

GERALD L. DANFORTH

Tribal member and retired Chairman,
Oneida Tribe of Indians of Wisconsin

Before the Natural Resources Committee

United States House of Representatives

On

H.R.31, a bill to recognize the Lumbee Tribe of North Carolina

March 18, 2009

My name is Gerald L Danforth and I'm an enrolled member of the Oneida Tribe of Indians of Wisconsin. I served two terms as Oneida Tribal Chairman; I retired from that office in 2008. Before that, I had served four years as a Judicial Officer of the Oneida Appeals Commission. I am also a veteran of thirty years in the United States Navy. I retired from the Navy as Force Master Chief, the highest rank, and one of only twelve, open to enlisted personnel.

It is an honor to be here today to testify before the U.S. House Resources Committee in support of H.R. 31, a bill to provide for the federal recognition of the Lumbee Tribe of North Carolina.

I first met Lumbee Indians while serving in the Navy, stationed in Charleston, South Carolina in 1967. During my naval career I served with Lumbee Indians from time-to-time, and later in my career I became good friends with Master Chief David Locklear, whom I knew to be a Lumbee Indian. I didn't realize then that the Lumbees were state recognized, but not a federally recognized tribe. In the years since however, while serving as Oneida Tribal Chairman, I became much more knowledgeable about the Lumbee Tribe and of its many attempts to become a federally recognized tribe.

I also came to know several Lumbees during my years of work in Indian country. The Lumbee Tribe's attorney, Arlinda Locklear, is also the Oneida Tribe's attorney in its land claims in New York. Other Lumbees work in Indian country in other ways – as doctors, educators, and in federal agencies that provides services to Indian people. The Indian Claims Commission had a Lumbee who served as commissioner. And the American Indian Policy Review Commission had a Lumbee commissioner and a Lumbee attorney as a task force member. So the Lumbees have been known throughout Indian country for generations.

This past February, I was asked to assist with facilitating government-to-government discussions between the Lumbee Tribal Council and other tribal leaders, pertaining to the Lumbee federal recognition. I understand that there have been opposing points made by certain tribes with regard to past Lumbee recognition bills for one reason or another. I believe however, the majority of those opposing points are based upon inaccurate or incomplete information. I find that a review of the facts and “the will to do what is right” can resolve, and if not, can certainly mitigate any seemingly negative effects the bill may have on other tribes. With that in mind, I anticipate these inter-tribal discussions will continue concurrently during this legislative session.

I obviously agreed to assist, and I've been researching prior testimonies of Lumbee recognition bills, studying Lumbee History, and I recently spent four days in Robeson County, Lumbee homeland, to observe first hand, and speak to members of the Lumbee Tribe.

During this four day visit I met the tribal council members, administrative staff, elders, veterans, ministers, elementary and high school students, and community members. I was

invited to sit in on a tribal council session – there are twenty-one council members, and believe me, their debate mirrored that of the Oneida Council debates – I felt right at home, and was pleased that I didn't have to Chair the meeting.

In route to one of the Lumbee elementary schools, we made an unplanned stop at Prospect Church, where a group of approximately twenty ministers were having a lunch meeting to plan for a tribal wide revival for all the churches. I have never seen as many religious leaders per capita in any other community. Most interesting to me was that it appeared that ministers were also business owners, tribal government officials, tribal administrative staff persons, and family leaders and vice-verse (later, several Lumbee officials would corroborate this observation). Vine Deloria Jr. probably said it best in his testimony in support of a prior Lumbee federal recognition bill, "A traditional Indian community more closely resembles what we find in Robeson County among the Lumbees, large extended families who exert social and political control over family members, and who see their family as a part of an extended people."

The tour also included a historic overview of the Lumbee and a presentation from the legal staff that had charted Lumbee family genealogy from the mid-seventeen hundreds to present day. A visit to one of the elementary schools and a high school gave me the opportunity to see the Lumbee students in their classroom studies and flushed-faced as they ran toward their teachers signal to return from the playground. I would have seen the same faces at any tribal school throughout the country.

At the conclusion of my visit to Robeson County, the supportive testimony I had read was made even more clear and convincing to me now.

What I saw while visiting the Lumbee community brought to mind things I see in every Indian community I visit. Like in other Indian communities, there are settlements within the Lumbee community that are large, extended families. As Dr. Deloria observed, this is the traditional way Indian people live and govern themselves. That is certainly the case within the Lumbee Tribe. Like in other Indian communities, there is broad knowledge among members in the Lumbee Tribe about their genealogies, family connections, and history. I heard these same discussions among Lumbee people, young and old, wherever I went in their community. Like in other Indian communities, there is little to no separation between business-social affairs and political affairs. I heard the same names over and over again while visiting the Lumbee community, whether the discussion was business, church affairs, tribal recognition, or politics in general. This is typical in Indian communities. Finally, like in other Indian communities, there are famous former leaders who stand out, who everyone knows, and who everyone admires. The one who stands out in my mind among the Lumbees is Henry Berry Lowrie. For all these reasons, there was no doubt in mind that I was in an Indian community while I was among the Lumbee.

While I can't speak on behalf of Indian country on this matter, my outreach and informal discussions with tribal leaders from different parts of Indian country suggest that there is significant support for federal recognition of the Lumbee. Many supporters will commit their support to writing, while others, for their own reasons, are quietly supporting. Even some of those who have opposed prior Lumbee recognition bills, when given the facts surrounding the points of contention, seem to be re-thinking their position. To my understanding, there really are only a few points of contention. And a visit to the Lumbee territory will convince any open minded person that those points of contention are based on myth, not reality.

Today, the United States recognizes more than 560 Indian tribes. Each of those tribes has its own story of relations with the United States – of land loss, of treaty violations, of discrimination, of struggle to survive. I have learned that the Lumbee history is very like that of other tribes – of land loss, of discrimination, of struggle to maintain their independence. And the Lumbee have done survived this without federal recognition. There really is no excuse for not treating the Lumbee Tribe like every other tribe in the country.

To conclude, the Lumbee Indians have been steadfast in their determination to receive federal recognition longer than any other Indian tribe that I am aware of – more than one-hundred years! They have suffered discrimination to a degree far worse than one can imagine.

Today's Lumbee youth should not have to graduate from their classroom only to discover a world of social and political injustice, caused in large part by a precarious and unfair situation that denies them to proclaim themselves fully as Indian - equal to other Indians, with fair and equal treatment. It is time now to correct this problem.

Chairman Rahall, and Members of the Committee, thank you for treating this bill with the urgency that you have. Congressman McIntyre and Cosponsors, thank you for introducing this bill.

I'd be happy to answer any questions you may have.