

money to do that. In the bureau. And it'd only work with you. It wouldn't work with any other tribe. It would only work with you guys, or whoever else you'd want to hire. You wouldn't be limited to just one. It would be limited to whatever your budget would allow. But normally, that's what we had thought because they would bring the expertise to the table. And that was just a thought that we had. You might want to consider that.

BG: Well, then, along the lines of the bylaws, we were talking about the idea that you can conceive of the tribe right now as basically being yourself and your brother, Silvia, her daughters, and the one granddaughter. And of those people, those who are probably over eighteen are you and your brother, Silvia, and one of your daughters. So you've basically got four people who are golden members, if you want. Now, we don't know where Melvin is, so that basically leaves us with three people. And when we organize tribes, most of the time, we're reorganizing tribes. Most of the time, the tribe was terminated and then through litigation, re-recognized. So you can go from a certain class of people—that tells us what the membership of the tribe is—and you work forward from there. In this case, the facts are a little bit different. And so usually what we'll do is we'll call that group of people a general council. They're the body. They're the tribe. They're the body that has the authority to take actions on behalf of the tribe. So in this case, we'd be looking at, possibly, three people. And we talked about the idea of ... In one previous case, a tribe submitted a constitution, wrote up a constitution and bylaws and basically, they voted on it and they said, This is our law. And they didn't complete this other process that had to be completed. But for our purposes, we recognized them. And that set forth the other enrollment criteria, what kind of powers that group had. In this case, certainly you could go that direction. You've got the constitution and bylaws from the get-go. But we also talked about this idea of maybe a resolution, which would certainly be simpler.

YD: Mm hmm.

BG: You wouldn't ... it wouldn't maybe be more than two pages instead of ten or fifteen. And they would really only speak to the issue of the general council is the governing body and it has all those powers that come along with being a sovereign [unintelligible] tribe. And in exercising those powers, we're going to authorize one person or two people or all three people to do certain things. And one of those things could be work on the enrollment. Another thing could be

working on organizing the tribe. Maybe obtaining legal assistance to help with the constitution and help with the enrollment.

YD: The resolution is the better one, I think. Better than going through all of that paperwork and have this much paper [unintelligible].

RF: Well, it's a little simpler, and you can define things a little better, I think, yeah, yeah. It's a limiting document sometimes in that it's specific on what things you're going to carry out. [unintelligible] power [unintelligible]. But see, as the general council—usually the general council has all the authority. All you're doing is putting [unintelligible]. And it's in effect until the tribe, the general council or the majority of the general council decides that they need something different or better, which would be your constitution. So as an initial document to get started from, it's a pretty good idea. It's not bad.

BG: Yes. Really, it's your stepping stone to the bylaws.

RF: Right. To the big constitution.

BG: Well, this will come in time.

RF: And I think everything's going to take a little bit of time because it'll take time to identify your members. It'll take time to get a secretarial election to have the tribe vote on the constitution. And it'll take time to draft that constitution. And things like that. So, yeah, things progress. That document, that resolution will provide you a mechanism to deal with issues that tribes would normally face, you know, and protect the tribe also. It'll also define some functions for the [tribals?] and the [foreigners?] [unintelligible]. That's very important.

BG: Right, one of the things that you would probably include in that resolution, or you may even have a separate resolution, and that would be obtaining a grant from the Bureau of Indian Affairs to start getting some of the funding necessary to do some of this work.

RF: They'll bring in the [unintelligible] to identify that. To me, that's probably, besides your membership, a place to do business out of—get your phones, get your answering machines, get your address, get everything, you know, and hook that up. Your computers, your [unintelligible], whatever. Telefax machine. That's a tribe, you know what I mean. [unintelligible] for you. Now, that's very

Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley

important because you've got to have a place of operation. Everything else will grow out of that, I think, in time. Whoever does it—well, it's a little bit tough once you do it. But I think that having a place of operations is important. Whether that's a 14 x 35 or a 14 x 50 building, or 14 whatever—whatever the tribe decides to do—

YD: Well, you figure—

RF: Or 60, or whatever happens to [unintelligible]. How big a space do you think you would want, I guess, is how much space you had available.

YD: You guys [unintelligible] going to have to have where to put the records, all the stuff that you're going through. [unintelligible] you're going to put this there, you're going to put that over there or whatever.

RF: You're going to need some storage spaces. You're going to need some working spaces. You're going to need some computer spaces.

YD: Some gas, where the gas company's [set on?]. What else [unintelligible]?

[overlapping conversation]

YD: What even I thought about.

RF: Well, it takes a little bit of space sometimes.

BG: I was just thinking, you know, I suggested one of those little job-site trailers, you know, and I think they're usually about this big, basically. And that might be something to work from to start, but, you know, if in a year or two years, you're up and running and you've got business going on—not just with the bureau. I mean, there's other agencies out there too. Potentially, you would need, you know, probably [two?/three?] times as much space.

RF: Maybe you *will* need them down there.

[overlapping conversation]

RF: You know, yeah, that's true.

BG: Really put Sheep Ranch on the map.

[laughter]

SB: Love that.

RF: There's all kinds of areas of that the tribe [advertises?]. I'm sure if you were into land acquisition, you could buy more land, possibly.

YD: I already thought about that, you know.

RF: You could try. You might try.

YD: Like this big area right here. Beside the expressway there, the big [unintelligible] right there. That's been up for sale on [unintelligible] and nobody wants it. I don't know if that's government [copy?] or not.

RF: I'd be surprised if it is. Normally, it's all—well, I don't know that. But you know, that's interesting. You know, the tribe is fortunate that it's able to find land that's adjacent to existing land because it's just so hard to find.

SB: Right close to the road, too.

RF: Well, that's true, that's true. You'd want to have at least the right of way. You need to have a right of way to [unintelligible]. You don't want to be a landlocked tribe. We've been there with tribes and it's a very uncomfortable feeling when somebody can dictate to you how much traffic you can have and they could close that road any time they feel like it.

BG: And drive [unintelligible].

RF: That's right. You want to have at least a right of way from the road, the county road, to this Rancheria. If not own it, at least get a permanent right of way [unintelligible].

YD: Mm hmm. Yeah, you're right there. I mean, they can close that road right here if they wanted to.

RF: Well, that's right. So we don't want to see that happen because I don't think that that's—we've seen it happen before. We don't want to see that happen again. So that land's for sale or that land's part of the issue about right of way. Well, maybe that's something that has to be addressed, too. But it's going to be

something that you ... You want to secure the right of way, at least that. If not the right of way for that, then the ownership of that road. Something like that. Because what if somebody bought that land and said, Well, we're closing this off.

BG: We're going to build our house right there.

RF: That's right. Well, that could happen. That's the sad thing, is that anything can happen.

YD: Like, they did come up here and somebody was trying to buy that property right there one time. But they wouldn't let the [unintelligible] septic test. They did that right there.

RF: Yeah, so that's something for you to think about, too. With this organization, that'll be part of the reality. We're going to organize a government, we're going to hopefully have a constitution, a work force, maybe a tribal government in place. Or maybe always the general council. But you're also going to secure the right of way, you're securing the [land?] for houses, for more houses. Which is not a bad ... a lot of tribes are going there because they're really looking after the benefit of their membership. And to do that, they're finding they need more land, so [unintelligible]. So they're really going there, and that's a very good thing to do. Like putting up community centers and things like that. But normally you go through HUD for that.

BG: HUD—Department of Housing and Urban Development.

RF: Right. They usually have funds for those types of things. Land acquisition, for putting up homes, and ...

BG: Yeah, they're—it's called the Indian Community Development Block Grants Program. And actually, their deadline was just last week, I think.

RF: Right.

BG: For this year. But they come every year.

YD: I think [unintelligible] one of those papers that I get. [unintelligible] ramp is cut off.

BG: Yeah, they do them every year. And a tribe of your size is eligible to apply for up to \$350,000. Whether you use that much or not, that's up—you know, if you try it at that time and then propose the project or propose [unintelligible]. You know, in this case, \$350,000 is probably going to be a little too much for that piece of property.

[laughter]

YD: Right.

RF: It's paved with gold if you get that road through there.

BG: But certainly you could probably make a good argument in a grant application to HUD for whatever it's going to cost--\$40,000--\$100,000 to buy that property.

RF: Well, see, you might say, I want to buy that property, but I also want to put a community center on it as soon as I get a pretty good price. [unintelligible] take that as a case base [unintelligible] there. But to put up a community building there, that would have been for whatever, site preparation stuff. But that's all part of the consideration for that. That's some things you can do with that. And that's pretty good. Actually, they've got that [unintelligible].

BG: Yeah, it's all another—

RF: Yeah, that's all the other [unintelligible]. But these are all good things. Because these mean good things for tribes. I mean, their processes, [unintelligible], that's another part of [unintelligible]. It used to be through Indian House Services. That's for tribal development. But it's setting up the constitution and tribal law [unintelligible]. That's another part of my [unintelligible]. But I mean, that's what I mean. There's just so much out there for tribes. [unintelligible]

YD: See, here's the two things that I didn't know that you were just explaining here a few minutes ago about this and about that. What this will eventually have gotten, you know. Moneywise, if he gets for that one right there; this one is for [unintelligible]. How do you know that?

RF: Mm hmm. We're in a process, you betcha. And I think as time goes on, as more programs are identified for tribes and ... you know, it's always a learning process. Because it's new to everybody. It isn't just yourself. It's new to everybody else, too. And I think it's good for tribes because it just means more opportunities for the tribes. That's what it spells out. And so it's important that when you — let's say you hire a staff, ultimately a permanent staff, that they be good at grant writing, that they be good at applying for other federal programs, they have a good understanding of what that is. How to operate under contracts, the parameters of contracts and things. If you hire a good staff that can do that and run programs and services, then you're a step ahead. You're really ahead of yourself. You're a good [bet?] and I can see that.

YD: What do you think about that? Do you have knowledge of that?

SB: Well, it's the beginning right now. Because I hear what you've got going. And some of the things that he might have just kind of [unintelligible] that, but you don't really need it at the time anyway because he was by himself. Now we can start looking over those and seeing what would benefit [unintelligible]. And right now, there's nobody really wanting that land, even if it's a year from now. Because that would be good because you don't want to try to get that when everybody wants it. Then it goes boom.

RF: Well, soon as they hear Indians want it, it goes boom.

SB: Yeah, especially here because—

RF: Oh, they'll put the casino on there, they'll put a casino up.

YD: Of course, who knows? You know, they might.

RF: That's right. It may be the last thing that enters your mind, but it's definitely the first thing that enters theirs. That's a thing that the tribe, I think, you know, as a tribe, that they all deal with that.

BG: And the other thing is, a lot of these programs we're talking about, these are programs that are available to tribal governments to go after, to apply for, and to administer. But, you know, the individuals, they can't use them. So it's like what Silvia was saying, that till you have a government established— whether it's a general council comprised of the adult members of the tribe, or a

representative governing body, like a tribal council, where a general council elects three, five, seven people to represent the rest of them. But that's all up to you, but the tribe, once they establish that, that's the body that can go after all these other programs we're talking about. And it certainly is a learning process. There's so much out there. And it's worked with tribes before and I'm just amazed at how much is out there if you have the resources and time and people who are knowledgeable to go after it.

RF: I think the thing, too, is that the bureau will be there too. We're not just going to say, Here's a million, and leave you alone. We'll be there to provide you with our technical assistance. We're not going to just throw you out there and say, Okay, it's sink or swim. We're [unintelligible] that. But we're also there to help you, answer your questions, provide the technical assistance. You know, so it isn't going to be, Well, gee, I hope I hire somebody good or else I'm done. It is, in fact, cut-throatish. We would try to help the tribe [unintelligible].

YD: Sure, I haven't understood that part at all.

RF: And it won't take thirty years, I'm pretty sure.

YD: I hope not.

[overlapping conversation]

RF: We'll be with you [unintelligible].

YD: Now, don't let it be [unintelligible].

[laughter]

YD: It took me that long [unintelligible].

RF: I know. It took an awful, awful long time. But you know, this next step that you're taking is going to be one period that's going to last a long, long time. This organizing and identifying your membership—

YD: I'm willing to do that, by all means.

RF: It could be good. It could be good for yourself and the people. It isn't just your generation, it's the next generation. And their next generation. So we're

building in the future. And I think it's real important that you do that, a good base, you know. Identify your strong. If you're strong here, you're going to be strong there. That's what you have to look at, too.

YD: Now, getting back to a different subject—not to distract you of it. These people that come over from different countries, like Vietnamese, you name it. Let's just say, for instance, Vietnamese, right? Came over here to Sacramento. They set them up.

RF: [unintelligible]

YD: Here.

RF: Store, you got a store. You're writing a store. That's how you do that.

YD: They set them up real good. What's the possibility of maybe buying an old piece of land and putting a store up in Chico?

RF: Well, it's economic development. There's programs for that.

YD: Oh, you can't do it.

RF: Oh, yeah, yeah, I think you can. But it's a different program. As an example, you could participate in our ... the Indian Finance Act programs. [unintelligible] some loan programs, that type of—or, in that area. Or you can maybe use existing funding. I'm not sure what the restrictions are for economic development, monies that you have, other than [unintelligible] the Finance Act. We could check on that, though.

BG: Some tribes, you know, they use like that HUD block grant. They go and buy some land. And maybe buy twenty acres and maybe they'll build houses on ten acres and the other ten acres are used for economic development. You can build a store. And the next year, they go back to HUD and say, you know, We're going to build a store; it's going to cost us \$500,000 to do the whole thing. We want \$250,000 from you to do the construction of the building. And then they might go after other money from, say, ANA, the Administration of Native Americans, get another grant to pay for capital improvements, for [unintelligible] cases and shelving and all the cabinets you'd use and soda pop machines. Then maybe you'd get another grant from a foundation or a third party, sort of like a

private foundation, to pay for some of your overhead, in terms of utility costs and payroll and ... So, that's where it gets to be creative, you know. You've got a goal—build a store and hope you'll get some money. And you know what your cost would be and the trick is finding those pieces. And a good portion of it, depending on the cost of your project, can be funded by federal grants that you won't have to pay back. And that helps your bottom line. You pay off your investment that much faster. [unintelligible]

Plus there's groups out there that provide technical [unintelligible] to tribal governments who are interested—and individuals—who are interested in setting up their business. National Center for American Indian Enterprise Development, based in El Monte, down in southern California. They'll do that. They get funded through part of [unintelligible] the Small Business Administration. They provide [unintelligible]. The tribe will just call them up and say, This is what we're thinking. And they'll send somebody out to help write up a business plan and work up the duty free zone study. They'll determine if there's enough traffic around here to support a store. Whatever that you're thinking about doing.

YD: Yeah. Well, that was just a thought. I mean, I just threw it up on you to see how you guys thought about it. Get all the feedback that I want.

RF: That's a good thought because it's part of the building and growing and organizing part of it. It's a really good question to think about.

YD: And say they want to go about putting up a center.

BG: Yeah, a tribal community center. A Miwok community center.

YD: That sounds pretty interesting.

RF: Let's say you did get that land as part of your plan. You can do that. They probably—the biggest and most time consuming process that has to take place is this membership identifying. Paramount to everything, I think. You'll identify not only who's going to be allowed to be a member of the tribe and participate in your tribal government, but also be the recipient of services and programs and maybe be hired by the everybody in the tribe to work for the tribe. So it's real crucial, I think, to understand who you're going to govern, who's going to be part of your whole structure. So that part is probably one of the most important parts. It's about the most important to start out with. Because even tribes who

aren't—let's say they're not recognized. Part of their recognition process is that they have to identify who they think their members are. And it has to be a formal packet that goes forward with the application for recognition. And so everybody understands just how critical that part is in the whole tribal process. And it's no less important here. And again, if you wanted our help, we'd do what we can to help you get to that point, depending on how you want to work it out.

YD: I'd rather go into the resolution than the bylaws, myself.

RF: Yeah, that's a good idea. It's not a bad idea at all.

[overlapping voices]

SB: Yeah, that sounds better because we really don't know. We're so small anyway, we're just starting out. So that sounds pretty good.

RF: Mm hmm, it is. We can help you with that if you want. We've done a number of them for tribes, organizing. And we've pretty much seen what works and what doesn't work and [unintelligible]. So—

YD: Well, we don't want it not to work; we want it to work.

RF: Well, we're not going to fuck anything that does work.

[laughter]

RF: No, we wouldn't do that. But it just shows we know what to put in there and problems with that stuff.

BG: What I can do is I can work one up, a draft, and mail it up to you. And take a look at it and—

YD: See what I think about it and read it over.

BG: Right. What I'll do is, I won't just mail the draft resolution, but also a letter that sort of describes what each element is trying to do, what the intent is, so that—sometimes when you read those resolutions, especially the ones I've read—they can be pretty convoluted, the language. Eh, advisors like to write like that. No. So sometimes words have different meanings, two different meanings, and you need to be clear on what meaning you really want to have. So I'll put

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

that in there so you can see where you might want to have something different. You know, you might want to change a word or a phrase because where I was coming from when I wrote it doesn't really reflect where you're coming from. So I'll try to point out those places where variability—where you can make changes. You know, some of the language is going to be stock language that you're not going to want to change because everybody can agree what the word "and" means, you know. But when we talk about do you want to call the person a chairperson or a spokesperson, you know, those are things you can change. So I'll do that as well as send up a draft resolution.

YD: Okay.

BG: And take a look at it and mark it up or write on it, whatever you need to do. And if you could send it back, maybe we could have a phone conversation about it. I could finalize it for you, send it up, and you've guys can just read it and we'll take an action on it, approve it. Then we'll have that part done.

YD: Okay.

BG: And I can probably get that to you by the end of the week.

YD: All right. Okay, and that's the way [unintelligible] the road this time. But I have a problem here. I went here and I went there, and I'm getting just like she got slapped in the face every time I've been around here. About my sewer system here. The sewer system has been here for about thirty years, or maybe more than that. Since this old house has been put in here. It's never been cleaned and I've been trying to get—I tried to look into something so somebody could come out here and do it for me.

RF: Is it a septic?

YD: Yeah.

RF: Or do you have a sewage line?

YD: Septic.

RF: Septic system that needs to be properly cleaned.

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

YD: Yeah.

RF: They do every few years, that's true. Septic.

YD: Who would I see about that, then? Is there anybody that I can turn to?

RF: An in-house service. Did you ever talk to [unintelligible]?

YD: I already went through that.

RF: What did they say?

YD: You've got to get in contact with HUD. That's the person that built the house. I go to the guy that was up here, the time that he was up here writing all that stuff down, the people who did this house.

RF: HUD built this house, didn't it?

YD: Fresno.

RF: Oh, okay.

YD: And went back on to Fresno and I called this guy. He told me let that go down. He didn't help.

RF: Well, [unintelligible] might have put the system in.

YD: Actually, I don't know who put that system in.

RF: See, but normally that's one of their roles. They do the water and septic system, usually, for the tribes. But if HUD's been involved, maybe they subbed that out. Thirty years ago—maybe HUD just didn't do it thirty years ago. Or whenever that happened. Maybe HUD just had a contractor come in and put it in.

YD: I'm not too sure how it went. I wasn't here at the time when [unintelligible].

RF: It would be hard to track it, too. You're sure HUD built the house?

YD: Yeah.

RF: Way back when? Whenever—thirty years ago?

YD: More than that. I mean—but anyway, yeah.

RF: Okay, HUD constructed it initially.

BG: I thought the bureau built the house.

YD: I'm not too sure which one did it. Do you remember when they went to—

RF: Fifties or sixties—right around [determination?/termination] time—they'd build a house—

YD: In fact, this was the first house. They started right here on my mom's house. Then they went from here over to West Point. From West Point, they went over to [Cloudy?].

BG: That doesn't sound like HUD to me.

RF: Let's check on that.

BG: I don't think we have any more records, but we'll check on it.

RF: Well, let's check and see. You think it was about 30–40 years ago?

YD: Oh, yeah.

BG: But the other thing, too, is say we were building a new HIP house today. And the bureau would come in and build the house and IHS would put you on a list and come in to do the septic tank. So once they do the septic tank and sign off on it and the unit is working, at that point it's your responsibility to maintain it. Unless something really screws up, like you can show that the [unintelligible] line's installed incorrectly. It's installed going uphill instead of down.

YD: No, it's been going down. One day I went out and I dug the whole thing up. There was a reason I had to do that. And I put new leads line in myself. I walked to the [unintelligible] over here and I bought all them pipes with the holes and stuff. I had to put them back in the ground. I couldn't pack them back,

so I appealed to the guys with a pickup truck. I threw them in the back and brought them over here and dumped them off right here and packed them off and did it myself. Because the other one was all messed up. I did the whole thing from outside there to the [unintelligible] all the way down to the pipe. [unintelligible] Now—after a long [unintelligible] April, when I came [unintelligible], the bathroom, the toilet—it was almost overflowing with black water. The sink. You went in there and tried to wash a dish or something—black water was just bubbling and backing up. I went and cut that pipe loose down all the way to 90 degrees. I cleaned it all out. It's working now, but I'm kind of afraid maybe this winter we might have a lot of water. When they have a lot of rain, seeps down in, pull it up, and we might have the same problem backing up this way again. I'm not too sure. That's why I wanted to know if it was possible, any possible way I can get it cleaned out. And like you said, it's my responsibility.

RF: Well, that's generally how they look at it. They installed the system brand new.

YD: I do believe—there was one person talking to me about the septic system. I do believe as long as we get [unintelligible], I do believe that go out and do it with a big truck. And that's—that little Rancheria over there [unintelligible].

RF: It's Margaret's. Margaret Bell.

YD: Yeah.

BG: Well, I don't know if that's done through IHS, or maybe through the health clinics. The tribe might be—the tribes have the—tribal governments have that authority to contract from the federal government the operation of certain programs. IHS, like the BIA, they were created by the federal government to go out and provide services to the Indians. And you know what kind of mess that is and how successful they are in doing that. So they passed the Self-Determination Act in the seventies, and what that provided for was tribes could say, Well, wait a minute. We're tired of the bureau coming out and saying they're doing this work for us and keeping that money, you know, to pay for people like [unintelligible] to do it. We want that money and we're going to run it locally and we're going to decide what we're going to do, within reason. Well, sometimes they'll contract IHS money. They'll set up a clinic out there, dental

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

clinic, whatever. One of the things that they can do along with that is maybe set up something [unintelligible]. Pay some third party, an operator in town, to come on out every couple of years and clean out the septic tank. There's another example of that that I know applies to you is [Judah?] health clinic. They'll pay for large trash bins to be placed out on the res every year, every two years. That way, people who have all that stuff that [unintelligible] gives them an opportunity to throw it away. Keep the place clean. Or another example is they come out with a portable car crusher and they crush old cars and [unintelligible]. So those are examples of how a tribe used some of that money to take care of some of the issues that—the IHS would never have done that. If they were running the program, they would have said no, no [unintelligible]. But when the tribe took the money and ran it locally, [unintelligible]. That's really something that needs to be done because people—a septic tank is the last thing you want [unintelligible]. So maybe that's how they do it.

YD: But anyway, that's what I understood. Over there in Jackson, they go and do it from the, I guess, right out of that casino, I guess, or whatever, they're paying for it. They just go and do it. [unintelligible]

RF: Well, I'm sure they did it for the tribe. They probably contracted.

YD: I got a hold of that woman in [unintelligible]. What's her name?

RF: Margaret?

YD: Yeah. She got a hold of the guy that I know that comes over here and she called him. He goes down here, but she wouldn't call me. She knows my number but she won't call me. Anyway, that's okay, I understand that part. He came over here and told me about that—the thing, the sewage. [unintelligible] party's the one that built that house. I'm not too sure whether they built that house or not. But then you're the person that [unintelligible] it, I don't know.

RF: I'll check with Tuolumne and ask them who built their houses thirty or forty years ago. I'm sure they'd tell us who it was. Who came in to start the [unintelligible].

YD: Would it be on record?

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

RF: Somebody has a record of it, I'm sure. Find out who did it—I'm not sure the bureau did it.

YD: How about down there [unintelligible]?

RF: The county record thing?

YD: Yeah.

RF: Boy, I'm not really sure. I'm sure—if it were Rancheria, I'm not even sure they have to abide by county codes, the county and state codes. Probably not. You know, I'd get the building permit and all that type of stuff. I'm not sure if it's on Rancheria. [unintelligible]

YD: I don't know. Wouldn't that take care of it? I don't know if they went down and got that. There wasn't a permit or anything.

RF: I would be surprised.

YD: I don't think so.

RF: No, I don't think so either because I think that that—

YD: Because nobody would help me [unintelligible]. Five people up there working on this house and they were all Indian.

RF: I'd be real surprised. I would doubt it, only because tribes don't have to [unintelligible].

YD: We had an electrician, carpenter, and—and he put that big—what is it, 220, I think it is? [unintelligible] water heater, the stand that goes in for the heater set up in there [unintelligible] heater in there. Plus all of the wiring that he did in there.

BG: You know, I'm pretty sure I saw something that said that house was built by the [fifty-five zero?].

RF: I want to check that, though.

BG: They're part of the termination process. But, I'll [unintelligible].

YD: Yeah, if you guys find out anything on that, is there a possibility where that tank could be drained?

RF: Well, I tell you what, if it's that old, it probably needs to be replaced. I'm thinking your lifespan isn't that—it's twenty or thirty years, something like that. I was thinking they have to just put a whole new system in. I would offer that because you might drain it now and then a month from now or two months, all of a sudden it starts getting old and it starts [unintelligible] water out. They're not built to last forever, so I would think that if it's forty years old, that you're looking to just replace that.

BG: Well, the other thing, too, is that if we were to find that it was built by the Bureau of Indian Affairs, you could call [unintelligible] and say, Wait a minute, it wasn't built by HUD, it was built by BIA, and see where that takes you. I think you were saying they thought it was built by HUD, so they sent you off [unintelligible].

YD: They said it was built by HUD. There was no [doubt?]. They said it was built by HUD. I don't know. I wasn't around then.

RF: We can check that.

RF: And even if it was built by HUD, we can check the options there. It's still the government. Whether that means you're responsible whether it means [unintelligible].

YD: I went down to San Andreas, where they build these big, old tanks and I talked [unintelligible] about coming up here and maybe draining it or something. And he told me it's going to cost you at least \$400 to come up here from Jackson to drain that.

RF: Wow!

YD: So I almost fell down, you know.

[laughter]

YD: [unintelligible] But he told me you've got a little plant that sticks out of the ground like this. You take that off. And I told him what was wrong with it. I

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

mean, about that black water in the bathroom and the [unintelligible]. Water comes back up in my sink when I'm trying to wash dishes. [unintelligible] give you their money, though. I shouldn't be telling you this. Anyway, I take that thing loose, take the garden hose, stick it in there and turn it on full blast. So I did that. Nothing but black water came back under that hose. So that's why I had to end up digging the whole thing out right here next to the house. Yeah, there was all kind of mess in there and everything else. But that tank is full.

RF: Oh, the septic tank is full?

YD: It's full.

RF: Well, that's a problem.

YD: That was my whole concern. [unintelligible] we're going to have this big rain probably coming up—

RF: Well, that will definitely create a—

YD: I'm coming right back up here with the same deal again.

RF: [unintelligible] outhouse back [unintelligible].

YD: Yeah. I'm going to have to make another one.

[laughter]

RF: And they don't want to go there. I understand that. Let's check on some of this stuff for you.

YD: Okay.

RF: We can try to get some answers for you on that.

YD: There was one—I thought that maybe I had her phone number. I don't what it's—was it Gonzalez? Anyway, [unintelligible] one of them programs concerning something like that—about the septic tank. Well, where aside from there [unintelligible]?

BG: Cynthia Gonzales?

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

YD: Yeah! That girl.

BG: She works for the state, Department of Housing and Community Development.

YD: Yeah, yeah, that one. Okay. A friend of mine called her up and she referred us back to Indian Health.

RF: That's normally who does it. Or does it now, I should say. Have for a number of years, but I'm not so sure [unintelligible]. That's a little different. That's almost fifty years ago. Forty or fifty years ago, so—

BG: Oh, right, IHS didn't really even have a presence in California until the sixties or seventies.

RF: So if we find out who built it, maybe we can track it back from there. [unintelligible]

YD: Appreciate anything that you can do [unintelligible] on that part, anyway. [unintelligible]

BG: That's an important part. You can't have that black water coming back [unintelligible].

YD: [unintelligible]

[laughter]

RF: It makes some [unintelligible] coffee, all righty.

[laughter]

SB: Strong coffee.

YD: Did the [unintelligible] came up there and see that? You might set it down. I mean, it's unlivable. Is there anything that you guys can help? You know, that one [unintelligible] we appreciate it there.

RF: I'll see what we can find out, see what we can do.

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

[screech outside]

[unintelligible]

BG: There's a guy in a white truck going up the hill there.

RF: It's pretty hard to do that. There's no light.

BG: If he hit the stoplight ...

YD: Well, did you get all that down?

RF: I've got it all [unintelligible] some of it, you betcha.

BG: We talked about the money and there was ... Here's an example of the kind of money we're talking about. The bottom line is [unintelligible]. This is this year's money. That's kind of a little lesson on how the bureau spends their money. Money comes down to us each year and the bureau has to obligate this money by the end of the year. And we operate on a fiscal year, which ends at the end of this month. And in previous years, this money had a one-year life. So if the bureau didn't obligate this money by the end of September, then that money went back to the U.S. Treasury and they did whatever they wanted to do with it. Or maybe another area of the Bureau of Indian Affairs would take it [unintelligible]. But in the last year, well, last two years, Congress has changed that money to have a two-year life. So what that sheet represents is Fiscal Year '98 money. We don't have to have it obligated by the end of this month. It will still be available, probably, until September 30, 1999. But this is going to be the first year where we're going to see if the money that's not obligated is actually left on the table, left alone. We're kind of worried that possibly, we are worried that possibly somebody could take that money somewhere else in the bureau and spend it on a different slot issue. Not even on California. I mean, maybe they're giving Navajos more money. So with that in mind—now, when she breaks this money thing down, it came down like that. And he's got these programs. And you see there's fellowships.

YD: Did you read them programs?

SB: Mm hmm.

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

BG: And [unintelligible] and whatnot. Now, if the bureau's providing services to your tribe—let's say there was an eligible person for scholarships—this is the amount of money that would be coming out. You know, we've looked at it and said, Okay, we're going to pay you \$5,000. Well, \$5,000 will come out of this \$7,400. Likewise for some of these other programs. Now, some of these programs—real estate, 300 bucks. You might get to talk to Jimmy Bradford for 20 minutes for \$300. But what we're here today to recommend is to try and consider reappropriating this money into basically two of these programs and getting rid of some of these programs. And that's going to do a couple of things. First, the reprogramming. This money came available this year and will be available next year—two-year life. But your opportunity to reprogram it is only in that first year. [unintelligible] So if you want the money to be available to you next year, you want to have it in one of the programs that you may be wishing to operate next year. Or you might want it in one of those programs that you want the bureau to operate on your behalf until the tribe is organized and is ready to contract. So in this case, what I'm proposing—here's a letter I drafted up on your behalf to sort of give you an idea of what I'm talking about.

RF: Fine document. Well, I think that this thing, if you look at it, [unintelligible] programming.

BG: Right.

RF: So you, you've got [unintelligible].

BG: Right. We have a deadline at the [Geary?] office too. If reprogramming is something that you want to consider, well we need to have something at the Geary office tomorrow. That's the deadline. Okay. So, with this letter, we want to reprogram the money in the following manner. So take the money from adult education, forestry, and real estate services, and you now have \$2,600. We're going to add that to the scholarships program. The resulting total would be \$10,000. The idea there is, as you were talking about earlier, Yakima, you know, for Sylvia ... You know, now that Sylvia's a member of the Sheep Ranch tribe, a federally recognized tribe, she conceivably is eligible for scholarship assistance. So the bureau could be operating this program today with this \$10,000 if she could make the application and they'll determine if she's eligible and they'll cut the check and all that stuff. So this would increase that amount to \$10,000. And then, to reprogram some of these other programs here, other [unintelligible]

tribal government. That's renting a building, hiring a staff, getting a copier, fax machine. That's that money. Law enforcement, team fire protection, housing improvement—there's that HIP program—and agriculture. Move those funds into this program called consolidated tribal government. That program is really a catch-all program, or consider it like an umbrella. Under that umbrella, you can run all of these programs that you're reprogramming money from. So that's how [unintelligible].

YD: [unintelligible]

[laughter]

SB: He's just taking it all and putting a different name on it.

BG: Exactly. You're taking all this money and putting a different name on it, a name which allows you to run those other programs in whatever amounts you decide to do at the time you want to get into a contract. Let's say today, we take an action. Next year, you're going to have \$800 in this law enforcement thing. You're not going to be able to access—you're not going to be able to reprogram it into the [unintelligible] government, which is where your need is, to have it develop [in price?]. So that money's just going to sit there. [unintelligible] But if you reprogram to consolidate a tribal government, then the \$800 will be available to you under aid to tribal governments, for your staff or your fax machine ...

YD: Mm hmm.

BG: Or, let's say you decide, Yeah, we're going to need a law enforcement component. We want to have a security guard patrolling it.

[laughter]

BG: Let's just throw that out there. Well, you could do that. You could do that under that consolidated type of thing. Under that umbrella, you could have a law enforcement program. The difference is, by not doing the reprogramming, you're stuck in a position where you either have to run the program to get the money or lose the money entirely. Whereas if you reprogram the money, you have greater flexibility. You can use that money for a different purpose entirely. Or, you could go ahead and run that law enforcement program for that \$800 or

for \$25,000. You see? So it gives you greater flexibility. Is that pretty clear? Do you have any questions on that?

YD: No, I don't. I understood it pretty well, except for that one—

BG: Yeah, that takes a little—

[laughter]

BG: That takes a little time to get a handle on that.

[unintelligible]

BG: Really, I guess another way of explaining the consolidated tribal government program is: when tribes contract programs from the Bureau of Indian Affairs, they also have to submit budgets for each program. So let's say you're contracting [other aid?], law enforcement, community fire, housing, and agriculture—that last group for the program. You would submit to us those five separate budgets totaling up to those five separate amounts of money—if you hadn't reprogrammed. But if you had reprogrammed, then all that money would be in one line item. You would submit to us one budget and that budget would break out the amounts of money you wanted for each program you wanted to run, whether it was all those programs or just one program or fifteen more programs. And it's the tribe's right to define how much money they want to put in each one of [those programs?]. Whereas without that reprogramming, you're pretty much stuck like this.

YD: Mm hmm.

BG: So that's another attempt [unintelligible]. I know people, it takes them a long time to get the hang of it. So really, what this letter's all about is taking the money that you have in—one, two, three, four, five, six, seven, eight—nine programs and reprogramming it into two distinct programs: scholarships and consolidated tribal government, with the idea that the scholarship money would be run by the Bureau of Indian Affairs [unintelligible]; and the consolidated tribal government program, the rest of the money would go into that if the idea that the tribe's moving along the lines that we organize—we're organizing—we know that you'll need an office and all that. So, we'll make a grant to the tribe for a portion of that money. Say \$50,000, whatever. Whatever we can agree sounds

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

like a good amount based on what your needs are going to be. That'll be a grant. And we'll try—you know, we can work through that process—and we're talking maybe five months, four months, six months down the road, depending on how fast you want it used. And then also depending on how fast *we* can [unintelligible]. We can be slow. Thirty years, right?

YD: What's going on with them?

BG: So let's say it was \$50,000. So that's \$50,000 out of this \$180,000. That still would give you \$130,000 [unintelligible]. Let's say the tribe gets organized and when you get to the end of that year, there's going to be another amount of this money—plus the \$130,000, that we could be moving to the tribe. You know, a bigger grant to do more work or in a contract where the tribe actually contracts the responsibility of providing services to do things. That might be a couple of years down the road. You know, before the tribe's really there. Instead of the bureau running the scholarships program, cutting the checks, determining the eligibility, you know, who's eligible, contacting the school and all that. Instead of them doing it, you guys could do it mostly. But you probably want to be in a position where you're used to just running this government before you take on that responsibility.

Now, with that \$130,000, it's possible—this is where we kind of get back to where Ray talked about—the idea that perhaps the tribe could authorize the bureau to spend some of that money on *its* behalf. Maybe hire a clerk, an enrollment clerk or an enrollment specialist who would work only with your tribe in doing some of that enrollment work. That's going to depend on how broad you want the tribe to be. For instance, if we went back, say, to your great, great grandparents and lineal descendants from them are eligible. That's conceivably two or three hundred people. So you might want to have somebody on our staff who has access right there in the office to the records necessary to do the research and show the ties and come up with that enrollment for your tribe. That could come out of that \$130,000. Something like that, a full-time position like that, is what, \$50,000, something like that.

RF: [unintelligible] It depends on how much of an expert you need. Then too, if they're going to be limited to just doing research and things, you're not going to need a big professional. But if you're going to have this person help you work out an enrollment ordinance, kind of a law to determine enrollment, or he's

going to work on, maybe, a constitution with the tribe—somebody of a higher order of function—well, that's worth 50 or 60 or whatever it happens to be—for a whole year. And the thing is that person would be doing too is that you will tell them, Well, I want—when you do your membership—I want to see a family tree done for each person. I want to see a [unintelligible], their blood [unintelligible]. You want to make sure they're Miwok Indians. I want to see all the work. I want you to put a file together for each person.

BG: That would become the tribe's property.

RF: That would become the tribe's property for you to file in your office so that you will have all the enrollment records for your own tribe. But that person will put together [unintelligible] for you. [unintelligible] So you will define those things, what you want them to do for you. And that will determine what level of [unintelligible] you may need.

BG: And the other side of that, of course, is [unintelligible] hire a person yourselves and have them work out of that office, out of their office and [unintelligible]. That's really up to you—

RF: [unintelligible] You're not limited to one or two. You could hire whatever you feel you need to meet the needs. It's up to you. We might want one on board and one on the [unintelligible] that person to work with. You know, and answer the phone and do administrative work and help set up the filing system and maybe your administrative system. The work within [unintelligible] in tribal [unintelligible]. And it would be a tribal employee as well. They'd be working through the bureau and helping on that end. But again, it's up to you. You'll have more than enough resources. I guess that was the—

BG: Right. This reprogramming action that I'm talking about, this just insures the money stays on the table for you in the most flexible way for you in the future, for the next calendar year or fiscal year. And then we can make decision, the tribe can make decisions the next three months what they want to do with it, whether they want to add that to a subsequent grant, say, about this time next year, after they've spent the first grant getting things organized. Or whether they want to—while they're working on their grant, maybe authorize the bureau to hire somebody in-house to work on the enrollment and [unintelligible] their constitution. Or, to increase the amount of the grant to hire more staff here.

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

Those are all options that we could explore later. But if we don't do the reprogramming, that's going to lower by a little bit the amount of money that's available. It's not a terribly significant amount of money. We're talking about—well, when you throw HIP in there, you're talking about \$22,000. So this way, you insure that \$22,000 is available for you next year.

RF: You see, the thing too is come the end of December, where your grant is going to end in December, then you get new money for the next period. Anything that's left over this year, you can roll forward into that. They just add that to your [unintelligible] amount next year. So if it's \$50,000 or \$30,000, whatever, you're not going to lose it. You're just going to add—it gives you more resources for [unintelligible].

BG: Right. [unintelligible] serve the similar numbers that I was throwing out there before. You've got, say, \$180,000 right now. Let's say you had a first grant of \$50,000 to get you started. That would leave us 130. And let's say the tribe wanted to have that specialist at the bureau working [unintelligible] on stuff. Let's say that's another \$60,000.

RF: It would only be for three months, from now to the end of December for this here grant cycle. The grant cycle only goes through December so that they kind of get on to a calendar year.

BG: It's highly unlikely that it'll even be awarded before the end of December.

RF: Oh, that's true. [unintelligible]

[unintelligible]

RF: Maybe three months.

BG: Know your friends [in 638?].

RF: Okay, so let's say you're right, okay. So let's say that that's true.

BG: Okay, so we had 130. Let's say that the tribe says, Yeah, let's have somebody at the bureau working for us. So let's say that's another \$60,000. So 130-60 is 70. You'd still have 70 left. And that could be ... that could be added to the \$180,000 that's going to be sitting here for fiscal year '99. We're talking about

*Transcription of videotape: September 8, 1998 meeting between
Yakima K. Dixie, Raymond Fry, Brian Golding, Silvia Burley*

this being [unintelligible]. Fiscal year '99, there's going to be another amount of money like this. So if it's 180, well, add 70 to that, you've got \$250,000.

SB: He could get all this and he can't afford 400 for the—you can come to the office and [laughs].

RF: That's right. Now you're up to a quarter of a million, see. You started at \$400. That's pretty good.

BG: You could even pump out the old septic tank.

RF: That's right. But see, there's all kinds of other things you can do as a tribe. Once you get organized and go through [GSA?] and get a tribal vehicle—

TAPE ENDS