

# CAROLINA INDIAN VOICE

"Building Communicative Bridges In A Tri-Racial Setting"

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## A Front Page Editorial

### More about our Lumbee Constitution and three separate and distinct branches of government

The Lumbee Constitution is based on the Constitution of the United States. It has three separate and distinct branches of government. The Executive Branch is comprised of our Tribal Chairman Jimmie Goins, The Tribal Administrator, Leon Jacobs, is a political appointment by the Chairman. The appointment requires the approval of the Tribal Council, the Legislative Branch of our government. Those who work at the Tribal Office along with Mr. Jacobs who has hiring and firing power, all work for the Executive Branch. Under a system of checks and balances, the Tribal Council controls the budget. The tribal council, therefore, can set a pay scale for positions. Not only can they do so under the Constitution, but they should do so to eliminate any further controversy over salaries. We encourage them to establish a pay scale by ordinance.

The third branch of our government is our Supreme Court. We wish to commend our Supreme Court because in most cases they have ruled according to the Constitution. And that is their responsibility. We publicly thank Henry Ward Oxendine, former assistant district attorney, who served with distinction as our first Chief Justice. Mr. Oxendine's term is now up and he cannot, according to the Constitution, serve two consecutive terms. Thank you, Mr. Oxendine, you have worked hard to lay a foundation for future rulings by the Court. A foundation, we might add, that will protect the integrity of the Constitution.

Most recently the Court ruled that Councilman Larry

Townsend could not run for a third term. He was elected to finish out the unexpired term of Reginald Oxendine in District 7. He was then re-elected for a second term. The Constitution clearly sets term limits and no councilman or woman can serve more than two consecutive terms. Mr. Townsend filed for a third term and the elections board, a separate entity of our government, declared him ineligible. He appealed to the Supreme Court and they also, in accordance with the Constitution, ruled him ineligible to run. Again, the court abided by the Constitution. We commend them on that decision. To have ruled otherwise would have made null the Constitutional provision of term limits.

Rev. Tony Hunt has now replaced Henry Ward Oxendine as Chief Justice. In reaching a decision on whether Mr. Townsend could seek a third term, the court also ruled that his filing fee should be returned. We caution our court about ruling on matters that are not before the court. As we understand it, the issue before the court was: Is Mr. Townsend eligible to seek a third term on the Tribal Council?

The Judicial Branch of our Government seems to be working very well. We expect to hear more from our Legislative Branch as they enact ordinances, not resolutions, to govern tribal matters. We encourage the 21 member council to stop thinking and acting as if they are on the board of directors of a private, nonprofit corporation and begin to think and act as the legislative branch of our government. Think government.

## A Report to the People

On Thursday, September 16, 2004, the Lumbee Tribal Council held its regularly scheduled meeting at the Lumbee Tribal Office in Pembroke, NC. Every elected Tribal Council member was present for this meeting.

Council Speaker David Carter presided over the meeting. The Council received reports from the Tribal Enrollment Office, the Office of Energy Assistance, a report on the status of the Boys and Girls Club, and the Lumbee Tribal Housing Office. In addition, there was a special recognition of local Lumbee youth who had participated in the national baseball playoff games. The Council applauded the efforts of the youth and recognized those present for their outstanding accomplishments.

Chairman Jimmy Goins reported that a Veterans Service Officer should be employed by October 01, 2004. This position will provide specific services related to Indian veterans. Harold Hunt, former Robeson County Veterans Service Officer, will be named in that position. Goins also discussed future plans to construct a Wall of Honor for all Lumbee Indians who paid the supreme sacrifice during all wars. This announcement was well received by the entire Tribal Council, as well as all tribal members present.

A report was given by Cynthia L. Hunt of Legal Aid of NC - Pembroke on the issue of community and social ties. The Lumbee Tribal Enrollment criteria requires that any individual applying for Lumbee membership or recertifying their tribal membership must be able to demonstrate they have maintained social and community ties to the Lumbee Tribe. Hunt explained the reason why this requirement was adopted by the tribe, and its importance to the integrity of the Lumbee Tribal Roll. Questions were raised by Council members on whether or not the tribal membership was aware of this requirement and suggested that there is a need for community education among the tribal membership to address the issue. Hunt explained that this is a provision in the Lumbee Tribal Constitution, Article II Section 2, and can only be removed through the amendment process provided in the Constitution.

The Tribal Council passed an ordinance on the dis-enrollment of enrolled members for failing to maintain contact with the Tribe. This ordinance, cited as "Ordinance on the Removal of Enrolled Tribal Members," was adopted in accordance to the Tribal Constitution. The provision governing ordinances, Article VII Section, requires that the ordinance be posted at the Tribal Offices for a period of thirty (30) days following its enactment. In addition, Tribal Ordinance No. 2002-0001, cited as a "General Ordinance on Content and Form of Ordinances and Resolutions," requires that all ordinances shall be dated and numbered, and shall cite the appropriate constitutional authority, and further shall include a certificate showing the presence of a quorum and the number of Council members voting for and against the proposed ordinance. The document, according to this Ordinance, must be signed by the Tribal Chairman, and attested to by the Tribal Council Secretary. The Tribal Chairman will have thirty (30) days from the date an Ordinance is submitted to sign it, otherwise, the Ordinance is considered as vetoed by the Chairperson. Also, an affirmative vote of two-thirds of all Tribal Council members shall be required to override a veto of a Tribal Ordinance by the Tribal Chairperson. Every tribal member needs to know that this ordinance also requires that all ordinances be recorded in a binder and will be open to public inspection by members of the Tribe during normal business hours.

In other business, the Tribal Council passed three resolutions. A Resolution was passed in support of a Tribal Youth Leadership Conference. In addition, the Council passed a Resolution relating to the Tribe's non-profit corporation, Lumbee Nation Tribal Programs, Inc. The Resolution authorizes the Tribal Administrator to work with attorneys to update the Articles of Incorporation to reflect the current tribal leadership. Former Tribal Chairman, and former Tribal Council members are listed as Chairperson and the Board of Directors. According to various reports there was no discussion to dissolve this private non-profit corporation with no members; neither was there any discussion to dissolve other non-profits organized by the former Tribal Government.

A Resolution was also passed on the Lumbee Tribal Budget. The budget did contain amendments to some of the proposed salaries. However, positions questioned by tribal members during the public hearing remained. The Tribal Council passed the Tribal Budget as a Resolution and not as an ordinance as required by the Lumbee Tribal Constitution. Article VII Section 1 states "The legislative power to enact ordinances of the Lumbee Tribe of North Carolina shall reside in the Tribal Council. Such legislative power shall include: (a) the enactment of annual tribal budgets, provided that budgets shall be enacted into tribal law following the conduct of tribal hearing(s) on budgets proposed by the Tribal Chairperson." It should be duly noted that the budget was adopted as a Resolution, and not as an Ordinance as required by the Tribal Constitution. Further, Ordinance No. 2002-0001 states that "All final decisions on matters of temporary interest where a formal expression is needed shall be embodied in a resolution, noted in the minutes, and shall be available for inspection by members of the Tribe during normal business hours." It further requires that the same process outlined for Ordinances applies to Resolutions. The Lumbee Tribal Budget is not a matter of temporary interest. Ordinance No. 2002-0001 states that "All final decisions on matters of permanent interest shall be embodied in Ordinances. Therefore, the Lumbee Tribal Budget should have been adopted as law, as required by the governing document of the Lumbee Tribe.

Let's hold our tribal government accountable and not allow Tribal Council members, the Tribal Chairman or the Tribal Administrator to arbitrarily make decisions of any kind which are in direct conflict to our Lumbee Constitution.

by Cynthia L. Hunt,  
Tribal News Correspondent

## Army offering \$7,000 enlistment bonus for translator aides

**RALEIGH, NC** - Individuals who speak certain Middle-Eastern languages may be eligible to enlist as translator aides in the U.S. Army Individual Ready Reserve, with a \$7,000 enlistment bonus.

Candidates must be between the ages of 18 and 40 and be citizens or lawfully admitted permanent residents of the United States. All applicants will be tested on their ability to speak languages such as Iraqi, Pushtu (Pashto and Pachtu), Pushtu-Afghan, Pushtu-Peshawari, Persian-Afghan (Dari), Kurdish, Farsi and Turkish.

Recruits receive nine weeks of basic training, advanced training for their specific job as a translator aide, and in some cases they will be sent to school for improving their English skills. All translator aides qualify for advanced rank and may also be eligible for expedited U.S. citizenship. Following training, Soldiers enter the IRR - an unpaid status - until they receive an assignment to a unit.

The translator aide program is part of the U.S. Army's effort to enlist and train people to help with rebuilding efforts in the Middle East. The primary role of translator aides is to translate written and spoken foreign language material into and from English. These skills are instrumental in the daily operations and rebuilding efforts in which the Army is participating in the Middle East.

Individuals who would like more information on becoming a translator aide in the IRR may visit their local Army Reserve recruiter, call the Army's Arabic recruiting specialist toll-free at (866) 635-8450 or log on at <http://srabic.goarmy.com>.

## Pembroke VFW to sponsor Veteran's Day Parade

The Pembroke Chapter of Veterans of Foreign Wars will sponsor a Veteran's Day Parade beginning at 10 o'clock a.m. on Thursday, November 11, 2004. All participants will meet at the Pembroke Elementary School at 9 o'clock a.m. in order to be assigned their spots in the parade "line-up". The parade will go through town one time and end at the UNC-Pembroke Performing Arts Center. We are cordially inviting schools, industries and civic organizations in Robeson County and adjoining counties to participate. There will be a County ROTC Battalion review.

A float, band or both may represent your school, industry or civic organization. In order to reserve a space for you in the line, we will need to know what your intentions are concerning participating by October 23, 2004. Those interested may rent a float for \$200.00. If interested in renting a float please contact Gregory Cummings at 739-7584 or Buddy Bell at 521-4622. We will rent the float and bill you later.

All participants are reminded that this is a "Veteran's Day Parade" so please have an appropriate float and theme.

At 11 o'clock a.m. a chicken and fish plate sale at the V.F.W., located north on Union Chapel Road.

Your participation each year makes it possible for us to remember those who fought so hard and so bravely for our country. Let us not forget that in order to have a country that we can be proud to call "America" we must be willing to give up some of our time and take a stand for our country.

For further information contact Buddy Bell, Parade Chairman at 910-521-4622 (H) 910-521-0887 (W) or Gregory Cummings, Parade Co-Chairman at 910-521-2784 (H) 910-7397584 (W)

BAND TRANSPORTATION COST WILL BE TAKEN CARE OF BY THE TOWN OF PEMBROKE

## First Baptist Church, Fairmont celebrates 135 years of service

Services will be held Wednesday, Sept. 22 - Sunday, Sept. 26, 2004.  
Rev. Chester Hopkins, Jr. Pastor

Schedule  
Wednesday: 7:00 pm - Youth Banquet ( Minister Anthony Faison Speaker)

Thursday: 7:00 pm - Associate Ministers' Praise and Worship Night (Music by Jonesville Baptist Mass Choir)

Friday: 7:00 pm - Gospelfest 2004 (Deacon Bennie McCormick, Presider)

Saturday 9:00 am - 4:00 pm - fun day, Games, and a Fellowship Picnic

4:15 pm - 5:30 pm - Memorial Service and Presentation of J. J. Johnson Scholarship Winners

Sunday 9:45 am - Sunday School

11:00 am - Morning Worship - Rev. Chester Hopkins, Jr., Speaker

1:00 pm - Fellowship Dinner (House of Joy)

4:00 pm - Anniversary Message - Dr. J. G. Everett.

Pastor of Mill Branch Baptist Church, Speaker and Music by Mill Branch Baptist Church Choir

Rev. Hopkins and First Baptist Family invite you Help us Celebrate

## Methodist men to host annual fish fry

The Methodist Men of Chestnut Street United Methodist Church of Lumberton, will host their annual fish fry on October 1, 2004 between the hours of 5:00 and 7:00 PM. The tickets are \$5.00 and are available from any Methodist man at the church office. The proceeds from this event will go to scholarships, youth activities, scouts and mission trips. The church is located on the corner of Chestnut and East Eight Streets. Takeouts are available.

## To Subscribe to the Carolina Indian Voice call 910-521-0796

### Pembroke Twilight Christmas Parade planned

Sponsored By: Town of Pembroke  
Pembroke Chamber of Commerce  
Pembroke Civic Club

Date: Thursday, December 9, 2004  
Line Up Time: 3:30 o'clock p.m.  
Parade Time: 4:30 o'clock p.m.  
Parade Line up Area - The UNC-Pembroke Performing Arts Center and end at the Pembroke Elementary School

Criteria:  
-Marching Units  
-Bands  
-Queens  
-Floats  
-Special Attraction: Robeson County Sudan Tomcats Funny Cars  
-Main Attraction: Santa Claus

For further information contact Gregory Cummings at Pembroke Town Hall - 521-9758 / (H) 521-2784 or Buddy Bell - 521-0887 / 521-4622.

## Cultural classes being held

The Lumbee Tribe of North Carolina will hold Culture Classes every Tuesday at the Sattletree Community Building in Lumberton and Thursday at the Lumbee Regional Development Association in Pembroke. The classes are held from 6 until 8 p.m. and are free of charge. These classes promote native dancing, culture awareness and, arts and crafts sessions. For more information please contact a Tribal Youth Coordinator, John Oxendine or Rob Jacobs at the Tribal Office at (910) 521-7861.

## COMMUNITY AWARENESS FAIR

SPONSORED BY THE LUMBERTON HOUSING AUTHORITY WILL BE HELD FRIDAY, SEPTEMBER 24, 2004 413 SPRUCE STREET IN THE TURNER TERRACE COMMUNITY 10:00 A.M. UNTIL 4:00 P.M.  
AGENCIES COMING TOGETHER TO BRING AWARENESS OF THEIR PROGRAMS, THE PROCESS OF APPLYING AND HOW THOSE PROGRAMS BENEFIT THE COMMUNITY  
\*\* THE PUBLIC IS INVITED TO ATTEND \*\*  
FOR FURTHER INFORMATION PLEASE CALL NAN HAYES (910) 671-7228

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