TRANSCRIPT OF THE PUBLIC HEARING ON
TUSCARORA NATION OF NORTH CAROLINA
PETITION FOR STATE RECOGNITION

Friday, July 26, 2019
10:00 A.M.

GOVERNOR’S CRIME COMMISSION
1205 FRONT STREET
RALEIGH, NORTH CAROLINA
MR. F. LAMBERT: All in favor, let it be known by that information with other members that might come in, disrupting activities of the Crime Commission.

love one unto another. Forgive us now, Lord, of our MR. F. LAMBERT: Those opposed, likewise.

those that stand in need. we would ask that you not go beyond that point because there A couple of things I need to mention, this side of MULTIPLE PARTIES: Aye.

and pray for our leaders. We pray, God, that all decisions we ask you to lead and direct us in everything that we do.

To one of the other sections immediately, because that's another agency and they will tow you away. So we don't anybody having to go pick their car up at a tow yard today and spend extra money. So be mindful of that.

Across the hall here, as you go straight out this door, the necessary rooms are right there on your left. And we would ask that you not go beyond that point because there are offices down the hall and they're conducting business here for the Crime Commission. So we don't want to be disrupting activities of the Crime Commission.

And the final thing that I wanted to say is that out in the lobby area as you come -- come into the building here, we cannot allow people to congregate out there because the same thing applies. The noise, the speaking and that kind of thing will overflow into the offices for the Crime Commission, and they don't want us to be disruptive. So if you would honor the wishes of the Agency, the Governor's Crime Commission, today, we would certainly appreciate that. Thank you, Mr. Chairman.

MR. F. LAMBERT: At this time, I'd like to welcome all of you to Raleigh, North Carolina, for a hearing on the Tuscarora Nation of North Carolina about state recognition. And at this time, I'd like to go into the adoption of the agenda. Has all the Commission members had a chance to look at the agenda?

MR. HUNT: Mr. Chairman, without modification, I'd move that we adopt it.

MR. S. LAMBERT: Second.

MR. F. LAMBERT: Okay. The motion's been made and seconded. Is there any discussion?

(No response.)

MR. F. LAMBERT: All in favor, let it be known by saying "aye."

MULTIPLE PARTIES: Aye.

MR. F. LAMBERT: Those opposed, likewise.

(No response.)

MR. F. LAMBERT: Motion carries.

At this time, I'm going to ask Mr. Greg Richardson to tell you about -- well, do our housekeeping events. So, Greg.
shortcomings; strengthen where we may be weak.

Father, we look and rely upon you. I ask, dear

God, help us not to lean upon our own understanding but in

all our ways, we would acknowledge you; God, that you would

lead and direct and you would help us, Lord God, on this

journey in which we travel.

Bless now each and every one. Bless their

families. And, again, Father, we thank you for this day.

Thank you for your love and for mercy. It's in your holiest

precious name I pray. Amen.

ATTENDEES: Amen.

MR. F. LAMBERT: Okay. Roll call.

MS. PINTO: Good morning, everyone.

ATTENDEES: Good morning.

MS. PINTO: Isabell-Freeman Elliott?

(No response.)

MS. PINTO: Lenora Locklear?

(No response.)

MS. PINTO: Helen Cook?

MS. COOK: Here.

MS. PINTO: Gladys Hunt?

MS. HUNT: Here.

MS. PINTO: Sam Lambert?

MR. S. LAMBERT: Right here.

MS. PINTO: Marvel Welch?

MS. WELCH: Present.

MS. PINTO: Jennifer Revels-Baxter?

(No response.)

MS. PINTO: Devane Burnett, Sr.?

MR. D. BURNETT: Here.

MS. PINTO: Jeffrey Anstead?

MR. G. RICHARDSON: He's supposed to be on the his

way.

MS. PINTO: Charles Richardson?

MR. C. RICHARDSON: Here.

MS. PINTO: Larece Hunt?

MR. HUNT: Here.

MS. PINTO: Furnie Lambert?

MR. F. LAMBERT: Here.

MS. PINTO: Ricky Burnett?

MR. BURNETT: Present.

MS. PINTO: Constance Mitchell?

MS. MITCHELL: Here.

MS. PINTO: Jessie Jacobs?

MR. J. JACOBS: Here.

MS. PINTO: Walter Baucom?

MR. BAUCOM: Here.

MS. PINTO: Tony Hayes?

MR. HAYES: Here.

MS. PINTO: Dorothy Yates?

Secretary, designee for Dr. Mandy Cohen?

MR. DAVID LOCKLEAR: Present.

MS. PINTO: Cherie Berry, Commissioner for

Department of Labor, Jennifer Haigwood, designee for

Commissioner Cherie Berry?

MS. HAIGWOOD: Here.

MS. PINTO: John Mintz, State Archaeologist,

Advisor for Cultural Resources?

(No response.)

MS. PINTO: Brayden Locklear, Co-Chair of NCNAYO?

(No response.)

MS. PINTO: Ms. Dorothy is present.

MR. G. RICHARDSON: Mr. Jeff Anstead.

MS. PINTO: Yes.

MR. G. RICHARDSON: Mr. Chairman, we have a

quorum.

MR. F. LAMBERT: Okay. At this time, I'd like for
everyone to stand and join me in the Pledge of Allegiance.

ATTENDEES: I pledge allegiance to the flag of the

United States of America, and to the republic for which it

stands, one nation under God, indivisible, with liberty and

justice for all.

MR. F. LAMBERT: Thank you. You may be seated.

Okay. At this time, we'd like to have Greg

Richardson, Executive Director, read the ethics statement.

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MR. G. RICHARDSON: Thank you, Mr. Chairman.

Ladies and gentlemen, Commission Members and guests, I'll be reading the ethics statement on behalf of Chairman Lambert.

In accordance with North Carolina General Statute 18A, it is the duty of every Commission member to avoid both conflicts of interest and appearance of a conflict of interest with respect to any matters before the Commission today.

Does any Commission member have a known conflict of interest or any perceived conflict of interest as it relates to the matters before the Commission today?

And I think we have several that might need to recuse, Mr. Chairman. And that would be Mr. Chairman, Commissioner Larece Hunt, Commissioner Ricky Burnett. So let the record show that these members have recused themselves before the Commission today in all business matters related to the work of the Commission. Thank you.

MR. F. LAMBERT: Okay. Before I turn the meeting over to the Vice Chair, Ms. Shirley Freeman, we have some council members here. We have several of them from the Lumbee Tribe. I'd like for you to stand and be recognized, Tribal Council Lumbee Tribe.

Okay. We've got two. Okay. Thank you.

MS. FREEMAN: Could you have them tell us who they are for the record?

Shirley Freeman, and she will take care of business from here until we come back.

MS. FREEMAN: Let me say good morning.

ATTENDEES: Good morning.

MS. FREEMAN: And it is good to have all of you here today that we may continue on our journey here with a hearing today with the Tuscarora and hope all of us this morning can be attentive to what we're doing and just pay attention that we may make right decisions and good decisions in our efforts today.

First we want to hear from Mark and he's going to give us a overview of the legislation.

MR. G. RICHARDSON: Do you want to say who Mark is?

MR. F. LAMBERT: Tell them who Mark is.

MR. TEAGUE: My name is Mark Teague. I'm with the Attorney General's Office and I represent the Commission of Indian Affairs.

This hearing before the full Commission is required by the administrative procedures. If you have your copy of the administrative procedures regarding recognition, we are at 01 NCAC 15 .0209. These are the procedures adopted by the Commission of Indian Affairs concerning legal recognition of American Indian groups.

So the procedure for recognition or the steps --

there are approximately 19 of them -- are set out in the administrative procedures. And under Step Number (11), the Recognition Committee introduced its -- its recommendation to the full Commission at the Commission's June meeting.

And the Recognition Committee recommended that the petition that the Tuscarora Nation of North Carolina filed for state recognition as an Indian tribe be denied.

Under the rules -- and this is Rule (12) -- if the Recognition Committee recommends that a petition be denied, the petitioning group can request a hearing before the full Commission. So this hearing is required under the administrative procedures.

The Commission will not take a vote today on -- on the petition to grant or deny the petition. There will be no vote. This is simply a hearing that allows the petitioning group to address the denial -- or the recommendation of denial of recognition, and it also provides the full Commission to ask questions of the petitioner or perhaps staff and seek additional information so that the full Commission can make it a formal vote at a future meeting.

The earliest that a vote can be had by the full Commission concerning the recommendation is at the Commission's next quarterly meeting, which will be in September. That is the earliest that the Commission can
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| 1 | vote. The Commission could decide that it needs additional information and wants to send -- send the petition back to the Recognition -- Recognition Committee for additional information or for further study. That's entirely up to the Commission. So, again, there will not be a vote today. |
| 2 | Does anybody have any questions about that? |
| 3 | MS. LOWRY: I have a question. Mr. Mark Teague, just for -- Mr. Mark Teague, you did state -- I'm sorry. |
| 5 | MS. LOWRY: Mr. Mark Teague, you did state that during this process, up until the Recognition -- the North Carolina Commission of Indian Affairs makes a full decision, the petitioner can continue to submit additional supplemental evidence concerning the petition; is that correct? |
| 6 | MR. TEAGUE: Correct. Let's see. Yes. Under Rule (18) -- again, this is under .0209 -- it states, "During the petition process, any such other material or documents the Recognition Committee or Commission may request are relevant to the Commission's decision." So, again, the Commission can -- can request for additional documents. Those additional materials or documents shall be relevant to the recognition decision or shall be directly related to the recognition requirement throughout the petition process until -- |
| 7 | MS. LOWRY: Thank you. |
| 8 | MR. TEAGUE: -- until such time as the recognition decision is made by the full Commission, as described in this rule. |
| 9 | MS. LOWRY: Thank you. |
| 10 | MR. TEAGUE: Are there any other questions about the process? (No response.) |
| 11 | MS. FREEMAN: Okay. At this time, we will hear from Ms. Elizabeth Walker, our state recognition director. She's going to give us an overview. |
| 12 | MS. WALKER: Good morning. I see a lot of familiar faces from last hearing. The procedures today will be very similar to the hearing that was held on April 30th, but just to review where we're at, the Committee for Recognition of the full Commission made their preliminary findings in January of 2018. The petitioner then had 180 days and requested another 180 days to submit their responses, which were due on -- in January of 2019, which the committee received. Those responses were evaluated and there were several committee hearings, one on March 6th and one by conference phone, to discuss the evidence that was submitted by the petitioner. And then the hearing was held on April |

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| 1 | deficiencies outlined in the Recognition Committee or the full Commission. And I think you were asking, Ms. Locklear, whether the petitioner could submit additional -- |
| 2 | MS. LOWRY: Yes. |
| 3 | MR. TEAGUE: -- documents; is that correct? |
| 4 | MS. LOWRY: Yes. |
| 5 | MR. TEAGUE: Yeah. Let me find that exact point. I'm sorry. |
| 6 | MS. LOWRY: At a previous meeting, you did state that the petitioner could continue to submit additional material and documents up until the full Commission has rendered a vote for or against the petitioner. So this states that during the petition process, any such material or documents the Recognition Committee or Commission may request are relevant to the Commission's decision. Any additional materials or documents shall be -- |
| 7 | MR. TEAGUE: Yes, Ms. Locklear, you are correct. Under .0209 -- |
| 8 | MS. LOWRY: Lowry. |
| 9 | MR. TEAGUE: I'm sorry. Lowry. I'm sorry. Under Rule .0209(7) -- |
| 10 | MR. G. RICHARDSON: Number (7). |
| 11 | MR. TEAGUE: Number (7) -- the petitioner may submit additional petition documentation and materials |

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| 1 | 30th where the petitioner submitted oral testimony and some documents at that time. |
| 2 | Final recommendation was completed by the committee and submitted at the June meeting of the Recognition -- of the full Commission. And the petitioner did request this hearing, as Mr. Teague recounted. So now we're at the -- the hearing. The hearing procedures will go like this. The petitioner has two witnesses. First will be Dr. Sider. After Dr. Sider's testimony -- he'll be given 50 minutes. There will be a timekeeper. And then there will be question -- a period for questions by the Committee and the Commission members. And then Ms. Lowry will have her opportunity to testify for 50 minutes and then there'll be opportunity for questions by the Commission members. Again, there will be a timekeeper and Mr. Richardson will be keeping time on that. That's -- that's the procedures. If there's any questions, let us know. |
| 3 | MR. G. RICHARDSON: You may want to ask them if they received those findings and deficiencies. |
| 4 | MS. WALKER: Tamra, you -- we wanted to just confirm you received the final recommendation and the findings and deficiencies. We had sent those. |
| 5 | MS. LOWRY: (Nods affirmatively.) |
| 6 | MS. WALKER: Yes. All right. Thank you. |

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MR. E. JACOB: I have a question for Mark.

MR. TEAGUE: Yes, sir.

MR. E. JACOB: My name is Elton Ray Jacobs. Number (7) there, you said that petitioners could submit documents and stuff until the vote.

MR. TEAGUE: Yes, sir.

MR. E. JACOB: Until -- until the day of the vote or is there a time period before that all the documentation needs to be in before we can review it?

MR. TEAGUE: Well, until such time as -- as a recognition decision is made by the full Commission. So up until the vote, I guess. But, you know, I think -- I think the Commission would have some discretion to determine whether it was timely. This petition has been under review for seven years at least, I believe, and there's been ample opportunities to submit documents.

So I think the Commission would have some discretion to determine whether it's timely, whether it's relevant and whether it really impacts the overall decision and addresses the deficiencies noted by the Recognition Committee.

But, yes, the petitioner can submit documents and the Commission will receive them. It is up to the full Commission to determine how it needs to handle those documents once received.

Okay. I want to start with my relevant background. This doesn't work because I can't see you with my reading glasses. So I'll start with my relevant background. I majored in anthropology at the University of Pennsylvania as a first-semester sophomore in the fall of 1956, taking three anthropology courses. At the start of the spring 1957 semester, my second semester there, I was told that from then on I could take all graduate courses in the anthropology program.

I took courses and tutorials with Professor Anthony Wallace, a scholar of Tuscarora history and anthropology who recently published a major book on Tuscarora history and whose first work on the Tuscarora was published in 1952. So my interest in Tuscarora and their history started with my studies with him in '57.

In 1963, after teaching anthropology at University of Chicago Ph.D. program, where I studied and worked with Professor Lou Binford, an archaeologist who did his Ph.D. thesis at the University of Michigan on the interactions between coastal Native American peoples and the early Virginia colonists, I became further interested in and began serious research on coastal plain native peoples in the Carolinas and Virginia. I have done research on southeastern Native American history and anthropology for the past 62 years.

I taught Native American history and anthropology in City University of New York for 37 years. For 21 of those years, I taught in the Ph.D. program, where I'm now professor emeritus in the doctoral program. I have a continuing -- I have a current and continuing -- it's hard to hold the mic and this.

I have a current and continuing research appointment in the Department of Anthropology at the American Museum of Natural History, where my research focuses on Native American people on the Atlantic Coastal Plain, from the southeast -- I'm not used to working without a lectern -- from the southeast --

MR. HAYES: Greg -- Greg, why don't you let him sit at the table and put his stuff there so he can -- he can read --

DR. SIDER: Oh, that would be wonderful. Thank you.

MR. G. RICHARDSON: Come on up here. That's fine.

DR. SIDER: Thank you. Thank you. That's kind of you to think of that. I don't have that much sense.

There we go. There we go.

My current research, which I'll get back to later, supported by a National Science Foundation research grant, is on youth suicide, Native American and Inuit suicide, and youth health. And I published one book on Lumbee Indian
My stopping work on the petition was also related to the murder of Julian Pierce, by then my dear friend, as well as my boss in the petition effort. I worked with him the day before he was murdered, helping him with his – he was running for judgeship in Robeson County, and that night he was murdered – horror, horror, horror.

And with Julian Pierce’s quiet and careful attempt to support my petition on the inclusive breadth of the petition for recognition gone, there was no point in my continuing to be involved. LRDA -- see, let me explain something. Julian was on my side. He also thought the petition ought to include the Tuscarora and all the Indian peoples, plural, of Robeson County.

But LRDA was financing the petition, and Julian would say to me, “We’ve got to – we can’t do this petition” – it cost a million bucks in those days. He said – Julian said, “We can’t do this petition without LRDA supporting it and they’re against the Tuscarora. So shut up, Jerry.” You know, that’s – that’s how the whole thing unfolded. He was treading a fine line between our concern for the Tuscarora and how the petition was financed.

LRDA’s opposition to Tuscarora was made explicitly clear in 1986, when they published an internal written history -- an internally written history of LRDA from 68, when I founded it -- I started it -- to 1985. Because I
decision.

With that history in mind, it is beyond disappointing -- beyond disappointing that some of the Haliwa leadership now seem so disdainful of the Tuscarora, particularly when in southernmost Virginia in the early Colonial Period, the Saponi were allied with the Tuscarora in northern North Carolina, including fighting along with the Tuscarora against the colonists. Further, a small but important portion of the Saponi migrated with the Tuscarora to what was then Bertie County.

The -- the Saponi and Tuscarora in important part survived the assaults and diseases of the colonists by supporting each other. They survived the colonists' assault by supporting each other. So I want to ask you what has changed now? Why aren't they still doing it now?

Native American history, as they -- as Native Americans themselves see it and preserve it, has always been properly based on a long-time perspective. Hopefully, my testimony here can help all the members of their -- of this Commission see their mutual histories, for native histories, as you know better than I do, are an important part of how native people live their today and tomorrow.

In other words, what I want to argue with you is that native people have always lived their todays and their tomorrows in terms of their histories and the history of

The fall line was an area of relatively dense pre-contact native settlement, and it became even more important as the Colonial Period developed from the 1600s to the 1800s. See, what made the fall line so important was that was the last point to the west that the colonists could get freight boats to carry the agricultural cargo -- tobacco, rice, whatever -- down to the ocean to -- to be sold, to be transported back to England. So the -- they never wanted to go to the fall line. The colonists never wanted the fall line because they couldn't use their freight boats, and the land was swampy because the river slowed down. The -- they couldn't use the area for multiple reasons. So that became the area of native safety.

The Cheraw migrated from South Carolina all the way up to Virginia, where they joined with the Tuscarora and the Saponi and the people called the Lumbee -- and the people called the Lumbee. Then they came back down to where they are now in South Carolina up and down the fall line. The natives moved through this highway.

And in doing so -- and you -- I -- I only have 50 minutes. I'm not going to take all of 50 minutes. But in doing so, they combined and separated and combined and separated so that -- Lawson in the early 1600s would talk about being in Indian villages where nine different languages were spoken. Lederer, who was there even earlier;
when they did that, first North Carolina attacked them and
Okay.  But now -- okay.  In the decades after this
Nassaw nation.
middle towns ran north to Pennsylvania and then to join the
come back for vengeance with some of their buddies.  Huh?
the major economic activities was capturing Indian women and
children for sale in the Caribbean.  You couldn't use Indian
slaves in the Americas.  (A), they could run away too
easily, and (B), when they ran away, the fear was they would
come back for vengeance with some of their buddies. Huh?
So -- but there was a huge market for Indian
slaves in the Caribbean.  I've done some Caribbean history,
too. The average life expectancy of a African slave when
landed in the Caribbean was seven years; seven years. So to
keep the sugar and other products that were growing in the
Caribbean going, there was a huge hunger for Native American
slaves, and the New Bern settlement was delivering those.
So the lower Tuscarora were the people that lived
closest to the New Bern settlement. The lower Tuscarora
went back -- on 1711, they assaulted the New Bern
settlements, trying to get them to stop this stuff.  And
when they did that, first North Carolina attacked them and
then South Carolina, with the assistance of the Cherokee,
with assist -- and Cherokee -- the Cherokee were also Indian
slaving, by the way. The Cherokee got a lot of their guns
because they were Indian slaving.

And the -- see, the thing is the -- one of the
horrors of enslaving blacks -- I could go on forever on this
stuff.  One of the horrors of enslaving blacks was that they
had to keep them from running west.  As long as an escaped
slave could run north or south, there could be a good chance
of being caught and returned. If they ran west, they were
lost. And the so-called Seminole Wars -- the so-called
Seminole Wars were won by the Indians because about half the
soldiers in that war were black and they had a better
understanding of how to fight the colonists than the Indians
did because they had seen it in African slave wars.

Okay. But now -- okay. In the decades after this
1711-1713 war, a portion of the Tuscarora, including the
Catawba and the Cheraw, who were earlier migrated north to
the Virginia/North Carolina border to escape South Carolina,
migrated back.  See, the Tuscarora War made northern North
Carolina unsafe. It gave -- they killed so many Indians in
that war. Nine hundred, I think, was -- was the -- more or
less the accepted death toll.

The colonists killed so many Indians in the
Tuscarora War that the Indians realized they can't stay

there anymore. So the Catawba -- the Cheraw migrated back
down south to South Carolina. The Halwa Saponi and the --
and the -- some of the remaining Tuscarora from the lower
towns, from the towns that made war, moved to -- moved east
to Bertie County, where they thought they'd be safer. And
middle towns ran north to Pennsylvania and then to join the
Iroquois; first to Pennsylvania, then to join the Iroquois.
And the upper towns stayed where they were. The upper towns
stayed where they were until a whole bunch of the people got
disappointed with the leadership of a guy called King
Blount, who sided with the colonists and fled north also to
join the Iroquois.

Okay. Back to -- back to work. More
specifically, the important history presented by the Halwa
Saponi -- the Halwa Saponi's own history in Wikipedia, with
a range of scholarly citations, points out that the Halwa
Saponi descend from the Tuscarora, Nansemond and Saponi, and
notes that during, quote -- this is the Halwa Saponi's own
history.  They note that during the late 1600s, the -- the
Saponi undertook a political alliance with a culturally
related Totter or Tutelow, and together they comprised the
Nassaw nation.

After the Tuscarora War, the Saponi by 1730 joined
the Tuscarora in Bertie County and found protection with the
Tuscarora before they moved about 30 miles back east -- back
west to become the Halwa.

Okay.  The second -- I'm skipping a bunch.  The
second major pressure on the Tuscarora in the late 1600s and
early 1700s -- oh, this is about slave catching.  I can skip
that.  I've done -- the upper town Tuscarora did -- back to
the Tuscarora War.

The -- the Tuscarora that assaulted the colonists
at New Bern were led by a man called King Hancock, the
settlers called Hancock, and a person called Cor Tom, C-o-r
T-o-m, who almost -- all the native wars in that area -- in
that era were religious, as well as -- it's crucial to you
to explain the difference.

The difference is not easily -- the Cherokee --
the Cherokee at one point marched out to war against the
French settlers in 1758.  I think.  And when they did,
when -- when they got 20 or 30 miles out of town, the -- the
religious leader, the priest, the sachem, did some prayers
and appeals to the Lord and the Lord -- their Lord, their
God -- did some appeals and -- and prayers to their God.
And their God said, "No, don't do it."

So the priest leader said to the Cherokee, "Turn
back.  We can't go."  And the Cherokee -- it's such a
tragedy. The Cherokee had to murder their own priest leader
so they could continue to -- because they had, for their
survival, to fight the French, the French colonists.
See, the point of all this, wars were religious.
The Cherokee War -- the Tuscarora War against the settlers
was led not simply by King Hancock but by this religious
leader, Cor Tom. And it gives the Cherokee -- because those
are the Cherokee whose survivors migrated to Robeson County,
first to Bertie and then south down the fall line to Robeson
County. And those are the Cherokees whose identity as
native people is at stake here. Once -- they -- they had to
leave Bertie County once the pressure on them got -- got too
severe.
Okay. I want to shift to some -- that's enough of
the background to the Cherokee -- to Tuscarora. My
gracious. I want to shift to the present period.

In 1967, when I began my 18 months of civil rights
work in and mostly around Pembroke, I worked with several
communities of Tuscarora Nation people then in Robeson
County -- in Robeson County. I was particularly close to
Mr. Vernon Locklear, the head of one such community, and
several other Locklears who built a Tuscarora longhouse in
the vicinity of Prospect.

In 1980, I was taken by a man called Deese -- I
have his first name there; I forget it -- to visit their
longhouse in the vicinity of Prospect, and I was told by him
and his clan mother than Wallace "Mad Bear" Anderson, a
major New York Tuscarora leader of Tuscarora's struggles,

Nation in this way, by these gifts, is crucial.
It is also -- it is also a contested position. For the
same reason that Carolina Cherokee strongly opposed Lumbee
recognition and the recog -- federal recognition of every
group represented here -- for the same reason that the
Cherokee opposed -- opposed federal recognition -- because
underneath all the ideology, there is a fear that Lumbee
recognition will deplete the federal funds that the Cherokee
have enjoyed.

I worked -- when I was down here in '67-'68, I
worked a couple of days a week as a consultant to something
called the North Carolina Mobility Project, which was trying
to move starving rural people, unemployed -- because the
farms were mechanizing then. They were trying to move
unemployed rural people into jobs in the furniture factories
and -- and, you know, in trucking and whatever. And they
hired me to go around to rural areas, particularly areas
where native people lived. So they sent me to Cherokee to
see who could or should be -- be moved to a city where there
were more jobs. And I worked for them also -- and I worked
among them also when I was consulting to the War on Poverty
on Indian poverty.

I was told directly by the Cherokee that they
didn't want anybody else recognized because they didn't want

had come down twice to visit them. I mean, I knew --
because I worked and did -- in doing some background
research for the Tuscarora in their struggles with the
government. So Wallace "Mad Bear" Anderson was a major
Tuscarora leader, and he came down to visit this longhouse.

Wallace Anderson brought as a gift to the Robeson
County Tuscarora and their longhouse a song and a prayer.
It takes a serious knowledge of Native American culture to
realize the importance of this. Unlike Western societies,
where if you hear and learn a song, you can play it and sing
it and you can pray as you wish, however you wish, in many
eastern Native American societies, songs and prayers are --
are sacred, are themselves sacred.

The song is not just to the sacred. The song is
itself sacred. The prayer is not just to the sacred. The
prayer is itself sacred. Prayers -- songs and prayers are
gifted between kin, between clan members, between clan
allies, and the recipient then shares the ownership and can
legitimately sing and pray what has been gifted.

In other words, you don't just learn a song and
sing it. Wallace "Mad Bear" Anderson gave the Robeson
County Tuscarora, Tuscarora Nation of North Carolina, a song
and a prayer. That was an incredibly special gift. And
what it was, for one of the major leaders of the New York
State Tuscarora to recognize the Robeson County Tuscarora

the same reason, the New York Tuscarora have been seeking --
they've been caught more than once seeking compensation for
the lands that were taken from them without even the
pretense of buying them -- for the lands that were taken in
northern North Carolina. They -- so they're suing North
Carolina, the federal government, for not protecting their
rights because they want to be paid for the lands that were
stolen from them.

And if the Tuscarora here were recognized, the New
York State Tuscarora think, "Oh, we'll have to share any
payments we get with them." So for the same reason the
Cherokee opposed your recognition federally, the Tuscarora
oppose -- the northern Tuscarora oppose the recognition.
But that has nothing to do with the justice of the
situation; nothing whatsoever to do with the justice and
truth and honor of the situation.

Okay. Almost done. But the American Indian
movement has welcomed the anticipation -- has welcomed the
participation of the Robeson County Tuscarora Nation. On
the Trail of Broken Treaties in the fall of 1972, a major
attempt to transform some of the continuing wrongs since the
early 19th century Trail of Tears, a large progression of
Native Americans from the Midwest, wending their way to
Washington, DC, in the fall of '72, stopped in Robeson
In DC, they occupied the federal BIA offices for several days. And when they left to avoid police assault -- after the -- after the recommendation -- after the Trail of Broken Treaties occupied the BIA offices, the police were all out in front. They rented a BA -- they rented a U-Haul truck and drove it around to the back door of the BIA offices. And when they left after several days, they took several file cabinets of documents with them.

Now -- how much more time do I have?

MS. WALKER: Sixteen minutes.

Now I'm going to wind up. It's 6:16. As a historical anthropologist who has worked with the Indian peoples in Robeson County since 1967, I have spent a lot of time discussing with native peoples, and especially elders, what is simplistically called oral history. It's one of the things I do. I do what's called an oral history, what it's called by the headquarters office.

This is much more properly understood as the cultural, moral and social framework of native lives and native communities as their lives stretch from yesterday to tomorrow guided by these so-called oral histories. In other words, what -- what the Americans call oral history is actually the moral, ethical and community principles for getting from yesterday to tomorrow. And that's how it -- that's how it lives in Indian communities.

In this context, I have spent in recent years a

oral history that the U.S. Government had never lived up to the treaties that they signed with the Indians.

Even as little as those treaties gave the native people, the Government never lived up to it. And not only that, the Government -- the Government had never let the Indians see the treaties. The -- the Government had never let -- let the Indians see the treaties.

So what the Trail of Broken Treaties wanted to do, they wanted to take those treaties back away from the Government so they could read through them. They knew they have to Xerox them and give them back -- give the originals back to the Government, because the whole point was to sue the Government, saying, 'Look, you signed this treaty saying you'd give us that. You never damn did it. So now we want reparations. We want you to live up to your skimpy promises.'

And so they were going to give it back, but those file cabinets full of treaties were full -- were -- of not just the treaties they took but the dreams of the Indians that they would finally get some justice. And they took those several file cabinets that they had spent their days in the BIA researching and gathering the critical treaties together -- they took those file cabinets on the way back to the Midwest and hid them in Tuscarora barns, Tuscarora tobacco barns.

So if you ever want to talk about Native Americans trusting the Tuscarora, Native Americans accepting the Tuscarora, Native Americans partnering with their brothers, the North Carolina Tuscarora Nation, I can think of nothing more important than that. But, unfortunately, it was betrayed by somebody who saw them unload the stuff and the FBI grabbed it and took it back before the Indians could use it, before the Indian -- what a -- I worked with those folks. It was such a heartbreak, people crying for days.

Okay. One final point. One final point. As a historical anthropologist who has worked with the Indian peoples in Robeson County since 1967, I have spent a lot of time discussing with native peoples, and especially elders, what is simplistically called oral history. It's one of the things I do. I do what's called an oral history, what it's called by the headquarters office.

This is much more properly understood as the cultural, moral and social framework of native lives and native communities as their lives stretch from yesterday to tomorrow guided by these so-called oral histories. In other words, what -- what the Americans call oral history is actually the moral, ethical and community principles for getting from yesterday to tomorrow. And that's how it -- that's how it lives in Indian communities.

In this context, I have spent in recent years a

lot of time talking now to the current Tuscarora chief, Leon Locklear, sitting back there, and -- and before that, to Mr. Vernon Locklear, and the Deeses, who were in the Prospect longhouse. And then years ago, I spent -- I don't know if people know it, but years ago, I spent a lot of time walking and talking with Lumbee elders, including especially old Mr. Jim Chavis from the Saint Anna community, active since the '40s in Indian recognition. And I was dear and close friends with Mr. Barto Clark and Ms. Geraldine Clark, recognized as honored and honored as elders by the Lumbee Tribe. And my work doing -- organizing voter registration in the '60s and '70s was supported by Dr. Martin Brooks, who emotionally supported, intellect -- politically supported, not financially.

The differences that emerge from these discussions both with Tuscarora elders and Lumbee elders -- differences especially about how these two communities are lived by the ordinary people within them -- are very substantial and very significant. This is especially so in the different ways families and kin groups and churches make community.

Tuscarora Nation of North Carolina communities rather more well up from below from the ordinary people in the community are what gives the community its force, its life, its dynamic. Tuscarora communities well up from below. Lumbee communities are much more about leadership,
much more about leadership from the top down.

I'm not -- I'm not saying one is better than the
other. It's not my place to say, "This is right. This is
wrong. This is better. This isn't better." I'm just
saying they're different. So that you can go around -- what
I did that year and a half of voter registration and civil
rights organizing, I lived in Pembroke. I never organized
in Pembroke. I organized out in the swamps because I was
most concerned with the poor Indian. So I know these
out-of-the-way communities tucked off the main road, tucked
back up a little dirt road with a little cluster of houses
or trailers back -- back in the woods, back off the -- back
out of view, I know these communities well. I still have
friends and I still visit there.

They're different. The Tuscarora communities are
communities from below. The Lumbee communities are
communities from -- where they are run from above. And so
they -- they live in the same region, Tuscarora and Lumbee,
but at the level of community life, they are quite
different.

Okay. Thank you for listening to my testimony.

The Tuscarora Nation clearly deserves state recognition just
as much as any other state-recognized nation. And to say
anything different, to say that they don't deserve state
recognition any more than any of you would be a breach of
justice. I very much look forward to this group
recommending recognition, and if I can provide any further
information, I would be glad to work with you towards that
goal. Thank you.

DR. SIDER: I'm only 81 and a half. Thank you.

MR. G. RICHARDSON: The Chair will decide how we
go forward.

DR. SIDER: Okay. Okay. What I'm going to need --

MS. FREEMAN: She will have her time. I think if
we've got questions, it's just going to be about your
research.

DR. SIDER: Okay. Sure. But I need to maybe turn
to her and ask her.

MR. G. RICHARDSON: Madam Chair, we still have
nine minutes remaining on --

DR. SIDER: I cede that nine minutes to Ms. Lowry

for her testimony.

MS. FREEMAN: Questions?

MR. HUNT: Madam Chair -- Dr. Sider --

DR. SIDER: No. They want to sit back where

they -- can I -- should I --

MS. FREEMAN: You -- you can take a seat.

DR. SIDER: I'm only 81 and a half. Thank you.

MS. FREEMAN: At this time, though, we're -- we're
totally dependent upon you to answer your questions --

DR. SIDER: Yes, ma'am.

MS. FREEMAN: -- about --

DR. SIDER: Yes, ma'am. I will --

MS. FREEMAN: -- your research.

DR. SIDER: After being married for several
decades, I've been trained to do what I'm told.

MS. FREEMAN: And I -- I -- I only want to say we
respect and appreciate your research. But we're trying to
get knowledge.

DR. SIDER: I'm trying to give it, but whatever.

MS. FREEMAN: Thank you.

DR. SIDER: Okay. Thank you. All right. How can
I help? Yes, ma'am.

MS. MITCHELL: I just wanted to know if you were
provided with any information --


Name.

MS. MITCHELL: My name is Connie Mitchell.

MR. G. RICHARDSON: Hold the button down until the
light's on.

MS. FREEMAN: Is the light on? The green light
on, Connie?

MS. MITCHELL: It was on.

MR. G. RICHARDSON: You have to hold the button
down.

DR. SIDER: How do I turn -- oh, this is on.

MS. LOWRY: It's on.

MR. G. RICHARDSON: Okay. You should be good.

MS. MITCHELL: Am I good now?

MR. G. RICHARDSON: Okay.

MS. FREEMAN: I thought she was.

MS. MITCHELL: My name is Connie Mitchell. I'm
with the Meherrin Tribe. My question to you is -- well,
first of all, let me thank you for the information that you
provided to us.

DR. SIDER: And let me say I'm very glad to meet
you, because one of the ways I got through graduate school
was writing an early colonial history of the Meherrin. So
I'm delighted to meet you.

MS. MITCHELL: I'd love to read it sometime.

DR. SIDER: I don't know if I still have it. That
on why those kids kill themselves at three times the
national Indian rate, three times; both the Inuit and the
Cree Indians.

Similarly and peculiarly, the Australian
aborigines have just about the identical child suicide rate;
nine-year-old kids killing themselves. So that -- I've been
flown out to Australia twice to work with them on why the
Australian aborigines have such a high suicide rate to see
if -- okay. This is the background to what I am going to
say.

Up until a few years ago, the government -- the
Australian government just took aborigine land without
recompense, saying the land was legally terra nullis,
t-e-r-a n-u-l-l-i-s. Terra nullis is Latin for
unoccupied.

The early colonists in the U.S. and America is --
was a group that was capable of fighting back; in other
words, one of these militarized confederacies. They made
treaties with a small settlement of Indians along the coast.

They, too, said, "The land was terra nullis. We're just
going to damn take it."

And the justification they said -- the
justification they used for saying the land was empty was
that they weren't organized politically. They didn't have a
king. They didn't have a chief. They weren't politically
organizes. They lived like wild animals just off the
forest, just gathering nuts and berries.

That racist -- and we've got to understand it's
racist. That racist refusal to recognize that native people
could organize themselves politically in communities run by
consensus and communities run by their religion -- they were
as fully and as tightly organized as anybody with a king.
Maybe they were better organized than somebody.

So to say that the Tuscarora weren't organized
until 1980 is to fundamentally misunderstand native
organization outside of the militarized confederacies.
I hope that answers your question. I hope that
answers your -- after teaching for so many years, I allow I
go on too long. I'm sorry.

MR. C. RICHARDSON: Yes. I have a question.
Again, my name is -- my name is Charles Richardson.
Mr. Sider, thank you for the information and your
presentation. I noticed, according to the Internet -- I was
looking at it -- you wrote several books, and you've got one
in particular that caught my eye. I read a little summary
on "Living the Indian Histories," and that was about the
Lumbees.

MR. C. RICHARDSON: Yeah. But the -- the one you
wrote in 1993 was about --

MR. C. RICHARDSON: -- the Lumbee. And you redid
pretty much the same name on the book in 2003, November, it
was published.

And with all the information I've seen on the
Internet regarding -- in reference to you've done several
books and research on the Lumbee and Tuscarora over the
years of the sixty-something to -- through the '80s, could
you summarize a little bit about the research that you did
on the Tuscarora Nation at that time period?

I mean, did you write -- did you write
documentation bookwise or research papers regarding the
Tuscarora Nation of North Carolina through the '60s through
DR. SIDER: I know -- you have my -- my curriculum vitae, which is nine pages long. I know that -- I know that I gave several papers. It's hard to say.

I gave several papers that talked about the Tuscarora. I was the keynote speaker at the Canadian Anthropology Society. I was the keynote speaker at the Australian Anthropology Society. I -- I wrote pages -- oh, I wrote pages of -- pages of -- six pages in -- I don't remember.

I know -- I know that I've constantly talked about the Tuscarora and the Lumbee and the other native peoples that I worked with, but I don't -- I can't sort of say this one, that one, this one, that one. And many -- I'm just now, at the end of my life, doing my collected essays. So I don't -- I saved most of them from publication because I wanted to do my collected essays.

MR. C. RICHARDSON: Thank you.

MS. WELCH: Hello. I'm Marvel Welch. Thank you for being here, Dr. Sider. I just have two questions. And the first one is you talked about a fall line zone. So is that part of your research or where did -- where did you reference that from?

DR. SIDER: That's part of my research -- primarily my research from -- the first draft was, what, 1993. The first draft of this book, I spent 21 years in the state archives of South Carolina and up here in Raleigh and in New York and in DC doing the research for this book.

So most of what I know -- oh, and I also worked in England in the public record office, because they have an extraordinary map collection, and I worked in the map collection of the New York Public Library.

And -- and -- and I was -- most of my work was -- was -- in -- in 67-68 was with native people who lived in trailers. I was most concerned -- they're the people in Pembroke that the people out in the swamps call brick house Indians. The brick house Indians were taking care of themselves. They didn't need my help. I was working with the Indians -- so I worked out in -- and people took me -- a man called John L. Locklear, J. -- the Indian Pope, he called himself.

He took me walking along the swamp. He said, "This swamp used to be 1500 feet wide. It's now an eight-foot channel." And I went, in fact, found the government records and it was in 1916 reduced from 1500 feet wide to -- to a eight-foot channel. So, I mean, I've done the research on the swampiness of the -- and it's in my book. I mean, this -- this was a lifetime of work. This wasn't easy.

MS. WELCH: So I hear that you don't have a citing for that reference.

DR. SIDER: Me?

MS. WELCH: Yes.

DR. SIDER: Wait a second. Wait. Wait. Wait. When you say I don't have a citing for that reference, it could be you're saying it's not serious. I have been asked to do tenure and promotion reviews at Harvard University, that's in my CV.

I am -- by this time, with a lifetime of research in native people, I am allowed to discover facts myself.

MS. HUNT: Dr. Sider, my name is Gladys Hunt. Would you say that you've done as much research for the Tuscarora as you have the Lumbee Tribe?

DR. SIDER: I can't really answer that question because my concerns were always with the Indian peoples, plural, of Robeson County. So I have worked -- I have worked -- I have worked, you know, doing research in the county on the Indian people.

So yes -- yes and no. I mean, no. Because there are more Lumbee than there are Tuscarora, I have spent more time talking to people that identify as Lumbee than I have talked to the people who identify as Tuscarora. But I have felt as close and as seriously involved with trying to help the Tuscarora as trying to help the Lumbee.

MS. FREEMAN: Dr. Sider, I think we have one more question from --
people I worked with -- the sheriffs used to wear two pair
of steel handcuffs on their waist. And they'd handcuff you
with one pair and whip you in the face with the other.

I have seen an enormous amount with my work with
the American Indian movement, with my work with Indians all
cross the nation, with my work up in Canada, still with
Indians who commit suicide -- I have seen an enormous amount
of suffering of Native American people and have worked since
the early 1960s in trying to do something about it.

I was concerned that the Tuscarora was being --
were being poorly treated by the subcommittee here, were
being treated somewhat arrogantly, and I wanted to
encourage -- I was encouraging them go to court. Don't sit,
take quietly for this. And that may have been out of place
for me. It may have been wrong for me to do as an outsider.

But the point is you've got to understand -- if
you've worked in Indian poverty as long as I have, the
suffering you have seen in native communities left me with a
certain bit of maybe improper anger. Let's call it that
way.

MS. FREEMAN: Okay. Dr. Sider, my comment or
question goes back to something that has already been asked.
The time that you were doing your research, my question
is -- and you talked about working for -- for the Indian
people as a whole.

God's assistance. They pray for -- because churches are so
important in communities, husbands and wives often go to
different churches.

MS. FREEMAN: Okay. Not being disrespectful, but
I don't think that's really answering my question.

DR. SIDER: No. So -- no. So the Tuscarora
mostly go to their churches with --

MS. FREEMAN: What --

DR. SIDER: -- some Lumbee coming there and --

MS. FREEMAN: What time period was this that
you're speaking about?

DR. SIDER: From the '60s to now. From the '60s
to now. I don't know how to --

MS. FREEMAN: Okay.

DR. SIDER: They go to their own churches, which
is not easy. Some of these rural Indians are not terribly
wealthy and they put up these brick churches.

MS. FREEMAN: This is just information that --
that the body has to have to follow our criteria. You know,
that's why we're asking these questions.

DR. SIDER: Okay. No. I'm glad to try and answer
them. I'm sorry I don't answer them specifically enough.

MS. FREEMAN: Okay. We thank you, and I think our
time's up. And --

MR. G. RICHARDSON: Madam Chair, I'm going to ask
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<tr>
<td>1. Once again, we find ourselves here at a public hearing before the</td>
<td>1. The establishment of this Commission of Indian Affairs for North</td>
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<td>North Carolina Commission of Indian Affairs to address the state</td>
<td>Carolina was to overall bring together representatives from North</td>
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<td>petition for recognition.</td>
<td>Carolina tribal nations to provide for greater advocacy, support,</td>
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<td>2. Since our last public hearing, there has been significant dialogue</td>
<td>promotion and representation on state and federal matters affecting</td>
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<td>regarding the Tuscarora people. This dialogue was generated by your</td>
<td>the Indian people of North Carolina.</td>
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<td>Recognition Committee members during teleconference calls in which</td>
<td>I am unable to find anywhere in your outlined duties of this</td>
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<td>they deliberated their official recommendation.</td>
<td>Commission in which your role is to antagonize, misconstrue, smear,</td>
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<td>3. I wish I could say that I, the Tuscarora Nation of North Carolina</td>
<td>employ tribal politics, discriminate and ultimately stand in</td>
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<td>Public Relations representative, and our lawyer had an equal</td>
<td>opposition to the recognition of other neighboring tribes.</td>
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<td>opportunity to participate in this dialogue. Unfortunately, that</td>
<td>Unfortunately, this is what this Commission has a past of doing.</td>
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<tr>
<td>was never the case. The Tuscarora representatives were given --</td>
<td>Since many of you are new to this Commission and I've spent the last</td>
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<td>were allowed only to listen but were prohibited from having any level</td>
<td>three years studying extensively from the time you created this</td>
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<td>of discussion with Recognition Committee members during these calls.</td>
<td>Commission to -- up until now -- and I mean I've read every single</td>
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<td>No reason was given to us for denying participation on these calls.</td>
<td>minute for every single year for every single quarterly meeting --</td>
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<td>4. If we had been provided equal opportunity to engage in a meaningful</td>
<td>I think it's time you guys need to be reminded of your past.</td>
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<td>dialogue as it concerns the criteria and how the -- we, the Tuscarora</td>
<td>So we'll start here. The Tuscarora people filed their official</td>
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<td>Nation of people, address that criteria, many of your questions and</td>
<td>petition for state recognition in 1981 as the Drowning Creek Band</td>
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<td>your comments could have been answered and debated immediately on</td>
<td>of Tuscarora. The North Carolina Commission of Indian Affairs states</td>
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<tr>
<td>those calls. This entire process which the Tuscarora Nation of North</td>
<td>the petition was denied. This is actually incorrect.</td>
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<td>Carolina peoples have endured has been burdensome, expensive,</td>
<td>On September the 18th, 1981, the Tuscarora Indian Tribe of Drowing</td>
</tr>
<tr>
<td>tiresome, frustrating and unnecessary.</td>
<td>Creek Reservation received a letter from the North Carolina</td>
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<th>Page 60</th>
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<tbody>
<tr>
<td>1. the North Carolina Commission of Indian Affairs stating the</td>
<td>1. Indian tribes. There is nothing in the petition that addresses this</td>
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<td>following. And this letter actually came directly from Ms. Liz</td>
<td>requirement.</td>
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<td>Walker at the request -- at my request, and I'm going to read this</td>
<td>&quot;Three, official records, such as birth, church, school or other</td>
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<td>letter which she -- when I asked for this denial letter, this was</td>
<td>recognizing the people as Indian. No such documentation is attached</td>
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<td>what I received. It's addressed -- it's addressed to Chief Leon</td>
<td>to the petition.</td>
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<td>Locklear, Tuscarora Indian Tribe, Drowning Creek Reservation,</td>
<td>&quot;Four, letters or statements from state or federal authorities</td>
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<tr>
<td>2. Dear Chief Locklear, the Recognition Committee of the Commission</td>
<td>recognizing the people as Indian. No such documentation is attached</td>
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<td>held a regular meeting on August the 27th, 1981, at 9:30 a.m. This</td>
<td>to the petition.</td>
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<tr>
<td>meeting was held to discuss the petition for recognition submitted</td>
<td>&quot;Five, anthropological or historical accounts tied to the tribe's</td>
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<td>by the Tuscarora Tribe of Drowning Creek. A copy of the minutes of</td>
<td>Indian ancestry. The historical accounts are extremely sketchy. There</td>
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<td>that meeting are attached for your information.</td>
<td>is nothing that ties the present people to the historical -- to the</td>
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<td>3. In keeping with the last paragraph of the motion passed by the</td>
<td>history listed. There is no current historical definition or</td>
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<td>Committee, I am detailing the specific areas of deficiency in the</td>
<td>description of the people to identify them in any special way.</td>
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<td>petition. There are eight criteria for recognition as a tribe by the</td>
<td>&quot;Letters or statements from present -- number six, letters or</td>
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<td>Commission of Indian Affairs. These are listed below with a</td>
<td>statements from -- from presently recognized tribes or groups or</td>
</tr>
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<td>discussion of how the Tuscarora petition appears to the staff to</td>
<td>their representative attesting to the Indian heritage of the tribe.</td>
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<td>meet the criteria. Only five need to be met.</td>
<td>No such documentation is attached to the petition.</td>
</tr>
<tr>
<td>4. &quot;One, traditional North Carolina Indian names. The 67 names</td>
<td>&quot;Number seven, any other documented traditions, customs, legends,</td>
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<td>submitted on the tribal roll do appear to meet this requirement.</td>
<td>et cetera, that signify the tribe's Indian heritage. No such</td>
</tr>
<tr>
<td>5. &quot;Two, kinship relationship with other recognized sources or</td>
<td>documentation is attached to the petition.</td>
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<tr>
<td>programs designated for Indians only. There is</td>
<td>&quot;Number eight, participation in or grants from sources or programs</td>
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Pages 57 to 60
On December the 5th, 1991, the Recognition Committee met again. And this 1990 recognition Committee determined that they only met two out of the eight criteria outlined for state recognition despite positive conclusions of the State Office of Archaeology and Dr. Lawrence Dunmore.

The problem with this letter is this is not an opinion, the petition does demonstrate that a significant proportion of the petitioners have a valid claim to a heritage derived from Indian tribes indigenous to North Carolina 200 years ago. Positive conclusion.

The North Carolina Commission of Indian Affairs, seemingly not satisfied with this conclusion, decided to further hire Dr. Robert Daniels of the Department of Anthropology, University of North Carolina at Chapel Hill, to review the Eno-Occaneechi petition, and he reports the following.

He further concludes, "The petitioner's case rests on assembling several pieces of evidence that together amount to an explanation, in my opinion, that is credibly beyond reasonable doubt. Those pieces involve documents which show the Indians of the Saponi or related groups did survive into the 1700s, that their earliest named ancestors were associated with the same area and were of mixed Indian ancestry."

In all, Dr. Daniels found that the Eno-Occaneechi Band Association met seven out of the eight criteria. The Recognition Committee determined that they only met two out of the eight.

And despite in spite of this division, the North Carolina Commission of Indian Affairs decides to move forward regardless of this division and they vote to recognize the Occaneechi Band of Saponi Nation. And despite -- in spite of this division, the North Carolina Commission of Indian Affairs decide to move forward regardless of this division and they vote to recognize the Occaneechi Band of Saponi Nation. And despite -- in spite of this division, the North Carolina Commission of Indian Affairs decide to move forward regardless of this division and they vote to recognize the Occaneechi Band of Saponi Nation.

The question is this is not an opinion, the petition does demonstrate that a significant proportion of the petitioners have a valid claim to a heritage derived from Indian tribes indigenous to North Carolina 200 years ago. Positive conclusion.

It is clear from the contested case findings of the Occaneechi Band of Saponi Nation after Administrative Law Judge Dolores O. Smith found -- she also evaluated the Occaneechi Band of Saponi's petition for state recognition. And after an exhaustive analysis of state recognition procedures, NCAC 15 .0209, she finds that the Recognition Committee had numerous areas of misrep -- misinterpretation of NCAC 15 .0209.

It was apparent from the start of the review of the Occaneechi Band of Saponi Nation's petition that they were up against a Commission that had already self-determined as a board that they did not meet the criteria outlined for state recognition despite positive conclusions of the State Office of Archaeology and Dr. Lawrence Dunmore.

In another meeting held just two months later -- excuse me -- the Recognition Committee meet again. And this time, they deliver presentations to both the Eno-Occaneechi Indian Association and the Occaneechi Band of Saponi Nation, two different -- two different leaderships.

It is clear from the contested case findings of the Occaneechi Band of Saponi Nation after Administrative Law Judge Dolores O. Smith found -- she also evaluated the Occaneechi Band of Saponi's petition for state recognition. And after an exhaustive analysis of state recognition procedures, NCAC 15 .0209, she finds that the Recognition Committee had numerous areas of misrep -- misinterpretation of NCAC 15 .0209.

In summary, only criteria one appears to be met. However, the requirement that the members of the tribe to be one-quarter blood Indian has not been addressed in the petition. Please call if you have further -- if you need further help. Sincerely, A. Bruce Jones.
they consulted two. State Archaeologist Steve Claggett was contacted to conduct a review, and Dr. Robert Daniels of the Department of Anthropology of -- at UNC-Chapel Hill was contacted for an official review.

To this date, the North Carolina Commission of Indian Affairs has not consulted any licensed or state nationally board-certified archaeologists, genealogists or anthropologists to retain their services for an official review of the Tuscarora Nation of North Carolina's entire petition, including the response to the August deficiencies where the Tuscarora Nation of North Carolina submitted in five binders genealogical and historical evidence for all eight criteria.

The North Carolina Commission of Indian Affairs has even failed to consult their current State Archaeologist, who, if I'm not mistaken, sits on this -- maybe he's consulting and comes to the meetings. I've seen nametags. I'm not sure if he sits on the Board. Is that -- does he sit on the Board?

MR. TEAGUE: He's ex-officio.

MS. LOWRY: Okay.

MR. TEAGUE: He's not on the Board.

MS. LOWRY: Gotcha. Let me continue. To the current knowledge of the Tuscarora Nation of North Carolina and myself, the North Carolina Commission of Indian Affairs has reported having heard -- heard historical reports from the following people: Dr. Larry Tise, Charles Heath, Forest Hazel and Wes White. I did request that the reports from Mr. Forest Hazel be forwarded to me and sent to me. They were sent to me in the final -- in the Recognition Committee's final recommendation packet.

The reason why I asked for Forest Hazel -- I apologize. I don't know what's going on with my voice. I asked for Forest Hazel's report because during the teleconference calls, this individual's name and his report was brought up several times. So let's talk about Mr. Forest Hazel.

The North Carolina Commission of Indian Affairs Recognition Committee focused much of its dialogue on discussing the, quote, unofficial report and findings of the Tuscarora Nation of North Carolina petition conducted by Forest Hazel.

Well, this is problematic for several reasons.

First of all, Forest Hazel specifically states in his report the following statement. This is from Mr. Forest Hazel's report.

"When Mr. Greg Richardson asked me if I would be interested in analyzing the petition of the Tuscarora Nation of North Carolina for official state recognition, I advised him that some 12 to 15 years ago, I briefly worked for the Eastern Band of Cherokee-recognized genealogist is also licensed by the Eastern Band of Cherokee Indians."

"I did, however, agree to examine the materials submitted in the historical narrative section and provide the Recognition Committee with my thoughts and opinions as an informed individual who has assisted other tribes in the process of state recognition in years past. I told Mr. Richardson that this was an unofficial review; I would require no compensation on the part of the Indian Commission; and that they would need to secure the services of another individual to review the petitioner's material in an official capacity."

The Recognition Committee even despite Mr. Forest Hazel himself -- thank you, Andi -- even despite Mr. Forest Hazel stating this is an unofficial review, continued to use the unofficial review of Mr. Forest Hazel in their deliberations over rejection against the Tuscarora Nation of North Carolina petition.

This is nothing more from Mr. Forest Hazel than his thoughts and opinions. You used his thoughts and opinions to reject the Tuscarora Nation of North Carolina's petition. You did that, the Recognition Committee members.

You were given -- allocated additional funding in your 2018-19 budget for the purposes of hiring additional state recognition program personnel and being able to officially consult agencies to come in and review state petitions.

I'm not sure exactly how much you were funded. Can -- I mean, how much you were allocated. Can someone give me the -- the -- the amount that was allocated? Does anyone have that number in your physical [sic] budget?

MR. G. RICHARDSON: I think it was over 200,000.


So here's what you did do. You hired -- you officially hired a, quote, Eastern Band of Cherokee-recognized genealogist who holds no national board-certified genealogist license. Well, the hiring of the Eastern Band of Cherokee-recognized genealogist is also problematic for several reasons.

We decided to do a little digging in on Ms. Anita Smith's -- Finger-Smith's background. And since she has on her bio on the Association of Professional Genealogists -- she says the following: "Anita Finger-Smith is the principal genealogist for Cherokee genealogy services licensed by the Eastern Band of Cherokee Indians."

We decided to call the Eastern Band of Cherokee Indians Office -- Office of Enrollment. And I'm going to
VOICE 1: That's right. That's right. Okay.
2. Well, thank you very much. What is your name? Because
3. I'll -- I'll tell her that I spoke with you.
4. VOICE 2: [Inaudible.]
5. MS. LOWRY: She works in the Enrollment Office.
6. VOICE 1: Thank you so much. All right. Bye.
7. MR. S. LAMBERT: I didn't catch that name.
8. MS. WELCH: She didn't --
9. THE REPORTER: I did not catch anything that the
10. lady said.
11. MS. LOWRY: Yeah. It's very hard.
12. MS. WELCH: What was her name? You said that --
13. MS. LOWRY: I don't know. I couldn't catch her
14. first name --
15. DR. SIDER: Latisha Welch.
16. MS. LOWRY: -- but her last -- Lakisha? Did you
17. guys hear that?
18. DR. SIDER: Latisha Welch was her name.
19. MS. LOWRY: Latisha Welch.
20. THE REPORTER: And -- I'm sorry -- who indicated
21. Ms. Welch's first name?
22. DR. SIDER: She did.
23. THE REPORTER: No. I'm sorry. In the audience,
24. who said that?
25. DR. SIDER: Oh, I said it.

THE REPORTER: Okay. Thank you, Mr. Sider -- Dr.
2. Sider.
3. MR. S. LAMBERT: And one more question, please.
4. She was Enrollment?
5. MS. LOWRY: This individual was an enrollment
6. officer for the Eastern Band of Cherokee.
7. So let's talk a little bit about the Association
8. of Professional Genealogists, because there's a code of
9. ethics and professional practices that has to be adhered to
10. when individuals are representing themselves as -- as a
11. genealogist.
12. Reading this bio leads one to believe that this
13. individual has been licensed by Eastern Band of Cherokee as
14. a genealogist. There's a code of ethics, and Number 4 of
15. the code of ethics for the Association of Professional
16. Genealogists states "Represent my abilities, services and
17. credentials honestly, avoiding the use of misleading or
18. exaggerated statements."
19. Could easily look at that and think it's been
20. exaggerated a little bit, especially calling the Eastern
21. Band of Cherokee Enrollment Office and them saying that they
22. do not certify genealogists. And, in fact, they didn't even
23. refer to Ms. Anita Finger-Smith as the principal
24. genealogist. They just said she served -- she specialized
25. in Eastern Band of Cherokee manuscripts and genealogy.

The hiring of the Eastern Band of
2. Cherokee-recognized genealogist is also problematic for
3. another reason. Nowhere in Ms. Anita Finger-Smith's
4. research background do we find her expertise extending
5. beyond Eastern Cherokee records.
6. Why is this a problem? Well, because the
7. Recognition Committee used the conclusive genealogical
8. findings of Ms. Anita Finger-Smith, someone whose expertise
9. doesn't extend beyond Eastern Band of Cherokee manuscripts
10. to again support their recommendation of rejection against
11. the Tuscarora Nation of North Carolina. Hopefully you're
12. following me by now.
13. Additionally, the hiring of the Eastern Band of
14. Cherokee-recognized genealogist, Ms. Anita Finger-Smith, is
15. problematic because she's married to the Eastern Band of
16. Cherokee enrolled member. Well, I'm not going to sugar-coat
17. this. We all know how the Eastern Band of Cherokee feel
18. about North Carolina tribes. Hmmm. Again, let's go back to
19. the code of ethics.
20. "Disclose potential conflicts of interest." There
21. could be a potential conflict of interest there given they
22. have been very forthcoming -- the Eastern Band of Cherokee
23. Indian Nation has been very forthcoming about their views on
24. North Carolina tribes. That's a potential conflict of
25. interest.
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<tr>
<td>1</td>
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<tr>
<td>Let's continue. Let's -- let's move -- let's</td>
<td>This was in their final recommendation that was sent to</td>
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<td>transition to some inaccuracies that have been found.</td>
<td>myself and the Tuscarora Nation of North Carolina people.</td>
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<td>During the May 9th teleconference call, the Recognition</td>
<td>Quote, to date, modern documentation has been</td>
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<td>Committee -- listen to this, The Recognition Committee</td>
<td>submitted showing an American Indian designation for 93 out</td>
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<td>changed their decision of satisfied -- they said, &quot;Okay.</td>
<td>5 of 106 members, equating to 87.7 percent.&quot;</td>
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<td>You satisfied criteria .0212(2)(h).&quot; Let me go back to</td>
<td>Now, at the last public hearing, we heard Ms. Liz</td>
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<td>criteria .0212(2)(h) so you guys will follow me.</td>
<td>Walker state, &quot;This is a positive finding. This was good.</td>
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<td>This is what it states. &quot;Participation in grants</td>
<td>You guys satisfied the American Indian designation. You</td>
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<td>from sources or programs designated -- designated as for</td>
<td>satisfied that.&quot;</td>
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<td>American Indian only.&quot;</td>
<td>The Recognition Committee made no effort to</td>
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<td>They said, &quot;Okay. You meet that. Oh, wait.</td>
<td>officially state that the Tuscarora Nation had satisfied</td>
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<td>Scratch that. No, you don't. Here, this is why you don't</td>
<td>criteria .0212(c), which states -- listen to the plain</td>
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<td>meet it because eligibility requirements for ANA grants are</td>
<td>language -- &quot;Official records may -- which may include</td>
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<td>open to nonprofits and groups serving Native American</td>
<td>birth, church, school, military, medical, local or county</td>
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<td>organizations and purposes and do not require the group be</td>
<td>government records or official records identifying the group</td>
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<td>designated as state or federally recognized tribe.&quot;</td>
<td>as American Indian. These vital records shall be used in</td>
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<td>Hmm. Here's the problem with that. The plain</td>
<td>assisting the group's documentation of American Indian</td>
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<td>language of your criteria states &quot;Participation in grants</td>
<td>identity.&quot;</td>
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<td>from sources or programs designated as for American Indian</td>
<td>If I had time, I would pull up the contested case</td>
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<td>only.&quot; It does not stipulate that the participating tribe,</td>
<td>decision for the Occaneechi Band and we would really dig</td>
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<td>the petitioner, must be designated as a state or federally</td>
<td>deep into exactly how that criteria's interpreted. We</td>
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<td>recognized tribe in the plain language of .0212(2)(h).</td>
<td>satisfied that criteria based on the plain language of the</td>
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<td>That's an inaccuracy.</td>
<td>criteria.</td>
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<td>Let's continue. Further, the Recognition</td>
<td>Something that has been a continuous discussion in</td>
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<td>Committee noted in their final recommendation the following.</td>
<td>the -- from the Recognition Committee is the statement the</td>
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<td>Tuscarora Nation of North Carolina organized in modern times. So I'm going to -- we're going to spend a little</td>
<td>McMillan was quoted in the Harper's Weekly magazine when he</td>
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<td>time talking about organization, what does that mean, because everybody here on this Board, you're indigenous</td>
<td>gave -- or thought he was doing a favor by giving us the</td>
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<td>people, right? Right? You're indigenous.</td>
<td>Croatian name, he stated these individuals did not recognize</td>
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<td>So let's talk about organization from an</td>
<td>that as their belonging, their tribe, their -- and I'm</td>
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<td>indigenous framework. Historians -- Dr. Malinda Maynor Lowery, who I know many of the Lumbee representatives here</td>
<td>paraphrasing right now, but who they are, but they say that</td>
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<td>hold to high esteem, because she's -- you know, she's done a</td>
<td>they are Tuscarora.</td>
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<td>lot for the Lumbee people. She argues in the context of an</td>
<td>The action of these 54 individuals began to set</td>
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<td>ethnography anthropological framework of study in</td>
<td>things in motion for them to politically, socially and</td>
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<td>organization -- she would say -- she would argue, because</td>
<td>culturally organized with a end goal -- their end goal was</td>
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<td>this is found in her book, that indigenous people -- for</td>
<td>to cultivate a collectively agreed upon tribal identity.</td>
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<td>indigenous people, any form of political, social, cultural</td>
<td>They did that in spite of the fact that the tribal name that</td>
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<td>activism, regardless of if it's individual or collectively</td>
<td>was agreed upon was not -- was not a collective census among</td>
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<td>as a group, is a form of organization for indigenous people.</td>
<td>the majority of the Indians of Robeson County.</td>
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<td>So let's take a stab at that. My ancestors,</td>
<td>Let's dig a little deeper. You state that the</td>
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<td>Tuscarora people's ancestors, 54 individuals from Robeson</td>
<td>Tuscarora Nation of North Carolina was organized --</td>
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<td>County, petitioned in 1885 -- petitioned the federal and</td>
<td>organized in modern times. Let's talk about the Lumbee</td>
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<td>state governments for funding for an Indian school, a/k/a the</td>
<td>name. Now, Dr. Sider just told you and just gave you his</td>
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<td>Croatan Indian Normal School. These 54 individuals had no,</td>
<td>background, the he officially incorporated and organized the</td>
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<td>quote -- according to the Western Colonial mindset --</td>
<td>LRDA. The only thing he didn't tell you is that when he</td>
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<td>organization. According to the Western Colonial mindset,</td>
<td>incorporated their papers -- papers, they were not the</td>
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<td>they had no tribal distinction at that time.</td>
<td>Lumbee Regional Development Association. They were the --</td>
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<td>That's actually incorrect because Hamilton</td>
<td>they were the Regional Development Association.</td>
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<td></td>
<td>How can you argue that the Tuscarora Nation of</td>
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<td>North Carolina organized in modern times when the -- when</td>
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<td>the majority of the tribes represented here have names that</td>
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were organized in modern times, incorporated in modern
times?

There's another discussion I want to have at this
time, and this is related to something that was said,
something that was very painful to hear on the Recognition
Committee's teleconference calls.

Ms. Shirley Freeman, you made the comment that if
we were unsatisfied with not -- with the Lumbee Act of 1956,
we should have done something about it like you guys did. I
mean, you rallied together, your people, to come from under
the jurisdiction of that Lumbee Act.

MS. FREEMAN: Right.

MS. LOWRY: You did. That's right. In fact, you
hired Dale Deese from the Lumbee Legal Services to help you
write to the Solicitor's Office and argue how you do not
constitute the meaning of the Lumbee Act.

And in doing that, you were able to come from
under the jurisdiction of the Lumbee Act. Prior to that,
they lumped you all together under the Lumbee Act and there
was no distinction. You did that.

You stated that we should have did that. Let me
tell you what we did. My people, the Tuscarora people, have
been fighting the Lumbee Act and its jurisdiction long
before -- yes, Ms. Freeman, long before you guys started
fighting against it, we were fighting against it.

And it's unfortunate that here we are -- here we
are not fighting against not -- a non-native organization, a
Western Colonial organization that is oppressing our people,
but here we are sitting before indigenous people on the
North Carolina Commission of Indian Affairs telling you why
we are who we are, going to the extent to -- to meet your
criteria when we should never have had to do this process
because we already talked about at the last public hearing
we had a document signed by Chief Leon Locklear, a
resolution that was unanimously passed at a board meeting.
We should have been recognized at that time. And it was --
was a failure on this Commission's part, on the state's
part.

Now here we are in 2019 in this process, and it's
sad. It's unfortunate. I look around this room and I don't
dislike any of you guys. At the end of the day, my faith
supersedes how I feel about individuals. At the end of the
day, I can go home with my heart clear because I don't have
any hate in my heart for anyone. But here's what I do. I
have the strong will that I'm going to stand for my people.

We're going to fight this. We're going to fight
this oppression. We don't want to fight against you guys,
but it may take us going to the next level. We don't want
to do that, but we're definitely prepared to do that.

One last thing before I close. It has been stated

in the Recognition Committee's recommendation that we failed
to fully document our tribal enrollment. So myself and my
team just early this morning, at 7:00 a.m., sent Ms.
Walker -- Ms. Liz Walker and Mr. Greg Richardson a ZIP drive
of about seventy-some pages of official documentation,
including birth certificates, marriage certificates, death
certificates for a entire line from 1790 to present day in
hopes that this will finally clear up this deficiency.

Now, I understand -- Ms. Liz Walker informed me
she was not able to open up that document. And I don't -- I
didn't expect her to be prepared to even discuss any of that
information --

[INTERRUPTION FROM AGENCY AUDIO SYSTEM]

MS. LOWRY: I can speak my language, but not that
language.

So we submitted this information in hopes that it
will clear up this continuous deficiency that the
Recognition Committee continues to state. And I know it
will take some time to go through those if -- that
information.

I do want to read -- how much time do I have left?

MS. WALKER: About ten minutes.

MR. G. RICHARDSON: You have nine minutes.

MR. F. LAMBERT: You have nine minutes.

MS. LOWRY: I have ten minutes!
Allen Lowery was identified in ancient historical North Carolina to Bladen County and now Robeson County and Indian Affairs via the U.S. War Department. These tribal ancestral charts and records are the most thorough researched families of the petitioning tribal group, the Brayboy, the Cumbo, the Jacobs, the Locklear and Lowery. However, in the tribal genealogy, many other surnames of the ancestors are also prominent. They have been found to be Tuscarora who migrated between 1761 and 1763 from Bertie, Edgecombe Counties in North Carolina to Bladen County and now Robeson County and their ancestors remained in North Carolina, in Robeson County, for over 200 years.

For their case, according to the historical documents, publications, testimony or tradition and land deeds, the ancestors of the Tuscarora Nation of North Carolina were a small band of individual Tuscaroras under direct control and autonomy, living on sovereign lands in Bladen County obtained by the following Bertie County historical Tuscarora chiefs: James Blount, William Pugh, Samuel Bridges, John Cain, John Smith, William Taylor -- who signed as Tuscarora chiefs in land deeds. And all of the exhibit and where this information is found is going to be attached.

James Lowery in 1778 was among those that received 100 acres of his land from Chief Samnel Bridges. Their -- their land actually adjoined to each other. On March the 10th, 1799 -- 1779, Entry Number 954, the historical Tuscarora Chief Samuel Bridges from Bertie County, after his migration to Bladen County, obtained 240 acres of land on Aaron Swamp. James Lowery lived and resided next to him.

On July the 8th, 1794, Entry Number 297, Charles Lucas, assignee of Samuel Bridges, issued in 1797 and gives total control of land of 100 acres between Aaron Swamp and Horse Swamp. And this is found File Number 1776 land patent. The land would be considered Tuscarora sovereign land because it was owned by the historical Tuscarora Chief Samuel Bridges, and this land is presently located in the areas of the towns Rowland, McDonald, Thomas (phonetic) and Fairmont, connected to Back Swamp in Robeson County, North Carolina.

All this information has been attached to the ZIP drive in addition to the birth certificates, marriage certificates, death records, census records. The people who have identified -- that are identified in the historic records as Indian, mulattos, yellow, colored, issued, free person of color or free issue may well indeed be the people of Indian heritage, as the petitioner asserts, with all other North Carolina state tribal U.S. census records when they identified ancestors

These same ancestral charts are the ancestors of Tuscarora Chief Leon Locklear and many of those -- and many of the members of the Tuscarora Nation of North Carolina. These tribal ancestral charts and records are the most thorough researched families of the petitioning tribal group, the Brayboy, the Cumbo, the Jacobs, the Locklear and Lowery. However, in the tribal genealogy, many other surnames of the ancestors are also prominent.

It is concluded that Braybo, Lowery, Jacobs and Locklear family have -- have a very extensive, fully across the state of North Carolina. However, for the purposes of these genealogical charts, the main core ancestors of the petitioner that was indicated by federal records as Tuscarora Indians are noted as Allen Lowery and William Lowery on June the 8th, 1867, by the Office of Indian Affairs via the U.S. War Department.

Allen Lowery was identified in ancient historical documents, books, newspapers as Tuscarora from 1867 through 1900, specifically in 1872, with the United States Congressional hearings regarding Lowery history, Henry Berry Lowery.

Allen Lowery's daughter, Cecelia Lowery, married a Maynor, the ancestors of Lawrence Maynor, who was federally acknowledged and certified as one-half or more Indian blood according to his genealogical ancestors' DNA and physical anthropology pursuant to the 1934 Indian Reorganization Act. Again, he won this federal lawsuit, Maynor versus Morton, Lawrence Maynor against Rogers C.B. Morton, Secretary, Department of Interior.

All this information is attached in the ZIP drive which you will have access to. I could keep going, but you're going to have access to this. Let me read the conclusion.

It is concluded that Braybo, Lowery, Jacobs and Locklear family have -- have a very extensive, fully...
documented tribal ancestry which dates back to the Tuscarora War and their direct descendants are people on the current tribal rollment -- enrollment that date back more than 200 years. They have been identified as Indians in various federal, state and historical records. It is concluded that the Tuscarora, Saponi, Occaneekchi, Tutelows and Catawbas were tribes indigenous to North Carolina 200 years ago. It is concluded that the Tuscarora were under the control of different chiefs. It is concluded that the Tuscarora, Saponi, Meherim, Chowan -- Chowan tribes interacted together and lived together on the same land at least two occasions in Bertie County, Chowan Counties in North Carolina for decades, spoke a linguistic language different and were otherwise allied. Some Tuscaroras -- that some Tuscarora Indians remained and migrated to Bladen County -- migrated to Bladen County, now part of Robeson County. The petitioning group's tribal identity rules dealing with 200-year tribal enrollment that petitioning groups trace back to indigenous tribes using the plural of the word which is substantiated with this fully document to the North Carolina Commission of Indian Affairs. Perfect timing. That concludes the official testimony by the Tuscarora Nation -- the Tuscarora Nation of North Carolina representative. I would love to answer your questions. MS. FREEMAN: Thank you, Tamra. At this time -- I'll bring this to the Committee. Would you rather us just go on through and finish up, you know, asking her questions, rather than take a break? Continue on? MULTIPLE PARTIES: Yes. MS. FREEMAN: We'll continue on then, Tamra. Questions? MR. C. RICHARDSON: Again, my name's Charles Richardson. I've just got a question to the statement you read earlier. You stated that in -- let me get -- sorry about that -- in 1981, the letter that you referenced about the finding deficiencies and you stated that it was for the Drowning Creek Band of Tuscarora. I was just curious, for clarification, the list of names -- the 67 names on that petition in 1981, how many of those names are on this petition for the Tuscarora Nation of North Carolina? MS. LOWRY: Well, Mr. Charles, they're probably dead. MR. C. RICHARDSON: Ma'am? MS. LOWRY: Those -- a lot of those individuals may be deceased now.

MR. C. RICHARDSON: And -- because when you referenced to it, I didn't know if you was referencing that as the Tuscarora Band of -- Tuscarora Nation, part of the Tuscarora Nation, because you said the Tuscarora Band of Drowning Creek, and I -- I was just clarifying it because -- MS. LOWRY: To answer your question, a significant amount of those individuals are deceased. MR. C. RICHARDSON: Thank you, ma'am. And I would like to reserve a spot -- I've got a question for Mr. Sider when he get -- when she finishes, because we said we would finish our questions for him once we finish the presentations. MS. FREEMAN: Mr. Jacobs, Ray? MR. E. JACOBS: In -- Ms. Tamra, in your last genealogy, you were stating that -- in your report there, are these Tuscaroras related to Allen Lowery? MS. LOWRY: Yes. You're talking about the Tuscarora -- my people, the Tuscarora Nation of North Carolina, the members that -- the enrollments -- MR. E. JACOBS: Yes. MS. LOWRY: -- that you said -- yes. MR. E. JACOBS: The ones you were reading off -- MS. LOWRY: Uh-huh (yes). MR. E. JACOBS: -- where you sent on the ZIP drive?
initial petition. And that’s why the Commission decided to
go ahead and pursue the review of the Occaneechi Band of
Saponi’s petition, because we were not actively pursuing --
the Tuscarora people -- the Tuscarora Nation of North
Carolina was not actively pursuing at that time.

The petitioner submitted new petition materials in
March of 2003 and June 2003. In September 2003, the
petitioner confirmed that -- that the materials it had
submitted completed its petition for state recognition.

Do you know where I’m reading this from, Mr. Ray?
MR. E. JACOBS: No, ma’am. I do not.
MS. LOWRY: Okay. I’m reading it from your -- the
Recognition Committee’s -- North Carolina Commission of
Indian Affairs Recognition Committee preliminary review of
the petition for tribal recognition of the Tuscarora Nation
of North Carolina. This was submitted to me January 2018.

Did you get a copy of this?
MR. E. JACOBS: I probably have a copy in here, in
my papers.
MS. LOWRY: Yeah. Yeah.
MR. E. JACOBS: I most likely have it.
MS. LOWRY: Did you -- did you read -- did you
read over this?
MR. E. JACOBS: I’ve read over some of your
papers.

provided the petitioner with copies of 299 pages of
documentation. The Commission received no further response
from the petitioner until 2001 -- I mean, 2011. In 2011,
June the 2nd, the Commission notified Mr. Chief Leon
Locklear, Tuscarora Nation of North Carolina, that it was
prepared to proceed with the formal recognition -- the
formal recognition process of your group. A copy of the
recognition procedures was attached to the letter and the
petitioner was requested to respond to our office within 30
days of receiving this letter notifying us of the group’s
interest.

Okay. July the 18th, 2011, we respond. We state
that we’re ready to proceed. I could continue, but I’m
going to just tell you just -- somewhere in this process, it
just lingered on; not -- not the Tuscarora Nation of North
Carolina.

The North Carolina Commission of Indian Affairs
just lingered on until they decided “You know what? We need
to convince the Tuscarora Nation of North Carolina to submit
a new petition -- a fully new petition under the new rules
and regulations because we’ve updated our rules.” I’m
speaking on your behalf. This is what the Commission said.

“We’ve updated our rules. And you know what? We
need to have a meeting with the Tuscarora Nation of North
Carolina and we need to go ahead and, you know, convince
them let’s submit a -- you’ve got to submit a new petition.

preparing to proceed with the formal recognition of the
Locklear, Tuscarora Nation of North Carolina, that it was
updated our rules.” I’m familiar with the -- what I’m saying right now?
Any other questions?
MR. E. JACOBS: -- the paperwork from the
Commission.
MS. LOWRY: That’s a great question. Because the
Any other questions?
MR. E. JACOBS: -- the paperwork from the
Commission.
MS. LOWRY: Okay. But you -- you’re not
familiar with the -- what I’m saying right now?
MS. LOWRY: No.
MR. E. JACOBS: -- I’m not. I don’t -- I don’t
read every --
MS. LOWRY: You don’t read every -- you don’t

Between 2003 and 2008, the Commission was
processing multiple petitions for state recognition from
various groups. In August 2008, the Commission notified the
petitioner it was prepared to proceed with the recognition
process.
In September of 2008, the petitioner submitted a
letter of intent to continue the state recognition process
and requested that the Commission provide it with copies of
past correspondence and documents that the Tuscarora Nation
of North Carolina submitted for recognition process years
ago.
In response, the -- in response, the Commission

them let's submit a -- you've got to submit a new petition.
Submit a new petition under the new rules and we'll look at
it without prejudice.
And we'll stop there. So to answer your question,
no, we have not delayed this process. You have delayed the
process. The Commission has delayed the process.
Any other questions?
MR. DAVID LOCKLEAR: Ms. Lowry, my name is David
Locklear. I serve as the designee for Dr. Mandy Cohen, with
the Division -- Department of Health and Human Services.
What -- two questions. The documentation that you
submitted today -- I mean, it sounds like very substantial
documentation to support your petition. So I'm just curious
why this information was not submitted with your original
petition, why just today.
MS. LOWRY: That's a great question. Because the
plain language in your criteria did not specify -- see --
this is criteria 01 NCAC 15 .0212.
"Petitioner may submit official records, which may
include birth, church, school, military, medical, local or
county government records or other official records
identifying the group as American Indian. Vital records
shall also be used in asserting -- or assisting the group's
documentation of American Indian identity."
The plain language of that criteria does not state
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1. what Ms. Anita Finger-Smith stated -- states, that we need
to provide official documentation for every single tribal
member for their maternal line going all the way back to
1790 up until present. It's not worded like that.
2. So we have no -- we only go by -- the guidance
that we have is this. If it's not -- if it's not spelled
out in this, how do we know what you want? We didn't know
that we -- she wanted every single member on the tribal
enrollment fully documented of -- for every single
3. corresponding preceding -- let me say this. For every
preceding generation, you wanted documentation for every one
of those ancestors. You know, that's a lot of work, Mr.
David; a lot of work.
4. Could you imagine if the Lumbee tribe with 50,000
plus -- could you imagine if they could have done this with
the time that we've been given?
5. MR. DAVID LOCKLEAR: And just for the record, I
don't represent any of the tribes. I represent the
7. MS. LOWRY: Oh, okay. You're a good person.
8. MS. MITCHELL: I have a question.
10. MS. MITCHELL: Connie Mitchell from Meherrin
11. Nation. In the last hearing that we had, did you state that
your mother and father were Lumbee?

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1. MS. LOWRY: You know what, Ms. Connie? Thank you
for asking -- Mom, Dad, will you guys stand up? Stand up,
Mom.
2. MR. LOWRY: I'll speak to that, if you'll allow
it.
3. MS. LOWRY: And you know what, Daddy? I think
that would be great, because I think they are all just so
curious.
4. MS. FREEMAN: We had two witnesses --
5. MS. LOWRY: Uh-huh (yes).
6. MS. FREEMAN: -- you and Mr. Sider.
7. MS. LOWRY: Oh, okay. But we need to answer her
question. Would you like me to answer her question?
8. MS. FREEMAN: She asked the question to you.
was born -- my mom is Tuscarora. She was born and raised
Tuscarora, rolled over at Prospect longhouse. In fact, her
granddad, Mr. Buck Barton, helped to build our longhouse.
10. MS. MITCHELL: Well, let --
11. MS. LOWRY: And my dad's Lumbee. He was born and
raised and knew -- knew nothing more than the -- just
Lumbee. Right, Dad?
12. MR. LOWRY: That's correct.
13. MS. LOWRY: Okay. And what's your question, Ms.

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1. Connie?
2. MS. MITCHELL: What your statement was in the last
hearing.
3. MS. LOWRY: Okay. What my statement was? Oh, I
said I was raised Tuscarora/Lumbee. What -- what are you --
what are you asking me?
4. MS. MITCHELL: That's what I'm asking you, what --
5. MS. LOWRY: Yeah.
6. MS. MITCHELL: -- your statement was.
7. MS. LOWRY: My dad is Lumbee and my mom is
Tuscarora. I go by my mother's bloodline. I'm Tuscarora.
[Speaking in another language.] My name is
Kave'nachrehnurih. It means she awakens them.
8. Any other questions?
9. MS. WELCH: Tamra --
10. MS. LOWRY: Yes.
11. MS. WELCH: How are you? Thank you for being here
today.
13. MS. WELCH: And you are very beautiful.
14. MS. LOWRY: Thank you.
15. MS. WELCH: I'm going to follow up with
Constance's question. When did you disenroll with the Lumbee
Tribe?
16. MS. LOWRY: Eighteen. When I was 18; probably 18.

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1. I got married when I was 19, so sometime around that time
frame.
2. MS. WELCH: So can you tell me what your meaning
of a splinter group is?
3. MS. LOWRY: I think that's a great question.
4. Splinter group. You know what? Hmm. That's a great
question, but I don't think -- I'm going to be honest with
you.
5. I'm an indigenous person and I've trained myself
to think -- despite being raised in a Western mindset --
when you go to school, you know, they're -- you're
intuitionized [sic] to believe this -- this mindset that
it's not indigenous; it's not our indigenous way of
thinking. So I've trained myself to think and -- and be
trained to think like who I am, an indigenous person.
6. So this whole terminology of a splinter group,
this criteria that you established, I wouldn't even agree
with this. I wouldn't even agree with that -- using that
word. I don't even agree with using that word.
7. MS. WELCH: Okay. My -- my follow-up question
would be of the members that are on the enrollment list that
you currently have now on this petition, how many of those
members have disenrolled with the Lumbee Tribe or other
state-recognized tribes?
8. MS. LOWRY: I have -- I don't know the answer to
Madam Chair, that may not be relevant?

Okay. Somewhere in the process in Robeson County, we allowed non-natives, politicians to influence our mindset of how we thought we viewed ourselves. And somewhere in that time frame, all these names started emerging: Cherokee, Siouan, Cheraw, Lumbee.

But who were we in the beginning? Who were we before we allowed these politicians -- we were Tuscarora. We identified as Tuscarora. So if you want to bring up the splinter group, I mean, I can go there, but in all this because we aren't the ones you're talking about as being the splinter group. We didn't split from anyone. We are who we've always been. I don't -- you know --

We're the people that did not sell out.

Mr. Anstead: I've got a question, Ms. Shirley.

Ms. Freeman: Jeff.

Mr. Anstead: Tarora, this information that you submitted to Ms. Liz, is that all the information -- the supportive information?

Ms. Lowry: So how about when you guys see it --

Ms. Walker: So my --

Ms. Lowry: -- you can get back --

Ms. Walker: I'm sorry to interject, but what I'm saying is -- what he's asking is that if you could submit it 30 days so then we have time to do that with that information.

Ms. Lowry: Well, it's submitted. You have it.


Ms. Lowry: I mean, you need to figure out how to open it. I don't know how to tell you --

Ms. Walker: We might when we get to different --

Ms. Lowry: It's a ZIP drive. I mean, it's -- you can open it. Yes, it's a large amount of .pdfs.

Ms. Freeman: Jeff, were you asking her if she had any more other than that that we received this morning?

Mr. Anstead: Yes, ma'am. And if you do, if you -- if we can get it in a timely manner because --

Ms. Lowry: So what would be the exact deadline?

I need to know the exact deadline. I know you said 30 days before September the 6th. Can somebody just tell me --

Mr. Anstead: Well, that -- and I'd like to say now that's me asking.

Ms. Lowry: Uh-huh (yes). And I -- and I need to --

And the reason why I ask is that we need -- I know I need -- I need anything that you guys have as supportive documentation. And I'm just asking is this it, and if not, could we receive whatever you have as supportive documentation at least 30 days prior to our next meeting so --

Ms. Lowry: Thirty days prior to your next meeting? When's your next meeting scheduled?

Mr. G. Richardson: September 6th.

Mr. Anstead: September 6th.

Ms. Lowry: September the 6th? I think that's a reasonable -- yeah, I can do that. Let me write that down.

Mr. Anstead: And that would be the final, because we need supportive information to have a accurate determination.

Mr. G. Richardson: Madam Chair, that may not be an accurate time frame, because it appears to me some information has just been newly submitted. It's going to have to go back to the Recognition Committee.

Liz, can you --

Ms. Lowry: Yeah. It was pretty extensive. It's a lot of information.

Ms. Walker: I think at this stage, it -- the Commission makes that decision, Greg, once we see it. We can't make that decision now. We've got to see it.
MR. C. RICHARDSON: We can't -- we can't set a date because this -- this guidelines from the state dictates to us --

MS. LOWRY: Yeah. Mr. Charles, I agree with you.
MR. C. RICHARDSON: -- how we do -- and I think what we would be doing is putting us in a bad position.


MS. FREEMAN: Ms. Dorothy?

MS. YATES: Hey. I'm Dorothy Yates from the Saponi Tribe, and I'd just like to make a clarification point with you, please, Ms. Lowry.

If -- your statement was the Recognition Committee requirement of you submitting the documentation with the rolls. This was not our requirement. This is in the state legislation. And you said you failed to see that.

Well, as with Mr. Elton Jacobs, I'm sure you've read this packet, but you may not remember it. We don't memorize all that we read. But I want to call your attention to the Section .0200 --

MS. LOWRY: Wait. Which document are you talking about?

MS. YATES: It's the state --

MS. LOWRY: Are you talking about the first -- the

member on your tribal enrollment need to provide documentation for every single generation to seventeen -- to before 1790? Does it say that?

MS. YATES: You did not submit even one. Your genealogy went back to the 1930s. It did not even go back to close to 1790.

MS. LOWRY: So -- yeah. Let's talk about that.

We did submit ancestry charts, if you look on the ancestry charts, it goes all the way back to the 1700s.

MS. YATES: Now --

MS. LOWRY: So what you're saying is --

MS. YATES: -- (unintelligible) ancestry chart, then you have to give us that documentation that goes back with the connection and we don't -- we didn't have that.

MS. LOWRY: Well, Ms. Dorothy, you have it now.

It's in your possession now. I think you'll find it --

MS. YATES: I think you sent that this morning.

MS. LOWRY: Yes. And I think you'll find that it will -- it will do just that, what you just said. So I just look forward to you reviewing it and let me know what you think of it.

MS. YATES: Well, I just wanted to clear up the statement that we're not adding extra. This was in the beginning that this requirement was --

MS. LOWRY: Well, it still goes back to what I said. The plain language of the criteria does not stipulate for every single tribal member --

MS. YATES: You didn't even do one, ma'am. Thank you.

MS. LOWRY: Yes. That's open to interpretation, too. We can interpret that multiple ways.

MS. FREEMAN: Mr. Richardson.

MR. C. RICHARDSON: Thank you, Madam Chair. Ms. Lowry, I've got a question in reference to Mr. Sider's report.

Back in -- let me get my dates correct. By the way, my name's Charles Richardson again. Back in April the 30th, at the Tuscarora hearing, there was a individual in the audience and her name was Ms. Catherine Anderson. She lived in New York.

She stated that there have been a few people found within the Tuscarora Nation with ties to the Tuscarora of New York. She also stated that there is documentation on the connection between north and south per leadership. In other words, that came from her leadership in New York.

And I guess my question is with all the information that Mr. Sider -- and research that Mr. Sider presented here today, not once did he mention any ties between the Tuscarora of New York and the Tuscarora of Bertie County or North Carolina -- southern North Carolina,
MR. C. RICHARDSON: The second thing is that the ties and documentation goes back to what Ms. Welch was stating earlier in our criteria as a splinter group.

MS. LOWRY: And I think Ms. Catherine --

MR. C. RICHARDSON: This is the -- let me say this, please. This is the guidelines and the process that the State of North Carolina makes us go by. This is not our dictate.

And I was just looking at information that I had from the previous meeting and I was wondering -- there was nothing mentioned regarding these ties, and she stated that they had documentation. So I figured if he did an extensive research on the Tuscarora Nation as he did the Bertie County Tuscarora that he would have found these pieces.

MS. LOWRY: I'll let him answer that question, but let me finish this. Ms. Catherine Anderson was not scheduled initially to be to give testimony. That doesn't change the fact that I did allow her to give testimony. I did not know what she was going to say. So -- we -- we'd need to ask Ms. Catherine Anderson to provide information to us that supports her statement, to answer your question.

DR. SIDER: Hi. I just want to say that in my travels in -- up in New York and in rural Australia, I always carry with me a first aid kit. And in it is always a needle or a tweezer to take out any notional splinter that anybody tries to stick to me.

So I very strongly do not agree with the whole notion of splinter group. It's part of the notion of unrealizing the complex ways native people under the genocidal assault of the colonists have been reduced in numbers and necessarily to survive combine in ways that preserve their identity but pull them together to -- to make the numbers that can sustain their lives. So that -- the whole notion of splinter group is inappropriate because it adopts the colonist view --

MS. LOWRY: Yes.

DR. SIDER: -- of the -- of that. Similarly, I don't understand the question that --

I gave in reference to your state Tuscarora -- I talked about Wallace "Mad Bear" Anderson coming down with this incredibly important gift, these gifts that are gifts of togetherness. It's not -- and -- and lastly -- yeah, one second.

Lastly, I talked about the Tuscarora of New York State being divided over whether or not they wanted to support -- I've worked in New York State when the people called the Mohawk by Americans -- when the people called the Mohawk at Akwesasne -- and I have -- I gave to -- I gave to Ms. Lowry a clan beadwork thing that was given to me from "Your Mohawk Brother, Tom," because I had worked with Akwesasne on their treaties, on their -- I gave it as a present to Ms. Lowry's husband, but it's a whole beadwork clan symbol.

And so I've been working in New York State for decades, for decades, since the '70s on supporting native rights. And their -- the Tuscarora in New York State -- I said over -- very clearly how divided between the -- the fraction of people that support Mr. Deese. Mr. Deese is back there. He can talk about it.

The people who support Mr. Deese's longhouse and their clan mother brought these incredible gifts are the people who don't want to share any reward.

MS. LOWRY: There we go. So that answers your question. And she was specifically talking about how we're related. You know, indigenous people, especially in the Haudenosaunee way -- you know, blood -- blood relations are relations -- let me say this. Relations extend beyond blood. Okay?

You've got to understand that. That's how we think as indigenous people. It extends beyond blood in that we are related and connected by our ceremonies, our government that we -- you know, that Haudenosaunee government -- the Mohawk, the Seneca, the Cayuga, the Tuscarora that he would have found these pieces.

And I was just looking at information that I had from the previous meeting and I was wondering -- there was nothing mentioned regarding these ties, and she stated that they had documentation. So I figured if he did an extensive research on the Tuscarora Nation as he did the Bertie County Tuscarora that he would have found these pieces.
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1. Oneida, Tuscarora -- we're all -- we -- we consider each
2. other brothers and sisters, you know. They -- they're our
3. brothers. They accepted us under that confederacy. Yes, ma'am.

4. MS. FREEMAN: Ms. Dorothy?
5. MS. YATES: Dorothy Yates of the Saponi. I would
6. like to make a statement for something that you were talking
7. about earlier, the September 18th, 1981, letter to the
8. Tuscarora of Drowning Creek.
9. That is -- has no relevance to what we're
10. discussing today. This is a different petition from a
different group, from a different tribe. That tribe was the
Tuscarora of Drowning Creek. This is a whole new petition
for the Tuscarora Nation of North Carolina. So there is no
relevance for your comments for that letter, because this is
a different situation, a different petition.

11. MS. LOWRY: Ms. Dorothy, I'm so glad you said
that. At the last public hearing, I made that point myself
when you started questioning about Drowning Creek Band of
Tuscarora.

12. The reason why I needed to insert this is because
it is relevant, and here's why it's relevant. You included
it on your initial report that was sent to me. You included
that. So if it wasn't relevant, then you would not have
included it. Am I correct?

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1. MS. YATES: Yes. That is --
2. MS. LOWRY: -- of your report.
3. MS. YATES: That is our background information
that was -- that we were explaining why we were at this
process.
4. MS. LOWRY: But you --
5. MS. YATES: But your point was on why that
petition was deficient. We're no longer addressing those
deficiencies.

6. MS. LOWRY: You addressed it when you made --
7. MS. YATES: Excuse me, please. I am talking.
8. MR. G. RICHARDSON: Madam -- Madam Chair. Sorry, Madam Chair. We need to say again the reporter cannot keep
up with all the discussions. So one person needs to speak
at a time.

9. MS. YATES: I was speaking and was interrupted.

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up with all the discussions. So one person needs to speak
at a time.

9. MS. YATES: I was speaking and was interrupted.

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1. MR. DANIEL LOCKLEAR: I just have a quick
question. Daniel Locklear.
2. What then separates or defines Tuscarora versus
other indigenous groups? I was listening to Dr. Sider, and he
referred to that -- it seems as though he said it's an
amalgamation of indigenous people. So what then delineates
Tuscarora from the Haliwa and, in your opinion, what makes
Tuscarora Tuscarora and how are you different?

3. MS. LOWRY: That's a great question, Mr. Daniel.
4. What makes us different? Linguistically, we're different.
5. We speak Skarure Tuscarora, Tuscarora language.
6. Culturally, we're different. Our regalia is very
much different from the Lumbee Tribe. Well, that's
debatable, because they decided just recently to change
that. But, anyway, we'll get on that -- that's another
topic for another day.

7. But we're very different; very different in terms
of culturally, linguistically. Our ceremonies are in -- in
itself separate from anything -- if we're comparing it to
the Lumbee Tribe, from anything that the Lumbee Tribe
considers their history. Very, very different.

8. Politically, we're different. Our governance is
different. We are governed by our clan mothers, our clan
chiefs. Our government is different. The Lumbee tribe has
a chairman and they have representatives from districts. So their government is completely different. So we're very different and distinct in multiple ways. Culturally, politically, socially, linguistically, we're different. And all that, by the way, has been documented on how we are different. Does that answer your question?

MR. DANIEL LOCKLEAR: Yes, it did.

MS. LOWRY: Okay.

MR. E. JACOBS: Madam Chair? Ms. Lowry, Mr. Mitchell Locklear, was he once the chief of the Tuscarora Nation?

MS. LOWRY: He was.

MR. E. JACOBS: Is he now serving federal term for drug trafficking?

MS. LOWRY: I -- what's the relevance of this, or how is this relevant to the criteria that we are addressing?

MR. E. JACOBS: I just asked the question.

MS. LOWRY: Oh. Well, it's not relevant.

MR. E. JACOBS: Is there any knowledge as to him being the chief of the --

MS. LOWRY: I -- well, I answered that.

MR. E. JACOBS: -- Tuscarora -- is he still on your list of members of Tuscarora Nation?

MS. LOWRY: He's not on the leadership. Is he Tuscarora? Yes.

MR. E. JACOBS: That's all.

UNIDENTIFIED AUDIENCE MEMBER: That makes a difference? That is ridiculous.

MS. FREEMAN: Okay. Order.

UNIDENTIFIED AUDIENCE MEMBER: I have to apologize. That's ridiculous. We've got --

UNIDENTIFIED AUDIENCE MEMBER: Shame on you.

UNIDENTIFIED AUDIENCE MEMBER: -- Mr. Harvey Trogdon --

MS. FREEMAN: Order. Are there any more questions?

(No response.)

MS. FREEMAN: If not --

MR. DANIEL LOCKLEAR: Are we talking about questions to Ms. Lowry or Dr. Sider?

DR. SIDER: I'll answer more questions if you want me to. I'm not shy, as you can tell.

MS. FREEMAN: Daniel?

DR. SIDER: But I do want to say at the end I want to thank you-all for allowing me to testify on behalf of the Tuscarora. That is an honor from this Committee that I very much appreciate.

MS. FREEMAN: If you have a question, make it clear. And if he can answer directly in accordance to that question, so be it.

Daniel, do you have another question for Dr. Sider?

MR. DANIEL LOCKLEAR: Here's my question for Dr. Sider. Even with all his testimony, I was still trying to determine how that supported the Tuscarora's petition outside of what -- you know, we have what we call a splinter group, whether you like the term or whatever, but it does exist. That's how we had these meetings and that's how we handle the petition.

So as a splinter group, can you determine or separate the Tuscarora from any other group? How are they not a splinter group considering the geographic location to a tribe that's existing and has a seat on the Board?

I'm just trying to make a determination in my mind what is -- how do you identify --

DR. SIDER: Okay. Let me -- as I mentioned in my own testimony, I was close friends with George Roth, who was -- we went to school together. He was the director of the BIA. He was the head of the BIA's recognition process.

He and I had several conversations over the years about the whole notion of splinter group. And what -- his point, as he explained it to me, was -- he said, "Look, most Native American communities -- many Native American communities in the United States are factionalized. It happens to all oppressed peoples. It happens to all exploited people. Indians are clearly oppressed and exploited in most places. They divide very precisely, as we discussed and as I tried explaining. It's in my book.

No strategy of a vulnerable people for opposing their domination and their exploitation -- no strategy in the long run works. You can accommodate. You can oppose. You can include. You can do this. You can do that. You can run away. It doesn't matter what strategy the native people took. It didn't damn work over a long period of time.

So native communities often split, as did the historic Tuscarora into three groups of the historic Tuscarora. Native communities necessarily split along themselves, often bitterly, often antagonistically. The Cherokee in 1715 had a civil war among themselves; over the protection of blacks, by the way.

Native communities often split because -- and largely underneath the split was different strategies of -- of encouragements of opposing domination and escaping domination. George said to me, "We cannot recognize these splits within communities, so we have to oppose splinter groups."

But a splinter group is a split within the community. When the LRDA in, I think, '92 wanted an
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1. election – LRDA wanted an election to certify themselves as
2. the leaders of the Lumbee. Huh? And my heart's with LRDA
3. because I started it.
4. The vote in the Lumbee community was 200 votes for
5. LRDA and 8,000 votes for the tribal council for the tribe,
6. for the Lumbee Tribe. That's a split within the community.
7. It is profoundly different, profoundly different from two
8. separate people living nearby.
9. What you get with the Tuscarora and the Lumbee are
10. two separate people living near to each other, not a faction
11. within the Lumbee, within the Lumbee.
12. MS. LOWRY: So Dr. Sider just gave us an example
13. of a split – splinter group. I mean, there we go.
14. Any other questions?
15. (No response.)

WHEREUPON, THE TESTIMONY OF MS. LOWRY ENDED AT 1:06 P.M.

MS. FREEMAN: Okay. No more questions at this
time. We need a motion from the floor.

MR. G. RICHARDSON: Madam Chair, we want to make
sure that everybody's satisfied that their questions -- we
don't want to cut them off because there's still a ton of
time in the schedule today. But if there are no other
questions --

MR. BAUCOM: I have one question. The -- the
three groups that split, do they all share the same
ancestors?

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1. ancestors?

2. MS. LOWRY: Did you say the three groups that
3. split?

4. THE REPORTER: Microphone, please.

5. MS. LOWRY: What three groups are you saying
6. split? The three groups that Dr. Sider historically was
7. river region and they had the same ancestors?

8. MR. BAUCOM: Yes.

9. MS. LOWRY: That's a great question.

10. DR. SIDER: I was referring --

11. MS. LOWRY: If you're talking about
12. historically --

13. DR. SIDER: I was referring to the upper towns --

14. MS. LOWRY: Yes.

15. DR. SIDER: -- the middle towns, the lower towns,
16. a split that happened -- the Tuscarora historically, when
17. they were being enslaved or when they were being raided by
18. the settlers -- mostly German settlers, by the way.

19. The German settlers at New Bern under von
20. Graffenreid was the leader -- were financing themselves by
21. slaving the Tuscarora and selling them out to the Caribbean.
22. That strategy of how to cope with it -- the upper towns
23. wanted to negotiate with the state of Virginia to help
24. defend them against New Bern. The middle towns just thought
25. they could run away.

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1. And the lower towns, who lived nearest New Bern,
2. they wanted to fight and -- which is the ancestors primarily
3. of the ones who migrated to Robeson County. But that's
4. what -- was 1710.

5. MS. LOWRY: Yeah. So his --

6. DR. SIDER: That's not -- not now.

7. MS. LOWRY: So his question are -- his question --

8. DR. SIDER: About the Drowning Creek or --

10. question --

11. THE REPORTER: Microphone, please.

12. MS. LOWRY: Your question is are those three --
13. those three people -- group -- bands of communities of
14. Tuscarora -- historically, did they have the same ancestors.
15. That's your question, right?

16. MR. BAUCOM: Yes. I guess I was more asking the
17. tribe in New York, are they the same ancestors as the --

18. DR. SIDER: They're from the upper towns and
19. middle towns.

20. MS. LOWRY: Hold on a second. There is a family
21. line in New York that carries the Jacobs -- there are
22. Tuscarora in New York that have that Jacobs bloodline. And,
23. yes, they are actually doing -- currently, they're doing
24. research right now and they're finding relations --
25. bloodlines that tie directly into our bloodlines in Robeson

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1. County.

2. Now, have they provided me with that information
3. yet? No. But they are actively researching bloodlines that
4. tie to the Tuscaroras of New -- in North Carolina.
5. Does that answer your question?

6. MR. BAUCOM: Yes.

7. MS. FREEMAN: Is everyone satisfied?
8. (No response.)

10. we're going to do, if -- if you do have more questions,
11. let's break for a little bit, if that's okay with -- with
12. you. And if you've got pressing questions, Tamra, I'm
13. sure will be glad to answer them.

14. MR. G. RICHARDSON: Bless the food.

15. MS. FREEMAN: Mr. Burnett?

16. MR. BURNETT: Ma'am?

17. MS. FREEMAN: Would you bless the food?

18. MR. BURNETT: Yes, ma'am. Father, as we come
19. before you again today, we say thank you and we ask now that
20. thou would bless the food which we're about to receive. Let
21. it be a nourishment to our body and give us the strength
22. that we need. In your holy name we pray. Amen.

23. MS. FREEMAN: Okay. Let's be back in here by
24. 2:00, by 2:00.

25. [LUNCH RECESS - 1:10 P.M. TO 1:53 P.M.]
MS. FREEMAN: I think everyone is back in. And at this time, we will continue on with our meeting for today. And we said if you have questions, let's go through our questions. And when you come to -- Tamra, to do a response, you or Dr. Sider, we would like to have maybe a three-minute response on each question; two to three minutes, if possible.

Tamra, we'll go back with you --

MS. LOWRY: Do you want me to come up there?

MS. FREEMAN: -- for questions.

MR. G. RICHARDSON: We're going to ask Tamra to come back up there. I think it will be easier for the presentation for them to answer questions.

MS. FREEMAN: If you could -- okay. At this time, does anyone have a question for Tamra?

MR. DANIEL LOCKLEAR: Ms. Lowry, I -- I don't want to beat this horse to death, but I want to just get some clarity, going back to a question that Commissioner Richardson asked earlier about additional information. And I'm not sure you can or will answer, but based on the information you -- again, you sent this morning -- and it sounds like a lot of information -- do you have more information that you intend to send?

So -- so for -- for the benefit of the Commission, is there something else they can expect, or is -- is what

statute. And we want to be able to demonstrate if this goes to another level that we cooperated to the fullest extent and went above and beyond and continued to carry the burden of meeting these deficiencies.

I want it to be very clear to anyone -- any outsider, any judicial branch -- that the burden was continuously carried up until the last minute to try to alleviate and rectify these deficiencies. I want that to be very clear. So, yeah, we're going to exhaust these procedures and we're going to follow the procedures and continue -- because it states that we can, so we're going to do that.

MS. FREEMAN: Anyone else?

MR. G. RICHARDSON: Madam Chair, may I just want to make a quick comment in relation to that and I want to put for the record --

MS. LOWRY: Could I --

MR. G. RICHARDSON: I'm not a member of the Committee, but the way that we're, looks like, going right now, there needs to be an understanding that if we're going to continue to get information, then there can't be a final decision. So if we keep going with that and information, there can't be a final decision until we've got all the materials from the Tuscarora Nation of North Carolina.

So at the September meeting, if there's more

you sent today -- is that it? I hope that's a fair question. So, Mr. Charles, I think --

MS. LOWRY: Yes. That's --

MR. DANIEL LOCKLEAR: -- think that's kind of where you were going earlier.

MS. LOWRY: That's a fair question. We do intend to send more information, because the guidelines and procedures state that the petitioning group may continue to submit additional information up until a final recommendation -- recommendation is rendered.

MR. DANIEL LOCKLEAR: And to follow up, I -- I guess if you -- you have more, why aren't you just sending everything you have at --

MS. LOWRY: Because we're still --

MR. DANIEL LOCKLEAR: I'm just curious.

MS. LOWRY: That's a great question. Because we're still working. It's not that we're just withholding and deciding just to send it at the last minute.

MR. DANIEL LOCKLEAR: Okay.

MS. LOWRY: Let me say it like this. Maybe we'll -- it'll -- we are going above and beyond trying to make sure that we address every single deficiency that you come at us with.

Because, ultimately, you know, we understand that this is the procedures that you've set forth. This is the

information, just understand that's probably going to create another delay in the final decision. So you won't --

MS. LOWRY: There's nothing -- there's nothing in your -- there's nothing in your criteria that states that the continuous submission of documents will delay the process. That's not outlined. That's -- it doesn't say that.

MR. G. RICHARDSON: Administratively or logically, it will delay the process because the Commission can't make a decision until we've got everything that -- that the Tuscarora submits.

MS. LOWRY: Mr. Richardson --

MR. G. RICHARDSON: I just want you to understand that.

MS. LOWRY: Respectfully, I'm going by what's before me that's outlined in the procedures. Now --

MR. G. RICHARDSON: And the --

MS. LOWRY: -- if I'm not -- if I'm misinterpreting --

MR. G. RICHARDSON: No.

MS. LOWRY: -- what's here --

MR. G. RICHARDSON: Madam Chair, I'm just making a statement for clarity and so the petitioner understands that until the Commission has everything from the petitioner, there cannot be a final decision.
MS. LOWRY: So let me clarify.

MR. G. RICHARDSON: That's the only thing I want to say.

MS. LOWRY: Let me clarify. The reason why we've had to submit additional information is because there's continuous deficiencies. That's why we continue to submit more information, because we're trying to address the continuous deficiencies.

So every time we submit something, you come back and say this has not been satisfied. Then we come back again and we submit more. Do you get what I'm going -- you -- you following me, Mr. Richardson?

We're trying our best to rectify the continuous deficiencies. Therefore, it prompts us to continue to submit more information. I mean, the burden lies on us, right?

MR. G. RICHARDSON: Yes.

MS. LOWRY: Okay. So that's why we are having to continuously submit additional information, because there's continuous deficiencies.

MR. G. RICHARDSON: Just understand, the procedures are open-ended like that. The Commission should not be blamed for continuous process if -- as long as the petitioner continues to submit documents is the only thing I'm saying. You --

So -- but I -- I know the statement you're talking about, because I've read it multiple times.

MS. FREEMAN: Any more questions?

MR. BAUCOM: I have a question. Have you ever been a contestant in any of the Lumbee pageants?

MS. LOWRY: What -- what -- so, W.D., what's the relevance of that? Tell me how that relates to the criteria that as the petitioning group we have to address.

If you can tell me which criteria that falls under -- (a), (b), (c), (d), (e), (f), (g), (h) -- I'll be more than glad to answer it.

MR. BAUCOM: No. I'm just trying to get some clarification on what you said earlier about you follow your mother's bloodline.

MS. LOWRY: Do you know how old I was when that took place?

MR. BAUCOM: I -- I don't even know if you was a contestant. I'm asking.

MS. LOWRY: Twelve years old, yeah.

MR. BAUCOM: Okay. You answered my question.

MS. LOWRY: Yeah. There we go. I mean, it's not relevant, but there -- there's your answer.

MR. BAUCOM: Thank you.

MS. FREEMAN: Anyone else?

MR. BAUCOM: Can we ask Sider a question, too?
But I'd like to thank everybody for coming out and I'd like to thank everybody. It was informative. There was a lot of engagement here, and I thank everybody very much. I thank Tamra and the young man down there for coming. And I just wanted myself to leave it on a good note, because the air is getting a little thick, and I just wanted myself to leave here on a good note.

And -- and I'll say this and then I'll move on. I hope all the documentation that's needed is submitted because just and fair is what I'm all about, but I'm also -- as said, I also want to see -- I want to see -- this process has got to have a stopping point, and it can't continue to stop -- continue to stop if things are always done. You know, somebody asked me one time about research. They said when will it be finished. I said no, because there's always things.

But I like for people -- I understand now. I think myself that some people is getting personal feelings, personal issues against people. It's not about that. We have a criteria that we have to abide by. We have a job that we have to do. So that's why I was referring earlier to all the information, everything that is part of the puzzle.

We want to be fair and we want to be just. I truly believe that. So I just thank everybody for coming hoping this letter finds you in good health and fine spirits.

"In reference to your hearing of the Recognition Committee held on April 30th, 2019, that Catherine Anderson spoke at, she did not speak on behalf of the Tuscarora Nation and is not working on the genealogy -- genealogy of the Tuscarora Nation and its connection to herself and any people claiming to be Tuscarora in North Carolina. The Tuscarora Nation has recently obtained from' -- gives you the web site -- "http://www.ancestry.com a report on Catherine Anderson. In the ethnicity estimate, see Section 2.1, her ethnicity is Central and South America, Southern Mexican under Native American under the Native American category. In her genealogy tree, see Section 2.2, none of her listed ancestors appear anywhere in our records.

"Any person who testifies -- testified on April 30th, 2019, is -- another person who testified April 30th, 2019, is Christopher Lowry. In his ethnicity estimates, he is zero Native American. See Section 2.3.

The Tuscarora Nation of the Haudenosaunee Confederacy that includes the Onondaga" -- and I'm sorry if I mis-say all this -- "Mohawk, Seneca, Cayuga and One -- Oneida Nations, sent a letter dated October 10th, 2001, to Gail Norton, Secretary of the Interior of the United States, and Gregory A. Richardson, Executive Director of Native American Affairs in Raleigh, North Carolina, that the Tuscarora Nation have nothing to do with the group from North Carolina. Further, the Tuscarora Nation or the Tuscarora Nation of North Carolina or the Tuscarora Nation of " -- can't say that -- "Kau-ta-noh, or any other group claiming to be Tuscarora descent looking for recognition."

And it is signed by Chief Leo Henry of the Tuscarora Nation.

MS. LOWRY: Was there a question?

MS. WELCH: I just needed you to read that and understand where we're at in -- in the respect to the other tribe, especially the Tuscarora of New York,

MS. LOWRY: Okay. So here's my response. Does what the Tuscarora in New York change our genealogy? Does it change our history? Does it change anything as it concerns to our bloodlines? Does it change anything?

Because we submitted -- when you get this information, you'll see -- additional genealogical information, official birth certificates, marriage certificates, death certificates -- all these things, all of these records, in addition to we submitted once again the war records for our ancestors Allen Lowery, William Lowery, who were noted by the United States war records to be Tuscarora.

Does it change -- what I'm trying to say is what
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<td>1 they say, does it change who we are?</td>
<td>1 is absolutely crucial. The point that she said that when</td>
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<td>2 MS. WELCH: That's only for you to answer.</td>
<td>2 they left New York, they relinquished their rights -- you</td>
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<td>3 DR. SIDER: Can I -- I want to speak --</td>
<td>3 have to -- to land in North Carolina. You have to</td>
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<td>4 MS. LOWRY: Hold on one second, Dr. Sider. Hold</td>
<td>4 understand that the New York Tuscarora are suing -- it's a</td>
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<td>5 on. Hold on.</td>
<td>5 still active case, still under appeal. They're suing the</td>
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<td>6 Furthermore, Catherine Anderson is not on the</td>
<td>6 State of North Carolina and the federal government for not</td>
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<td>7 enrollments for the Tuscarora Nation of North Carolina. She</td>
<td>7 protecting their rights to be recompensed for the land that</td>
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<td>8 came willingly on her own and asked to testify, and I did</td>
<td>8 was taken from them in North Carolina in the 1700s.</td>
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<td>9 allow her to testify. So that should answer her statements</td>
<td>9 If they agree to recognize the Tuscarora here,</td>
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<td>10 in itself. Yeah. Yeah, I'm not really -- this doesn't</td>
<td>10 then the Tuscarora can legitimately -- here can say, &quot;Oh,</td>
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<td>11 concern me, Ms. Welch, because it doesn't change who we are</td>
<td>11 hey, we need to be included in this recompense if you ever</td>
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<td>12 or bloodlines, the history, everything that makes us who we</td>
<td>12 win this suit.&quot; They never have that much chance of winning</td>
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<td>13 are, the Tuscarora Nation of North Carolina.</td>
<td>13 the suit, but that's the reason why the New York Tuscarora</td>
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<td>14 It doesn't -- it doesn't really, frankly, bother</td>
<td>14 want -- some of them -- not the ones who brought the gift of</td>
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<td>15 me or -- or concern me what the Tuscarora Nation of New</td>
<td>15 a prayer and a song, but some of them want to say, &quot;Oh, the</td>
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<td>16 York thinks about who we are, because it -- quite honestly, when</td>
<td>16 North Carolina Tuscarora Nation is not us,&quot; so they can</td>
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<td>17 they left here, they relinquished their rights to the land</td>
<td>17 claim that they have a right to the suit.</td>
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<td>18 here when they joined in New York on Lewiston territory and</td>
<td>18 MS. FREEMAN: Thank you.</td>
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<td>19 joined the Haudenosaunee Confederacy.</td>
<td>19 MS. LOWRY: I -- Ms. Freeman, can I add an</td>
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<td>20 So what they say in regards to who the Tuscarora</td>
<td>20 additional comment?</td>
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<td>21 people are here in -- in Robeson County is not my concern.</td>
<td>21 MS. FREEMAN: You can.</td>
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<td>22 MS. WELCH: Duly noted.</td>
<td>22 MS. LOWRY: Okay. I understand that in the</td>
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<td>23 DR. SIDER: Can I speak to --</td>
<td>23 procedures for legal recognition of American Indian groups</td>
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<td>24 MS. FREEMAN: Dr. Sider.</td>
<td>24 that when you receive a petition from a group -- from a</td>
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<td>25 DR. SIDER: The last point that Ms. Lowry raised</td>
<td>25 petitioning group in North Carolina that you are to send out</td>
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<td>1 a notification to all the surrounding North Carolina tribes.</td>
<td>1 Why -- why is that a necessity? Why is that</td>
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<td>2 Am I correct, Mr. Mark Teague?</td>
<td>2 needed?</td>
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<td>3 MR. TEAGUE: That is correct.</td>
<td>3 MS. FREEMAN: It -- it was needed, Tamra, because,</td>
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<td>4 MS. LOWRY: And you're supposed to send out the</td>
<td>4 as I stated earlier, we're going to gather information as</td>
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<td>5 petition to the organizations; is that correct, the Native</td>
<td>5 much as possible to find out what we were working with and</td>
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<td>6 American organizations that's represented on this</td>
<td>6 who we were working with.</td>
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<td>7 Commission?</td>
<td>7 If I make no mistake -- and you can correct me if</td>
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<td>8 Is there anywhere in your guidelines that it</td>
<td>8 I'm wrong -- in one of our meetings here, there was a group</td>
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<td>9 stipulates that you are to send out information as it</td>
<td>9 that came in with you and -- and they were from out of town.</td>
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<td>10 relates to petitioning groups -- let's just say the</td>
<td>10 And one of the ladies that got up to talk or to speak said,</td>
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<td>11 Tuscarora Nation of North Carolina -- to the Tuscarora Tribe</td>
<td>11 &quot;They are a part of us. They are a part of us.&quot; So that</td>
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<td>12 in New York?</td>
<td>12 made us want to look a little deeper and see what part.</td>
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<td>13 MR. TEAGUE: Madam Chair, do you want the</td>
<td>13 I mean, you know, there's so much took place and</td>
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<td>14 question -- there's nothing that precludes it.</td>
<td>14 so much to listen to and so much to -- to try and find out</td>
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<td>15 MS. LOWRY: So I guess my next question is this.</td>
<td>15 and know, and -- and that's all this is about. It's</td>
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<td>16 What is the relevance of even contacting the Tuscarora</td>
<td>16 about --</td>
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<td>17 Nation of New York regarding the Tuscarora Nation in North</td>
<td>17 MS. LOWRY: Ms. Freeman, at the last public</td>
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<td>18 Carolina's petition?</td>
<td>18 hearing, you told me that you would -- you were going to</td>
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<td>19 Why do we -- why is -- in your preliminary</td>
<td>19 adhere --</td>
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<td>20 findings and deficiencies from January, why is there</td>
<td>20 MS. FREEMAN: We're not getting into a debate.</td>
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<td>21 multiple instances where you felt the need to notify and</td>
<td>21 MS. LOWRY: Well, no. No. We're not debating.</td>
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<td>22 beg -- pretty much beg, because you -- you sent them several</td>
<td>22 You were going to stick strictly to the procedures and to</td>
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<td>23 letters saying, &quot;Hey, can you send us some information?</td>
<td>23 what's outlined as far as the statute. Am I correct?</td>
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<td>24 Hey&quot; -- and they didn't respond until after several</td>
<td>24 MS. FREEMAN: Well, you are correct. You are --</td>
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<td>25 attempts.</td>
<td>25 MS. LOWRY: I think it could easily be argued that</td>
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you're going a little above and beyond what the procedures require when you really want to investigate.

MR. E. JACOBS: Point of order.

MS. FREEMAN: You can use that term. We're not going to debate --

MR. E. JACOBS: Point of order, Mr. Attorney.

MS. WELCH: Point of order.

MR. E. JACOBS: It's getting to be a debate.

MS. FREEMAN: Mr. Richardson?

MR. C. RICHARDSON: I think in reference to her question or her statement, Madam Chair -- and this is my opinion, because I sit on this Committee and I've been at every meeting and every -- on every conference call that we've had.

When you get a name -- a petitioner -- regardless of who it is, if I got a petition from a group saying that they're part of -- they're Cherokee from Halifax, Zuka, whatever, the first thing comes to mind is I want to reach out to the Cherokee out west or in Cherokee, North Carolina, to see if they're tied to them or they're on a double roll. That's our obligation, to be thorough and -- to be fair and thorough on this.

Because if we see it -- it's just like I said. You see it all the time. People say, "Well, I'm from the -- I'm from the Cherokee Band of so-and-so." Well, the first thing my intuition tells me to do this right would be to reach out to the Cherokee of North Carolina and the Western Cherokee to make sure that they're not already on that roll out there. That's our obligation and that's the way most petitioners or -- or requests is done.

It's just like we do our tribal work. If you come to me to apply for roll -- enrollment with our tribe, the first thing we do is make sure that you're not enrolled in another tribe. And that's clarification for our work. That eliminates a lot of stuff down the road. And that's why I think that was done.

MS. FREEMAN: Ms. Connie?

MS. MITCHELL: I just have a statement, not a question. Initially, I just want to say that we're all here in support of all Native Americans in this United States. And, personally, I dislike the fact that we have to prove that we're Native Americans, but that's a different -- whole different bailiwick that we need to deal with in a -- in a different way.

Secondly, I want to say that in terms of the DNA, we should not put much stock in this, what -- what the DNA says for any human being, because your DNA can come -- I'm not a DNA expert now, I'm not trying to put myself out like that. But I have investigated and researched enough to know that what comes up on your DNA is kind of the luck of the draw, because we are all in this room and in this United States a mixture of people -- peoples from various groups.

And so it depends on how far down the line, how far back your -- your particular -- your children may come up to be something much different than what you are and you're, like, what's that all about. So we don't need to put a whole lot of stock in this. It's kind of a starting point for all of us to figure out where our ancestors came from.

And secondly to that point is that our DNA is matched to a database of people. So somebody has gone to England and said this is what English DNA looks like. And we know that -- that's almost an impossibility because there is -- there is no DNA line from England to France to America. There's no DNA line, but there are attributes of various people. For instance, I had Neanderthal in mine and -- and they've been gone for centuries in this -- in this world. So don't put a lot of stock in that.

And, secondly, I want to say that I appreciate anybody who speaks to me respectfully. I do not appreciate anybody who does not. I try to be respectful to everybody.

I expect to be treated the same.

MS. FREEMAN: Thank you, Ms. Connie. Ms. Dorothy?

MS. YATES: Dorothy Yates from the Saponi Tribe.

I have a question. Could I ask that to Mr. Sider?

MS. FREEMAN: Sure.

MS. YATES: Okay. Mr. Sider, how long have you been a research assistant for the Tuscarora Nation of North Carolina, the petitioning group?

DR. SIDNER: I don't know. Several years. I haven't been, actually, a research assistant. I have been interested in Tuscarora history since my sophomore year in college in 1957 and I go out and talk with them. I -- you know, I -- I talked with Chief Leon over several years.

I've never once called myself a research assistant or had them call me a research assistant. We share our mutual concern for Tuscarora history.

MS. YATES: I just noticed on our agenda that you are down as a research assistant of the Tuscarora Nation. So I --

DR. SIDNER: I didn't -- I didn't put -- I'm sorry. I didn't put that down, ma'am. I'm sorry. I don't call myself that.

MS. YATES: And I was made aware at our last
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<td>hearing that I was not aware of that there are different</td>
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<td>Tuscarora groups in North Carolina that are going by</td>
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<td>Tuscarora other than this petitioning group.</td>
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<td>So the only group that you have -- or tribe that</td>
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<td>you have worked with is this petitioning group; is that</td>
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<td>correct?</td>
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<td>DR. SIDER: Yes, ma'am. And I've spent also a -- well, I -- I've done a</td>
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<td>lot of work on colonial North</td>
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<td>Carolina. Much of it's still not published in papers I've</td>
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<td>given at conferences but not published yet. And I've done a</td>
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<td>lot of research -- I used to teach Cherokee history and I've</td>
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<td>published a very lengthy -- a ten-page book review of Cecily Stern's</td>
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<td>(phonetic) work on Cherokee history. So -- so I -- I mean, while I --</td>
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<td>I'm not a Cherokee specialist, but I've</td>
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<td>had a long-standing concern with Cherokee history.</td>
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<td>MS. LOWRY: I guess the same applies for Ms. Anita Finger-Smith.</td>
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<td>Thank you.</td>
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<td>MR. C. RICHARDSON: Madame Chair, I would like to apologize --</td>
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<td>DR. SIDER: I don't -- I don't understand that</td>
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<td>last bit.</td>
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<td>MS. LOWRY: Yeah.</td>
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<td>DR. SIDER: Ms. -- Ms. Finger-Smith presented herself as a certified</td>
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<td>Cherokee -- Cherokee-certified genealogist and she wasn't. So I don't</td>
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<td>understand the</td>
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<td>same -- and also, I'm not passing myself off as a Cherokee</td>
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<td>expert the way she tried to pass herself off as an expert on</td>
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<td>anybody else but the Cherokee when she has no research background.</td>
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<td>I have published in academic journals a ten-page article on</td>
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<td>Cherokee history. I'd be delighted to talk with you at length, because</td>
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<td>I've put years of my life doing Cherokee history. I'd be delighted to</td>
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<td>talk with you about Cherokee history. So I don't understand the</td>
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<td>comparison between me and Ms. Finger-Smith.</td>
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<td>MS. YATES: On how we get titles. Thank you.</td>
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<td>MR. C. RICHARDSON: Madam Chair, I would just like to apologize to</td>
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<td>everyone, but I have to excuse myself. I've got an obligation six</td>
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<td>hours away I've got to attend. And I'd just like to thank everybody</td>
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<td>for coming out and participating and I hope this gets us closer to</td>
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<td>resolving this petition. Thank y'all.</td>
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<td>MS. FREEMAN: Is that all the questions from the Committee?</td>
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<tr>
<td>(No response.)</td>
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<td>MS. FREEMAN: When we sent our notice to Tamra, we let her know -- or</td>
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<td>she let us know that she had two witnesses. And I'm bringing this</td>
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<td>before the Committee. She has requested for someone else to have some</td>
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<td>time to speak. I am bringing that to the Board. Yes or no?</td>
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<td>MR. E. JACOBS: Motion to adjourn.</td>
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<tr>
<td>MS. MITCHELL: Second.</td>
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<td>MS. FREEMAN: All in favor?</td>
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<td>MULTIPLE PARTIES: Aye.</td>
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<td>MS. FREEMAN: Okay. The &quot;ayes&quot; have it.</td>
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<td>Liz, you -- you need to -- you do need to take the time to let us</td>
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<td>know our next steps.</td>
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<tr>
<td>MS. WALKER: Yeah. I just -- let me get a microphone.</td>
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<tr>
<td>DR. SIDER: Wait a second.</td>
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<tr>
<td>MR. G. RICHARDSON: Madam Chair --</td>
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<tr>
<td>DR. SIDER: Nobody even asked who else she wanted to hear testify. You</td>
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<td>can't treat people like that.</td>
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<td>MR. G. RICHARDSON: I think you -- I think some people didn't hear what</td>
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<td>you were saying.</td>
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<td>MS. FREEMAN: We asked if there was any more questions from the</td>
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<td>Committee, and no one had any more questions.</td>
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<td>Therefore, I asked the Committee to say yes or no to another speaker.</td>
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<td>We had -- we have allotted for two speakers today, two witnesses. Now,</td>
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<td>Ms. Liz are going to come and tell us our next step.</td>
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<td>And Mr. Jacobs has made a motion to adjourn.</td>
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<td>We're going to take that motion and put it back -- hold back on that</td>
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<td>until Ms. Liz gives us -- to be sure that we're</td>
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<td>still in our meeting.</td>
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<tr>
<td>MS. WALKER: For the Commission members, we have a court reporter</td>
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<td>today and she's going to transcribe a transcript which we get to</td>
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<td>everyone. And then we will take all the testimony, make sure -- we</td>
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<td>have copies of Mr. Sider's, make sure people get copies of that.</td>
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<tr>
<td>And Tamra said she will give us a copy of her written statement.</td>
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<td>We'll make sure that gets to everyone. And then we'll get back to you</td>
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<td>with how we want to proceed in terms of a draft for your next meeting.</td>
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<td>And that's -- that's where we stand.</td>
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<td>Is there anything else, Greg?</td>
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<td>MR. G. RICHARDSON: Madam Chair, and for Ms. Tamra and Dr. Sider, if</td>
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<td>you would, leave copies of your presentation today for the record we'll</td>
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<td>have it.</td>
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<tr>
<td>DR. SIDER: I did, and also --</td>
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<td>MS. WALKER: He has.</td>
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<td>DR. SIDER: I -- I did that. And I offered to answer any more questions</td>
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<td>by e-mail, by whatever. I mean, I'm always glad to help.</td>
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<td>MR. G. RICHARDSON: I'll tell -- I'll tell the Committee.</td>
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<td>MS. WALKER: And Tamra's agreed to send us hers.</td>
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<td>She doesn't have an extra copy with her today, but she's going to</td>
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<td>send it to us.</td>
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<td>That's it, Ms. Chair.</td>
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MS. FREEMAN: Okay.

MR. E. JACOBS: Motion to adjourn.

MS. MITCHELL: Second.

MS. FREEMAN: Motion carried.

[WHEREUPON, THE PROCEEDINGS WERE ADJOURNED AT 2:30 P.M.]

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN
CERTIFICATE
I, PATRICIA C. ELLIOTT, VERBATIM REPORTER AND NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPTION OF MY VOICE WRITER NOTES AND IS A TRUE RECORD OF THE PROCEEDINGS.
I FURTHER CERTIFY THAT I AM NOT EMPLOYED BY OR RELATED TO ANY PARTY TO THIS ACTION BY BLOOD OR MARRIAGE AND THAT I AM IN NO WAY INTERESTED IN THE OUTCOME OF THIS MATTER.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this
FIRST
DAY OF JULY, 2019.

PATRICIA C. ELLIOTT
VERBATIM REPORTER/NOTARY PUBLIC
NOTARY #1994048043