



# *Narragansett Indian Tribe*

1-401-364-1100 1-800-287-4225

Fax (401) 364-1104

E- Mail

April 5, 2023

The Honorable Evan P. Shanley  
Chairman House State  
Government and Elections Committee  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

Re: NARRAGANSETT INDIAN TRIBE  
OPPOSITION TO 2023-H-5020 and H-5021

Dear Chairman Shanley:

I am writing on behalf of the Narragansett Indian Tribe of Rhode Island in opposition to H-5020 and H-5021 scheduled for consideration on April 5, 2023, in the House State Government and Elections Committee.

In 1983, the Narragansett Tribe was federally acknowledged and recognized by the United States as an Indian Nation. (*See*, 48 Fed. Reg. 6177-78, Feb. 10, 1983). The Narragansett Tribe is the only federally recognized and acknowledged Indian tribe in the State of Rhode Island. The findings and conclusions of its federal acknowledgment were that the Narragansett Indian Tribe “in aboriginal times, inhabited the area which is today the state of Rhode Island.” (Emph. Added).

Over the past few years, various groups identifying themselves as Indian, Indian tribes, Indian groups and Indian nations have made claims for recognition, benefits, cultural resources, and properties from, or within, the State of Rhode Island. In fact, two bills were introduced in the General Assembly this session. The first, *H-5020* would provide for a petition process for State Recognition of Native American Tribes in general. The second, *H-5021*, ignores the recognition process proposed in *H-5020* and instead provides recognition by the State of Rhode Island to the Seaconke Wampanoag Tribe without any substantive historical, anthropological, and genealogical review.

On February 28, 2022, this Committee considered identical legislation introduced as *H-7470* and *H-7471*, both bills were held for further study. There is nothing that distinguishes the 2022 legislation from the 2023 legislation. There was ample opportunity to draft proposed Legislative

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findings of fact in support of *H-5021* and to have those findings vetted by qualified professionals. There was also ample opportunity to strengthen the proposed criteria of *H-5020*.

A critical omission from both proposed bills is that there be an affirmative finding by the General Assembly that the tribe, or Indian group, inhabits present day Rhode Island.

In 1978, Congress enacting the *Rhode Island Indian Claims Settlement Act, 25 USC §1701, et seq.*, to address claims by the Narragansett Indian Tribe against the State of Rhode Island. Of import here, is that Congress did not believe there were any possible Indian claims in Rhode Island other than those of the Narragansetts. *See, H.R. Rep. No. 95-1453, at 13.* Congress further provided that any Indian, Indian nation or tribe of Indians shall have 180 days from enactment of the Settlement Act to file claims. *25 U.S.C. § 1712.* There were no claims filed for any recognition, benefit or properties by any individual Indian, Indian nation, or tribe of Indian.

Furthermore, these various groups seeking recognition and the proposed legislation do not come close to meeting the criteria set forth under 25 C.F.R. Part 83 for identifying as an Indian tribe. Including that the petitioner for federal recognition as an Indian Tribe has been identified as an American Indian entity on a substantially continuous basis since 1900 and that the petitioner comprises a distinct community and demonstrates that it existed as a community from 1900 until the present. *See, 25 C.F.R. 83.11(a) & (b).* The Narragansett's Petition for Federal Recognition required volumes of documentation including evidence of historical existence as a tribe, evidence of independent tribal government with political influence or authority over its members, Tribal governing documents such as by-laws and constitution and genealogy documenting each individual member. *See, bia.gov – Petitioner # 59: Narragansett Indian Tribe, RI.*

The Narragansett Tribe opposes *H-5021*, which by legislative fiat would grant State recognition of the Seaconke Wampanoag tribe. In addition to the overriding concerns regarding lack of process and authentication as set forth above, the bill fails to set forth any criteria by which the Seaconke Wampanoag must demonstrate they comprise a tribal group or government within the State of Rhode Island.

The Narragansett Tribe further opposes *H-5020* and *H-5021* based on the historical actions of the State of Rhode Island. The most notable example was the "1880 Detribalization Act." In 1880 the State of Rhode Island adopted legislation which sought to abolish tribal authority and relations, declared tribal members citizens, ended any state relationship with the tribe and forced the sale of tribal lands. *See, Recommendation and Summary of Evidence for Proposed Finding for Federal Acknowledgment of the Narragansett Indian Tribe of Rhode Island Pursuant to 25 CFR 83 (June 29, 1982).* The "1880 Detribalization Act" mentions no other Indian tribe, nation or people having any lands, relationship, or governmental standing in the State of Rhode Island. The State at no point has any such documented history with the Seaconke Wampanoag, or other tribal groups, who might now seek historical recognition.

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In conclusion, no tribal group, or community, should be recognized the State of Rhode Island absent a review by qualified experts of a petition for recognition containing sufficient historical, anthropological, and genealogical evidence warranting recognition.

Please add these comments to the record in opposition to *H-5020* and *H-5021*.

Sincerely,

Handwritten signature of Anthony Dean Stanton in cursive script.

Chief Sachem Anthony Dean Stanton

cc: Governor Daniel McKee  
Speaker of the House K. Joseph Shekarchi  
President of the Senate Dominick J. Ruggiero  
Honorable Members of the House Committee on State Government & Elections