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Alaska Natives, state wrestle with tribal ID card issues

By Matt Gilbert For the News-Miner Sep 21, 2014

FAIRBANKS — No other ethnic group in the United States carries two identification cards except Alaska Natives and Native Americans, who have tribal ID cards.

Not everyone accepts them as valid identification, however, which is sometimes frustrating for Native cardholders and tribal advocates.

To become a tribal member requires a host of qualification requirements, which differ among tribes. Some tribes have strict tribal laws that may prohibit members from dual membership with another tribe, grant spouses of tribal members membership and allow membership termination by tribal council.

The importance of tribal ID cards in villages are clear, but its use in the city is at times not so clear. For urban Native people, the cards are used to access Native hospitals, as well as serve to strengthen one's sense of belonging and identity to a tribe.

"Often times, I get people in here who live in town, and it's their only ID," said Debbie Mitchell, who makes tribal IDs for Tanana Chiefs Conference.

In the village, tribal membership grants hunting and fishing rights on tribal land, along with other activities such as collecting firewood and timber for building a home. It also provides special protection for children through the Indian Child Welfare Act.

Tribal membership also gives one a sense of identity and belonging, and gives one reason to steward and protect lands where one has ancestry.

In Fairbanks, the cards are accepted in some places and refused in others. Some financial institutions, like Alaska USA Federal Credit Union, accept them for simple transactions such as withdrawals and deposits, but require state IDs to set up mortgages and car loan accounts. Gas

stations, Blockbuster Video, Regal Cinemas, bars and liquor stores do not accept them.

They are accepted as a second form of ID at the Alaska State Troopers Office when applying for a background check, and the Transportation Security Administration generally accepts them. Tribal IDs are not accepted at bars and liquor stores, partly because they don't include the "red flags" on state IDs that indicate someone has a drunken driving charge on their record.

"Yeah, most bars don't even acknowledge them," said local rock guitarist and singer-songwriter Marc Brown.

Native

perspectives

Some Alaska Native people have their own opinions.

Arctic Village resident Danny Gemmill sits at his home with a T-shirt of Geronimo and a couple of his Apache warriors standing by him on a hill armed with rifles and a banner above reading: "Homeland Security: Fighting terrorism since 1492," a humorous shirt among the Native community.

Gemmill says membership gives Natives their sense of belonging to a place.

In regards to tribal membership, proving ones ancestral ties to their particular land is important, Gemmill says. "Our family tree goes way back before time even became time."

In 1921, Native Americans were made citizens of the United States. Despite the fact that they were the first inhabitants of the Americas, their citizenship was late because some identified more with their tribes than the U.S. government and saw citizenship as "surrender." Another reason may be that federal laws for Native Americans made them so unique the government likely felt it was easier to have them as separate nations.

Nevertheless, Native Americans were made citizens in 1921, and Alaska Natives already were citizens from statehood.

Tribal ID cards prove membership in a tribe and recognition under Federal Indian Law. There are 220 tribes in Alaska, which have been federally recognized since 1991. That recognition made tribes eligible for American Indian government programs, including assistance with healthcare and funding for administrative and environmental programs.

Gemmill finds it difficult sometimes that his tribal ID card is not accepted at some places.

“I can understand why they don’t accept them at bars because of the red flags, but they should at least use them at banks when we don’t have any other identification. It saves us the running around,” he said with a laugh.

Gemmill also understands why they are not accepted at airports. “Those cards anyone can probably make them. They can misidentify themselves.”

Fighting for tribal licenses

Gary Harrison is chief of the tribe in Chickaloon, about 70 miles north of Anchorage. Harrison has had a long series of challenges and victories with his tribe’s driver’s license and plates.

“We had a copy of the federal tribal tax status that said we can issue tribal driver’s license and registration, which included plates,” he said. Harrison decided to put this section of tribal law to the test.

“We issued the state a letter asking them to work with us as we begin issuing licenses and plates, but they said they weren’t going to work with us and they haven’t since.”

It was a time when newspapers were printed on aluminum, so Harrison cut shapes from them and bought reflective stickers from the store and made his own tribal license plates. He then bought a laminating machine and made a tribal driver’s license. Harrison began driving around the highways.

“I drove around with them for six months before I was stopped in Kenai,” he said with a laugh.

Harrison ended up in court, where he argued for the legitimacy of the license and plate. He's fought through the state court system, won support from former Assistant Interior Secretary Ada Deer and cited decisions by Congress supporting tribal sovereignty. Harrison also cites recent agreement entered in by the United States, Canada and Mexico that the tribal ID card will now be accepted in place of a passport across North America, but this is now contested again.

They haven't convinced the state to accept the tribal licenses. He said troopers continue to demand Harrison show a state of Alaska driver's license.

"The state troopers can do one of three things: Give you a ticket for not having a license, impound your car and get someone to drive you away, or they can say, 'I don't want to get involved' and just leave." Harrison said all three have happened to him.

Harrison has continued to fight his case for the tribal driver's license for the past three decades, and said the issue is a conflict between governments.

Video rental stores or gas stations fall under state business laws, which require state licenses. If the state wants to see tribal governments as equals, the rules may change one day and tribal ID cards will be accepted, he said.

However for right now, they are not, so the duality of identification continues for Alaska Natives.

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