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# T CAROLINA INDIAN VOICE

Published each Thursday by First American Publications, Pembroke, NC

VOLUME 22 NUMBER THURSDAY, AUGUST 3, 1995 25 CENTS

## Ruling by Washington, DC Bar says LRDA is not governing body for Lumbee Tribe

by Connee Brayboy

A ruling from the Office of Bar Council, the Board of Professional Responsibility, District of Columbia Court of Appeals, Washington, D.C. has seemingly answered some pertinent questions for the Lumbee Tribe.

The letter from the Bar Association in Washington, D.C. was in response to a complaint filed with them against Arlinda Locklear, tribal attorney, by LRDA. The dismissal letter was written by Assistant Bar Counsel Traci M. Tait and was addressed to Mr. Adolph Blue, Chairman of the LRDA Board of Directors. Dated July 27, 1995, the letter said in part: "This office has completed its investigation of the complaint you filed against Ms. Arlinda Locklear, Esquire. We have evaluated the matter in light of an attorney's obligations as set forth in the District of Columbia Rules of Professional Conduct (the 'Rules'). It is the burden of this office to find clear and convincing evidence of a violation on the part of Ms. Locklear. Accordingly, we are unable to pursue this matter further and must dismiss your complaint."

LRDA had stated in their complaint that the agency had retained Ms. Locklear to "represent the Lumbee Tribe in obtaining federal recognition." The Office of the Bar Counsel found that because Ms. Locklear represented the tribe, she had violated no rules of professional conduct.

The letter continues, "...Ms. Locklear provides documentation prepared by an expert on the history and contemporary political and social organization of the Tribe. The opinion letter posits that the LRDA was not recognized by the tribal membership as the tribal government and that the petition for federal recognition was filed on behalf of the Tribe, not the LRDA, which acted as an agent of the Tribe to achieve federal recognition. The expert states that it is not uncommon for a corporate entity such as the LRDA to act as a tribal council until a tribe is federally recognized. Along with federal recognition, the interim entity is replaced by a new constitution and a tribal government, consistently with the process of federal recognition."

"Ms. Locklear asserts that the foregoing occurred with the Lumbee Tribe. On July 4, 1994, the Lumbee Constitutional Assembly certified the Tribe's adoption of a tribal constitution that established a tribal council and chairman. The adoption of the constitution terminated the LRDA's authority to act on the Tribe's behalf. After being sworn into office in October 1994, one of the tribal government's first official acts, on November 7, 1994, was to retain Ms. Locklear's services pro bono as general tribal counsel on recognition issues and other matters."

"On March 16, 1995, the North Carolina Commission of Indian Affairs

formally recognized the newly adopted Lumbee constitution and the newly elected officers as the Lumbee tribal government."

The letter continues: "Our investigation fails to reveal an ethical violation on Ms. Locklear's part. The instant dispute stems from a conflict regarding the authority of the LRDA to act on behalf of the Tribe, and specifically whether the Tribe rather than the LRDA is the ultimate authority on matters pertaining to federal recognition. There is no dispute that the LRDA was the agent of the Tribe charged with working toward achieving federal recognition. The LRDA retained Ms. Locklear to promote the Tribe's interests in achieving federal recognition. You do not argue that Ms. Locklear was retained to protect the interests of LRDA as a separate entity. Thus, when the Tribe was recognized and created its permanent governing body, the LRDA no longer had authority to act on its behalf. The Tribe wished to continue with Ms. Locklear's services and engaged them. She continues to represent the Tribe's interests as she has been charged to do."

In essence the letter from the Bar Council took the position that the Bar Council agreed with Ms. Locklear's response to the complaint.

Another complaint filed against Ms. Locklear earlier was dismissed by the North Carolina Bar with no comments.



### Celebrates 99th birthday

Blanchie Riddle of Pemberton Place Nursing Center in Pembroke, N.C. celebrated her 99th birthday on July 23, 1995. She was honored with a party hosted by the Pemberton Place staff and residents. Mrs. Riddle is from Eden, N.C.. Her previous occupations were in the textile industry and a nursing assistant.

### PSHS athlete honored for excellent character

Purnell Swett High School was presented a trophy on behalf of Robert Earl Chavis, Jr. at the Ram's Athletic Banquet. Robert is a senior and was selected as the first recipient of the Character Education Award from Belk/Nike/Fox 62. The award must be given to a football player who exemplifies excellent character, as well as performs well academically. Robert is a North Carolina Scholar and has also received the Community Services Award for contributions to the restoration of schools in Costa Rica. He is the son of Robert and Jane Chavis of Pembroke, N.C. and will be attending Pembroke State University.

### Locklear family reunion planned

Long Swamp/Prospect-The descendants of Zackariah and Matilda Locklear, also the descendants of Preston and Emmaline Locklear will gather for their annual reunion on Saturday, August 12th at Preston Gospel Chapel. Please bring covered dish to be served at noon.

For further information call: 910/739-0058.

### Workshop for Elderly to be held

Services for the Elderly Workshop August 4, 1995, 10:00 am - 12:00 noon to be held at Burnt Swamp Baptist Association Office, Prospect Road, Pembroke, NC.

The N.C. Commission of Indian Affairs, in conjunction with The Division of Ageing and the Burnt Swamp Baptist Association, are providing a 2 hour workshop about information on services available to the elderly in our communities. Church and community leaders, family members of elderly persons, and other interested persons should plan to come. There is no charge for this workshop. For more information contact the Burnt Swamp Association at (910) 521-9850 or Darlene Jacobs at the NC Commission of Indian Affairs (919) 733-5998.

### Native American Association to sponsor gala fund raiser

You are cordially invited to attend the 11th Annual Mark Ulmer Scholarship Gala Fund Raiser sponsored by Triangle Native American Association on Saturday, August 19, 1995. The admission fee is \$25.00. It is to be held at the North Raleigh Hilton, Raleigh, N.C. For more information please call: Gwendolyn Locklear (919) 779-5936 or Cynthia Darlene Jacobs (919) 779-5044.

## Tribal Elections set September 30

The Board of Elections for the Lumbee Tribe has announced the upcoming tribal elections. Elections are set for September 30, 1995. The Lumbee Constitution provides for election of seven seats on the Tribal Council each year. District 1, represented by Walter Lowery of Scotland County; District 4, represented by Sam Wynn of Cumberland County; District 7, represented by Rhonda Locklear; District 10, represented by Gary W. Locklear; District 13, represented by Emma Lee Locklear; District 16, represented by Elton Hunt; and District 19, represented by Terry Smith are the districts for the 1995 tribal council election.

The Elections Board has set the filing time for August 2-August 9 for

those interested in running in these districts. A filing fee of \$50 will be required. Those desiring to seek a seat must reside in the district in which they file. The filing fee is non-refundable.

Filing will be at the tribal office on Vance Street, Pembroke, NC. Office hours are 8:30 a.m.-5:00 p.m. Monday-Friday. Additional information is available by calling 521-9999.

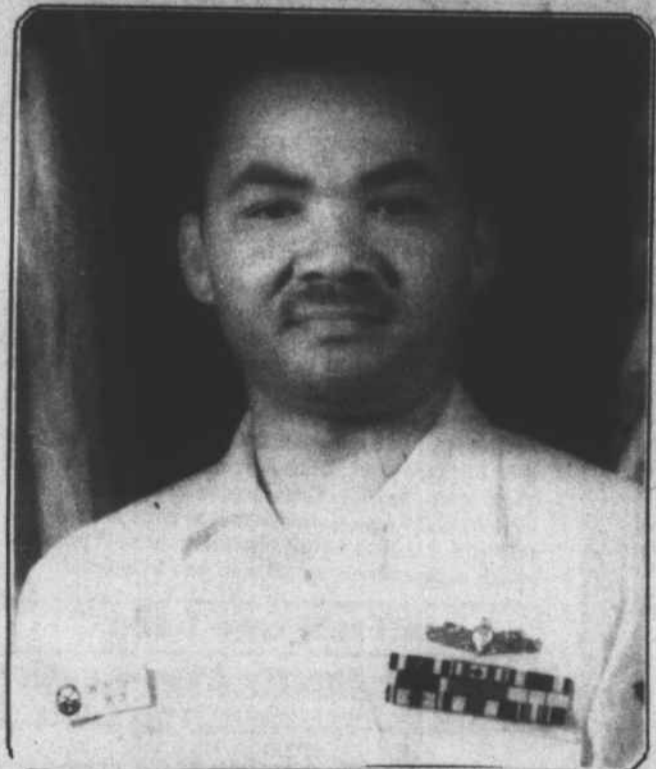
The Elections Board elected officers on Thursday night. Serving as Chairman of the first Lumbee Elections Board is Harbert Moore. Vice Chairman is Larry Locklear and Gladys Hunt of Cumberland County will serve as secretary. Other members of the board of elections are Virginia Jacobs and Joe Brooks.

## Rev. and Mrs. Harvey Brewington observe 50th anniversary



Rev. and Mrs. Harvey Brewington of Pembroke were the guest of honor at a surprise ceremony and dinner to commemorate their 50 years of marriage. The event took place on July 30, 1995 at New Bethel Baptist Church in Clinton, NC. The ceremony was carried out by Rev. Don Carter, the couples nephew and was hosted by their six children Cheryl Jacobs, Todd Brewington, Rex Brewington, Mike Brewington, Marcus Groves and Dawn Brooks. Special music was provided by Tim and Karen Carter, the Brewington children and families. Those who shared in the celebration included friends and relatives from Sampson, Robeson and surrounding counties.

## Thomas Locklear selected as Sailor of the Year



Navy Petty Officer First Class Tommy Locklear, son of Thomas and Roberta Locklear of St. Pauls, NC, is the assistant requisition manager at Naval Weapons Station, Yorktown, VA. He was chosen as his command's Sailor of the Year, and will be promoted to Chief Petty Officer in September. (Official Navy photograph)

By Lisa M. Novak  
YORKTOWN, Va. --when a warship deploys, it must have an ample supply of ammunition to fulfill its objectives. Much like a credit card, the ship can't leave home without it. That's where Tommy Locklear comes in.

The son of Thomas and Roberta Locklear of St. Pauls, N.C., is a Navy gunner's mate assigned to the Naval Weapons Station in Yorktown, Va. As the assistant requisitions manager, he ensures combatant commands receive the necessary ammunition and ordnance required to carry out a mission.

"This has been the most rewarding and challenging tour of my career," Locklear said. "It's most satisfying when we hear of a deployed unit supporting national policy, knowing we were part of getting them mission-ready." The command is responsible for fulfilling all ordnance requisitions from Navy and Coast Guard commands east of the Mississippi (including Texas).

And while Locklear enjoys being assigned to the weapons station, those he works with have made it clear they enjoy having him there. The 1977 graduate of Magnolia High School was selected as his command's Sailor of the Year.

Some of the contributing factors to his selection include an estimated cost

saving for the Navy in excess of \$3.5 million due to his monitoring and validating high-cost requisitions.

Locklear's superiors said his efforts increased the operational readiness of sixth Fleet units operating in the Mediterranean and Red Sea, as well as those involved with operations Deny Flight (over Bosnia) and Restore Hope (in Somalia).

Another significant accomplishment for Locklear was his recent selection to chief petty officer. But he considers his selection as Sailor of the Year one of his more significant achievements.

"This is one of the most rewarding accomplishments of my career. The Navy's given me the opportunity to go above and beyond the goals I have set for myself," said Locklear, who was also a nominee for the Navy-wide Shore Sailor of the Year.

He attributes part of his success to some lessons he learned early in life. As a boy growing up in Lumberton, N.C., Locklear had a strong sense of morals instilled in him from the work ethic provided by his parents.

"My father grew corn, tobacco, and soybeans and raised hogs, chickens and cows. We were given responsibilities at an early age and taught to be accountable for our actions. He taught me that I would appreciate this as an adult, though I did not

understand as a child."

Being one of 10 children, Locklear said he also learned "the art of sharing and gook work ethics." "I have thanked my father numerous times for the guidance he provided me, and I instill those same values in my children."

The first class petty officer is married to the former Wanda Robeson, daughter of Luther and Pauline Robeson of Lumberton, N.C. The couple has two daughters, LaWanda and Sandy. Locklear said his decision to join the Navy was made jointly, by him, his wife, and his children.

"My family has been very supportive of my career. They've learned to be very independent due to my deployments and experienced travel and meeting new people," said Locklear, adding that the travel is one of the most exciting aspects of Navy life.

"Some of the places I've visited are ones that most people have only read about. It's been a pleasure to actually stand on the ground where history was made."

The 35-year-old Sailor has travelled throughout Asia, Europe, the Caribbean and Australia. But at the same time, one of the difficult aspects of Navy life is the family separation due to the deployment schedule.

"It takes a strong family, dedicated to supporting each other. When I deploy, my wife and daughters support me 100 percent. This allows me to stay focused on my job."

He spends his off-duty time participating in cultural events which reflect his background. A Native American from the Lumbee Tribe, Locklear participates in Pow-Wows and teaches others about his tribe's history and customs.

"This allows me to continue to learn and share my heritage with others. These events have been very important to my children's growth. They're able to stay in touch with their heritage while we are away from out hometown."

Locklear, who entered the Navy in 1986, plans to continue in the service until retirement. After the Navy, he plans to return to Lumberton.

"I want to work with the Lumbee Tribe and teach about our heritage and culture. I want our people to be proud of who they are. I also want to share the experiences I've had in the Navy with the young people."

"The opportunity to lead and put the training into practice develops a persons self-confidence. It's prove to me that I can accomplish any reasonable goal I set for myself."

### 50th Anniversary Harvey & Naomi Brewington

They began their life together  
Fifty years ago.  
With blessings from God's loving hand  
They watched their family grow.  
They bore seven children  
Though one's now unseen,  
Their grand kids and great grands  
Now total eighteen.

They started on this journey  
Right here in this land,  
And they've strived to do God's will  
In their ministry to man.  
Though the road before them  
Seemed rocky and rough,  
They've prayed to God often  
For strength, patience, and love  
They vowed their love to one another  
Fifty years ago.  
We've come to share this day with you  
So everyone will know,  
That these two lives became as one  
When God joined them together,  
And should God take them from  
This world,  
Their love will be with us forever!!

July 28, 1995

