties and toy giveaways at Christmas and Easter."[401] For photographs and newspaper reports of Fernandeño Tataviam community activities during the 1990s see the footnote below.[402]

The Tataviam held their latest public powwow in September of 1998.[403] The decline in intertribal powwows reflects the increased commercialization of the powwow community. Smaller community-based powwows have found it hard to compete with large powwows with significant dance contest prizes. During the 1980s and early 1990s, Los Angeles was the site of powwows almost every weekend, sponsored by local urban communities and organizations, but over the past decade the Los Angeles Indian community powwows are less frequent and smaller, and the Fernandeño Tataviam follow that same trend.

The Band kept their attention on regional Fernandeño Mission Indians from the Newhall Garcia family, especially those who moved to San Fernando and participated in the local community, and band members had relations with relatives among the Ortiz family in Bakersfield, CA. In 1999, the band newsletter noted the passing of Dolores Garcia Romero and Mary Lou Garcia Guerrero, both members of the Newhall Garcias and in-laws to the Ortega line.[404] The two

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[397] Doc. 80580.A.FTTC

[398] See Section A where newspapers accounts are given of Fernandeño/Tataviam participation in the Mission commemoration and the high school demonstrations are also given local newspaper accounts. Docs. 80584.C.FTTC; 80584.A.FTTC; Photo 80540.A.SFVHDL: The Fernandeño/Tataviam recreated village during construction on the site of North Hollywood High School., 1999 Rudy Ortega, Jr., and daughter, [redacted]

[399] Docs. 90055.A.FTT; 90055.B.FTT; 90053.A.FTT; 90052.A.FTT; 90052.B.FTT; 90054.A.FTT; 90054.B.FTT; 90055.A.FTT; 90056.A.FTT; 90057.A.FTT; 90058.FTT; 90059.A.FTT; 80580.B.FTTC; 80580.C.FTTC; 80581.G.FTC; 00098.FTO; 00076.FTO; 00098.FTO; 00076.FTO; Doc.-Photo 80523.A.SFHDL: Visit with officials of the San Fernando HistoriValley Historical Society, October 10, 1999: Rudy Ortega, Sr., Rudy Ortega, Jr., [redacted] (Board Member of Pukúu, non tribal member; Tejon Tribal member), [redacted], and [redacted],

[400] Doc. 80581.A.FTTC; 80581.B.FTTC; 80581.C.FTTC; 80581.F.FTTC; 80581.H.FTTC; 80681.A.FTO

[401] Doc. 80680.A.FTO

[402] See the following file and the associated citation and coding tables: Docs: 70029.A.FTO; 80672.A.FTO; 80673.A.FTO; 80674.A.FTO; 80675.A.FTO; 80676.A.FTO; 80677.A.FTO; 80678.A.FTO; 80679.A.FTO; 80783.FTO; 80784.FTO; 80785.FTO; 80786.FTO; 80787.FTO; 80788.FTO;

[403] Doc. 803410.INT: "So people enjoyed it here. They really enjoyed it. They said they wanted to know when we were going to have another one. I said it's too much for me. Then we had another one way down here at Balboa Park. I think that was the last one we had at Balboa Park ... That was lately. That was in the nineties. Ninety-seven I think it was, '98. That was the last one we had." Doc. 80580.C.FTTC

[404] Doc. 80581.G.FTTC; 70028.A.FTO;

women were daughters to Mary Garcia and sisters to Theodore Garcia, both of whom were active in the Fernandeño Tataviam community for many years.

In the early 2000s, the Fernandeño Tataviam Band of Mission Indians took steps to organize further. With the aid of the UCLA Tribal Legal Development Clinic the Band drafted a new constitution which tribal voters approved. In 2004, the Band asked members to make formal applications for members with supporting documents. The Band was formally incorporated as nonprofit Mutual Benefit Corporation under California State Law on June 16, 2006. The Band now handles its financial affairs through the mutual benefit corporation, which is by charter dissolved "when the Fernandeño Tataviam Band of Mission Indians achieve federal recognition as an Indian tribe from the United States government and secure the rights, benefits, privileges and powers provided to such a Federal Recognized tribe."[405]

In July 1, 2008, the application rolls were again opened for applications to all eligible individuals. The rolls were closed in the middle of January 2009. Successful applicants must document their parentage and lineage, and establish descent to a baptized San Fernando Mission Indian and are listed, or are a descendant of a person listed, as a California Indian in the 1928 or 1972 California Indian judgment rolls.

Tribal member residency patterns in the 2000 to 2009 period remain primarily in the San Fernando Valley, although some tribal member households are relocating more regionally and nationally. Over 90 households of both Ortega and Ortiz lineages live in the San Fernando Valley. There are under twenty households outside the state of California.[406] Most tribal members live in southern California, while eight households of Ortiz family members reside in the Fresno-Hanford area.[407] The large majority of tribal members live in the San Fernando Valley area, although the membership is increasingly dispersed over a wider area including a migration of Ortega family members, including tribal leader Rudy Ortega, Sr. to the Lancaster-Palmdale area and to the Santa Clarita area.[408] About 33 households of the Ortega lineage moved to Lancaster-Palmdale-Rosamond. About ten house household moved to the Santa Clarita area, a traditional area for the Tataviam, and about 10 to 12 miles from San Fernando.[409] While tribal members are dispersed more broadly over the San Fernando Valley, about 50 households continue to live within five miles of old town San Fernando.[410]

The tribal voting districts were revised in 2006, and the new voting district one included the San Fernando Valley and the town of Santa Clarita. District two is composed of all members living within 100 miles of the boundaries of district one. The emerging concentration of tribal

[405] Doc. 80452.TFBMI
[406] Map-Doc. 80496.A.google.
[407] Map-Doc. 80497.A.google.
[408] Map-Doc. 80498.A.google and 80499.A.google.
[409] Map-Doc. 80500.B.google.
[410] Map-Doc 80500.A.google; Local residents in the San Fernando Valley consider the norther eastern section of the valley to comprise a community: Doc. 80319.INT " I know that some other local politicians from the City of Los Angeles, they've called upon the local Tataviam tribe to attend and be part of the ceremonies that are going on in this Northeast San Fernando Valley. Kind of look at this community as bigger than the City of San Fernando, kind of look at the Northeast San Fernando Valley—Pacoima, Sylmar, San Fernando, Mission Hills, Arleta. I always ask our customers—where do you live? They always refer to those communities to kind of one big community."

members in the Lancaster-Palmdale area fall into district two. Persons living outside of the two voting districts can cast votes, but cannot hold office. Anyone living within 100 miles of the boundary of district one is considered living close enough to take part in regularly scheduled tribal government and community activities.[411] Many members of the San Fernando tribal community retain a small town network of communication and surveillance.[412] The data on births and deaths are spare, but supports the general trend that most birth and death events for the tribal community are concentrated in the San Fernando Valley, while Lancaster is emerging as a center of community life events.[413]

The Palmdale-Lancaster residence was considered by many tribal members as part of traditional Tataviam land and feel comfortable moving into the area over the last two decades. Steve Ortega explained: "But that's where I came out and said, so far I have proof that the Fernandeño tribe is from Mission to Palmdale now, and that's a big line ... GF: What's the link to Palmdale? How do you know that? SO: Meaning? GF: You said you know now that the Tataviam go all the way over to Palmdale. But how do you know that? SO: Because of so many things that were found. The Mission were found. The beads with the stone wall. Newhall found the bowl. Vasquez Canyon has all the artifacts in the rocks already, and they're displayed for the people to go and see it. And then you've got Palmdale where all the 40 artifacts were found in the guy's land. GF: Over in Tujunga. I didn't realize that's Palmdale over there. SO: Yeah. That is Palmdale." Members living at Lancaster and Palmdale congregate in San Fernando with other tribal members.[414]

On November 15, 2001, at the age of 98, Juanita Ortiz de Montes, daughter of Joseph Ortiz, died in Mission Hills, near the San Fernando Mission. While the Band does not have the funeral guest book, to see all the tribal and family members who paid respects, there is a commemoration booklet that lists surviving relatives. Juanita Montes did not have children, but among her attending nephews and nieces among the Ortiz family, four out of five families

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[411] Doc. 80589.C.FTMI

[412] Doc. 80316.INT: "D: San Fernando was a small town. It was very small. I mean, we're big now compared to (overtalking) ... everybody went to the same school. JO: If I do something wrong in town it gets back to the house. D: If you're not where you're supposed to be. GF: You mean today? JO: Today. D: It's a small town. People know one another. JO: Everybody knows everybody ... the old timers ... the old people. F: San Fernando used to be all related. GF: 'Related' you mean? [MULTIPLE SPEAKERS] F: Yeah, everybody was married to somebody in the family and... D: Not first generation, mind you. F: You couldn't get away from it. GF: Are you speaking from the standpoint of the family or are you speaking from the standpoint of the town? JO: The town."

[413] See map-docs 80501.A.google and 80502.A.google; and see also 80464.A.MFT

[414] Doc. 80320.INT: "LO: I think one of them might be... [redacted] I know, she moved out, out of state and then [redacted], she's probably in town and [redacted], she's out of town. She's in Palmdale, basically. GF: Aside from San Fernando, are there any communities where there are concentration of tribal members? LO: Yes, Santa Corita [Clarita] and Palmdale, there's a big group in Palmdale. That I know of, Santa Corita [Clarita] and Palmdale. Palmdale's got a very big group, only probably because the homes are cheaper out there, they're fleeing out there. GF: Where did the Band actually originate? LO: I believe San Fernando. Are you talking family or...? GF: I'm trying to go way back, you know... LO: I was trying to go with only my time, that's what I was thinking."; Doc. 80322.INT "GF: Can you tell me historically where tbe tribe originated, where they moved to, how the Mission fits in? DSJ: Our tribe was bere since the 1700s. Our Native land was Lancaster, Palmdale, Santa Clarita, Valencia, Tejon and parts of Simi Valley also. That was our Native land. And then back in the 1700s tbe Spanish came and used the Native Americans as slaves to build their missions. The Spanish conquistadors came and used them to build, and used them as slaves to find gold also, but mostly to use them to build the missions, the Catholic missions."

contained Fernandeño/Tataviam members: [redacted], [redacted], [redacted], and [redacted]. Many of the grand, great, and great great nieces and nephews were also tribal members.[415] The [redacted]) family have ancestors in the Ortiz and Ortega lineages respectively and they are mentioned as survivors as well as some of their children who are also Fernandeño/Tataviam members.

Jose Ernest Ortega died on October 19, 2002 at the age of almost 83. His funeral services were attended by many people in the San Fernando area, including tribal members mostly from the Ortega lineage, but also by members of the Garcia and Ortiz lineages.[416] Darlene Rita Espinoza passed on February 9, 2003 at about age 70. Her funeral was attended by band members of the Ortega lineage, while members of the Ortiz lineage also paid their respects.[417] On January 2, 2004, at age 36, Peter Ortega Lemos died in Lancaster, CA. His funeral was attended by many tribal members and non-tribal member community members. The Ortega lineage was highly represented among the mourners,[418] while members of the Ortiz and Garcia lineages were also present. Traditional ceremonies, songs, and blessings were part of the funeral event and conducted by band members.[419]

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[415] Docs. 80543.A.Ortiz and 80543.B.Ortiz

[416] [redacted] and his wife Ruby attended the Jose Ernest Ortega funeral services (80578.H.MHCM). [redacted] was active in the community and tribal government affairs for many years (80583.E.FTTC). Also attending the funeral services was the [redacted], which was the family of [redacted], of Hanford, CA and members of the Ortiz lineage (80578.G.MHCM). Many band members of the Ortega and related families attended including" [redacted] (80578.F.MHCM); Rudy Ortega Jr., and his children [redacted] (80578.G.MHCM); [redacted] (80578.J.MHCM); [redacted], and community activist [redacted] (80578.K.MHCM); [redacted], and Rudy Ortega Sr.

[417] Band members of the Ortega-Newman line in attendance at the funeral activities of Darlene Rita Guadiana included: [redacted] (80579.E.MHCM); [redacted] (80579.F.MHCM); [redacted] (80579.G.MHCM); [redacted] (80579.H.MHCM); [redacted] (80579.I.MHCM); [redacted] (80579.J.MHCM). The Ortega-Salazar line was represented by band member [redacted] 80579.L.MHCM); and the Ortiz line is represented by [redacted] (80579.E.MHCM), who was married to [redacted] z of the Newman-Ortega line.

[418] Among the tribal member mourners at the Peter Lemos funeral services and viewing were: [redacted] Escajeda (80577.C.SFFH); Two pallbearers were tribal members: [redacted] and [redacted], as well as a brother in law; [redacted] who was married to the decedents sister, [redacted], a tribal member (80577.D.SFFH). Other attending tribal members in the Ortega lineage include: [redacted] and family, [redacted] and Rudy Ortega, Larry Ortega, [redacted] and family, [redacted], [redacted], and [redacted] (80577.G.SFFH; 80577.H.SFFH; 80577.J.SFFH). [redacted] was a member of the Ortiz lineage and a tribal member (80577.G.SFFH), and [redacted], the son of [redacted], both active in San Fernando community and tribal political affairs from 1950s to 1990s, was in attendance (80577.H.SFFH).

[419] Doc. 80320.INT: LO: At funerals, yes, I've been to one where my uncle, when he passed away they had a ceremony then. GF: Which uncle? LO: God, my dad's going to kill me. GF: Who's dad was it? LO: It was my dad's brother, [redacted]. I know they had a ceremony then. GF: And you went to that? LO: Yes. GF: How old were you? LO: I was about, it had to have been ten years ago. GF: Okay, and tell me about the ceremony, what happened? LO: Basically they have, again, Rudy would go around he would basically bless the site, he would say words to bless the deceased. They would have songs, songs would be sung. Tribal members, if they wanted to say something. Then again, the food would happen."

Despite long distances between the [redacted] family of the Josephine Leyva Garcia lineages, the family members participate in tribal issues. Victoria and her five children and other descendants live in Oregon and Iowa and are committed to promoting the future of the tribal political and social community.[420]

During the decade of the 2000s, the Christmas parties were renamed and reorganized as Winter Social Gatherings, a major fundraising dinner was introduced, there was continued production of the community newsletter --Tarahat, the band participated in parades, arranged Tataviam cultural learning classes, and carried on cultural events.[421] On April 14, 2000, about 80 tribal members and families met and took a group photograph to commemorate the new millennium.[422] Tribal community members and the tribal council visited archeological sites at El Tejon, and Pyramid Lake.[423] On May 13, 2000, a band meeting of all tribal members was held at Tochonanga in Towsley Canyon, Newhall, CA, after the Apena community hiking trip. "The Apena hiking trip consists of one mile of great scenery about our ancestors. This activity is for all members and non-members ..." [424]

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[420] Doc. 90307.INT VS ([redacted]) : But anyway, so—and they're down there in Southern California which would be a heck of a lot easier than for me, you know... VS: I mean because my son tries to participate and he's all the way in Iowa in dental school, you know? ... VS: My son is in Iowa City, Iowa....VS: He's my only son, graduating out of dental school (inaudible)... VS: His name is [redacted]. He's my only son—I have five children... GF:And what did you learn when you checked into where the name Tataviam came from? VS Oh, well this was several years ago. I've been affiliated with them now for a couple of years or maybe—I don't know how long it's been. But anything to further that cause, and I did research on the Internet or whatever, my daughter looked it up and she's really into the Native American culture. She was up in Grant's Pass, Oregon. And so we decided to join with them in their cause to try to do this. GF: Um-hm. VS:Yeah.

[421] Docs: 80582.A.FTTC; 80582.D.FTTC; 80582.E.FTTC; 80583.E.FTTC; 80583.C.FTTC; 80584.F.FTTC; 80588.A.FNP90060.A.FTTS; 90060.B.FTTS; 90066.A.FTTS; 90066.B.FTTS; 90067.B.FTTS; 90068.B.FTTS; 90068.C.FTTS; 90069.B.FTTS; 90069.C.FTTS; 90070.B.FTTS; 90073.B.FTTS; 90081.B.FTTS; 90104.B.FTTS; Photo: 80529.A.SFVHD: Many needy people gathering for Christmas food during Christmas season 2002. Doc. 80315.INT: "KS: So, just some of the circumstances, I just kind of like I need to step down now for a while. But now it's like, hey, I want to come back again. I want to get back involved. I love getting involved. We have our Christmas parties and the fundraisers. We have this big old event. We have Indian singers or actors or comedian come out. Have you been to one of them? I don't know if you've been. They have it. But it's really nice. And I really like them. We see the Native people. And the people that really step out. Even some of the councilmen. It's like, wow, this is really something." See also Doc. 80311.INT: Rudy Ortega explained: "Yeah. Oh yeah. And now, we have parades in Sylmar. We had a convertible car that we had and banners on the side of the car that said the San Fernando Mission Indian Elders. They ride in the car. And we showed the elders that had of the tribe. And then we had tbe children dancing in front of the car. So, in other words, we had a lot of publicity as Mission Indians of San Fernando. And that's when we went to Oceanside, also. We took the banner and went out there to do a parade." Doc. 80314.INT: "GF: Do you anticipate that you might get more involved with the tribe? EO: I told Rudy to put me on his email address and I want to get back into it. I want to help him out as much as I can, you know. Not that I can't, because I'm telling you as much as I know about the tribe. I know that he's done a lot. We've had quite a few pow-wows and he has his meetings and what not. And we have gatherings, we go to the park sometimes and have meetings at the park and like I said... He'll tell me what's going on. He's got a newsletter he puts out. GF: Um-hm. EO: Something like this—you've seen this newsletter, right? But he's very, very gung-ho and now I think big Rudy, who's little Rudy's dad, is getting tired. It's harder for him, he's not as mobile as he used to be."

[422] Docs. 80853.A.FTTC; 80853.D.FTTC; 80853.E.FTTC; 80583.B.FTTC

[423] Doc. 80853.E.FTTC;

[424] Doc. 80583.B.FTTC; 80583.H.FTTC;

The Tataviam engage in several primary ceremonies each year, each honoring the solstices and equinoxes. Only the summer solstice ceremony is closed to the public.[425] The band has successfully defended ancient burial sites, and registered the ancient religious site used to observe the winter solstice with the California Native American Heritage Commission.[426] The Winter Solstice or Gatherings replaced and incorporated the former Christmas gatherings and distribution of toys to children.[427] The Band now reviews many building projects throughout Los Angeles County to determine whether cultural resources may be affected. In 2004, Rudy Ortega Sr., commented: "Now more than ever we are taking great strides toward reaching our goals which include better educational resources for our children, greater access to health care for our under served community, revitalization of our language and preservation of our culture and rights as a Federally recognized tribe."[428]

Tribal members carry on sweats often at their discretion in their own back yards. When construction sites find burials within recognized Fernandeño territory, they sometimes contact the Band to reinter them at a different location and with songs and ceremony.[429] In 2004, Randy Folkes-Guzman, a tribal member, was appointed Tribal Monitoring Director and delegated managing of cultural resource management with state and federal agencies.[430] Over the next several years his department has worked toward protection, preservation, and promotion of the cultural heritage of the Band, including working on language for state legislation to protect Native burial grounds.[431]

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[425] Doc. 80002.WW; 80505.E.FTC; 80505.C.FTC; 80587.A.FTTC
[426] Doc. 0076.D.FTO
[427] Doc. 80585.C.FTTC
[428] Doc. 80585.B.FTTC
[429] Doc. 80322.INT: DSJ: One of the places[Tapu Canyon], yeah. And the other places are, like I said, Santa Clarita and Lancaster also was part of our Native land. GF: Are there any people who are members of the tribe who are still associated with those places? DSJ: Yeah. Our tribe goes up there. As a matter of fact, we have to go... we're going to rebury some of our tribal members there in about another week, I think. That's what Rudy said. Cal-Trans was digging and they found some remains of two Native American people. So we're going to go back and dig and rebury them, and have tribal ceremony for them in a couple of weeks because they're tribal members. Archeologists found these bones and they go way back to the day. And that was in the Lancaster area. GF: Who will officiate at this reburial? DSJ: It'll be Rudy, Sr., Rudy, Jr. I'll be there also. And then we'll have another tribal member. We're going to do some ... we're going to rebury our people that they found. GF:Will there be a certain ceremony? DSJ: Always. GF: Will you design the ceremony yourself or will you draw on the things that were past down? DSJ: Yeah, things that were past down. We'll do a ceremony for them, and it's tradition. It's a traditional ceremony, which there'll be some songs involved and singing to the great grandfather, so we can rebury them. We'll have to rebury them the way they were buried. We're sure that that's how the ceremony songs were used. GF:Tell me where the ceremonial songs came from or how you know them. DSJ: They came down through family history. My grandmother, it was passed down to her and she passed it down to my father, and Rudy, Sr., passed it on to us. GF: Does that mean that you'll do the bird songs ceremony at the burial site? DSJ: Yes. We're going to do the digging first. We're going to do the traditional bird songs, and stuff, and then we're going to rebury our tribal members that were found ... GF:You learned them from your grandmother? DSJ: Yeah, my grandmother. She passed it on to my father and my father taught us the different songs, and stuff. Right now what we're doing is we're finding out more about our language. There's tapes up there. We're starting to get tapes now so we can learn more about our tribal language, and know it fluently so we can pass it on to our children. Right now we're going to archives in Oakland at the university, we're trying to get tapes so we can start learning and teach our children."
[430] Doc. 80585.B.FTTC; 80586.A.FTTC; 80587.A.FTTC
[431] Doc. 80589.B.FTBMI

In 2004 the Band formed a One Stop Emergence Service Center to provide temporary aid to low income Native Americans. The Service Center was established with a grant from the Los Angeles American Indian Commission, Los Angeles County, in cooperation with the State of California and originates as a Community Action Program (CAP) grant.[432] Also on February 5, 2004, the Fernandeño/Tataviam Band held its first annual "Night of the Stars" fundraiser. The event honored community leaders and raised money for education scholarships.[433] "The event honored community leaders Assemblyman Jerome Horton, Congressman Howard Berman, Morongo council member Mary Ann Andreas, City Council President Alex Padilla, and the Fernandeño/Tataviam Band's own Chief, Rudy "Little Bear" Ortega, Sr."[434] The Band offers two educational scholarships of $1000 each to any qualifying California Indian Student.[435]

If tribal members cannot raise enough money for funeral expenses for a family member, then community members gather to wash cars to raise money. In 2006, the members in the Lancaster-Palmdale area organized a car wash to help pay funeral expenses for a recently deceased tribal member, and a similar event took place in San Fernando during the same year.[436] In recent years, the tribal nonprofit maintains a fund to assist tribal members with burial expenses.[437]

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[432] Doc. 80585.C.FTTC; 80585.E.FTTC; 80591.A.FTBMI

[433] Docs. 80585.F.FTTC; 80585.D.FTTC; 80589.E.FTBMI;

[434] Doc. 80585.D.FTTC

[435] Doc. 80586.A.FTTC; 80567.A.FTTC

[436] Doc. 80311.INT: Rudy Ortega recounted, "That was one of the traditions. And then also they had car wash for some family that was hard up for a burial, one of the families. So they had car wash. And a lot of our people used to get together and go do the car wash. DC: Okay. That was to raise money for families, for community members, sort of like a mutual aid society. ROS: Uh-huh. And they still do it. In Lancaster, my son did it for his wife two years ago. DC: What did they do? ROS: They did car wash up in Lancaster, some of the members up there. They live up there in Lancaster and Palmdale. DC: And that was to benefit her for? ROS: They got together to go wash cars. DC: So they washed cars because she needed some money? ROS: They needed the money to bury her. DC: To bury her. Oh, okay. So that's a big event for the community when anyone dies. ROS: Right. DC: So everyone contributes. ROS: Oh yes. When they don't have the money, they don't have insurance, they do that. They did it here in San Fernando. A year ago or two years ago, they did two car washes for a death of one of the Tataviam people."

[437] Doc. 80313: "Like now, I told Rudy, I said, "If anybody passes away and they come and ask for money, tell them you will give them money, that we have a fund for that. We send two hundred dollars down, but you send it to the funeral home. Don't give it to them. Or if the man comes or an elder gentleman, a son that's like an elder or 50 years old, 40 years old, don't give them the cash. Tell him you'll send a check to the funeral home. Because a lot of times what they'll do is they'll go ahead and drink it. And they have nothing for the funeral home. So never give the person the money. Even the women, if the mother comes with the daughter, don't give them the money. If they come, you make them out a check to make it up to the funeral home. Tell them what's the funeral home that it's in. You make the check to the funeral home. That's how you do it." He said, "Okay, dad." I had to teach him. And he learned. He learned fast. GF: In the old days, do you think that they had a fund where they collected a little bit from each person for the funeral? ROS: No, no. That I can recall, no, they didn't. Say like a coffee can, they put the money in there and save it. No."; See also Doc. 80315.INT: "KS: And I think if we really needed anything else, they'd probably make a way. And death. Sometimes when someone passes away, they pull out a fund that helps out a little bit. GF: Can you tell me how the fund works? Do they pass it out at a wake or what do they do? Do they call people? Or pay them? KS: They write a check to the funeral home. With a certain amount of money, whatever they can afford to pay. Which you know we're not fairly (federally) recognized so it's not like we have all kinds of funds. Maybe if we were, they'd be able to help a lot. Well, people probably wouldn't even need it. Maybe, maybe not. But they do help out with that. They do have that program. If we ever need to come and do something or write up something or look for a job on the computer, they're always saying, go ahead, just come in. So that's good to know."

During the early 2000s, the tribal leadership reorganized the non-profit and separated the combined boards of the band council and the non-profit Board of Directors. In early 2005, the Tribal Senate "approved the Tribal Non-Profit Council to separate from the Tribal Government. Today the Non-Profit Council is comprised of nine members, three are appointed by the Tribal Senate, two voted on by Tribal members, and the native community votes four members onto the Board of Directors."[438] Elections for members of the board were held in 2005. Meetings of the Board of Directors of the Tribal Non-Profit Council were held on the third Thursday of each month[439] In September of 2006, the Tribal Non-Profit Council decided to change the name to Pukúu, Cultural Community Services. The word Pukúu means "one" and implies service to "One Native American Indian Community." The Council's intent was to serve many Indian community members, from many tribes, who were living in the San Fernando and Los Angeles area. The mission of Pukúu is to pursue grants, government contracts, and foundation donations for growth in the non-profit and its program and services."[440] "Pukúu, Cultural Community Services, is a community based American Indian organization motivated to strengthen family and youth continuity. Compassionate for the tribal community and low-income neighborhoods of the Los Angeles County, the Fernandeño Tataviam Band of Mission Indians (the Tribe) has created this not-for-profit charitable organization to enrich Indian families and youth in the communities of need." [441]

The Fernandeño Tataviam nonprofit is currently engaged in a variety of projects to enhance the well-being and future continuity of the American Indian community. Some recent non-profit projects include: the Tujunga watershed environmental and cultural education project, development of Heritage Park with the City of San Fernando, building a Tataviam village for educational purposes at North Hollywood High School, supporting the First Nations Arthritis Self-Management Program in presenting a six-week workshop series, and formation of a one-stop emergency service center to provide for the needs of low income American Indians and Fernandeño Tataviam members, and others. Pukúu provides emergency assistance to those affected by California wildfires, wrote economic development grants, secured funding to teach Tataviam music and dance, and through fundraising events provides scholarships to California

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[438] Doc. 80587.B.FTTC

[439] Doc. 80589.F.FTBMI; 80589.A.FTBMI

[440] Docs. 80591.B.FTBMI; 80591.F.FTMI

[441] Doc. 80303.INT: "SO: The non-profit organization, you mean? GF Yeah. What's the difference between the functions between what the... SO: The non-profit organization, they're more into trying to get money donated to the tribe. The tribe's concern is staying away from all of that because they got more into the government to do. We don't go into asking for things like that. We have bigger things in trying to get tribal monitoring, so we can monitor some of these lands by the land development people, so they don't hide something behind us. We have contracts going out that way. We want to make sure that if anything is going to be dug, we want to be there. And the Pukúu, they're more into social gatherings than getting things ready for the members for the tribe. GF: What is the Pukúu? SO: That's the non-profit organization. GF: They do what? SO: They do the social gatherings. They get the picnics together, barbecues, dances, social gatherings. GF: When did that function of the tribe develop the non-profit as a separate entity? SO:Oh gosh, I believe it was when... no, I can't tell you when. I don't even think I was on board then when that happened, but I know it was before. So I've been on board already for three years, so I would say beyond that, and they have their own laws, too. GF: How can the trihal government can afford to operate? Do you ask dues of the members? SO: Our government is non-profit. There's really nothing coming in. It's just volunteer service. GF: So Rudy is volunteering and the senators are volunteering? SO: All senators are volunteers. Believe me, I would love to get gas money myself, but because this is my father and this is what I believe in, I am sacrificing a lot of my time, but I believe it's going to a good cause."

American Indian students.[442] Pukúu and the tribal government also distribute historical information about the Fernandeño Tataviam Indians and provide presentations, consultations, cultural sensitivity training, and information to public schools and programs.[443] Pukúu organizes and sponsors social events such as picnics, fundraisers, barbecues, dances and social gatherings for the Tataviam community.[444]

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[442] Docs: 80450.G.TFBMI; 80450.H.TFBMI; 80576.A.FTBMI; 80002.WW; 80591.A.FTBMI; 80591.D.FTBMI; 80592.A.FTBMI; 80592.B.FTBMI; 80592.C.FTBMI

[443] Docs: 80450.I.TFBMI; 80319.INT: "PS: I know they're seen as an entity in the community as an organization. The reason for that, at least for myself from my perspective, is that when, as the owner of the local coffee shop here in town, we wanted to do more of cultural arts events, I knew that they were present so I contacted them. And as I passed out flyers to let them know that we were going to have some cultural event here with the local tribe, it didn't meet with very much resistance. Like, you've got to be kidding, there's an Indian tribe here? But it was more like, oh, terrific, I've heard of them. There's always been a sense that tbey've been around. Now I think most people just haven't seen as many events. It takes a lot of work to put on some events and I don't think the community, in general, has concentrated on the Native American groups as much. They have to make their own noise. Because I think being a predominantly Hispanic community, the community and the leaders here kind of focus on Cinco de Mayo and Mexican Independence Day. But tben I contacted them to set up a date. We had a nice little turnout. And part of that cultural sensitivity, at least for my part, was understanding the spiritual side of the group. One of their leaders, Rudy Ortega, Jr., burned some sage. I had heard about it. And I've lived in this community for at least 40 years. I asked him about it. He said it's part of the customs. He did it and he explained to the group that attended what was going on and the cleansing. It was very enriching for me, as well as the people that attended. I think if you were to weigh it out, I think there's a stronger sense that the Native American group is an entity in this community more so than people pretending to be a group. Because there are coucrete reactions that, yeah, okay, I want to attend. Not like I didn't have to explain myself."

[444] Doc. 80303.INT: "SO: The non-profit organization, they're more into trying to get money douated to the tribe. The tribe's concern is staying away from all of that because tbey got more into the government to do. We don't go into asking for things like that. We have bigger things in trying to get tribal monitoring, so we can monitor some of these lands by the land development people, so they don't hide something behind us. We have contracts going out that way. We want to make sure that if anything is going to be dug, we want to be there. And the Pukúu, they're more into social gatherings than getting things ready for the members for the tribe. GF: What is the Pukúu?SO:That's the non-profit organization. GF: They do what? SO: They do the social gatherings. They get the picnics together, barbecues, dances, social gatherings. GF: When did that function of the tribe develop the non-profit as a separate entity? SO: Oh gosh, I believe it was when... no, I can't tell you when. I don't even think I was on board then when that happened, but I know it was before. So I've been on board already for three years, so I would say beyond that, and they have their own laws, too. GF: How can the tribal government can afford to operate? Do you ask dues of the members? SO: Our government is non-profit. There's really nothing coming in. It's just volunteer service. GF: So Rudy is volunteering and the senators are volunteering? SO: All senators are volunteers. Believe me, I would love to get gas money myself, but because this is my father and this is what I believe in, I am sacrificing a lot of my time, but I believe it's going to a good cause. GF:Let's say a casino could happen in the future, what would you envision? SO: For the tribe? GF: Mm-hmm. SO: I would envision a lot for the tribe and the members that hopefully if something came out to about like that that they would actually get the education because money would've actually been flowing in in here finally, the health care and everything that they need. Hopefully developing some kind of land or something for our own hospital or something like that, so they won't be turned away because they don't bave the functions of money. A lot of people is looking to bring their tribe out that way, so they can take care of their people. Half of our people are in poverty. We don't have anything."

See also Doc. 80322:GF: You learned them from your grandmother (Vera Ortega Salazar)? DSJ: Yeah, my grandmother. She passed it on to my father and my father taught us the different songs, and stuff. Right now what we're doing is we're finding out more about our language. There's tapes up there. We're starting to get tapes now so we can learn more about our tribal language, and know it fluently so we can pass it on to our children. Right now we're going to archives in Oakland at the university, we're trying to get tapes so we can start learning and teach our cbildren."

[redacted] explained the goals of Pukúu:

> "What we do with our tribe here as a non-profit chairman is to try to be self-reliant on our tribe only. I organize different gatherings and stuff to raise money for our tribe, so we can be self-reliant right now. And we have a lot of gatherings for our tribe. We have a lot of things. We try to get together with our tribe, and what we do is we have gatherings, we eat, and then we have games with the children. We have games. We ask the children questions, who is the Tataviam people? Who are they? What does the name mean? If the kids answer right and say people facing the sun, then we'll give them a hat or we'll give them a T-shirt, and stuff like that. We're teaching our children to know what the So when we have gatherings like that we give questions out to the children, and we give them prizes if they get the correct answers. So I think that's a good thing for the children to know . GF: How frequently do these...DSJ: We have them three times a year, maybe more. We had lots of socializing together and we had a lot of family gatherings. GF: In addition to those three events? DSJ: Yes. GF: Tell me about the other kinds of events. DSJ: What we do is... the other events is to raise money for our tribe, and we have music and stuff, and we have conferences. We invite other major businesses and stuff, and we invite them and stuff to come to our conference. We have traditional songs from our tribe. We also have storytelling and stuff. GF: Can you tell me about the songs? Who sings them? Where do they come from? DSJ: These songs came from our ancestors. I would say Santa Clarita, Valencia area, and stuff. Our tribe used to get together. They used to have the same thing, gatherings and stuff like that, and you may have bird songs, which would be certain kind of shakers that our tribe would use to... before they sang that our tribe would use to before they sang, and these songs were songs of the tribe being together and recognizing who they are, and stuff like that. They would always have these bird songs. GF: Who is the chief singer of the bird songs? DSJ: Rudy Ortega, Sr. And we have a couple of the tribal members also that sing. GF: Could you think of their names? DSJ: One's [redacted], also. GF: You? DSJ: Me, Rudy and we also have another tribal member also, and his name is ([redacted]?) also. GF: Who taught you guys the bird songs? DSJ: My grandmother taught -- GF: That would be your grandmother? DSJ: Vera. My grandmother Vera. She taught some of the family the bird songs. She taught my dad and my dad and Rudy learned it, Rudy, Sr., and then Rudy taught us. GF: So Vera taught Rudy, Sr., she taught your dad, [redacted] DSJ: And they taught me. And our fathers taught us … "[445]

For photographs of the community events, tribal gatherings, and tribal meetings during the 2000s see the footnote below.[446]

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[445] Doc. 80322.INT;

[446] For photographs of community gatherings--band meetings during the 2000s see the following documents and the associated citation-coding tables for names of events and individuals in the images: 80682.A.FTO; 80683.A.FTO; 80691.A.FTO; 80692.A.FTO; 80693.A.FTO; 80700.A.FTO; 80701.A.FTO; 80702.A.FTO; 80703.A.FTO; 80704.A.FTO; 80705.A.FTO; 80706.A.FTO; 80707.A.FTO; 80708.A.FTO; 80709.A.FTO; 80710.A.FTO; 80711.A.FTO; 80712.A.FTO; 80713.A.FTO; 80714.A.FTO; 80715.A.FTO; 80716.A.FTO; 80717.A.FTO; 80718.A.FTO; 80734.A.FTO; 80735.A.FTO; 80736.A.FTO; 80737.A.FTO; 80738.A.FTO; 80739.A.FTO;

The Band recovered a recording of Tataviam language from the Smithsonian Institution and some members are studying the songs. Tataviam tribal members perform by singing Tataviam songs at events and for cultural demonstrations. The project is part of a broader plan to recover more of the Tataviam language.[447] The band participated in the construction of Heritage Park in San Fernando, and built traditional Tataviam houses for high schools as part of providing cultural education to local students.

The current Fernandeño Tataviam Band of Mission Indians can be described, according to the California anthropologist Albert Kroeber's definition, as a tribelet composed of identifiable cooperative but relatively autonomous lineages. The lineages have survived despite the loss of collective territory and the current prevalence of market economy. The contemporary Fernandeño Tataviam government works in a radically changed economic, political and cultural environment from pre-mission times, but nevertheless retains lineage-tribelet organization, political culture, while making some organizational changes over the past fifty years such as adopting bylaws and a constitution, which make the Fernandeño Tataviam government more compatible with current conditions. Despite radical change in urban and economic and political environment, a tribelet political and social order persists based on cooperative and consensual ties among constitute and relatively autonomous lineages. The social and political institutions of the contemporary Fernandeño Tataviam Band remain remarkably similar to their history and traditions.

The name for the Fernandeño Tataviam Band of Mission Indians is designed to indicate that the band government includes only a portion of the possible descendants of the San Fernando Mission Indians. Several other bands of San Fernando Mission Indians are active at Tejon, Newhall, and Oxnard-Ventura, and each of those communities have their own specific recognition efforts particular to their own lineage and village ancestries. This form of regional decentralized political organization reflects the social and political patterns that trace back to the pre-mission period. The Fernandeño Tataviam Band of Mission Indians is composed of three

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80740.A.FTO; 80741.A.FTO; 80742.A.FTO; 80743.A.FTO; 80744.A.FTO; 80745.A.FTO; 80746.A.FTO; 80748.A.FTO; 80749.A.FTO; 80750.A.FTO; 80751.A.FTO; 80752.A.FTO; 80753.A.FTO; 80754.A.FTO; 80755.A.FTO; 80756.A.FTO; 80757.A.FTO; 80758.A.FTO; 80759.A.FTO; 80760.A.FTO; 80761.A.FTO; 80762.A.FTO; 80763.A.FTO; 80764.A.FTO; 80765.A.FTO; 80766.A.FTO; 80767.A.FTO; 80768.A.FTO; 80769.A.FTO; 80770.A.FTO; 80771.A.FTO; 80772.A.FTO; 80773.A.FTO; 80774.A.FTO; 80775.A.FTO; 80776.A.FTO; 80777.A.FTO; 80778.A.FTO; 70068.A.FTO; 70127.A.FTO; 70128.A.FTO; 70129.A.FTO; 70130.A.FTO; 70131.A.FTO; 70132.A.FTO; 70133.A.FTO; 70134.A.FTO; 70135.A.FTO; 70136.A.FTO; 70137.A.FTO;

[447] Docs. 80589.B.FTBMI; Doc.80310.INT: "GF: We might as well include this. You were saying that your son got a recording from the Smithsonian. Could you say that again? D: Yes. I believe Rudy, Jr. is the one who got the tape from the Smithsonian. It's in Native tongue. So my son... they rerecorded it so my son could learn it. So he's one of our singers in the tribe. He's 24. My younger son is 20, he also sings with him on occasion. Pamela has sung on two occasions. Together also. So we're trying to bring back traditions, so they know some words. We have a park opened in the City of San Fernando called Heritage Park. It's to honor all the different ethnic groups who contributed to the City of San Fernando over the century. There's a Japanese tea garden. There's also an honorarium to our family there. And, hopefully, in the future my son and others in the tribe are going to help to build two Native houses. We're waiting for the weather to get better, so it could be spring through the summer to help, and we're hoping that kids from the local junior high school can come out. It's going to be a learning activity for the children at the school, too, to know the culture of the land and the experiences. So we're waiting for the weather to change."

lineages that have historical and community ties primarily from the lineages of Chaguayabit (Chaguayanga), Cabuepet (Cahuenga), Tujubit (Tujunga), and Suitcabit (Encino). The Band is composed only of those persons and families from the three lineages identified as San Fernando Indians in the 1928 and 1972 rolls. There are 264 members, and most members currently live in the San Fernando Valley area. Some who enrolled as San Fernando Mission Indian in the 1928 and 1972 judgment rolls had strong ties to Chumash and Kitanemuk communities, and most of those families joined the communities at Tejon, Newhall, or Oxnard-Ventura.

In an American sense of bilateral ancestral reckoning these main lineages contain ancestors from Chumash, Tataviam, and Tongva cultural and language groups. There are no ethnically homogeneous identities or groups in the San Fernando Mission Indian region, at least according to American lineal reckoning. Lineages were exogamous, and people were required by normative rules to marry into other lineages without prejudice about ethnicity or language. Consequently, in the contemporary period and with the adoption of American bilateral descent rules, rather than strictly patrilineal Takic or matrilineal Chumash traditional rules, families and individuals can chose from a range of identities and historical and contemporary lineage and community relations. Marriage patterns continue to follow a pattern consistent with pre-mission emphasis on exogamy, or marriage outside of the group. There are virtually no marriages within lineages, and very few marriages between members of the lineages within the community. Most marriages are with individuals outside the community. Some marriages are made with people from American or Mexican Indian communities, and a few with members of other California Indian communities. As in pre-mission times, exogamy is seen as a way of gaining knowledge, economic resources, and political and social ties within a changing economic, political, and social environment.

Rudy Ortega began to organize a cultural club for the Fernandeño Tataviam community at the urging of his aunt Vera Ortega Salazar, who wanted to create a platform for telling stories, singing songs, and preserving tribal culture and community. Since then the Fernandeño Tataviam community has operated a non-profit organization to provide services and cultural education to the local Indian community. The development of a community cultural club spans over sixty-five years. Rudy Ortega, Sr. recounted his early efforts:

> Before the war, when they made me the leader of the organization, well, we actually didn't have enough to say that we were Mission Indians yet. I was still working on the genealogy part. DC: Right. So who was this group then? Who was this group that you were meeting with? ROS: It was my people. DC: And that was what? ROS: I was feeding them what I had already. DC: So these were people that always went to the festivals and always went to the events? ROS:Yeah. DC: How many were there about that time that actually showed up? ROS: That actually showed up there were about 20, 22. Something like that would show up. DC: And these were sort of like leaders in their families and stuff? ROS: Yeah. And if you want to learn more about your culture, because they said their families never knew anything about who they were or nothing. So being that I was doing all the work that I had the knowledge to give them if they wanted. I says fine. So we started meeting in the halls. And then.... DC: How often were you meeting in those days? ROS: We were meeting twice a month

> then. DC: That was before the war. ROS: Yeah. That was before the war. DC: And at first you didn't meet at the place where you were working, but you were meeting at people's houses, at your house? ROS: Not till after the war when I got back. DC: But before the war, you were meeting where? ROS: No. We were meeting at the house. At my house we were meeting. Until after the war when they drafted me and I went in the service. Then we started meeting at the house.[448]

The non-profit was an outgrowth of previous family and lineage based traditions of sharing and taking care of those in need. Families, lineages, and leaders often gathered resources and redistributed them to those in the local Indian community who needed them. While these efforts usually were aimed at the needy members of the Fernandeño Tataviam community, help also was given to members of other tribal communities, who increasingly appeared in the San Fernando Valley community. The San Fernando Inter-Tribal Council Inc. was created in the 1970s and formalized the Fernandeño Tataviam community efforts to provide mutual support among the families and within the more general Indian community. The non-profit status enabled the Fernandeño Tataviam community to qualify for grants and other sources of funding. Before the 1970s, captains were responsible for raising funds and goods for helping the needy. Gathering toys for distribution to needy children during the Christmas season was a common effort. Since the early 1970s, the non-profit organization, currently known as Pukúu Cultural Community Services has managed many of the social and charitable fundraising activities for the local community.

Summary (1951 thru 2009)

During the 1951 thru 2009 period, most Fernandeño/Tataviam community members lived in the northeast portion of the San Fernando Valley. At the end of the 1940s, most members lived within 3/4 mile radius from the old town section of San Fernando. After the 1940s, tribal members became more mobile, and some moved out of the old town San Fernando into other nearby neighborhoods. In 2009 the large majority of Fernandeño/Tataviam members continued to live in the San Fernando Valley, and most live within a five mile radius of old town San Fernando, within a similar radius with the historic San Fernando Mission buildings and the Indian cemetery at the old mission. The organization of the Fernandeño/Tataviam community remains fundamentally the same as it has through history. The primary social relation among Fernandeño/Tataviam members is, as it has been through time immemorial and through recorded history, relations based on patrilineal kinship groups. The gatherings and social interactions were conducted through family gatherings, dinners, holidays, festivals, and critical life events such as births and deaths. Political organization cannot be separated from social organization, or the coalition of families (Ortega, Ortiz, and Garcia) that constitutes the community. All three major lineages that compose the present-day Fernandeño/Tataviam community can be traced to lineages in the pre-mission period, and lineage alliances and relations can be documented from the pre-mission and mission periods. The three lineages have long standing historical alliances and relations, although they still tend to act in social and political autonomous ways. Political organization by kinship groups managed family affairs as the cultural club developed into a nonprofit that was legally and bureaucratically capable of attracting and managing local, state,

[448] Doc. 80311.INT

and federal grants for the benefit of tribal members and needy people in the neighborhood. The nonprofit organization, initially the San Fernando Valley Intertribal Inc., (Club, sometimes) enabled greater capabilities to work with American legal and economic institutions, and with local government organizations.

The three lineages compose both the community and polity of the Fernandeño/Tataviam Band of Mission Indians. The lineages remain exogamous, as in tradition, and marriages are generally with people outside all three lineages. There are some exceptions with a few marriages between members of the Ortega and Ortiz lineages, and between the Ortega and Garcia lineages. Leadership patterns, social and political processes continue to rely on traditional family-kinship patterns. The largest Ortega lineage comprises several lines with different names such as: Verdugo, Newman, Tapia, Salazar, and Ortega. Most active members of the Fernandeño/Tataviam community understand the distinctness and autonomy of the lineages, which are the defining characteristic of the community both historically and during present-day. Kinship relations form the basis of community. The coalition of kinship groups forms the Fernandeño/Tataviam community, which through the tribal government, lineages, and non-profits, organize social and community events for the preservation of community, culture, and to work toward tribal recognition.

The Fernandeño/Tataviam community members constitute a distinct social-political grouping not only because of the reliance on ancient lineage group organization, but also because they have adapted to change in distinct ways. Most Fernandeño/Tataviam members were living before 1950 in the old town of San Fernando or Santa Clarita. The San Fernando Mission Indians lived in the Mexican parts of town, such as old town San Fernando, called "Sonoratown" by newspapers reporters and city officials.[449] Yet they were distinct from the Mexican Spanish-speaking communities among whom they lived, and they maintained language, dress, cultural and kinship identities and lifestyles that distinguished them from both Mexican and American communities. The San Fernando Indians learned to speak Spanish for practical everyday purposes, but usually did not write or read Spanish. Most San Fernando Indians living in San Fernando town spoke English, and their children were taught to read and write English. Most San Fernando Mission Indian families either talked an Indian language at home, or adopted English, rather than Spanish as their main language of use. Antonio Maria Ortega spoke Tataviam, and many of his children spoke it with other adults, but did not teach the next generation, so that they would learn and use English. The children were conscious of the use of an Indian language by their elders, and it helped form their Fernandeño/Tataviam identities, even though their parents did not teach it to them. Non-Tataviam recognized the distinct culture of the Fernandeño/Tataviam community members and their origins in the San Fernando Mission.

The Fernandeño/Tataviam elders as late as the 1930s continued to dance and dress in tribal regalia. Community members participated in city and San Fernando Mission, and started to create their own festivals in the 1950s. The community continues to have regular social events throughout the year which includes picnics, dinners, dancing and singing, powwows, cultural exhibitions, fund raisers, as well as political meetings. Many community events extended the family events that continued and had prevailed previously.

[449] Docs: 80558.A.SUN and 80558.B.SUN

Addressing the Criterion for Community for the 1952 to 2009 Period

This section directly addresses the criteria for § 83.7(b)(1), as documented in the above narrative for the 1952 to 2009 period. During this period, the petitioning group satisfies several criteria for community.

§ 83.7(b)(1)(i)
Significant rates of marriage within the group and/or as may be culturally required, patterned out marriages with other Indian populations.

The rule of lineage exogamy continued to be observed for almost all marriages. A couple of members from the Ortiz and Ortega lineages married. Some members married other Indians, but there are no normative restrictions to marry only Indians, and most marry non-Indian individuals within an increasingly urban and diverse San Fernando Valley population. Marriage with non-local Indians and non-Indians became common for both males and females. The children of such unions have been considered lineage members. The marriage patterns of the petitioning community conformed to the general marriage patterns of Indian communities throughout southern California, to the traditional Fernandeño norms of seeking advantageous social, economic, and political marriages outside the lineage group. The old rules were applied to the new circumstances. See pages 104-105, 124-126, and the genealogy data.

§ 83.7(b)(1)(ii)
Significant social relationships connecting individual members.

The family and traditional lineage ties continued into the 1952 to 2009 period and help maintain community relations among the Ortiz, Garcia, and Ortega families. The families remained autonomous within a tribal coalition. Starting by the latter 1940s, the band members began to meet in more regular often quarterly intervals and not necessarily always during holidays or family events. The idea of forming a social or cultural club emerged in the early 1940s. The effort to establish a culture club featuring Fernandeño Tataviam culture resulted in meetings and organization that complemented and extended the family gatherings. The culture club was adopted as a formal nonprofit entity in the early 1970s and continues to the present as a major community organization for supporting education, fund raising, redistribution of resources, and the organization of social and cultural events among community members. See pages 38, 68-70, 92-115, 117-121, 125-126.

§ 83.7(b)(1)(iii)
Significant rates of informal social interactions which exist broadly among members of a group.

The continuity of lineage kinship and family relations suggest frequent and active social interaction among the lineage ancestors during the 1952 to 2009 period. Families held dinners and shared holidays like Christmas and New Year, and the nonprofit began to organize a variety of community benefit meetings, social events, cultural events, where family members participated in social and political meetings and organization. The non-profit organization and regular family gatherings became more frequent, often on a quarterly basis. The regular family activities and non-profit organization meetings were times for cultural exchange, elders

organized activities and games for children, while the adults carried on political, nonprofit, and social business at the gatherings. Before the adoption of a formal constitution in 2002, the family gatherings were similar to the traditional lineage "Big House" gatherings for ceremonial and social occasions where lineages decided social and political issues. Before 2002, elections were conducted within the quarterly family gatherings, but under the new constitution, formal elections are held with submission of ballots. The community was composed of a coalition of autonomous lineages bound together by agreement and specific kinship and social relations. The lineages were identified as the Ortiz, Ortega, and Garcia families, although the Ortega lineage had proliferated into several relatively autonomous lineages commonly known as the Verdugo, Tapia, Salazar, Ortega, and Newman families. See pages 75, 80, 93-94, 96-102, 105-113, 114-115, 117, 119-124.

§ 83.7(b)(1)(iv)
Significant degree of shared or cooperative labor
or other economic activity among the membership.

After dispossession from the land, the community members took up labor as artisans, laborers, farm and ranch hands, and became part of the labor force within the Los Angeles County market economy. Tribal members adapted to changing economic conditions. The men generally worked in construction, general labor, and find employment in a variety of local industries. Among younger people there are increasingly more professional people, some college graduates, among both men and women. The work pattern reflected the urbanized market economy of the San Fernando Valley and regional economy. See the individual history reports for tribal members from the genealogy files.

§ 83.7(b)(1)(v)
Evidence of strong patterns of discrimination or other social distinction.

During this period extreme forms of discrimination of the past became much less common. Tribal population increased significantly, and people started to move to nearby towns in eastern portion Fernando Valley, and over the last two decades to Santa Clarita, and Palmdale areas, which are considered traditional territory. The anti-poverty programs and civil rights movement of the 1960s and 1970s provided greater economic and educational opportunities to band members. Tribal members participated in pan-Indian organizations, powwows, and anti-poverty programs and used the resources to build their own non-profit Indian center and to organize band social and political activities. The Band increased its visibility as an Indian community in the region. After 1950, reduced discrimination and access to more resources enabled the petitioning community to build stronger and more visible nonprofit organizations, political bylaws, and a constitution, and gain greater external recognition. See the external recognition entries for 1950 thru 2009 period in 83.7(a). See pages 71, 74, 96, 100-103, 106-107, 110-112, 126.

§ 83.7(b)(1)(vi)
Shared sacred or secular ritual activity encompassing most of the group.

During the 1952 to 2009 period, most members of the petitioning community were at least nominal Catholics. Most families participated in Catholic baptisms, godparenting, and Catholic

weddings, while some others have branched to other Christian denominations. In recent decades, community meetings have taken place during summer and winter solstices and seasonal equinoxes, and members of the community have taken more active and visible roles in ceremonial activities, singing of bird songs-a set of songs telling parts of a creation story, and other blessings. See pages 69, 85, 99-100, 104, 111-112, 115, 117-118, 122.

§ 83.7(b)(1)(vii)
Cultural patterns shared among a significant portion of the group ...

While having generally Spanish names and often living in Spanish speaking neighborhoods, tribal members spoke Spanish mostly to get along within their the people within their neighborhoods, but generally preferred to speak English. The younger generations tended to speak less Spanish and used English, the language of the San Fernando schools. Most band members did not take up Mexican or Spanish culture, and maintained their own tribal identity. The cultural identity, cultural activities, and the family relations of the petitioning community were known to many non-Indian people who lived in San Fernando. Many of the younger band members took up dancing and participated in powwows as dancers and in public performances. See pages 93, 96, 98, 100-101, 105-106, 111-112, 120-121, 125, 126.

§ 83.7(b)(1)(viii)
The persistence of a named collective Indian identity continuously over a period of more than 50 years notwithstanding changes in name.

During the 1952 to 2009 the petitioning community was known as Fernandeños, or Mission Indians, or Indians of San Fernando Mission. The padres in 1797 gave the name "Fernandeño" to the Mission Indians of San Fernando, by which name the Indians of San Fernando Mission have been known as ever since. The expression is still used today, and the petitioning group is known as the Fernandeño Tataviam Band of Mission Indians. Throughout the 1952 to 2009 period, several names were commonly used to identify the Mission Indians living and working within the town of San Fernando and near the San Fernando Mission. The three main lineages of the petitioning group were included in the name Fernandeño Indians, Indians of San Fernando Mission, or Mission Indians, which locally meant Indians from San Fernando Mission. During the 1950s the petitioning community adopted the name San Fernando Mission Indians. In 1976, the petitioning community adopted the name Fernandeño Band of Mission Indians, and in 1993 they adopted the current name Fernandeño Tataviam Band of Mission Indians. The petitioning community has been a named community for the past 50 years, if not for the past 200 years since the beginning of the Mission, and longer when considering the names of the autonomous lineages that still constitute the community. See pages 94, 96-99, 101-102, 104, 108-109, 122-123, 126-127.

§ 83.7(b)(2)

Section two states: A petitioner shall be considered to have provided sufficient evidence of community at a given point in time if evidence is provided to demonstrate any one of the following (subsections i-v). Evidence satisfying subsections i-v is discussed below.

§ 83.7(b)(2)(i)
More than 50 percent of the membership resides in a geographical area exclusively, or almost exclusively, composed of members of the group....

Over 50% of petitioning group members lived in or near San Fernando, and many more lived within traditional Tataviam territory in the Santa Clarita and Lancaster areas. While the San Fernando, Santa Clarita, and Lancaster areas were not exclusive to the petitioning community, the land is old Mission land, and most of the membership continues to live on traditional lands of the Fernandeño communities. They lost exclusive access to land, in part, because of US government's unwillingness to extend trust responsibility to them according to treaty and the Indian policy of the time. Most of the petitioning community continues to live on Mission lands, and/or Tataviam lands, although urban American communities have come to occupy the same territory. Despite much economic, social, and policy pressure to leave, the Fernandeño Tataviam community continues to live on the land their ancestors occupied from time immemorial. See pages 95-97, 109-115.

§ 83.7(b)(2)(iii)
At least 50 percent of the group members maintain distinct cultural patterns...

During the 1952 to 2009 period, at least 50% of the members of the petitioning community maintained distinct cultural patterns. Most band members speak English. Most band members preferred to use English, and some learned Spanish to communicate with the Spanish speakers in their neighborhoods. While the band members usually had Spanish names and often married Spanish speaking individuals, most band members did not take up Mexican-American culture, they often did not read or write in Spanish, and did not participate in the Mexican American holidays or culture. Most Fernandeño Mission Indians were nominal Catholics, and most were gainfully employed within the urban market economy, primarily as laborers, but a few professionals also are evident. Younger members took up public powwow and exhibition dancing, while in more recent decades bird singing and ceremonies at quarterly meetings are more emphasized. See pages 93, 96, 98, 100-101, 105-107, 111-112, 120-121, 123-126.

§ 83.7(b)(2)(iv)
There are distinct community social institutions encompassing most of the members ...

During the 1952 to 2009 period, the petitioning community maintained long standing social, political and kinship relations among members of distinct lineage groups. A distinct community was knit together through ties among the Tujubit, Suitcabit, Cabuepet, and Chaguayabit traditional village-lineages. Most contemporary members are descendants of the Ortega and Ortiz families, and they represent lineal ties, and strong relations between Suitcabit (Encino) and Cabuepet (Cahuenga). The relations between the Triumfo and Alipas families were carried on through the Joseph Ortiz and Antonio Maria Ortega families. In-law relations and godparenting relations between the Ortega and Garcia families reinforced long standing ties to Chaguayabit and interrelations with Tujubit. The community was composed of a coalition of autonomous lineages bound together by agreement and specific kinship and social relations. The families formed a unique network of social, cultural, political, and kinship relations. The petitioning community met during quarterly meetings, shared food, engaged in social events, elders taught

children, while adult conducted meetings about the social and political issues of the community. The families joined in collective action to form a nonprofit organization and after 1972 formed a standing board to help manage day to day issues. See pages 75-76, 80, 93-94, 96-127.

Conclusions for Community During 1952 to 2009 Period and Conclusions for the Entire Historical period From Precontact Thru to the 2009

The petitioning community satisfies most of the criteria for distinct community during the 1952 and 2009 period.

The petitioning community continues to live on traditional and/or Mission lands, and have lived on the same lands since time immemorial. While the land they live on is not exclusive, they lost ownership when their rights to trust protection based on Mexican, Spanish, and American law were not upheld. Combining all historical sections, the Band should be found to satisfy criterion 83.7(b)(2)(i) for all periods from before contact with the Spanish.

Throughout the entire historical period from contact to 2009, the petitioning community was formed of distinct coalition of lineages relations among Chaguayabit, Cabuepet, Tujunga, and Suitbabit. The present-day members and families continue as a coalition of families that trace their lineage to the earlier lineages and whom maintain continuing relations. One hundred percent of the band members reeognize family distinctions and are organized into a coalition of families. 100% of group members recognize and participate in the coalition of kinship relations. Credit should be given to the petitioning community for maintaining distinct cultural patterns in the form of a continuous and distinct coalition of kinship groups.

The community of the petitioning group is formed by a coalition of families' descendant from traditional alliances between distinct and autonomous lineage villages dating to the precontact period. The traditions of community gathering, socializing, ceremonies, and social and political decisions are continuities with the traditions and institutions of traditional society, but now transformed into contemporary conditions. The continuity of Fernandeño languages into the 20th century and the contemporary identity, practice of exogamy, regular kinship based social gatherings, continuous lineage-based kinship patterns, and contemporary language patterns satisfy the criteria for unique community throughout the entire historical period under consideration.

The petitioning community has been known as the lineage-villages of Chaguayabit, Suitcabit, Tujubit, and Cabuepet from before Spanish contact. The Spanish gave the name Fernandeño to the neophytes at Mission San Fernando, including the ancestors of the petitioning group. From the 1950s to 2009 the petitioning group has been known as Mission Indians, Indians of San Fernando, and took on their own names of San Fernando Mission Indians, Fernandeño Band of Mission Indians, and the Fernandeño Tataviam Band of Mission Indians. The petitioning group has been a named group or part of a larger named group, for over the last two hundred years, if not longer. The petitioning group should be given credit for a named group in all historical periods under consideration.

The petitioning community was subject severe social discrimination from the time of establishment of the Mission baptism record through to the 1950s. In the post 1960 period, the petitioning group was generally freed from overt discrimination and become increasingly visible in public events and clearly distinguished as an Indian community by external sources. The petitioning community was distinguished both positively and negatively by external groups, and was recognized as a distinct community through the entire postcontact period to the present.

The community interaction for the petitioning group is given in the historic kinship, godparenting, and witnessing traditions, as well as in the informal family or lineage gatherings during holidays and dinners, and for social and political discussions. During the past sixty years the members of the petitioning community or their leaders have met quarterly, and the leaders more often, in social gatherings, dinners, nonprofit organization activities, and ceremonial activities. Kinship organization and relations were upheld through the entire historieal period since contact and before. The petitioning community should be given credit for continuous social community interaction through the entire historical from before contact to the present.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (C)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(c)

CRITERIA 87.3(c)

§ 87.3(c) Fernandeño Political Influence

Criterion 83.7(c) requires that the petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present. Under the acknowledgment regulations, a petitioner must be an autonomous political entity, able to exercise significant formal or informal influence over its members, who in turn influence the policies and actions of the leadership. The regulations do not require that this political influence impacts all aspects of the lives of the members of a petitioning group. They do not require that the group influence people or governments outside of the group. Significant political relationships are more than those maintained in a social club or other voluntary organizations, in which leaders have authority over very limited aspects of an individual's life. The evidence must also show that there is a political connection between the membership and the action being taken. Groups that lack a bilateral political relationship between members and leaders do not meet criterion 83.7(c). Evidence that a small group of people carry out legal agreements or other activities affecting the economic interests of the group without political process or without the awareness or consent of those affected, does not demonstrate political influence under the regulations.

25 CFR § 83.1 provides "*Indian tribe*, also herein as *tribe*, means any Indian or Alaska tribe, band, pueblo, village, or community within the continental United States that the Secretary of the Interior presently acknowledges to exist as an Indian tribe."[1] It also defines *Indian group* or *group* as "any Indian or Alaska Native aggregation within the continental United States that the Secretary of the Interior does not acknowledge to be and Indian tribe." The definition is not an ethnographic or historical definition of tribe, but a legal definition based exclusively on recognition by the Secretary of the Interior. In this definition the social organization of the Indian tribes may vary considerably. The Fernandeños are a band or coalition of lineages that fits within the patterns of tribes already recognized.

The famous anthropologist A.L. Kroeber used an ethnographic definition of tribe when he said: "Tribes do not exist in California in the sense in which the word is properly applicable to the greater part of the North American Continent."[2] "In southern California, the mountain and desert

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[1] 25 CFR § 83.1.

[2] Doc. 00263.H.BL; 00264.A.BL: A. L. Kroeber explained: "The proposition is herewith submitted that more often than not in native North America the land-owning and sovereign political society was not what we usually call "the tribe, but smaller units … What was generally denominated tribes really are small nationalities, possessing essentially uniform speech and customs and therefore an accompanying sense of likeness and like-mindedness, which is turn tend to prevent serious dissensions or internal conflicts. The genuinely political units were smaller units -- corresponding rather to what is customary to loosely called "bands" or "villages." These were de facto self-governing and it was they that each owned a particular territory, rather that the nationality owned the overall territory. Ordinarily, the nationality, miscalled tribe, was only an aggregate of miniature sovereign states normally friendly to one another." Doc.: 00264.B.BL: "It was white contact, pressure, edicts, or administration that converted most American Indian nations or nationalities into "trihes," that is to say, "tribal status." It was we Caucasians who again and again rolled a number of related obscure bands or minute villages into the larger package of a "tribe," which we then putatively endowed with sovereign power and territorial ownership which the native nationality had mostly never even claimed. It was infinitely more convenient and practicable for us to deal with representatives of one large group than with those of ten, twenty, or thirty tiny and shifting ones who very names

peoples lived in lineage groups, each possessing a territory, a chief, and a fetish bundle or set of religious paraphernalia."[3] Each lineage held territory and maintained political and economic sovereignty over its local area.[4] The villages or bands, as the anthropologist Kroeber found, "were de facto self-governing, and it was they that each owned a particular territory, rather than that the nationality owned the overall-territory. Ordinarily, the nationality, miscalled tribe, was only an aggregate of miniature sovereign states normally friendly to one another."[5] He further explained that "[t]he characteristic political unit [in southern California] was a "clan" or "tribelet," consisting of a paternal lineage of males plus wives, usually with a separate territory, a chief and other officers, and a set of religious paraphernalia. It did not have a name apart from that for the kinship group or the locality ..."[6] Kroeber defined a tribelet as containing 250 to 200 people, and a lineage having 100 people or less.[7] He argued there are few tribes in California, but lineages tend to prevail in the arid desert and mountain areas and while tribelets were more frequent in the valleys, and both acted as miniature sovereign states over local territories.[8]

The villages commonly recognized in the literature and the San Fernando Mission records were not corporate entities, but rather were extended lineages.[9] Kroeber wrote,

> In southern California, the mountain and desert peoples lived in lineage groups, each possessing a territory, a chief, and a fetish bundle or set of religious paraphernalia (Strong, Aboriginal society in Southern California, UC-PAAE. 26, 1929).[10] Whose groups can be conceived either as clans or as tribelets, according

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and precise habitat often were not know. This was equally so whether treaties were being negotiated for trade, traverse, settlement or resettlement, land cession, peace, subsidy or rationing, administration of a reservation or abrogating or opening up a reservation. Generally we treated the nationality "tribes" as if there were sovereign state-tribes, and by sheer pressure of greater strength forced the Indians to submit to our classifications." Doc. 00264.J.BL: "The ethnic nationality is sure, as having been usual in most of the United States and Canada. So is the band-village-community-tribelet group. "The tribe" is a minority phenomenon. It might yet prove to be wholly a phenomenon of Caucasian contact, construal, pressure, or administrative convenience. This is at least a problem to be kept in mind." For more about tribal identities among California Indians see: Docs. 00206.A.BL; 00207.D.BL: "Tribal divisions were even more numerous than tongues; but closer scrutiny reveals that in almost every case what were at first called tribes are in reality nothing more than villages, or "rancherias," as, following Spanish usage, there are still generally called. In the absence of any federative principles or higher organization, these independent rancherias were the ultimate political units, and in one sense the tribes, of the California Indians. Of such village communities, each with its own chief, and each free to conduct war or negotiate peace at the will of its own members only, there must have been about one thousand in California."

[3] Doc. 00263.H.BL

[4] Docs: 00264.A.BL; 00206.A.BL; 00261.E.BL; 00261.F.BL; 00261.G.BL; 00261.I.BL; 00261.BL; 00261.L.BL; 00261.M.BL; 00261.P.BL; 00263a.B.BL; 00263a.D.BL; 80381.B.SFRDES

[5] Docs: 00264.A.BL; 00206.A.BL

[6] Doc. 00263a.E.BL

[7] Docs: 00264.E.BL; 00264.F.BL

[8] Docs: 00264.H.BL; 00264.I.BL

[9] Doc. 00206.A.BL

[10] Docs. 00267.a.C.BL; 00267a.B.BL: A. L. Kroeber wrote: "In 1929 Strong published a large volume on aboriginal society in southern California. This intensive and large-scale work confirmed and extended Gifford's observations. It established that where the clans had been little disturbed by removal to the Missions or by American settlement, as among the Desert Cahuilla, they were what are now called patrilineages, that is to say, groups of people who were related by descent in the male line and lived together. Strong established also that these groups were land-owning in the sense they had first rights to food products in certain territories which were theirs by tradition and heredity. He further showed that the chief was the religious head of this group in virtue of guarding an

> to the factor of consanguinity or autonomous territoriality is emphasized... I concur fully in Gifford's (Lineages) interpretations. Any seeming difference is due to the fact that he was concerned with showing the local lineage as the structural element historically underlying California societies, whereas I am dealing descriptively with the political or population units as actually found in certain areas only.[11]

Kroeber also wrote:

> Three or four autonomous lineages may have averaged about the same population as one tribelet. With 133,000 to 150,000 Indians in California in native times, we have seen that there would have been around 500 tribelets if that had been the only type of organization in the area. With only lineage organization prevalent, there would have been 1500 to 200 independent units. It is obvious that separate American dealings with these about reduction, removal, land cession, compensation and the like would have been interminable. The result is that sweeping condensations of native units were made, whether by Spaniards founding missions or Americans settling the land. These simplifications were imposed on the Indians, and not doubt against there will. They lived by custom in extreme fractionation and contentedly so. And that the holdings of most groups were tiny, did not make them the less their owners, by their standards or internal and international justice.[12]

Takic speakers like the Tataviam, Kitanemuk and Tongva had patrilineal, patrilocal, exogamous lineages, while the Chumash lineages were matrilineal and exogamous.[13] The various lineages intermarried for strategic economic and political ends and formed a loose coalition of social, economic, and ceremonial cooperation.[14] Language did not determine political or national organization, nor marriage patterns, or ceremonial exclusivity, or right to territory or political organization or political leadership. The ties extended not only to other lineages of the same linguistic group, but also to other lineages in the region, where social, ceremonial and associated economic exchanges and gift giving were essential ways to maintain access to regional foods and materials.[15]

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inherited package or bundle of ceremonial paraphenalia. Where Caucasion influence had been delayed or remote, as in the desert, these religious lineage heads were the only chiefs: there was no evidence in native times of subordination of several lineages under one chief or into any larger controlling group. Nearer the coast, in more fertile land, but where the Indians had been missionized, several lineages might inhabit the same settlement or village, although the lineages tended to retain, as lineages, food gathering rights over certain tracts..."

[11] Docs. 00263.H.BL; 00263.I.BL

[12] Doc. 00264.I.BL

[13] Docs: 80381.B.SFRDE; 80388.A.SFRDE; 00264.H.BL; 00264.I.BL

[14] Docs: 80360.A.SFVPP; 80381.B.SFRDE; 00355.A.HD; 30075.A.UCLA; 00353.B.HD; 00354.A.HD; 00354.H.HD; 30063.B.BL; 80005.B.CK; 80005.A.CK; 80003.Q.JJ; 80003.S.JJ; 80003.X.jj; 00123.A.FTO; 80002.WW; As one tribal member explained, "there were too many tribes taken into San Fernando. There's Tataviam from right here. Kitanemuk in Antelope Valley over on the Tejon Ranch. The Vanyume in Victorville, and the Yokuts/Yokotch in the San Joaquin Valley, and the Chumash people from the coast. And, of course, people in the San Fernando... called Fernandeños. They're part of the Shoshone people." 80305.INT

[15] Chester King has done an extensive amount of empirical on regional ties and intermarriages in the San Fernando Mission area. For a map see Doc. 80005.E.CK. For a discussion of marriage and other ties within the San Fernando

The Tongva, Kitanemuk, and Tataviam were western Takic speakers and they shared ceremonial, marriage relations, and economic exchanges. The Chumash spoke a language from a different language group than the Takic speakers. Nevertheless, the Chumash were engaged in the overall pattern of the region, and all groups probably had ceremonial, marriage, and political ties to lineages and villages that were both inside and outside the territories that would become annexed by San Fernando Mission.

Before the mission period, the lineage headman was the primary leader. There were no tribal councils or of chiefs with authority over the many regional lineages. "A successful chief was an ornament to his people and must conduct himself with considerable dignity when the situation demanded it. He had however next to no true authority. His role was supposed to be one of using moral influence on the side of wisdom and coordination, and of preventing dissension and trouble from coming up."[16] The community gathered within a ceremonial lodge and made decisions by collective agreement and consensus.

A. L. Kroeber observed:

> Before the Indians belonging to the greater part of this country were known to the Whites, they comprised as it were one great Family under distinct Chiefs. They spoke nearly the same language, and with the exception of a few words: and were more to be distinguished a local intonation of the voice than say anything else. Being related by blood and marriage, war was never carried on between them. When war was consequently waged against neighboring tribes of no affinity, it was a common cause.[17]

A variety of "chief" or leadership titles were used throughout the region. Certain names were titles of esteem, honor, and influence given to people of certain ancestry and persons possessing great knowledge of history, culture, ceremonies. Sometimes Americans acknowledged that leaders were "great wizzards." The name Chari [or Taari] was used among leaders of the Tataviam, Gabrielino, Serrano and their sons.[18] "The kika, nu and chari can perhaps be identified with alcaldes, and tcaka with translators or other social positions."[19] Some Western Gabrielino settlements used Nu or Canu [Cano]; kiki, Tomia or Chari.[20] Among the Fort Tejon Indians (some of whom were Fernandeños and who had family and social ties to ancestors of the petitioner) an important leader was named Taari. Other titles in the region were not found among our group's literature.[21]

Mission area according to the mission record see Doc. 80005.CK, pages 21-113, and Docs: 80005.E.CK thru 80005.Z18.CK.

[16] Docs. 00261a.E.BL; 00263.J.BL; 00263.K.BL;

[17] Doc.30071.A.UCLA

[18] Docs: 00083.V.FTO; 80005.D.CK; 80005.D2.CK; 00263a.D.BL;

[19] Doc. 0083.Z08.FTO

[20] Doc. 00083.Z02.FTO

[21] Doc. 00083.W.FTO; 00083.Z.FTO; 00083.Z01.FTO

The title-name of Tomiear (Tomiar) was used among the Kitanemuk, Tatavim and Gabrielino and is presently used among the Fernandeño Tataviam Band of Mission Indians. The title of Tomiar (Tomiear) was equated with captain, the Spanish term for a lineage headman.[22] Among the Band's lineages at Cahuenga and Siutcabit, some chiefs were called Chari.[23] At the Tataviam village of Tochonanga, the expressions of Mu, Nu, and Nuguit were leader titles, while the people at Chaguayanga employed the title Genu. At Tujunga, the names Nu and Cunu were chiefly titles. [24]

Hugo Reid observed:

> "The government of the people was invested in the hands of their Chiefs; each Captain commanding his own lodge. The command was hereditary in a family. If the right line of descent ran out, they elected one of the same kin, nearest in blood. Laws in general were made as required, with some few standing ones. Robbery was never known among them. Murder was as rare occurrence, and punished with death. Incest was likewise punished with death: being held in abhorrence, that marriages between kinfolk were not allowed. The manner of putting to death was by shooting the delinquent with arrows ... If a quarrel ensued between two parties, the chief of the Lodge took cognizance of the case, and decided according to the testimony produced. But, if a quarrel occurred between parties of distinct Lodges, each chief heard the witnesses produced by his own people: and then associated with the chief of the opposite side they passed sentence. In case they could not agree, an impartial chief was called in, who heard the statements made by both, and he alone decided. There was no appeal from his decision. Whipping was never resorted to as a punishment; therefore all fines and sentences consisted in delivering money, food, and skins. Until the age of puberty, they were under the control of their parents; in default of these of their nearest relatives. But from the age of puberty upwards they came under the jurisdiction of the chief[25] ... If a seer or wizard (they have no witches) was known or suspected of having made away with anyone, the chief had not jurisdiction over him, because he conversed with the Great Spirit. But other seers could do him the damage they saw fit, in their capacities as such.[26]

The lineages of southern California, and in particular the Chumash, Tataviam, Tongva, and Kitanemuk, exercised power over territory, maintained self-government, managed a judicial system, and maintained a network of social, economic and political ties to other lineages over an extensive area.[27] The lineages survived as the major form of social and political organization

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[22] Doc. 00083.X.FTO
[23] Doc. 80005.D2.CK;
[24] Doc. 80005.D2.CK; 8005.D3.CK
[25] Doc. 30073.A.UCLA.
[26] Doc. 30073.B.UCLA; 30076.B.UCLA. See also: Doc. 000354.F.HD
[27] Doc. 00263.a.E.BL; 00264.F.BL; 00264.C.BL; 00264H.BL; 30034.B.BL; 00264.K.BL "The total is this. The more we review aboriginal America, the less certain does any consistently recurring phenomenon become that matches with our usual conventional concept of tribe; and the more largely does this concept appear to be a white man's creation of convenience for talking about Indians, negotiating with them, administering them -- and finally

through the mission period, and are a primary form of indigenous organization among the Fernandeños to the present-day.

Addressing the Criterion for Political Influence Over an Autonomous Entity During the Precontact Period

Criterion 83.7(C) requires: "The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times to the present."
This section directly addresses the criteria for 83.7(c), section 1, as documented in the above narrative for the precontact period. During the precontact period, the petitioning group satisfies most criteria for political influence over an autonomous entity.

Autonomous Entity

The anthropological literature and historical source material says that lineages are "mini-states" that control land, have specific political and religious leadership, manage internal judicial relations, and are known by no other names than their lineage-village names. The lineage-villages are politically, economically, ceremonially and kinship-based autonomous groupings. The lineages satisfy the definition of "autonomous entity" required by the regulations. See pages 2-4, 6.

87.7(c).1 (i)

The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

The lineages controlled local territory, which was collectively owned, and utilized by the group for collective subsistence and economic ends for the entire lineage. See pages 2-3, 5.

87.7(c).1 (ii)

Most of the membership considers issues acted upon or actions taken by group leaders or governing bodies to be important

Lineage leaders were recognized for political and ceremonial leadership and had powers over adults. See pages 5-6.

87.7(c).1 (iii)

There is widespread knowledge, communication and involvement in political processes by most of the group's members.

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impressed upon their own thinking by our sheer weight. it cannot yet be fairly affirmed that the current concept of tribe is wholly that. But it is certainly is that in great part; and the time may have to come to examine whether it is not overwhelmingly such construct. The larger nationalities, ethnic by non-political, are sure. So are smaller unites, whether they are called villages, bands, towns, trihelets, lineages, or something else -- and they no doubt varied regionally in kind and function. On the whole, it was these smaller communities that were independent, sovereign, and held and used a territory. The tribe is the least defined and the least certain in the chain of native socio-political units."

All adults were engaged in lineage decision making. The rules of political participation were well understood by all adult members of the lineage. See pages 4-6.

87.7(c).1 (iv)
The group meets the criterion in Section 83.7.(b) at more than a minimal level.

The group meets the criterion of Section 83.7.(b), see section B of this report.

87.7(c).1 (v)
There are internal conflicts which show controversy over valued group goals, properties, processes and/or decisions.

There is very little historical information available about internal political controversies during the precontact period. Some stories indicate various controversies and divorce proceedings. The recorded historical material suggests that controversies or quarrels were adjudicated by the lineage headman. See page 5.

83.7.(C).2
A petitioning group shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders and/or other mechanisms exist or existed which:

83.7.(C).2.(i)
Group leaders and/or other mechanisms exist or existed which allocate group resources such as land, residence rights, and the like on a consistent basis.

The lineages held first rights to harvest on their territory. The land was used collectively by the entire lineage. Food gathered was shared within the lineage group. The leaders, if necessary, distributed resources to those in need. See pages 2, 4, 6 and Doc. 80362.B.SFVPP.

83.7.(C).2.(ii)
Group leaders and/or other mechanisms exist or existed which settle disputes between members or subgroups by mediation or other means on a regular basis.

Lineage leaders resolved disputes within each lineage. Disputes between lineages were resolved by discussion between the leaders of the two lineages. If two lineages could not resolve a dispute, then a third lineage leader, from a third lineage, was called to resolve the issue. His decision was final. Within each lineage, the decision of the lineage leader was final and there was no higher appeal. See pages 5.

83.7.(C).2.(iii)
Group leaders and/or other mechanisms exist or existed which exert strong influence the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

Group leaders enforced rules, and had authority in spiritual and political affairs. The lineage leader had the power to adjudicate disputes within the lineage, and negotiated disputes with other

lineages. All adults,, persons past the age of puberty, were under the authority of the lineage headman and group leaders. Group leaders made decisions about breaking of the rules, and for some infractions, such as incest within the lineage, persons were put to death by shooting them with arrows. The community and group leaders made rules for the lineage as they thought were necessary. See pages 5-6.

83.7.(C).2.(iv)

Group leaders and/or other mechanisms exist or existed which organize or influence economic subsistence activities among the members including shared or cooperative labor.

The lineage groups retained collective land where other lineages recognized their rights to first harvest of hunting or plant life, and well as resources such as water. The members of lineage groups worked cooperatively and pooled the fruits of their labor for collective distribution. See Doc. 80362.B.SFVPP and page 3.

83.7.(C).3

A group that has met the requirements in paragraph 83.7(b).2 at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time.

We believe that the petitioning committee meets the requirements for paragraph 83.7(b).2 for the precontact period. See the section addressing the criterion for 83.7(b).2 in the B section of this petition.

Mission Period 1797 to 1846

When Indians were recruited to San Fernando Mission, acceptance into the mission community required the ceremony of baptism. The padres, according to Spanish tradition, made written records of each baptism, and included when possible the names of parents, the lineage or village or origin. The holy fathers also indicated on the haptismal record whenever a man was known as captain or leader of a lineage or village. The record gives the names of all the captains who accepted baptism and moved to San Fernando Mission, at least 40 persons. The padres recorded many others with names of leadership, such a Mu, Nu and others, but most are not given any particular attention by the padres in the record. While the padres recognized each lineage or village by name, they appear not to recognize some of the leadership titles and gave special attention to the headman of the lineages.[28] The San Fernando Mission records, however, document the lineage and captains of the first generation of Indian haptisms. After the first generation, the padres recorded the birthplace as San Fernando Mission and did not record lineage names or leaders on the baptismal record.

The Band's ancestors are from the following lineages: Tujubit, Suitcahit, Chaguayabit, and Cabuepet. The lineage captains were recorded on the baptismal record for each of the four lineages. At Chaguayabit, the lineage leader was Chachaguyuba, who was given the Spanish name Francisco Xavier at his baptism in late 1802 at the age of 50. The padres recognized Franisco Xavier as "Capitan" of the Chaguayabit, and he died 1821.[29] The padres did not record

[28] See for example of Tochonabit recorded in Docs. SF Baptism #223, SF Baptism #149, and SF Baptism #151.
[29] Docs: SF Baptism #0702; SF Deaths #1412.

any children for him, and did not record a captain in succession. At Tujubit, Julian was "Capitan de Tujubit." Unfortunately his indigenous name was not recorded. Julian was baptized in early 1801 at the age of 55 years, and died in early 1806. The only known child of Julian, Bartolome passed in 1803.[30] According to custom, the lineage families would have chosen another person as capitan.

Most of the Band's members descend from Suitcabit (Encino) and Cabuepet (Cahuenga). Among the Cabuepet, Vitorio, whose indigenous name was not recorded, was identified as "Capitan de Cabuepet" when baptized in 1805 at the age of 60. Vitorio died in 1825 at the age of 80.[31] The padres did not record any surviving children for Vitorio. Juan Manuel was also acknowledged by the padres at his baptism as "Capitan de la rancheria de Cabuepet." Juan Manuel was baptized in 1801 at the age of 34, and died in 1835 at age 70. He had four children and two sons who survived him. Jose died in 1836 and Antonio died in 1846.[32] Already by 1843, if not earlier, Jose Miguel Triumfo, a descendent of Cabuepet, was recognized as a leader, and he was acknowledged with the title of Triumfo, a notation of esteem and respect within the San Fernando Mission Indian community. Triumfo worked for many years for the Mission, since he was a mestizo, he was not restricted to the Mission barracks, but employed by the Mission at Rancho Cahuenga. For his past good services, Triumfo was granted ownership of Rancho Cahuenga. Triumfo's leadership status was enhanced further by his status as a landowner.

Among the Suitcabit, the leader was Chari, a traditional chief title, who was baptized as Rafael in 1800 at the age of 45. The padre conducting the baptism noted Chari was "Capitan de Suitcabit." Rafael passed away in 1806, he had three children and one Marcos, survived the Mission record keeping period past 1855.[33] Rafael's first son, Tomapiyunachet (continuing the Tomiar prefix indicating he was designated for chiefly leadership), named Matteo by the padres, died two months after his father in 1806 at the age of fourteen. Marcos was then about eight years old. The more seasoned Ynacio was recognized as "Capitan de Siutcabit" until his death in 1825 at the age of 74.[34]

The padres introduced the Indians to farming, adobe building techniques, trades, sheep and cattle raising, Catholic religion, and electoral political forms.[35] The padres arranged to have the Indians elect officials [alcaldes, corporals and other officials], to manage relations between the Indians and the church.[36] The mission Indians at San Fernando, however, retained family organization, political leadership in families, language, food preferences, and many spiritual beliefs.[37] The padres Pedro Moñoz and Joaquin Pasqual Nuez wrote, "[t]he Indians respect only

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[30] Docs. SF Baptism #0391 and SF Baptism #0054.
[31] Doc. SF Baptism #1364.
[32] For Juan Manuel see Doc. SF Baptism #0573, and for his children see Antonio (SF Baptism #0333), Jose (SF Baptism #0332) and two other children who passed earlier: SF Baptism #0330 and SF Baptims #331.
[33] Docs: SF Baptism #0233, and for his children see Marcos (SF Baptism #0111) and SF Baptism #105 and SF Baptism #209.
[34] Doc. SF Baptism #0363.
[35] Docs: 50041.B.UCLA; 80365.A.SFVPP; 80374.B.SFVPP; 80397.A.Wilson; 80399.A.Wilson; 80402.A.Wilson; 00360.C.HD; 00366.A.HD
[36] Doc. 30065.D.BL
[37] Docs: 80388.A.SFRDE; 00364.A.HD; 00366.B.HD; 80388.A.SFRDE; 30075.B.UCLA; 80362.B.SFVPP

those who were the chiefs of their rancherias in paganism; and these do not molest them at all, nor do they [the chiefs] demand any service from them."[38]

In 1837, "[t]he Indians were divided into four groups or rancherias, each under an alcalde, or foreman, who was responsible to the majordomo.....Those tribes known as the mission Indians were the Tijungas [Tujungas], El Encino, and El Escorpion, and, of course, those who lived in the mission proper."[39] One observer described events honoring tribal leaders as follows:

> The Indians had special fiestas of their own; the greatest of these was the anniversary of the death of an Indian chief. Indians came to San Fernando from what at that time were great distances. Whole tribes would make the yearly pilgrimage, some coming from Tehachapi, and others from San Jacinto. ... The feature of the fiesta was a dance in which all members of the different tribes joined. A large image of the Indian chief was erected, around which a fire was built. As the dancers moved in a circle about the image, they case into the fire some personal belongings of their dead. The music to the dance was the wailing and weeping of the dancers themselves.[40]

Since these ceremonies and leadership patterns were observed as late as 1837, most likely they were patterns from earlier decades, and were observed in throughout entire mission period.

The success of a number of Fernandeño lineages in obtaining land under the Mexican secularization laws provides evidence of leadership. In the spring of 1843 forty San Fernando Mission Indians petitioned Governor Micheltorena for a land grant. With Church approval the governor granted them one square league of mission land, with the provision that the Indians could not sell the land, and they would continue to provide their usual labor to the Mission.[41] The leader of the forty petitioning family heads was Pedro Juaquin, who was First Alcalde in 1843. Among the forty petitioners was Rogerio Rocha, who was recognized as captain at San Fernando by the early 1850s. Also among the petitioners was Cornelio, the grandfather to Leandra Culeta, a progenitor of the Garcia lineage.[42] The movement demonstrated focused collective political action and leadership among the San Fernando Mission Indians while within Mission jurisdiction. One of the petitioners, Manuel, wrote the petitioning documents. The petitioners showed great patience and diplomacy, working through the Mexican political bureaucracy and the Church and taking advantage of the secularization laws.

Other Fernandeños were also successful in obtaining land grants during this period. In 1843 Samuel, a member of the Chaguayabit lineage, obtained from Governor Micheltorena a grant of 200 acres northwest of the Mission. Jose Miguel Triumfo obtained a grant of 388 acres of Rancho Cahuenga the same year. Tiburcio Cayo, a Chumash born at Tapuu a village in the Simi Valley, was managing the ranch at Encino, may have been the mission alcalde. By 1840

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[38] Doc. 80362.B.SFVPP
[39] Docs: 00366.A.HD; 00366.B.HD
[40] Doc. 00366.B.HD
[41] Docs: 40009.K.DC; 40009.Q.DC; 40009.P.DC; 40009.K.DC
[42] Docs. SF Baptism #0765; SF Baptism #1712; SF Baptism #2987; 40009.Q.DC; 40009.P.DC; 40009.O.DC; 40009.M.DC; 40009.K.DC; 40009.J.DC;

Tiburcio was negotiating for "liberation" under the secularization laws and petitioning the mission for a land grant at Encino. Tiburcio Cayo was a captain.[43] Roque was born at Santa Barbara Mission and probably married Agueda in the early 1840s, and he took up residence at Encino. By 1846, both Roque and Agueda were classified in the mission record as "liberes" and residents of Rancho Encino. [44] By 1843, Roman, whose baptism name is given as Ramon, married Paula, who had Chumash lineage ties to Simi Valley and Humaligo, or near present day Malibu. Romans ancestors on his father's side were from Sanja, perhaps a Chumash village since it does not have the Takic place name ending.[45] Francisco Papabubaba's ancestors were from the Tataviam village of Chaguayanga and his wife Paula Cayo had maternal ancestors from Siutcabit, the lineage historically living at Encino. Paula Cayo's father, Tiburcio Cayo was born in the Chumash village of Tapuu. Tiburcio negotiated with San Fernando Mission and he was allowed to live and maintain the rancho at Eneino with his family and relations by 1840. [46] In April 9, 1844, Tiburcio Cayo died.[47] In 1845 after the Californio rebellion of early 1845 and with the change in the Mexican governor for the California Department, Francisco Papabubaba, Roman, and Rogue petitioned Governor Pio Pico for title to one square league at Rancbo Eneino, and on July 24, 1845 the land was granted jointly to all thee petitioners.[48]

Rogerio Rocha's joint ownership of one square league with the 40 petitioners of 1843 was superseded by the sale of half of Ex-Mission San Fernando by Governor Pio Pico in 1846. Some elderly San Fernando Mission Indians were allowed to retire at the Mission, but most of the forty petitioners left the mission, believing that they could not hold onto land, and many went to work for nearby ranchos, or left to live with their relatives in their traditional lands or villages. Rocha was allowed to claim about 10 acres of land about two miles northeast of the Mission. As noted above, Rocha was connected to the Tongva lineage at Tujunga and to the lineage at Cahuenga. Through his connections through his mother to Tujunga, Rocha was tied to Leandra Culeta and her Garcia descendants since the maternal grandfather of Leandra Culeta was Francisco del Spiritu Santo, who was born to the Tujunga lineage or Tujubit.

As noted above the marriage ceremony of Maria Rita Alipas and Benigno at San Fernando Mission in 1845 brought together a number of lineages. Alipas and Benigno were both 15 years old, having been born in the same year, 1830. The list of witnesses gives an illustration of the breath of community that attended the event. The number of recorded guests and the members of the San Fernando Mission leadership in attendance suggests that the marriage significant for the community and leadership. The first testimonial witness is Manuel who was born at the mission, but whose father was Cabuepet, and paternal grandfather was Suitcabit. Manuel had ties to both Cahuenga and Encino, and reconfirms long standing marriage and relations between the Cabuepet and Suitcabit lineages.[49] The second testimonial witness was Franeisco the alcalde

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[43] Doc. 80323.INT

[44] See the baptism of Roque's son Pacifico (SF Baptism #2089a) and Doc. 80332.B.SCUS

[45] Roman's father is Vicente Ferrer (SF Baptism #0371) who was born at the village of Sanja. Roman's (Ramon) Baptism is number is: SF Baptism #1763.

[46] Doc. 80332.B.SCUS

[47] SF Deaths #2333;

[48] Docs: 80332.A.SCUS; 80332.B.SCUS; 80332.C.SCUS; 80332.D.SCUS; 80332.E.SCUS; 80332.F.SCUS; 80332.G.SCUS; 80332.H.SCUS; 80332.I.SCUS; 80332.J.SCUS

[49] See SF Marriage #910; SF Marriage #912; Manuel (SF Baptism #2666), his father Alejo (SF Baptism #0343; and his paternal grandfather Macario (SF Baptism #0580).

of the mission. This witness was Vicente Franciso who was listed on a variety of sources as having served as an alcalde at San Fernando Mission. Vicente Francisco was born to a Kitanemuk lineage and he later in 1851 returned to his lineage and was as signatory to the Tejon Treaty, where with his brother the chief, signed on behalf of the Tejon Indians.[50] Francisco was the younger brother to a father named Taari, a lineage chief title among the Kitanemuk lineages. Vicente Franciseo, a mission alcalde in 1845 and a testimonial witness during the wedding, was one of the forty petitioners in 1843.

The alcalde gave witness that both parties were eligible for marriage, and establishes a social tie between Vicente Francisco's Kitanemuk lineage and the group that later was to become known as the Tejon Indians. The second witness is Pedro Juaquin who in 1845 was married to Maria del Carmen. Juaquin was First Alcalde in 1843 and he led the movement to gain a deed to one square league of land for 40 petitioning heads of families. The former alcalde Pedro Juaquin was previously married to Felipa, the sister to Francisco Papabubaba, and therefore Pedro Juaquin was an uncle in-law to Maria Rita Alipas. Pedro had two sons with Felipa, both were first cousins to the bride Rita.[51]

The mission period ended with a thriving political and social network of lineage relations similar in many ways to the precontact regional ties, marriages, and alliances, but enhanced by new electoral political forms in the political-bureaucratic mission organization, as well as new social relations of godparenting, and the closer social contact of the mission estate and collective work activity.

Addressing the Criterion for Political Influence Over an Autonomous Entity During the 1797 to 1846 Mission Period

In the Juaneño Preliminary Finding, OFA considered evidenee under the criteria from 1834 forward. Accordingly, evidence regarding the precontact period need not be evaluated under the criteria here. Nevertheless, the evidence is presented to provide historical context for the later periods.

§ 87.7(c)(1)(i)
The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

During the mission period, the various lineages retained their own leadership patterns. Leaders, alcaldes, corporals, "capitans" held rank and were recognized by Mission officials and lineage members through the mission period. For the lineages most central to the petitioning community, we have document the continuity of recognized leadership patterns for the Tuhubit, Suitcabit, and Cabuepet lineages. The progenitors of the present-day petitioning community are documented in leadership positions at Suitcabit, and Cabuepet, and the famous Capitan Rogerio

[50] Docs. 80005.D.CK; 00048.A.FTO; 00048.C.FTO; 80347.A.JJL; 80347.B.JJ; SF Marriage #0589; SF Baptism #2385;

[51] SF Marriage #0819; Pedro Joaquin (SF Baptism #2080), Felipa (SF Baptism #2286), and the two sons and cousins to Rita were Juan Francisco (SF Baptism # 2820), and Jose Guadalupe (SF Baptism #2888). Jose died in before his first year (SF Deaths #2155) and Felipa, Francisco Papabubaba's sister, died in 1842 (SF Deaths #2277).

Rocha, who did not have children who survived him, who was related to the Tuhubit families. Recognized leaders included Tiburcio Cayo, Francisco Papabubaba, and Maria Rita Alipas at Encino, both leaders at Encino, and Jose Miguel Triumfo at Cahuenga, and Rogerio Rocha at San Fernando. The padres lamented that the Fernandeños paid attention to the authority of their lineage leadership, and gave less attention to Church leadership. New positions created by the Mission, such as alcaldes, gave leadership within the Mission organization, and were used to pursue lineage ends, such as the petition for the land grant in 1843 by 40 family heads. Alcaldes at Encino, Tujunga, and Escorpion, and the Mission San Fernando proper managed labor and contributed to the economy of the Mission. See pages 9-14 and Doc. 80362.B.SFVPP.

§ 87.7(c)(1)(ii)
Most of the membership considers issues acted upon
or actions taken by group leaders or governing bodies to be important

During the Mission period, the Church acknowledged lineage leaders but although it discouraged them from exercising authority. The padres observed that the lineage members recognized the authority the lineage leaders, and preferred to remain in the authority of the lineage leaders and were less motivated to conform to Mission governance. Even though they may not have come from traditional leadership ancestry, individuals who served as alcaldes and other mission officers gained respect of lineage members through their works. Alcaldes and other officers looked after the interests of the families. The 40 individuals' 1843 petition for one square league of land is an example of such leadership. The alcaldes also directed the work teams at the Mission and the nearby ranches at Escorpion, Encino, and Tujunga. See pages 11-14 and Doc. 80362.B.SFVPP.

§ 87.7(c)(1)(iii)
There is widespread knowledge, communication and involvement
in political processes by most of the group's members.

The Alcalde and other leadership positions within the Mission system were electoral. Individual Fernandeños voted to elect officers, and the officer positions had short terms of one or two years, and were generally occupied by new individuals. Fernandeños accepted and participated in the Missions government for the Fernandeños, which created a layer of organization above the lineages which did not exist before the mission. The lineage leadership positions and patterns continued as captains are recognized during and after the Mission period, and adults were engaged in lineage decision making. See pages 11-14 and Doc. 80362.B.SFVPP.

§ 87.7(c)(1)(iv)
The group meets the criterion in Section 83.7(b) at more than a minimal level.

As discussed above, for the Mission period 1797 to 1846, the petitioning group meets the criterion of Section 83.7(b) thus satisfying this criterion.

§ 87.7(c)(1)(v)
There are internal conflicts which show controversy
over valued group goals, properties, processes and/or decisions.

The main controversies of the period involved disputes with the Mission, Spanish, and Mexican authorities regarding land. The Mission held the land in trust for the Fernandeños. The Band's ancestors secured land grants at Encino, Cahuenga, Tujunga, Sikwanga, Rocha's farm at San Fernando, San Fernando Mission, and related lineages at Escorpion. The petitioning community members followed Mexican and Mission procedures, and their own lineage rules to determine who had claims to various territories and leadership positions. Controversies or quarrels were resolved by the lineage leaders. See page 5, 10-14.

§ 83.7(c)(2)

A petitioning group shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders and/or other mechanisms exist or existed which:

§ 83.7(c)(2)(i)

Group leaders and/or other mechanisms exist or existed which allocate group resources such as land, residence rights, and the like on a consistent basis.

During the precontact period, a lineage held first rights to the harvest in its territory. The land was used collectively by the entire lineage. Food was shared within the lineage group. The leaders, if necessary, distributed resources to those in need. All members of the lineage lived in the same community on lineage land. During the 1797 to 1846 Mission period, the Mission administration took control of land and much of the organization of labor. Nevertheless, traditional forms of economy supplemented the Mission ranch, farm, and orchard economy. The Mission allocated children to dormitories, and unmarried individuals to dormitories, and married persons to single family households. In the 1840s, the Band's ancestors reclaimed land through Mexican land grants and recovered the ability to provide resources to community members. The land grants removed the petitioning community from the direct control of the Mission administration. See pages 2, 4, 6, 11-12, and Doc. 80362.B.SFVPP.

§ 83.7(c)(2)(ii)

Group leaders and/or other mechanisms exist or existed which settle disputes between members or subgroups by mediation or other means on a regular basis.

During the precontact period, lineage leaders resolved quarrels and disputes within their own lineage. The decision of the lineage leader was final and there was no higher appeal. Disputes between lineages were resolved by discussion between the leaders of the two lineages. If two lineages could not resolve a dispute, then a third lineage leader, from a third lineage, was called to resolve the issue. During the 1797 to 1846 Mission period, the Mission administration assumed substantial management of and enforcement of Mission rules, and criminal offenses such as murder, labor discipline, or escape. However, the Indians continued to recognize lineage leaders through the Mission period. Lineage leaders retained the allegiance and commitments of their members on issues not absorbed by the Mission administration. See pages 5, 11, and Doc. 80362.B.SFVPP.

§ 83.7(c)(2)(iii)
Group leaders and/or other mechanisms exist or existed which exert strong influence the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

During the precontact period, group leaders enforced rules, and had authority in spiritual and political affairs. The lineage leader had the power to adjudicate disputes within the lineage, and negotiated disputes with other lineages. All adults, persons past the age of puberty, were under the authority of the lineage headman and group leaders. Group leaders made decisions about breaking of the rules, and for some infractions, such as incest within the lineage, persons were put to death by shooting them with arrows. The community and group leaders made rules for the lineage as they thought were necessary. See pages 5-6 and Doc. 80362.B.SFVPP.

During the Mission period, the Church and Mexican government enforced criminal and civil laws and Mission rules. Nevertheless, the lineages maintained an annual round of traditional ceremonies or festivals at the Mission. The lineage members maintained strong commitments to lineage leadership to the point that the padres complained about the continued authority of the lineage leaders. Most likely the lineages managed disputes and maintained enforcement of rules such as lineage exogamy through normative understandings and leadership. Norms, like lineage exogamy, continued to be enforced by the lineage groups, and most likely enforced by ostracizing. The Band's genealogical records do not show any cases of lineage incest during the Mission period. See page 11, Doc. 80362.B.SFVPP, and the genealogical records.

§ 83.7(c)(2)(iv)
Group leaders and/or other mechanisms exist or existed which organize or influence economic subsistence activities among the members including shared or cooperative labor.

During the precontact period, the lineage groups retained collective land where other lineages recognized their rights to first harvest of hunting or plant life, and well as resources such as water. The members of lineage groups worked cooperatively and pooled the fruits of their labor for collective distribution. During the Mission period, the padres organized most of the work and introduced new skills appropriate to a farming, ranching, and orchard economy. At Encino, Mission San Fernando, and Cahuenga, the Mission maintained ranches which had employees and Mission Indian workers. The Indian workers were led by an elected Fernandeño alcalde. The products of the work were shared by the Mission staff, soldiers of the Mexican and Spanish government, and among the Mission Indians, and some was traded in commerce. The Mission economy was often supplemented by traditional subsistence hunting and gathering, owing to shortages and food preferences of the Fernandeño. The grantees of the Mexican land grants made in the 1840s managed their own ranches and labor, often members of their lineages and other Fernandeños. See pages 3, 10-11, and Doc. 80362.B.SFVPP.

§ 83.7(c)(3)
A group that has met the requirements in § 83.7(b)(2) at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time.

As demonstrated above, the Band has presented evidence satisfying the criteria in § 83.7(b)(2) for the 1797 to 1946 period.

1847 to 1904

Indian leaders found themselves in situations of changing perceptions and responsibilities of during the Spanish, Mexican, and American periods. The Mission tried to suppress the powers of lineage-based political power and authority, but the American period demanded greater attention and decision making powers among Indian leaders. One observer wrote:

> Then the chief tended to rise in importance. His own people, confronted by new problems, were ready to take shelter behind him. There were no doubt mostly eager to have him assume responsibilities and authority such as they would not have welcomed, and perhaps would not have tolerated, in purely native times. Also, the white men, in their relations with natives, showed a natural disinclination to deal with a chaotic mob, with an unorganized group of fluctuating opinions, and sought a leader. The chiefs were therefore thrust forward by pressure of opinion both on the native side and from the Caucasians. It would be going too far to say that chiefs were wholly the product of contact with Caucasians; but the seeming role and power of the chief were certainly very much enhanced after Caucasian contact, in most cases probably without any desire on the part of the incumbents.[52]

A.L. Kroeber wrote:

> A second factor that militated against their fortunes was their lack of political organization, of cohesion. There were almost no true tribes within this state. The latest map compiled by the University of California shows more than a hundred names sets or bands of Indians. A number of these are linguistic groups embracing several dialects and therefore from the native point of view, a number of distinct nationalities. In effect what little native government these Indians possessed was restricted to the village community and of these there were probably more than a thousand within the present confines of the State. Given this tremendous splitting up into small bodies, couple with their natural passivism, it is clear that these people were not in a position to succeed in a sufficiently effective resistance against the incoming white to make themselves felt and their just claims respected.[53]

During the 1850s, many San Fernando Mission Indians returned to their traditional homelands and lineages, and some took on recognized leadership roles within their communities.[54] A. L. Kroeber observed: "At any rate, we gather from the evidence that with few exceptions no tribelet voluntarily completely abandoned its tribal home and upon secularization many, if not a

[52] Docs: 00261a.E.BL; 00261a.F.BL
[53] Doc. 30034.B.BL
[54] Doc. 00268.B.BL; 00352.G.HD; 50018.B.UCLA; 80391.A.SFRDE; 80397.A.Wilson; 80400.A.Wilson; 80400.B.Wilson; 80426.B.LH; 80365.A.SFVPP; 80397.A.Wilson; 80418.A.LAT; 80418.A.LAT

majority, of the missionized Indians returned to their ancient habitats."[55] Several San Fernando Mission Indians were signatories to the Treaty near Fort Tejon in June of 1851.[56] None of the Fort Tejon signatories are members of the Tribe's three contemporary lineages, although if ratified, the treaty would have given away the whole of Los Angeles County, including all the land any San Fernando Indians occupied. A few years after the treaty, the US government created San Sebastian Reservation at what later became part of Rancho Tejon. The land was near past and ongoing Kitanamuk and Chumash villages which supplied converts to the San Fernando Mission.[57]

Vicente Francisco Tinoque Cota and his brother, also named Vicente, were signatories to the Tejon Treaty. Vicente was also one of the 40 petitioners in 1843.[58] Teofila and her husband, Francisco del Espiritu Santo, from the village of Tujunga, were grandparents to Leandra Culeta, the progenitor of the Garcia lineage. The San Sebastian Reservation was established in the middle 1850s and many Indian communities were invited to live and work there. Indians from Mission San Fernando went to live on the Reservation, and some stayed and married into Kitanemuk Mission Indian families, while others stayed for only limited time. In 1864 the Reservation was closed because of the dispute with a competing Mexican land grant claim.

Many of the descendents from Rancho Escorpion, owners, and workers, identified as Chumash or Tongva, and have joined those contemporary federally unrecognized communities. The three joint owners, Odon, Urbano Chari, and Urbano's son, Manuel, were recognized as chiefs or captains, and many San Fernando Mission Indians and Chumash people worked on the ranch. Odon was a Chumash chief at Humaliwa, near the south end of present-day Malibu, and the Chumash people on the Western end of the San Fernando Valley.[59] Urbano's wife Marcelina was actively engaged in godmother duties within the San Fernando Indian community, and she was Madrina to the children of Roque and Agueda, who were joint owners at Encino in the late 1840s and early 1850s.[60] Agueda was the maternal aunt to Maria Rita Alipas, and the sister-in law to Francisco Papababa, one of the joint owners with Roque at Encino after 1845.

Furthermore, Jose Miguel Triumfo and his wife, Maria Rafaela Perfecta Cañedo, were godparents to Urbano Chari and Marcelina's son Jose Rafael Perfecto.[61] Urbano Chari and his son Manuel, were joint owners to the Escorpion grant, and had ancestral ties to Suitcabit, the lineage at Encino, where Maria Rita Alipas's maternal relatives lived. Conrado Leyva, born to Cabuepet, was the godfather, or Padrino, to Manuel, son of Urbano Chari, and Padrino at the marriage of Francisco Papabubaba and Paula Cayo, the parents of Maria Rita Alipas.[62] Conrado Leyva was also a father in law to Jose Miguel Triumfo and stepfather to Triumfo's wife Rafaela. Samuel was born to Chaguayabit and so he had blood ties to Francisco Papabubaba and Maria

[55] 00268.B.BL
[56] Docs: 00048.A.FTO: 00048.B.FTO; 00048.C.FTO
[57] Doc. 80404.A.Lopez; 80437.A.JJL; 00048.A.FTO
[58] Doc. 80404.A.Lopez; 80437.A.JJL; 00048.A.FTO
[59] Doc. 00329.A.SW
[60] Pacifico (SF Baptism #2089a); Francisco Xavier (SF Baptism # 3051); Marcelina Chihuya (SF Baptism #2406); Urbano Chari (SF Baptism #0358);
[61] SF Baptism #3000
[62] Manuel (SF Baptism #2494); SF Marriage #0765. Conrad Leyva (SF Baptism #0553) and Estefana (SF Baptism #0439).

Rita Alipas who also had ancestral ties to Chaguayabit. Rogerio Rocha lived on a land grant about two miles north east of San Fernando Mission, and he had ancestral ties to Tujunga, and therefore to the Leandra Culeta family, which had maternal ancestral ties to Tujunga. The joint owners at Encino, Tujunga, Samuel's grant, and Escorpion were tied together in social relations through godparenting, ancestral ties, and marriage relations.

During the mission period an alcalde managed Encino ranch and reported to the mission.[63] Through the 1837 to 1846 period, and most likely before, alcaldes were elected at ranchos Encino, Escorpion, Tujunga, and for the San Fernando Mission. By 1840, Tiburcio Cayo was managing the ranch at Encino, and most likely held the rank of alcalde. Similarly, between 1843 and 1845, Jose Miguel Triumfo managed Rancho Cahuenga, which he traded in 1845 for Rancho Tujunga. He was most likely the alcalde or manager of the Ranchos. The name Triumfo is likely a Spanish translation of an honorary title, like Chari, that denotes community esteem and can be roughly translated as chief.

The oral history describes Maria Rita Alipas and her maternal Chumash grandfather, Tiburcio Cayo, as captains at Encino.[64] By virtue of his ownership interest in the square league at Encino Francisco Papabubaba would have been a captain or alcalde. Papabubaba represented his lineages' interests in discussions with the other two families of Roque and Roman Ownership of land and water, and the sharing of such resources with other community members, providing work, and a place to live, made leaders of Francisco Papabubaba and the other joint owners of Rancho Encino. Francisco died in 1847 and so his ownership was brief, less than two years. Papabubaba's only surviving child was Maria Rita Alipas, who inherited his one-third interest in Encino.[65]

In the late 1870s and early 1880s due to increasing land pressures from land development companies, loss of land and declining ranch economy, the Ortiz and Garcia families joined Fernandeño communities at Rancho Tejon and Newhall, where ranching economies and demand for their skills continued. Each lineage had the right to choose its own economic future, and the Ortiz and Garcia families chose to leave San Fernando. In the late 1850s, Rosaria the daughter of Jose Miguel Triumfo, married her second husband, Miguel Ortiz, but after three children she separated from him. Her third child, Jose (Joseph) Ortiz, born on February 15, 1861, was the progenitor of the Ortiz family line that has many members in the current roll of the Fernandeño Tataviam Band of Mission Indians. Triumfo's daughter Rosaria and his wife, Maria Rafaela, lived in San Fernando until 1877, when they move to Kern county.[66] In 1877 the Rosaria Ortiz family and her mother, Maria Rafaela Perfecta Cañedo, moved to Kern County where Rosaria remarried. After a few years, Joseph Ortiz, when old enough started to work at the Rancho Tejon, and he stayed for fifteen years and lived among the Tejon Indian community with its many San Fernando Mission descendants.

[63] Docs: 00366.A.HD; 00366.B.HD
[64] Doc. 80232.INT
[65] SF Deaths #2393.
[66] Doc. 80126.K.DC; 80126.I.DC

Francis Garcia Cook indicates in her 1928 Roll affidavit that she and her children lived most of their lives in Newhall, California, although she was born in San Fernando.[67] Francis Garcia's statement suggests that during the early 1880s, the Isidoro Garcia-Josephine Leyva family moved to Newhall and more or less continuously lived there. Newhall, part of present-day Santa Clarita, about six miles north of San Fernando.

Rogerio Rocha was the recognized captain at San Fernando. He lived on a 10-acre farm until November of 1885 when he was evicted by a development company. His land had water and he was a successful blacksmith, silversmith, played the violin, sang in the Mission church choir, spoke an Indian language, as well as Spanish and some Latin.[68] Indian community members were welcome to take water at Rocha's farm. He was very popular in the San Fernando Indian community, and became recognized as a captain by both San Fernando Indians and non-Indians.[69] Rogerio Rocha was not a traditional hereditary captain, but he had people and cultural skills, wealth, land, and water, which he shared with the local San Fernando Indian community and he gained their respect and leadership.[70]

Rocha held on to his land and paid taxes, and claimed aboriginal rights and Mexican legal principles which imposed a trust on his land.[71] Rocha' eviction was a well publicized event and was used by the Indian Rights Association and other activist organizations to underscore the issues of landless Mission Indians, and to help Congress to write legislation to assist California Mission Indians to recover land and self-government. Rocha's story helped Mission Indians in southern California to recover reservation land and tribal governments, but he nor the Indians of San Fernando Mission benefited from his efforts to recover land. Rocha's wife, Maria Manuela, had ancestors in the lineage at Escorpion. Rocha himself had ties to Chumash lineages on his father's side and to Tujubit, a Tongva lineage, on his mother's side.

When Rocha was evicted from his farm in 1885, several Chumash men and women, and their families, were living on the Rocha farm.[72] He had in-laws and social ties among the Cabuepet and therefore some relation with the Ortega and Ortiz families. From his mother's side, Rocha had ties through Tujubit with the Leandra Culeta-Josephine Garcia family. In the 1928 California Roll, many Garcia family members recognized Rogerio Rocha as captain of the San Fernando Mission Indian community at the time of treaty making on June 1, 1852.[73]

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[67] Doc. 40064.A.DC; 40064.B.DC

[68] Doc. 00372.A.HD; 00372.B.HD; 80265.A.LAT; 00117.L.FTO; 00333.A.SW

[69] Docs: 00083.T.FTO; 00109.C.LN; 80006.B.FTO; 80013.LAT; 80014.LAT; 90161.A.LAT

[70] Doc. 80303.INT: "Something has to be brought with us because they would honor that part to my great great, you know, for the captain of the Fernandeño tribe. (Overtalking)... GF: That's Rogerio Rocha. SO: Yeah. Exactly. There has to be some kind of truth to what my father is saying. Just like there's some of kind of proof of him being the captain of the Indian families there that everybody looked up to him, then there was no chief or president. He was a captain. To me, that tells me more about the land that was actually taken away from the Indians here."

[71] Docs: 00117.A.FTO; 00117.B.FTO; 00117.C.FTO; 00117.D.FTO; 00117.E.FTO; 00117.F.FTO; 00117.G.FTO; 00117.H.FTO; 00117.I.FTO; 00117.J.FTO; 00117.K.FTO; 00117.L.FTO; 00117.M.FTO; 00117.N.FTO; 00121.E.FTO; 00121.F.FTO; 00121.G.FTO;

[72] Docs: 00169.C.DC; 00117.D.FTO; 90161.A.LAT

[73] Docs: 40056.C.DC; 40058.D.DC; 40059.C.DC; 40060.A.DC; 40064.C.DC; 00104.C.LN; 00106.C.LN; 00107.C.LN; 00108.C.LN; 00109.C.LN; 00110.C.LN; 00111.C.LN; 00112.C.LN

Until November of 1885, Rogerio Rocha lived on his farm, paid his taxes, but was evicted from the land as a squatter by a development company. Rogerio fought the development company for many years, and had lawyers supporting him, who advised him and argued that he retained aboriginal rights to the land. The sale of land by the Mexican Governor Pio Pico in 1846 did not supersede the Mexican government's trust responsibility to divide mission assets, redistribute land, and allow self-government for Mission Indians under the secularization law of 1834, and long standing secularization laws passed by the Spanish government as early as 1734.[74]

The eviction of Rogerio Rocha was well publicized and used by the Indian Rights Association to gather public and congressional support for legislative action to establish reservation lands for California Mission Indians.[75] Many Mission Indians benefitted from the legal and publicity efforts on behalf of Rogerio Rocha, but Rocha nor any San Fernando Indians directly benefited from several acts of legislation to create reservations or to buy and restore land to landless California Indians.[76] In the 1890s, the congress passed the CA Mission Indian Relief Act of 1891 and sent agents to study the land needs of the Mission Indians. Again, no members of the San Fernando Mission Indian community benefitted from the act aimed directly to enable them to recovery trust land. After his eviction, Rogerio Rocha lived at Lopez Canyon. The Special Agent to the Mission Indians, H.N. Rust knew Rogerio Rocha personally, and helped provide him some federal financial support. After Rust left office he persuaded his successor Special Mission Indian Agents to provide some additional support. A small amount of government aid was provided to Rogerio Rocha, but no recovery of land or successful defense of his land rights was achieved.[77]

Rudy Ortega, Sr. recounted:

> The only land that we know of (background noise)... was our Captain Rogerio Rocha. In 1926 he was identified as being the captain of the entire tribe because we had captains for each family? GF: Rogerio? ROJ: Yes. So he was identified. And his land was the only land that actually went to the Bureau of Indian Affairs in argument. And it was a case of defending the agents were defending in San Fernando or in Soboba because of the political influence in San Fernando Valley and Los Angeles, and all the gold and the oil that was around the area, it was more appropriate to defend the Indians of Soboba because there was no minerals there. So they went into that direction (rather than) into ours. So from that case his (Rocha's) went on before a hearing. He testified before the courts, but it wasn't really defended, so he ended up losing the land to the mayor (inaudible).... Well, actually, the senator of the United States who founded the City of San Fernando. GF: Who was? ROJ: He was Charles Maclay, which the street is still named after him. And because of that, of his finding, he ordered the county sheriffs to remove all the Indians in the City of San Fernando. Today, as Indian people, we don't have the right to be in the city limits, which is one of the things we're asking the City of San Fernando to acknowledge our existence and to put in a resolution of us returning back to the city."

[74] Doc. 80365.V.SFVPP; 80390.A.SFVPP; 80390.B.SFRDE
[75] Docs: 00121.E.FTO; 00121.G.FTO; 00121.F.FTO
[76] Docs: 80433.A.DI; 80433.B.DI
[77] Doc. 80374.B.SFVPP

Rogerio Rocha died in 1904, and he left no surviving children, and consequently there are no current San Fernandeño Band of Mission Indian members who are Rocha's descendants. He was a highly visible and respected member of the San Fernando Indian Community for many years.

Addressing the Criterion for Political Influence Over an Autonomous Entity During the 1847 to 1904 Mission Period

§ 87.7(c)(1)(i)
The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

During the 1847 to 1904 period, Rogerio Rocha was recognized by Indians and non-Indians as the captain at San Fernando. Rocha held land and controlled water, which he shared with the community. The Garcia lineage, who have direct ties to the Tujubit lineage, recognize Rogerio Rocha as captain at San Fernando at the time of treaty making in 1852. During the 1850s and early 1860s Maria Rita Alipas owned land, controlled water, and was recognized as a leader at Encino Ranch. Alipas and her husband Fernando Ortega died by the middle 1860s, leaving their children orphans. Their son Antonio Maria Ortega lived with the Geronimo Lopez and Reyes families and began working at Lopez Adobe as a young adult in the 1870s. Jose Miguel Triumfo held territory and water rights successively at Rancho Cahuenga, Rancho Tujunga, and Sikwanga, but probably passed or was disabled by the middle 1850s. As several of the lineage leaders passed during the 1850s and 1860s, Rogerio Rocha was the primary political leader among the lineages living at San Fernando. See pages 19-23.

§ 87.7(c)(1)(ii)
Most of the membership considers issues acted upon or actions taken by group leaders or governing bodies to be important

Between 1852 and 1904, Rogerio Rocha was recognized as captain at San Fernando. He and others, including Maria Rita Alipas and Jose Miguel Triumfo, were recognized as esteemed individuals who were respected and honored within the community. The captains led consistent with tradition. Land ownership provided one important basis for leadership, though all the land was lost by 1885. Rogerio's efforts to secure and retain interests in land benefited the entire community during his tenure as landowner and afterward, including past his death in 1904. While unsuccessful, Rocha's efforts, and those of Alipas, were important to the lineages that remained at San Fernando. Rocha's defense of his land was supported by the Indian Rights Association and his efforts were instrumental in publicizing the plight of landless Mission Indians, all of which led to legislation in future decades to restore land to Mission Indians and landless Californian Indians. Rocha's story is an important part of the Band's history to the present. See pages 21-23.

§ 87.7(c)(1)(iii)
There is widespread knowledge, communication and involvement in political processes by most of the group's members.

During this period the Fernandeño political community was largely informal and based on consensus decisionmaking. While he did not come from a chiefly line, Rogerio Rocha's leadership derived from a consensus among the remaining lineages living at San Fernando. Rocha was recognized as a captain, but each lineage also looked to a leader of its portion of the community. As in traditional times, leaders were recognized for ownership of land, controlled economic resources, cultural and historical knowledge, ability to speak Indian languages, and leadership ability. Members of lineages participated in the political process of the lineage through consensual decision making within lineages and families, usually during family gatherings or informal meetings. Rocha distributed water to the Fernandeño community at San Fernando, and his farm provided a location for community meetings. See pages 20-23.

§ 87.7(c)(1)(iv)
The group meets the criterion in Section 83.7.(b) at more than a minimal level.

For the Mission period 1847 to 1904, the evidence discussed above satisfies the criterion of Section 83.7(b) at more than a minimal level, thus satisfying Criterion (c).

§ 87.7(c)(1)(v)
There are internal conflicts which show controversy over valued group goals, properties, processes and/or decisions.

During the 1847 to 1904 period there were controversies surrounding decisions by some lineages to leave San Fernando and resettle among regional Fernandeño communities at Rancho Tejon and Newhall. By the late 1870s and early 1880s, losses of land and pressures from development companies pressured the Garcia and Ortiz families to leave San Fernando for Newhall and Rancho Tejon respectively. Each lineage was free to make its own decisions, and hence the decisions to leave San Fernando had to be respected by the Ortega and Rocha families who remained committed to live at San Fernando. See page 20-22.

§ 83.7(c)(2)
A petitioning group shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders and/or other mechanisms exist or existed which:

§ 83.7(c)(2)(i)
Group leaders and/or other mechanisms exist or existed which allocate group resources such as land, residence rights, and the like on a consistent basis.

During the 1847 to 1904 period, the Fernandeño community lost their remaining land grants. Leadership began to depend more on cultural and historical knowledge and willingness to provide support for lineage and community members, while economic resources during this time are increasingly scarce for the leadership and members. While holding on to land and a fresh

water spring until 1885, the captain Rogerio Rocha shared water and helped redistribute resources among the lineages. See pages 18-23.

§ 83.7(c)(2)(ii)
Group leaders and/or other mechanisms exist or existed which settle disputes between members or subgroups by mediation or other means on a regular basis.

During the 1847 to 1904 period, the state and local governments assumed power over criminal and civil offenses. The families mediated internal affairs which did not come to the attention of state and local authorities.

§ 83.7(c)(2)(iii)
Group leaders and/or other mechanisms exist or existed which exert strong influence the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

During the precontact period, group leaders enforced rules, and had authority in spiritual and political affairs. The lineage leader had the power to adjudicate disputes within the lineage, and negotiated disputes with other lineages. All adults, persons past the age of puberty, were under the authority of the lineage headman and group leaders. Group leaders made decisions about breaking of the rules, and for some infractions, such as incest within the lineage, persons were put to death by shooting them with arrows. The community and group leaders made rules for the lineage as they thought were necessary. See pages 5-6 and Doc. 80362.B.SFVPP.

During the 1847-1904 period, the lineages and families continued to enforce the rule of exogamy. Marriages were exclusively outside the Band's lineages. The rules continued where leadership was acknowledged within outstanding individuals with cultural knowledge, control over land and water resources, and willingness to share resources. Rogerio Rocha was such a leader or captain, and so was Maria Rita Alipas and Jose Miguel Triumfo during their lifetimes. Observe the genealogy records and the community data base supplied with the petition, and see pages 19-23.

§ 83.7(c)(2)(iv)
Group leaders and/or other mechanisms exist or existed which organize or influence economic subsistence activities among the members including shared or cooperative labor.

During the 1847 to 1904 period, the leaders organized labor on their ranches and farms as long as they held the land. After loss of the land, the community members turned to wage labor and worked mainly as ranch and farm hands. See pages 19-23.

§ 83.7(c)(3)
A group that has met the requirements in paragraph 83.7(b)(2) at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time.

The evidence discussed above meets the requirements for paragraph 83.7(b)(2) for the 1847 to 1904 period thus satisfying the requirements for Criterion (c).

1904 Thru 1951

After Rogerio Rocha's death the community considered three prominent men for the role as captain. The criteria for serving as captain remained traditional and required cultural knowledge and ability to speak a San Fernando language. In 1910 Antonio Maria Ortega took on the role of captain because he was the head of a large family, spoke Tataviam, and had considerable cultural knowledge.[78] In response to a question about his predecessors, Rudy Ortega, Sr. recalled:

> my grandfather was the captain. GF: Which one? ROS: Antonio. GF: I see. Tell me how you know that. ROS: Well, through my father. My father was the one that told me that he was in charge of the tribe in San Fernando's days. My father never told me that he spoke Indian and he never, never told me that he knew Indian language also. So we were all in a closed closet, not knowing any of the history, because they never spoke of it. If you tried to tell it, ask a question of our people, they would turn around and talk about something else. Divert us from learning. I don't know. Maybe because we'd get punished if we talked about it or something back in those days. I don't know. Because like the language we couldn't speak anything but English. GF: When your dad told you that your grandfather was a captain, what did he tell you about that? How did that come up in your conversation? ROS: Well, at that time, I was trying to find out about our ancestry, where they came from and all that. He was telling me they were all from the Mission. And he was, my grandfather supposedly he was born at the Mission. I really don't know where he was born. But assuming that what he was telling me, that my grandfather came from the Mission, because his mother was born at the Mission. GF: Tell me more about the captain part. I'm very interested to know more about that. ROS: Okay, the captain part is that my father told me that he was in charge. There were three Indians actually in San Fernando that spoke the dialect, Tataviam. But one day he was left behind after the other two passed on and they made him a captain, the people. So he was in charge of doing a lot for the people, helping them out, and all that.[79]

Like in traditional times, family heads or captains or spokesmen did not have executive powers, but rather maintained influence through persuasion and counsel supported by their standing in

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[78] Doc. 80316.INT. He also remembered: "F: So your dad (Estanislao Ortega) told you that your grandfather (Antonio Maria Ortega), when he was maybe in his fifties, an adult, because he lived a long time after that, maybe 30 years after that. ROS: Oh yeah. GF: That he was a captain. ROS: Yes.";. Doc. 80312.INT; 80310.INT: "DC Were there other chiefs in the community? Other captains in the community? ROS: Not that I know of. DC: So there's really only one captain?ROS: One captain. Yeah. DC: And everyone recognized that that line was to you.ROS: Yeah. DC:There was some guy named Rocha or something that was big. Was he related to you somehow? You're not a direct descendant of him or anything like that, this guy Rocha? ROS: No. I don't think so. DC: So the line was with him at one time and then it changed over? ROS: It changed over. DC: Do you remember how that happened? ROS: No. But then the way I figure it is because my grandfather knew the language and he was one of the three Indians that knew the language. And I guess he was the last one to stay behind until 1942 or '43 when he passed on. DC: So he was a type of survivor. ROS: Uh-huh. DC: And he knew the language and knew lots of cultural stuff. ROS: Right. Uh-huh. DC: So he was sort of a cultural leader. ROS: Yeah.

[79] Doc. 80312.INT

the community. In traditional times, a captain had responsibility for land and resources, but by the early twentieth century no family head in San Fernando controlled significant land or water resources. Antonio Maria Ortega did not have significant material resources to share, he had the leadership and respect of his family, and the respect from community members who recognized his cultural and linguistic skills. Business that concerned the community was discussed during family gatherings such as dinners, weddings, or funerals. Important issues could be animated and topics of continuous discussion over months. As in traditional times, decisions were made by long discussion aimed at arriving at some common ground. If no clear consensus could be made, then each family segment could follow its own course.[80] Kroeber found that most of the 15,000 California Indians around 1900 retained belief in healers and were passing along information secretly to their children and grandchildren.[81] Many California Indian communities maintained significant parts of traditional world views and normative orders.

There are few recorded discussions during this period of Antonio Marie Ortega's captaincy from about 1910 to 1941, but the Band's interviews captured an animated discussion that occurred within the community during the late 1920s regarding whether to register for the 1928 California Indian Judgment Act, a law authorizing a lawsuit and, if proven, damages for lands reserved in the non-ratified treaties of 1851. The Mission Indians at San Fernando discussed whether to register for the treaty payments. Several interviews from San Fernando elders independently mentioned this discussion and provided relatively similar and consistent points. The discussion involved all three of the Band's lineages.

Josephine (Leyva Garcia Gardner) Guttierez argued against applying for the 1928 Indian Judgment Act roll since she feared that registration with the Bureau of Indian Affairs would lead to forced placement on Indian reservations away from traditional lands. Josephine expressed the view of many San Fernando Indians who preferred to live in the communities located on their traditional homelands, and were not interested in long term placement on reservations outside the Chumash, Kitanemuk, Tataviam or Tongva territories.[82] The Erolinda (Refugia) Tapia family and Cristina Ortega Rodriguez and her husband advocated in favor of registration.[83]

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[80] Doc. 00261a.C.BL; 00261a.D.BL; 00261a.E.BL; 00261a.F.BL; 00263.H.BL; 00263a.D.BL; 00263a.E.BL; 00267a.B.BL; 00267a.C.BL

[81] Doc. 00211.A.BL

[82] Doc. 80302.INT; Doc. 80312.INT: "ROS: [LAUGHTER] Well, whatever I can remember. All I can remember is he was trying to get our people registered with the Bureau of Indian Affairs, that they were getting them registered. There was a rumor, I don't know who started it in the Valley, that said don't register because the government wants to put you all in the reservation and keep you there and take you away from the town. GF: What was this rumor? Tell me about that. ROS: I don't know who started the rumor. But wherever it started, it started spreading out fast. Because that's when the Bureau of Indian Affairs was trying to get everybody registered. A lot of them didn't register. My dad never registered. My grandpa never registered. But the Bureau of Indian Affairs sent them anyway to Tejon Ranch over there.... At this time in the thirties, they were trying to get everybody to go to a.... Actually, I don't know what the government wanted, why they wanted them to register, but they were saying that they were trying to send them to a reservation. GF Really? ROS Yeah. I don't know why or anything. That's all I can remember that they were saying, talking. GF: I'm sorry to interrupt you, but you said it was a rumor. Do you think it was in the newspaper? How would people know this if they weren't already Indian members of the tribe? ROS: Rumors spread just by somebody talking to another person saying, you know, I heard this, I heard that. And then they compile it different wording. And all of a sudden, it spreads out. Just like the flu or influenza that goes out. Boom! And it's all spread all over the city. But that's what happened. And so people didn't want to register. It was Eddie Rodriguez and so was, oh, what was his name? Fred, Fred....] GF: Who was he? ROS: Fred was German. He was married to Josephine Garcia. That was my aunt, one of my aunts. That was

Vera Ortega Salazar was influential in the discussions. Her granddaughter recalled:

> I think for my grandma, the government was so brutal on us that our formal government was, kind of, in the closet. And the way we did it was through feeding people, and that was my grandma's strength, to bring families together. And they did talk about tribal politics. In the 1928 California Judgment Act, my grandma was very influential in that... from the twenties ... That the great-great grandfathers, we have one that was a really famous cart marker. And that's one of the things is that my grandma kept everything together by keeping the families together, and extended families, too. There was other Garcias and other families. Like my dad said, whoever came, but they knew they were Indian and they didn't have a tribal office. They were, I think, in a way, they were ancestors and they knew it. They were living ancestors.[84]

Discussions took place at family events, casual meetings, and meetings arranged to discuss the issue. Despite active lobbying by some families, the general discussion gravitated toward the view that enrolling might lead to removal to reservations.[85] Most community members did not

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the daughter of Isador Garcia, my grandmother's brother. His daughter was married to a German and he tried to get people registered also. And they would not register. They would not sign their name because they were saying they were going to send them to the reservation. A lot of the people in San Fernando didn't register. GF: Now, this is 1932 and you were born in 1926? ROS: Uh-huh. GF: So this was happening when you were six years old. How do you know about it? ROS: Because my dad and my mother was talking about it and I heard them talking to other people. Other Indians, other Native American families and people that they knew that were Indians. And they were saying, oh yeah, I remember that Ed Rodriguez, my brother-in-law, he was married to Christina Ortega. He was trying to get people to register. But they didn't want to do it because they were going to the reservation. They didn't want to sign. GF: So this means that at some point your parents were talking about being registered, but they were referring to the past, because you were old enough to hear it and remember it. ROS: Right.GF: What would have been the occasion for them to talk to you about it? ROS: No, they didn't talk to me. I heard them talking. GF:You heard them talk of it. ROS:Yeah, I heard them talking. GF: But this has to be later. So why would be talking about it later? ROS: What do you mean? GF: I'm just trying to think about the registration issue. In 1932 Eddie and Fred are trying to do something. Then 1941, your grandfather dies. Then sometime, 1940s, you're beginning to get some genealogical information. ROS: Right."

[83] Doc. 80302.INT; 80312.INT

[84] Doc. 80323.INT

[85] Doc. 80318.INT; 80316.INT; GF:Darlene mentioned there was a reason why Estanislao didn't register. Could you tell us? D: We've always heard through the years, from my dad and from my uncle, that the reason my grandfather, Estanislao, did not register was because he feared to register. JO: That's right. D: At that time the world was not friendly to people of color especially in this area to Native Americans. He was afraid if he registered as a Native American he would be sent to a reservation. He loved his culture, his language, but he feared heing put on a reservation, taken from his family. GF: How do you know the story? D: That story's been passed along. It's one of our oral histories that's been passed along through the generations. I, unfortunately, never met my grandfather. I was born after he had passed, but my dad had told us that through the years. He had told my mother. My mother had told me the same thing. His brothers were elders. One of them is passed now. That's the gentleman on the left is Rudy Ortega who is now our Tribal President. I believe my father's in the middle and then to tbe right is the eldest, Uncle [redacted] who goes by [redacted]. We have many akas in this family. And he was our eldest and he has passed. We always knew him as a different name and as we became older we found out they had different names; 80321.INT: "GF:What was your mother's name? ST: [redacted]n, I don't know what her middle name was, but it was Ortega. GF: And your dad? ST: [redacted]. GF: Through wbich side or sides of your family do you trace your Native American or Indian heritage? ST: My mom. GF: How is your mom related to this Indian heritage or ancestry? ST: Well, I heard that nana, her mom, lived in Lancaster, and that they always used to

want to leave their homes in San Fernando and remove to reservations that were not part of their traditional territory. Antonio Maria Ortega expressed concern about enrolling for fear of possible removal to a reservation and suggested that the community was better off with managing its own affairs in their accustomed manner.[86] Antonio was then in his early 70s and his wife Isidora was ill and bedridden. He earned money from selling candy outside his house along Coronel Street. The community decided to allow any one or any family to enroll if they wished. The entire Ortega extended lineage, however, held rank, and none applied to the 1928 judgment roll.

Members of the Ortiz extended family, however, advocated for application to the 1928 roll, and Joseph Ortiz, then in his early 70s and in need of financial support, and his extended family applied and they were accepted.[87]

Antonio Maria Ortega's opposition was enough to deter younger and relatively independent family members from pursuing the land claims and securing federal recognition as individual California Indians. As discussed above, there was good reason for concerns about possible forced resettlement on Indian reservations.[88]

After Antonio Maria Ortega's death, his oldest son Estanislao Ortega became captain until his own death in 1951.[89] Estanislao had a family and he and his wife worked in fruit packing and later he worked as a nighttime security officer. Rudy Otega remembered:

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say things until we'd be afraid of saying things or putting our self into any situation that they could send her back to the reservation, or something. I don't know if that was just talk or if it was... but I really didn't know. I think I was only about four or five years old when she passed away. GF: You did hear some stories about your mom? ST: Yes... Just, I guess, voicing her opinion through talking against anything because she was afraid that they could stick her back on... wherever they stuck them when they went out to live on their own. I don't know which reservation, if they had reservations then or... Rudy would know more about that. GF: You heard this from your mother, so around what decade or when do you think you would've heard this? ST: She's been gone for over 50 years."; 80314.INT: "EO: Because I think in the early days, a lot of Indians were gathered, you know, with all the movements that were done and all the gatherings of Indians and taken to different reservations. And I got a funny feeling that—well, that's what my father told me—that they were afraid; …."

[86] Doc. 80318.INT; "RO: His name was Antonio Maria Ortega but he never told us about it. In 1932, they came out, the government wanted all the Native Americans to be registered and in those days there was a rumor, everybody was talking, don't register because they want to send you to a reservation, so don't register at all, because that's how they're going to find out where you live and they're going to come out and pick you up and take you. So nobody registered, my people never registered. So we kept on and then after my grandfather passed away in the forties, '41, '42, there was actually nothing doing then for about a couple of months. Then one of my aunts—there was five aunts—one of my aunts came out and says, Rudy, let's start an organization, I'd like to have some activities and I says, okay but it's going to be hard. Well, I'll help you, I'll try to help you."

[87] Doc. 00113.A.LN; 80126.A.DC

[88] A report by the Secretary of the Interior in 1860 suggested "some reservation retreats, must be prepared for the reception of those who cannot obtain employment from our citizens, and thus become vagrants and nuisances to the community. Such Indians might be removed by force, if necessary, to the reservations, and there compelled to labor. Doc. 50011.A.UCLA

[89] Docs: 80310.INT; 80312.INT; 80316.INT; "GF: The group that your father, Estanislao was the captain, how did this group come together? What did they do together? Were there any family events or community events that brought the family together? JO: Well, usually when they had to get the family together it'd be either a wedding for the group of the families or a funeral. That's about the only time... sometimes they get an occasion to have a dinner party or something, theu they invite the family … GF: Which side of your family is the Indian side? JO: My father's

> We were talking about Vera. And I was asking you to explain to me about the tribe in that period after your grandfather's death. Who was the chief? ROS: It was idle. GF: It was idle. ROS: It was idle until my dad took over to bring the people, keep the people together. GF: And when did your dad take over? ROS: It was about a year after he passed, my grandfather passed away. GF: Okay. So tell me about that. ROS: To bring the people back together, to not disperse and stay away. So what happened was that we started visiting the families, going around visiting on weekends and talking with the families. My father was talking with them and joking and everything else, like partying with them. And sometimes another family would go the following weekend and they'd have another couple more families of ours there with them and they'd have like a get-together, and a barbecue or whatever in the summertime. And that's how he kept them together, visiting here and there and all over in the Valley.[90]

Estanislao raised funds, gathered funds for tribal funerals, organized family gatherings, held festivals, and held meetings among the families.[91] Consistent with tradition, Estanislao collected and distributed food for elderly community members.[92] He organized and he was

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side. GF: You mentioned he was a chief. JO: That's what I understood. GF: Can you tell me what that means or how he knew he was a chief? Was anybody else in the family a chief? JO: I don't know anything about that. I was told that he was a chief of a tribe. So that's all I knew about him. GF: Who told you that? JO: I can't remember if it was my oldest brother or Rudy was telling us about it … JO: Well, I understood that my father used to tell us that he was a... well, somebody had told us that he was the only one that used to speak English... I mean, Indian language. But he never taught us anything about Indian language at the time before he passed away. I heard that he was one of the chiefs of the tribe. GF: Give me your name, date of birth and then who were your parents, who was your father's parents? JO: My name is [redacted] and my parents was [redacted], which he used to run by [redacted]. My mother was [redacted]. And my grandfather was Antonio. We've known him by Antonio all the time. GF: His last name? JO: His last name's Ortega. That was my father's father. And I was born [redacted]. Now, when he passed away I was about 12 years old at the time."

[90] Doc.80313.INT

[91] Docs. 80310.INT; 80302.INT; 80314.INT; 80308.INT. Rudy Ortega, Sr. also recounted: "GF:So he(Estanislao Ortega) was helping people. What happened if somebody passed away and they didn't have the money for the funeral expenses? What would happen? ROS: I don't know. I think my dad used to spread the word around to the people and see if they can donate any part of their money. I heard him say once that even fifty cents if you had nothing else to give. Fifty cents would be a lot of help for the people. So he used to. And then one of my step-brothers, [redacted], which was [redacted], my half-sister's brother, he used to go to the bars and collect money. Even though they weren't related to us, whoever passed away, he said, "Oh, my cousin passed away. Can you help me with some money?" They would give him five dollars at the bar because they were already drinking and they didn't know. So they'd give five dollars. He'd come back with a hundred, two hundred dollars to my dad and give it to the people that they needed it there in the funeral. Or he would give it to the funeral home in place of giving it to the deceased's family. He would give it to the funeral home." Doc. 80312.INT: "GF: So going back to 1941, you saw your dad helping people … ROS: Yeah … They says, "Are you going to form the people like your dad had them?" I said, "I don't know." They said, "Well, you should." "Well, why don't you do it?" I said. "I've got enough work trying to get this genealogy to get it for '68 to get everything done." "Nah," he said, "I don't want to do it. It's a lot of work." "Well, why do you think I don't want to do it? I've got enough work already that I have." "Yeah, but you can do it better than we can. We can follow you. You do it. And I'll guarantee you that you'll have all the people with you, supporting you." 80313.INT

[92] Doc. 80312.INT: "GF:So a little earlier, you were talking about Estanislao [redacted], your dad, and all that he did for the people. What did he do for the people? ROS What he did was he would get food for the elderly people. He seen that they needed food so he used to collect food from different stores, organizations. And he sent them out. Actually, what he did, the way I looked at it, at him sometimes, he give them a paper. I guess it was some kind of

knowledgeable about family history and genealogy.[93] Estanislao continued his father's position that the Ortega lineage should not register in the 1928 roll. Accordingly, they did not participate in the 1950 roll update.[94] Jimmie Ortega recalled:

> GF: Was your dad doing anything with the family and the community that would have been in the role or the position of leadership? Did he get people get together? Did you have any events together? JO: Not that I know of because my other brother used to tell him that how come he didn't register us as Indian. And apparently, I guess, he never decided to register as Indian as my other aunts had. I guess he never decided to register. When we started all of this in '68, we had a hard time going back to prove that we were Indians. We had to get affidavits from people that knew him at the time. GF: [redacted] mentioned there was a reason why Estanislao didn't register. Could you tell us? D: We've always heard through the years, from my dad and from my uncle, that the reason my grandfather, Estanislao, did not register was because he feared to register. JO: That's right. D: At that time the world was not friendly to people of color especially in this area to Native Americans. He was afraid if he registered as a Native American he would be sent to a reservation. He loved his culture, his language, but he feared being put on a reservation, taken from his family.[95]

During the last few years of Estanislao Ortega's life, he was increasingly ill, and bedridden and thereby left a leadership vacuum during the late 1940s. The non-profit was the result of work started in the early 1940s. The development of a community cultural club or nonprofit spans over sixty-five years. Rudy Ortega began to organize a cultural club for the Fernandeño Tataviam community at the urging of his aunt Vera Ortega Salazar, who wanted to create a platform for telling stories, singing songs, and preserving Fernandeño Tataviam culture and community. Rudy Ortega, Sr. recalled:

> ROS: Before the war, when they made me the leader of the organization, well, we actually didn't have enough to say that we were Mission Indians yet. I was

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receipt or something to show. They'd go the store and they give them so much food, like a voucher, I think. I never asked him. I was afraid to ask him. He'd tell me it's none of your business. You're too small too learn, to know anything. You know how the older people would resent the children asking them something, questions.GF: How did you see the paper? Did you go with him or what? ROS: Actually, they would come to the house and he would give them nothing and he'll talk to them and then give them the paper. GF: Were they Indian people? Or also non-Indian people? Do you know who they were? ROS: They were families. I don't know whether they were Indian or not Indian, but he never denied anything to any family that were in need of help. That's the way he looked at it, I guess."

[93] Doc. 80310.INT: "DC: Who was organizing the community events in those days then? [redacted] (Estanislao Ortega) was involved with that or other people were involved with that? ROS: It was my [redacted] and other people. They'd come together. DC: Did they have the monthly meetings still or did they have other meetings or other festivals? ROS: Well, they had festivals. They had meetings. But I don't know when their meetings were. I was still small. DC: Yeah. Any idea what business they transacted, the issues they were involved in? ROS: No. I don't."

[94] Doc. 80314.INT

[95] Doc. 80316.INT: "JO: Well, I understood that my [redacted] (Estanislao Ortega) used to tell us that he was a ... well, somebody had told us that he was the only one that used to speak English... I mean, Indian language. But he never taught us anything about Indian language at the time before he passed away. I heard that he was one of the chiefs of the tribe.

> still working on the genealogy part. DC: Right. So who was this group then? Who was this group that you were meeting with? ROS: It was my people. DC: And that was what? ROS: I was feeding them what I had already. DC: So these were people that always went to the festivals and always went to the events? ROS:Yeah. DC: How many were there about that time that actually showed up? ROS: That actually showed up there were about 20, 22. Something like that would show up. DC: And these were sort of like leaders in their families and stuff? ROS: Yeah. And if you want to learn more about your culture, because they said their families never knew anything about who they were or nothing. So being that I was doing all the work that I had the knowledge to give them if they wanted. I says fine. So we started meeting in the halls. And then.... DC: How often were you meeting in those days? ROS: We were meeting twice a month then. DC: That was before the war. ROS: Yeah. That was before the war. DC: And at first you didn't meet at the place where you were working, but you were meeting at people's houses, at your house? ROS: Not till after the war when I got back. DC: But before the war, you were meeting where? ROS: No. We were meeting at the house. At my house we were meeting. Until after the war when they drafted me and I went in the service. Then we started meeting at the house."[96] The non-profit was an outgrowth of previous family and lineage based traditions of sharing and taking care of those in need. Families, lineages, and leaders often gathered resources and redistributed them to those in the local Indian community who needed them. While these efforts usually were aimed at the needy members of the Fernandeño Tataviam community, help also was given to members of other tribal communities, who increasingly appeared in the San Fernando Valley community.

The 1904 to 1951 period ended with the death of Estanislao Ortega, captain and community leader.

Addressing the Criterion for Political Influence Over an Autonomous Entity During the 1905 thru 1951 Mission Period

§ 87.7(c)(1)(i)
The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

The primary method of community mobilization during the 1905 and 1951 period was through family, community, and network contacts. Before the 1940s, families met at holidays and gatherings for social events, but also met to discuss family and community issues. Antonio Maria Ortega was the community captain after 1910, and his son Estanislao was captain during the 1940s until his death in 1951. Families contributed food, prepared food, and helped organize the gatherings. The captains collected resources from members and non-members to help support needy members. The captains engaged in community and family networks to discuss issues, gain contributions, and communicate with family members. During the early 1940s and then later 1940s more explicitly group meetings, meeting in public parks and nonresidential

[96] Doc. 80311.INT

buildings, emerged for the purpose of creating a cultural club to teach traditional culture, and to engage in community issues. The pattern of the gatherings resembled that of lineage meetings, except they conformed to American and Christian holidays. See pages 28-33.

§ 87.7(c)(1)(ii)
Most of the membership cousiders issues acted upon or actions taken by group leaders or governing bodies to be important

During the 1905 to 1951 period, the captains were engaged in issues that were of concern to the community. Much of their activity was based on group discussions and concerns during family gatherings. Lineages made decisions collectively, while family leaders held considerable weight in the discussions. During the late 1920s through to the 1950s, one major issue was whether the judgmentFernandeños at San Fernando should register for the 1928 California Indian Judgment Roll and again in the 1950s update roll. The issue was controversial among the lineages, Antonio Maria Ortega opposed registration. All the members of the Ortega lineage followed his lead. The Garcia lineage, led by Josephine Garcia, also did not register, agreeing with Antonio Maria Ortega. The Ortiz family enrolled, in part because the family leader, Joseph Ortiz, was old, retired, ill and in need of funds. See pages 30-35.

§ 87.7(c)(1)(iii)
There is widespread knowledge, communication and involvement in political processes by most of the group's members.

The Fernandeño political community during the 1905 to 1951 period was largely informal and based on consensus. Each lineage was free to depart from the Ortega captains and go its own way. As in traditional times, leaders were recognized for control over economic resources, cultural and historical knowledge, ability to speak Indian languages, and leadership ability. Members of lineages participated in the political process of the lineage through consensual decision making within lineages and families, usually during family gatherings or informal meetings. See pages 28-35.

§ 87.7(c)(1)(iv)
The group meets the criterion in Section 83.7.(b) at more than a minimal level.

As demonstrated below, for the Mission period 1905 to 1951, the evidence meets the criterion of Section 83.7(b) which is sufficient to satisfy Criterion (c).

§ 87.7(c)(1)(v)
There are internal conflicts which show controversy over valued group goals, properties, processes and/or decisions.

During the 1905 thru 1951 period, the controversy surrounding whether to seek registration in the 1928 California Indian Judgment Roll and the update of the roll in the late 1940s and early 1950s. The Ortega family captains were opposed to registration for fear of forced movement to reservations located away from the San Fernando Valley. The Garcia lineage led by Josephine Garcia agreed and did not register. The Ortiz family applied and was accepted to the roll. The

controversy continued through the 1930s and 40s. In the late 1940s, Rudy Ortega believed the Fernandeño at San Fernando should register in the California Indian census, and despite his father's opposition, started efforts to gain registration and recognition. See pages 29-35.

§ 83.7(c)(2)

A petitioning group shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders and/or other mechanisms exist or existed which:

§ 83.7(c)(2)(i)

Group leaders and/or other mechanisms exist or existed which allocate group resources such as land, residence rights, and the like on a consistent basis.

After the loss of land during the nineteenth century, the lineages did not own collective land. During the 1905 to 1951 period, leaders and captains raised money for the needy. Families and lineage leaders discussed needs of members and families and shared resources. Captains raised money from Indian and non-Indian contributors, like commercial establishments, and redistributed to needy members, and non-members in the local area. See page 33-35.

§ 83.7(c)(2)(ii)

Group leaders and/or other mechanisms exist or existed which settle disputes between members or subgroups by mediation or other means on a regular basis.

During the 1905 to 1951 period, the state and local governments assumed power over criminal and civil offenses. The families and lineages mediated internal affairs which did not come to the attention or jurisdiction of state and local authorities.

§ 83.7(c)(2)(iii)

Group leaders and/or other mechanisms exist or existed which exert strong influence the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

During the 1905 to 1951 period, the lineages continued to enforce the rule of exogamy. Marriages were exclusively outside the lineages of the petitioning community. The rules continued where leadership was acknowledged within outstanding individuals with cultural knowledge, traditional language skill, and willingness to raise and share resources. Meetings were collective gatherings of the families and lineages, and decisions were made consensus. The leadership and meeting patterns followed traditional forms and rules. Observe the genealogy records and the community data base supplied with the petition and see pages 31-35.

§ 83.7(c)(3)

A group that has met the requirements in paragraph 83.7(b)(2) at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time.

The Band meets the requirements for § 83.7(b)(2) for the 1905 to 1951 period. See the section addressing the criterion for 83.7(b)(2) above.

Political Influence from 1952 Thru 2009

After Estanislao Ortega's death, Rudy Ortega became captain of the San Fernando Mission Indian lineages.[97] Rudy Ortega became community captain in 1951 after the death of his father.[98] Rudy Ortega's older brother was not interested in assuming leadership during the 1950s, and so deferred to his younger brother Rudy, who was active in organizing community and family activities. Rudy Ortega was an army veteran of World War II, and gained experience in American-style bureaucratic and organizational activity. Rudy Ortega renamed the tribal community with the name "San Fernando Mission Indians" during the middle 1950s.[99]

Estanislao's two younger brothers Eulogio and Luis both [redacted] and did not participate in leadership within the families or for the broader San Fernando Indian community. The two younger brothers served in World War I, claiming San Fernando Indian identity on their draft cards.[100] When they returned from the war, they [redacted] and as late as 1930 were living with their parents. Luis died in the early 1930s, and Eulogio spent some time in veteran's hospitals, but the family withdrew him, and he lived with his parents, and then moved to live in San Fernando on his own. Neither Eulogio or Luis married or had children. Rudy's older brother, Jose Ernest Ortega, had little interest in leadership of the community. Rudy, the second son of Estanislao, thus emerged as captain.[101] Many of Ernest's descendants enrolled in the Band.

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[97] Docs: 80302.INT; 80312.INT

[98] Doc. 80310.INT: DC: But you remember the festivals and things. ROS: They always referred it to me. DC: When you got to be old enough. When did you start taking on that job? Even before you went to the war? Or after the war? ROS: In 1941. DC: So already before the war, you were already serving as captain. ROS: Yeah. DC: In a certain sense, how did that happen to you? Was it that your father died? ROS: My father passed on and my people just said you're the captain. You're the leader." 80311.INT: ROS: Well, before the war, I was small and I was going to school. DC: But your dad died and they said that you were the captain. ROS: Yeah. And then they made the chief. DC: Was that a surprise to you? Did you know that you were going to he captain? You weren't really being groomed for captain. ROS: No. I was kind of surprised."

[99] Docs. 80320.INT; 80313.INT: "And then we just found out, or just verified that your dad in Octoher 1951, which would be right after you had done the first enrollment and you found out that you didn't have sufficient information about Catalina Leyvas. And then I'm not clear exactly what happened. I think you said that right around that time, you formed the Mission Indian San Fernando group of Indians. ROS: Right. GF: That would be some time around 1952. ROS: Almost towards the middle of the fifties. GF: Middle of the fifties. Okay. So I was asking whether you were already considered to be the chief, or whether Vera yonr aunt was thought to be the family leader after your dad died. ROS: I wasn't thinking of nothing like that at all in my mind. I was just thinking of trying to get my people together and do some fun things with them. Just exchange the life of the tribe of our people, how we'd work together. In other words, say, in the old days, if they knew anything about our ancestry, what they did. If they had pow-wows, who danced in the pow-wows? Some of onr family, because my five boys, one of them was a drummer, and the others danced. One of them brought it in to our people at the Mission, one meeting. We weut to Santa Ynez to the Chumash. They had a pow-wow. I think I mentioned that to you before. We took a booth out there." The tribe also made appearances at Morongo, Oceanside, and other locations for powwows and parades.

[100] See Docs. 80134.A.USDR and 80135.A.USDR.

[101] Doc. 80310.INT; 80314.INT: "GF: When did you first start hearing the name Tataviam? EO: Back in, like I said, when Rudy made us aware and he made us all sign these roll papers back in, I believe it was the late 50s that he started. Maybe the early, early 60s. GF: Do you think that some people were reluctant even then to sign?

> EO: Yes. I know my dad was. He was very—he was not against it, but he was like reluctant because he'd always tell me, he'd say, "I don't know why Rudy's doing this, it's not gonna get him anywhere."

Already in the 1940s, Rudy Ortega was active contacting by telephone the Bureau of Indian Affairs in Sacramento about whether the San Fernando Mission Indians could recover land or participate in upcoming judgment fund distributions. Still in high school, Rudy Ortega began research Fernandeño Tataviam history and genealogy, and started to organize a cultural center, under the influence of his aunt Vera Salazar.[102] About this time an incident with a school teacher caused Rudy Ortega to inquire to his mother about his identity: " I said, the teacher made me sit on the auditorium and drum a little drum, like an Indian. She said, well, son, you are an Indian. I said what kind of Indian am I then? She said, I don't know really, but ask your dad, your dad should know. GF:And your dad's name was? RO: [redacted], which was [redacted] So I went to my dad and I told him and he says, yeah, you're San Fernando Mission Indian. So it made me a little happy and we left it at that. So I started doing the genealogy ..."[103] At a young age, Rudy Ortega became a community leader and held meetings at his house.[104]

Rudy, Sr. also recounted:

> "(During the) Forties it stopped. And then I started doing some genealogy for my people. They didn't know when I started doing it. Because I myself was Indian, so my blood was boiling then. DC: So you're saying that when you were a kid, the church was organizing events. People actually went to them. ROS: Yeah. They were the ones organizing them. DC: And then the others, just Tataviam events, but these were mostly the weddings and things like that. But then in the

[102] Doc. 80310.INT: ROS: Before the war, when they made me the leader of the organization, well, we actually didn't have enough to say that we were Mission Indians yet. I was still working on the genealogy part. DC: Right. So who was this group then? Who was this group that you were meeting with? ROS: It was my people. DC: And that was what? ROS: I was feeding them what I had already. DC: So these were people that always went to the festivals and always went to the events? ROS:Yeah. DC: How many were there about that time that actually showed up? ROS: That actually showed up there were about 20, 22. Something like that would show up. DC: And these were sort of like leaders in their families and stuff? ROS: Yeah. And if you want to learn more about your culture, because they said their families never knew anything about who they were or nothing. So being that I was doing all the work that I had the knowledge to give them if they wanted. I says fine. So we started meeting in the halls. And then....DC: How often were you meeting in those days? ROS: We were meeting twice a month then. DC: That was before the war. ROS: Yeah. That was before the war. DC: And at first you didn't meet at the place where you were working, but you were meeting at people's houses, at your house? ROS: Not till after the war when I got back. DC: But before the war, you were meeting where?"

[103] 80318.INT

[104] Doc. 80311.INT: "ROS: No. We were meeting at the house. At my house we were meeting. Until after the war when they drafted me and I went in the service. Then we started meeting at the house. DC: And then there was this Joint Venture Project you said? ROS: That was an organization that I worked for. DC: But you met there too? ROS:Yeah. In the community. We used to meet at the house once a meeting and the other meeting we'd meet at the hall there. DC: So twice a month, one in each place. ROS: Yeah. DC: How long did that go on? ROS: We went on like that for about a year a half, until I got drafted. DC: So that was like about 1940 to about the middle of 1941. ROS: 1940 it was. Yeah. I got drafted in 1941. DC: So that seemed like a pretty active group then. ROS: Yeah, it was. They were very active. And I was proud because they never let me in peace. They always called me and they wanted something, they wanted to learn something, they wanted to know something. Did I found anything else on their family or their brothers or sisters or whatever? DC: So this was a lot about the community, about the families, that people wanted to know. ROS: Right. DC: Was that the main business? ROS: That was the main thing at that time, because we were just starting and I was trying to get the group all situated on their background, on their families.

> forties, the church seemed to fade away from the community. ROS: They kind of faded away on the fiestas. DC: So you started to organize your own events. ROS: Then we started organizing ours. Then I started doing my genealogy. I started getting my people together. Then the war broke out. Then I was taken into the service. So then all that stopped from '41 to '48, '49, when I was discharged. DC: Did people start those events again in '45, '46? ROS: No. Well, the church started a couple of them up in North Hollywood. DC: How about the community? ROS: But the community, no, they didn't start nothing up until I had my people come back after I got out of the service. DC: A lot of people had to come out of the service. A lot of people were gone. ROS: Yeah, they started coming back and so we started doing all that. And then we started having our meetings at the Mission Park, with a potluck dinner."[105]

In the 1940s, the San Fernando Mission Indians began to write bylaws, but the community did not finally settle on them until 1972. Before the 1970s the community was hesitant to adopt bylaws and so the discussion for the initial ratification of bylaws carried on for about 25 years.[106]

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[105] Doc. 80310.INT; "DC: Tell me about the late forties when you came back. You didn't really adopt bylaws right away, but you had some way in which people would conduct business. How did you do that? ROS: They would come to us when we had our meetings. DC: So even then you had these monthly meetings. ROS: Yeah. We started our meetings again after the war. We started right away getting our people together. They knew when I was back. They knew nothing happened to me so they used to call my mother up and ask. Well, he's not here. He just left. Because I was married already. DC: So in a certain sense they were waiting for you to come back? ROS: They were waiting for me. DC: Why was that? Because you were the hereditary chief? What's the deal? ROS: I guess. That's when my father had passed on. DC: Your father was the captain before. ROS: Yeah. My grandfather and then my father took over. DC: And your grandfather was a captain in his days. ROS: Yeah. Until he got sick and then he.... So then after that, my aunt says, "Come on, Rudy, let's form something. I need something to where I can go out and enjoy and talk to people." I said, "Okay." So that's what I did. We formed a group and after the war, when I come back, they said, come on, let's get the people. They're ready. They've been waiting for you to come back. I says okay. So we started doing the meetings again and started getting the Board together"... "DC: And there were people when you started doing that in the forties that had served before as Senators? ROS: No. When I formed the group, they were all people of my age, 18, 19, twenties. DC: So younger people. ROS: And thirties. Yeah. DC: What were the old people doing then? Did they have any interest in this anymore? ROS: No. They would just sit back in the rocking chair, a lot of them. They were up in their age already. But they encouraged their children to go. DC: They encouraged people to participate. ROS: Yeah. Get into it. Go. I want you to go. But they themselves, they didn't have the energy any more, I guess. DC: They were very old people. ROS: Can you imagine the forties when I was about 20 and they were old? Now, I'll be 81 next week. December 12 I'll be 81 and I'll be on vacation. My children say, "Dad, you go on vacation and it's your birthday. You're going to be gone on your birthday." I said, "Yeah, what can we do?" But that's the way life is. But now I've formed my people back together and we had our meetings, we had a Senate board we created ourselves ....

[106] Doc 80310.INT: "DC: But what about the time before then? ROS: Before that, we had the by-laws were adopted back in 1973. DC: A different set of? ROS: Yeah. DC: And then in '48, '49, when you started to reorganize things, there were bylaws then? ROS: They were the same bylaws. DC: So '72, '73, you just wrote them down then? Or what happened? ROS: Yeah. DC: But the rules.... ROS: In '73, that's when we submitted the bylaws. DC: And submitted those to what? ROS: Actually, Senator Alan Robbins walked it through the offices in Sacramento to be approved. DC: To be state recognized, right? ROS: Uh-huh. Yeah. I have those papers. DC: Okay. We don't need to see them now, but eventually we want to have copies of them. Before then.... ROS: Before then, we had the bylaws. Because we had just started in the forties. DC: Right. Okay. So did you write bylaws back then? ROS: Actually, they were writing bylaws but they didn't finish it until 1973. DC: Okay. So you were discussing bylaws. ROS: Yeah. And then we'd had the meeting and they'd come up with something else. They'd change it. Back and forth, back and forth. So I didn't push them too much because they were taking the time. Actually, they didn't know what they were doing, and they were thinking. And I didn't want to push them

The first formal organization was formed. He described the organization's proceedings as follows:

> During this time the meetings were held with participation of the entire community, and decision making was by consensus and discussion, following traditional political forms and processes. "DC: So you didn't have the Senate before the war. Or you just had a Board or a small group. ROS: Just had a reunion of all of them. They decided what to do. DC: So it was by consensus, by discussion. ROS: Yeah. It was almost like, say, a free-for-all. You say your piece. You say your piece. And we've got to agree on whatever. DC: You never voted on anything? ROS: No. DC: You just talked it out. ROS: We all agreed on whatever it was. Whoever thought it was the right thing to agree on. And that was the easy part. Now you have to have a Senate Board. You have to have a Collision Board. You have to have a Fire Board. DC: And as far as you can guess, that was the way they had been doing it forever before then? ROS: Yeah. Well, you know, the tribes never had anything like that. The chief is the one that had the people there in front of him. And he said what he had to say and they went ahead and do it. No voting. No nothing. DC: But the people said things. ROS: Yeah. DC: They would have a discussion and they would agree on it. ROS: Yeah. DC: Did you have a name for yourself at that time? An official name. Did you ever tell anybody what that name was? ROS: No. DC: Did you call yourself anything? Or you didn't even do that? ROS: No. I just called myself Rudy. DC: I mean the community. Like now, you could say Tataviam-Fernandeño Mission Indians. ROS: No. We never called ourselves any Mission Indians or nothing until later in time when we find out where we exactly were from. Then we started saying it. They'd say, "What tribe are you from?" "Oh, we're Mission Indians of San Fernando." And that's how. DC: But at that time people were sort of a little not clear about that. ROS: Yeah. They weren't sure where they were from. They lived in San Fernando but they weren't particularly sure whether they were from here or from over there. Until after when I started doing everything and started giving them the information. It says here, your father, and your grandfather, they were all from here at the Mission."[107]

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because then they'd quit on me. They wouldn't come back no more. I know my people. So I had to keep them together. So I let them do whatever time they needed until the time came when they told me. I said I had the attorney right there in Pacoima at Legal Services. They're the ones that made the papers up for me, filled out all the documents for me to send."

[107] Docs. 80311.INT; 80310.INT: DC: How did you conduct the meetings at the beginning since you didn't have bylaws? Nobody really cared perhaps. ROS: No. They didn't want no bylaws. They wanted to work just as they come in and discuss the problems. DC: That's the way that they always had done it. ROS: Yeah. And in those years back, they didn't have no laws. They conducted their meetings. You know how they were, the chiefs. Ha! Whatever the chief said, good, it went. But we told them the bylaws and all that but they said, oh, let's wait. We don't know what's going to happen later on up ahead. Let's see what happens. DC: So nobody thought it was all that important at the beginning to have them, because there were certain ways of doing things already that people were happy with. ROS: Yeah. And they agreed with most of the stuff. If they didn't agree, they'd talk it over and they'd come out to some solution. Otherwise, they carried it for the coming month. DC: So in some sense it was by consensus then. ROS: Uh-huh. DC: People talked until they got agreement. And if you didn't get agreement, they just deferred. ROS: They put it on for the next month. And at the end, they'd come up with some kind of an

In 1951, months before his father's death, Rudy submitted a claim for enrollment in the updated 1950 roll for the 1928 California Indian Judgment Act.[108] Rudy's application was eventually rejected as he could not establish a blood line to any person on the 1928 roll. He was born before May 18, 1928, and therefore was eligible for the initial enrollment, but had not applied.[109] His aunt Mary Garcia, a granddaughter of Josephine Leyva Garcia, encouraged and assisted Rudy.[110] Mary Garcia moved to the San Fernando area by 1950, and lived in Pacoima, a nearby town a few miles from tbe Ortega residences in San Fernando. In the late 1940s and early 1950s, Rudy Ortega and his immediate family were also living in Pacoima. Mary Garcia was a close political confidant of Rudy Ortega, and actively participated in the community of San Fernando Indians through the 1950s, 60s and 70s. She identified as Chumash but was a non-blood in-law relative to the Ortega family, and active in the community. Her son Theodore Garcia became a Treasurer and active member of the San Fernando Mission Indian community.[111]

Rudy Ortega's aunts played active leadership roles in the community and for their family lines. Several of Rudy's aunts, the daughters of Antonio Maria Ortega, are actively engaged in family affairs. They challenged Rudy's claim to leadership during the 1950s, in part because of his youth, and because they were strong figures in family issues and affairs of the lineages.[112] Vera Salazar was active in leading and helping Rudy organize community events from the 1940s into the 1970s.[113]

Rudy Ortega, Sr. recalled:

> "SS: You know, the thing is that I think my grandma was really a backbone for a lot of families. Like my dad said, she was not only an ear, but she was there to help people and I think it was, kind of, an unspoken because all her elders, her grandfather and her great grandfather were the Ortegas. GF:Who? ROJ: Antonio Ortega GF: Would be her dad? ROJ: Yes. It would be her father. GF: Okay. Her grandparents. ROJ: Her grandfather is Francisco. GF: Yes. I'm sorry, you were saying, [redacted]? SS: They were some of the last elders to really know the culture, and you know from the time of my grandma it was, like, it was almost

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agreement. DC: Was that the way they did it in the twenties and thirties too? Do you think very much? ROS: I imagine. I imagine they did." Doc. 80314.INT: "EO: Yeah. It might have been earlier than that. But as I can remember, yeah. And then we started having meetings and I was in a couple of parades, dressed up as an Indian, you know. I did it because my kids, they wanted to be in it. And I used to go to the meetings all the time. In fact, I was secretary there for awhile ..."

[108] Docs: 80289.123.OTC; 80289.115.OTC

[109] Docs. 80289.117.OTC; 80239.123.OTC, 80239.121.OTC

[110] Doc. 80289.111.OTC

[111] Docs: 80310.INT; 80289.133.OTC; 80583.E.FTTC; 80302.INT: "M: Do you remember being on the council back in the fifties and sixties? TG: Well, just more or less, you know, I'd go to the meetings and stuff ..."; Doc. 80302.INT; "Q1:Your dad seems to be involved in a lot political activity in the fifties... forties, fifties, sixties. M: He was involved as much as he could get involved in it." 80302.INT: "M: Yeah, they started to organize, too, because of trying to get some people to enroll, things like that, and everything coming together, meetings for that. I don't remember going to any of those meetings. I always just remember that there was, and [redacted] (Theodore Garcia) was going to them."

[112] Doc. 80310.INT

[113] Doc. 80313.INT; 80324.INT

> better to keep it hidden. I mean, because then people, like I say, the Indians were second class citizens, and then some even the relatives that are coming out of the woodwork now, for years, their parents told them they were Mexicans until they realized who they were … ROJ: I think one of the... because Antonio, who passed away in the 1950s [1941], who picked up the torch from there was Vera Salazar. And the story that I heard earlier of her opening the doors and feeding everybody, that is a captain."[114]

Vera Salazar sometimes challenged Rudy Ortega's leadership, and some of her descendants continue to offer alternative leadership, while other descendants are enrolled in the Band. Antonio Maria Ortega's other daughters, Cristina Ortega Rodriguez, Catharine Newman, and Rufugia (Erolinda) Tapia all were active in helping organize family and community activities.[115] Katie Newman exemplified traditional forms of self-effacing and quiet leadership.[116]

> Most of Rudy's aunts eventually accepted his leadership based on his political activity and efforts to research family and community history and genealogy.
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> "GF: Yeah. I was just listening for when Vera comes in. ROS: Yeah. Okay. And so we had that meeting in Pacoima at the church and Ed Diaz came down. I don't know who invited him. And he came over. Like he was the mayor. He threw his weight around like a politician. And after I introduced him to us, a gentleman to a gentleman, you know. And told them who he was and everything. So they clapped their hands. But then, he started … So then whatever was then he started talking politics and this and that. He said how about me running for president and blah-blah-blah? I said, okay, we don't have no openings right now and we're not in politics. This group is an activity group, that's what it was. GF: I'm sorry to interrupt you. But why did you call it an activity group? Why did you say it's not into politics? I'm curious. ROS: Well, because we weren't working with the politicians to support us or anything like that. We were going on our own as individual natural people. That's what I wanted to do. Not feel that we're up there. We have nothing to prove. So he still started talking to the people. So I got mad and I got up. I says, "You know what? You can have this group. You can have everybody that's in it, the chairs that belongs to the church. I'm leaving." So I got up and I started walking out. Before I knew it, Vera [Salazar] was behind me. She says, "Come on, Rudy. Let's go." And she didn't like it either the way he was talking. So the rest of the people started getting up. The

[114] Doc. 80324.INT
[115] Docs. 80310.INT; 80324.INT
[116] Doc. 80308.INT: VNJ: A lot of Indians are, and you talk about leadership and who's the most out-whatever, that is kind of not their nature, in my experience. They are quiet. They tend not to try to dominate or be chief, you know? They may become chief but they don't go out and say, "I'm gonna be chief." That's not the way my remembrance of any of those people in that family was. They tended to be quiet. But Katie, the person who led that troop, was a quiet person. She wasn't loud, she wasn't boisterous, she was quiet. She would take care of the business and she was there. But, you know, that's part of why in American society you become invisible. Back to [redacted] comment—you become a non-entity because you're not out there making noise like the Indian rights thing that went on in the 60s and all those things that were going on. Well, yeah there were a few people that wanted to do that because they were frustrated and fed up. But that wasn't the way I remember this part of the family and what their allegiance to the community and being a tribe member was. They weren't looking to, you know, I want to be the chief, I want to be the assistant chief, I want to be chief number three. That wasn't their way of operating or thinking. They were quiet."

relatives started walking out. I think they left about five or eight people in there that weren't from our tribe. They stayed there with him. So in about two weeks later, he writes up an article in the paper that says, "Ed Diaz, the mayor, has discovered San Fernando Mission Council Indians." GF: He has what it? ROS: He had invented. GF: Invented. Uh-huh. ROS: The San Fernando Mission Indian Council. Not Mission Indians. GF: I see. ROS: Because it was already Mission Indians with me."

Stanley Salazar recounted:

"My grandmother (Vera Salazar) is the one who initiated him (Rudy Ortega, Sr.) as captain. And it wasn't... for the captains, they were appointed. It was hereditary, it was family. We're not a democratic society and let's go, everyone put your ballot over here in this rawhide box, and then we'll find out who's the new chief. Those elders they appointed, they knew, they seen who really had it. Look it, he's been doing it for 45-50 years. My grandma seen it him when he was young, and he had to swallow a lot of his own humiliation from his own family and outside family to keep the struggle ... I really believe my grandma seen it in Rudy to pass it on for him to be the captain. She'd seen it in him. There was other nephews and she had four sons of her own why didn't she pick one of her own sons? Why did she pick a nephew as her own son? Because she'd seen it that he was going to do it for years to come."[117]

"ROS: Actually, it was like I was one of her sons telling me, "Son, let's go with it. Let's go forward with it. We got to do something for our people." She was really helpful with

[117] Doc. 80324.INT "My grandma (Vera Salazar) always said, "In your lifetime, grandson, you guys should fight for a land base because then you will have a place for your grandchildren to come to." But she didn't believe it would ever bappen. She knew she wouldn't see it in her lifetime, but someway she passed it on to us to fight for that. So we've always stayed very close, these families."... "who picked up the torch from there was Vera Salazar. And the story that I heard earlier of her opening the doors and feeding everybody, that is a captain" ..."I think Vera Salazar...GF: (Overtalking) ... (Toporina?). ROJ: (Toporina?)... is the one that led that charge. But I think, here, after Antonio's passing the person who picked up that torch to make sure it continued was Vera Salazar. And because my father says if it wasn't Vera who pushed them, and today you heard it, too, that if she didn't push my father where would we be today as a tribe. So each captain, as [redacted] had mentioned earlier, they knew who was strong and who could endure, who had the patience, but pretty much who could have the endurance because everyone comes at you, and it's very hard because you've got everyone tugging at you." Doc. 80313.INT: In the early 1950s, Vera Salazar helped organize community meetings and encouraged Rudy Ortega to continue with regular community meetings. "ROS: And, about two months later, Vera called me. And she says, "Rudy." "What? Who's this?" "This is your Aunt Vera." "Oh yeah, Vera, what's up?" She said, "You know what I was thinking?" "What?" She said, "I'm tired of staying home. Let's get the group together. All of us." "What?" "The group together." "It's too hard." "No, it isn't. They're there already," Vera said. "I've already talked to them." I said, "What?" "Yeah, I already talked to a lot of them. They want to go back to have a meeting. Enjoy talking out with everybody." "Well, I don't know." "Come on." "Okay," I says. "You know what? I'm gonna let you in charge. I'm gonna let you set up the meeting. If you want to have it at your home, my home, or at the Mission Park," because it was summer. "And at what time? Do you want to have potluck? Tell them to bring a dish of their favorite and enjoy the food there." "Okay." And she did. She'd gathered everybody together and had a potluck." Doc. 80324.INT: "ROS: The family, we had dispersed for a couple of months until my aunt (Vera Salazar), his grandmother, forced me to bring in the force again into the tribe. And I said, "No, it's no use. The people don't want to get together again." But they said, "Yeah, they will. They will. Let's start it over again." So we did then. She begged me, so I went ahead, and here we are now. And I wish she was here to see what we come up already... how far we come with her help. And she still is helping me a lot. In the spirit, she's right here with me doing what she's supposed to do to help me."

people. A lot like Stanley said, very helpful. So I said, "Okay. Let's go ahead." And we started going and making a lot of rules and regulations. We even got the constitution drawn up and we had a board of directors and senators. So we did pretty good. She's the one that made me start it. If it wasn't for her I wouldn't be here right now sitting around talking about it."

Stanley Salazar recalled:

"My grandma (Vera Salazar) was one of the very strong ones. I really believe my grandma was one of the clan mothers for us. She was very matriarch. She had her nephew. She pushed my uncle here, I call him, but she pushed her nephew to carry this on because she knew she wanted someone strong. And those elders, they could see who has the strength and who doesn't. He took a lot of humility. He learned humility taking this job. I know this. I came on council... I'm not on council now, but I was for a couple of years, and I have worked for the tribe.[118]

"ROS: They were waiting for me. DC: Why was that? Because you were the hereditary chief? What's the deal? ROS: I guess. That's when my father (Estanislao Ortega) had passed on. DC: Your father was the captain before. ROS: Yeah. My grandfather (Antonio Maria Ortega) and then my father took over. DC: And your grandfather was a captain in his days. ROS: Yeah. Until he got sick and then he.... So then after that, my aunt (Vera Salazar) says, "Come on, Rudy, let's form something. I need something to where I can go out and enjoy and talk to people." I said, "Okay." So that's what I did. We formed a group and after the war, when I come back, they said, come on, let's get the people. They're ready. They've been waiting for you to come back. I says okay. So we started doing the meetings again and started getting the Board together."[119]

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[118] Doc. 80323.INT

[119] Doc. 80310.INT; 80318.INT: "GF: How did you acquire the information about there being a chiefly lineage in your family? How did you learn about that, because I understand that you have inherited the chief role in your tribe. How did you inherit it? From whom did you inherit it? RO: You know, I really don't know. I just took it and my people voted me to take it, to start doing the research on our people and to find our heritage and that was it. Then afterwards, about a couple years later, then they named me the chief of the tribe and gave me the name. GF: Which name? RO: Chief Little Bear. So, I've been that since then and that's been from 1950. Then we changed the name of the tribe, because we had a gentleman come from (Name?)... he's a mayor of San Fernando. His name was Ed Diaz. Supposedly his wife was related to my mother, but it had nothing to do with that. It was just him that wanted, since he was the mayor he wanted to go up more and more to politics, so he came to one of our meetings and started talking to our people with me there, trying to get them on his side and to vote this and that. I didn't like it, what he was doing, it was my people. So I says to my people, I says, if you want to follow him, you can have him, I'm walking out. So they were all astonished and I said goodbye gentlemen and ladies, I'm leaving. My aunt Vera got up and says I'm leaving too, wait because I'm going right behind you. And some of the other people started getting up and walked out. So they only left about a dozen of them that I can remember, with him. And I think that club only lasted maybe if a year, it was a lot because it broke up because he was kicked out of being the mayor after that when they found out what he was trying to do. Not only with our club but with other clubs, he was trying to take hold. I guess, as a politician, he wanted to get all the power he could from these clubs and make himself higher. I think that's what he wanted to do. So I stopped in and said, well, it's a secret thing, I can rest now, I won't get into that anymore, but my Aunt Vera started poking me and calling me. So she says come on, let's get the people together, they want to do something. I already called them up, I already talked to them and they said they're waiting for you to say something."

> "F: So what did it mean to be a captain? What kinds of things were expected of a captain at that time? ROS: I don't know. My dad never mentioned anything like that. But when I took over the tribe, my job was to be, and even now my sons or my daughter—actually my daughter [redacted] here, she said, "You're always thinking about your relatives, never about yourself." Because I don't know what came up with [redacted]. I told [redacted] about one of the cousins, something to help or something. She says, "Dad, why are you always helping them? You never do anything for yourself. You're always worried about the family, always worried about them. You never worry about yourself. I said, "Well, that's the way I am. That's the way I guess I was born to come up and help my people. I don't know." She was little upset because I was trying to help somebody, not helping myself."[120]

While there were more than one candidate political leadership, most of the community came to recognize Rudy Ortega Sr. as the band captain. Steve Ortega recalled:

"They had different perspectives who was going to run the tribe. It was like you got presidency here. You got people fighting over who wants to be in the White House. It was the same thing as being president of the chief of the Tataviam tribe. Then we were Mission Band Indians. We found out we were from that part of Indian. So my father backed off and a lot of things in becoming the chief and all of that. But there was another gentleman, I forgot his name, and he was going to run it. Well, he couldn't get the people to follow him. They called my father up and told him that they wanted him to be the leader. So my father started putting things together, projects and all of that, and the next thing you know the organization just started growing with the family, and then we started getting people say they were Indian."[121]

Rudy Ortega, Sr. discussed his objectives:

> "DC: So from the point of view of the community, what was the whole purpose of reorganizing? Just to carry on tradition? ROS: Just to carry on where my ancestors left off. Well, actually, also, like I said, my blood was boiling over as an Indian and I wanted to see what my ancestors did back in those days, if I could pick up any of the information. Which it was too late because a lot of our forefathers had passed on without giving the information to the rest of the families. DC: Were there other chiefs in the community? Other captains in the community? ROS: Not that I know of. DC: So there's really only one captain? ROS: One captain. Yeah. DC: And everyone recognized that that line was to you. ROS: Yeah."[122]

The Tapia, Salazar, Ortega, Verdugo, and Newman lineages were active and engaged in the community. Rudy Ortega became a source of cultural information since he was active in securing historical information and worked to gain registration with the Bureau of Indian Affairs, since the families, except the Otiz family, did not enroll in the 1928 role. He also kept contact with BIA officials as early at the 1940s, and sought official recognition and land for the San Fernando Mission Indians.[123] The efforts of Rudy Ortega to register as a California Indian led to

[120] Doc. 80312.INT
[121] Doc. 80303.INT
[122] Doc. 80310.INT
[123] Doc. 80310.INT

greater organizational experience and leadership about how to mobilize community and family members to fill out paper work and file with the Bureau of Indian Affairs. Mary Garcia was enrolled in the 1928 roll through her family then living in Newhall, and she passed the registration and organizational experience onto Rudy Ortega during the 1950s and helped the families organize to enroll and qualify for the 1972 California Indian Judgment Act roll.

Before the middle 1950s, the community was known or used the expression Fernandeño, or Indian of San Fernando Mission, or Fernandeño Indians.[124] The community used either San Fernando Band of Mission Indians or San Fernando Mission Indians to identify their organization. The community created a booth, constructed by [redacted], with a banner with the title San Fernando Mission Indians.[125] The booth during during festivals organized by the City of San Fernando, and when attending festivals of other tribes, such as the Chumash reservation of Santa Ynez, where the community members had relatives. The San Fernando Mission Indians often met in Rudy Ortega's house or at the homes of other members of the community.[126]

During the middle 1960s, Rudy Ortega became involved in community activities, some funded by the city and new antipoverty funds and programs. The facilities for the new antipoverty programs often provided places to meet, and some support resources. Other ethnic groups availed themselves to support services, and Rudy Ortega secured office space and meeting rooms for San Fernando Mission Indian families.[127] The San Fernando Mission Indians sought to

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[124] Docs: 80135.A.USDR; 80134.A.USDR

[125] Doc. 80451.SFBMI

[126] Doc. 80321.INT "GF: May I see it again, please? That's a lovely picture. Kathryn's brothers and sisters, do you know anything about them, who they were? Did you ever meet them or spend time with them, your mom's brothers and sisters? ST: Well, just my Uncle (Ilocio?[Eulogio]), he was around. When didn't spend any special time with him. He was just there when we were there. And then my aunts, my mom's sisters, we were with the kids, we were playing with the kids. There were, you know, parties back and forth that way, but we never spent any special time with them. GF: What kind of parties would the family have? ST: Just birthday parties for the kids. GF: Who came to the party? When you had a birthday who came? ST: When I had a birthday, I don't know if I had any birthday parties. It was after we had the kids that we... and then after the kids got to be teenagers, that went kaput. They didn't mix with the relatives. They just... kids, they met on their own."

[127] Doc. 80312.INT: But the thing is that after my dad died and I was doing the genealogy in the forties and I asked him a lot of questions about his grandmother and so forth, after that when he died, then I started getting the people together. My blood started boiling over telling me, "If you're Indian, why don't you get your people togetber now?" It came in my mind all the time. And I was thinking, "Maybe I should get my people together." So my second wife says, "Why don't you get your people together?" She was from New Mexico. She was Indian from New Mexico. I says, "Well, maybe I will." So then when I started talking to them about my genealogy, the relatives, trying to get some information on them, they were asking me. They says, "Are you going to form the people like your dad had them?" I said, "I don't know." They said, "Well, you should." "Well, why don't you do it?" I said. "I've got enough work trying to get this genealogy to get it for '68 to get everything done." "Nah," he said, "I don't want to do it. It's a lot of work." "Well, why do you think I don't want to do it? I've got enough work already that I have." "Yeah, but you can do it better than we can. We can follow you. You do it. And I'll guarantee you that you'll have all the people with you, supporting you." "I don't know. Let me think about it." And I kept on it. Finally, almost at the seventies, and I said , "Okay. Let's get the people." When we had them at the Mission to give all the documents to everything, I says, "Everybody you want to have a group together? We'll have it." They said, "Yeah, let's have a group together." "We'll meet where?" They said, "Let's meet here at the Mission." "Okay." So we started getting the people together. We started meeting at the Mission for a while. The wintertime came, then we started meeting them at the homes. But then I started, I went to the County in Pacoima, which is the Department of

protect sacred and historical sites in the San Fernando Valley and Santa Clarita Valley areas. They moved to protect burial grounds and preserve art and village sites from degradation.[128]

The possible adoption of bylaws was often discussed but the families did not move to adopt the bylaws until after extended discussion and finally adopted bylaws in 1972.[129] Before then, the community conducted their monthly meetings by traditional procedures, discussing issues of concern until a consensus was reached and deferring to the chief.[130] Rudy Ortega Sr. was recognized as the tribal coordinator for the San Fernando Mission Indians in 1967.[131] Photographs of a tribal meeting during the 1960s are provided her.[132] Meetings were held to discuss the California Indian settlement funds during the late 1960s, and some were held at Newhall with Garcia family relatives organizing the meetings.[133] In the early 1970s, he was elected chief or leader of the San Fernando Mission Indians.[134] On behalf of the San Fernando Mission Indians, in February 1972, Rudy Ortega invited Indians living in the San Fernando Valley to gather and discuss the possible creation of an Indian center for the valley.[135]

Social Services, and I have a friend … anyway, he gave us an office. He gave us a phone. We didn't have to pay for this service. And he gave us paper. He gave us a typewriter."

[128] Doc. 80301.T.FTO; 00039.FTO

[129] Doc. 80310.INT

[130] Doc. 80310.INT

[131] Docs. 80301.T.FTO; 80301.B.FTO; 80301.C.FTO; 80416.A.LAT; 80423.A.LAT; 80652.A.FTO; 80654.A.FTO: "Rudy Ortega, who has been the tribal coordinator for the San Fernando Mission Band Indians, has announced the meeting … Mission Band members are only those who are descendants of San Fernando Mission Indians."

[132] See the citation-coding tables for identification of participating members in the council meeting. Doc. 80616.A.FTO, 80727.A.FTO; 80728.A.FTO; 80727.A.FTO; 80732.A.FTO; 70083.A.FTO; 70114.A.FTO; 70115.A.FTO; 70116.A.FTO;

[133] Doc. 80308.INT: "DN: Yeah, as far as I could tell you, it was probably when they filed for that California judgment. GF: Right, in the late 60s. DN: Because the cousins—and they had this big meeting in Newhall, we all went. VNJ: Yeah, we'd all sit around, all the kids would sit around and talk and stuff like that. GF: At? VNJ: At these meetings. The elders would tell stories, I remember that. Because they'd gather all the kids and all the adults would go over and have meetings about the whole convention. GF: Oh, I see. Okay so you're saying in the late 60s the tribe would get together for meetings. The adults would talk, they'd occupy the kids with stories. DN: Yeah. VNJ: The elders would. GF: The elders would. And the middle-aged adults would take care of business. Okay. DN: [LAUGHS] GF: And you were mentioning that it happened in Newhall—I love your smile, you are so—DN: Newhall was the first meeting that Verne and I went to about the—we were called the Mission Indians at the time because it had not been totally researched as far as what the names of the actual should have been."; 80316.INT: "[LOOKING THROUGH PAPERS AND PHOTOS] JO: This is my wife. We first started registering in 1968. We had our office in Pacoima. That was the time you'd run under Mission Indians. And she was the treasurer of the tribe or secretary, I can't recall. And these are all members. They're my nephews. GF: What was your wife's name?JO: [redacted] GF: Was she a tribal member? JO: No. GF: But she was a spouse and she was involved in the organization. JO: Yes."

[134] Doc. 80306.INT "GF: Tell me anything that you can about your perception of how it got organized or what Rudy did. Just as much detail as you can give me about that. CC: He organized it. I can't remember what he called it. Just San Fernando Mission, I guess. And he got a lot of the people into it, and he was elected chief. And my cousin Ted Garcia, he was there when he was elected. So that's what happened then. The funny thing is Rudy was delivering telephone books, and I was working in Chatsworth over there at the ready mix plant. And I kept hearing about Chief Little Bear."

[135] Doc. 80654.A.FTO: "Rudy Ortega, who has been the tribal coordinator for the San Fernando Mission Band Indians, has announced the meeting … Mission Band members are only those who are descendants of San Fernando Mission Indians… The gathering, which will include a potluck dinner, election of officers, and 'a small powwow of our own …'"

Tribal meetings took a format of family gatherings where children and adults gathered. The children were often entertained with food, games, and storytelling. Elders told stories and watched over the young people. The middle age people enjoyed the entertainment and food, but also gathered to discuss community business. The children generally were not allowed to take part in the political and social discussions of the middle age community members. Picnics, holidays such as Christmas, Easter, or around the summer solstice were times when the families gathered and discussed common issues. People brought food to support the meetings. There were no formal elections for leadership, and decisions were make by general consensus.[136]

Members of both the Ortiz and Ortega lineages regularly engaged in ceremonies as well as meetings.[137]

> "As we were trying to get our history together, I mean, this is something that my family's been proud of, our Native history for, of course, as long as they know, and my uncle, on behalf of the family, he's been trying to get this together for decades. As long as I can remember when I was a child I've also known I was Native and very proud of it. GF:This is Rudy, Sr.? D: Rudy, Sr., our Tribal Leader now. He would be the one who went around choose different locations to find legal documents. He went to the Missions. I know he went to ... in San Diego, I'm not sure which Mission he went to … He went down to San Diego. He went to Salt Lake, also, Salt Lake City, the Mormon Temple to look at records there. He's been to Sacramento. He would, kind of, do the footwork, so to speak,

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[136] Docs. 80308.INT: DN Because the cousins (Garcia family)—and they had this big meeting in Newhall, we all went. VNJ: Yeah, we'd all sit around, all the kids would sit around and talk and stuff like that. GF: At? VNJ: At these meetings. The elders would tell stories, I remember that. Because they'd gather all the kids and all the adults would go over and have meetings about the whole convention. GF: Oh, I see. Okay so you're saying in the late 60s the tribe would get together for meetings. The adults would talk, they'd occupy the kids with stories. DN: Yeah. VNJ: The elders would. GF: The elders would. And the middle-aged adults would take care of business. Okay." See also Docs. 80595.A.FTTO; 80655.A.FTO: "Mission Indians Will Hold Meeting, Dinner at Park. "The San Fernando Mission Indians will hold their regular meeting and pot luck dinner on Sunday, starting at 1 p.m., at Brand Park, 15174 San Fernando Mission Blvd., in Mission Hills ...This meeting will be of great interest to non-reservation Indians also since information on benefits available to them will be offered …"

[137] Doc. 80320.INT " LO: And I remember her being around there constantly when we had ceremonies going on. Gloria Ortiz, again, constantly involved as we came to these ceremonies, these people were here, involved. I can't recall too many names as I think back. There was always a group, at least of adults, maybe ten, twelve adults that were constantly there. We would go to my aunt's house to do these ceremonies, [redacted]. I believe her daughters were there. Roslyn, I don't know what her last name is now. GF: Okay, just do your best and we'll fill in when we need to. LO: As you think back, you're like oh my God. [LAUGHS] You think back, you forget the names and stuff. But constantly, it's like.. [redacted] daughters were there. Again, the grownups were there and if they were the tribal members that were then, they're tribal members, I probably wouldn't remember their names. A lot of my cousins were there… LO: There was, well let's start with my brothers, my brothers were there. [redacted], [redacted]. My sisters were there, [redacted], is it [redacted], yeah, I think actually she was—you know, I can't even say she was there because I don't know if she was born then. I'm just saying the times when, the earliest that I can recall, so I can't really… I don't even think Rudy Ortega Jr. was there, because I'm trying to go back to when I believe that I remember that it started … The cousins that were there would be my aunts' kids, would be [redacted]…let me see here, I can't recall. I'm trying to go by—you know what, there's actually a picture of this and this picture is in my mind, of a group of us all right then and there. GF: Do you have that picture somewhere? LO: Actually, think the tribe has it, they have it on file. They should have it on file. If not, I have it at home but I'm pretty sure they have it there. But I think I might be there maybe nine years old then [1969]. And then the picture, the faces there, I don't want to…but these are constant…

> a lot of the footwork for the family to find the necessary documents. Now, somewhere I was one of the people who was going through the files and getting together at the tribal office. I don't know which we have in the office. I'd have to go look in the office and see which forms we have. We do have some of the progenitor files there. I don't know what's actually in them at this point. My daughter Pamela had already gotten those files together, so I was working on the rest of the tribe helping getting together. GF: Did you do pedigree files for a certain purpose or did you do it mainly because you were interested in your own family history, and then they became useful for the BIA? D: Well, at first it was for our family history to preserve our family history because we knew these people existed, but we didn't know a lot about them, so we were trying to get that together. GF:Did you do most of the interviewing? D: No, it was more... I guess a lot of it was from my father and I think my Uncle Rudy, also. He had some samples for me. He said, "This is my family tree," he'd say, which, of course, was his. I just had to exchange his name for my uncle's, same parentage, and then I'd get additional information from my father as went along. So that was for family. Then we wanted to make sure that we, as a tribe, were becoming more organized so that we could have the family history, and then, of course, part of it was we've always wanted to be federally recognized."[138]

By 1971, the Mission Indians of San Fernando became a recognized interest group and efforts were made to gain board seats in antipoverty programs to represent the recognized interests San Fernando Mission Indian community.[139] On November 9, 1971, the San Fernando Mission Indians met at The Mary Immaculate Catholic Church, 13838 Mercer St, Pacoima, CA to install officers and to discuss the California Indian Judgment Roll payment.[140] On August 27, 1971, Rudy Ortega, on behalf of the San Fernando Indians, sent a letter to the White House requesting judgment land and a reservation for the San Fernando Mission Indians.[141] He had been talking with BIA officials about tribal recognition since the late 1940s.[142]

The families agreed to enroll in the 1972 California Indian Judgment Act roll. Vera Ortega Salazar was influential in developing community support. "She told me this herself. She actually went to Sacramento in the early days. And the funny (thing) is that the BIA came in and gave scare tactics way back in the sixties by saying, 'If you guys don't take this little bit of money you're not going to get nothing.' And I wish I would've been older then, I would said, 'Let's put all these checks in one bank. We just want a home base. If we don't have a home base how are we going to tell our own children, our grandchildren our own creation story or where we came from? Who are we?'"[143] During the late 1960s, the California Judgment Act roll and fund resulted in social and political meetings, some held at Newhall, where many

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[138] Doc. 80316.INT
[139] Docs. 80301.B.FTO; 80301.C.FTO
[140] Doc. 80416.A.LAT
[141] Doc. 00059.A.FTO
[142] Doc. 80310.INT: "ROS: You know, I don't think they did any of that, to tell you the truth, because I was the only one that was contacting the BIA in Sacramento. DC: Even in the seventies? ROS: Yeah. Well, actually when I started in the forties. And I used to call them too. Actually, after this $29.5 million that they awarded for the land, about 15 years later I called the Bureau of Indian Affairs in Sacramento.
[143] Doc. 80323.INT

Mission Indians and gathered and shared culture, while talking about the business of seeking registration.[144]

Rudy Ortega and community assisted by distributing 500 copies of the enrollment applications for individuals to apply for the 1972 California Judgment Act roll. He recalled:

> "And that time, I gave all my people, I had a mass meeting at the Mission, for all my people to come there. I had over 500 copies of the applications of the ancestry to give to our people, my cousins, my aunts, everybody. I gave everybody their copy and I says I'm going to go to Sacramento. So anybody that wants to go with me, is willing to go, can go. Okay. I said, but it's got to be within three days, because the enrollment will post on the 28th of September, or the 29th of September, of 1967 I think it was, or '68. Okay, we'll get ready, whoever's going. I says okay. So one of my cousins had passed on, Aunt Vera Salazar. GF: Vera Salazar. ROS: Uh-huh. She went with me. GF: She was your aunt. ROS: She was my aunt, uh-huh. And Rita Newman. She went with me. But nobody wanted to fly. I say, okay then, we'll take the Greyhound bus. It's going to take us at least 24 hours probably to get there. It's okay. In the plane, we'll be there in 45 minutes. No, no, no, I don't want to fly. They didn't want to fly. None of them. So we went on the bus. We got to Sacramento and we had to get two taxis because there was a quite a few that went with us. GF: So, besides Vera, there was Rita, and who else went? ROS: And [redacted]. And who else was it? Me, and, oh my God, I can't remember the other two. There was two more. I can't remember their names right now."[145]

The activities of organizing families and individuals to enroll in the 1972 roll another opportunity and experience to establish organizational experience and skills in American style

[144] Doc. 00076.K.FTO; 80308.INT: DN: Yeah, as far as I could tell you, it was probably when they filed for that California judgment. GF: Right, in the late 60s. DN: Because the cousins—and they had this big meeting in Newhall, we all went. VNJ: Yeah, we'd all sit around, all the kids would sit around and talk and stuff like that.... VNJ: At these meetings. The elders would tell stories, I remember that. Because they'd gather all the kids and all the adults would go over and have meetings about the whole convention. GF: Oh, I see. Okay so you're saying in the late 60s the tribe would get together for meetings. The adults would talk, they'd occupy the kids with stories. DN: Yeah. VNJ: The elders would. GF: The elders would. And the middle-aged adults would take care of business. Okay. DN:[LAUGHS] ... Newhall was the first meeting that Verne and I went to about the—we were called the Mission Indians at the time because it had not been totally researched as far as what the names of the actual should have been. ... Because there are many, many Mission Indians. And so that was the earliest that I personally recall of any meetings. GF: And why did they choose Newhall, do you know? DN: No. But I know that Santa Clarita is supposed to be one of the places where many of the ancestors came from or were living many years ago, wherever that—"

[145] Doc. 80312.INT; 80310:INT: "ROS: But that's it. And I tell them. I says, "Listen, we had the meeting when I gave the papers to all my people, over 500 people at the Mission, when I bound everything together in a package. I made copies of all the papers." Imagine how much money I spent making copies for everybody. And I gave them all out at the Mission. I says, "Here's the papers. This is what you are. You're Fernandeño. And your papers, you've got to send them to Sacramento to the Bureau of Indian Affairs." That was in 1968. September 27, I believe, was the last day of the enrollment in Sacramento for the $29.5 million ... I got everything ready and I gave them those papers ... ROS: They all registered. DC: So there should be 500 people on that 1968 roll? ROS: There should. DC: Did you ever keep a list of that group? ROS: There were a couple that didn't send in their papers ...

bureaucratic organization and government. Many members of the Ortiz, Ortega, Tapia, Newman, and Salazar families were enrolled in the 1972 roll.[146] Anyone who enrolled was also provided with a file and enrollment numbers that was taken as proof of California Indian ancestry.

Also in 1972, Rudy Ortega, asked the California Department of Parks and Recreation for corrections of information on the loss of the land grant at Encino. The *Valley Green Sheet*, a local newspaper, reported:

> "Rudy Ortega, organizer and head of the San Fernando Valley Inter-Tribal Council, wishes deleted a sentence which states that Indians who were granted the 4460-acre Encino Rancho 'tired of the Rancho and sold it ... 'The rancho had been granted to three Indians, Ramon, Francisco and Roque, after Francisco Reyes, prior owner, was accused of not dealing justly with Indians he employed as ranch workers. Carl Wilson, area manager for the State Dept. of Parks and Recreation agree that the line is in error and the Rancho actually was lost through non-payment of taxes. Ortega, descendant of Francisco, further charges that the Indians were paid for their labor in wine and consequently had no money to pay taxes ... The ranch was lost in 1851, when Rita, daughter of Francisco, and great grandmother of Ortega, was one of the owners, Ortega said. It was then deeded to Don Vicente de la Osa, who built the adobe still existing at the park."[147] In 1974, Rudy Ortega, Sr. was commended by the California State Assembly for his contributions to and leadership of the Fernandeño community.[148]

The nonprofit was an independent service and fundraising organization, and the Fernandeño Band of Mission Indians was maintained as a government organization. In 1976, the non-profit was separated from the government of the Fernandeño Band of Mission Indians.[149] The leadership believed that the tribal government and non-profit could not be organized by the same non-profit laws, and so the bylaws were rewritten to reflect the non-profit as a community service organization and the Fernandeño Band of Mission Indians as a tribal government. A copy of the bylaws of the San Fernando Mission Indians of San Fernando are enclosed.[150] The bylaws distinguish between members and registered members, the latter being individuals who have applied and received California Indian recognition on either the 1928, 1950, or 1972 rolls

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[146] Docs. 80289.045.OTC
[147] Doc. 80657.A.FTO
[148] Doc. 00029.A.FTO
[149] Docs. 90048.A.SFMI; 90048.B.SFMI; 90048.C.SFMI; 90048.D.SFMI; 80313.INT; GF: How did this other group, Pukúu, get established? What is that? ROS: That's the non-profit organization. GF: Oh, that is the non-profit organization. ROS: Yeah. And that's what we should have had. The Inter-Tribal should have had the non-profit separate name. And we didn't know and we went ahead and put it with San Fernando Valley Inter-Tribal all into one. And Sacramento accepted it and approved it for us. So it was their mistake, not ours. GF: So then later did you separate out the tribe from the non-profit? ROS: Yeah, uh-huh. GF: And when about did that happen? ROS: That happened....GF: This is just to get a quick idea. We can say more later. ROS: 76 I think it was. GF: So it was just two, three years later. ROS: Yeah. But then I said there's something wrong here. We've got to change it, because we're going to get caught sooner or later. They're going to get smart in Sacramento and come down on us hard. So we've got to change it. So we went back to the attorney. And they changed it for us. But if it wasn't for Alan Robbins, I think we'd still be waiting to be approved."
[150] Docs: 90048.A.SFMI; 90048.B.SFMI; 90048.C.SFMI; 90048.D.SFMI, 90048.E.SFMI

under 1928 Indian Judgment Act. Registered tribal members have the right to vote, while non-registered members could not vote or comment on tribal issues. Members of the San Fernando Valley Intertribal Inc. did not have to be tribal members, while registered members of the Fernandeño Tataviam Band needed to provide proof of registered California Indian status.[151]

The tribal community was engaged in the protection of cave paintings, sacred sites, historical tribal graves and recovery of culture.[152] For photographs of band community meetings during the 1970s are enclosed.[153]

Until the early 1970s, traditional patterns of family organization and leadership prevailed. In the 1960s and 1970s, the community developed and adopted bylaws, and elected board members and a chief. The Board members met monthly, while the general membership met three or four times each year, and most major band business was discussed and agreed upon during the general meetings.[154] The assembly of band members was the primary political group. Many federally recognized southern California Takic speaking communities, like the San Manuel Band of Serrano Indians and the Temecula Band of Luiseno Mission Indians, and many others, continue to maintain most political power in a general council composed of all adult members of the band. The general council of all adult members has roots in the ceremonial houses of Takic cultures, where decisions were made about lineage issues, where even marriages were arranged. The Fernandeños' political processes are substantially the same. Among the Fernandeño Tataviam Band of Mission Indians, members of the general assembly nominated and appointed officers and discussed issues and gave direction to the leadership, which carried out band decisions and manage day to day business and organization of events and activities.

During the 1980s, the San Fernando Mission Indians were engaged in protecting historical sites, and working to providing protection to ancestors found in excavations and building sites. The band was greatly interested in the Encino archeological site, since the village there was a long standing Fernandeño Tataviam location, and because of the particular significance of the Spanish land grant to ancestors of the band in the 1840s and 50s.[155]

Darlene Ortega Villaseñor recalled:

> "We've made several attempts to get it organized. ... We've always been organized to an extent. During the eighties we would meet, like dad said in Pacoima, at this one center. In the absence of a center we would meet at... I

[151] 90056.A.FTT

[152] Doc.-Photos 80531.A.SFVHDL and 80532.A.SFVHDL: Fernandeno/Tataviam Cave paintings photographed by Rudy Ortega, St. during 1970s. Doc.-Photo: 80535.A.SFVHDL: Chief Little Bear with eagle, 1975; Gift from the U. S. Department of Fish and Game. Doc.-Photo 80536.A.SFVHDL; Chief Little Bear at Rocketdyne in the Santa Susana Mountains. The Chief was registering the site with the State Historical Society, 1970s. Docs. 00080.FTO; 80301.T.FTO; 80425.A.LAT; 80628.A.FTO; 80733.A.FTO

[153] See the citation-coding tables for names of persons in the photographs: Docs. 80727.A.FTO; 80729.A.FTO; 80730.A.FTO; 70084.A.FTO; 70113.A.FTO; Doc. 80663.A.FTO

[154] Docs: 90048.D.SFMI, 90048.E.SFMI, 80594.A.FTTO

[155] Doc. 80301.P.FTO; 80301.Y.FTO; 80301.Z.FOTO;

> remember going to meet at my Uncle Rudy's house. We'd have meetings there."[156]

Children and elders attended the meetings, and were entertained during political meetings and transacting of community business issues.

> Rudy Ortega Jr. said: "I do remember the Easter tribal meeting because my dad held them at Fernangles Park in Sun Valley … they had an egg hunt and played baseball for all the kids and teens. This was the early 1980s, but I don't remember the meetings because I was busy playing." [157]

The tribe often held general meetings several times a year and conducted political business. Meetings of the chief and the board were often held on a monthly basis. Elections and nominations for board and leadership positions occurred during the general meetings of the whole community. Any tribal member, a person of Fernandeño Tataviam descent and enrolled in one of the California Indian Judgment rolls, could nominate candidates and vote for office. Non-tribal members, often spouses of tribal members, served on the community board, but could not vote or take action on tribal issues. Non-tribal board members could vote on issues before the nonprofit, but could not vote or express their views during general meetings on issues before the tribal community. Nominations and elections of officers and board members took place during the several regular general meetings held each year.[158]

In 1995 the Fernandeño Tataviam Band of Mission Indians called on community members to formally register as members of the tribal organization. Members were asked to file lineage charts, and state family relations, as well as account for new children. The tribal roll provided more accurate and extensive data on tribal members.

In 1995 and 1996, the Band actively supported the Advisory Council of California Indian Policy (AICCP) created by Public Law 102-416 to address current and past policy conditions for recognized and unrecognized Indians in California.[159] The Band participated in cooperation with the City and Catholic Church in the commemoration of the 1797 founding of San Fernando Mission in 1997. State parks and local high schools asked for cultural demonstrations and in 1999, the Tataviam constructed traditional village for study by students at North Hollywood High School.[160] The tribal community in ceremonial activities such as blessings for the Day of the Dead Family Festival, annual bear ceremony, a Spring Equinox ceremony, and activities supporting local museums and cultural groups.[161] The Tataviam held their latest public powwow in 1998.[162]

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[156] Doc. 80316.INT
[157] Doc. 80594.A.FTTO
[158] Doc. 80594.A.FTTO
[159] Doc. 00076.D.FTO
[160] See Section A where newspapers accounts are given of Fernandeno/Tataviam participation in the Mission commemoration and the high school demonstrations are also given local newspaper accounts. Doc. Photo 80540.A.SFVHDL: The Fernandeno/Tataviam recreated village during construction on the site of North Hollywood High School., 1999 Rudy Ortega, Jr., and daughter, [redacted].
[161] Docs. 90053.A.FTT; 90052.A.FTT; 90052.B.FTT; 90054.A.FTT; 90054.B.FTT; 00098.FTO; 00076.FTO; Doc.-Photo 80523.A.SFHDL: Visit with officials of the San Fernando Valley Historical Society, October 10, 1999:

Throughout the 1990s tribal government meetings were held on the first Saturday of each month, and the meeting took place in the homes of the council members, since the tribal council did not have a location.[163] Rudy Ortega Sr. was elected Tribal Chief in 1971, and he has served continuously through the 1980s, and 1990s, and until present (2009).[164]

The Fernandeño Tataviam Tribal Council worked with local federal, state, county, and city legislatures and commissions to acquire funds allocated for American Indian tribes and nonprofit organizations.[165] The general council meetings usually were held on Christmas, Easter, summer and sometimes spring gatherings.[166] Food, entertainment for children in the form of games, dancing, stories by elders, were organized. The middle age people convened to discuss the business of the day. Non-tribal board members were elected and invited to all events, but could not vote on issues before the general tribal assembly, and were not allowed to express their viewpoints on tribal matters in the general meetings. Some non-tribal board members, who often had children or spouses who were tribal members, were sometimes upset that they were not allowed to engage in the discussions of issues that affected their family members in the band. Elections were conducted during the general meetings during the early 1970s through 1990s period.

Rudy Ortega Jr. recalled:

> "As I remember how I got on the council was during a general council meeting. I was nominated by [redacted]. The tribe always got together during Christmas, Summer and Easter and conducted tribal meetings … In general meetings election of all positions were nominated by any tribal member in attendance and voted by all tribal members in attendance."[167]

In 1999, the community announced: "FTT Council is currently recruiting individuals who are native or non native that are motivated and inspired by the native culture, and would enjoy being part of either the Tribal Council or Tarahat Newsletter."[168]

In 2000 the Board of Directors was combined with both members and nonmembers, although nonmembers could only address and vote on non-profit issues. Board members were elected by the general community during community meetings. There developed some discussion of

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Rudy Ortega, Sr., Rudy Ortega, Jr., [redacted] (Board Member, non tribal member; Tejon Tribal member), [redacted],

[162] Doc. 803410.INT: "So people enjoyed it here. They really enjoyed it. They said they wanted to know when we were going to have another one. I said it's too much for me. Then we had another one way down here at Balboa Park. I think that was the last one we had at Balboa Park … That was lately. That was in the nineties. Ninety-seven I think it was, '98. That was the last one we had."

[163] Doc. 80580.D.FTTC; 80580.B.FTTC; Docs: 90052.A.FTT; 80052.B.FTT; 90053.A.FTT; 90054.A.FTT; 90054.B.FTT; 90055.A.FTT; 90055.B.FTT; 90056.A.FIT; 90057.A.FTT; 90058.A.FTT; 90059.A.FTT;

[164] Doc. 00066.B.FTO; 80580.A.FTTC; 80580.B.FTTC; 80580.C.FTTC; 80580.D.FTTC;80289.005.OTC;

[165] Doc. 00066.B.FTO

[166] Doc. 80594.A.FTTO

[167] Doc. 80594.A.FTTO

[168] Docs. 80582.E.FTTC; 80580.B.FTTC; 80581.B.FTTC; Doc. 80581.B.FTTC;

forming a constitution and revising and separating the organization of government and nonprofit activities.[169] In late 2000, the Band began to call for volunteers to form a committee and, with the aid of the UCLA Tribal Legal Development Clinic, begin work on a formal constitutional document.[170]

On November 15, 2002, the Band adopted a new constitution. A copy of the Constitution is enclosed.[171] The Band also wrote a set of codes to govern the members of the Band.[172] The code titles include education and cultural learning, government administration, rules for officers, rules governing the Senate, eleetion and eampaign guidelines, finance and taxation enforcement, and tribal history and cultural preservation. The Tribal Senate became the governing body for discussing tribal community issues.[173] The new constitution formally split the tribal and non-tribal members into two distinct boards rather than the combined board that had served the community since the early 1970s. The Senate was composed of elected tribal members only, while non-tribal members could serve on the board of the non-profit council and participate in the activities of the non-profit, according to by-laws of the non-profit organization.[174] The Tribal Council became the Senate which managed the affairs of the Band.[175]

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[169] Doc. 80583.B.FTTC; Doc. 80583.B.FTTC; 80583.H.FTTC; Doc. 80584.D.FTTC; Doc. 80584.D.FTTC

[170] Doc. 80584.E.FTTC

[171] Doc. 90129.FTBMI; 90130.A.FTBMI

[172] See docs: 90121.FTBMI; 90122.FTBMI; 90123.FTBMI; 90124.FTBMI; 90125.FTBMI; 90126.FTBMI; 90127.FTBMI; 90128.FTBMI

[173] Doc. 80310.INT: "C: So the Senate is a separate entity now. ROS: Right. The Senate is the working business. DC: Is the working business? What do you mean by that? Or just the business of the community? ROS: Just the business of the community. When they have any problems, they bring it up to the Board, the Senate Board. DC: Do you guys have this written up or adopted or anything like that? Like Robert's Rules of Order where you write it up like by-laws or constitution or something like that? ROS:Yeah. Rudy has those. Actually, he's in charge on both boards. He goes to those meetings. I don't take to them. He brings everything back to me. We have a meeting on a Tuesday, him and the chairperson for the Senate, we meet on a Tuesday every month." Doc. 80303.INT: GF: When you say 'tribal code' and 'tribal law' what does that consist of? SO: We have a tribal government that goes into tribal code. All of us this came into the elders and they're the ones that wrote it up. But they wrote it up into mind to things in the 1960s and the 1970s. Now we're going into bigger government and there's a lot of things that have to he changed, the legislature has to be changed. So all the people that are in the senate are in a committee, and in those committees you have to do your job. You have to read up, you have to know the law. And that's why a lot of people do not want to run for it because they thought it's a candy walk. It is not a candy walk. I am in the business committee myself and I have two meetings here every month plus a senate meeting, and I live 80 miles away."

[174] Doc. 80303.INT: "SO: The non-profit organization, you mean? GF Yeah. What's the difference between the functions between what the... SO: The non-profit organization, they're more into trying to get money donated to the tribe. The tribe's concern is staying away from all of that because they got more into the government to do. We don't go into asking for things like that. We have bigger things in trying to get tribal monitoring, so we can monitor some of these lands by the land development people, so they don't hide something behind us. We have contracts going out that way. We want to make sure that if anything is going to be dug, we want to be there. And the Pukúu, they're more into social gatherings than getting things ready for the members for the tribe. GF: What is the Pukúu? SO: That's the non-profit organization. GF: They do what? SO: They do the social gatherings. They get the picnics together, barbecues, dances, social gatherings. GF: When did that function of the tribe develop the non-profit as a separate entity? SO:Oh gosh, I believe it was when... no, I can't tell you when. I don't even think I was on board then when that happened, but I know it was before. So I've been on board already for three years, so I would say beyond that, and they have their own laws, too. GF: How can the tribal government can afford to operate? Do you ask dues of the members? SO: Our government is non-profit. There's really nothing coming in. It's just volunteer service. GF: So Rudy is volunteering and the senators are volunteering? SO: All senators are volunteers. Believe

The contemporary government has been operating with a constitution since 2002. The tribal president is Rudy Ortega, Sr., the Vice President is Larry Ortega, Sr., Secretary is Darlene Villaseñor, and Treasurer is Elisa Ornelas. The executive branch is responsible for day to day administration and for upholding the Constitution and Tribal Code. The legislative branch is called the Tribal Senate, which is composed of nine elected members, who are responsible for setting tribal policies, developing government programs, and working toward self determination. The Fernandeño Tataviam Tribal Senate is the governing body of the Fernandeño Tataviam Band of Mission Indians. The Vice President serves as Chair of the Senate.

In many ways, nevertheless, political leadership and organization remain consistent with traditional patterns. As in the past, leaders today organize the community to provide financial support to members in need, as well as providing aid and support to other Indian families living in the surrounding and regional community.[176] While leaders are elected under the constitution, traditional lineage and family ties continue to influence leadership and management decisions. Contemporary political leaders must be concerned about individuals and family issues and be ready to provide leadership for the entire group. As in traditional times, leaders led by example, by accumulating and sharing cultural knowledge, by willingness to put aside personal issues in favor of family and community interests. Each of the constituent lineages retains considerable political and social autonomy, and the leaders must respect the autonomy of individuals, families, and lineages in their exercise of governance.

Contemporary persons gain political influence by showing leadership within the community and tribal government. Politically active individuals can gain broader respect and acknowledgement within the community and band. Individuals from many lineages are incorporated into the Senate or legislative branch, and families express their views in the Senate meetings, during regular committee meetings, and at community events. Leaders must be willing to listen to the

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me, I would love to get gas money myself, but because this is my father and this is what I believe in, I am sacrificing a lot of my time, but I believe it's going to a good cause."

[175] Docs. Docs. 80585.A.FTTC; 80585.F.FTTC; 80449.TFBMI; 80315.INT; GF: What kinds of things does the Senate do? Is it alright to ask about that? Tribal government, I don't have a very elaborated picture of what the tribal government does. What does the Senate do? KS: The best I could say it is that we come together and we help make decisions. We all come together with different, like the Business Committee, which I was part of. We come together putting like, sbould or shouldn't we do tbis? There's just a lot of different things for the tribe and what the members think. We have to send out letters to keep them involved."

[176] Doc. 80302.INT: "C: She died in 1969. June 1st of 1969. M: Okay. No, then that was before I went into the service. C: And that's why I remember around that time of going with my great grandmother, his mom, we'd go to Newhall sometimes for meetings I remember. And then we'd be... Q1: And Rudy, Sr. would show up to those meetings, too? C: Yeah, I remember him because he was... I'd always see him at those meetings as a child, but I was little. I didn't really know what was going on. I just had to go along with the crowd because I had no choice But, yeah, he was there and some other people, and I know they had to be relatives, but I couldn't say who they were, and that's pretty much my memory as a kid. And tben some of it would be in the City of San Fernando. Q2: Can I roll back to the point you were making not too long ago about how sometimes what they would discuss is that there was somebody who was in need in financial help. If there were a situation like that, how would help get organized? Would they try to get everybody to contribute a little bit or would they...M: I think it's probably just people that was there they would kick in whatever they could, you know, help out whatever way they could. They might bring clothes or they might, you know, they might bring food or they might just give knowledge to help them out, you know, somebody needs this, somebody needs that, okay, let's help them out. We'll see what we can give to them. So, like I said, it was... there's always a reason for it."

views and positions of the families and members.[177] The Constitution allows development of a culturally informed court system that will uphold the tribal constitution and laws.[178]

Although the new Constitution specifies elected Senators and President and Vice President positions, there is continued use of traditional forms of leadership and titles. Rudy Ortega, Sr. carried the traditional lineage leadership title of Tomiar (Tomiear) as well as the name Chief Little Bear (Chief Tsinuj Hunar). In addition the present leadership recognizes the Spanish title of captain, a title for a lineage leader. The current leadership recognizes their own leadership as a continuity of past hereditary leadership and see their leadership patterns and duties in the same manner as in the past. Rudy Ortega, Sr. explained:

> "GF: How do you know what a captain has to do? What's the job of the captain? ROS: It's a lot of responsibility. You've got to make ends meet wisely and the board... you've got your senate board is right there with you to make sure that you're making your wise decisions. We had one yesterday where we had to make a wise decision, and it was up to me to decide to make it or not, or how I was going to make it. GF: It affected the group as a whole. ROJ: It affected the one member."[179]

Leadership is based on continuing consensual leadership and ability to influence and persuade community members to participate in tribal activities and identity. Rudy Ortega, Sr. explained:

> "No, we want to help our people. We want to make sure that we can get some land and maybe put some housing for maybe the elderly and all of that. They're getting at that time. I mean, we don't have that many elderly alive with us nowadays. They're coming down. And the one, I believe my father (Rudy Ortega, Sr.) would probably be the oldest right now. I don't want to lose him because he has all that nourishment in that head of his that he's the only one that knows. He's the only one that gets this tribe together because he has all that information, and at that age for my father to remember so much stuff, I got to hand it to him, I said, "Hey, you ate those berries and roots, give them over here because your mind is still fresh even at that age." So, to me, I think my father did one great job in keeping the family together, and now keeping the tribe together. So it's a great feeling."[180]

In 2004, the Fernandeño Tataviam Band of Mission Indians. The Fernandeño Tataviam Band of Mission Indians was formally incorporated as nonprofit Mutual Benefit Corporation under California State Law on June 16, 2006. The Band now handles its financial affairs through the mutual benefit corporation, which by charter will dissolve "when the Fernandeño Tataviam Band of Mission Indians achieve federal recognition as an Indian tribe from the United States government and secure the rights, benefits, privileges and powers provided to such a Federal

[177] Doc. 80594.A.FTTO
[178] Doc. 80449.O.TFBMI
[179] 80324.INT; 80453.A.Ferguson
[180] Doc. 80303.INT

recognized tribe."[181] In July 1, 2008, the applications rolls were again opened for applications to all eligible individuals. The rolls were closed in middle January 2009. Successful applicants must document their parentage and lineage, and show they are a descendant of a baptized San Fernando Mission Indian and are listed or are a descendant of a person listed as a California Indian in the 1928 or 1972 California Indian judgment rolls.

The Tribal Senate reviews the submitted application materials and votes on approval for tribal citizenship.[182]

Throughout the first decade of the twenty-first century, the Band held regular meetings.[183]

The Band is engaged in a variety of political actions, including establishing a memorial to Rogerio Rocha with cooperation from local government, establishing regular working relations with government agencies, engaged in cultural resource management, tribal government administration, and other government activities.[184] The Band has been successful in mobilizing

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[181] Doc. 80452.TFBMI

[182] Docs: 80450.C.TFBMI; 80450.E.TFBMI

[183] Docs: 80828.INT: SA: My external point of view is that he (Rudy Ortega Jr.) works at identifying people that are members of the tribe—whatever that criteria is which I don't know—and then they work on putting them on their list of people that are I guess certified as being on the list. I know that he also is involved with some of the archeological work in this area. Where if you have to do some excavation he'll send a monitor out and they'll watch the excavation to make sure that if you uncover anything that has a connection to the tribe's history that you can preserve it. And I know that he's also involved in the community representing the tribe so that people will understand who they are. And I know that they're working for their recognition. I know that's something he's involved in. Beyond that… I think those are the things that I, from my external point of view that I see. I know they have meetings. I know they have some structure. I hear them refer to senators. I know that I've come to my office on the weekend and I've seen a bunch of cars out on the side of the building here and they're having a meeting in the building on Saturdays or Sundays and that happens pretty regularly. I don't know what the schedule is but it's not uncommon. As a matter of fact if I was to come here on a Saturday or Sunday and I saw the street out there parked with cars I would be pretty confident that they're all meeting with Rudy. And I know that people fly in from different… like [redacted] comes in from… he was in Arizona; now I think he's in New Mexico. And he flies in. So I can sense when that's going on. Then I know that at one of our projects, one of the things I forgot to mention, one of the things that they do is they opened up a newsstand at one of the buildings that we built. Actually that is the building where he came and burnt the sage. So we worked with them on that." See also Docs: 90083.A.FTTS; 90060.A.FTTS; 90060.B.FTTS; 90060.C.FTTS; 90061.A.FTTS; 90061.B.FTTS; 90061.C.FTTS; 90062.A.FTTS; 90063.A.FTTS; 90063.B.FTTS; 90063.C.FTTS; 90064.A.FTTS; 90065.A.FTTS; 90065.B.FTTS; 90065.C.FTTS; 90066.A.FTTS; 90066.B.FTTS; 90067.A.FTTS; 90067.B.FTTS; 90068.A.FTTS; 90068.B.FTTS; 90068.C.FTTS; 90069.A.FTTS; 90069.B.FTTS; 90069.C.FTTS; 90069.D.FTTS; 90070.A.FTTS; 90070.B.FTTS; 90071.A.FTTS; 90071.B.FTTS; 90071.C.FTTS; 90072.A.FTTS; 90073.A.FTTS; 90073.B.FTTS; 90074.A.FTTS; 90074.B.FTTS; 90074.C.FTTS; 90075.A.FTTS; 90076.A.FTTS; 90077.A.FTTS; 90078.A.FTTS; 90079.A.FTTS; 90080.A.FTTS; 90081.A.FTTS; 90081.B.FTTS; 90082.A.FTTS; 90082.B.FTTS; 90084.A.FTTS; 90085.A.FTTS; 90086.A.FTTS; 90087.A.FTTS; 90088.A.FTTS; 90088.B.FTTS; 90089.A.FTTS; 90090.A.FTTS; 90090.B.FTTS; 90091.A.FTTS; 90092.A.FTTS; 90092.B.FTTS; 90093.A.FTTS; 90094.A.FTTS; 90094.B.FTTS; 90095.A.FTTS; 90096.A.FTTS; 90096.B.FTTS; 90097.A.FTTS; 90098.A.FTTS; 90098.B.FTTS; 90099.A.FTTS; 90100.A.FTTS; 90100.B.FTTS; 90101.A.FTTS; 90102.A.FTTS; 90102.B.FTTS; 90103.A.FTTS; 90104.A.FTTS; 90104.B.FTTS; 90104.C.FTTS; 90105.A.FTTS; 90105.B.FTTS; 90106.A.FTTS; 90106.B.FTTS; 90107.A.FTTS; 90108.A.FTTS; 90108.B.FTTS; 90109.A.FTTS; 90110.A.FTTS; 90111.A.FTTS; 90112.A.FTTS; 90112.B.FTTS; 90113.A.FTTS; 90113.B.FTTS; 90114.A.FTTS; 90115.A.FTTS; 90115.B.FTTS; 90116.A.FTTS; 90116.B.FTTS; 90117.A.FTTS; 90118.A.FTTS; 90119.A.FTTS; 90120.A.FTTS;

[184] Docs. 80589.A.FTBMI; 00051.B.FTO; 00051.C.FTO; 00052.A.FTO; 00052.B.FTO; 00053.A.FTO; 00064.A.FTO; 00064.B.FTO; 00064.C.FTO; 00065.A.FTO; 00065.B.FTO; 00065.C.FTO; 00068.FTO; 00069.FTO; 00071.A.FTO; 00071.C.FTO; 00076.A.FTO; 0076.C.FTO; 00084.H.FTO; 00130.C.FTO;

community support for tribal government grants and political activities.[185] When construction companies find burials within recognized Fernandeño territory, they contact the Band to reinter them at a different location and with songs and ceremony.[186]

Regular elections are conducted under the new Constitution. In the election of September 2004; Larry John Ortega elected to Tribal Senate, and on June 26, 2005, he was elected to Vice President and chair of the Tribal Senate. The Vice President and President serve as officers in two year terms that end in May 2007 or on odd years.[187] May 1, 2005 election results saw William Gonzalez, Steven Ortega, Robert Vasquez, and Pamela Villasenor advance to four year Senate terms starting in May 2005 through June 2009.[188] Six candidates ran for four offices. In August 2006, Senator Pam Villasenor resigned to take a position with the LAAmerican Indian Commission. Darlene Villasensor and Salina Salas were appointed by President to the Senate.[189]

In August 2006, new voting districts divided up traditional territory into two districts; Santa Clarita and San Fernando Valley form district Tamit ["tamit" = one]with five senate seats. The Second [Toto = two] district, contains the rest of traditional Fernandeño Tataviam territory including the 100 miles from the boundaries of San Fernando Valley and the Santa Clarita township. People living outside District Toto can vote but not take office. Anyone living more than 100 miles from Distict Tamit is considered too far away to participate in routine government functions and activities. Senate Meetings are held on the last Sunday of each month at 1pm.[190]

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[185] Docs. 00084.A.FTO;0084.B.FTO; 00084.I.FTO;

[186] Doc. 80322.INT: DSJ: One of the places [Tapu Canyon], yeah. And the other places are, like I said, Santa Clarita and Lancaster also was part of our Native land. GF: Are there any people who are members of the tribe who are still associated with those places? DSJ: Yeah. Our tribe goes up there. As a matter of fact, we have to go... we're going to rebury some of our tribal members there in about another week, I think. That's what Rudy said. Cal-Trans was digging and they found some remains of two Native American people. So we're going to go back and dig and rebury them, and have tribal ceremony for them in a couple of weeks because they're tribal members. Archeologists found these bones and they go way back to the day. And that was in the Lancaster area. GF: Who will officiate at this reburial? DSJ: It'll be Rudy, Sr., Rudy, Jr. I'll be there also. And then we'll have another tribal member. We're going to do some... we're going to rebury our people that they found. GF:Will there be a certain ceremony? DSJ: Always. GF: Will you design tbe ceremony yourself or will you draw on the things that were past down? DSJ: Yeah, things that were past down. We'll do a ceremony for them, and it's tradition. It's a traditional ceremony, which there'll be some songs involved and siuging to the great grandfather, so we can rebury them. We'll have to rebury them the way they were buried. We're sure that that's how the ceremony songs were used. GF:Tell me where the ceremonial songs came from or how you know them. DSJ: They came down through family history. My grandmother, it was passed down to her and she passed it down to my father, and Rudy, Sr., passed it on to us. GF: Does that mean that you'll do the bird songs ceremony at the burial site? DSJ: Yes. We're going to do the digging first. We're going to do the traditional bird songs, and stuff, and then we're going to rebury our tribal members that were found ... GF:You learned them from your grandmother? DSJ: Yeah, my grandmother. She passed it on to my father and my father taught us the different songs, and stuff. Right now what we're doing is we're finding out more about our language. There's tapes up there. We're starting to get tapes now so we can learn more about our tribal language, and know it fluently so we can pass it on to our children. Right now we're going to archives iu Oakland at the university, we're tryiug to get tapes so we can start learning and teach our children."

[187] Doc. 80587.B.FTTC

[188] Doc. 80586.A.FTTC

[189] Doc. 80589.B.FTBMI

[190] Doc. 80589.C.FTMI

In August 2006, the Senate finished writing Tribal Codes thus completing the new Constitution initiative.[191] Mark Villasenor was appointed to the Senate to serve as the new cultural director for the Band who is "responsible to learn the songs, language, dances, crafts and games of our people."[192]

New elections were held in spring 2007 and the new election districts were used[193] Both Rudy Ortega Sr. and Larry Ortega were relected to President and Vice President positions in 2007. The Senatc held monthly meetings during 2007.[194]

The members, before the election of April 5, 2009, of the Senate were: Bill Gonzalez, Michael Ortega, Steve Ortega, Berta Pleitiz, Raymond Salas, Selena Salas, Robert Vasquez, and Darlene Villaseñor.[195]

The Band maintains an administrative department responsible for day to day activities and management over the departments and programs. The tribal government consists of a President, Tribal Senate, Tribal Administration, and the community supports the Tribal Non-Profit Council (Pukúu).[196] The administration carries out the work of external grants, organizes monthly community events, and produces a newsletter that is distributed to all members. The tribal administrator supervises personnel, submits contract and grant applications to funding agencies, oversees grant administration, and carries on regular relations with federal, state, local and tribal governments.[197]

The Tribal Administrator also provides administrative support to the Tribal Senate committees, boards, and to tribal members. The Historical and Cultural Resource Department is committed to protect, preserve, and promote the cultural heritage of the Fernandeño Tataviam Band of Mission Indians. The primary mission of the department is the cultural preservation and protection on all ancestral lands according to applicable laws and the traditions and usage of the Fernandeño Tataviam Band of Mission Indians. Any cultural resources that are unearthed are honored with a traditional ceremony of songs, prayers, and dances performed by Fernandeño Tataviam elders and a tribal spiritual leader.[198]

For many years, the Band's meetings were conducted in public spaces or at the house of the tribal captain or president. Since the early 2000s, the Band has rented business offices for government affairs and administration at 601 S. Brand Street, San Fernando, CA. Successes with stable grant funding and support from the local business community has greatly enhanced the financial capabilities and stability of the government over the past decade. Over the years,

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[191] Doc. 80589.D.FTBMI
[192] Doc. 80589.D.FTBMI
[193] Doc. 80591.C.FTBMI
[194] Doc. 80591.D.FTBMI; 80591.H.FTBMI
[195] Doc. 80590.A.FTBMI; Doc. 80592.A.FTBMI; 80592.B.FTBMI
[196] Doc. 00066.B.FTO. This document contains a recent list of officers for government offices, administration and the non-profit council.
[197] Docs. 00076.A.FTO; 00076.B.FTO; 00076.C.FTO; 00076.D.FTO; 00076.E.FTO; 00084.A.FTO; 00084.B.FTO; 00084.D.FTO; 00084.E.FTO; 00084.F.FTO; 00084.H.FTO; 00084.I.FTO; 00062.A.FTO; 80002.WW
[198] Doc. 80450.F.TFBMI

the Band has built many contacts with local businesses, governments, local political leaders, and carry on friendly and cooperative relations with local governments and officials.[199] Photographs of meetings during the 2000s are enclosed.[200]

Larry Ortega, a Senator, described the activities of the tribal government as follows:

> "GF: What does the Tataviam tribal government do? What is it's function with respect to the tribe? What does it do for the tribe? LO: For the tribe, it basically tries to meet the needs for the tribe, first off. GF: Could you clarify what that would mean? LO: Basically to handle the well-being of the tribe as a whole. GF: And what would that consist of? LO: It would basically consist of their welfare, taking care of their cultural or ancestral history, land, if we had any, at the moment we don't. The government actually at the moment is writing policy to enact certain items that are being placed that will affect the tribe in the future ... We actually are a nine-member senate and the senate members have been torn into different standing committees, which they actually write policies for, if it's for the business of the tribe, they'll try to handle the cultural and historic part of the tribe. GF: What would those activities consist of? LO: The cultural and historic, there they handle any type of monitoring that's happening in the tribe, and the business of the monitoring which would, in effect, be going out to sites and they would go out there and monitor and if there's any type of artifacts that are being found, they would actually report it. GF: Would this be in conjunction with any state or local agencies? LO: Yes, they're actually with the historic commission, they've actually got us down as the historical tribe in the area."[201]

Summary

The current Fernandeño Tataviam Band of Mission Indians can be described, according to the California anthropologist A. L. Kroeber's definition, as a tribelet composed of identifiable cooperative but relatively autonomous lineages. The lineages and Tribe have survived despite the loss of collective territory and the power of the market economy. The contemporary Fernandeño Tataviam government works in a radically changed economic, political and cultural environment from pre-mission times, but nevertheless retains lineage-tribelet organization,

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[199] Docs: 00029.FTO; 00059.A.FTO; 00066.A.FTO; 00066.B.FTO; 00066.C.FTO; 00081.A.FTO; 00080.A.FTO; 80289.013.OTC; 80130.B.FTO; 80301.F.FTO; 80301.H.FTO; 80301.Y.FTO; 80301.Z.FTO; 80453.A.Ferguson, 80453.B.Ferguson, 80453.C.Ferguson

[200] See the following photograph-files and also the associated citation-coding tables for information about individuals in the photographs and names of events: 70039.A.FTO; 80682.A.FTO; 70734.A.FTO; 70735.A.FTO; 70740.A.FTO; 70741.A.FTO; 80745.A.FTO; 80750.A.FTO; 80751.A.FTO; 80754.A.FTO; 80762.A.FTO; 80777.A.FTO;

[201] Doc. 80320.INT; see also 80543.A.Ferguson, 80543.B.Ferguson; 80315.INT: GF...What does the Senate do? KS: The best I could say it is that we come together and we help make decisions. We all come together with different, like the Business Committee, which I was part of. We come together putting like, should or shouldn't we do this? There's just a lot of different things for the tribe and what the members think. We have to send out letters to keep them involved ... One thing that really caught my attention which I'll say is with the children, it's the .... ICWA. I really like that. It's just something my heart.... GF: What is that? KS: ICWA. KS: Okay. Basically, it's like a welfare thing for the Indians. And they had this thing when our native children get pulled by the Social Service, that they would come to us first to see where we want our kids to stay. In the native family, not just going to any other, not anything prejudiced or nothing, but we like to keep them in the native family. That really interests me and I really like that."

political culture, while making some organizational changes over the past fifty years such as adopting bylaws and a constitution that make the Fernandeño Tataviam government more compatible with contemporary American institutions. Despite radical change in urban and economic and political environment, a tribelet political and social order persists based on cooperative and consensual ties among relatively autonomous lineages. The Band's contemporary social and political institutions remain compatible with their history and traditions.

The name for the Fernandeño Tataviam Band of Mission Indians is designed to indicate that the band government includes only a portion of the possible descendants of the San Fernando Mission Indians. Several other bands of San Fernando Mission Indians are active at Tejon, Newhall, and Oxnard-Ventura, and each of those communities have their own specific recognition efforts particular to their own lineage and village ancestries. This form of regional decentralized political organization reflects the social and political patterns extending back to the pre-mission period. The Fernandeño Tataviam Band of Mission Indians are composed only those persons and families that self-identified as San Fernando Indians in the 1928 and 1972 rolls. There are 264 members and most members currently live in the San Fernando Valley area.

Many people who identified as San Fernando Mission Indian in the 1928 and 1972 judgment rolls had strong ties to Chumash and Kitanemuk communities, and those families have joined the political and social communities at Tejon, Newhall, or Oxnard-Ventura. The Fernandeño Tataviam Band of Mission Indians is composed of three lineages that have historical and communities ties primarily from the lineages of Chaguayabit (Chaguayanga), Cabuepet (Cahuenga), Tujubit (Tujunga), and Suitcabit (Encino). In an American sense of bilateral ancestral reckoning these main lineages contain ancestors from Chumash, Tataviam, and Tongva cultural and language groups. There is no ethnically homogeneous identities or groups in the San Fernando Mission Indian region, at least according to American lineal reckoning. Lineages were exogamous and people were required by normative rules to marry into from other lineages without prejudice about ethnicity or language.

Consequently, in the contemporary period and with the adoption of American bilateral descent rules, rather than strictly patrilineal Takic or matrilineal Chumash traditional rules, families and individuals can chose from a menu of identities and historical and contemporary lineage and community relations. In the contemporary world, individuals can chose among several San Fernando Indian communities according to their lineage connections and cultural and ethnic identity. The Fernandeño Tataviam Band of Mission Indians are composed of lineages and families that have bound together and have family and social relations from the pre-mission period. The Fernandeño Tataviam community is composed of Tataviam, Tongva, and Chumash members, an ethnically and linguistically mixed community, as were the lineages and villages of the pre-mission period. Now days families and individuals have more options from which to choose and emphasize a tradition and identity. The Fernandeño Tataviam Band of Mission Indians are not composed by a single Indian ethnic identity, but rather formed by a specific community of kinship, social, and political ties among lineages that have several cultural and linguistic identities.

Addressing the Criterion for Political Influence Over an Autonomous Entity During the 1952 thru 2009 Mission Period

§ 87.7(c)(1)(i)
The group is able to mobilize significant numbers of members and significant resources from its members for group purposes.

The primary method of community mobilization during the 1952 and 2009 period was through family, community, network contacts and the development of new organizations. Community meetings were held during holiday gatherings, and regular quarterly meetings, and discussed family and community issues. During the 1950s, the community revived the name San Fernando Mission Indians. Most major decisions were discussed at the community meetings, while a smaller group met on an ad hoc and monthly basis. Families contributed food, prepared food, and helped organize the gatherings. The leaders collected resources from members and non-members to help support needy members. The leaders engaged in community and family networks to discuss issues, gain contributions, and communicate with family members. In 1970 the San Fernando Mission Indians met at a regular meeting to organize a nonprofit cultural club. A nonprofit organization, the San Fernando Valley Inter-Tribal, Inc was organized to maintain cultural, social and educational events, raise funds, distribute benefits, and establish a legal platform for grant writing. In 1971, the San Fernando Mission Indians elected Rudy Ortega, Sr. to serve as chief, and he has been reelected from 1971 to present (2009). In 1976, the community adopted bylaws and took on the name San Fernando Band of Mission Indians. The non-profit and band worked closely together. Non-members were allowed to sit on the board of directors for the nonprofit, while members could serve on the board for the nonprofit and the band. The board members were elected during quarterly meetings of the community. Many non-member board members were inter-married and related to band members, but non-band members could not vote or participate in the decision making. The board met on an ad hoc basis and monthly while the community met at quarterly events, and discussed and decided on major issues. The pattern of the gatherings were similar to traditional lineage meetings, except they conformed to American and Christian holidays. In the 1990s, the band changed their name to Fernandeño Tataviam Band of Mission Indians, and in 2002 adopted a constitution, which established a senate and regular elections, now not held a quarterly community meetings. Throughout the 1952 to 2009 period, the petitioning community mobilized significant community support in meetings and organization for community social and political purposes. See pages 39-41, 44, 45, 47-56, 59, 61, 63-65.

§ 87.7(c)(1)(ii)
Most of the membership considers issues acted upon or actions taken by group leaders or governing bodies to be important

During the 1952 to 2009 period, the captains were engaged in numerous issues that were of concern to community members. Families made decisions collectively at regular community and board meetings, while family leaders held considerable weight in the discussions. Throughout the 1952 thru 2009 period, the leadership has been engaged in California Indian Judgment Roll registration, federal recognition, cultural education, defending cultural resources, establishing

ties and relations to local governments, and other collective activities. See pages 38, 46, 48, 50-57, 60-61, 64-66.

§ 87.7(c)(1)(iii)
There is widespread knowledge, communication and involvement in political processes by most of the group's members.

The Fernandeño Tataviam political community during the 1952 to 2002 period was largely informal and consensual. Since leadership was sustained by consensus those families or lineages. Until the early 1970s, political leadership was determined by community consensus, with no formal elections. Members of the petitioning community recognized leadership in modified consensual manner. As in traditional times, leaders were recognized for control over economic resources, cultural and historical knowledge, and leadership ability. Members of lineages participated in the political process of the lineage through consensual decision making within lineages and families, usually during family gatherings or informal meetings. From 1971 to 2002, the chief and members of the board were elected during meetings of the entire community. All adult members formed the community decision making group, and issues were discussed and decided at regularly scheduled community meetings, while the elected board members carried on day to day business and met more often. After 2002, and with adoption of the new constitution, the senate and chief are elected at regularly scheduled ballot elections. The community continues to meet in quarterly gatherings to discuss major issues, while the senate meets on a monthly basis. During the 1952 to 2002 period, there was widespread knowledge and involvement in political processes by most members of the petitioning community. See pages 39-41, 44, 45, 48-56, 59, 61, 63-65.

§ 87.7(c)(1)(iv)
The group meets the criterion in Section 83.7.(b) at more than a minimal level.

For the Mission period 1952 to 2009, the petitioning group meets the criterion of Section 83.7.(b), see section B of this petition.

§ 87.7(c)(1)(v)
There are internal conflicts which show controversy over valued group goals, properties, proeesses and/or decisions.

During the 1952 thru 2009 period, the main controversies within the arise over leadership succession, whether to seek registration in the 1950s California Judgment Roll update, participation in the 1972 California Indian Judgment Roll, and the emergence of several relatively independent lineages within the Ortega lineage. In the late 1940s, Rudy Ortega believed the Fernadeno at San Fernando should register in the California Indian judgment census, and despite his fathers opposition started efforts to gain registration and recognition. During the 1950s Rudy Ortega pursued research and contacted the BIA offices to seek registration, restoration of land, and federal recognition. Ortega convinced many members of the community to see federal recognition and registration in the 1972 California Indian Judgment Roll, and to seek a more visible presence in the wider community. Several family leaders, daughters of Antonio Maria Ortega, took active leadership roles, and at times competed with and

challenged the leadership role of Rudy Ortega Sr. The petitioning entity had several contested internal conflicts over decisions, group goals, and processes. See pages 30, 38, 43-47, 51-52, 56, 61, 66.

§ 83.7(c)(2)

A petitioning group shall be considered to have provided sufficient evidence to demonstrate the exercise of political influence or authority at a given point in time by demonstrating that group leaders and/or other mechanisms exist or existed which:

§ 83.7(c)(2)(i)

Group leaders and/or other mechanisms exist or existed which allocate group resources such as land, residence rights, and the like on a consistent basis.

During the 1952 to 2009 period, leaders established established tribal and state nonprofits for fundraising, community building, facilitation of job searches, and support for community events. Leaders raised money from non-Indian contributors, like commercial establishments, applied for competitive grants, and redistributed resources and programs to needy members, and non-members in the local area. The nonprofits represented a continuity of community and leadership fundraising and resource redistributions from the past. See Section B of this petition, and pages 33, 47, 53, 55-57, 60, 64.

§ 83.7(c)(2)(ii)

Group leaders and/or other mechanisms exist or existed which settle disputes between members or subgroups by mediation or other means on a regular basis.

During the 1952 to 2009 period, the state and local governments assumed power over criminal and civil offenses. The families and lineages mediated internal affairs which did not come to the attention or jurisdiction of state and local authorities.

§ 83.7(c)(2)(iii)

Group leaders and/or other mechanisms exist or existed which exert strong influence the behavior of individual members, such as the establishment or maintenance of norms and the enforcement of sanctions to direct or control behavior.

During the 1952 to 2009 period, the lineages and families continued to enforce the rule of exogamy. Marriages are almost exclusively outside the lineages of the petitioning community. The rules continued where leadership was acknowledged within outstanding individuals with cultural knowledge, and willingness to raise and share resources. Until the new constitution of 2002, meetings were collective gatherings of the families-lineages, and decisions were made by discussion and the development of consensus. The leadership and meeting patterns followed traditional forms and rules. Observe the genealogy records attached to this petition and the community data base supplied with the petition. See section B discussions of exogamy and marriage, and see pages 38-39, 42-43, 45-46, 48-50, 53-54, 57-59, 66.

§ 83.7(c)(2)(iv)
Group leaders and/or other mechanisms exist or existed which organize or influence economic subsistence activities among the members including shared or cooperative labor.

During the 1952 to 2009 period, the community members turned to wage labor while some have started to enter professional jobs, finish college, and take on skilled labor positions. Subsistence economy was not possible in the San Fernando Valley during the 1952 to 2009 period owing to urbanization and the market economy. The tribal and private nonprofits organized collective work efforts in behalf of community goals and activities. The nonprofits have both paid and volunteer workers who are band members.

§ 83.7(c)(3)
A group that has met the requirements in paragraph 83.7(b).2 at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time.

We believe that the petitioning committee meets the requirements for paragraph 83.7(b).2 for the 1952 to 2009 period. See the section addressing the criterion for 83.7(b).2 in the B section of this petition.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (D)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(d)

CRITERIA 87.3(d)

Criterion 83.7(d): A copy of the group's present governing document including its membership criteria. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.

A signed, dated, and certified copy of the Constitution of the Fernandeño Tataviam Band of Mission Indians is provided.[1] Prior governing documents, including articles of incorporation and minutes of meetings where such prior documents were discussed, are provided as well.[2]

Requirements for membership are set forth in Chapter 3, Article 6 of the Constitution of the Fernandeño Tataviam Band of Mission Indians. The procedure for considering membership applications is the Tribal Citizenship Enrollment Process, governed by the Tribal Enrollment Code.[3] The Citizenship Enrollment Process is administered by the Office of Tribal Citizenship.

- Applicants must submit a Tribal Citizenship Enrollment Application form (available at http://www.tataviam-nsn.us/OTC-AP001.pdf), either during an in-person appointment or by mail, accompanied by payment of $24.00 filing fee.
- Applicants who were enrolled with another tribe must submit a sworn Letter of Relinquishment of membership in the other tribe.
- An Open Enrollment period is followed by a Review Period.
- Following the Review Period, applicants are notified of any incomplete information, and given two months in order to submit incomplete, inaccurate, or unsubstantiated information, as indicated in the Notice of Failure to Complete.
- For the following three months, the Office of Tribal Citizenship reviews documents submitted by applicants who received a Notice of Failure to Complete.
- The Office of Tribal Citizenship then has two months to submit the names of qualifying applicants to the Tribal Senate.
- The Tribal Senate then reviews the submitted list of applicants and votes whether to approve Tribal Citizenship.

[1] Docs: 90129.FTBMI; 90130.FTBMI; 60001.FTO; 60005.FTO.
[2] Docs: 80449.FTBMI; 80452.FTBMI; 90050.SFVII; 90052.FTT to 90059.FTT.
[3] Doc. 90122.FTBMI.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (E)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(e)

CRITERIA 87.3(e)

Criterion 83.7(e): The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity.

A membership list is provided,[1] which is dated and certified by the governing body of the Fernandeño Tataviam Band of Mission Indians. Comprehensive lists of former members do not exist.

Ancestry charts are provided for all current members by name on the membership roll.[2] Birth certificates, baptismal records, or any other documents available to demonstrate tribal ancestry of each tribal member are provided to demonstrate the Fernandeño Tataviam ancestry of each of the current members by name.[3] These records and documents show that each of the members traces his or her ancestry to one of three Fernandeño Tataviam progenitors. Indian ancestry documentation for each of the progenitors and intermediate ancestors can be found, by name, in the same two folders. Each of the three progenitors is from a family group or lineage that participated in a cooperative social, economic, and political arrangement that predated the San Fernando Mission, maintained itself during the Mission period, and reconstituted itself after the Mission was secularized in the decades preceding California statehood.

"Ortega" Line: Numerous Fernandeño Tataviam members trace their ancestry to Maria Rita Alipas, a Fernandeño Indian of Tataviam and Chumash descent, who married a man from Sonora, Mexico, Fernando Ortega, in March, 1862.[4] Their son, Antonio Maria Ortega, has many descendents who are enrolled in the Fernandeño Tataviam Band of Mission Indians.

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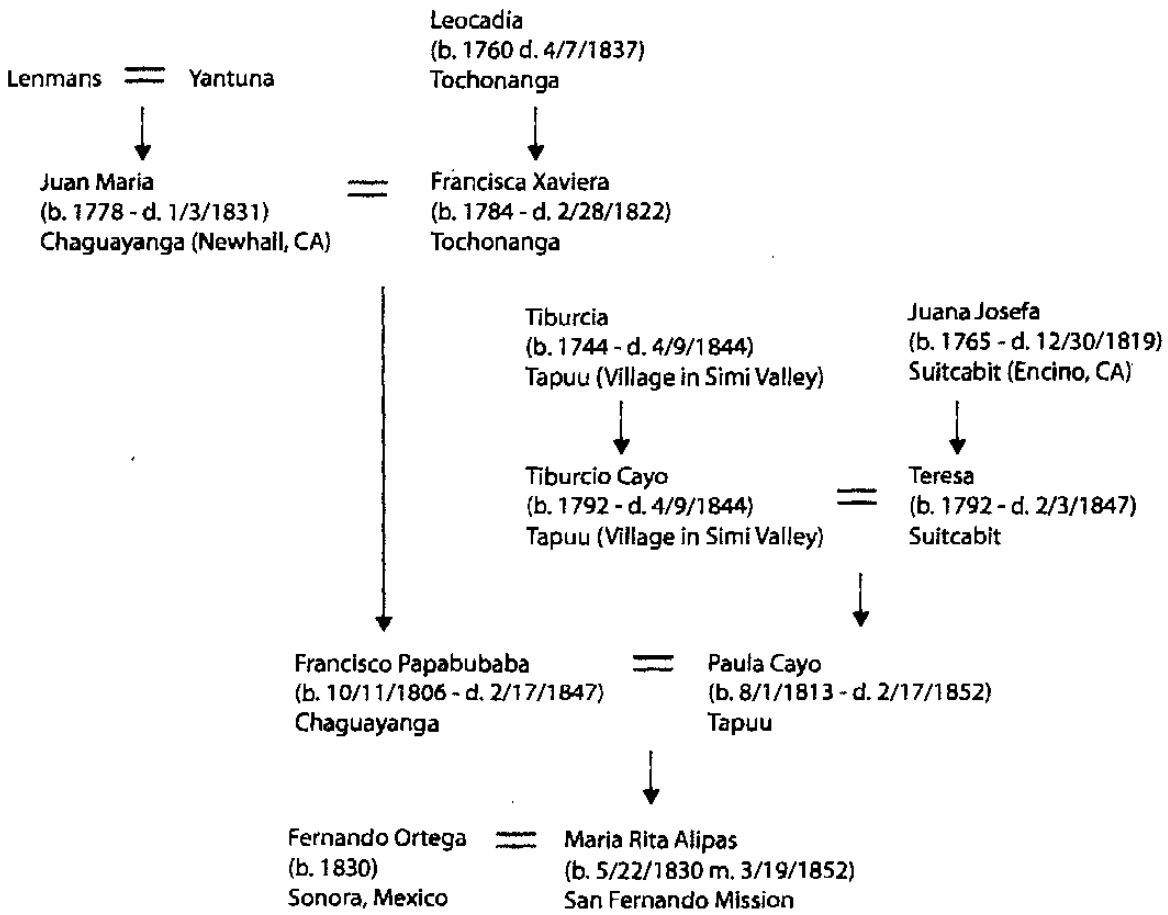
[1] Docs. 60002.FTO; 90259.OTC.
[2] See PDF labeled "Ancestry Charts" in Sources folder
[3] See PDF labeled "Individual Genealogical Records" in Sources folder
[4] Doc. 80111.LPC (marriage).



Maria Rita Alipas[5] was born in 1830 to Francisco Papabubaba, from the Tataviam village of Chaguayanga or Chaguayabit,[6] and Paula Cayo, of the Chumash village of Tapuu.[7] As explained in Section (b), both of these villages were part of a complex social, economic, and political arrangement that drew together Tataviam, Chumash, Kitanemuk, and Tongva peoples for marriage, economic exchange, and ceremonial events. Maria Rita Alipas's father and mother were both from prominent families. For example, her maternal grandfather, Tiburcio Cayo,[8] received a Mexican land grant for Rancho Encino in 1843 from Mission San Fernando.[9]

In response to the March 3, 1997 Technical Assistance letter sent to the Fernandeño Tataviam Band of Mission Indians by the Branch of Acknowledgement and Research (now the Office of Federal Acknowledgement), the parent-child relationship between Maria Rita Alipas and Antonio Maria Ortega has been carefully documented and explained. There are baptismal records for five children of Rita Alipas (as she was

[5] SF Baptism #2742.
[6] SF Baptism #1617.
[7] SF Baptism #2071.
[8] SF Baptism # 0849.
[9] Doc. 80332.B.SCUS.

known) and Fernando Ortega. The first, Jose Arcadio "Ortis," was born in 1851,[10] while Rita's first husband, Benigno, was still alive.[11] Two others were born before Rita's marriage to Fernando: Jose Rosario,[12] and Pablo Miguel.[13] The last two children, Luis Eduardo[14] and Maria del Rosario,[15] were born after Maria Rita Alipas and Fernando Ortega married.

Although none of these children was baptized with the name Antonio Maria, the child baptized Jose Rosario in 1857 is in fact the same person who was later called Antonio Maria. Genealogists know that individuals of that period did not always carry their baptismal names. In this case, many sources of documentation demonstrate that Jose Rosario was actually called Antonio Maria during his lifetime. Antonio Maria's identity with Jose Rosario Ortega was the subject of an affidavit by Thomas Workman Temple II, made in connection with the California Indian Judgment Act enrollment process in 1969:

> This is also to certify that ANTONIO M. ORTEGA, #4 on said Chart used and was known by that name in life, although he had been baptized JOSE ROSARIO ORTEGA, having been raised by the Geronimo Lopez family of San Fernando, California as an orphan. The said Maria Rita Alipas, #9 on said Chart and Mother of Antonio M. Ortega, was living in the San Fernando Mission in 1852.[16]

This same equation between Antonio Maria and Jose Rosario Ortega is the subject of another affidavit, made by Antonio Maria's daughter, Cristina (or Christina) Ortega Rodriguez, before the Oblate Fathers of the Santa Rosa Church in San Fernando, on April 24, 1972.[17]

Further documentary evidence to support these affidavits was also sought. The best source of evidence to show that Antonio Maria Ortega was the son of Maria Rita Alipas would have been his marriage certificate. The marriage certificates of the second half of

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[10] Doc. 80115.LPC.

[11] This child should be attributed to Maria Rita Alipas and Fernando Ortega, even though the father's name is misspelled. The mother is referred to as "Rita de la Mission," and the father is described as being from Sonora. These descriptors fit Maria Rita Alipas and Fernando Ortega. In 1845, Maria Rita Alipas had married a man named Benigno, also Indian (SF Marriages # 0912). With Benigno, she had children: Maria de Jesus (born 1846, SF Baptism # 2087)), Felipe de Jesus (born 1848, La Plaza Baptism # 1999)), and Francisco (born 1853, Doc. 80112.A.LPC). Sometime between 1853 and 1862, when Maria Rita Alipas married Fernando Ortega, Benigno died. We could not locate a death record for Benigno.

[12] Born 1857, Doc. 80004.A.LPC.

[13] Born 1860, Doc. 80113A.LPC.

[14] Born 1862, Doc. 80116.A.LPC.

[15] Born 1864, Doc. 80112.A.LPC.

[16] Docs: 80443.A.TEMPLE; 80443.B.TEMPLE.

[17] Doc. 80438.A.SRC.

the nineteenth century typically listed the parents of the bride and groom. From census records as well as the birth records of Antonio Maria's nine children,[18] it is evident that he was married to Ysidora (or Isidora) Florentina Garcia, a woman of Mexican descent.[19] Census records from 1900, 1910, 1920, and 1930 all show Antonio living with Isidora in San Fernando, and all state he was born in California.[20] Yet despite a concerted and thorough effort, the Tribe could not locate a marriage record for Antonio Maria Ortega and Ysidora Florentina (or simply Isidora) Garcia.

The official death record for Antonio Maria Ortega also is not helpful in determining whether he was the son of Maria Rita Alipas. Filed by Sally Verdugo, Antonio and Isidora's youngest child, this record lists his date of death as March 14, 1941, the parents unknown, the place of his birth as Mexico, and the date of birth as June 13, 1848.[21] However, the fact that Sally Verdugo was born in 1900, long after the death of her paternal grandparents, may explain why she did not know who they were. The listing of Antonio Maria Ortega's place of birth as Mexico is refuted by the census records for Antonio Maria Ortega for 1900, 1910, 1920, and 1930, all of which list his place of birth as California (see Note 23). The 1848 date given by Sally Verdugo for her father's birth is also contradicted by documentary evidence. Maria Rita Alipas was pregnant with a different child in 1848, Felipe de Jesus, fathered by her first husband, Benigno (see Note 14). Thus, Sally Verdugo must have been incorrect in placing Antonio Maria Ortega's date of birth as 1848. Further evidence that Sally Verdugo was mistaken about his birth year are the entries in the Census data from 1900, 1910, 1920, and 1930 for Antonio Maria Ortega. The 1900 Census shows his year of birth as 1859, the 1910 census shows it as 1849/50, the 1920 Census shows it as 1857/58, and the 1930 census shows it as 1857/58 (see Note 23). All but one is consistent with the 1857 birth date of Jose Rosario, and none shows a birth date as early as 1848, the year given by Sally Verdugo. Thus, the death record is probably incorrect.

There is some positive evidence supporting the claim that Antonio Maria Ortega was the son of Maria Rita Alipas, and that he was the person baptized as Jose Rosario Ortega.

- No death record can be fouud for Jose Rosario Ortega.
- In the 1860 census, Rita (Maria Rita Alipas) is listed in a household near the Geronimo Lopez household, with her known children, including one named

[18] Christina (born 1881, Doc. 80128.A.LPC), Erolinda/Refugia (born 1883, Doc. 80009.A.USC), Estanislao (born 1885, Doc. 80069.L.OTC), Eulogio (born 1887, Doc. 80128.B.LPC), Luis (born 1890, Doc. 80135.A.USDR), Isabel (born 1893, Doc. 80009.B.USC), Catherine (born 1896, Doc. 80128.A.LPC), Vera (born 1898, Doc. 80123.A.LPC), and Sally (born 1900, Docs. 80266.A.LPC; 80338.A.LAC).
[19] Born 1865, Doc. 80012.A.LPC.
[20] Docs: 80009.A.USC; 80010A.USC; 80010.B.USC; 80008.A.USC; 80008.B.USC; 80011.A.USC.
[21] Doc. 80289.081.OTC.jpg.

Antonio, age 4.[22] That would have been the same age as the child baptized Jose Rosario (born 1857).[23] There is also a child named Jose in Rita's household, but the age of that child is 11, which would have corresponded to the approximate age of her child Jose Arcadio (born 1851).[24] Thus, that Jose would not have been the child baptized as Jose Rosario. (Perhaps the existence of an older child named Jose is one reason that the child baptized Jose Rosario was given a different name of Antonio Maria.) Fernando "Otero" (probably an erroneous writing of Ortega) is living next door at this time, not with Rita, and listed as Laborer. And another adult, listed as Jose, is listed as living with Rita. Despite these curious facts (was the adult Jose the same person as Rita's first husband, Benigno?), the presence of a child named Antonio, living with Rita, is highly significant.

- In the 1870 census, an Antonio Ortega, age 18, is listed in the household of Pablo Reyes/Farmer and Angela Reyes/Keeps House.[25] Pablo Reyes was grandson to Juan Francisco Reyes, the first alcalde or mayor of Los Angeles.[26] Juan Francisco had claimed to be the recipient of an early Spanish land grant for the tract that later became the Mission San Fernando, and was godparent to many of the Indians baptized in the mission, including Francisco Papabubaba's mother, the grandmother of Maria Rita Alipas.[27] Angela Reyes, subsequently married to Pablo in 1876, was born Maria de los Angeles Lopez, daughter of Pedro Lopez, the former mayordomo of Mission San Fernando.[28] Angela was the sister of Catalina Lopez, the wife of Geronimo Lopez.[29] Thus, even though we cannot locate records showing Antonio in the exact household of Geronimo Lopez, it appears that he was in the household of Geronimo's sister-in-law. That would tend to confirm the Workman Temple affidavit (see Note 19), which indicated Antonio was raised in the Lopez household. Furthermore, through his grandfather, Pablo Reyes had connections to Maria Rita Alipas and her ancestors, making it reasonable that Rita's son would find refuge in the Reyes household when his parents died. It appears that some time during the middle to late 1860's, after the birth of the last child of Maria Rita Alipas and Fernando Ortega in 1864. Antonio Maria/Jose Rosario was thus left an orphan. The only problem with the 1870 census record is that it shows Antonio as 18, while the child baptized Jose Rosario would have only been 13 or 14 at that time. The fact that Antonio is not

[22] Doc. 80110.A.USC.
[23] Doc. 80004A.LPC.
[24] Doc. 80115.LPC.
[25] Doc. 80020.A.USC.
[26] SG Baptism # 7646.
[27] Pauley, Kenneth E. and Carol M., San Fernando Rey De Espana: An Illustrated History (Spokane, WA: Arthur H. Clark Company, 2005), Doc. 80382.A.SFRDE; SF Baptism # 226.
[28] SG Baptism # 8407.jpg and # 8407.Maria de los Angeles Lopez.jpg.
[29] Jorgensen, Lawrence C. (ed.) "Plat of the Ex Mission de San Fernando 1871," The San Fernando Valley: Past and Present (Los Angeles, CA: Pacific Rim Research, 1982), Doc. 80368.A.SFVPP.

listed as a Laborer, however, suggests he may have been younger than 18, as an older child would have been put to work.

- Quoting J.J. Lopez, eldest son of Geronimo Lopez, Frank Latta wrote: "An expert carreta maker worked for my father for many years. In fact, he died while employed by my father as a foreman. This man was a half-blood Indian and Spaniard named Fernando Ortega. He was born on the Yaqui River in Sonora, Mexico, of a Yaqui mother and a Spanish father....Ortega was one of my father's most trusted employees. He has a son, Antonio Maria Ortega, living (1924) in San Fernando. Another son, Luis Ortega, lives in Fresno. Luis was raised by my father and mother and I believe now goes by the name of Luis Lopez."[30] This description of the father fits the Fernando Ortega, husband to Maria Rita Alipas, who is listed on his marriage certificate to her as born in "Sonora."[31] Furthermore, Antonio Maria Ortega indeed had a brother named Luis Eduardo Ortega, born in 1862, whose godfather on his baptismal record is Geronimo Lopez;[32] who is shown in the Geronimo Lopez household in the 1880 census;[33] and who ended up in Fresno in the 1930 census.[34]

- Three of the four census records referenced and described at Note 23 above (1900-1930) give Antonio Maria Ortega the same approximate age and birth year as the child baptized as Jose Rosario. The fourth census record, suggesting he was born in 1850, seven years before Jose Rosario, is almost certainly incorrect. We could not locate any birth record for an Antonio Maria around 1850. One of those census records (1900) lists Antonio as Indian. And two of those same census records (1900 and 1930) indicate that at least his mother was born in California. The other two (1910 and 1920) list his parents as having been born in Mexico. Census records can be highly variable, depending on who is in the household to fill them out. But it seems highly unlikely that people would ever be described as Indian who are not.

- Two of Antonio and Isadora's children[35] list the name of their father as Antonio *Maria* Ortega, excluding the possibility of other Antonio Ortegas with other middle names.

- Anthropologist/linguist John Peabody Harrington noted in 1933 that according to his informant, Martin Feliz, "Antonio Maria Ortega is still alive at San Fernando

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[30] Latta, Frank F., Saga of Rancho Tejon (Santa Cruz, CA: Bear State Books, 1976), p. 61.
[31] Doc. 80111.LPC.
[32] SF Baptism # 1239.
[33] Docs: 80447.A.USC and 80447.B.USC.
[34] Doc. 80446.A.USC.
[35] Christina, born 1881, Doc. 80128.A.LPC; and Luis, born 1890, Doc. 80135.A.USDR, Doc. 80116.A.LPC

& 90 yrs old, and talks Indian."[36] Although the age is problematic if Antonio Maria was in fact baptized as Jose Rosario (and would have been only 76 in 1933), the fact that he "spoke Indian" suggests he had an Indian parent. The age may only have been an estimate.[37]

- The oral history of Ortega family members, that Antonio and Isidora Garcia met at Lopez ranch,[38] is supported by the 1880 census, which shows the proximity of the Garcia household to the Geronimo Lopez household. The two households are on adjacent pages in the Census book, and were surveyed on the same day.[39] The oral history is that Isidora worked for the Lopez family.

The Fernandeño Tataviam Band of Mission Indians gave oral and documentary information about several of the descendents of Maria Rita Alipas other than Antonio Maria Ortega. Alipas' youngest daughter, Maria del Rosario died at the age of seven, about 1870 or 1871.[40] The children of Maria Rita Alipas from her first husband, Benigno, we do not find in the record. The social disruptions and epidemics that swept through southern California in the decades following secularization of Mission San Fernando caused the death of many of the Fernandeño Tataviam.[41] The youngest son of the marriage between Rita Alipas and Fernando Louis Eduardo Ortega resulted in a continuing line of descendants who have had intermittent contact with the Fernandeño Tataviam community. Louis Ortega's grandson Richard B. Ortega and great grandson Richard Anthony Ortega both applied and were enrolled in the 1971 California Indian Judgment Roll. Richard Anthony Ortega is eligible for enrollment with the Fernandeño Tataviam Band of Mission Indians and in recent years has made contact with band leadership.[42] The second youngest son of the Rita Alipas and Fernando Ortega union was Miguel Pablo Ortega. The oral history on Pablo suggests that as a young man he moved to San Diego and married into one of the Indian communities in San Diego County.[43]

Antonio Maria Ortega married Isidora Ortega, a Yaqui Indian, with whom he had nine children (see Note 21). From the records we have found, all except one (Isabel) survived

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[36] Doc. 00339.A.SW.

[37] If Antonio Maria had actually been 90 in 1933, his birth year would have been 1843. There are no mission records of a birth to Maria Rita Alipas in that year. She was only 13 years old in 1843 and not married.

[38] Docs: 80316.INT, interview with Jimmy Ortega; 80321.INT, interview with Kathryn Shirley Traba; 80310.INT, interview with Rudy Ortega, Sr.

[39] Docs: 70001.A.USC and 70002.A.USC.

[40] Personal Communication by Rudy Ortega Sr. to Duane Champagne, July 21, 2009 at 601 Brand St., San Fernando, CA.

[41] Keffer, Frank, History of the San Fernando Valley (Glendale, CA.: Stillman Printing, 1934), pp. 41-42.

[42] See docs 80780.A.BIA, 80781.A.BIA, and 80779.A.FTO.

[43] Personal Communication from Rudy Ortega, Sr. to Duane Champagne on July 21, 2008 at 601 Brand St., San Fernando, CA.

to adulthood.[44] Five of the eight children who survived to adulthood have descendants in the Fernando Tataviam Band of Mission Indians. For example, the current Chief/President of the Tribe, Rudy Ortega, Sr., also known as Edward Arnold Ortega, is the son of Antonio Maria Ortega's son, Estanislao, also known as James E.[45] The remaining three children of Antonio Maria Ortega (Christina, Luis, and Eulogio) seem not to have married or to have had children.

"Ortiz" Line: Another group of Fernandeño Tataviam members descends from Rosaria Arriola, born on October 4, 1840 in Cahuenga, a Tongva village.[46] Her father was Jose Miguel Triumfo, baptized in Mission San Fernando in 1814.[47] Jose Miguel Triumfo was a prominent figure in the Indian community. In 1843, Mexican Governor Manuel Micheltorena granted him a deed for Rancho Cahuenga, based on services that Jose Miguel had performed at the satellite Mission site there.[48] Jose Miguel Triumfo's mother, Maria Encarnacion, was born in 1787 in Cahuenga, also known as Cabuepet.[49] Although birth records are not available for his father Miguel, the birth records for Jose Miguel Triumfo and his six siblings (only one of whom survived to adulthood) indicate that Miguel was a Spaniard affiliated with the San Gabriel Mission.[50] Rosaria Arriola's mother was Maria Rafaela Perfecta Canedo, born in 1822 at the San Diego Presidio.[51] Maria Rafaela Perfecta Canedo's parents were a Mexican soldier and a woman named Maria Rafaela Canedo, descended from Maria Dolores, a Tongva Indian from the village of Yabit, also known as Yangna.[52]

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[44] The last Census record in which Isabel appears is 1900. Doc. 80009.B.USC. She was born in 1883.

[45] Doc. 00130.J.FTO.

[46] LA Baptism # 1022.

[47] SF Baptism # 2140.

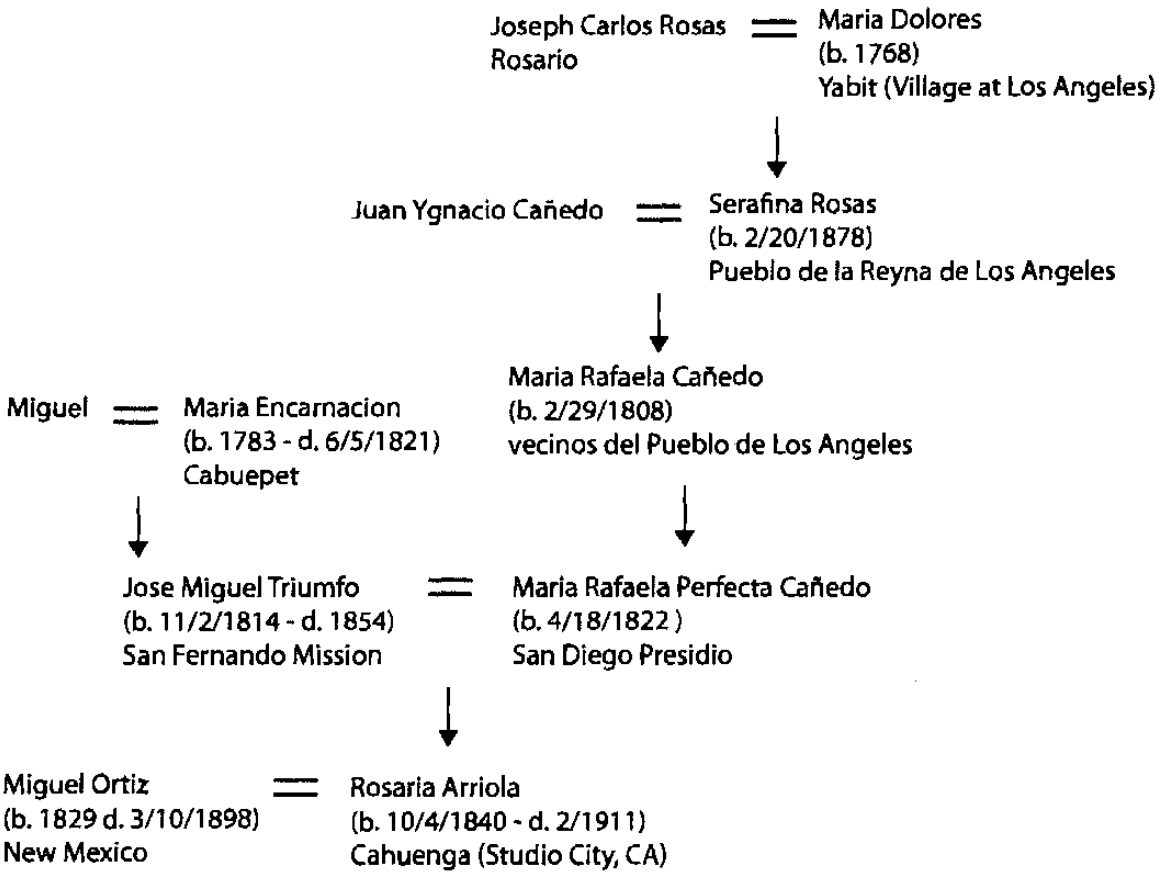
[48] Pauley and Pauley, 267.

[49] SF Baptism # 0951.

[50] See, e.g., SF Baptism # 2140; SF Baptism # 2038.

[51] SD Baptism # 5305.

[52] SG Baptism # 1387 – mother Serafina Rosas; SG Baptism # 0969 – grandmother Maria Dolores.



Rosaria Arriola[53] married Miguel Rafael Ortiz, a non-Indian.[54] Their son, Joseph Ortiz, was born in 1861.[55] Joseph Ortiz married a non-Indian,[56] and a number of their descendents, through daughter Helen (born 1907)[57] and sons Fortino (born 1899) and Frank (born 1896),[58] are members of the Fernandeño Tataviam Band of Mission Indians. Joseph Ortiz's fourth child, Juanita, had no children.[59]

"Garcia" Line: A third group of Fernandeño Tataviam members descends from Leandra Culeta, baptized in the San Fernando Mission in 1840.[60] Leandra Culeta was the daughter of Ramon (born 1808),[61] and Eugenia (born 1817),[62] both also baptized at Mission San Fernando. Through her father Ramon, Leandra was linked to the Tataviam

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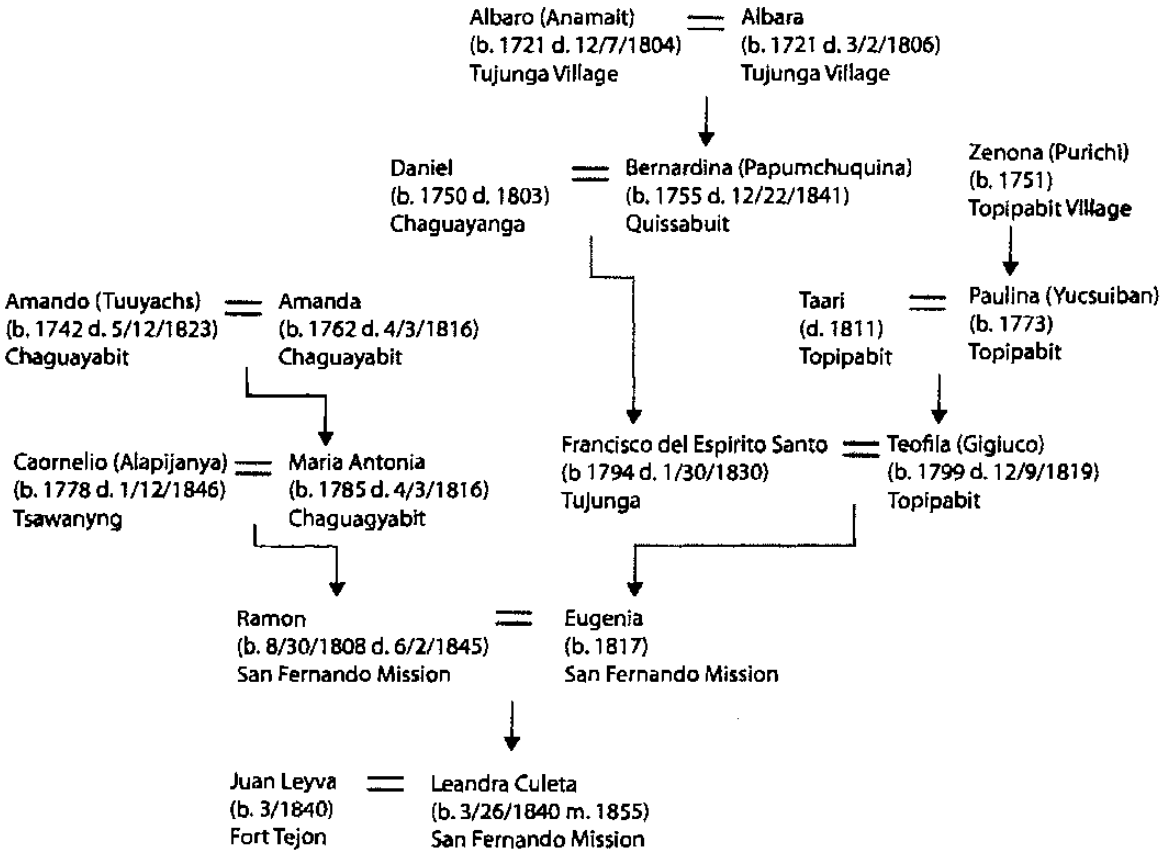
[53] Rosaria Arriola had two other married names during her lifetime, Perralta and Carlon.
[54] Docs: 80024.B.USC; 80441.A.SFC; 00243.A.BL.
[55] Docs: 80078.A.USC; 80441.A.SFC; 00113.A.LN; 00113.B.LN; 00113.D.LN; 00243.A.BL
[56] Doc. 80441.A.SFC.
[57] Born 1907, also known as Lucy; Docs: 80127.A.USC.jpg; 00113.A.LN.
[58] Docs: 80440.A.SFC; 80127.A.USC.jpg; 80078.A.USC.pdf.
[59] Doc. 30141.B.SB.
[60] SF Baptism # 2987.
[61] SF Baptism # 1712.
[62] SF Baptism # 2298.

village of Chaguayabit, also the village of Francisco Papabubaba, father to Maria Rita Alipas of the Ortega line (see Note 9). Through her maternal grandparents, Leandra was linked to the Tongva village of Tujunga[63] and the Serrano village of Topipabit.[64]



With her non-Indian husband, Juan Leiva (or Leyva), Leandra Culeta gave birth in 1865 to Josephine.[65] In 1890, Josephine married Isidoro Garcia, brother-in-law to Antonio Maria Ortega, progenitor of the Ortega line.[66] Josephine and Isidoro Garcia had two children, Frances[67] and Petra.[68] Frances went to Newhall,[69] and her descendents have chosen to identify with the Chumash.[70] A number of Petra's descendents are members of the Fernandeño Tataviam Band of Mission Indians,[71] mainly through Petra's great

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[63] SF Baptism # 0171, grandfather Francisco del Espirito Santo.
[64] SF Baptism #1848, grandmother Teofila.
[65] Doc. 80291.A.LPC.
[66] Doc. 80128.A.LPC, baptism certificate of daughter Petra Garcia, showing her legitimate child of Isidoro and Josephine.
[67] Born 1881, Doc. 00242.A.BL
[68] Born 1882, Doc. 80128.A.LPC.
[69] Docs: 00112.B.LN; 80132.A.USC; 80132.B.USC.
[70] Docs: 80305.INT and 80306.INT, interview with Charlie Cooke; 80302.INT, interview with Theodore Garcia and family.
[71] See folder labeled "Ancestry Charts."

granddaughter, Victoria Ann Olivarez, born 1955.[72] Olivarez has had several married names (Stokes, Seychulda, Thorson).

[72] Docs: 80232.D.OTC.jpg; 80258.E.OTC.jpg.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (F)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(f)

CRITERIA 87.3(f)

Criterion 83.7(f): The membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe.

A statement is provided, signed by the governing body, indicating that a predominant portion of the petitioner's members are not enrolled in any federally acknowledged North American Indian tribe.[1]

[1] Doc. 60003.FTO.

Petitioner #158

Fernandeño Tataviam Band of Mission Indians

2009 Submission

CRITERION (G)

Fernandeño Tataviam Band of Mission Indians
Federal Petition

Office of Federal Acknowledgment
Bureau of Indian Affairs
U.S. Department of Interior

2009

CRITERIA 87.3(g)

CRITERIA 87.3(g)

Criterion 83.7(g): Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden federal recognition.

A statement is provided, signed by the governing body, indicating that neither the Fernandeño Tataviam Band of Mission Indians nor its members are the subject of congressional legislation that has expressly terminated or forbidden a Federal relationship.[1]

[1] Doc. 60004.FTO.