

NATIVE NEWS FROM ACROSS THE NATION

BIA Preparing to Tighten Rules on American Indian Status

SIOUX FALLS, S.D. (AP) — The Bureau of Indian Affairs (BIA) is revising rules on bloodlines that are used to determine American Indian status and the federal benefits that go with it that status.

The government allows Tribes to set their own membership standards. But it also uses blood quantum to decide whether a person is eligible for health, housing, food and other benefits provided through the reservation system.

Those who are not members of a federally recognized Tribe can qualify by proving to the BIA that they are one-half or more Indian with blood from Tribes indigenous to the United States. A few programs use one-quarter Indian blood.

Changes proposed by the BIA would formalize policies, many of which do not exist in writing, officials say.

The BIA is accepting response on its final regulations through December 20. The proposed rules could take effect as soon as next year.

Many oppose the change because they argue a standard blood formula could regulate Indians out of existence.

While bloodlines thin for all ethnic groups when people intermarry with other races, only the Indian popula-

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tion stands to lose significant federal benefits should it one day cease to exist in the government's eye.

"Before long, there'll be no Indians. What the hell's going to happen then? It's potentially disastrous for Tribes," said Leonard Bruguier, a Yankton Sioux and college professor who heads the University of South Dakota's Institute for American Indian Studies.

The BIA began work to tighten policies after the Interior Board of Indian Appeals, acting on a 1986 Oklahoma complaint, alleged the government had wrongly denied an Indian recognition. It found that some record keeping was incomplete or inconsistent.

The panel said changes or corrections were made without indication of who made the alterations or why.

As a result, the appeals board says, some people have not received services, which they should have.

Others may have received benefits for which they didn't qualify.

Duane Bird Bear, Chief of the BIA's Tribal Government Services

division, insists the bureau's work is a matter of clarifying and streamlining policies.

But the fear does exist, something Bird Bear acknowledges: "People are afraid they'll get cut off, and there is substance to their concerns."

A draft policy states that Tribes will still have autonomy in setting their membership standards.

Senate Minority Leader Tom Daschle (D-S.D.) says the BIA "absolutely must not rush through this process ... in light of the perception that the federal government is attempting to restrict its obligations."

But some fear that a more formal BIA process could eventually give the U.S. government grounds to sever ties with the Tribes.

They worry that, over time, declining blood percentages will mean that fewer people qualify under the BIA rules as Indians.

"It's kind of scary the way they can terminate us," says Joe Merrival, an Oglala Sioux who ranches on the Pine Ridge Indian Reservation. "What they did in the past, they're

still doing it now."

"We'll lose our identity altogether," adds Darlene Helper, also an Oglala Sioux. "Who will we be?"

Some of that change is already happening.

The Census Bureau says 34 percent of federally recognized American Indians today are considered full bloods. Eighty years from now, it projects that figure to drop below 1 percent.

Most Tribal leaders say there is little they can do to counter the forces of assimilation. Many Tribes are not large enough for Indians to continue marrying only among themselves.

"We can't dictate to people who they can marry, where they can live," says Charles Murphy, Chairman of the Standing Rock Sioux Tribe. "That's just the way the world is."

And officials say getting rid of the blood quantum system probably isn't the route to go either.

"Sure, they could remove the restriction, but then they'd have to come up with more funding, because more people would qualify," says Patricia Beasley, Executive Director of Federal Programs for the Osage in Oklahoma. "All you'd probably end up with is more people getting fewer benefits. What do you gain?"

Tribe Seeks to Regain Public Land, Re-establish Their Reservation

KLAMATH FALLS, OR. (AP) — The Klamath Tribe has completed its economic self-sufficiency plan, a chief feature of which is a proposal to regain possession of about 690,000 acres of Forest Service land to re-establish their former reservation.

Tribal Chairman Allen Foreman said Tribal leaders will go to Washington, D.C. in this month to deliver the plan to Interior Secretary Bruce Babbitt.

Foreman said the plan was the culmination of 14 years of work to fulfill a congressional mandate that was required when the Tribe won back its federal status in 1986.

At the time of disbandment, the Klamath were considered the nation's most successful Tribe, earning 93 percent of the average income of non-Tribal Klamath County residents. But by 1986, when Congress restored their Tribal status, 60 percent of the Tribe was unemployed, Chiloquin was Oregon's poorest city and 52 percent of the Tribe died by the age of 40.

In 1954, Congress disbanded the Tribe in an effort to push members toward integration into mainstream society, offering members \$43,000 each for their share of the Tribe's timber-rich reservation. Much of the Winema National Forest was carved from those 880,000 acres, and the remainder was

sold to private interests.

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cent of the Tribe was unemployed, Chiloquin was Oregon's poorest city and 52 percent of the Tribe died by the age of 40.

Now the Klamath Tribe hopes to persuade Congress to give back its lost homeland with its 100-year restoration plan that aims to revive deer and fish populations as subsistence food sources and restore sustainable-yield logging to provide jobs and Tribal income.

The Tribes' proposal has generated some local controversy. Opponents say that when Tribal members accepted cash payments for their interests in the reservation, they lost all rights to the land.

Yates Claims Innocence in Two Pierce County Murders

TACOMA, WA. (AP) — Serial killer Robert L. Yates Jr. of Spokane plead innocence in the murders of two women in Pierce County, where the prosecutor has filed murder charges that could lead to the death penalty.

Yates, 48, was arraigned in Pierce County Superior Court on two counts of aggravated first-degree.

Yates, who is held in the Pierce County Jail after being transferred from Spokane, plead innocent and will exercise all his rights, said his attorney Roger Hunko.

Although Prosecutor John Ladenburg has not decided whether to seek the death penalty, the charges and reasoning outlined in court papers could lead in that direction.

Prosecutors will try to import information from Spokane — where Yates admitted 13 murders and one at-

tempted murder in a plea bargain that spared his life — to prove that "We will seek to have the court include the proof of his identity, that he was the Spokane killer," Horne said.

Ladenburg has declared he will not bargain away the death penalty in exchange for a guilty plea, as Spokane County authorities did.

Under Washington law, aggravated first-degree murder is punishable by either death or life in prison without possibility of release. The death penalty can be imposed only if a crime meets certain criteria, and if a jury recommends the punishment after a special, post-conviction hearing.

Yates, a married father of five, was sentenced recently in Spokane to 408 years in prison for his confession to 13 murders and one attempted mur-

der. The killings go back a quarter-century to 1975, when he gunned down a young man and young woman as they picnicked near Walla Walla.

In the late 1990s he cruised Spokane in a white Corvette, picking up women.

Yates has admitted killing 10 women in Spokane County in 1996-98. He also admitted the 1975 Walla Walla slayings, and killing a woman whose body was found in 1988 in Western Washington's Skagit County.

Many of the victims' family members denounced his deal with prosecutors. Yates agreed to admit the murders and show investigators where a missing body was buried, in exchange for escaping capital punishment in Spokane.



Tribal member Cory Turman helped solve a murder case.

Yates' initial arrest in Spokane came after Grand Ronde Tribal member and Spokane Police Officer Cory Turman made key observations during a routine traffic stop.