Non-Indians should observe American Indians’ situation

When non-Indians feel drowned by bureaucratic doubletalk, regulations and paperwork, they should consider the plight of the approximately 20,000 American Indians in Louisiana.

Consider:
- The United States says they’re a minority, but Louisiana says they aren’t.
- Louisiana says there are eight Indian tribes in the state, but the federal government recognizes only three.
- Federal officials demand stacks of specific documentation from groups who have always been recognized as Indian tribes, other groups who aren’t and indeed Indians, but Louisiana leaves the eligibility decision up to the tribes.

Deals between the governmental bureaucracy and Indian tribes get even more complicated when tribes get involved. The treaty agreements aren’t the same for all tribes.

“Indian affairs are extremely complex,” said Jeannette A. Campos, director of the Inter-Tribal Council. “Only 1 percent of attorneys have any idea of Indian law.”

Under federal law, American Indians are a minority and protected people, but only blacks and women are legally recognized as minorities in the United States. They have no rights under the Civil Rights Act or the Voting Rights Act.

Federal law recognizes only three groups of Indians in Louisiana: the Chitimacha, the Miccosukee, and the Seminole in the Baker area of East Baton Rouge Parish; the Apache-Choctaw Band in the Plaquemines Parish; and the Seminole-Choctaw Band in Rapides Parish.

Because federally recognized tribes are on a better financial footing than those not, federally recognized tribes designate themselves extremely important to Indian groups, Campos said.

She said at a good deal of money is needed for Congress for Indians in Rapides Parish. Under the act, tribes are considered local municipalities or a “nation within a nation.” Campos said, the federal government had no standard procedure for recognizing Indian groups that wanted to be considered as Indian tribes.

Then, in 1974, the Department of the Interior published regulations and guidelines standardizing the procedure for determining if an Indian group is an Indian tribe. These regulations were used to determine if the Tunicas-Biloxi was an Indian tribe.

As a consequence, the Tunicas-Biloxi were recognized as an Indian tribe, and the Seminole-Choctaw Band of the Seminole Nation of Florida were recognized as a separate tribe.

Also of major importance to American Indians in Louisiana is the Indian Self-Determination and Education Act, passed by the Congress in 1970. Campos said, the law was “to provide for future tribal sovereignty.”

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In Louisiana, it is up to the individual tribe to establish criteria for eligibility for any benefits and to verify if its members are Indians, Campos said.

State proof “is not as involved” as that required by the federal Bureau of Indian Affairs, she said.

The role of the Governor’s Indian Affairs Commission is to provide the tribes through the state government, according to the executive director. The commission is made up of representatives from the Inter-Tribal Council and the Indian Development Council, major Indian organizations in Louisiana.

The Institute of Indian Development was formed in 1961 by the Indian Arts and Crafts Council, which was the “general mandate to help the tribes govern their governments, serve their individual and collective better” by making the tribes stronger, a spokesman said.