

Thank you Senator McCain and other distinguished members of this committee for inviting me here today to speak on Senate Bill 480 which is pending before your Committee. The bill, introduced by Senator George Allen is titled the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2005- S.480. A hearing on our Federal Recognition bill was held by this committee on October 09, 2002 ( S. 2694) before Chairman Campbell. On behalf of the six Tribes named in S 480, the Eastern Chickahominy, the Monacan, the Nansemond, the Upper Mattaponi, the Rappahannock, and my Tribe the Chickahominy, I am requesting that the testimony and evidence from that hearing be submitted into today's record. That evidence included a strong letter of support from our current Governor, Mark Warner, testimony from the Virginia Council of Churches and our anthropologist and many others supporting our Federal Recognition through Congress. Beside me today is Professor Danielle Moretti-Langholtz, from the College of William & Mary, who is a renowned anthropologist specializing in the heritage of the Virginia Tribes, who worked on the petitions we filed with the BIA, and is prepared to assist with any questions you may have about our history.

Senator McCain, I could tell you the much publicized story of the 17<sup>th</sup> Century Virginia Indians, but you, like most Americans, know our first contact history. Well known is the story of Chief Powhatan and his daughter Pocahontas, her picture being in this very capitol building with her English husband John Rolfe. I often say this country is here today because of the kindness and hospitality of my forebears who helped the English Colonists at Jamestown gain a foothold in a new and strange environment. But what do you know or what does mainstream America know about what happened in those years between the 17<sup>th</sup> century and May 11, 2005. The fact that we were so prominent in early history and then so callously denied our Indian heritage is the story that most don't want to remember or recognize. I, and those Chiefs here with me, stand on the shoulders of the Paspahegh led by Chief, Wowinchopunk whose wife was captured and taken to Jamestown Fort and "run through" with a sword, whose children were tossed overboard and then their brains were "shot out" as they floundered in the water, and whose few remaining tribal members sought refuge with a nearby tribe, possibly the Chickahominy.

With this horrific action in August 1610, a whole Nation was annihilated. A Nation who befriended strangers, and, ultimately died at the hands of those same strangers.

We are seeking recognition through an act of congress rather than the BIA because actions taken by the Commonwealth of Virginia during the 20<sup>th</sup> Century in seeking to erase the existence of my people through statutes and legislation have made the administrative process nearly impossible. The destruction of documents, regarding our existence, during the Civil War and other periods of early history pales in comparison to the State sanctioned indignities heaped upon my people under the hand of Walter Ashby Plecker, a rabid separatist, who ruled over the Bureau of Vital Statistics for 34 years, from 1912 to 1946. Although socially unacceptable to kill Indians outright, Virginia Indians became fair game to Plecker as he led efforts to eradicate all references to Indians

on Vital Records. A practice that was supported by the state's establishment when the eugenics movement was endorsed by leading state universities and when the State's legislature enacted the Racial Integrity Act in 1924. A law that stayed in effect until 1967 and caused my parents to have to travel to Washington D.C. on February 20, 1935 in order to be married as Indians. This vile law forced all segments of the population to be registered at birth in one of two categories, white or colored. Thus legitimizing cultural genocide for Virginia's Indigenous Peoples. Sadly this tells only a part of the story. The affect of this period and the racial policies of the state, meant that Indian people were targeted --it was feared that they would dare to try to claim their heritage and seek extra protection outside the state or with the Federal Government. The policies established by Plecker made it illegal to designate Indian on a birth certificate or to give an Indian child a traditional Indian name. Violations put doctors and midwives at risk of up to one year in jail. Our anthropologist says there is no other state that attacked Indian identity as directly as the laws passed during that period of time in Virginia. No other ethnic community's heritage was denied in this way. Our state, by law, declared there were no Indians in the State in 1924, and if you dared to say differently, you went to jail or worse. That law stayed in affect half of my life.

I have been asked why I do not have a traditional Indian name. Quite simply my parents, as did many other native parents, weighed the risks and decided it was not worth the risk of going to jail.

We are seeking recognition through Congress because this history prevented us from believing that we could fit into a petitioning process that would understand or reconcile this state action with our heritage, we feared the process would not be able to see beyond the corrupted documentation that was legally mandated to deny our Indian heritage. Many of the elders in our community also feared, and for good reason, racial backlash if they tried.

My father and his peers lived the Plecker years and carried those scars to their graves. When I approached my father and his peers regarding our need for state recognition they pushed back very strongly. In unison they said. "Let sleeping dogs lie and do not rock the boat". Their fears of reprisal against those folks who had risked marrying in Virginia and whose birth records accurately reflected their identity outweighed their desire to openly pursue any form of recognition. Those fears were not unfounded because the threat of fines or jail time was very real to these Virginia Indians.

Senator McCain, the story I just recounted to you is very painful and I do not like to tell that story. Many of my people will not discuss what I have shared with you but I felt you needed to understand recent history opposite the romanticized, inaccurate accounts of 17<sup>th</sup> century history.

Let me tell you how we got here today. The six tribes on this bill gained State

Recognition in the Commonwealth of Virginia between 1983-1989. Subsequent to state recognition Sen. George Allen, as governor heard and learned our story. In 1997 he passed the statute that acknowledged the aforementioned discriminatory laws and allowed those with Indian heritage to correct their records with costs to be borne by the Commonwealth. At that juncture we began to look ahead to federal recognition. In 1999, we were advised by the BAR (Bureau of Acknowledgement and Research) now OFA (Office of Federal Acknowledgement) that many of us would not live long enough to see our petition go through the administrative process. A prophecy that has come true. We have buried three of our chiefs since then.

Given the realities of the OFA and the historical slights suffered by the Virginia Indian Tribes for the last 400 years, the six tribes referenced in S480 feel that our situation clearly distinguishes us as candidates for Congressional Federal recognition.

As a Chief of my community, I have persevered in this process for one reason. I do not want my family or my community to let the legacy of Walter Plecker stand. I want the assistance of Congress to give the Indian Communities in Virginia, their freedom from a history, that denied their Indian identity. Without acknowledgment of our identity, the harm of racism is the dominant history. I want my children and the next generation, to have their Indian Heritage honored and to move past what I experienced and my parents experienced. We, the leaders of the these six Virginia Tribes, are asking Congress to help us make history for the Indian people of Virginia, a history that honors our ancestors who were there at the beginning of this great country.

I want to end with a quote credited to Chief Powhatan. This quote, from Chief Powhatan to John Smith, maybe has been forgotten but ironically the message still has relevance today,

I wish...that your love to us might not be less than ours to you. Why should you take by force that which you can have from us by love? Why should you destroy us who have provided you with food? What can you get by war?...In such circumstances, my men must watch, and if a twig should but break, all would cry out, "Here comes Captain Smith." And so, in this miserable manner to end my miserable life. And, Captain Smith, this might soon be your fate too.... I, therefore, exhort you to peaceable councils, and above all I insist that the guns and swords, the cause of all our jealousy and uneasiness, be removed and sent away...

Senator McCain, our bill would give us this peace that Chief Powhatan sought, it would honor the treaty our ancestors made with the early Colonists and the Crown, and it would show respect for our heritage and Identity, that through jealousy perhaps has never before been acknowledged.

Chief Adkins