

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
COMMERCE, JUSTICE, AND SCIENCE
LABOR, HEALTH AND HUMAN SERVICES,
AND EDUCATION
LEGISLATIVE BRANCH

SENIOR MAJORITY WHIP

CHAIR
CONGRESSIONAL ASIAN PACIFIC
AMERICAN CAUCUS

CHAIR
CONGRESSIONAL ETHIOPIAN
AMERICAN CAUCUS

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA



Congress of the United States
House of Representatives

MICHAEL M. HONDA
15TH DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
1713 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-2631
FAX: (202) 225-2699
<http://www.house.gov/honda>

DISTRICT OFFICE:
1999 SOUTH BASCOM AVENUE
SUITE #815
CAMPBELL, CA 95008
PHONE: (408) 558-8085
FAX: (408) 558-8086
GILROY RESIDENTS: (888) 643-4715

October 22, 2007

VIA Mail and Facsimile 202-208-5320

Carl J. Artman
Assistant Secretary for Indian Affairs
United States Department of the Interior
1849 C Street, NW
MS 4140
Washington, D.C. 20240

Re: Application of the Amah Band of Ohlone/Coastanoan Indians (Petition # 120) for
Acknowledgment Pursuant to 25 C.F.R. Part 151

Dear Mr. Artman:

I am writing to express my concern about information uncovered by the Department of the Interior, Office of Inspector General ("OIG Report") investigation into the conduct of Irene Zwierlein, the former Chairperson of the Amah Band of Ohlone/Coastanoan Indians (Band). It is my understanding that the OIG Report concludes that Ms. Zwierlein fabricated documents submitted to the Department of Interior, resulting in the Department's recognition of her as the leader and spokesperson of the Band. This situation has caused considerable confusion in the community and has hampered the Band's ability to advocate fairly and successfully on its own behalf.

It is my understanding that the Band's lawyers at AndersonTuell, LLP communicated with you on the Band's behalf via letters dated March 23, 2007, and May 9, 2007, and that Band representatives met with you on April 16, 2007, to discuss the OIG Report and has asked the Department to take action on the basis of that Report. In addition, my Chief of Staff has had several discussions over the last six months with both the Director of the Office of Federal Acknowledgment (OFA) and the Congressional and Legislative Affairs Director, to determine when the Department will respond to the Band regarding this issue. In each instance, my office assured me that a response was forthcoming. Despite these assurances, the Department has yet to provide a reply to the Band.

The Department's failure to resolve this matter, and its continued recognition of Ms. Zwierlein, is causing ongoing harm to the legitimate tribal government and its members. The Department has not provided the documents that compromise Petition 120 to the legitimate tribal leaders, including the genealogical information that was submitted to the Department. This lack of action has forced the Band and its members to bear the heavy burden of spending additional time and resources to replace this information.

OFA's continued recognition of Ms. Zwierlien in the face of the OIG's report, that she deliberately and fraudulently misled OFA about her status within the tribe, confuses the local community as to the identity of the Band's legitimate leadership. Recently, I was informed that a developer submitted plans to develop the Castro Valley Ranch, which is one of the most sacred sites to the Amah Mutsun people. The developer did not allow the legitimate tribal government to inspect the site for cultural resource properties because the developer did not know who the legitimate Amah Mutsun leader was. This is just one example of the negative impact that the OFA's continued recognition of Ms. Zwierlein as leader is having on the Band. Because of the OFA's lack of action, the Amah Mutsun people have been thwarted from protecting their culturally and religiously significant property.

I request that you provide an immediate response to the Band and that you send a copy of your correspondence to our offices. If the Department continues to recognize Ms. Zwierlein in spite of the results of the OIG Report, I expect a full and complete explanation of such a decision. The Department has had over six months to consider the Band's request to withdraw the OFA's recognition of Ms. Zwierlein. There is no reason to delay a response any longer.

Respectfully,

A handwritten signature in black ink that reads "Michael M. Honda". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael M. Honda
Member of Congress