



California Indian Legal Services (CILS) Community Legal Education Self-Help Series

Bishop ♦ Escondido ♦ Eureka ♦ Sacramento

How do I trace my California Indian Ancestry?



► What's in this guide and how can it help me?

Much of the information contained in this handout pertains solely to individuals tracing their ancestry to California tribal groups. This information is not meant as a guide for those tracing their ancestry from tribes outside of California. While the information is specific to California, the general scope of the information and your particular family's history may not reflect the experience of the majority of California Native families.

⇒ **Tip:** For additional resources on tracing Native American ancestry visit the Department of the Interior's Tracing Indian Ancestry webpage at <http://www.doi.gov/tribes/trace-ancestry.cfm>

⇒ **Tip:** This guide explains the meaning of some legal terms. These words appear in **bold**, and will be defined at the end in a section called "[Some Helpful Terms](#)" that starts on page 6.

➤ I believe I have California Indian ancestry. How do I prove it?

The answer to this question can be complex. California's history of **Mission Systems**, the **California gold rush**, **California Trail of Tears**, **Indian Boarding Schools**, and the general westward expansion of non-Indians is unique among the states. The currently federally-recognized tribes derive from different historical aboriginal groups. Some modern tribes are a

consolidation of different groups or are groups that were separated at various points of California history. Some tribes derive their name from the location of their forced or voluntary resettlement rather than from their historical or anthropological name. This can sometimes make tracing California Indian ancestry a tricky task.

Researching California Indian family histories can be overwhelming. However, for membership purposes it is vital to trace ancestry to a particular tribe. There are a number of books which describe California's aboriginal groups. A.L. Kroeber's *Handbook of the Indians of California* is a valuable source of information about the original tribes in what became California. However, for most people the search can often begin closer to home. Nothing beats having a documented family tree. While it is important to have both matrilineal (mother's side) and patrilineal (father's side) documented, for purposes of tracing Indian ancestry the emphasis should be on whichever side is Native American. You should concentrate on completing the Native American side of the family tree at least as far back as the early 1950's, but farther back is better.

➤ **Where can I look for my California Indian ancestors in federal records?**

Once you have completed your family tree, you may wish to begin searching the National Archives files for the **California Judgment Fund Rolls (CJFR)** records or other census records. Most Indian census rolls date back to the 1860's but in California there were two notable census rolls taken in 1928 and 1933. In addition, there are two CJFR, the first was completed in 1953, and the other was completed in 1972. The CJFR are a list of Indians living in California as of June 1, 1852, and the descendants of those Indians. Each person listed on the CJFR was assigned a "roll number." The rolls list a person's name, address, date of birth, and sometimes tribal affiliation. The rolls are also sometimes referred to as **base rolls**.

The CJFR were created in response to two California Indian Claims cases. These cases were brought against the Federal government on behalf of California Indians for compensation for the loss of reservations and other benefits promised under unratified treaties, and for the land that had been ceded in the unratified treaties. Individuals listed on the 1953 and 1972 rolls received a share of the resulting settlements. Distribution of these settlements occurred twice, once in the 1950s and again in 1973.

The National Archives also maintain records on **Indian Boarding Schools**. See: <http://www.archives.gov/locations/> to find the various California National Archives offices. The National Archives Pacific Regions' field branches in Riverside and San Bruno, California have some records from California-based Indian boarding schools.

➤ **Does the Bureau of Indian Affairs have information about my family?**

Maybe. But unless your family is already documented as Native American, calling the Bureau of Indian Affairs (BIA) and asking them for your information is not likely to get you useful results. You may need to file an application for a **Certificate of Degree of Indian Blood (CDIB)**. A CDIB is a document issued by the BIA that certifies an individual possesses a specific degree of Indian blood from lineal ancestors of Indian blood who were enrolled with a federally recognized

Indian tribe or whose names appear on the designated base rolls. CDIB's are generally issued by the BIA only after the applicant supplies a completed genealogy with supporting legal documents, such as birth certificates, showing their descent from an Indian enrolled in a tribe or an Indian listed in a **base roll**, such as the CJFR. If the applicant's ancestors had a CDIB or information listed on the base rolls, it is used to determine the applicant's blood degree. A person's blood degree is also known as their **blood quantum**. Visit <http://www.bia.gov/FOIA/Genealogy/index.htm> for a copy of the latest CDIB application.

➤ **What documents should I be collecting?**

If your ultimate goal is to become a member of your tribe, then you should make it a point to gather birth certificates for each generation you trace. Every tribe has a right to determine its own membership. Not all tribes may ask that you produce birth certificates for past generations, but many do. Aside from birth certificates, death certificates, probate orders, census records, and marriage licenses can each be important in locating information about a former generation on your family tree.

⇒ **TIP:** You should also be aware that some National Archive materials, as well as other historical documents, have been digitized and are searchable through various online ancestry or genealogical databases. Most of these databases cost money to join and occasionally some will offer consumers a free trial period. While some online or for-pay websites can help you access birth, death, and marriage certificates, you may be able to save some money by ordering these certificates directly from the state Vital Records Office that originally issued the certificates. Typically records for someone other than yourself can be accessed, but you may be asked to sign a statement swearing that you are related to the person whose records you are seeking.

⇒ **TIP:** There are many websites where you can obtain a sample family tree. Websites such as <http://www.cyndislist.com/> provide free samples. Also, a sample tree is attached to this handout. Whatever family tree you use, you will want to keep track of the ancestors' tribal affiliation(s) or tribe(s) in addition to their name, date of birth and relationship.

➤ **What benefits can I get as someone who is a California Indian?**

The first question to answer is really: Are you a member of a California tribe? Does the tribe consider you a member and/or have you received membership with the tribe? Having biological Indian ancestry is not the same as being a recognized member of a tribe. Tribes have their own set of benefits that they can confer on their members which may be different than what other tribes can confer.

Similarly, some tribes operate tribal temporary assistance for needy families, known generally as tribal TANF programs. The prerequisite for TANF benefits often include membership with particular tribes serviced by local tribal TANF programs. In addition to benefits from a particular

tribe, other services such as medical care through Indian Health Services may be available to those who can prove their connection to a California tribe.

➤ **Can't I just take a DNA test?**

Unfortunately, without more family comparison data there are no DNA tests that can tell you which specific tribe you may belong to. Tribes sometimes use DNA tests to verify whether one person is related to a member, but that is a comparison of DNA data among living subjects. Remember that modern tribes are often the products of consolidation among various aboriginal groups. In addition, the movement, separation, and sometimes random political groupings of historical tribes (such as with the **California Trail of Tears**) often lead to the disbanding of genetically similar individuals. This makes any DNA test useless if you are trying to pinpoint which one of the over 100 federally-recognized California tribes you may belong to.

➤ **I located my tribe and it is unrecognized. What does that mean?**

You may hear of recognized and unrecognized tribes. This refers to each tribe's federal status. Federally-recognized tribes are eligible for a variety of federally-funded Indian services. These include health care, housing assistance, education opportunities, and economic development assistance. Federally-recognized tribes exercise certain powers over their tribal members and tribal members have certain rights regarding their own tribal governments. Federally-recognized tribes may also hold land interests and maintain their own court systems. They may ask the Department of the Interior to place land in federal trust, so that it cannot be sold by individuals and/or lost to tax forfeiture. Unrecognized tribes do not have these advantages or powers for the most part. However, whether recognized or unrecognized, a tribe will always have cultural benefits tied to the learning of a person's family history.

➤ **I was adopted away from my biological family as a child. How do I go about finding my Indian ancestry?**

If you were adopted, you may first need to unseal your birth records in order to obtain information about your birth name and family history. You should begin by reading the CILS booklet entitled, *Birth Records Self-Help Kit: How Native American Adoptees Can Get Their Birth Records in California*. The booklet can be found at:
<http://www.calindian.org/selfhelppdfs/SelfHelpBirthRecords0409.pdf>

➤ **I believe I found my tribe but when I contacted the tribe they were not very friendly when I asked about my ancestry.**

Locating your tribe is not the end of your journey. You should be aware that many people contact tribes daily stating that they are long-lost connections wanting to re-establish their family links to a tribe. For this reason many tribes are often wary of such contact. Even when you locate your family's tribe you will still need to apply for tribal membership in order to officially become part of the tribe. Please note that being a biological descendant of someone who belonged to a tribe is not the same as being a member yourself. As recognized by the United

States Supreme Court in *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 71-72 (1978), each tribe is vested with the exclusive power to determine its own membership by virtue of its sovereign status. This means that every tribe has the right to establish their own membership criteria and application process. Each tribe also has a right to ask a person applying for tribal membership to provide original documentation showing ancestry.

► Additional Resources

National Archives at San Bruno (Northern CA)

Website: <http://www.archives.gov/san-francisco/>

1000 Commodore Drive
San Bruno, California 94066-2350
Telephone: (650) 238-3501; E-mail: sanbruno.archives@nara.gov

National Archives at Riverside (Southern CA)

Website: <http://www.archives.gov/riverside/>

23123 Cajalco Road
Perris, CA 92570-7298
Telephone: (951) 956-2000; Email: riverside.archives@nara.gov

California Bureau of Indian Affairs Offices

Website: <http://www.bia.gov/WhoWeAre/RegionalOffices/Pacific/WeAre/Agencies/index.htm>

Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825
Telephone: (916) 978-6000

Northern California Agency
364 Knollcrest Drive, Suite 105
Redding, CA 96002-0292
Telephone: (530) 223-7960

Central California Agency
650 Capital Mall, Suite 8-500
Sacramento, CA 95814
Telephone: (916) 930-3680

Palm Springs Agency
P.O. Box 2245
Palm Springs, CA 92263
Physical Address:
3700A Tachevah Drive, Suite 201 (2nd Floor)
Palm Springs, CA 92262
Telephone: (760) 416-2133

Southern California Agency
1451 Research Park Drive, Suite 100
Riverside, CA 92507
Telephone: (951) 276-6624

California Office of Vital Records (to order birth/death certificates)

Website:

<http://www.cdph.ca.gov/certlic/birthdeathmar/pages/certifiedcopiesofbirthdeathrecords.aspx>

Telephone: (916) 445-2684

Some Helpful Terms

Base Rolls - A base roll is similar to a census record; it records the known Indians living at that time. Some tribes use base rolls as a basis for possible membership eligibility.

Blood Quantum – The percentage of Indian ancestry that a person has. This is often described as a fraction, i.e. ¼ Navajo. Many tribes have blood quantum requirements in their membership laws and if an individual does not possess the necessary blood quantum they may not be allowed membership with the tribe.

Bureau of Indian Affairs (“BIA”) – A federal agency within the Department of the Interior. Established in 1824, the BIA is composed of 12 regional (head) offices and 83 agency (field) offices nationwide. In California, the Pacific Regional Office is charged with all non-education related Bureau programs, functions and activities. The Regional office oversees the four agency offices that provide services at the local level: Northern California, Central California, Southern California, and Palm Springs. For a link to California BIA agencies’ contact information visit: <http://www.bia.gov/WhoWeAre/RegionalOffices/Pacific/index.htm>

California gold rush – Beginning in 1848, the discovery of gold in California increased non-Indian western migration and led to many tribes being forcibly removed from their lands to different areas of California. Native children were often taken and ‘apprenticed’ to miners who used them as gold mine laborers. Many children lost their tribal identity and contact with their tribes.

California Trail of Tears - A 100-mile or more trek of forced relocation in 1863 of California Indians from the Central Valley across what is now the Mendocino National Forest to Round Valley. The trek resulted in the creation of the Round Valley Indian Reservation which forcibly assembled more than six different tribal groupings in one valley. There were many other forced relocations throughout the state.

Indian Boarding Schools – In an effort by the federal government to assimilate California Indians, Indian boarding schools, such as the Sherman Indian School in Riverside and the Greenville Indian Boarding School near Greenville forbade Indian children from speaking their Native languages and practicing their Indian religious and cultural traditions. School children were forcefully separated from their families and often the children were given western names and lost connection with their tribes.

Mission system – Between 1769 and 1823, a total of 21 congregational Missions were established between San Diego and San Francisco. The Mission system required labor to build and maintain its systems in support of a Spanish California. The majority of this forced labor came from the multitude of California Indian groups that were taken and held in lives of servitude to their assigned missions. The system later impacted the very naming of many tribes whose vestiges include designations such as Diegeños, Gabrieleños, Juaneños and Luiseños.

Tribal Affiliation – Refers to the tribe(s) or tribal group(s) that a person is associated with but not necessary a member of. An individual who is not yet a XYZ tribal member but who has information that leads them to believe they have XYZ ancestry may be said to affiliate themselves with XYZ Tribe, for example, but does not necessarily mean they are an official member of the Tribe.

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CILS Community Legal Education Self-Help Series

The Community Legal Education Self-Help Series is a project of CILS. The Series' mission is to expand access to legal resources that increase Indian self-sufficiency. This guide is part of our Community Legal Education Self-Help Series, providing Indians and Indian tribes with user-friendly information and self-help assistance pertaining to their legal status and rights. Community Legal Education Self-Help guides, and more information about CILS and California Indian issues, are available on our website at www.calindian.org.

California Indian Legal Services

Principal Office: 609 South Escondido Blvd., Escondido, CA 92025
Phone: (760) 746-8941, Fax: (760) 746-1815, email: contactCILS@calindian.org

Do you have a legal problem? For assistance, contact your local CILS office:

Bishop: (760) 873-3581, or toll-free at (800) 736-3582
Escondido: (760) 746-8941, or toll-free at (800) 743-8941
Eureka: (707) 443-8397, or toll-free at (800) 347-2402
Sacramento: (916) 978-0960, or toll-free at (800) 829-0284

