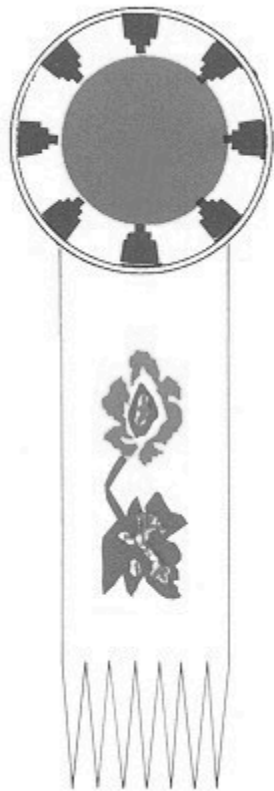


Native Women's Association of Canada



THE IMPLEMENTATION OF BILL C-31

~ February 1988 ~

Standing Committee on Aboriginal Affairs
& Northern Development

An NWAC Presentation

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1. Introduction

Mr. Chairman, Members of the Committee

It is with a sense of great obligation and responsibility to our membership, that we appear before you today.

The Native Women's Association of Canada (NWAC), through our Provincial and Territorial Member Associations, represents Aboriginal women across Canada. While we speak often on the issues affecting Aboriginal women and their families, our concerns today are for a particular group - individuals who lost, or never had "official" status under the old Indian Act.

As you know, under the old Indian Act, marriage to a "non-Indian" was treated as an offence, if and only if, the person marrying was an "Indian" woman.

"Indian" women who married non-Indian men, and "Indian" women who married men who had no official Indian status were all removed from the Indian Register by the Department of Indian and Northern Affairs.

These actions were always unjust. They became unlawful under Canada's Constitution. However, by the time they were recognized as unlawful, their impact had been felt by a much wider group.

All of the descendants of these women, both male and female had effectively been denied official status by virtue of their mother's, their grandmother's, or their great grandmother's marriage.

As well as those women and their families who were affected by the sexually discriminatory sections of the old Indian Act, other individuals and families were also stripped of official "Indian" status because of the enfranchisement provisions of the same act.

The results were the same for their descendants - children, grandchildren and great grandchildren were also effectively denied official status by virtue of their ancestor's enfranchisement.

Members of the Committee, you will note that we use the word "official", and that we use it with some cynicism. The process which denies "official" status to members of the First Nations, is a process in which whether or not a person is Indian is defined by officials.

The department's handling of applications for this "official" status under the new Indian Act has, as you will see, simply made us more cynical.

Our own approach, both before and since Bill C-31 became law has been guided by a fundamental principle. It is this:

"All people of Aboriginal ancestry, who for some reason lost, or were never able to exercise their rights to be members of their First Nations must have their rights' restored".

Embodied in this principle is **First Nationhood**. We refer here not simply to Band members, not exclusively to those who have had official status approved, and maintained by the bureaucrats of the Department of Indian and Northern Affairs, **but to all people who are of Aboriginal ancestry. For these are the members of the First Nations, whether they live on or off the reserve, and whether they are, or not, recognized by the federal Department of Indian and Northern Affairs.**

2. NWAC and Bill C-31 Implementation

As you are aware, the Native Women's Association of Canada (NWAC), through our National office, and our Provincial / Territorial Member Associations, have been actively involved in Bill C-31 Implementation Projects, and collectively, we have been able to provide information and assistance to individuals, and to help them understand the changes to the Indian Act, and the reinstatement process.

The success of our educational effort is, we believe, measured by the very large number of First Nations people who have made application for "official" status since June, 1985. This effort is further evidenced by the literature produced by our National Office, by our Member Associations, the large number of workshops and seminars, and the many one-on-one contacts with applicants by staff of these organizations, and by volunteers. All of these things have helped create a number of applications, which is at least one third more than what was originally anticipated by Indian Affairs.

However, the particular focus we wish to make is on the processing of applications for status. As a result of our work, and as members of the Committee may appreciate, we are well qualified to offer our assessment of application processing.

For two and a half years, we have been very directly involved with the applicants, we began with high hopes, assisting people, who themselves knew that they were members of the First Nations, to apply for official status, we spent much time explaining the complex, hard-to-understand eligibility rules dictated by the Act. We gave workshops on how to apply, handed out application forms and we helped people complete and submit them.

We shared their frustrations when they were asked to meet impossibly complicated requests for documentation of their ancestry and lineage. We admired their patience, as they sought old documents, tracked down birth certificates, researched Band records, and tried to demonstrate "officially" what they knew to be true - that they belonged to a First Nation.

Finally, we have felt with them, the bitterness of endless waiting. For what Indian Affairs created to implement the provisions of the Act, was not a timely, effective and judicious process, but arbitrariness, inefficiency and infinite delays.

3. The Processing of Applications

As our own awareness of the frustrations of applicants increased, we began to monitor the performance of Indian Affairs in processing applications. A year ago, we began to look closely at the Department's own system of applicant processing their reports, called "S2" and "S3" reports, summarize the receipt and processing of applications by Band, by province or region and nationally. Our focus has been on the National figures, which are found in the "S3" reports.

In all, seven S3 reports have been available to us for analysis. The first covered the year after the Act became law, the remaining six reports covered the following quarters up to the end of 1987.

For the information of Committee members, we have attached the latest "S3" report for the quarter ending December 31st, 1987, as Appendix A of our submission. The S3 reports in the original form in which they are created by Indian Affairs are on a par with the application process, they are, in a word - confusing.

To assist us in interpreting and understanding these reports, a year ago, we retained a consultant, who, for each of the last three reports has produced an analysis and interpretation. Our consultant's report on the S3 data, to December 31st, 1987 is attached as Appendix B.

Using the Department's S3 reports, we have been able to examine the number of new applications received in each reporting period, the number of applicants who are included on these new applications and the number of decisions made.

It is this information that we now draw to the attention of members of this Committee. It is our view, based on this information, that the processing of applications for status by the Department of Indian and Northern Affairs, has been and continues to be an administrative disaster - arbitrary, inefficient, and involving endless waits.

We ask you to consider the following facts demonstrated by the Department's own data:

- First, by the end of 1987, Indian Affairs had received applications covering 95,987 applicants, yet it had made decisions for only 44,461 of these, the remaining 51,526 applicants, over half of those who have applied in two and half years are still waiting for a decision.
- Second, the reason for this very large backlog is not hard to find. In the 10 quarters since June, 1985, Indian Affairs has been making decisions at a snail's pace.

Its' decision rate has generally been below the rate at which new applicants have been entering, as a result, Indian Affairs has been falling further behind for much of the two and a half years. In this entire period, there have been only two quarters when the number of decisions made, exceeded the number of new applicants entering the process. **In short, Indian Affairs' decision rates have been a formula for growth - growth in the backlog!**

- Third, the level of effort applied by Indian Affairs has been extremely inconsistent. In the first year and a half, the decision rate was only 2,564 applicants per quarter. 1987 began on a hopeful note - 9,890 decisions were made in the first quarter of the calendar year, and 8,966 in the second, the timing of this peak should not escape notice. You will remember that the minister tabled his report to parliament on June 26, 1987.

Afterwards, the decision rate fell to a more "leisurely" 4,933 decisions in the period July to September, 1987, and 5,286 decisions from October to December, 1987.

To make the situation worse, Indian Affairs is, according to information we received last week, actually reducing the size of its staff in the reinstatement unit, creating an additional problem of increasing the workload in an already pathetic operation.

Indian Affairs' application processing is chaotic and inefficient. It is visibly tardy - adding this injustice to the very injustice that it set out to remedy - discrimination against Aboriginal women and their descendants.

All this leads to a question of considerable concern to applicants - **How long will it take Indian Affairs to complete the processing of my application?**

The answers are alarming.

If Indian Affairs receives no new applications and makes decisions at the rate of the last quarter (5,286 decisions per quarter) processing will last another two and one half years.

The continuing flow of applicants, worsens this picture, as do lower rates of decision making. For example, 20,000 additional applicants, and decisions at the average rates of the past two and a half years (4,446 decisions per quarter) would extend processing to January, 1992.

These projections, which are based on past performance, are simply unacceptable. The decisions are important ones - decisions which affect peoples lives. We draw this state of affairs to your attention confident that you, as a Committee will take immediate action to remedy it, to force the Department of Indian and Northern Affairs to deal, in an effective, timely and humane way, with the large number of applicants awaiting a decision.

It would perhaps be simpler if our concerns for the processing of applications ended with the concern that applicants be dealt with in a timely manner. There are, however additional concerns.

Our analysis of the S3 reports raises a whole series of other questions which we believe must be answered. Here are additional facts from S3 reports and the questions they raise:

- Denials have risen steadily from 9% of all decisions in the first year of processing, to 20% of all decisions in the most recent quarter. **Why is Indian Affairs rejecting an increasing proportion of applicants?**
- Restorations, as a percentage of favourable decisions have fallen from 40% in the first two years to 22-23% in the latest quarter. **Why is this the case?**
- 80% of restorations in the first two years were under section 12(1)(b), that is, they were to women who lost status through marriage. In the most recent quarter, only 69% of the restorations were under this section. **Why?**

In short, in addition to disastrous rates of processing, Indian Affairs decisions are visibly different now than they were at the beginning of the process. Does this represent further inequities in processing?

There are many other things which we know informally about the process and these reinforce our view that it is slow and inequitable. There have been several reports that simple applications are being processed ahead of complicated ones. There is, we are told, a current effort to enforce daily quotas, an effort to make up for what is obviously a shortage of staff. This shortage will become worse because the department is also laying off staff. Staff discontent is apparently extremely high. Indeed, we understand that staff in the unit themselves feel they are unable to process applications fairly and effectively.

All these pieces of information confirm what we know from the numbers we have examined, and from our own knowledge of applicants. **What is occurring at Indian Affairs is an administrative disaster.**

Until now, we have presented these problems to you using the Department's own numbers. We urge you to remember something that the department appears to forget - that these numbers have a human dimension, that this administrative disaster affects real people. It is the applicants who are suffering, and it is on their behalf that we urge you to act.

We are, as you will realize, very close to this human dimension. Our contact with applicants over the past two and a half years has been direct and personal, a year ago, when we began monitoring S3 reports, we also began documenting individual cases, we would like to present this human dimension to you, you will also find it described in more detail in Appendix C.

While we are highlighting, in our presentation, only a few of the case studies we've undertaken, we want to emphasize to you that they represent the range of obstacles that the almost 96,000 applicants have faced, and continue to face.

4. Case Studies

- **David and Hilda**, are two such individuals who applied for status, they are here with us today, a brief description of their experience is as follows:

David and Hilda were married in 1951. Both were status Indian people until 1958 when they enfranchised upon the advice of an Indian Agent. Between 1952 and 1958, David was employed with the provincial government, and they were not living on Reserve. David told us that on a number of occasions, he was encouraged to enfranchise and he recalls eventually becoming "fed up with the Indian Agent and resigned his status". They did not know they had a choice.

Hilda applied for reinstatement in October, 1985 and was not reinstated until 20 months later in March, 1987. First, she was not treated as a medical priority, which she was entitled to, and then she was finally reinstated under the incorrect category and with an incorrect spelling of her name.

David was not able to send in his application until April 1986, as he had to obtain additional documentation, the processing of his application took 14 months. What has caused him concern is the fact that the Department has registered him under his mother's maiden name, and not the surname he has used all of his life. Added to this is the fact that the department lists Hilda, his wife of thirty years, as being single.

David and Hilda have six children who have also applied for Status, three have been reinstated, and three are still waiting.

The full description of their experiences are shown in Appendix C, reference numbers 1 and 17.

- **Mildred, Case Study Reference No.7** lost her Status upon her marriage to a non-Indian man. Apart from travelling 700 miles to obtain a copy of her birth certificate, she didn't encounter any other problems in the application procedure itself. However, she discovered, through the Band Office, that their records indicated she and her son were deceased.

Mildred formally applied to the Department in March, 1987 and received the form acknowledgement letter. She recently found out, through another visit to the Band Office that her mother never registered her. Arrangements are now being made directly with the Band Office for her membership card. In the mean time, Mildred has not heard from the Department of Indian Affairs.

- **Marie, Case Study Reference No.15** is a 79-year old Cree woman who is presently hospitalized. Through her grand-niece, Louise, we were able to document this situation.

Marie lost her Status when she married a non-Status Indian man in 1939. The application procedure caused her a number of problems. In trying to obtain her birth certificate, Vital Statistics had a different spelling for her last name, and Marie had to obtain two Statutory Declarations from Elders who know her, and who could verify who she is. This document was sent to Ottawa in May of 1986, and Marie was reinstated 19 months later, only she was registered as a member of the wrong Band.

Louise handled the entire procedure for Marie, and expresses a great deal of frustration with the Department of Indian Affairs.

- **Cliff, Case Study Reference No.24** has never had Indian Status. He applied twice, first in December of 1985 and then again in March, 1986 because the Department apparently didn't have his application. He received the form acknowledgement letter. Since then, he's had countless conversations with staff at the Department who have requested more information from him. He and his girlfriend have undertaken an incredible amount of research into his family, a task that has cost him over \$400 already.

Cliff has discovered that there is a question about his paternity, but some of the old people are hesitant to bring out "old skeletons". He has searched archives, church records, band lists, scrip lists and anything he can find, trying to obtain clues into his family.

Cliff has had to post-pone his search right now because of a lack of money, and he is understandably quite upset about the bureaucratic procedures forced upon him.

- **Morris, Case Study Reference No.31** has never had Indian Status. His mother, a Status Indian, is married to a non-Indian man, who adopted Morris.

Morris obtained an application form during the summer of 1985, but due to the complicated process of obtaining the required documentation, wasn't able to send in the application until August, 1986. His original birth certificate was "buried", and he was denied access to it because of his adoption. He hired a lawyer to have the certificate released, incurring some legal costs.

Morris has received an acknowledgement letter only, and has much to say about the whole thing - the government has no right to classify Indians... Bill C-31 creates a funnelling process aimed at eventual assimilation".

These then are all real life experiences. They are, as we noted the human face, the face that must become a major concern in processing applications.

5. Recommendations

The Department must do more than simply bring justice, efficiency and timeliness to its applicant processing. It must do so in a way which treats applicants as people, allows them real access to information that they need, and acknowledges the possibility of past errors by the department itself.

We therefore have a list of very specific recommendations to make regarding the implementation process. The department of Indian and Northern Affairs must:

1. Appoint an ombudsperson to whom applicants can take their cases, and who can act on behalf of applicants. This Ombudsperson must be independent of the Department of Indian Affairs, and must be someone who is acceptable to the Association. This person must also be granted full legal authority to access the records of the Department pertaining to both applicants and to the application process.

The role of the Ombudsperson should be three-fold:

- To monitor applicant processing on an on-going basis and make recommendations to improve this system as needed;
 - To act on behalf of applicants in matters pertaining to the processing of applications and requirements for documentation;
 - To aid applicants in searching for, and obtaining documentation required of them, including providing applicants with assistance in the regions.
2. The moratorium of decisions involving the "death rule" must be lifted so that the issues can be dealt with properly, and quickly.

In addition, the Department of Indian and Northern Affairs must improve the effectiveness and efficiency of its application processing by:

3. Increasing, not decreasing the number of reinstatement staff employed to process applications;
4. Increasing the number of "front-line staff" who respond to the inquiries for information from individuals;
5. Increasing the number of toll-free lines from the presently inadequate number of two, so that applicants can call in concerning their applications;
6. Increasing the number of Aboriginal staff;

7. Taking other administrative steps to speed up applicant processing;
8. Requiring departmental staff to conduct adequate, periodic follow-up with applications which are on hold pending receipt of documentation;
9. Establish fair and equitable guidelines concerning the supporting documentation required of applicants.

These guidelines must involve a degree of flexibility to encompass situations where the required information cannot be obtained after a reasonable search.

The Ombudsperson must have the authority to negotiate on behalf of applicants where problems arise in providing documentation.

Where information is available in the Department's own records, make it the responsibility of the department to provide this information in a timely way.

10. Process all applications according to date received. Putting aside applications which require in-depth research to a later stage, and doing only straight-forward applications, is clearly unacceptable;
11. Provide each waiting applicant with a statement telling him or her when the application will be processed, and when a decision can be expected;
12. Provide each person who receives a decision with a description of both the entitlements and the appeal process.

6. Conclusion

We would like to conclude this presentation with a few pointed observations. The processing of applications for official status from members of the First Nations, by the Department of Indian and Northern Affairs has, to date, been unduly slow and inefficient. The typical victims of this process are First Nations women. Were the victims from a different group there would by now have been a national outcry.

Imagine the furor that would arise if Canada Employment and Immigration were to process only 46% of the passport applications it had received in two and a half years. Imagine the outcry if individuals applying for Canadian citizenship had to provide documentation which was a) either unavailable at all, or b) available only in Employment and Immigration files, and individuals were denied access to these files. Imagine the response if Revenue Canada were to take until 1992 to process a 1987 tax return.

Is it reasonable then, that First Nations women should face situations of this type when they seek to have righted, discriminatory actions which would have been found unconstitutional?

If the federal government can process a passport application in 3 days, and can process a tax return in a few months, why is it that it takes almost two and half years to process an application for registration under the Indian Act?

Bill C-31 set out to remedy the discrimination against Aboriginal people which was built into the old Indian Act, the performance of Indian Affairs in processing our applications leads us to the conclusion that this discrimination is still in place. It is our view that the tardiness, the inefficiency and the inhumane procedures are occurring because the applicants are Aboriginal people.

The fact that Aboriginal people must submit an application to a federal bureaucracy, and then must submit to the decision of the same bureaucracy, only clarifies for us that a policy of genocide still exists in this country.

Are you, as Committee members and as representatives of the Federal Government, going to stand by again, and do nothing, or are you prepared to take real action?

Appendix A

Reinstatement of Status: S3

December 31, 1987

National Totals

Restorations (To Date)

	Cont.	12(1)(B)	109(2)	12(1)(A)(IV)	12(2)	109(1)	11(E)	Total
Pre - 1951	33	1281	9			29		1352
Post - 1951	825	7639	614	15	173			9266
Pre - 1956							64	64
Pre - 1985		94				1761		1855
Total	858	9014	623	15	173	1790	64	12537

First Time Restorations (To Date)

	6(1)-6(1)\6(2)	6(1)	6(2)-6(2)	6(1)(A)	6(1)(C)	Total
Pre - 1951	509	3790	57			4356
Post - 1951	1022	15125	182	249		16578
Pre - 1956					554	554
Pre - 1985				448		448
Total	1531	18915	239	697	554	21936

Applications Pending (To Date)

Registration Verification:	1492	Received:	30
Information Requested:	8962	Duplicate:	3250
Registration Disallowed:	5037	Unidentified:	126
Associated Band Identified:	231		

On Behalf of Minors or Legally Incompetent Adults: 1113
 Individual Shown as a Minor over the Age of 18 Years: 9394

Applicant Referred to other Section: 209
 Applicant not yet Addressed: 42177

Entitlements (To Date) - Section Registered

6(1)(A)	6(1)(C)	6(1)(D)	6(1)(E)	6(1)(F)	6(2)
697	10443	1761	29	1770	18915

Summary (To Date)

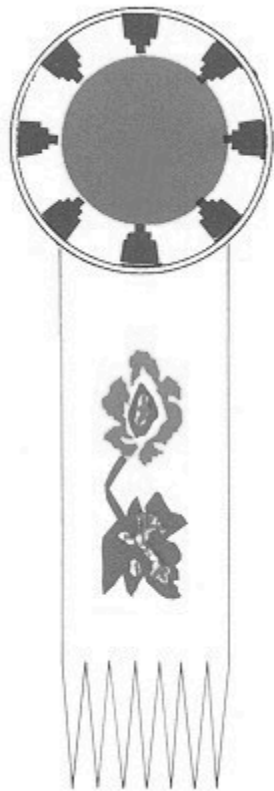
Number of Applicants:	52818		
	Total	Adults	Minors
Number of Applicants:	95987	51705	44282
Number of Registrations:	33615	23055	10560
Registrations Confirmed:	2350		
Information Pending:	8962		
Registration Disallowed Et Al:	8496		
Band Identification Made:	231		
Band Not Yet Identified:	126		
Other Possible Registrants:	42207		
Total Potential Registrations Pending:	51526		

Appendix B

An Analysis of S3 Data up to

December 31, 1987

Native Women's Association of Canada



THE PROCESSING OF APPLICATIONS FOR STATUS UNDER BILL C-31

~ February, 1988 ~

An analysis of DIAND
"S3" Data up to December 1987

An NWAC Analysis

Synopsis

This report summarizes information available from the Department of Indian and Northern Affairs (DINA) on the receipt and processing of applications under Bill C-31. The information is taken from DINA's "S3" reports. Information summarized in this report covers the period from July 1985 to December 1987 inclusive.

By December 31, 1987 DINA had received 52,818 applications covering 95,987 applicants. Consistent with changes in reporting procedures implemented by DINA beginning with the October to December 1987 quarter, certain subcategories of the applicants are excluded from this total. For explanation see the footnote to Table 1 on page 4. The flow of applications has averaged 5,282 per quarter, covering an average 9,599 individuals per quarter. While the flow of applications appeared to peak in the 5th quarter (12,586 applications), the decline from the peak has not been consistent. In the most recent quarter (October - December 1987) 2,931 applications were received.

On December 31, 1987 DINA had made decisions for 44,461 or 46% of the 95,987 applicants. By and large, DINA's decisions have not kept pace with the flow of applicants. Indeed the number of decisions made by DINA has exceeded the number of new applicants in only two of the seven reporting periods. Because new applicants have been entering the process more rapidly than decisions have been made, the pool of "not decided" applicants on December 31, 1987 was 51,526, only 943 individuals fewer than its peak of 52,469 a year previously. DINA's decision rate has varied substantially over the 2¼ years since Bill C-31 became law. In the first year and a half decisions averaged 2,564 per quarter. The first quarter of 1987 saw a sharp increase (9,890) sustained into the next quarter (8,966) but falling again in the two most recent quarters (to 4,933 and 5,286 respectively).

Inconsistent decision rates plus uncertainty over the number of applicants remaining to apply make projections difficult. Optimistically, processing can be expected to continue until the second half of 1990. Pessimistically, processing might not end until early in 1992.

As might be expected, 77% of those who have had their status restored "have been women who lost status through marriage to a non-Indian. For first time registrants, 86% have been under section 6(2), the section under which first generation descendants with one parent eligible under 6(1) are registered.

There was a change in the pattern of decisions made by DINA in the last nine months (quarter 8, 9 and 10) compared with the first year and three-quarters.

The 8th, 9th and 10th quarters have seen:

A sharp increase in the proportion of denials, (from an average of 9% of all decisions prior to the 8th quarter to 17% in the 8th quarter, 19% in the 9th, and 20% in the 10th). Corresponding to this there has been a decrease in the proportion of favourable decisions (to register or restore) while the percentage of confirmations has remained stable at approximately 6%.

A shift in the ratio of restorations to registrations. Restorations as a percentage of favourable decisions have decreased from 40% prior to the 8th quarter to 29% in the 8th, 26% in the 9th, and 23% in the 10th quarter. Registrations have shown a corresponding increase.

An increase in the number of duplicates identified, from an average 143 per quarter up to the 7th quarter, to an average 748 in the 8th, 9th, and 10th quarters.

Finally, a change in the distribution of favourable decisions over various eligibility categories again begins at the 8th quarter. In the first seven quarters 80% of restorations were under section 12(1)B. These were restorations of women who lost status through marriage to a non-Indian. This percentage fell in the 8th quarter to 71%, and has been 67% and 69% respectively in the 9th and 10th quarters. Similarly with registrations, the percentage registered under section 6(2) (those descendants with one parent entitled under 6(1)) began a decline around the 8th quarter. Prior to the 8th quarter the percentage registered under 6(2) was %. The 8th and 9th quarter saw 83% of registrants in this category, and the 10th 79%.

The changing decision patterns in the last nine months of 1987 may indicate that the pool of "not decided" applicants increasingly comprises the descendants of the original women who lost status. These "not-decided" descendants are eligible (as registrations, if they are first generation children, not restorations) or are typically ineligible if they are grandchildren or even great grandchildren.

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1. Introduction

This report summarizes information available from the Department of Indian and Northern Affairs (DINA) on the receipt and processing of applications under Bill C-31. The information is taken from DINA's "S3" reports.

The purpose of this report is to examine and make comment on DINA's national data from S3 by analysing:

- ❑ the processing of applications;
- ❑ acceptances and rejections; and
- ❑ the distribution of acceptances over various eligibility categories.

The first "S3" DINA report available to us was for the period ending June 30, 1986. This initial S3 report thus covers the 12 months following June 28, 1985, the date on which Bill C-31 received royal assent. Six additional S3 reports were available, each covering three-month periods ending on September 30 1986, December 31 1986, March 31 1987, June 30 1987, September 30 1987, and December 31 1987.

2. Applications and Applicants

As of March 31, 1987, DINA had received 52,818 applications covering 106,494 applicants. However, based on procedures instituted by DINA for the quarter ending December 31, 1987, 10,507 applicants in two categories were excluded from applicant counts (see the footnote to Table 1 for explanation). Thus DINA's count of eligible applicants as of December 31, 1987 was 95,987 (Table 1) an average 1.82 applicants per application.

The applications cover 51,705 adults, and 44,282 minors, or .86 children per adult application.

In addition, by December 31, 1987, DINA had identified 3,250 applicants as duplicates, thus reducing the total number of eligible applicants to 92,737. No information is available on how many duplicates were adults and how many children.

Table 1: Applications and Applicants - 7 Periods

Period	Applications	Applicants Included by DINA			Applicants Excluded by Dina ¹		
		Number	Adults	Minors	All	On behalf minors / legally incompetent	Minors over 18
Up to 30/6/86	20299	20231	16703	36934	68	4100	4168
(Average/Quarter up to 30/6/86)	(5075)	(5058)	(4176)	(9234)	(17)	(1025)	(1042)
July - Sept / 86	12586	12403	11446	23849	183	2555	2738
Oct - Dec / 86	3851	3835	3237	7072	16	626	642
Jan - March / 87	3196	3053	2308	5361	143	790	933
Apr - June / 87	573	5435	5173	10608	298	849	1147
July - Sept / 87	4222	3973	3388	7361	249	162	411
Oct - Dec / 87	2931	2775	2027	4802	156	312	468
Total	52818	51705	44282	95987	1113	9394	10507
(Average/Quarter 10 Quarters)	(5282)	(5171)	(4428)	(9599)	(111)	(939)	(1051)

The flow of applications has varied in the two years and three months since Bill C-31 became law. In the first 5 quarters DINA received 32,885 applications, an average of 6,577 applications per quarter. The peak quarter appears to have been July-September 1986 when 12,586 applications were received. The number of applications then fell in each of next two quarters (October-December 1986 = 3,851, January-March 1987 = 3,196). However it rose again in the period April-June 1987 (5,733 applications), remained relatively high (4,222 applications) in the quarter covering July to September 1987, but fell to 2,931 in the most recent quarter ending December 31, 1987.

¹ Footnote

DINA's S3 reporting was modified in the quarter ending December 31st, 1987. Prior to this quarter, S3 counts of total applicants had included among other sub categories:

- "Persons applying on behalf of a minor child or legally incompetent adult", and
- "Individuals shown as minors over eighteen years of age".

As of the October - December, 1987 quarter, these two categories were excluded from the count of total applicants. On December 31st, 1987, applicants included in the subcategory "on behalf of minor or legally incompetent adults" numbered 1113, and "minors over 18" 9394.

DINA's decision to excluded these two categories created discontinuity in the time series formed by successive S3 reports. In order to avoid distortions arising from this, we have adjusted S3 reports prior to the quarter ending on December 31st, 1987, so that they reflect the same procedures used for this most recent quarter. Thus the two categories have been removed from "total applicants" and totals recalculated from previous S3 reports.

In order to adjust subtotals of adult applicants and minor applicants, "persons applying on behalf of minors / legally incompetent adults" have been removed from the "adult applicants" category, and "minors over 18" from the "minor applicants" category.

The average number of applications per quarter over the trend in suggests entire period 4,222. The steady downward trend of applications received in the last three quarters the depletion of the pool of potential applicants.

3. Processing

a) Introduction

An overall picture of DINA's progress in processing applications can be gained by grouping applicants into three main categories:

Decided: Applicants about whom decisions have been made. This category includes both favourable decisions (to reinstate, to register for the first time, or to confirm an existing status) and unfavourable ones (to deny registration or reinstatement). Duplicates in DINA's reporting are also placed in this category.

Not Decided: Those who have applied, but for whom no decision has been made.

Removed: The two categories described above (on behalf of others, and minors over 18) which DINA has recently decided to exclude from total applicants. (See Table 1 footnote for explanation.)

b) Decisions Made and the Entry of New Applicants

Table 2 shows the number of decisions made in each reporting period by DINA, in comparison with the number of new applicants who applied in each period. For completeness, Table 2 also shows the applicants DINA is now counting separately under "Removed".

Table 2: Decision Made and New Applicants - 7 Periods

Reporting Period	New Applicants	Decided	Removed
July 85 - June 86	36934	10390	4168
July - Sept 86	23849	2023	2738
Oct - Dec 86	7072	2973	642
Jan - Mar 87	5361	9890	933
April - June 87	10608	8966	1147
July - Sept 87	7361	4933	411
Oct - Dec 87	4802	5286	468
Total	95987	44461	10507

For applicants, obtaining a decision is key. Thus it is useful to begin by focusing on the number of decisions made by DINA. It is evident from Table 2 that DINA has had difficulty making decisions at a rate which keeps pace with the flow of applications. In all but two of the seven reporting periods, the number of new applicants has exceeded the number of decisions made. The two exceptions are

the first quarter of 1987 (5,361 new applicants; 9,890 decisions) and the most recent reporting period, the last quarter of 1987 (4,802 applicants; 5,286 decisions).

The number of decisions made by DINA has varied substantially between reporting periods. In the first year and a half of processing, decisions averaged 2,564 per quarter. There was a dramatic increase in the first quarter of 1987 (9,890 decisions), and this increase was more or less sustained in the second quarter of 1987 (8,966 decisions). However, the number of decisions fell again in the two most recent quarters to 4,933, and 5,286 respectively. Thus, in the quarter ending December 31, 1987 the decision rate was twice that prevailing in the first year and a half, but approximately half the rate of the highest quarter.

c) The Pool of "Not decided" Applicants

Because new applicants have, for the most part, entered the process more rapidly than decisions have been made, the pool of applicants "not decided" has grown in five of seven reporting periods. Table 3 shows the relevant data.

Table 3: Decided Applicants and the Pool of "Not-Decided" - 7 Periods

Reporting Period	Not Decided	Decided	Total
July 85 - June 86	26544	10390	36934
July - Sept 86	48370	12413	60783
Oct - Dec 86	52469	15386	67855
Jan - Mar 87	47940	25276	73216
April - June 87	49582	34242	83824
July - Sept 87	52010	39175	91185
Oct - Dec 87	51526	44461	95987

On December 31, 1987 "not decided" applicants numbered 51,526, some 54% of the total of 95,987. The pool of "not decided" applicants was at its highest (52,486) one year earlier on December 31, 1986. Thus the current "not decided" pool contains only 943 individuals fewer than it did at its peak a year previously.

d) Processing: Summary and Comment

From an applicant standpoint, the ratios of decisions made to new applicants present a disheartening picture.

The average inflow of new applicants has been 9,599 per quarter. In contrast, the average number of decisions per quarter has been 4,446, less than half the average number of new applicants. Thus the pool of applicants has grown by an average 5,153 individuals per quarter. True, these overall average rates are strongly influenced by the first six quarters when the average number of applicants per quarter was 11,309 and the average number of decisions was only 2,564. The comparison for the four quarters in 1987 has been better: 7,033 applicants per quarter vs. 7,269 decisions per quarter.

Nevertheless, to date DINA has achieved decision rates which are higher than applicant inflow only in exceptional quarters. The result has been the perpetuation of a large pool of not-decided applicants.

4. Projecting Applicant Processing - When will the processing of applications be complete?

Projecting the completion of processing is complicated by fluctuation both in the flow of new applications and in the DINA's decision rates. Here are two scenarios: varying pictures of the length of time required to complete the processing of applications.

Scenario #1

An additional 20,000 applicants apply after December 31, 1987. This projection represents fewer than a year's worth of applicants at average rates prevailing in the last year, or approximately a year's applicants at the rate of the most recent quarter. As a projection it therefore appears conservative.

Decisions are made at the rate of 6,395 per quarter, the average rate of the last three quarters. This projection appears reasonably optimistic with respect to decisions since it assumes an average rate substantially higher than the average rate for the entire series 4,446, and higher than either of the last two quarters.

Based on these assumptions, processing will continue for 34 months and end in October 1990.

Scenario #2

The number of additional applicants after September 30, 1987 is 20,000 as in Scenario #1. Decisions are made at the rate of 4,446 per quarter. The average rate at which decisions have been made in the two and a quarter years since processing began.

Based on these assumptions, processing will continue for 49 months and end in January 1992.

5. Decisions - Detailed Analysis

a) Introduction

Decisions made by DINA fall into three general categories:

- pro ("yes") decisions either to reinstate an applicant or to register an applicant for the first time;

- con ("no") decisions denying an applicant status.
- Confirmations: Some applicants turn out to be individuals who have status already. Presumably they believe themselves not to have status and therefore apply; others are people whose status was incorrectly removed pre-1985 and were therefore entitled to status before Bill C-31. In such cases DINA "confirms" the applicant's status.

As reported by DINA in their summaries, denials are grouped together with two other categories "referred to other section" and "duplicate". The first of these residual categories, "referred to other section", involves a small number of applicants (209 on December 31, 1987) "referred to entitlement or adoption sections" for action. Because the number is small, in the analysis below they have been left in the "con" category.

Duplicates are a distinct case: the applicants are not denied status, rather they are for some reason showing up twice as applicants. DINA presumably includes them in their "Denied et al" category to indicate that one of each duplicate has been (conclusively) "removed" from processing. It seems generally inappropriate to include duplicates as decisions "con". They are not denials from the applicant's viewpoint. They are, therefore, removed from the "con" category in the analysis below, and examined separately in section 5.4 below.

b) Distribution of Decisions over Three Main Categories

Table 4 shows the distribution of decisions (duplicates removed) over the three main decision categories in each of the six reporting periods. As of December 31, 1987, 81% of decisions had been to grant status, 13% to deny status and 6% to confirm a pre-existing status. However, the distribution of decisions, over the three categories, changed in the nine months preceding December 31, 1987, that is in the 8th, 9th and 10th quarters.

Table 4: Distribution of Decisions over Three Main Categories - 7 Periods

Decision								
	Pro	%	Con	%	Confirmed	%	Total	%
Up to 30/6/86	8449	86%	799	8%	611	6%	9859	100%
(Average per Quarter up to 30/6/86)	(2112)	86%	(200)	8%	(153)	6%	2465	100%
July - Sept 86	1464	86%	155	9%	91	5%	1710	100%
Oct - Dec 86	2536	86%	207	7%	198	7%	2941	100%
Jan - Mar 87	8198	84%	1011	10%	551	6%	9760	100%
Apr - June 87	6339	78%	1370	17%	454	5%	8163	100%
July - Sept 87	3338	76%	850	19%	216	5%	4404	100%
Oct - Dec 87	3291	75%	854	20%	229	5%	4374	100%
Total	33615	81%	5246	13%	2350	6%	41211	100%

Prior to the 8th quarter, 85% of decisions made were favourable, 9% were denials, and 6% were confirmations. These percentages had been stable in each of the four reporting periods from July 1985 to March 1987. In contrast, in the 8th quarter, the percentage of denials increased to 17% of decisions, while the number of favourable decisions fell to 78%. The percentage of confirmations remained roughly the same at 5%.

The upward trend in the percentage of denials continued in the 9th and 10th quarters when denials were 19% and 20% respectively. Over the entire time series, denials as a percentage of decisions made, have risen substantially from 8% in the first year to 20% in the most recent quarter.

c) Registrations and Restorations

DINA reports decisions pro in two general categories, restorations and registrations. The distribution of decisions in these two general categories over the six reporting periods is shown in Table 5 below. (More detailed breakdowns within each of these categories are given in Tables 7 and 8, following pages.)

Table 5: Restorations and Registrations - 7 Periods

	Restorations		Registrations		Total	
	No.	%	No.	%	No.	%
Up to 30/6/86	3513	42%	4936	58%	8449	100%
(Average per Quarter up to 30/6/86)	(878)	(42%)	(1234)	(58%)	(2112)	(100%)
July - Sept 86	553	38%	910	62%	1463	100%
Oct - Dec 86	1035	41%	1502	59%	2537	100%
Jan - Mar 87	3113	38%	5085	62%	8198	100%
Apr - June 87	1835	29%	4504	71%	6339	100%
July - Sept 87	860	26%	2478	74%	3338	100%
Oct - Dec 87	770	23%	2521	77%	3291	100%
Total	11679	35%	21936	65%	33615	100%

Up to December 31, 1987, there were 11,679 restorations. Thus 35% of the total 33,615 decisions favourable were restorations. There were 21,936 registrations, 65% of the total of favourable decisions.

However, restorations and registrations as percentages of total favourable decisions also showed a change beginning in the 8th quarter. Prior to the 8th quarter the percentages of restorations and registrations had been relatively stable. Restorations had consistently been in the 38 to 42% range and registrations between 58 and 62%. For the 8th quarter the percentage of restorations fell to 29% while the percentage of registrations rose to 71%. Restorations as a percentage of total favourable decisions continued to decline in the next two quarters: 26% in the 9th, and 23% in the 10th, most recent quarter.

d) Identification of Duplicate Applications

Table 6 shows the number of duplicates identified in each reporting period. Again indicative of a change in the pattern of decision making, in the 8th quarter there was a sharp increase in identification of duplicate applications. Up to and inclusive of the 7th quarter, duplicates were being identified at the average rate of 143 per quarter. The peak appears to have been the 5th quarter (July 1 to September 30, 1986) when 313 were identified. In contrast, in the 8th quarter 803 duplicates were identified, in the 9th quarter 529, and in the 10th quarter 912. Thus the average rate of duplicate identification in these three recent quarters was 748, over five times the average of earlier quarters.

Table 6: Identification of Duplicates - 7 Periods

	Number Identified
Up to 30/6/86	531
(Average per Quarter up to 30/6/86)	(133)
July - Sept 86	313
Oct - Dec 86	32
Jan - Mar 87	130
Apr - June 87	803
July - Sept 87	529
Oct - Dec 87	912
Total	3250

e) Explaining the Change in Decisions in the 8th, 9th and 10th Quarters

In our view, the most likely explanation for the findings displayed in Tables 4, 5 and 6 is an increased concentration of decision-making on applicants who are descendents of the women who originally lost status. For some reason, the proportion of not-decided applicants who are women who actually lost status is decreasing. The not-decided pool is increasingly comprised of their first generation descendents (their children, who qualify as registrations not restorations) and their second and third generation descendents (their grandchildren and possibly their great grandchildren, who typically are ineligible.)

The increased rate of identification of duplicates may also be consistent with this. For example, duplicates may typically be children who are included on the applications of more than one adult. The increased rate of duplicate identification would then again point to a disproportionate representation of first, second and third generation descendents in the pool of yet to be decided applicants.

Explanations of why the not-decided pool increasingly comprises these descendents are speculative without further information on how DINA has been processing applications. One or more of the following might explain what appears to be occurring:

DINA may have been deliberately concentrating on applicants who lost status. Such cases are presumably decided from DINA's own records and are thus administratively somewhat easier to process.

Because the applications of people who lost status are administratively simpler, such applications may progress at a faster rate. This process of natural selection would then leave a pool of undecided applicants who are disproportionately first, second and third generation.

Applicants applying later in the process may be disproportionately first, second and third generation. For example, applicants who have received favourable decisions may be encouraging their descendants to apply

f) Restorations by Bill C-31 Section

DINA reports decisions pro, both restorations and registrations, by the subsection in Bill C-31 under which the decision is made. Table 7 shows the breakdown for restorations.

As might be expected, 77% of restorations (9,014 of 11,679) to December 1987 were women who lost status through marriage to a non-Indian (Section 12(1)B). Enfranchisement was the second largest category accounting for 15% (1,790) of restorations, and the third largest category involved restorations under Section 109(2), children taken off the register as a result of their mother's marriage to a non-Indian (5% or 623). The remaining three categories accounted for only 3% of restorations.

Table 7: Restorations by Bill C-31 Section - 7 Periods

	Bill C-31 Section and Reason for Original Loss of Status													
	12(1)B Marriage to Non-Indian		109(2) Child Removed because Mother married non-Indian		12(1)(A)IV Double Mother Clause *		12(2) Illegitimate children of Indian woman		109(1) Enfranchis ement		11(E) Un- explained **		TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Up to 30/6/86	2890	82%	163	5%	3	0%	43	1%	414	12%	0	0%	3513	100%
July-Sept 86	425	77%	25	5%	0	0%	20	4%	83	15%	0	0%	553	100%
Oct-Dec 86	873	84%	41	4%	0	0%	8	1%	113	12%	0	0%	1035	100%
Jan-Mar 87	2421	78%	170	5%	2	0%	29	1%	483	16%	8	0%	3113	100%
Apr-June 87	1296	71%	117	6%	6	0%	30	2%	356	19%	30	2%	1835	100%
July-Sept 87	574	67%	54	6%	3	0%	19	2%	189	22%	21	2%	860	100%
Oct-Dec 87	535	69%	53	7%	1	0%	24	3%	152	20%	5	1%	770	100%
Total	9014	77%	623	5%	15	0%	173	2%	1790	15%	64	1%	11679	100%

* Mother was Non-Indian, and Father's Mother was non-Indian so that applicant lost status at age 21.

** DIAND added this category in the first quarter of 1987.

Again there has been a change in the pattern of decisions over time. During the first seven quarters, 80% of restorations had been under section 12(1)B. Thus 80% of those restored in the first seven quarters were women who had lost status because of their marriage to a non-Indian. In the 8th quarter, the percentage of restorations in this category was lower at 71%, and the percentage fell in the 9th and 10th quarters to 67% and 69% respectively. Thus, again the evidence suggests that the not-decided applicant pool contains a declining proportion of the original women who lost status through marriage.

g) First-Time Registrations by Bill C-31 section

Table 8 shows the sections under which first-time registrants have been granted status in each reporting period up to December 31, 1987. These registrations are predominantly under section 6(2) and are of children with only one parent entitled under section 6(1). To date, 86% of registrations (18,915 of a total of 21,936) have been in this category.

Table 8: First Time Registrations by Bill C-31 Section - 7 Periods

	Bill C-31 Section and Reason for Registration											
	6(1)(F) Both parents entitled under 6(1) or 6(1) and 6(2)		6(2) One parent only entitled under 6(1)		6(1)(F) Both parents entitled under 6(2)		6(1)(A) Other registrants		6(1)(C) Un- explained *		TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Up to 30/6/86	295	6%	4523	92%	18	0%	100	2%	0	0%	4936	100%
July-Sept 86	63	7%	820	90%	0	0%	27	3%	0	0%	910	100%
Oct-Dec 86	77	5%	1391	93%	3	0%	31	2%	0	0%	1502	100%
Jan-Mar 87	347	7%	4395	86%	61	1%	107	2%	175	3%	5085	100%
Apr-June 87	337	8%	3751	83%	57	1%	161	4%	198	4%	4504	100%
July-Sept 87	179	7%	2051	83%	52	2%	103	4%	93	4%	2478	100%
Oct-Dec 87	233	9%	1984	79%	48	2%	168	7%	88	3%	2521	100%
Total	1531	7%	18915	86%	239	1%	697	3%	554	3%	21936	100%

* Category added to "S3" reports in first quarter of 1987.

Inspection of the time series of registrations is complicated by the fifth column ("6(1)(C) Unexplained" in Table 8). This column was added by DINA in the 7th quarter. Its addition may account for the decrease in the percentage of registrations recorded under 6(2) (column 2) in the 7th quarter. Prior to this quarter 90% or more of registrations had been under 6(2). In the 7th quarter 86% of registrations were under 6(2), but an additional 3% were shown in the newly introduced category 6(1)(C).

However, the 8th and 9th quarters showed lower percentages yet under 6(2) (83% in both quarters), and in the most recent, 10th quarter, there has been a further decrease to 79%. Registrations made under 6(1)(C) were insufficient to account for all of the difference between these and preceding quarters. Thus, there is evidence for a change in the pattern of registrations in the 8th, 9th, and 10th quarters.

h) Decisions Pro: Adults and Minors

DINA's "S3" report gives aggregate information on decisions 'pro' for both adults and minors. Consistent with the criteria for registration established by Bill C-31, adult applicants are more likely to receive status than are minors.

Based on Table 1, we know that adults constitute 54% of applicants, minors 46%. If we take those granted status to December 1987 and focus only on restorations and registrations (removing 'confirmations') adults are 69% of those registered and minors 31%. For each adult applicant there are .86 child applicants. For each adult registrant there are .46 children registered. Thus, children are being denied status more frequently than adults. These ratios are, generally, stable in each reporting period. (Table not shown.)

i) Decisions Con: Disallowment Types

In addition to DINA's S3 report, three copies of a second report titled "Reinstatement of Status - Disallowment Types" were also available. These reports covered the period up to and inclusive of March 1987, the period up to and inclusive of September 1987, and the period up to an inclusive of December 1987.

DINA's summary of disallowments shows that 91% (4,560 of 5,037) had been for applicants with only one parent eligible under Section 6(2) and the other parent, non-Indian. In sum, 91% of denials are to the grandchildren of people who lost status. (Table not shown.)

Appendix C

Summary of Case Studies

Applicant:**David M.****Ref. No. 1**

Date of Application: April, 1986
Date of Interview: January, 1988
Status of Application: Registered in June, 1987

Processing Time: 14 months

David is a 56-year old man living in Northern Ontario. He described his circumstance by first telling us that he had lived with his grandmother until he was about 6 years old. He then went to live with his mother and step-father, and assumed his step-father's surname, a name which he has used for the past 50 years.

David married Hilda (see reference no. 17) in 1951. In 1952, he began working for the Provincial Government. He and Hilda started their family, and he says "life went on". In the ensuing years, officials from the Department of Indian Affairs, on a number of occasions, encouraged him to enfranchise because they felt that since he had a steady job he didn't need the Department's assistance. He and Hilda did so in 1958. As David recalls, he was "... fed up with the Indian Agent and resigned his status". He remembers that he and his wife received \$200.00, but that the Department said it would "hold in trust", funds for their children.

In 1986, David started working on getting his application in order, and sent away for his baptism certificate. He was quite surprised to find his birth date recorded as 1931, instead of 1930. At any rate, he sent his application to the Department of Indian Affairs on April 12, 1986. He received an acknowledgement letter, and then in June 1987, he received notice that he had been registered. What caused him concern was that he was registered under his mother's maiden name, and not the surname he has used almost all of his life. In the letter, he was also encouraged to apply for Band membership, which he is trying to do. Unfortunately, the Band has no record of his mother, nor his father, who was also a Status Indian. As well, David is also trying to have the records changed - he wants the surname he's used, shown on the band list, and is going through the process of having his name legally changed - a process that is causing him confusion and costing money. On top of this, records at the Department apparently show his wife Hilda as being single. Added to this story is the fact that two of Hilda and David's children have already been reinstated under his surname. Three other children have applied for status and are still waiting.

Applicant(s):**Lena and Children****Ref. No. 2**

Date of Application: February 1986

Date of Interview(s): April and July 1987, January 1988

Status of Application: Lena was first registered under Section 6(2) and her children were declared ineligible. The family disagreed with the decision, and after much effort on their part, were finally able to have Lena's status upgraded to 6(1), which resulted in her children's registration under section 6(2) in July, 1987

Processing Time: 18 months

The following is a summary version of this family's experience:

- Lena's mother's name was struck from the Band list when she married a non-status Indian man in 1935
- Lena's father was born in 1910, but was not registered. Lena submitted her application and long form birth certificates for herself and youngest son in February, 1986
- Sometime after April, 1986, Lena was advised via telephone that she needed more information, specifically birth documents for her parents, and their marriage certificate
- The family was able to obtain a baptism certificate through a government archivist verifying her father's birth
- This and other documents were submitted to the Department of Indian Affairs in Ottawa, where apparently a reinstatement officer felt it necessary to call the archivist personally to verify the document
- The Department then stated that they had no record of Lena's paternal grandmother, who apparently had been baptized under her Indian name
- The family obtained notarized affidavits by Elders stating that they knew Lena's grandmother, and that she was a Band member
- These documents were sent to Ottawa, and the Registrar decided that Lena was eligible for registration under Section 6(2)
- The family disagreed with this decision and began a search for more information
- The family put together quite a comprehensive file concerning Lena and her grandparents; it included affidavits, departmental correspondence, references to an Indian census, a last will and testament, as well as a one-hour taped interview with an Elder referring to Lena's paternal grandmother
- The file was copied and sent to the Department, to the NWAC and to parliamentarians
- The Department still felt that they did not have adequate proof regarding the "status" of Lena's paternal grandmother

Applicant(s):

Lena and Children

Ref. No. 2

Con't...

- During the period May - July 1987, extensive conversations were held between the reinstatement unit staff and Lena's husband, NWAC, the provincial native women's association and parliamentarians in order to find out why the submitted documents were not acceptable
- The parties were informed that an Indian Census was not considered official
- Suggestions were made by the reinstatement unit, that if correspondence between Lena's mother or grandmother and the Band could be located (for example, about water or a cattle dispute), then this type of information could be accepted
- The parties were also informed that the notarized affidavits were in question because of the wording and also because some were prepared by relatives of the family
- The family requested advice on what kind of wording the department wanted because they knew of 5 or 6 other Elders who would prepare affidavits
- The suggested wording was not provided or made available by the department
- During this process, NWAC staff were at one point, told by the reinstatement officer to "not interfere"
- Efforts continued, and the reinstatement unit staff advised NWAC (in July, 1987) that the Registrar had revised his original decision, and that letters were being prepared which essentially upgraded Lena's status, and thus enabled the registration of her children

The NWAC called the family again in January 1988 and confirmed that Lena's children were indeed registered under Section 6(2). The family is still upset about the whole process. Mr. C. estimates that the bureaucracy cost him and his family up to \$1,000, not counting the time provided by organizations and parliamentarians who assisted in the process. He still questions the whole issue given the fact that his wife's sisters are also regaining status, and their children, born out of wedlock are being registered under Section 6(1).

Applicant(s): Mary M.

Ref. No. 3

Date of Application: June 1986
Date of Interviews: April and December 1987
Status of Application: Still waiting

Processing Time: 18 months

Mary is 62 years of age. When she was 3 or 4 years old, the Indian Agent at the time felt that her mother "did not have knowledge for looking after children" and she was taken to a Catholic Indian home in St. John's, New Brunswick. While she was there, she developed tuberculosis, and had to go a sanitorium for TB patients. She was 9 years old when she came out of there, and then she was sent to another Indian home until she was 16 years old.

Mary has spent most of her life not even thinking about having Indian "Status". She married a non-Indian man in 1945 and when she did want to talk to an Indian Agent, she told us that it "was like talking to a wall", and so she just went on with her life.

In 1979, she became curious about Indian Status, but was told there "was no use in her applying because she had married a white man". Mary also told us that she didn't know anything about having to have a Band Number, etc.

Since submitting her application, Mary has received an acknowledgement letter from the Department of Indian Affairs. She also received a booklet from the Band Office that describes some of the rights and benefits she may be entitled to.

As of December of 1987, Mary is still waiting to be reinstated. She had called the Department of Indian Affairs in the fall of 1987 and asked officials how much longer she'd have to wait. Someone informed her that she might have to wait another 3 years.

During our interview, Mary did not give any other comments, other than stating that she "is being patient and trusts everyone". However, she does want to know what she is entitled to, as her husband is partially blind. Although they do not live on the Reserve, they have recently discovered that something is wrong with their drinking water and she wants to generally improve their quality of life.

Applicant(s): **Lorraine F.**

Ref. No. 4

Date of Application: April 1986
Date of Interviews: April and July 1987
Status of Application: Registered in May 1987

Processing Time: 13 months

The circumstances for Lorraine seem to be pretty straight-forward; her mother married a non-Indian man and lost her Indian status.

Lorraine received assistance from the New Brunswick Native Indian Women's Council in terms of filling out her application. She did not encounter any problems during this process, and in June 1986, she received an acknowledgement letter from the Department of Indian Affairs saying that they would process her application as soon as possible.

We called Lorraine in July of 1987 and she notified us that she had been registered.

Applicant: **Lisa H.**

Ref. No.5

Date of Application: February 1987
Date of Interviews: April and December 1987
Status of Application: Waiting

Processing Time: 10 months

Lisa's mother, born in 1935 lost her Indian status upon marrying a non-Indian man. Lisa did not share much personal information about herself, other than to say that when she was 8 years old, her mother died and Lisa was sent to another home for the "family setting".

She has received her letter of acknowledgement from the Department of Indian Affairs and is waiting.

Applicant: Mary A. and 1 Child **Ref. No.6**

Date of Application: April 1986
Date of Interviews: April and December 1987
Status of Application: Reinstated August 1987

Processing Time: 16 months

Mary lost her Indian Status upon her marriage to a non-Indian man. She received assistance from the provincial native women's association in filling out the application, and there were no problems encountered during this process.

Mary lives in the United States, is separated and lives with one of her children; two other children are with her husband. In Mary's application, she only included the name of her one daughter as she didn't think she could include the names of the others since they are with their father.

As of the date of our first interview (April 1987), all Mary had received was a letter of acknowledgement. We called Mary again in December and she informed us that she'd received a letter from the Department of Indian and Northern Affairs in August 1987 stating that she had been reinstated and her daughter was now registered. Shortly thereafter, Mary received a letter from the Band Office saying that she and her daughter were also on the Band list.

All Mary could say was that "... it feels good to have my Status back".

Applicant: Mildred N. **Ref. No. 7**

Date of Application: March 1987
Interviews Held: April 1987 and January 1988
Status of Application: Waiting

Processing Time: 10 months

Mildred lost her Indian Status when she married a non-Status Indian man. She did not encounter any problems in completing the application form per se, but she travelled 700 miles to obtain a copy of her birth certificate, and her father's death certificate. Mildred's contact with the Band Office was initially fruitless as their records indicated that she and her son were deceased, and as of the date of our first interview, she was still trying to prove that she was indeed alive and entitled to her rights.

We spoke with Mildred again in January 1988 and she advised us that she went back to the Band office and eventually found out that her mother had never registered her. She left her birth certificate and picture and has since received a Band membership card from the Reserve. She has not had any further correspondence from the Department of Indian Affairs regarding her reinstatement.

Applicant: Sharon C. **Ref. No.8**

Date of Application: September 1985

Date of Interview: July 1987

Status of Application: Reinstated

Processing Time: 21 months

Sharon's situation is straight-forward. She lost her Status upon her marriage to a non-Indian man.

She encountered no problems with the application process and received a letter in June 1987 stating that she was reinstated. She had no comments to make about the process.

Applicant: Mary M. and 3 Children **Ref. No.9**

Date of Application: October / November 1986

Interviews Held: July and December 1987

Status of Application: Waiting

Processing Time: 13 months

Mary never had Indian Status as her mother had married a non-Indian man. Both Mary and her mother began the application process in late 1986, with Mary also requesting entitlement for her three children, aged 10, 6 and 4.

On May 14, 1987, Mary received a letter from the Department Indian Affairs stating that they had received her application, and "would process it as soon as possible."

We called Mary again in December 1987. She is still waiting and has heard nothing further from the Department.

Applicant: Eleanor L.

Ref. No. 10

Date of Application: March 1986
Interviews held: July and December 1987
Status of Application: Waiting

Processing Time: 21 months

Eleanor lost her Indian Status by marrying a non-Indian man in 1969. She encountered no problems in the application process, and included her previous Band number in her application.

In September or October 1986, Eleanor received a letter from the Department of Indian Affairs saying that they'd received her application, and would process it in the near future.

As of December 31, 1987, Eleanor is still waiting.

Applicant: Mary G.

Ref. No. 11

Date of Application: February 1987
Date of Interview: December 1987
Status of Application: Waiting

Processing Time: 10 months

Mary lost her Indian Status upon her marriage to a Métis man in the early 1930's. She doesn't remember signing any papers or anything, but does recall receiving \$50.00 from the Department of Indian Affairs. She was told that this sum of money was for ten years. After the ten years, she could approach the Department again.

Since it was Mary's daughter-in-law who completed the application form, we interviewed her regarding Mary's situation. Mary's application was sent to the provincial native women's association who forwarded it to the Department of Indian Affairs in February 1987. In April 1987, Mary received a letter from the Department requesting birth certificates for her parents, or other relatives who were Status Indians or Band members. Mary's daughter-in-law Evelyn was only able to locate a baptism certificate for Mary, which refers to her mother's Indian name. The family does not yet know if this will be acceptable to the Department.

Evelyn told us that Mary is anxious to gain her Status as she is now 79 years old.

Applicant: **Noeline V. and 3 Children**

Ref. No. 14

Date of Application: Summer 1985

Date of Interview: July 1987

Status of Application: Still waiting

Processing/Waiting Time: Over 2 years

Noeline's father enfranchised in 1954/55, and subsequently Noeline was born without Status. In preparing her application, she advised us that she spent a fair amount of time in getting the information required by the Department, and she enlisted the assistance of the Provincial Native Women's Association.

After patiently waiting for over two years, Noeline called the Department of Indian Affairs to do her own follow-up; they informed her that they did not have her application.

Understandably, Noeline was very upset and not sure as to what her next step would be. Unfortunately, we have been unable to reach Noeline again as she has moved and has not left a forwarding address.

Applicant: **Marie M.**

Ref. No. 15

Date of Application: September 1985

Date of Interview: July 1987

Status of Application: Reinstated April 1987

Processing Time: 19 months

Marie is a 79 year old Cree woman who is hospitalized with Parkinson's disease. Our interview was held with her grandniece, Louise, who told us that Marie lost her Status when she married a non-Status Indian man in 1939.

During the application process, Louise encountered a number of problems. First was the fact that Vital Statistics in Alberta had a different spelling for Marie's last name. In order to correct this, Louise had to obtain, for Vital Statistics, two Statutory Declarations from Elders who know Marie and who could verify who she is. In May of 1986, Louise finally obtained Marie's birth certificate with the correct spelling. These were sent to Ottawa, and in April 1987, Marie received a letter from the Department saying that she was reinstated under 6(1)(c), and also had Band membership. The problem here was that the Department had registered her with the wrong Band. Louise, who had handled this entire process on behalf of her great-aunt, expressed a great deal of frustration - she felt that she did not get much assistance from the Department of Indian Affairs, as she often talked to different people, was put on hold, and when she would understandably get upset - so would the staff at the Department. Marie's comments were "before I die, I'd like to get my Status back, and (proper) membership".

Applicant:**Helen N.****Ref. No. 16**

Date of Application: August 1985
Date of Interview: July 1987
Status of Application: Reinstated late 1986

Processing Time: 14-16 months

Helen lost her Status in 1952 upon her marriage to a non-Indian man. She applied for reinstatement in August 1985, after obtaining an application form from the Provincial Native Women's Association. She had no difficulty in completing the application form, and she sent the required documentation to the Association, which forwarded it to the Department of Indian and Northern Affairs.

In December 1985, Helen received an acknowledgement letter, stating that the Department had received her application and that it was being considered. About a year later, Helen received another letter advising that she had been reinstated, but that she would have to apply to her Band for a membership card. At the time of the interview, Helen expressed some confusion as she did not fully understand the letter from the Department, but could not find it to seek clarification from us. She also informed us that she has two adopted children who have applied for Status, and are still waiting.

Applicant:**Hilda M.****Ref. No.17**

Date of Application: October 1985
Date of Interviews: July 1987, December 1987
Status of Application: Reinstated March 1987

Processing Time: 20 months

Hilda and her husband were both Status Indians until 1958, when the Indian agent advised them to enfranchise, apparently because they were not living on Reserve. Hilda and her husband did so thinking they had no other choice.

In 1985, when Hilda decided to apply for reinstatement, she did so for herself and two daughters, both over the age of 17. She had no problems in obtaining an application form, except that she felt that there were a lot of questions. In October 1985, she sent her completed application and documentation to the Provincial Native Women's Association, who forwarded it to the Department of Indian and Northern Affairs. Some time after January 1986, she received an acknowledgement letter for herself, and was advised that her daughters had to apply on their own.

Getting somewhat impatient with the process, she contacted the provincial Native Women's Association for assistance. It was discovered that she would classify as a medical priority, but it was not until March 25, 1987 that she received a letter from the Department saying that she was reinstated under section 6(2). The only problem she noted then was that her name was not spelled correctly, so she sent them a copy of her birth certificate which eventually resulted in the correct spelling of her name.

In May of 1987, she stopped in at the regional office of the Department and during this visit, discovered that she was incorrectly categorized. This was corrected and Hilda was reinstated as a 6(1)(d) Status Indian.

At the time of our interview, Hilda informed us that her husband had also applied and was recently reinstated. His situation is outlined in interview Reference No.1.

In terms of the process, Hilda expressed her frustration by stating that the "system is designed to encourage people NOT to apply". She added "it took so long, I didn't know whether it was worth it or not".

We called Hilda again in December and she described further problems she is encountering - namely, in trying to obtain a house on the Reserve. She also informed us that of their six children, two are still waiting to be registered.

Applicant:**Doris C.****Ref. No. 18**

Date of Application: August 1985
Interviews held: July 1987, January 1988
Status of Application: Registered in November 1987

Processing Time: 27 months

Doris never had Indian Status since her mother had married a non-Indian man. In July of 1985, both Doris and her mother obtained the application form.

Doris completed one for herself and her two sons, enclosing their birth certificates and sent them to the Department in August 1985.

In August 1986, Doris received a letter from the Department saying they would "look into her application", but that they needed more information, namely, her marriage certificate.

At a later date, Doris received a letter saying that her sons were ineligible for Status, but it was not until November 1986, that she received a second letter stating that the Department now had enough information to process her application.

Early in 1987, Doris phoned the Department and found out that she was "300th" on the list for processing.

At the time of our first interview, Doris expressed her aggravation towards the process. Her seven brothers and sisters already have Status, and she wanted hers. She told us that she had, at times, almost given up because of the red tape.

We called Doris again in January 1988 and she told us that she is apparently registered. Doris had moved since she applied, and although she hasn't received a letter from the Department of Indian Affairs, her mother found out that she is now registered.

Doris is now waiting for her status card.

Applicant: Tom W.

Ref. No. 19

Date of Application: July 1986
Date of Interview: July 1987
Status of Application: Still Waiting

Waiting Time: 12 months

Tom was adopted at birth and has no real awareness of his Aboriginal ancestry. He was only recently informed that his mother was a Status Indian.

In July 1986, he obtained an application form from the provincial Native Women's Association, completed it and returned it the same month to the Association. With his application, he also sent a copy of his birth certificate and proof of his adoption. He had no difficulty in obtaining these documents.

In December 1986, he received a letter from the Department advising him that his application was being considered. The Department contacted him again in May of 1987 requesting a copy of his adoption papers. Tom had no difficulty in accessing this document and sent a copy to them almost immediately.

As of the date of our interview, Tom had still not heard from the Department.

Applicant:**Elaine C.****Ref. No. 20**

Date of Application: November 1985
Date of Interview: July 1987
Status of Application: Registered in March 1987

Processing Time: 16 months

Elaine never had Indian Status since her mother married a non-Indian man. She began the process of applying in November 1985, at which time she had called the Department of Indian Affairs in Ottawa and had them send her an application form. She completed her application promptly, without difficulty and forwarded it to the Department.

In January of 1986, Elaine received an acknowledgement letter and received no other correspondence until March 1987, when she was advised that she was registered as a Status Indian under Section 6(2).

Between November 1985 and March 1987, Elaine made several attempts to speed up the process. In fact, she phoned the Department directly in September of 1986, and January of 1987. Eventually, she started calling the Department every day to inquire about her file, and finally in March of 1987, she became registered.

As of the date of our interview, Elaine advised us that her two brothers had also applied, and were still waiting to have their applications processed.

Elaine is now attending university, and is generally pleased to have Indian Status, although she still expressed frustration towards the process itself.

Applicant:**Claire N.****Ref. No. 21**

Date of Application: July 1985
Date of Interview: July 1987
Status of Application: Reinstated late 1985

Processing Time: 6 months

Claire lost her Indian Status upon her marriage to a non-Indian man. She applied for reinstatement in July of 1985, shortly after the amendments became law.

She had no problems in completing the application and forwarded it to the Department in Ottawa, including the name of her daughter.

In August of 1985, Claire received an acknowledgement letter, and later on (she couldn't remember when), she received a request asking for her daughter's long form birth certificate. She forwarded this to the Department. Over the next few months, Claire called the Department often to inquire about the processing. At one point, when she was in Toronto, she stopped by the Regional Office and was advised that she was on the Indian Register.

Claire received her official letter late in 1985 saying that she had been reinstated under Section 6(1); her daughter also received notification of her registration.

Claire's oldest son also applied in June of 1985. He was also registered within six months as he was considered an education priority.

Applicant:**Christine H.****Ref. No. 22**

Date of Application: July 1985
Date of Interview: July 1987, and January 1988
Status of Application: Reinstated October 1987
Processing Time: 2 years, 3 months

Christine lost her Indian Status upon her marriage to a non-Indian man in 1947. She is hard of hearing and some information was difficult to ascertain, but Christine did tell us that she'd applied in July 1985.

She received an acknowledgement letter, and then in May 1986, received a request from the Department asking for her baptismal certificate, which she sent to them.

During our first interview, she told us that had visited the regional office of the Department, as well as the Band office but had received no assistance. Christine also informed us that she has crippling arthritis and wanted to make use of the medical benefits, as well as her hunting and fishing rights. At the time, she expressed her sadness and bitterness towards the process.

We called Christine again in January 1988. She told us that she'd finally received a letter from the Department of Indian Affairs in October 1987, which stated that she was registered as a Status Indian under Section 6(1)(C). The letter also advised her to apply for Band membership, which she has done. When we spoke with Christine, she was not sure of what the letter meant, in terms of the section of the Indian Act, nor was she familiar with the purpose of the status card. In fact, she asked "what can I do with this card"?

Christine's children have also applied for Status and are waiting.

Applicant: Margaret R.

Ref. No. 23

Date of Application: May 1987
Date of Interview: July 1987, January 1988
Status of Application: Waiting

Waiting Time: 8 months

Margaret has only recently submitted her application, and she knows that it could be some time before it is processed.

During the interview, Margaret shared with us some general information about her personal life. She was raised in Children's Aid Society homes, and is unsure of her background, except that she was informed that both her mother and father are of Aboriginal ancestry. She does not know who her parents are, or where they were from, although she does know that she has seven brothers and sisters.

Margaret is also unaware as to whether she was a Crown ward all of her life, as she was never adopted. She remembers being in a Children's Aid Society home near Blind River, Ontario, then Sioux Lookout, and other places from there.

In terms of Margaret's decision to apply for Status, she told us that in the fall of 1986, she attended a Bill C-31 information workshop, organized by the Provincial Native Women's Association. However she didn't actually send in her application until May 22, 1987.

She received an acknowledgement letter in June of 1987, and is now prepared for a long wait.

We called Margaret in January, 1988. She had written a letter to the Department of Indian Affairs advising them of her address change. She has not heard from them.

Applicant:**Cliff S.****Ref. No. 24**

Date of Application: December 1985 and March 1986

Date of Interview: July and December 1987

Status of Application: Still Waiting

Waiting Time: 2 years

Cliff has never had Indian Status, and during his application process, he has experienced and discovered a number of things which cause him concern.

To begin, Cliff obtained an application form in December 1985, completed and returned it to one of the Native organizations in his community. Three months later, he found out that the Department had not received it, and so he forwarded another one, with the assistance of the Provincial Native Women's Association.

In July of 1986, he received the form acknowledgement letter. Since then, he has had countless conversations with staff of the Department in Ottawa who have requested more information from him.

As a result of these requests, Cliff and his girlfriend have undertaken an incredible amount of research into his family. In fact, they've spent over \$400 already, and Cliff says if it wasn't for his girlfriend's tenacity, he would have given up long ago. Cliff has searched archives, church records, band lists, scrip lists, and almost anything he can find, trying to obtain clues. He's also enlisted the help of the provincial Native Women's Association.

So far, they've traced his family back to his grandfather's father. In their search, they've discovered that there is a question about his paternity. However, in his quest for information, he is finding that many of the old people are hesitant to discuss the matter, as they "don't want to bring out old skeletons". A language barrier also exists because many of the old people cannot speak English.

We spoke with Cliff's girlfriend in December of 1987, who informed us that things are "on hold for awhile because of, a lack of money". They are both quite upset about the bureaucratic procedure.

Applicant: Alice L.

Ref. No. 27

Date of Application: August 1985
Interviews Held: August 1987 and January 1988
Status of Application: Waiting

Waiting Time: 2 years, 5 months

Alice's mother was a Status Indian until her marriage to a non-status Indian man. Thus, Alice did not have Indian Status until her own marriage to a Status Indian man. However, she lost it when her husband enfranchised.

Alice, who is 80 years old, applied in August 1985 and received an acknowledgement letter in November 1985. Between that date and April 1987, Alice was contacted first by telephone, and then by letter in which she was requested to forward the following documents:

- mother's birth certificate
- mother's marriage certificate
- birth certificates for Alice's brothers, who were registered as Status Indians

Alice was able to obtain all of these documents, but not without a great deal of time and digging. In fact, she hired a researcher, Alice felt she had enough information in order for the Department to at least register her under section 6(2). If she is able to obtain more information, her eligibility may be upgraded to 6(1).

Overall, Alice feels that the government is making it extremely difficult for the older people, as some of the documentation required is very difficult to obtain. She also stated that the time involved "...might result in a person dying before being reinstated", and that the government seems to want to "...keep as many people out as they can".

We called Alice again in January 1988 - she is still waiting to hear from the Department, even though her children (reference numbers 25, 26 and 28) have all been registered. We called staff at the Department to follow-up on Alice's application. They told us that "...there is a snag, and they are trying to confirm that Alice was entitled to be a Status Indian in her own right", that is, before her marriage to her husband. Department officials indicated that they would be contacting their regional offices to see if they can obtain further information. However, Alice has told us that since she herself is 80 years old, documents on her ancestors are going to be difficult to find.

In the meantime, Alice is waiting.

Applicant: **Nora L.**

Ref. No. 28

Date of Application: August 1985
Date of Interview: August 1987
Status of Application: Reinstated in October 1986

Processing Time: 14 months

Nora enfranchised at the age of 21, as a result of advice she'd received from the Indian agent. She did not share much other personal information with us, other than to say that she has lived on the Reserve for years now.

Nora obtained, completed and forward her application to the Department in August 1985. She received an acknowledgement letter by November 1985, but then heard nothing until October 1986. She was advised, by letter, that she had been reinstated, and was registered under Section 6(2) of the Indian Act.

Although she does not have membership with the Band, she doesn't think that there will be any problems, as "...the Reserve is small, and is like one big family".

She had no other comments to make.

Applicant: **Harry A.**

Ref. No. 29

Date of Application: August 1985
Date of Interview: August 1987
Status of Application: Registered in the spring of 1986
Processing Time: 8-9 months

Since Harry's mother married a non-Indian man, he has never had Indian Status.

After he attended a Bill C-31 information workshop, he completed and forwarded an application to the Department in August 1985, and received an acknowledgement letter one month later.

In the spring of 1986, Harry received a letter advising him that he was registered as a Status Indian under Section 6 (1) (c) of the Indian Act.

He had no comments to make about the process.

Applicant:**Morris M.****Ref. No. 30**

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Registered in the spring of 1986

Processing Time: 10-11 months

Morris' mother was Status Indian; the status of his biological father is unknown, but he was adopted by his mother's non-Indian husband. After attending a Bill C-31 Information workshop, Morris obtained, completed and forwarded an application form to the Department in July of 1985.

He received an acknowledgement letter shortly thereafter, and in the spring of 1986, he received a letter saying that he had been registered under Section 6 (1) (c). Morris feels that he should have been registered under Section 6 (1) (a), and has subsequently hired a lawyer to appeal his classification.

Morris' only comment during our interview was "what right .. does the government have in telling us who is, and who is not an Indian".

Applicant:**William M.****Ref. No. 31**

Date of Application: August 1986
Date of Interview: August 1987
Status of Application: Still Waiting

Waiting Time: 12 months

William has never had Indian Status. His mother is Status, and married to a non-Indian man, who adopted William. He does not know who his real father is.

William first obtained an application form during the summer of 1985, but due to the complicated process of obtaining the required documentation, was not able to send in his application until August 1986. His original birth certificate was "buried" and he was denied access to it because of his adoption. He hired a lawyer to have the birth certificate released, and incurred some legal fees.

In August 1986, William sent in an application for himself, and his two children, aged 9 and 10. On September 29, 1986, he received an acknowledgement letter. Since then, he has had no further correspondence.

William says he is not surprised that it is taking so long, since he has already had the difficult, costly and time consuming experience of getting his birth certificate. During the interview, he also said that "the government has no right to classify Indians", and feels "that Bill C-31 creates a funnelling process aimed at eventual assimilation".

Applicant:**Gloria S.****Ref. No. 32**

Date of Application: January 1986
Date of Interview: August 1987
Status of Application: Reinstated in December 1986

Processing Time: 11 months

Gloria lost her Indian Status upon her marriage to a non-Indian man.

She began the process of applying in December 1985 when she obtained an application form from a Departmental regional office. She completed it and returned it to the same office in January 1986, on behalf of herself and her two minor children.

In April of 1986, Gloria received an acknowledgement letter. Then in December 1986, she received a letter saying that she had been reinstated under Section 6(1), and her children were registered under Section 6(2).

Applicant:**Debbie L.****Ref. No. 33**

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated in April 1986

Processing Time: 9 months

Debbie is a thirty-two year old woman who lost her Indian status when she married a non-Indian man. She obtained an application form from the Department in Ottawa in June of 1985 and had no difficulty completing it. She returned it to the Department in July, 1985, on behalf of herself and her two children.

In September 1985, Debbie received an acknowledgement letter and then in April 1986, she received a letter saying that she had been reinstated, and that her children were now registered.

Debbie was pleased to get her Indian Status back. She had always felt that it was really unfair that she should lose her status, when her male cousins not only did not lose it, but that their non-Indian wives gained Status.

Applicant: Virginia G.

Ref. No. 36

Date of Application: January 1986
Date of Interview: August 1987
Status of Application: Reinstated December 1986

Processing Time: 11 months

Virginia lost her Status when she married a non-Indian man. The couple has five children, all under the age of 17. In January 1986, Virginia obtained, completed and forwarded her application to the Department of Indian Affairs. She encountered no difficulty in this process.

In April 1986, Virginia received an acknowledgement letter, and then in December 1986, she received a letter saying that she had been reinstated, and that her children were now registered.

During the interview, Virginia informed us that she is disillusioned about the whole thing, as she is now being denied some benefits because she does not live on the Reserve. Because of this, she doesn't know whether the whole process was worthwhile.

Applicant: Susan S.

Ref. No. 37

Date of Application: Has not yet applied
Date of Interview: August 1987

Susan presents an interesting case, as she herself has not yet applied for Status, but instead has been assisting others.

Right now, she knows that she must conduct some research into her family. Her father has recently been reinstated under Section 6(2), but if he can provide information on his great grandmother, then his Status may be upgraded to a 6(1).

If this happens, Susan will then eligible for Status under Section 6(2). If not, she will not be eligible at all.

We tried to reach Susan in January 1988, but she's moved and we were unable to follow-up with her.

Applicant: **Debbie C. and Children**

Ref. No. 38

Date of Application: August 1985

Date of Interview: July 1987

Status of Application: Debbie reinstated late 1986 & children registered May 1987

Processing Time: 15-16 months for Debbie and 21 months for children

Debbie lost her Indian Status upon her marriage to a non-Indian man.

Debbie had quite a beginning to this process. She first tried to get an application form from her Band office, who said they didn't have any, and that they didn't even know how to get them. She eventually obtained one from her sister, who obtained it from another Band office.

She had no difficulty in completing the application, and she applied on behalf of herself and her three children, aged 19, 15 and 9. She sent in her application on August 27, 1985. On September 17, 1985, Debbie received a letter asking for her children's long form birth certificates. Then in December 1985, she received another letter saying the Department had received the documents and that they would process as soon as possible. Late in December 1985, Debbie received a letter saying her nineteen-year-old son would have to apply on his own.

In late 1986, Debbie finally received a letter from the Department saying that she had been reinstated under Section 6(1). It was not until May 1987 that her children were registered.

Debbie is now a single parent and had moved back to her Reserve just prior to regaining her Status. She is presently operating a wilderness park, and lives in a house that has no running water, no plumbing and very poor insulation. She commented that not many of the reinstated people are getting homes, and added that her Band is "not crazy about letting people back on the Reserve". Overall, she stated that there is a real division between those people who were reinstated and the rest of the population, and that it is even splitting up families.

Applicant: Sue G. **Ref. No. 41**

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Not applicable

When Sue married a non-Indian man twenty years ago, she assumed that she had lost her Indian Status.

She applied on behalf of herself and her minor son almost immediately after the legislation became effective. She had attended a C-31 information workshop and had no difficulties in completing her application.

Sue does not remember the dates at all, but she advised us that she first received an acknowledgement letter from the Department. Some time later, this was followed by another letter stating that her name had never been removed from the Band list, presumably because of an administrative error. Her son was also registered.

Many members of Sue's family live on the Reserve, and so she has always maintained contact. Both of her parents are deceased. They had willed all of their land to Sue's brothers, apparently because all of the daughters had married non-Indians, although she noted that two of her brothers had also married non-Indian spouses. While Sue says it's too late to change this particular injustice, she is happy to have her Indian Status confirmed.

Applicant: Maxine V. **Ref. No. 42**

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated spring of 1986

Processing Time: 9-10 months

Maxine lost her Indian Status when she married a non-Indian man 31 years ago. She applied in July of 1985, encountered no difficulties in the process and was reinstated in the spring of 1986.

She advised us that she'd received only two letters from the Department of Indian Affairs: the first was an acknowledgement, and the second letter said that she was now on the Indian Register. Maxine has two children, both over the age of 21, who had applied on their own. During the interview, she did not mention the status of their applications.

Maxine has maintained contact with her Band. She has three brothers who live on the Reserve, two of whom had married non-Indian women. While Maxine says she doesn't feel any different, she says that she "...now has what is rightly mine, my Indian Status, but it won't make any difference in my day to day life".

Applicant: **Debbie V.**

Ref. No. 43

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated February 1986

Processing Time: 7 months

Debbie lost her Indian Status when she married a non-Status man some twelve years ago. She had no difficulty in obtaining or completing her application, and she forwarded it to the Department's regional office.

She advised us that she received an acknowledgement letter, and then another letter in February 1986 stating that she was on the Indian Register, under Section 6(1), and her children were registered under Section 6(2).

She also informed us that her children's status may be upgraded to 6(1), depending on how her husband is classified.

Applicant: **Bonnie M.**

Ref. No. 44

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated in the spring of 1986

Processing Time: 9-10 months

Bonnie lost her Status upon her marriage to a non-Indian man. She applied in July of 1985 on behalf of herself and her two children. A few months after sending in her application to the Department of Indian Affairs, she received an acknowledgement letter.

In the spring of 1986, Bonnie received a letter from the Department advising her that she had been reinstated and had been placed on the Indian Register, as were her two children. She noted that while her children had Status right away, they would have to wait until the end of June to see if they had membership.

Bonnie found the process quite painless.

Applicant:**Leeann L.****Ref. No. 45**

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated in the spring of 1986

Processing Time: 9-10 months

Leeann was a Status Indian until she married her Métis husband ten years ago. The couple has two children.

She applied in July of 1985, and had no difficulty in obtaining or completing an application form. She had been active in a local Native women's group and was quite well versed in the amendments to the Indian act.

Leeann was notified by the Department in the spring of 1986 that she was reinstated under Section 6(1). She advised us that her children were first registered under Section 6(2), but were later upgraded when her husband was reinstated.

Leeann was quite emphatic about her disdain for a system that caused her to lose her status when she married a man who except by a technicality, was "more Indian than most who have Status".

The rest of Leeann's family live on the Reserve, and she maintained contact with them, and others. However, because of her "non-Status", she had been denied access to daycare on the Reserve, as well as access to the Reserve elementary school because her children were not considered "Indian". She is still quite bitter about this, but is now seeking to take advantage of these facilities and other services.

Applicant: Steve D.

Ref. No. 46

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated in the spring of 1986

Processing Time: 9-10 months

Steve did not share personal information regarding how he lost his Indian Status. He did tell us that he is married to an Indian woman who regained her Status, and that they have two children.

Steve applied in July 1985. He had no difficulty in obtaining or completing the application form. He received an acknowledgement letter two or three months after applying. In the spring of 1986, Steve received a letter saying that he had been reinstated under Section 6(1) of the Indian Act.

His children had previously been registered under Section 6(2), but may now have their Status "upgraded".

Steve is pleased to have his Status back; he is now attending university - something he had always wanted to do.

Applicant: Rob B.

Ref. No. 47

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Registered mid-1986

Processing Time: 10-11 months

Rob has never had Indian Status as his mother had married a non-Indian man. Subsequently, when Rob married his wife, she lost her Indian Status.

He applied in July of 1985 and encountered no difficulty during the process. He received an acknowledgement letter, and then in late spring or early summer, 1986, he received a letter saying that he was registered.

Rob has always maintained ties with the Reserve, and has always considered himself an Indian person, even though technically, he was not. He is pleased to have Indian Status, and hopes to be able to return to the Reserve with his family.

Applicant: Carolyn K.

Ref. No. 48

Date of Application: July 1985
Date of Interview: August 1987
Status of Application: Reinstated March 1986

Processing Time: 8 months

Carolyn lost her Indian Status upon her marriage to a non-Indian man. She told us that at the time of her marriage, she had no sense of "being an Indian, and had in fact been made to feel ashamed of any Indian ancestry".

She applied for Status in July 1985 for herself and her two children. She encountered no difficulties during the process and received an acknowledgement letter a few months later. She heard nothing from the Department until March 1986 when she received a letter from the Department saying that she was reinstated and her children were now registered, although under different sections of the Indian Act.

Prior to applying for Status, Carolyn had started to identify herself as a person of Indian ancestry. While she found the application process fairly easy, she finds that "...coming to terms with my Indian identity is more difficult for myself and my sons".