

Statement of Leslie Lohse
Treasurer, Paskenta Band of Nomlaki Indians of California
House Resources Committee

Mr. Chairman, members of the Committee, welcome to California and thank you for allowing me to appear before you today.

My name is Leslie Lohse, a member of, Treasurer and spokesperson for the Paskenta Band of Nomlaki Indians of California located in nearby Tehama County. I am also the National Congress of American Indians (NCAI) Pacific Region Area Vice-President, U.S. Bureau of Indian Affairs Central California Agency Policy Committee Chairperson and Treasurer of the newly formed California Tribal Business Alliance. Today I will present testimony based on my own experiences and on behalf of Paskenta.

The Committee's leadership addressing the issue of off-reservation gaming is a tremendous step in the right direction and we support this legislation. Unfortunately, since the passage of the Indian Gaming Regulatory Act of 1988, many non-Native American opportunists have sought ways to cash in – sometimes at the expense of the Tribe and sometimes at the expense of the local community.

The debate over Tribal gaming and their wealthy investors is taking place in many communities around the country. Whether in Connecticut, the San Francisco Bay Area, or out here in Tehama County, communities are entrenched fighting the spread of off-reservation casinos. Within our own tribal community, the Paskenta Band also feels the impact when tribes led by investors search for land to claim for the purposes of gaming.

The Greenville Maidu Indians of Plumas County, California, after failed attempts to go into Oxnard, Ventura County and the Bay area, have repeatedly attempted to claim land in Tehama County where they have no historic aboriginal territory. The Greenville Tribe has approached the Tehama County Board of Supervisors and was rejected twice by a 4-1 vote; has now submitted a new proposal. No consideration is being given to the fact that the proposed site is well within the ancestral territory of the Paskenta Band of Nomlaki Indians.

The Greenville Maidu proposal presents a disturbing and exploitive picture of Tribal Governments throughout this great nation. The Greenville Rancheria issue was settled in the Hardwick case. The stipulation and judgment in that matter provides that the exterior boundaries of the plaintiff tribes' individual reservations (rancherias) would be restored to pre-termination status. Therefore, the Greenville Rancheria's "275 acres, is located approximately three miles east of Greenville, Plumas County, California."

This indicates clearly that the United States and Greenville Rancheria recognize that the Greenville Maidu's proper land request should be limited to Plumas County, California, not Tehama County, California. However, the developer, the Wilmots of New York, have purchased property in Tehama County along Interstate 5. Therefore, the Wilmots want to relocate the Greenville Maidu to this new location. Such relocation will satisfy this out-of-state investor's appetite for profit. No consideration is being given to the Maidu's true ancestral territory or the land recognition indicated in the Hardwick case. Again, the focus is on the needs of the investor, not the Tribe or surrounding community.

Legal Counsel for the Greenville Tribe, Judith Albietz, when asked why the Tribe does not have land in Greenville and if a site-search was conducted and how this location was chosen emphasized, "the developer approached the Tribe with this project." That is taken from the Minutes of the Meeting of the Board of Supervisors of the County of Tehama, Tuesday, May 18, 2004. In addition, Ms. Albietz went so far as to say, "the developer of the project, the Wilmots, will be a good partner with Tehama County...the facility will be run by the Wilmots." Notice she referred to the New York developer and not the Greenville Maidu Indians.

Members of the Committee, should an investor have the right to place a casino in your community, in your congressional districts, by convincing Tribes to make a faulty land claim? I can assure you; an investor's first priority is not that a Tribe returns to their ancestral lands. Over the years, I have witnessed many Tribes fall victim to empty promises made by investors – hopes shattered and communities overwhelmed. Rather than "reservation shopping," I have found "tribe shopping" is probably the more appropriate term. It seems that investors, such as the Wilmots from New York, purchase land and then throw a tribe at it and see if they stick. Federal law must be updated through this legislation to prevent these situations such as the one we face in Tehama County.

Mr. Chairman, the Paskenta Band of Nomlaki Indians of California is not afraid of competition. We only have the best hopes for our sister Tribes who are less fortunate as they seek economic prosperity. But that prosperity should not be at the expense of other Tribes or communities. Out-of-state investors should not be permitted to hijack the process.

The Greenville Tribe has testified before this committee and spoken candidly about its opposition to efforts led by Chairman Pombo and others to reform and update off-reservation gaming law. The Greenville Maidu Chairwoman, Lorie Jaimes, testified before this committee in Washington, D.C. on March 17, 2005, proclaiming that, "it is our belief that IGRA does not need to be amended with regard to off-reservation gaming because there is no genuine problem or crisis in this area...those who most loudly call for amendment do so because they do not understand the process." Mr. Chairman, members of the committee, there is clearly a problem and this legislation is working toward a solution – offered by people who understand the process.

Thank you for the opportunity to testify. I ask that my statement be entered into the record and I am happy to answer any questions you may have.