

## Credits

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## Resource materials include

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## Websites

[www.powwows.com](http://www.powwows.com)  
[www.nativeamericanencyclopedia.com](http://www.nativeamericanencyclopedia.com) [www.bia.gov](http://www.bia.gov)  
[www.aihec.org](http://www.aihec.org)  
[www.500nations.com](http://www.500nations.com)  
[www.bie.edu](http://www.bie.edu)  
[www.indiancountrytodaymedianetwork.com](http://www.indiancountrytodaymedianetwork.com)  
[www.census.gov/prod/cen2010/briefs/c2010br-02.pdf](http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf)  
[www.nigc.gov](http://www.nigc.gov)

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National Indigenous Elder Justice Initiative

[nieji.org](http://nieji.org)

# American Indians FAQs

“It all depends” is the most appropriate way to begin answering some of the following questions about American Indians. The groups of American Indians/Alaskan Natives are so varied and vast that not one is the same as another. The answers to the questions included here differ significantly from tribe to tribe. Another issue regarding differences is the time frame/generational issue, which can impact and result in differing answers to the questions as well. For example, the teachings of one’s grandfather, mother, spiritual leader, etc. may have evolved and differ somewhat from the teachings of the current generation.







National Archives and Records Administration, Natural Resources Branch, Civil Archives Division, 8th and Pennsylvania Ave., NW, Washington, D.C. 20408. After determining tribal heritage, individuals should contact individual tribes to learn about membership. Tribes have the final determination on who qualifies.



## Who is an American Indian?

### American Indian

There are millions of people with Indian ancestry, but that does not make them American Indians in the eyes of tribes or the federal government. The federal government considers someone American Indian if he or she belongs to a federally recognized tribe. Individual tribes have the exclusive right to determine their own membership. Tribal governments formally list their members, who must meet specific criteria for enrollment. Some require a person to trace half of his or her lineage to the tribe, while others require that individuals show proof (birth certificates, etc.) validating they are descended from an enrolled tribal member.

### Where did American Indians come from?

Many anthropologists believe that Indians traveled about 35,000 years ago across a land bridge spanning the Bering Strait from Asia to North America. Most tribes have their own creation stories and believe that Native people originated on the continent of North America.

### Why are native peoples referred to as Indians?

Indigenous people in the United States were first referred to as Indians because Columbus believed he had reached the East Indies when he touched the shores of North America. Today, many Native

people choose to be called American Indian to avoid stereotypes associated with the rather generalized term “Indian” and to differentiate themselves from people who are indeed from the country of India.

## **American Indian or Native American?**

Either term is generally acceptable, although individuals may have a preference. Native American was first used in the 1960s for American Indians and Alaska Natives. Over time, Native American has been expanded to include all native peoples of the United States and its territories; including Hawaiian natives, Chamorros and American Samoans. (*Native American and American Indian are used interchangeably in this document.*)

## **How many American Indians/Alaskan Natives are there?**

Before Europeans arrived in North America, Native Americans may have numbered as many as 10 million. By the time colonists began keeping records, the population was substantially less, ravaged by war, genocide, famine, forced labor and disease from Europeans. At the end of the 19th century the American Indian population had been reduced to less than 250,000.

According to the 2018 U.S. Census, the estimated population of American Indians and Alaska Natives, including those of more than one race, is 6.9 million, or 2% of the total U.S. population.

## **Are the numbers of American Indians declining today?**

There are different ways to answer this question. Yes, because of the way American Indians are counted as not just American Indian, but with other ethnicities, there is no way to count part of an individual. No, because American Indians and Alaska Natives get better health care and live longer than they did in the recent past. Also, more people are likely to identify themselves as American Indians and Alaska Natives than in earlier Census counts. The 2018 U.S. Census estimate states that the American Indian and Alaska Native population is 6.9 million.

Ojibwa. Exposure to written European languages, including their direct study, resulted in several groups developing their own forms of writing.

## **What is being done to preserve American Indian languages?**

Tribes have written language books and have created teaching tools for Indian schools. Tribal colleges teach and promote tribal languages, and some languages are taught at universities. In cases where the number of speakers has dwindled, languages may ultimately die out. One recent effort involves developing cartoons that speak only the traditional Native languages, to increase exposure of such languages among children and promote the value in saving and transmitting these traditional languages.

## **Why do Native Americans object to the use of Indian symbols, like feathers and face paint, in U.S. sports?**

Many Native Americans believe the use of Indian symbols by sports teams and fans trivializes their way of life. For example, some Native Americans take offense when fans paint their faces at football games. In traditional Native cultures, face painting is reserved for sacred ceremonies that include weddings and funerals.

## **How can a person trace his or her Indian ancestry?**

The first step is conducting basic genealogical research to obtain specific information on ancestors’ names, birth dates, marriages and deaths, and places where they lived. The next step is to find out if ancestors are on official tribal rolls. For information, write to the National Archives and Records Administration, Natural Resources Branch, Civil Archives Division, 8th and Pennsylvania Ave., NW, Washington, D.C. 20408. After determining tribal heritage, individuals should contact individual tribes to learn about membership. Tribes have the final determination on who qualifies.



## Do Native Americans speak their own language?

Some do, but many more do not. There was an era of history called the Boarding School Era in which Native Americans were severely, physically punished for speaking their own language. Because of the hurt that was experienced, the current generation continues to suffer with challenges in learning their own tribal languages. Even during the Boarding School Era, there were still people that passed the traditional languages on to their children, and these people are the fluent speakers of today. Many others struggle to learn as much as they can about their traditional languages and ways of life so they can pass them on to the next generations. At this time, there is a huge push for culture and language, but tribes are losing their knowledgeable elders faster than members are learning the language. This is detrimental to American Indian future life ways and cultural transmission.

## How many American Indian languages are still spoken?

When Europeans first arrived here about 350 Indian languages were spoken. It is estimated that about 200 languages are spoken today. Native American languages are classified geographically rather than linguistically, since they do not belong to a single linguistic family, as the Indo-European languages do.

## Were there written Indian languages?

Before European settlement in North America, Indian writing took the form of pictographs, such as the birch bark scrolls inscribed by the

# Tribe



## What is a Tribe?

Originally, tribes were a society of people bound by blood ties, family relations and a common language. They also had their own religion and political system. When members of different tribes were forced to live together on reservations, some new tribal groupings formed.

## How many tribes are there?

As of 2018, there are currently 573 federally recognized tribes and Alaskan villages in the United States. There are 231 Alaskan Villages alone. A total of about 400 federally unrecognized tribes also exist in the United States.

## Who are the largest tribes?

In the 2010 Census, the tribal groupings with 100,000 or more responses for the American Indian and Alaska Native alone-or-in-any combination population were Cherokee (819,105), Navajo (332,129), Choctaw (195,764), Mexican American Indian (175,494), Chippewa (170,742), Sioux (170,110), Apache (111,810), and Blackfeet (105,304).



## Can any tribe be federally recognized?

A rigorous application process determines federal recognition. Many nations were recognized by treaty-making in the 18th and 19th centuries, though several groups are petitioning for recognition today. The Bureau of Indian Affairs in the U.S. Department of the Interior maintains a directory of federally recognized tribes.

## When was the last time a tribe won federal recognition?

In 2018, six Virginia tribes received status as a federally recognized Indian nation. In 2019, there were 12 tribes under active consideration by the Bureau of Indian Affairs, which has final approval.

## What kind of power do tribes have?

They have a nationhood status, enjoying the powers of government, except for those expressly taken away by Congress or overruled by the Supreme Court. The United States recognizes the tribes' rights to form their own government, determine membership, administer justice, raise taxes, establish businesses and exclude people from reservations. Tribal nations regulate Indian land, resources and the conduct of tribal members on Indian land.

## What kind of government do tribes have?

Most tribal governments are organized democratically with elected leaders in highly developed political systems that often predate the arrival of European settlers. While similar in structure to American governments, the tribal governments are smaller, with far fewer resources.

## What is a tribal council?

The tribe's governing body is usually referred to as the tribal council, and is elected by adult members of the tribe. Heading the council is one elected chairperson, president, chief or governor who is the recognized leader. The council performs the legislative aspects of tribal government.

Southern Plains Tribes were the origin of the powwow. Another belief is that when the Native American tribes were forced onto reservations, the government also forced them to have dances for the public to come and see. Before each dance they were lead through the town in a parade, which is the beginning of the Grand Entry.

## Are non-Natives welcome at powwows?

There are ceremonial powwows that are closed to non-tribal members, but everyone is welcome at a publicized powwow.

## Powwow Etiquette?

Remember that in each area you travel to and visit, things can and will be slightly different than your area. Different groups have different customs and methods of doing things. Different is not wrong, just different. Be respectful of the uniqueness of each area. Refer to [powwows.com](http://powwows.com) or [500nations.com](http://500nations.com) for more information.

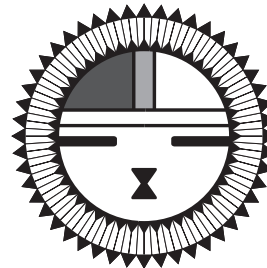
# Identity

## What does it mean to have an Indian name?

This is something that a person must earn and grow into. It was not uncommon for a person to have 3 to 5 names depending on what that person did to earn those names.

## Why do Native Americans wear long hair?

This is a personal choice to grow your hair out long, or to keep it short. Some of the issues that persist with this include maintenance, and identity. To some, the creator recognizes who you are by your hair. There is a power that comes with it, power in a spiritual sense, not an authoritative sense.



## Was fry bread a traditional food?

No. Fry bread came about after the arrival of the Europeans, who brought flour and yeast with them. Soup is the traditional food with berries, turnips, corn, and vegetables.

## Did Native Americans learn about tobacco from white settlers?

On the contrary, Native peoples introduced tobacco and the pipe to white explorers. Native Americans had been smoking tobacco for a thousand years or more by the time Columbus returned to Spain with some leaves, and its use spread across Europe.

## What is a medicine bundle?

It is a sacred collection of objects believed to heal disease and ward off enemies. Traditionally, individuals, households, and villages kept medicine bundles for self-protection. The bundles might contain herbs, stone, pollen, horns, bone, teeth, and feathers.

## How do American Indians obtain the feathers of a protected bird like the eagle?

The U.S. Fish and Wildlife Service administers a program that makes the feathers available to Indian spiritual practitioners. The feathers are from eagles that die naturally or by accident.

## What is a powwow?

This is a time to renew the thought of the old ways and to preserve a rich heritage. There are several different stories of how the powwow was started. Some believe that the War Dance Societies of the Ponca and other



## Reservation

### What is a Reservation?

Indian reservations are areas of land reserved by the federal government as permanent tribal homelands. The United States established its reservation policy for American Indians in 1787.

In the United States there are three types of reserved federal lands: military, public, and Indian. A federal Indian reservation is an area of land reserved for a tribe or tribes under treaty or other agreement with the United States, executive order, federal statute, or administrative action as permanent tribal homelands, and where the federal government holds title to the land in trust on behalf of the tribe.

Approximately 56.2 million acres are held in trust by the United States for various Indian tribes and individuals. There are approximately 326 Indian land areas in the U.S. administered as federal Indian reservations (i.e., reservations, pueblos, rancheros, missions, villages, communities, etc.). The largest is the 16 million-acre Navajo Nation Reservation located



in Arizona, New Mexico, and Utah. The smallest is a 1.32-acre parcel in California where the Pit River Tribe's cemetery is located. Many of the smaller reservations are less than 1,000 acres.

Some reservations are the remnants of a tribe's original land base. Others were created by the federal government for the resettling of Indian people forcibly relocated from their homelands. Not every federally recognized tribe has a reservation. Federal Indian reservations are generally exempt from state jurisdiction, including taxation, except when Congress specifically authorizes such jurisdiction.

## Do all American Indians live on reservations?

No. More than 78 percent live away from reservations, according to U.S. Census-reports. However, many return to visit family and attend ceremonies. About 60 percent live in metropolitan areas.

## Are there other types of "Indian lands"?

Allotted lands are remnants of reservations broken up during the federal allotment period of the late nineteenth and early twentieth centuries.

Restricted status are also known as restricted fee, where title to the land is held by an individual Indian person or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary of the Interior because of limitations contained in the conveyance instrument pursuant to federal law.

State Indian reservations are lands held in trust by a state for an Indian tribe.

## What is Indian country?

Indian country is a legal term used in Title 18 of the U.S. Code. It broadly defines federal and tribal jurisdiction in crimes affecting Indians on reservations. But it also has popular usage, describing reservations and areas with American Indian populations.



# Religion/Spirituality

## Is there a Native American Religion?

Many Native Americans believe in a Great Spirit that reveals itself through nature and influences all life. Indigenous religions also are filled with lesser spirits that inhabit the everyday world. In the 19th century, Native Americans lost many of their religious customs as colonists forced them to convert to Christianity, send their children to mission schools and banned some of their ceremonies. A lot of Native Americans refer to ways of prayer as life ways, or spirituality rather than religion. It is about understanding what is around you and having respect for everything.



## Are Native Americans free to practice their native religion?

Until the 1930s, the United States tried to ban Native American religious rituals, including the Ghost Dance, Sun Dance, and peyote ceremonies. In 1978, Congress passed the American Indian Religious Freedom Act, an official expression of goodwill toward Native American spirituality. Many religious practices once considered on the verge of disappearing were revived. These include pipe ceremonials, sweat lodges, vision quests, and Sun Dances.

## Where do Native Americans go to worship?

The belief that a person can pray anywhere at any time is common and universal, just as well as the understanding that as long as people pray with their hearts in a good way - what they ask for will come true. The traditional ceremonies held are the equivalent to any church or place of prayer.

## How does tobacco figure in American Indian religion?

Tobacco has been regarded as the most sacred plant and is used in Indian spirituality, medicine, and diplomacy. Smoking at gatherings was a symbol of hospitality. Sharing a pipe sealed treaties, and sprinkling leaves ensured a good harvest. Ritualistic use of tobacco continues today.



## School (*Tribal school*)

### Do Native Americans get a free college education?

No. While some tribes offer stipends or scholarships to members, Native Americans as a group do not receive a free college education. But many students qualify for federal help and other needs-based aid, because they meet poverty guidelines for all students. Eighty-five percent of students at tribal colleges live in poverty.

### What is a tribal school?

Since the early 1800s, the Bureau of Indian Affairs assumed responsibility for the education of children on reservations through Indian schools. In 1978, the federal government began turning over school control to the tribes, while still providing oversight and funding. Today the bureau funds or operates 187 schools with 50,000 students.

### What is a tribal college?

Thirty-seven tribal colleges were developed over the past 48 years to meet the unique educational needs of students on reservations, often located in remote areas not served by other post-secondary schools. Most of the colleges are two-year schools that focus on local economic development and workforce training. There are 32 fully accredited tribal colleges.

### How are tribal colleges funded?

The 1981 Tribally Controlled Community College Assistance Act provides operational funds for 25 tribal colleges. All of the colleges receive support from the U.S. Department of Agriculture as land-grant institutions, and from the U.S. Department of Education. In addition, they may receive competitive grants, foundation money and private support. But the colleges receive little or no state funds, and are not supported through property taxes as are many mainstream community colleges.

## What are the living conditions in Indian country?

While health, education and economic conditions have improved in the last several years, native communities still lag behind the rest of the country in most every category. Income levels are substantially lower in Indian country than the rest of the nation. Indians on reservations also are much more likely than the general population to die from accidents, alcoholism, diabetes, pneumonia, suicide, homicide, and tuberculosis, due primarily to generational trauma and ongoing disparities regarding health care services within reservation communities.

## Sovereignty

### What is tribal sovereignty?

Just like states, tribes have attributes of sovereignty to govern their own territory and internal affairs. The status of tribes as self-governing nations is affirmed and upheld by treaties, case law and the Constitution. Legal scholars explain that tribes are inherently sovereign, meaning they do not trace their existence to the United States.

### How does sovereignty work?

The doctrine of tribal sovereignty was affirmed in three Supreme Court rulings in the 1800s. It recognizes the right of American Indian tribes to self-govern and run their internal affairs as so-called “domestic, dependent nations.” It keeps states from interfering with that right, while allowing Congress to override an Indian nation’s authority.

### What is the government-to-government relationship?

It is federal policy expressing how the United States interacts with tribes. It requires the United States to assess federal actions affecting tribes and to consult with the tribes about those actions.





## Do states have jurisdiction over American Indians or their land?

States do not have any civil or criminal jurisdiction in Indian country unless Congress delegates it or the federal courts determine it exists. Most recently, the 1988 Indian Gaming Regulatory Act, adopted by Congress, requires tribes and states to enter into compacts, or agreements, before gambling operations can open on Indian land.

## Do American Indians have to obey the same laws as non-Indians?

When tribal members are off reservations, they are generally subject to local, state and federal laws. On reservations, they are subject only to federal and tribal laws. Under federal law, known as the Assimilative Crimes Act, any violation of state criminal law on a reservation is a federal crime.

## Do Native Americans pay state or federal taxes?

They pay the same taxes as everyone else with the following exceptions: Native Americans employed on reservations do not pay state income taxes. American Indians living on trust land are free from local and state property taxes. Generally, state sales taxes are not levied on Indian transactions made on reservations. Indians do not pay federal income taxes on money earned from trust lands, such as fees received for grazing rights and oil drilling.



## Are individual Indians getting rich from casinos?

The Indian Gaming Regulatory Act requires tribal governments to spend revenues on operations, welfare, economic development and charity. Once tribes meet those obligations they can seek permission from the U.S. Secretary of the Interior to set up a per-capita distribution plan to benefit individual members. Seventy-two tribes have approval to do so. Again, as explained above, the number of “Indians getting rich from casinos” is extremely minimal.

## Why are Indian casinos a popular enterprise among the tribes?

Native Americans did have games in which gambling was part of the game but not to the extent of what it entails in these modern times. With many reservations in distant and remote areas, gaming seems to be one of the few viable sources of employment and revenue.

## Do all American Indians favor gaming?

No. Some argue that the gambling operations hurt their culture, and that tribes with casinos show less interest in traditional ways and religious functions.



## Treaties

### What are treaties?

From 1777 to 1871, U.S. relations with Indian nations were negotiated through legally binding agreements called treaties. These treaties, or agreements, between tribal governments and the United States transferred and created property rights as well as service obligations. There were 371 treaties signed with American Indian tribes, usually to gain rights to their land.



### What agreements did the treaties contain?

The treaties often promised Indians protection, goods, services, self-governing rights and a tribal homeland in exchange for their cooperation and vast acres of land. On all reservations, tribes have access to free education and medical care provided by the federal government. These are examples of Indian rights based on treaties signed years ago.

### Why did European settlers enter into treaties with the tribes?

Tribes had power because of their military strength and knowledge of the land. They could have forced Europeans off the continent, if they had banded together. European law also taught colonists that land transactions required legal documentation.

### Why did the tribes agree to the treaties?

Faced with giving up their lands or losing their people to war, disease and a rising tide of settlers, the Indians entered into the agreements. The tribes view treaties as solemn moral obligations.

### Were the treaties broken?

Over the years, conflicting federal policy and court rulings resulted in Native peoples losing some of their civil rights and lands.

### Are individual tribes getting rich from casinos?

According to the 2015 gaming report from the National Indian Gaming Commission, there are 238 tribes that have gaming. There are only 28 states that have gaming as well. There are 474 gaming operations which mean that one tribe can have more than one gaming operation and others have none. The location of the casino plays a major role in determining if the tribes revenue is high or low (the metropolitan areas being the highest.) And while gaming is contributing to tribal economies, it is important to note that only an extremely few tribes have accumulated “wealth” from casinos due to their relatively small tribal enrollment numbers coupled with metro locations. Certainly casinos located in more rural states and locations are not capable of generating enough business to result in great wealth.



## What is trust responsibility?

The federal Indian trust responsibility is a legal obligation under which the United States “has charged itself with moral obligations of the highest responsibility and trust” toward Indian tribes.

## Are treaties still valid?

Although the government stopped entering into treaties with Indian tribes in 1871, the Constitution holds treaties as “the supreme law of the land.” Once a treaty is signed, it stays in effect unless superseded by acts of Congress or other treaties.

## What is the American Indian Movement?

The activist organization, known as AIM, was founded in 1968 to promote civil rights for Native Americans. Over the years, it has sought recognition of treaty rights through sit-ins and highly visible protests.



# Bureau of Indian Affairs

## What does the Bureau of Indians Affairs do?

The Bureau is the principal federal agency working with tribes. Its job is to provide services and/or funds for services to benefit tribal members. Unlike the 1800s, when the Bureau was in the War Department, the Bureau’s stated goal is to help tribes with self-determination. Almost 100 percent of its employees are tribal members. While the role of Indian Affairs has changed significantly in the last three decades in response to a greater emphasis on Indian self-governance and self-determination, tribes still look to Indian Affairs for a broad spectrum of services.

## Do Native Americans serve in the U.S. armed forces?

American Indians have served the United States even before they were citizens of this country. American Indians still have the highest rate per capita who serve this nation, as well as the lowest rate per casualty. The word patriotism has a different meaning to a Native American veteran. They have and are still protecting nations within a nation.

# Casinos

## Who regulates Indian casinos?

The National Indian Gaming Commission, established by Congress, oversees bingo operations, casinos and certain other types of gambling on tribal land. It sets rules for licensing, reviews yearly audits, and approves ordinances that tribes develop to run gaming operations. The U.S. Departments of Treasury, Justice, and Interior have authority over aspects of Indian gaming. Indian nations have their own gaming commissions, tribal police forces, and court systems.

## What is the Indian Gaming Regulatory Act?

The federal law requires states to enter into compacts with tribal governments that plan to engage in casino gambling, including slot machines and blackjack. Gaming must be conducted on tribal land, and the states’ control is limited to the terms in the compacts. Compacts are approved by the U.S. Secretary of the Interior.