

Indian agents applied blood quantum with no scientific data to back up the numbers

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tial yearlong pause in enrollments and then abandoned the idea at the next meeting.

Tribal Council Chairwoman Cheryle A. Kennedy said that any real solution will require a constitutional amendment that will change membership requirements.

Tribal Council member Kathleen George said that the Tribe needs to arrive at a solution that will pass constitutional muster – being approved by two-thirds of the membership that registers to vote and then casts ballots in a Bureau of Indian Affairs-supervised election. She also lamented that blood quantum, which was imposed on Indian Tribes by the federal government, is ingrained in the Tribal Constitution.

Tribal Council Vice Chair Chris Mercier said he is a “big fan” of lineal descent in which a prospective Tribal member only has to prove they are descended from a previous Tribal member to be admitted into the Tribe. How much Indian blood they have flowing through their veins would become irrelevant.

Mercier added that he believes that blood quantum will eventually end the Grand Ronde Tribe if another answer is not found, yet admitted that he knows Tribal members who staunchly defend using it as an enrollment criteria.

“There are like two parallel things going forward right now,” Tribal Council Secretary Michael Langley said during an April 25 interview with *Smoke Signals*. “There’s one with the issues within our (enrollment) files and the errors. There’s problems within our files around blood quantum. ... But then you also have that we’re going to run out (of people). I think it is over 80 percent and maybe 90 percent now of our people that are enrolled are the last of their bloodline. If there is an opportunity where our people think, ‘Yeah, you’re right. We need to do something to address that blood quantum as far as self-terminating our Tribe because we’ll run out of blood quantum. Is there also an opportunity at the same time then that these issues in our files around blood quantum are no longer relevant?’ So if we make that change, then these are no longer relevant, then great, we just go forward with the change. But it takes 67 percent to get there. The worry is that while that would be nice and great that that would solve the issue within our files, it might not happen, so then we’re stuck with the issues in our files.”

When the Grand Ronde Tribe’s Constitution was adopted on Nov. 30, 1984, after Restoration occurred approximately a year earlier, the membership requirements were relatively straightforward.

“The membership of the Confederated Tribes of the Grand Ronde Community of Oregon shall consist of all persons who are not enrolled as members of another recognized Tribe, band or community,” it stated,

“The risk is that as times change, as Supreme Court justices change, people will start latching on to that ‘Well, they’re not really Indian,’ so you run a higher risk of a termination-type event again if you can’t show and demonstrate your ties to your Tribe, your people and your land.”

~ Michael Langley discussing lineal descent



adding that the person’s name had to appear on the official membership roll prepared under the Grand Ronde Restoration Act and that the person must possess 1/16th or more degree Indian blood quantum from a federally recognized Tribe or Tribes and be descended from a member of the Grand Ronde Tribe.

“For purposes of this section, descent from a member of the Confederated Tribes of the Grand Ronde Community of Oregon shall include lineal descent from any person who was named on any roll or records of Grand Ronde members prepared by the Department of the Interior prior to the effective date of this Constitution.”

Those membership requirements, including the blood quantum, held firm for 15 years until 1999. In response to an increasing number of enrollment applications prompted by the financial success of Spirit Mountain Casino and the beginning of per capita payment distributions, Tribal members approved an amendment that restricted membership.

The biggest change was that the applicant had to be born to a parent who was a member of the Tribe at the time of their birth and who, unless they had walked on, was a member of the Tribe when the applicant filed an enrollment application.

The amendment is now viewed by many as the main cause of several contentious enrollment problems facing the Tribe, including split families in which siblings with the same heritage are and are not Tribal members. In 2019, Tribal voters favored resolving the split-family problem with 63.5 percent supporting an amendment, but the two-thirds majority required by the Tribal Constitution thwarted the effort.

And, as Kennedy and other Tribal Council members have cited numerous times in public meetings, the enrollment problems predate Termination in 1954 and Restoration in 1983.

Indian agents employed by the federal government assigned Tribal members blood quantum amounts at their whim with little to no scientific or genealogical data to support the numbers. The Tribe inherited those blood quantum numbers when it was restored and has since then been dealing with the multi-generational problems they have created.

Even today, Kathleen George has said in meetings, Tribal Council receives enrollment applications regarding people who should have the same blood quantum, but do not.

“For me, the auditor side of me, I want things settled in the files in a way that doesn’t harm people,” Langley said.

Smoke Signals surveyed the enrollment requirements of 48 federally recognized Tribes in the continental United States. Using the Department of the Interior’s list of federally recognized Tribes, staff searched for Tribal constitutions and enrollment ordinances on the respective Tribes’ websites and found that different membership requirements are employed nationwide. Since Tribes are sovereign nations, they can set their own criteria for membership.

Other Tribes mostly use a combination of lineal descent and blood quantum in their enrollment requirements with most required blood quantum amounts ranging from ¼th to 1/16th.

For instance, to become a member of Oklahoma’s 17,000-member Comanche Nation, an applicant must trace their ancestry back to a Tribal member who received a land allotment in 1900 and possesses 1/8th quantum of Comanche blood.

Closer to home, the 5,700-member Klamath Tribes in southern Oregon require that applicants be named on or be descended from someone on the official 1954 final roll and possess 1/8th degree or more of Klamath, Modoc or Yahooskin Indian blood.

For those who think the current enrollment requirements for the Grand Ronde Tribe are complicated, the rules of the 6,800-member Confederated Salish & Kootenai Tribes of the Flathead Reservation in Montana are more so. According to the Tribe’s website, there are six different eligibility requirements based on when an applicant was born between 1935 and present day.

Examples of Tribes that use direct descendancy include the 10,000-member Delaware Tribes of Indians in Oklahoma, which requires applicants link back to an ancestor on the 1904 Pratt Roll. “Your parents and grandparents do not have to be enrolled,” the Delaware Tribes’ enrollment frequently asked questions state.

In Oregon, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians’ Tribal code states that a person is eligible for membership if their name is on the Jan. 1, 1940, census roll or the person is a lineal descendant of a person listed on the roll. There is no blood quantum requirement. “Nor have we ever,” said Enrollment Specialist Debbie Bossley about blood quantum.

The 81,000-member Muscogee Nation of Oklahoma also relies solely on lineal descent. “The criteria for citizenship is that you must be Creek by blood and trace back to a

direct ancestor listed on the 1906 Dawes Roll by issuance of birth and/or death certificates,” the Tribe’s website states.

The Choctaw Nation of Oklahoma, which has approximately 223,000 members, has perhaps one of the most streamlined membership requirements in its constitution. “The Choctaw Nation ... shall consist of all Choctaw Indians by blood whose names appear on the final rolls of the Choctaw Nation approved April 26, 1906, and their lineal descendants.”

If any of these examples are appropriate options for the Grand Ronde Tribe to consider will be decided by the membership. The Tribe is currently in the midst of holding five meetings during which it hopes to find consensus for a potential constitutional amendment.

The remaining meetings will be held at 5:30 p.m. Thursday, May 4, at Portland State University’s Native American Student and Community Center, 710 S.W. Jackson St., and 5:30 p.m. Thursday, June 1, in the Tribal Community Center. Both meetings also will be accessible on the Zoom teleconferencing application.

The Tribe is also conducting surveys on its governmental website www.grandronde.org about going with a 4/4 proposal or lineal descent. The 4/4 survey asked Tribal members which date should the Tribe designate in making all Tribal members whole in blood quantum.

Mercier said during the April 25 Legislative Action Committee meeting that he thinks Tribal members are doing a good job of considering all of the ramifications of the different options being proposed to resolve the enrollment issues.

Langley said that although lineal descent might seem like the most elegant solution, the membership would have to agree on which Department of the Interior membership roll or record to begin with and he also worries about activist judges and politicians who might one day decide that Tribal members don’t have enough blood quantum to be considered Native American.

He cites the Oklahoma governor’s criticism of the Cherokee Nation because people with miniscule blood quantum can be members of the Tribe because of lineal descent.

“It doesn’t come without risk,” Langley said. “What we don’t want to do is something that burdens a future council down the line with a problem just like the ’99 amendment did. ... The risk is that as times change, as Supreme Court justices change, people will start latching on to that ‘Well, they’re not really Indian,’ so you run a higher risk of a termination-type event again if you can’t show and demonstrate your ties to your Tribe, your people and your land.”

“If we get to the point where we double our numbers and those people who are doubled are not able to demonstrate those connections, not

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