

RE: HOUSE BILL NO. 713 (Session of 2002): The Native American Recognition Act

Dear Representative

Kwangomel ['I greet you']

The Lenape Coalition, composed of surviving clan members of a Native American group indigenous to Pennsylvania, has petitioned the Legislature for 10 years to grant recognition as descendants of the Lenni Lenape who were the original inhabitants of Eastern Pennsylvania. When the last of the major groups of the Lenape were pushed westward after the Walking Purchase of 1737, our ancestors remained behind for various reasons.

When those Lenape who became the Delaware Tribe were finally gathered in Oklahoma and were issued identity cards as tribal members, the "left-behind" Lenape were not included. Today, we are still not recognized by the state of Pennsylvania, or the federal government.

Now House Bill #713, like the previous bills, proposes a State system to "recognize" indigenous natives of Pennsylvania. It also offered "certification" of other Native American organizations operating in the state.

WE ASK THAT YOU DO NOT SUPPORT THIS BILL.

As briefly as possible, we offer our explanation of this request.

A. Refer **Recognition** Criteria – Section 6, Page 6, Line 3

This requires that a petitioning group be a part of a continuous Native American community **from before 1790 until the present**. This is immensely unrealistic and would eliminate true Native groups descended for Natives indigenous to Pennsylvania from being recognized. The French and Indian and Revolutionary Wars caused great animosity toward the Native by the settlers. In spite of the fact that many Lenape / Delaware fought with Washington's troops, some were even commissioned officers. The original people hid or married settlers in the interest of survival. They did not form visible groups until the 20th century, although family clan groups did exist.

B. Refer **Recognition** Criteria – Section 6, Page 6, Line 11

This specifies that a petitioning group cannot be a splinter group which has separated from a group currently recognized. This is a rather murky provision and could be interpreted to mean that the "left-behind" Lenape constitute a splinter group of the recognized Delaware tribes.

C. Refer **Recognition** Criteria – Section 6, Page 6, Line 21

This covers producing historical documents showing a "long-standing" interaction with federal, state or local governments since **before 1790 until the present**. This is unreasonable as A. above. Surely, it is no secret that the State of Pennsylvania has had no relationship with its native citizens for the past 200 years. The federal government recognized the established tribes many years ago and makes it difficult for anyone else to get a registration "card".

To sum up the section on **RECOGNITION** of indigenous people, we believe the Bill's requirements are formulated so that no remnants of tribes in Pennsylvania, who merely wish their ancestry to be acknowledged, could qualify. Other states like New Jersey, Virginia, Ohio, and the Carolinas have been much more decent in recognizing that "left-over" groups of Natives exist in their states and in granting them the fact of their humanity!

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The **CERTIFICATION** process is much clearer and simple:

A. Refer **Certification** Criteria – Page 8, Line 10, etc.

Line 17 (3) requires 51% of the organization's Board are members of federally or state recognized tribes.

Line 19 (4) 51% or more of the organization's membership is Native American (of any stock).

Other than the above, they need only be incorporated.

It is apparent from the "**CERTIFICATION**" category is intended to accommodate individuals from out of state or from another country, such as Canada who wish to form groups for business reasons and receiving benefits. Certainly they do not need recognized by the State of Pennsylvania for other reasons as to be **THEY ALREADY HAVE RECOGNITION ELSEWHERE!** (Their status would have to be proven by a "card" from a non-Pennsylvania agency and how will the state of Pennsylvania know if the cards are valid)?

There are also other administrative details included in this bill but in the interest of brevity, we will not discuss them here. Suffice it to say that we feel this bill is fully intended to keep any truly indigenous tribal remnants from being recognized while it clears the path for out of state groups to have a relationship with the State of Pennsylvania.

SUMMARY OF HOUSE BILL NO. 713

Upon reading this bill, it occurs to us that it makes very difficult or almost impossible the attaining of recognition by indigenous groups whose families found themselves isolated in a Pennsylvania where their friends were forced out and the urge to stay alive kept them mute. It does not make sense to pass a bill which also makes it so very easy for Indians recognized elsewhere (**double recognition**) to be granted privileged status for the apparent purpose of assisting them in getting federal money. We have no objection to other people getting help from the state, but in this context, the bill to supposedly "recognize indigenous people", is incongruous.

Other states like New Jersey and Virginia have been much more decent in recognizing that "left-over" groups of Indians exist in their states and granting them the fact of their humanity.

Great power is put in the hands of the Commission on Native Affairs, which is not a disinterested party since most of the Indians represented on it are **NOT native to Pennsylvania!** (The head of the Commission has the last word before the petition is sent to the Governor for action).

This whole bill seems to be for the express purpose of giving special privilege to current organizations of non-Pennsylvania Indians and to keep indigenous people from being recognized.

We ask that this House Bill No. 713 **NOT BE PASSED IN ITS PRESENT FORM.**

If you wish to know more about our group or the bills we have been discussing, please contact us. **Wanishi** (Thank you) for your attention. **Wawullamallessil** ['Fare thee well']

Carla J. S. Messinger
Executive Director
Lenni Lenape Historical Society
Museum of Indian Culture

Lenape Coalition

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