

Native American tribe sues New Jersey for recognition

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Body

A Native American tribe is suing New Jersey officials to demand it be recognized by the state government.

The Nanticoke Lenni-Lenape Tribal Nation filed a federal civil rights suit on Monday saying that not having recognition hurts its members psychologically and financially.

The tribe, which is based in Bridgeton, traces its history in the area back 12,000 years and says it now has 3,000 members - the majority of them living in the state. New Jersey made the Nanticoke Lenni-Lenape its third recognized tribe with a legislative resolution in 1982.

But the tribe says that's now at risk because of an two-sentence email sent by a staffer at the New Jersey Commission on American Indian Affairs to the federal government's General Accounting Office in 2011 that said New Jersey had not recognized tribes - a change that could also affect the Powhatan-Renape Nation and the Ramapough Mountain Indians, which also had been designated by the state.

Gregory Werkheiser, a lawyer for the tribe, said some state officials became nervous more than a decade ago about the possibility of recognized tribes trying to develop casinos. But Werkheiser said the Nanticoke Lenni-Lenape Nation has no interest in that, a position spelled out in the tribe's constitution. And even if it did, he said, it would take federal recognition- which can take decades to secure - for that to happen.

The state status is important to the tribe because, without recognition, it says, its members cannot sell crafts including beadwork, walking sticks, drums, headdresses, regalia, and pottery as "Indian made," an issue that could cost more than \$250,000 a year.

Werkheiser said the tribe's artisans - many of them senior citizens - have already seen their income take a major hit from that.

And the tribe says it could lose \$600,000 in grants, tribal jobs and scholarships that are tied to its designation as a recognized tribe. "State recognition of a tribe has little to no impact on a state budget, except that it may provide tribes access to certain federal benefits that save the state from spending its own dollars," the tribe contends in the suit.

The state government has not responded to the claims in court.

The state Assembly passed a bill in 2011 on procedures for recognizing tribes, but the measure never received a vote in the Senate.

A spokesman for John Hoffman, the state acting attorney general, said the office would not respond as it generally does not talk in public about lawsuits it faces.

Sarah Curtis

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This story has been corrected to show that a New Jersey state government employee told the federal government that the state does not recognize any tribes in 2011, not 2012.

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