

Suit Filed Against Bureau of Indian Affairs On Native Women Married to White Husbands

BIA Quick to Reply to ALSC, 'You're Barking Up the Wrong Tree'

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ANCHORAGE — Alaska Legal Services Corp. has filed suit against the Bureau of Indian Affairs for failing to provide social assistance to Native women married to white men, but the BIA says they're barking up the wrong tree.

The case was filed in the U.S. District Court here March 27, 1975. It names Rogers C.B.

Morton, Secretary of the Interior; Morris Thompson, commissioner of Indian Affairs; Clarence Antioquia, area director for Alaska; Roy Peratovich, superintendent of the Anchorage Agency; and Ella Craig, supervisory social worker for the Anchorage area, as defendants.

The complaint charges that two Alaska Native women, who are named as plaintiffs in the suit, and five children of one of the women, were denied BIA social assistance because the women are legally married to white men.

The class action suit was filed on behalf of the named plaintiffs, Hannah Finnesand of Anchorage and Flora Rondeau, and her five minor children, all of Copper Center, and any other similarly situated Alaska Natives.

"During December of 1974, plaintiffs, Flora Rondeau and her children were, and at the present time are, without sufficient money to supply themselves with the necessities of life," the suit explains. "A BIA social worker told said plaintiffs that they were not eligible for general assistance for the sole and exclusive reason

they are married to a non-Native."

Hannah Finnesand has been separated from her non-Native husband since 1945, according to the suit, and during her approximate 35-year period of separation from her husband, she has received no financial support from him.

As the direct result of the BIA's rejection of her application, Finnesand's landlord obtained a judgement against her and she was evicted from her one-room apartment and held liable for a substantial amount of back rent.

When contacted in Washington, D.C., regarding the suit, BIA Director for Social Services, Raymond Butler, explained that it might more properly have been addressed to the State of Alaska.

"This is basically a policy question," Butler explained. "The argument really amounts to an issue of an agreement that BIA has with the state."

Apparently a memorandum of agreement between the state and BIA establishes that the federal agency will provide social assistance for women married to

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primarily Native men and the state will provide for those married to white men.

In addition, Butler says the state did approve assistance for the women and children named in the suit but the assistance was less than what they would have received from BIA.

"In the state of Alaska, the legislature has established a ceiling on the amount a person may receive in welfare benefits," Butler said. "By our policy, we still provide full 100 per cent of the primary needs."

Butler speculated that Bruce C. Twomley, attorney representing the Native women in the case, was attempting to "get the best of both worlds" for Alaska Native women who have married Whites, by making it possible for them to go to either agency for assistance.

"You understand, in some states the reverse would be the case for Indian people," Butler added. "You take places like California, where the state has lots

of money, they are eligible for more from the state than they could receive from BIA."

While the BIA denies general assistance to Alaska Native women married to non-Native children resulting from such a marriage, the agency provides benefits to similarly situated Alaska Native men married to non-Native women and their children.