



JANUARY 1, 2018

Happy New Year!

Soboba Indian Reporter

LET'S
START
SMART!

SOBOBA INDIAN REPORTER: ERNIE C. SALGADO JR., PUBLISHER/EDITOR

Happy New Year!

FOOLS SHOOTING AT THE DARK!

As sad as it is, every New Years eve it seems like it's a full moon as all the mental giants are out shooting at the dark.

They either don't understand or know of Isaac Newtons "Laws of Gravity" of what goes up must come down or simple don't care. Most likely the latter.

It just don't make any sense for anyone to take out a gun and shoot it into the sky not knowing where the bullets will come down. Irresponsible at a minimum and beyond stupid not to mention cost at about a buck a bullet.

New Years Resolutions

Well folks it's that time of year again for us to make all those New Year Resolution.

Some of the number one resolutions are to drop those extra pounds, cut down on sat and sugar, eat more vegetables, drink less soda or beer, spend more time with the kids and get that annual doctors check up.



to "Unreasonable." Of course some of us are more disciplined and hold the line of which I am not included, I tend to be with the failed memory group.

The good thing is that we get to celebrate the start of another year.

Happy New Year and may God bless you and your family.

Soboba Indian Reporter



Mia Basquez-Gallerito center in the photo above with her son, Frank on her left and a fellow sailor.

His grandfather, Tony Basquez (Pechanga) served in the U.S. Marine Corps during the Korean Conflict and his great uncle, Marcus "Mac" Mojado served in the U.S. Navy during the second World War. A Cousin, Elizabeth (Basquez) Kolb served in the U.S. Army with the U.S. Army Color Guard as a Bugler.

Frank enlisted in the United State Navy on September 14, 2016 but was given a deferment until March 16, 2017 to report for duty.

He recently completed his Basic Training at the Great Lakes Naval Station in Illinois near Waukegan, IL located on the north side of Chicago.

He is currently stationed in San Diego where he is receiving advanced training as an electrician.

Mia and her husband, Frank Bow are extremely proud of their son and rightful so. We are also proud of Frank and may God watch over him and keep him safe.



In keeping with the Christmas spirit of sharing and giving the San Diego based Not-For-Profit Tribal Organization, Southern California American Indian Resource Center, Inc., (SCAIR) distributed 300 Christmas "Food Boxes" to needy American Indian families living within east San Diego and Imperial Counties.

The Christmas "Food Boxes" effort was funded by the Northern California Indian Development Council located in Eureka, California.

Also during the month of December a traditional Gathering of Native Americans (GONA) was also held at the SCAIR Training.

Participants along with their families and SCAIR staff celebrated Christmas with activities at the SCAIR Training Center in El Cajon, CA.

SCAIR Executive Director, Wanda Michaelis said that SCAIR plans to expand the sharing of the Thanksgiving and Christmas "Food Boxes" next year to include Easter.

SCAIR shares 300 Christmas "Food Boxes" with needy American Indian families in San Diego and Imperial Counties. Go SCAIR!



IS THE SANTA ROSA TRIBE FACING SELECTIVE LAW ENFORCEMENT? RACIAL DISCRIMINATION? POLITICAL HARASSMENT AND MORE?

In the December 2017 issue of the Soboba Indian Reporter we reported on the federal agents raiding of the Santa Rosa tribe's marijuana growing business.

Although the Soboba Indian Reporter does not support the legalization of marijuana the enforcement of the federal statues on the Santa Rosa Tribal Lands is troublesome.

At issue is the sovereign authority of the tribe vs the federal statues of the United States Government against the cultivation and sales of marijuana.

First, the Santa Rosa Tribal sovereignty rights would seem to parallel those of the State of California or at a minimum those of the counties and cities within the State.

With that understood, the question that begs to be asked is: *Why was the Santa Rosa Tribe singled out by the federal agency for the enforcement of the federal statues against the cultivation and sales of marijuana while no action has been taken against any county or city governments in the State of*

California? A long question that irks of selective law enforcement at a minimum and racial discrimination on another level.

It also appears that many of the United States Congressional representatives support State Rights with regards to the enactment of State legislation authorizing the cultivation and sales of marijuana.

On February 7, 2017 Congressional leaders from both parties endorsed H.R. 975 which would decriminalize the cultivation and sales of marijuana in States that have enacted legislation approving such activity. However, as of this date the proposed legislation has yet to be voted on by the House of Representatives.

Regardless of the status of H.R. 975 which has been gathering dust since it was propose eleven months ago the Controlled Substances Act prohibits the cultivation and sales of marijuana in the United States of American. It appears that the Trump Administration has adopted the Obama political practices of "Selective implementation of the laws" spe-

cifically as it related to state marijuana legislation.

Again, the question: Why are the American Indian Governments the only ones prosecuted for violating the Controlled Substances Act? In Riverside County could it be at the request of Sheriff Stanley Sniff who has demonstrated his total disregard for tribal rights and sovereignty?

Looking beyond the Santa Rose tribal efforts to participate in the economic endeavor of cultivating and selling cannabis the issue of Tribal rights and sovereignty is at the very core of this matter.

To put this issue in proper perspective it must be understood that the State of California has approved legislation for the medical and recreational usage of marijuana within the State. The legislation allows each of its 58 counties and cities in the State to establish cultivation and sales of cannabis regulations.

And again the question: *Why are the 105 American Indian Tribes and Rancherias excluded?*

H.R. 975

To amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marihuana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 7, 2017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the "Respect State Marijuana Laws Act of 2017".

SEC. 2. RULE REGARDING APPLICATION TO MARIHUANA. Part G of the Controlled Substances Act ([21 U.S.C. 801](#) et seq.) is amended by adding at the end the following:

"SEC. 710. RULE REGARDING APPLICATION TO MARIHUANA. "Notwithstanding any other provision of law, the provisions of this subchapter related to marihuana shall not apply to any person acting in compliance with State laws relating to the production, possession, distribution, dispensation, administration, or delivery of marihuana."

PLEASE NOTE: It is assumed that words Marijuana and Marihuana are used to mean the same thing.

This proposed legislation has not been passed by Congress as of this date.

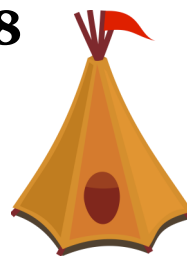


Photo courtesy of Charlene "Valenzuela" Ryan: Christmas in San Jacinto in the mid-fifty's

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Joke of the Year

Former Vice President, Joe Biden on "CBS This Morning" told host Gale King that the Obama Administration was without any scandals. I guess the following list of questionable activities don't count.

- ◆ *Billions to Iran Iran Deal*
- ◆ *IRS targets Tea Party*
- ◆ *Obama & Hillary's private server*
- ◆ *Spied on AP reporters*
- ◆ *Obamacare lies*
- ◆ *Operation fast & furious*
- ◆ *Benghazigate*
- ◆ *Bergdahl*
- ◆ *Eric Holder held in contempt of Congress*
- ◆ *NSA spying*
- ◆ *Solyndra*



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U.S. Supreme Court Sets Historic Indian Water Rights Precedent In Agua Caliente Water Rights Case

On Monday, November 27, 2017 the U.S. Supreme Court announced it would not review a lower-court decision in which the Agua Caliente Band of Cahuilla Indians was granted rights to groundwater beneath the tribe's reservation in the Coachella Valley.

A federal judge ruled in 2015 that the tribe had a right to the groundwater, a decision that was upheld by the 9th Circuit Court of Appeals earlier this year. The courts ruled that the tribe gained the rights to the water when its reservation was created in the late 1870s.

The tribe successfully sued the Desert Water Agency and the Coachella Valley Water District in 2013, claiming that the agencies degraded water quality by over-drafting the aquifer.

The agency and district appealed, but with their petition denied Monday by the Supreme Court, the next legal proceedings will involve deciding how the groundwater supplies are to be divided between the tribe and the Desert Water Agency and the Coachella Valley Water District.

through this lawsuit and any efforts to divvy up local groundwater rights."

To help clarify the tribal legal Water Rights, Barton H. "Buzz" Thompson, an expert on water law, a professor of natural resources at Stanford Law School and a senior fellow at the Woods Institute for the Environment was consulted on the case. His views are important in understanding the water rights of the American Indian tribes.



Barton H. "Buzz" Thompson

Why is this case significant? Barton H. Thompson: This case is important because it will help clarify what water rights, if any, Indian tribes enjoy in groundwater as a matter of federal law. The federal government has held that Indian tribes enjoy federal rights – what are frequently known as **Winters Rights** to water for use on their reservations (*arising from Winters v. U.S., a 1908 Supreme Court case*). The federal government has also held that other federal reservations, like national parks or national forests, also enjoy a similar form of federal reserved water rights.

The Water Districts claim the tribe might somehow disrupt responsible management of the region's groundwater. Is there any reason to be concerned about that? Barton H. Thompson: I have several thoughts on that. Indian tribes around the United States have frequently managed their water quite well. And if that is a concern, then the answer is for the federal government to ensure they have the resources to manage the groundwater effectively.



The 36-hole Mountain Vista golf course in Palm Desert features expansive greens and lush water

federally reserved water rights. Indian tribes always have the right to begin using federally reserved water, even if they have never used their water before.

A 2007 study by the U.S. Geological Survey showed that the entire Coachella Valley, including Palm Springs, Palm Desert and Indian Wells, had sunk by as much as a foot in some places due to groundwater overdraft. The Agua Caliente tribe now wants a role in managing the region's groundwater.

What was the significance of Winters v. U.S. in 1908? Barton H. Thompson: In 1908 the U.S. Supreme Court voted 8-1 that when the federal government set aside the Indian reservations for American Indian tribes, the federal government also implicitly reserved sufficient water to meet the needs of those reservations.

The tribal "Winters Rights" are superior to any and all state-recognized water rights that arose subsequent to the creation of the Indian reservation.

The Winters case dealt with the Fort Belknap Reservation in northern Montana. The Indian tribe had decided to begin new agriculture operations – specifically, growing sugar beets. But

have any bearing on the case. Because the water rights is the right of the Indian tribe, not the federal government. So **the federal government does not have the authority to waive the tribe's right.** In fact, the federal government has a fiduciary obligation to represent the tribe and to support the tribe. So if the federal government did not protect tribes water rights, it could be sued by the tribe for violating its fiduciary obligations. (*Soboba is one tribe that sued and won.*)

It's interesting that the government, and the Supreme Court, recognized this Indian right to water so early on. Is that because water is essential to life? Barton H. Thompson: I think there were two things that strongly motivated the Supreme Court in the Winters case. The first thing was the recognition that a lot of Indian reservations are useless without water. And so if, in fact, Indian tribes want to develop viable economies, they need water to do it.

The second thing is that I think motivated them is that federal treaties with Indians are meant to be interpreted in ways which are favorable to the Indian tribes. And if you stop to ask the question, when Indian tribes agreed to give up large territories in favor of the reservation to which they were relegated, is it really reasonable to assume they

gave up the water that was necessary to utilize those reservations? If you stop to think about that, you almost inevitably have to conclude that the tribes would not have given up the water necessary to use those reservations.

Will the change in presidential administration have any influence on this case? Barton H. Thompson: I think that it is unlikely to

I'm thinking specifically of the Crow Reservation in Montana. The Crow Nation has been very interested in developing its coal resources. It seems unlikely that a Clinton administration would have been particularly receptive to the Crow Nation's interest in developing its coal, because of concerns about climate change. One can imagine the Trump administration being actively helpful to the Crow Nation.

The other thing I would say is, American Indian Tribes are not monolithic in what they want to do, or in their position on various issues. So again, it's very difficult to think about how President Trump, who is a New Yorker, may approach various American Indian issues.

We know he has had some experience with Tribal Governments in connection with gaming casinos. He probably viewed them as competitors.

This is a historical Supreme Court decision for the American Indian Tribes. The amount of water the tribes are entitled is going to be a significant issue for the courts to decide.



Agua Caliente, Chairman Jeff L. Grubbe

The agencies denounced the decision in a joint statement, saying it gives the tribe "unprecedented" control over the groundwater. "We are disappointed in the decision because we believe the water in this valley is a shared resource that belongs to everyone." Coachella Valley district board President, John Powell Jr. said. "The tribe has always had access to as much water as they requested, but now they have secured a water right that is superior to every other resident and business in the Coachella Valley."

The agencies said the ruling could make local groundwater management problematic, as the tribe is a private entity and not bound by "state sustainability laws"; predicted "a lengthy and expensive legal process for all water users in the Coachella Valley"; and said "rates will likely increase as water availability becomes more limited."

"This case could completely change water management in our area." Desert Water Agency board President, Jim Cioffi said. "We will continue to protect the interests of the community

Legally speaking, does it matter if a tribe has never used its groundwater? Barton H. Thompson: No. Winters rights, as well as other federally reserved water rights, are not lost by failure to use it.

The doctrine of prior appropriation in Western states does have a use-it-or-lose-it provision. But that has never been an element of

there were other water users who claimed state water rights and who were senior to the date when the Indian tribe began to develop its new agricultural system. So those water rights holders

claimed that as a matter of state law, they enjoyed superior rights to the Indian tribe.

The Supreme Court, however, said that the Indian tribes enjoyed

Until now, 109 years after 'Winters vs U.S.' the Supreme Court has never explicitly addressed the question as to whether any of those rights – either "Winters Rights" or other forms of federally reserved water rights – apply to groundwater. And the states and lower courts have taken divergent positions on that question. Many Tribal Leaders refer to the "Winter Rights" as the "Winter Doctrine."



Officers of Agua Caliente Band of Cahuilla Indians Tribal Council is pictured on the right.

The Agua Caliente (*Hot Water*) tribe is one of the most progressive tribes in the nation. The majority of the lands the City of Palms Springs is located is owned and leased by the tribe or by individual tribal members. The tribal also has two gaming casinos and resort hotels in the area.



Jeff L. Grubbe
Chairman

Larry N. Olinger
Vice- Chairman

Vincent Gonzalez III
Secretary/Treasurer

Anthony Andreas III
Member

Reid D. Milanovich
Member



PEDRO "PETE" CALAC: RINCON INDIAN RESERVATION (MAY 13, 1892 – JANUARY 30, 1968)

Source from Wikipedia, the free encyclopedia - Ernie C. Salgado Jr..

Pedro "Pete" Calac (May 13, 1892 – January 30, 1968) was a tribal member of the Rincon Band of Mission Indians which is now the Rincon Band of Luiseno Indians. He attended Carlisle Indian School prior to becoming a professional football player. He played in the Ohio League and during the early years of the National Football League. Over the course of his 10-year career he played for the Canton Bulldogs, Cleveland Indians, Washington Senators, Oorang Indians and the Buffalo Bisons.



Calac was born on May 13, 1892 on the Rincon Indian Reservation to Felicidad Calac (*Some accounts list Francisco Calac as Pete's father however, Francisco was his grandfather*) of Rincon, California. Two of Pete's brothers had died of typhoid fever and he had another brother and two sisters living in 1908. He was listed as a "Mission Indian" as were the majority of the American Indians living in southern California. He grew up on the Rincon Indian Reservation and attended grammar school in nearby Fallbrook, California. While there, he was selected to attend the Carlisle Indian School.

Carlisle Indian School: On November 16, 1908 at the age of 15 Pete Calac left the Rincon reservation with only a third-grade education to the Carlisle Indian School located across the country in Carlisle, Pennsylvania. He traveled to the school via the Union Pacific Railroad. He left Carlisle almost three-years later in June 1911 and returned to the Rincon Indian Reservation in southern California. After spending the summer on the reservation He return to Carlisle and was re-enrolled on September 22, 1912.

At Carlisle, he played competitive football. In 1914 and 1915,

he was captain of the football team. He was first elected as the team's captain in 1914 when the team's current captain, Elmer Busch, was forced to resign. Before attending Carlisle, Calac had never played football and had no knowledge of the game. Calac recalled in Robert W. Wheeler's book, *Jim Thorpe: World's Greatest Athlete*, that the other players took an interest in him because of his large size. It was then that he met Jim Thorpe and soon became life long friends and would later play professional football with the Canton Bulldogs and the Oorang Indians.

World War One and the US Army: After finishing his studies at the Carlisle Indian School and West Virginia Wesleyan College, Pete returned to Rincon for a visit with his family and friends. While home in Rincon he enlisted in the U.S. Army. He served with the 91st Division, known as the "Wild West Division," in France and Belgium during World War I. He was said to have returned from the war without a scratch. He later stated that "I guess I dug in too much". However, in article by the Professional Football Researchers Association, Calac was reported to have suffered career threatening wounds during the war but was back at the top of his game by 1922.



Pete Calac

Professional Football Career:

Canton Bulldogs: In 1916 with Calac and former Carlisle teammate Jim Thorpe starring, Canton went 9-0-1, won the Ohio League



Jim Thorpe

championship, and was acclaimed the pro football champion. The Bulldogs had a repeat of their 1916 season, by winning the 1917 Ohio League championship. Then in 1919 Thorpe and Calac were joined in the backfield by future Hall of Famer Joe Guyon and won their third Ohio League Championship. **NOTE:** *Joseph Napoleon "Big Chief" Guyon was an American Indian from the Ojibwa tribe who was an American football and baseball player and coach. He played college football at the Carlisle Indian Industrial School from 1912 to 1913 and Georgia Institute of Technology from 1917 to 1918 and with a number of professional clubs from 1919 to 1927. He was inducted into the Pro Football Hall of Fame in 1966 and the College Football Hall of Fame in 1971.*

Union Quakers: Calac and Guyon joined the backfield of the Union Quakers over the 1921 Thanksgiving weekend for the games against the Conshohocken Athletic Club and the pre-NFL version of the Frankford Yellow Jackets. The 1921 Quakers team won the Philadelphia City Championship.

Washington Senators: The Washington Senators franchise spent only 1 season in the NFL. Once the team left the league at the end of the 1921 season, only three of the team's players would play in the NFL following the very next season. Those players were Benny Boynton, Guyon and Calac.

Oorang Indians: In the winter of 1921, Walter Lingo, an Airedale terrier breeder, brought Thorpe and Calac, to his plantation in LaRue, Ohio to hunt for possum. During that meeting Lingo decided to purchase a fran-

chise in the National Football League. Called the Oorang Indians. The team was composed of Native Americans and was mostly used as tool to for Lingo to promote his Airedales. The team was not considered to be very good, despite having two future Hall of Famers in the lineup. Lingo was more interested in; selling his dogs instead of quality football. As a result, the Indians became more of a novelty act, known for their halftime shows instead of a football team. Calac played the team's halfback for both years of the Indians existence.

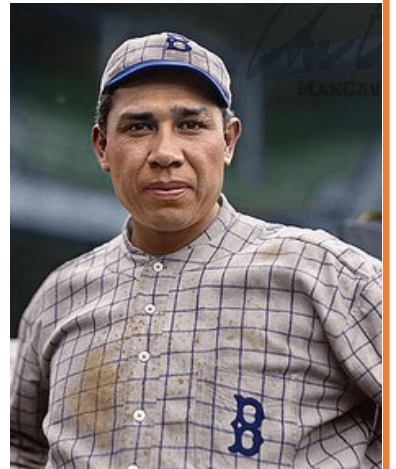
Buffalo Bisons: After the Oorang Indians folded in 1923, Calac was left in need of a team. He was scooped up by the Buffalo Bisons, who were previously known as the Buffalo All-Americans. The team was sold to a group led by local businessman Warren D. Patterson and Tommy Hughitt, the team's quarterback, for \$50,000. The new owners changed the name of the team to Bisons, and committed themselves to signing big name players in an effort to improve performance both on the field and in attendance. As part of this big name spending spree, Calac was offered a contract to serve as the team's fullback. The combination of Hughitt, Boynton, Eddie Kaw, and Calac gave Buffalo the most potent offensive backfield in the league. In a 13-0 opening day victory over the Columbus Panthers, managed by future NFL President Joe Carr, Calac was knocked out of the game with a broken nose.

While with the Bisons, the team had to travel to Philadelphia for a game against the Frankford Yellow Jackets. Philadelphia, being a large metropolitan area, was unfamiliar territory for several of the rural players. That night several players including Calac and rookie Jim Ailinger (*best known as being the last surviving player from the NFL's early era*) went out to a restaurant for dinner. According to Ailinger, he was unfamiliar with what to order in a restaurant, so he sat right next to Calac, who was a veteran player. The waiter asked Pete what he wanted and he said, "A lot of meat and a lot of potatoes."

Family: Pete and his wife were reported to have been married

since 1924. They had a son, 2 daughters and 7 grandchildren. Their son, following in Pete's footsteps, played high school football in Canton. Afterwards he became a member of the police force and became the Chief of Police of Canton, Ohio.

Still another southern California Tribal member worth mentioning from the Santa Rosa Indian Reservation of Cahuilla Indians is **John Tortes "Chief" Meyers** (July 29, 1880 – July 25, 1971).



John Tortes Meyers

Meyers attended Dartmouth College before going on to play Major League Baseball. He once said his only regret was not finishing his college education.

He spent three years in th minor leagues and was a catcher for the New York Giants, Boston Braves, and Brooklyn Robins from 1909 to 1917.

He played on the early Giants teams under manager John McGraw and was the primary catcher for Hall of Famer Christy Mathewson. Meyers hit over .300 for three straight years as the Giants won three straight National League pennants from 1911 to 1913.

Overall, he played in four World Series, the 1911, 1912, and 1913 Series with the Giants, as well as the 1916 Series with the Robins.

A Calac's Legacy: Grantland Rice, Dean of the American Sportswriters, once wrote, "I believe an All-American, All-Indian Football team could beat the All-Time Notre Dame Team, the All-Time Michigan Team, or the All-Time anything else. Take a look at a backfield like Jim Thorpe, Joe Guyon, Pete Calac and Frank Mount Pleasant."

Paradoxical Quote of The Day From Ben Stein:



Paradoxical Quote of The Day From Ben Stein:
"Fathom the hypocrisy of a government that requires every citizen to prove they are insured... but not everyone must prove they are a citizen."
Now add this, "Many of those who refuse, or are unable, to prove they are citizens will receive free insurance paid for by those who are forced to buy insurance because they are citizens."

Think about that for a while



The photograph is from the 1952 Cub Scout Den sponsored by Mrs. Frances Viele: Front Row From Left to Right: Raymond Geiser, Charles Van Norman, Robert "Bobby" Salgado and Billy Viele. Top Row Left to Right: Wayne Cutting, Bob Park and the other two are unidentified.



MEMORIAL SERVICES

DAVID DIAZ

April 27, 1967 — January 26, 2017
Soboba Tribal Cemetery
10am — January 26, 2018



a few years ago he moved to Huntington Beach with his wife Cheryl. He loved and enjoyed the beach city life. He would often talk about walking the pier and fishing as his favorite pastimes.

He was preceded in death by his father Francis A. Diaz Sr. (Pala) and grandparents, Ernest and Fidelia Salgado (Soboba), and Lucille (Mojado) Diaz (Pala).

He is survived by his wife, Cheryl Diaz; mother, Frances "Salgado" Diaz; brothers, Michael and Nakoma Diaz; Grandmother Diaz (Pala) and many uncles, aunts, nephews, nieces, cousins and friends. He is greatly missed and will always be remembered.

The Traditional Tribal Memorial services will be held at 10am on Saturday, January 26, 2018 at the Soboba Indian Reservation Cemetery follow by the traditional luncheon at the Soboba Sports Complex Center located on the Soboba Indian Reservation.

DAVID DIAZ was a tribal member of the Soboba Band of Luiseno Indians. He passed away on Thursday, January 26, 2017 at the Orange Coast Memorial Hospital in Fountain Valley, CA.

He was born on April 27, 1967 in Hemet, California and lived most of his life on the Soboba Indian Reservation and attended school in San Jacinto.



Foster Hurtado Sr.

MARCH 19, 1925 - DECEMBER 10, 2017



Foster was preceded in death by his wife Mary (Bentiste), daughters, Helen and Alberta, son Eugene and grandchildren Tam, Tiffany and Steven.

He is survived by sons Foster "Tino" Jr. (Emily), Kenneth "Pogo", Gary and Jerry "Owie" (Christine), daughter Christine; eight grand-children, 23 great-grandchildren, five great-great grandchildren and many nieces, nephews, cousins and friends.

Foster attended Sherman Indian High School in Riverside and worked as a mason marker. He was an avid USC football fan and loved going to their games.

Foster Joseph Hurtado Sr., passed away peacefully on December 10, 2017 at the age of 92 of natural causes. Born in Montebello, California on March 19, 1925.

A viewing was held from 4 to 6 p.m. on December 18, 2017 at Inland Memorial Harford Chapel, 120 N. Buena Vista St. in Hemet followed by a rosary at 6 p.m.

Foster was a tribal member of the Puma Band of Luiseno Indians and was its oldest member.

A Mass will be held at 10 a.m. on December 19, 2017 at St. Joseph's Catholic Church, 23600 Soboba Road on the Soboba Indian Reservation. The burial followed the church services at the Soboba Tribal Cemetery.

He served in the U.S. Navy during World War II. He served on the USS Neville and USS ISM 260 during the invasion of Saipan and Tinian. He earned three medals before being honorably discharged.

The traditional lunch followed Cemetery Burial Services the at the Soboba Sports Complex.

In Loving Memory of Mary Leona "Tiny" Arviso



May 27, 1928 - November 27, 2017

Services will be at
St. Bartholomew's Catholic Church
Rincon Indian Reservation

Rosary:
Friday, December 8, 2017 at 7:00pm
Viewing 5:00pm - 7:00pm

Mass:
Saturday, December 9, 2017 at 10:00am

Burial to follow at:
Rincon Tribal Cemetery
Lunch will follow at Rincon Tribal Hall

In Loving Memory Henry P. La Chuse

July 21, 1939 - November 26, 2017

December 1, 2017
Viewing 5 - 7 pm: Rosary 7:00 pm
Bonham Bros & Stewart Mortuary

December 9, 2017
Mass 10:00 am at the Santa Ysabel Mission
Burial at the Santa Ysabel Cemetery
Lunch to follow at the Santa Ysabel Head Start Building
For information call 760-703-5189

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Ernie C. Salgado Jr.

OVERVIEW OF PROPOSED TRIBAL VOTING ISSUES

Soboba will be holding its annual general elections in March 2018 for Tribal Chairman and two Tribal Council seats. It appears that the proposed Tribal Membership "Statues" will also be included on the ballot.

I would like to suggest that two additional be placed on the ballot: 1) That the American Flag be displayed on a flag pole at all Soboba Tribal offices, businesses and subsidiary's, and 2) The American Indian Civil Rights Act of 1968 be placed on the ballot for approval by the tribal membership.

American Flag: In an effort to enlighten the tribal membership I have for the past five-years met with and sent numerous memorandums to the Council regarding the proper displaying of the American Flag at all Soboba Tribal offices, businesses and subsidiary's without success or even a response. Therefore, I believe that if the general membership of the tribe mandates that the American Flag be properly displayed it might get done.

Indian Civil Rights: With regards to the adoption of the American Indian Civil Rights Act of 1968 it's the right thing to do. It provides each individual tribal member with the protection that all other American citizens enjoy. Currently the individual Soboba tribal member has no protection or recourse from any legal or illegal action taken against them by the tribal Government or its appointees, committees or agencies. A full copy of the American Indian Civil Rights Act of 1968 is printed below for your review.

Tribal Enrollment: While efforts by some tribal members to undermine, distort and change the criteria for membership in the Soboba Band of Luiseno Indians without following the mandated procedures clearly defined in the Soboba Tribal Constitution. Many children born over the past three-years are being denied their Birth Rights to membership in the tribe due to the refusal of the Enrollment Committee to maintain the Tribal Enrollment process as mandated.

First, the Tribal Membership Committee has suspended all tribal enrollments until the new proposed "Enrollment Statues" are approved. This in its self is totally unauthorized as the Enrollment Committee does not have the authority to suspend the tribal enrollment.

This takes us back to the **Indian Civil Rights** issue which would provide the individual tribal members with some legal recourse from this type of self-serving behavior.

The full text of the **Indian Civil Rights Act of 1968** is provided below. This is a serious concern as tribal members we currently have no individual legal rights or any legal rights to seek justice for any wrongs committed against us or our families.

The next Soboba General Tribal meeting should be scheduled for February 10, 2018 but then again this is according to the mandates of the Tribal Constitution.

AN OPEN LETTER TO MY PRESIDENT

Dear President Donald Trump;

As one of your few American Indian supporters I write this open letter to you and with all due respect for you and the Office of the President of the United States of American.

The purpose for this communication is to ask that in the future you reframe from referring to Senator, Warren as "Pocahontas." I also ask that you honor your word by offering an apology to the memory of "Pocahontas" and to the American Indian people for bestowing her name on such an unworthy person.

It would be more politically correct to refer to the liberal Senator from the Commonwealth of Massachusetts as a "Phony," or a "Wanna-Be American Indian" or just plain "Lying Liz" which seem to be a better fit.

As a Tribal Elder I am troubled by the fact that she lied to take a position that might have been filled by a qualified and deserving American Indian. To this day she has not shown any remorse or offered any apology for her criminal actions. And she continues her charade by claiming one of her ancestors had "High Cheek Bones" as justification to her claim as an American Indian which is far beyond pathetic.

Thank you Mr. President with great respect,

Ernie C. Salgado Jr., Tribal Elder
Soboba Band of Luiseno Indians

SOBOBA TRIBAL ENROLLMENT DENIED

Why is the current Soboba Tribal Enrollment practices so important to me? Simply because they are wrong and self-serving. The tribe has an enrollment process that has been approved by the membership of the tribe.

So with this understood, under what authority does

the Soboba Tribal Enrollment Committee have to suspend tribal enrollments? None what so ever, none!

It's time for the general membership of the tribe to override the Enrollment Committee decision to suspend enrollment.

They have undermining the Soboba Tribal Constitution mandates with regard to the enrollment for tribal membership.

Again, on a more personal level I currently have three great-grandchildren that are denied tribal enrollment because this totally illegitimate action. The oldest is going on three-years old.

A MESSAGE FROM THE EDITOR

Ernie C. Salgado Jr.

As we enter another year in the with plans and hopes of a better world for our children and extended family we must still deal with the realities of daily life.

We all have our short comings but working on our strengths offers a better outcome. With that in mind we would like to ask for more input for all our readers.

As most of you already know my formal education did not include journalism or anything close to it. My writing in college was limited to writing term papers and my employment was mostly

producing reports.

The Soboba Indian Reporter newspaper provides me with the opportunity to share information with the community at large.

The paper serves as my hobby which I enjoy very much. Above all I love sharing information as well as my views which, I'm sure may differ from those of may of you.

A section has been set aside in the Soboba Indian Reporter (*My View—Your View*) to allow you the opportunity to express your opinion.

It is not my intent you

antagonize anyone but to express my point of view which is conservative.

In short as a conservative I believe as my brothers keeper I must help him help himself not do it for him.

Again, sent us your news and opinions we look forward to hearing form you.

We want to wish you a Happy New Years and may God bless you and your family.



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INDIAN CIVIL RIGHTS ACT OF 1968 — NEEDS TRIBAL MEMBERS VOTE

Currantly the Soboba tribal member are not protected against civil violations against them by the tribal governing body or their agents, committees or representatives. Why the Soboba Tribal members need to adopt the **Indian Civil Rights Act of 1968**. We need to include the approval of the **Indian Civil Rights Act of 1968** on the next tribal election ballot in March 2018.

Heaven forbid we should elect a Tribal Council that would treat its political rivals unfairly or practice a double standard. Of course we all know that would never happen.

If not for any other reason that to "Shut the Barn Door before the horse gets out" as a metaphor for than having to deal with a serious infringement on our civil rights for which we would have no recourse. The reality is that we don't always elect the "Sharpest Knife in the Drawer" wow! I'm full of analogies today, but it's true we then to be just like white folks, we then to vote for those that will tend to support our interest. Ok, not politically correct, like I care.

However, many of our tribal members have been subject to violations of their civil rights by rthe tribal council. Although it may not have been intentional is not the

issue what is important to understand is that it has happened. History has proven that once a practice of abuse become acceptable other abuses follow.

It only makes good sense for the tribal membership to protect and reserve our tribal customs. Traditions and values.

Indian Civil Rights Act of 1968 applies to the Indian tribes of the United States and makes many, but not all, of the guarantees of the Bill of Rights applicable within the tribes. The Act appears today in Title 25, sections 1301 to 1303 of the United States Code.

The H.R. 2516 legislation was passed by the 90th U.S. Congressional session and endorsed by the 36th President of the United States Lyndon Johnson on April 11, 1968.

The impact of ICRA was greatly limited by the Supreme Court by the *Santa Clara Pueblo v. Martinez* court case (1978). *Martinez* involved a request to stop denying tribal membership to those children born to female (not male) tribal members who married outside of the tribe. The mother who brought the case pleaded that the discrimination against her child was solely based on sex, which violated the ICRA. The courts decided that "tribal

common-law sovereign immunity prevented a suit against the tribe."*Martinez* ultimately strengthened tribal self-determination by further proving that generally, the federal government played no enforcement role over the tribal governments.

Provisions of the Indian Civil Rights Act:

No Indian tribe in exercising powers of self-government shall;

1. make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;
2. violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;
3. subject any person for the same offense to be twice put in jeopardy
4. compel any person in any criminal

5. case to be a witness against himself; take any private property for a public use without just compensation;
6. deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witness against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of a counsel for his defense;
7. require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of one year and a fine of \$5,000, or both
8. deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law
9. pass any bill of attainder or ex post facto law;
10. deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.