

Fernandeño Tataviam Band of Mission Indians
Sovereign Indian Nation



October 18, 2024

Director Nikki Bass
Attn: Office of Federal Acknowledgment
Mailstop MS-4071-MIB
1849 C Street, NW
Washington, DC 20240

Dear Director Bass,

On May 16, 2024, the Office of Federal Acknowledgment (“OFA”) received six public comments during the open comment period regarding the Fernandeño Tataviam Band of Mission Indians’ (“FTB”) Petition for Federal Acknowledgment (Petition #403, the “Petition”). OFA shared those comments with the FTB and requested a response by August 7, 2024. On August 22, 2024, the FTB requested an extension to respond to these public comments, which OFA approved to November 4, 2024. This letter is the FTB’s response to the six public comments received.

Respectfully,

Rudy J. Ortega, Jr.
Tribal President

Mark Villaseñor (Oct 18, 2024 12:25 PDT)

Mark Villaseñor
Tribal Vice President

Elisa Ornelas (Oct 18, 2024 12:12 PDT)

Elisa Ornelas
Tribal Treasurer

Lucia Alfaro (Oct 18, 2024 12:25 PDT)

Lucia Alfaro
Tribal Secretary

Jorge Salazar (Oct 18, 2024 12:15 PDT)

Jorge Salazar
Tribal Senator

Joseph Bodle (Oct 18, 2024 12:15 PDT)

Joseph Bodle
Tribal Senator

Richard Ortega (Oct 18, 2024 15:20 PDT)

Richard Ortega
Tribal Senator

Jesus Alvarez (Oct 18, 2024 13:15 PDT)

Jesus Alvarez
Tribal Senator

Cheryl Martin-Perez (Oct 18, 2024 12:31 PDT)

Cheryl Martin-Perez
Tribal Senator

Crystal Crowe (Oct 18, 2024 12:22 PDT)

Crystal Crowe
Tribal Senator

Mary Acuña (Oct 18, 2024 12:20 PDT)

Mary Acuña
Tribal Senator

Overview of the Public Comments Received:

Within FTB Ancestral Territory

- Comment 01
Illece Buckley Weber, Mayor, representing “City of Agoura Hills” in Agoura Hills, CA.
Comment 01 endorsed the Petition.
- Comment 02
Jenna Cobb, representing the individual.
Comment 02 endorsed the Petition.

Outside FTB Ancestral Territory

- Comment 03
Donna Yocum, representing “San Fernando Band of Mission Indians” in Beaverton, OR.
Comment 03 submitted an attached commentary on one non-primary source cited in the Petition, and not of the Petition itself.

Comment 03’s attachment claims that the non-primary source is strongest in documenting how California’s Indigenous Peoples reacted to colonialism and legal issues, especially highlighting the 1885 eviction of Fernandeño captain Rogerio Rocha.

Comment 03’s attachment questions ethnographic information of pre-Mission *Tataviam* people. Pre-Mission period observations are not central to the 2015 Regulations, 25 CFR Part 83, and thus, will not be addressed in this response.

Comment 03’s attachment questions genealogy information pertaining to the FTB Garcia Lineage, which is addressed in the Petition. FTB looks to the OFA for its review.

Comment 03’s attachment claims that “most readers of the book will not realize that another prominent, state-recognized group—the San Fernando Band of Mission Indians (SFBMI)—exists and is comparable in number of enrolled members to the Fernandeño Tataviam Band.” This claim can neither be confirmed nor fact-checked due to the fact that the group called SFBMI has not submitted any such rolls to the FTB. The Petition documents that 199 FTB Garcia lineage members were accounted for in the ratified FTB Roll of 2021.

- Comment 04
Juan Garza, representing “California Cities for Self-Reliance Joint Powers Authority” in Cudahy, CA. Comment 04 challenges the existence of the historical Indian tribe of Fernandeseños.

Comment 04 disputes the existence of the historic Fernandeño tribe. These comments challenge the substantial evidence presented in the Petition. However, in the OFA’s Technical Assistance Review of 2016 (“TAR1”) related to Petition #158, which was withdrawn per letter dated September 8, 2021, OFA already “found that there was a historical Indian tribe of Fernandeño Indians, comprised of village members from four ethno-linguistic groups who combined through marriage and interacted at the Mission during the 37 years from the establishment of

Mission SFR in 1797 to secularization in 1834” (TAR 1 2016 Page 5). FTB looks to the OFA for its review.

- Comment 05

Michael L. Lawson and Alex Sanders are individuals in Annandale, VA. Comment 05 provides recommendations for enhancing the Petition.

Comment 05 evaluates the Petition against criteria relevant to and predominantly assessed in Phase 2. At the successive stage of a Phase 1 review, the FTB may study the Phase 2 recommendations.

Comment 05 claims that the Petition likely meets criteria §83.11 (d), (f), and (g). For §83.11 (e), Comment 05 claims that the “evidence concerned with documenting descent for criterion 83.11(e) could not be adequately evaluated because neither its genealogical data and records nor membership lists are accessible. These records are, at least in part, protected from public disclosure under provisions of the Privacy Act and the Freedom of Information Act.However it cannot be determined, absent the full genealogical record, whether this new evidence will be sufficient to permit the petitioner to meet criterion §83.11(e).” FTB looks to the OFA for its review.

Unknown Location

- Comment 06A and 06B

Mike J. Lemos, representing the individual.

Comment 06A disputes the FTB Ortega Lineage, focusing on the Tribal President’s genealogy. This comment challenges the substantial evidence presented in the Petition and OFA’s TAR1. In TAR1, OFA stated that “the current evidence seems to suggest that the parents and/or grandparents of the FTB’s three claimed Indian ancestors (Maria Rita Alipaz; Leandra Culeta; and Rosaria Arriola) were members of the population of villagers who migrated to Mission SFR and intermarried” (TAR 1 2016 Page 5). It is important to note that the unredacted genealogy records referenced in the current Petition and submitted to the OFA are not publicly available due to restrictions that protect confidential, personal data, limiting the public’s ability to make informed judgments regarding descent from the historical Indian tribe in question. FTB looks to the OFA for its review.

Comment 06B challenges the village structures, languages, and cultures of the period before the beginning of the Mission San Fernando recruitment in 1797, which is irrelevant to the claim to and descent from the historic Indian tribe addressed in the Petition. Thus, Comment 6B will not be addressed in this response.

In conclusion, the FTB maintains that the evidence presented in the Petition meets the requirements and respectfully requests that OFA proceed with its review of the Petition.