



Colonizers Who Live Among Us Federal Recognition, Repatriation and Justice Denied

Chairwoman Charlene Nijmeh

Horse Truuxi Kaanat Raakat - Hello, my name is Charlene Nijmeh and I'm the Chairwoman of the Muwekma Ohlone Tribe of the SF Bay area.

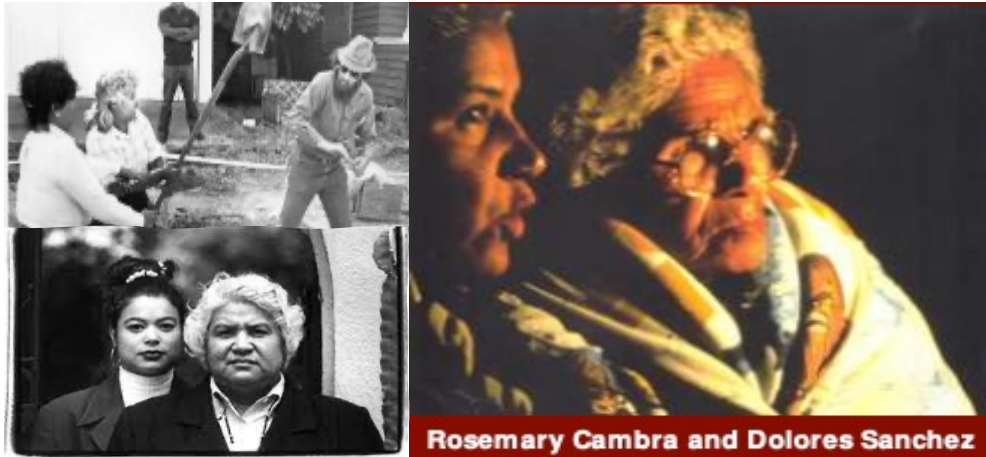


And this is where it all started for me. That's my mother hitting an archaeologist with a shovel because he was trying to remove her and my grandmother from a burial site of our ancestors.

This white archaeologist told them they didn't belong there- that these weren't their ancestors – and that the Ohlone people were extinct.

Well, my mother disagreed with him – she swung that shovel, and she went to jail – She went bankrupt, and we lost our home. That was a very traumatic event for me.

My Mother tried to protect her people that day, but she always regretted her actions. She would often tell me “It's not who we are. We can't let them make us so angry that we resort to violence.”



She sat me down when I was a young girl and told me “Charlene, this struggle started before me, and it won’t end with me. You have to be ready to fight for your people – But don’t make the mistake I made – Raise your Voice (YES) – Make them hear you (YES) – But don’t ever raise the shovel. - Don’t become them”

We weren’t the violent ones. For over a century – It was the colonizers who enslaved us, raped us, and stole our children. It was the colonizers who robbed us of our lands and our possessions. They were the ones that hunted and killed us because we lived on land that was too valuable to leave for Indians.

“They made us many promises, but they kept only one. They promised to take our Land and they did.”—**Chief Red Cloud**



You know - Chief Red Cloud left us with a powerful saying. He said “They made us many promises, but they kept ONLY one. They promised to take our Land and they did”

My Mother was the Chairwoman of our tribe and she fought for 40 years “**To be seen**” “**TO BE HEARD**” Open your eyes and see us she would tell them. “**We aren’t extinct**”



Although we survived a century of injustice, today we still live with the colonist and racist mindset that wants to dictate how we live on our lands and what decisions we make for our own people.

These colonizers still live among us

Why are the colonizers still here in this day and age telling us this is their lands and that we have no rights on “**their lands.**” **Their lands. Really?**

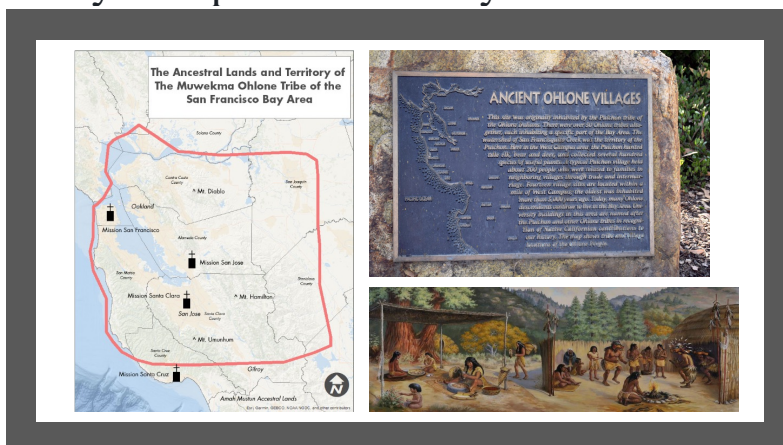
They forgot whose lands they stole. This will **ALWAYS** be Muwekma Ohlone Land-

If our oppression is allowed to continue – **In this day- In this year 2023** –
Then the words of truth and healing mean nothing. The words of Social, Racial
and Historical justice really mean nothing.

But let me back up a bit and give you a brief history of our tribe.

The Muwekma Ohlone Tribe TODAY is made up of all the known **surviving**
American Indian Lineages that are aboriginal to the San Francisco Bay Area.

All Muwekma members trace their ethno-historic origins from the indigenous
tribes who continuously occupied the SF Bay Area for over **10,000 years**.



Today, our aboriginal lands are occupied by some of the wealthiest companies
in human history. Our homeland is considered the center of the universe when
it comes to innovation, technology, and wealth creation.

These companies generate immense wealth while occupying stolen unceded
Muwekma lands - never asking the question “What happened to the Ohlone
Indians?”

What happened to the Ohlone Indians ?



Creating Immense wealth on stolen Muwekma land.

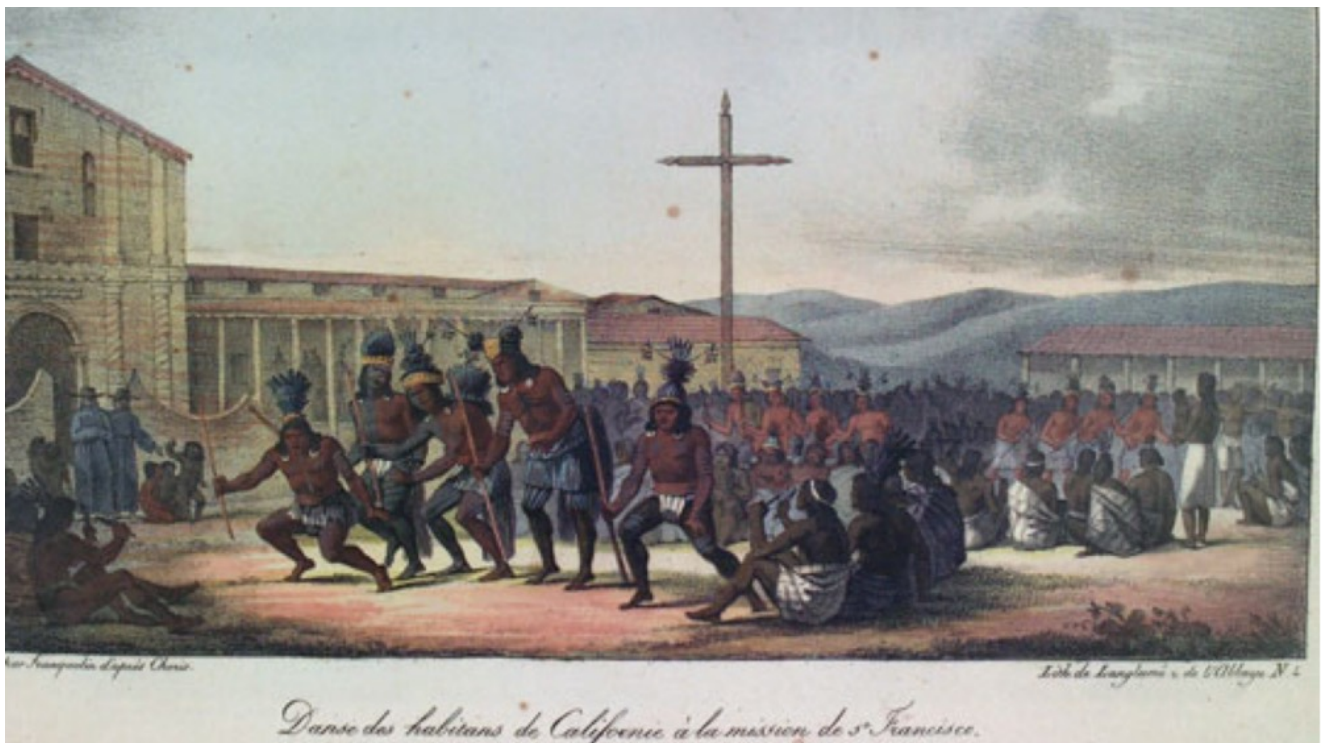
They don't talk about that because if they did, they would have to justify their role in our "political erasure", in the gentrification from our 10,000-year homeland and our continued colonization.

But that's a topic for another day

When the Spanish arrived in the late 1700s, all Muwekma ancestors were rounded up and forced into three Bay area missions (Mission San Jose, Mission Santa Clara, and Mission Dolores).



Let me just say there was nothing good about the Spanish mission system- They destroyed our villages, and attempted to kill our culture, our language, and our spirit. **BUT WE WERE RESILIENT AND WE SURVIVED Their Attempts at Genocide.**



When Mexico declared its independence from Spain, they secularized the Missions in 1834, and most of the Mission Indians who were rounded up from outside the Ohlone speaking territories left the area returning to their non-Ohlone villages.

My people had nothing to go back to. Our villages were destroyed but we weren't about to leave our aboriginal homeland.

And so, we stayed, and we settled on other people's ranchos in Pleasanton and Niles and became their work force (or I should say "their slaves").

AGAIN, WE FOUND A WAY TO SURVIVE – BY STAYING TOGETHER.

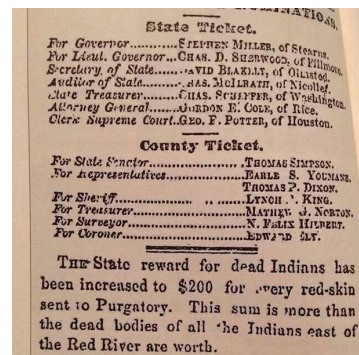
Then the American period came- The war between Mexico and America ended with the signing of The Treaty of Guadalupe Hidalgo, in 1848.

And In order to secure **legal** title to California, the U.S. negotiated 18 treaties with California Indians– 8.5 million acres of land was to go to the Indians –

But again, GREED reared its ugly head -, They discovered GOLD in California and so, they buried the treaties in secrecy and tried to kill all the Indians instead.



Gov. Peter Burnett



"... a war of extermination will continue to be waged between the races until the Indian race becomes extinct ..."

The First Governor of California put legal bounties on our heads and said,

“A war of extermination will continue to be waged between the races until the Indian race becomes extinct....”

AND AGAIN, WE SURVIVED THE ATTEMPTS TO EXTERMINATE US – BY STAYING TOGETHER.

Are you beginning to see this common theme in our survival?

WE SURVIVE BECAUSE WE STAY TOGETHER. BECAUSE WE LOOK AFTER EACH OTHER-

BUT, Because of California’s genocidal policies, the Muwekma people (like most California Indians) were left landless and destitute. Until reformers pushed Congress to do something about “the homeless starving Indians”

Congress was forced to act (**Especially after the 18 unratified treaties were discovered**) and so they passed legislation to buy land for landless tribal bands. The first thing they did was order a census be taken of Tribes who needed Land.

In 1906, our Tribe was **identified** and included in that census as **the Verona Band**. Of course, that wasn’t our tribal name, and no one called us that, but they didn’t care- we were living near a railroad station called Verona, and so they labeled us the Verona Band.

So, being identified on the 1906 census and then being listed in 1914, 1923 and again in 1927 on a list of Tribes **to receive land** by Congress gave the Muwekma people “**federal recognition**” as an American Indian Tribe.

Just to be clear Federal recognition **doesn’t create** tribes. It only “acknowledges” **we existed** as a tribal community before the United States.

Of course, WE know we exist, **but for some reason** they need to tell us we exist.

Federal recognition does not create tribes. It recognizes social/political communities that predate the United States.

And it creates a trust relationship between the tribe and the federal government, which entitles tribes and our members to certain federal benefits.

But most importantly it recognizes tribal sovereignty including the protection and repatriation of our ancestral remains.

This right of sovereignty and self-determination was promised in perpetuity to tribal nations and that government-to-government relationship can only be terminated by Congress.

So back to the “legislation by Congress”

They were **supposed** to buy us land - But again, GREED happened – After 1927, an Indian Agent removed Muwekma from that list. So, we never received the Land that was promised us.

THEY DEFINITELY didn’t want to give Indians LANDS in the SF BAY AREA – no matter how long we occupied it– no matter the fact that the Congress mandated it – and no matter that they stole ALL OF IT in the first place – NOPE – No land for us.

CHIEF RED CLOUD was right. - “They promised to take our Land and they did”

So, the Indian Agency started to mostly ignore us, hoping we would either assimilate or die.

Even though Muwekma members were registering with the department, and we were being “**approved by them**” as “**being under their jurisdiction**” - **They STILL neglected** to put us on the official list of recognized tribes in 1978.

You see before 1978 – there was no Official list of tribes.

And so now we circle back to the Shovel – When they told my mother she wasn’t “a recognized tribe” and our tribe wasn’t on the “official list”, it started our journey – We now had to PROVE who we were to the very same people that tried so hard to exterminate us.

AND TO BE CRYSTAL CLEAR – Our efforts to restore our status was always about **REPATRIATION** and **protecting our ancestors** – In the 1960s we fought to save our Ohlone Cemetery and we were successful. And in the early 80's we started demanding our ancestors be respected and returned to the ground.



Right now, TODAY, The University of Berkley is holding 12,000 of our ancestors and 250,000 burial objects that are 100% connected to the Muwekma Ohlone Tribe, but because we aren't federally recognized, we can't repatriate our ancestors back to the land and give them peace.

UC Berkeley is holding thousands of our ancestors' burial remains, and tens of thousands of artifacts.



Our motivation has always been simple and clear.

So, to recap our history-**All these facts are not in dispute-**

Muwekma was Recognized – our status was Never Terminated – AND We are the same people

So how **in the name of Justice** can they still refuse to restore our status?

1

DNA studies confirm that the Muwekma people have lived in the Bay Area for thousands of years.



2

The Muwekma Ohlone Tribe was federally recognized by Congress in the early 20th Century.

3

The Muwekma Ohlone Tribe was never terminated by Congress, only Congress can terminate our government-to-government relationship.

4

100% of our members today are directly-descended from that historically federally recognized tribe.

The Bureau of Indian Affairs— restored 3 other California Tribes in the same situation as Muwekma – That’s right - The department simply corrected their mistake and with a simple letter put them on their official list.



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Echo Hawk Issues Reaffirmation of the Tejon Indian Tribe’s Government-to-Government Status

Assistant Secretary Gover Reaffirms Federal Trust Relationship for the King Salmon Tribe and Shoonaq’ Tribe of Kodiak in Alaska and the Lower Lake Rancheria in California

WASHINGTON, D.C.— In a letter to the Tejon Indian Tribe of California, Assistant Secretary – Indian Affairs Larry Echo Hawk reaffirmed the federal relationship between the United States and the Tejon Indian Tribe. The Assistant Secretary’s letter confirms that the Tribe has a relationship with the federal government.

Action Corrects Oversight to Federally Recognized Tribes List

Assistant Secretary – Indian Affairs Kevin Gover has reaffirmed the federal trust relationship between the United States and the King Salmon Tribe and the Shoonaq’ Tribe in Alaska and the Lower Lake Rancheria in California after finding that their government-to-government relationship with the U.S. has never been severed. “The King Salmon Tribe, the Shoonaq’ Tribe of Kodiak, and the Lower Lake Rancheria have been officially overlooked for many years by the Bureau of Indian Affairs even though their government-to-government relationship with the United States was never terminated.” Gover stated in his finding dated December 29, 2000, “I am pleased to correct this egregious oversight.”

The Tejon Indian Tribe first requested confirmation of its status in 2006. Due to an administrative error, the Bureau of Indian Affairs (BIA) failed for several years to place the Tejon Indian Tribe on the list of federally recognized tribes that the BIA is required to publish annually. That list, entitled “Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs,” was last published in the Federal Register on October 1, 2010 at 75 FR 60810, and the list was supplemented on October 27, 2010 at 75 FR 66124.

Due to administrative error, the BIA had for several years failed to place the three tribes on the list of federally recognized tribes it is required to publish annually in the Federal Register under the Federally Recognized Indian Tribes List Act (Pub. L. 103-454, 108 Stat. 4791, 4792). The list, entitled “Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs,” was last published on March 13, 2000.

In his letter to the Tejon Indian Tribe, the Assistant Secretary stated that “[u]pon review of the facts and history of this matter, including prior Assistant Secretaries’ decisions, I hereby reaffirm the federal relationship between the United States and the Tejon Indian Tribe, thus concluding the long and unfortunate omission of the Tejon Indian Tribe from the list of federally recognized tribes.”

The Assistant Secretary found that the King Salmon Tribe of Alaska has existed and maintained a continuous Indian community from historic times, and that present-day tribal members are descendants of a group that had been forced to leave a earlier homestead destroyed during an eruption of Mount Katmai.

The Assistant Secretary-Indian Affairs discharges the duties of the Secretary of the Interior with the authority and direct responsibility to strengthen the government-to-government relationship with the nation’s 566 federally recognized tribes, advocate policies that support Indian self-determination, protect and preserve Indian trust assets, and administer a wide array of laws, regulations and functions relating to American Indian and Alaska Native tribes, tribal members and individual trust beneficiaries. The Assistant Secretary oversees the Bureau of Indian Affairs and the Bureau of Indian Education. For more information, visit www.indianaffairs.gov.

The Assistant Secretary also found that the Shoonaq’ Tribe of Kodiak, Alaska, has maintained a continuous political organization since European contact, that the Council of the Shoonaq’ Tribe of Alaska has governed the historical Native community in and around the contemporary community of Kodiak, and that no other tribe has claimed the territory or the tribe’s membership. Congress acknowledged Kodiak as an historic Native village possessing claims to aboriginal title.

-DOI-

But those three California Tribes were not urban tribes like Muwekma. Their territory wasn’t the SF Bay Area where the colonizers still live today, and still work to keep the Indians out.

Even the first Native American Secretary of the Interior hasn’t acted to correct the mistakes of her department – Instead they push us to Congress- Congress can fix this they say– They can pass legislation to restore your status.

**Deb Haaland,
Secretary of the Interior**



Since 1970, Congress has recognized or reaffirmed 26 tribes – including tribes that were terminated and denied recognition by the acknowledgement process.

Why not allow Justice for Muwekma?

Since 1970- Congress has federally recognized or reaffirmed 26 tribes– This includes tribes that were terminated and denied recognition in the acknowledgment process. So, why not give Muwekma Justice?

All we are really asking for is to have our existence acknowledged. **That we are still here.**



We don't **NEED** federal recognition – They already admitted we were recognized, and our status was never terminated. The government simply needs to correct **their** mistake

But the **COLONIZERS** showed us who's really running things in the SF Bay Area.

We've been told that if we wanted to have our status restored, we'd need to give up some of our sovereign rights.

If we wanted to stay on **OUR** land, we had to agree to become second class citizens in Indian Country.

We couldn't be equal to the other 101 California tribes who all have full sovereignty and the rights to build their own economies if **THEY** choose. -

Being Equal is fundamental to our values. No one tribe should be picked out, isolated, denied their full rights and freedoms simply because of **where** their ancestors chose to settle so long ago.

URBAN tribes – They don't want URBAN tribes.

They still behave like SF is their land and that they are the ones who get to decide if we exist or not.

I tell myself they aren't bad people. That they grew up in different times. - a time when people were taught and raised with a false history that painted us as savages and white European settlers as the heroes who conquered the west and "civilized us".

They think America is great "despite the Native people" Not "**because of The Native people**".

Their early programming comes from colonizers, and they still think like that today– Of course, that's no excuse.

They are wrong. dead wrong on this issue – And they need to move out of positions of power if they continue to think in the colonist ways.

The Muwekma people are a proud people who should have the same rights as other tribes. The right to live in freedom, peace, and dignity on our own lands. The right to Nation build rather than be dependent on the federal government

for handouts. We refuse to cede our rights and the rights of our future generations.

They believe - They have the upper hand- They can wait us out - because we are being gentrified out of our homeland, and our community is at risk of extinction.

They believe we will be pressured into giving up our rights in order to stay on our lands.

Well, they haven't been paying attention-

Last month we Lost one of our Elders "Hank Alvarez" He was 100 years old. – He fought his entire life to restore his tribe's status. –

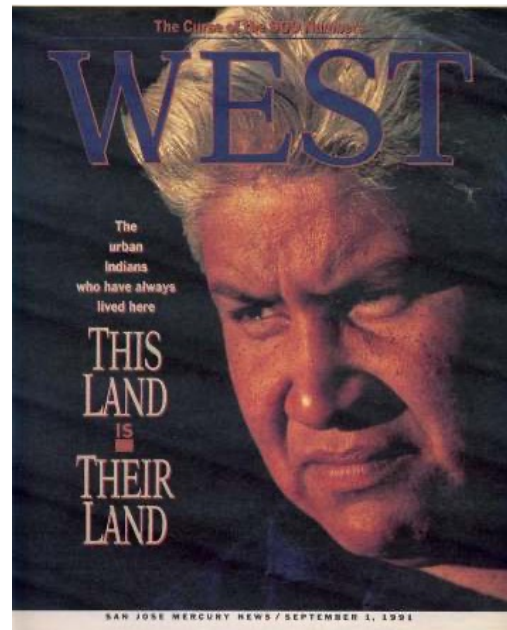
Hank Alvarez



Hank used to tell the story about going to the BIA in Washington, D.C. asking them how it's possible that he grew up as an Indian **in a Federally Recognized tribe**, went to war to fight for his country, and now they say his people don't exist today.

He felt betrayed by the Country he, (his four brothers and almost all of the Muwekma men who enlisted), had sacrificed for.

Thinking of that story makes me sad; HANK PASSED without seeing his tribe restored - but thinking of Hank's spirit, his honor, his integrity makes me proud. MAKES ME FIGHT (like Hank Fought – Like Mother fought) TO PROTECT our people's right to EXIST on our 10,000-year Homeland **with Full Sovereignty** – Without trading our rights in exchange for political support.



NO- they haven't been paying attention

Our people survived far worse for far longer. We can outlast this generation of politicians.

They want us to be Quiet, Silence our voice, HUSH - Don't talk about THE COLONIZERS WHO LIVE AMONG US.

They want us to go **Quietly** into the night – Instead we will force them **LOUDLY** into the light. –

We will not be silenced. We will reclaim our sovereignty – We will reclaim our dignity.

Even if it means the struggle continues. We march forward together. Always together – Surviving Together.

That's WHAT it means to be a community

Maki-Mak Muwekma - WE ARE MUWEKMA – AND WE ARE HERE TO STAY

Kiš horse 'ek-hinnan: My heart, my breath and my spirit are with you.

Maki-Mak Muwekma
*We are Muwekma –
and we are here to stay*

