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Chairman
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Testimony
Before the Committee on Resources
United States House of Representatives

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Chairman Pombo, Ranking Member Rahall and Members of the House Resources Committee, my name is Lance Gumbs, and I am the Chairman of the Tribal Trustees of the Shinnecock Indian Nation. Thank you for the opportunity to again address the committee on this important issue.

When I stood before this committee less than one year ago, it was the first time a member of the Shinnecock Indian Nation had testified before Congress since 1900. Nothing would make me happier than to be able to report back to you that the Department of Interior had made progress on our application which we first filed in 1978, some 27 years ago.

So if my frustration over the current federal recognition process is evident in my testimony, it is because it was forged by the blood, sweat and tears of too many members of our tribe. As I look back in time, it's hard to believe that it was 1978 when our tribe created the Shinnecock Federal Recognition Committee to file our petition. Now, nearly three decades later it merely gathers dust in a file. And regrettably, thirteen of those original members will never see our tribe attain recognition – they have all passed on.

Our Nation is one of the oldest, continuously self-governing tribes in the country. Experts in the recognition process tell us that we have the most compelling and complete case of any tribe. And, we are the most documented Indian Nation on record. That's because in 1792 the State of New York enacted a law taking away our traditional governance replacing it with a trustee form of government. Each April, for the past two centuries, the Clerk of the Town of Southampton has meticulously recorded our election.

We have been in our present location on Eastern Long Island – land which once stretched from Montauk Point to Manhattan – for thousands of years.

This land has dwindled over the past 365 years, beginning with the early settlers who illegally seized these lands in the 17th century. Remarkably, we are still fighting every day to protect our land, despite the fact that the Shinnecock Indian Nation pre-dates the birth of America and, that the Shinnecock have had a formal relationship with the State of New York since its inception in 1788 – some 317 years ago.

In 1974 the New York State Legislature called on Congress to grant our tribe federal recognition. In fact, in a number of documents prepared by the Department of Interior, the Shinnecock Indian Nation was listed as a tribe in 1941, 1960 and 1966.

Mr. Chairman, there is no reason that the Department cannot acknowledge us immediately.

The status of our petition sits in what I call the "Black Hole"-- the "Ready for Active Consideration list." I call it a black hole because in September 2003 the Shinnecock were told we were number 12 on the current list and according to BIA, [And I quote] "it may take the OFA up to 15 years to decide all completed applications" [End quote].

Mr. Chairman, it's been nearly a year and a half since receiving the information from BIA. We have not heard from them since and we are still number 12 in the never-ending "queue." It's simply a fact that OFA is getting further behind in the process of reviewing and acting on pending applications. At this rate, without major changes to the process, the Shinnecock Nation will languish in an unrecognized status indefinitely.

We provided evidence - and more evidence - to the BIA above and beyond what is required, because BIA staff interprets the results as they see fit. This is not what Congress intended.

To comply with the BIA's process, a variety of professional services are required: genealogists, anthropologists, legal counsel, computer analysts – the list goes on and on. It has cost nearly one million dollars so far, money that could have been spent to provide housing or improve education and health care for our people.

Last year, I witnessed testimony before this Committee calling for a moratorium on the federal recognition of Indian tribes. For a tribe like mine, who provided BIA with a tremendous amount of documentation, and redirected limited resources toward this process, a moratorium would only amount to punishing all the tribes that have played by the rules.

What is needed, Mr. Chairman, is to fix a system that is clearly broken. And it should start with immediate recognition for tribes like the Shinnecock – those that have languished for too long and have done everything asked by the BIA. And in our case, we've been recognized by New York for 317 years. Isn't it ironic that the two tribes who helped the first settlers survive- the Shinnecock and the Mashpee- have yet to be formally recognized by our federal government?

For thousands of years we have lived on our native lands. Most tribes in this country were moved to so-called "reservations", but quite simply we've never moved – and over 500 members of the Nation live on our territory today. Through the strength of Mother Earth and the perseverance of our people, we are still here.

My mission is to realize the dream of my ancestors and see that the "seventh generation" has a better life than the generations before it. Now is the time for the United States government to recognize the Shinnecock Indian Nation.

Mr. Chairman, thank you for your efforts on Indian issues, and thank you for the opportunity to speak to the committee.