

(3) Technical Assistance Letter(s)

- June 15, 1990
- August 25, 1992



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245



IN REPLY REFER TO:

Tribal Government Services -- AR

JUN 15 1990

Mr. Ronald Van Dunk
P.O. Box 3
Hillburn, New York 10931

File Copy
Bureau

<i>Allen 6/14/90</i>
<i>W. T. ... 6/14/90</i>
<i>Bacon 6-15-90</i>

Dear Mr. Van Dunk:

The Branch of Acknowledgment and Research (BAR) has completed an initial review for obvious deficiencies and significant omissions of the Ramapough Mountain Indian Tribe of New York and New Jersey petition for Federal acknowledgment as an Indian tribe. This letter describes the obvious deficiencies and/or significant omissions that have been found in the Ramapough petition.

The obvious deficiencies (OD) review is provided for in the Acknowledgment regulations to insure that a petitioner is not rejected because of technical problems in the petition and that the group's status will be considered on its merits. The OD review is not a preliminary determination of any case. This OD letter does not constitute any evidence that a positive conclusion has been or will be reached on the petition, or on the portions of the petition not discussed in this letter. Nor does the fact that a petitioner responds to the OD review imply in any way that the group will meet the seven mandatory criteria by simply submitting additional data. The OD review of the petition merely provides the petitioner with an opportunity to submit additional information or clarification prior to the actual active consideration period. The OD review is a limited review conducted over a period of several weeks by a staff anthropologist, genealogist, and historian. Only during active consideration is the petition reviewed and evaluated in-depth by the Acknowledgment staff to determine whether or not the group meets the requirements to be acknowledged as an Indian tribe.

With the requested information and/or documentation, the Acknowledgment staff can more fully evaluate the petition when it is placed on active consideration. The staff's research during the active consideration period is for the purpose of verifying and/or elaborating on an already complete petition. The staff's caseload no longer permits them to do the research necessary to fill in gaps in the petition on behalf of the petitioner to the extent they have at times done in the past.

Petitioners have the option of responding in part or in full to the OD review or of requesting us to proceed with the petition using the materials already submitted. The decision as to whether the group chooses to address the deficiencies noted in the OD review should be made by the group and not solely by its researchers. If your group requests that the materials

submitted in response to the OD review be reviewed as to the adequacy of the response, the Bureau of Indian Affairs will provide the additional assistance. This additional review will not be automatic and will be conducted only at the request of the petitioner.

The limits of these preliminary reviews must be taken into consideration. We do not know all of the questions that an in-depth evaluation during active consideration might raise.

Our comments and questions are organized below in the following order: (1) general comments and questions regarding how the petition addresses the mandatory Acknowledgment criteria; (2) comments and questions regarding the membership list, constitution, and council resolutions; and (3) comments and questions regarding documentation/sources.

GENERAL COMMENTS AND QUESTIONS

Our review indicates that there are significant deficiencies in the Ramapough petition. We recommend that the criteria be carefully reviewed and that further research be directed at providing evidence demonstrating that your group meets each one. Your researchers should contact the BAR to discuss the criteria in order that the BAR staff can provide you with additional technical assistance.

The narrative petition and supporting evidence that has been submitted indicates that the group has been identified as a tri-racial entity with an Indian component. Please submit any evidence that would indicate that the group has been referred to from historical times to the present as an Indian tribe.

The criterion in 25 CFR 83.7 a) requires that a petitioning group provide evidence that it has been identified from historical times until the present as an American Indian tribe. In other words, the evidence provided must focus on the identity of the group as an Indian tribe rather than on the Indian identity of its individual members. The Ramapough petition provides only minimal evidence, primarily dating from the late 19th and early 20th centuries, that the members of the group have some Indian ancestry. Most of the 20th century, newspapers, masters theses, and other sources you submitted continue to identify members of the group as having some Indian ancestry, but the group is not described as an Indian tribe. The group is often referred to in newspaper articles as a clan, rather than a tribe, possibly suggesting identification of common ancestry rather than of a tribal entity. Evidence that individuals have been identified as possibly having Indian ancestry does not constitute evidence that the group has been identified as an Indian tribal entity.

Criterion 83.7(b) requires that a petitioning group provide evidence that a substantial portion of the group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area and that its members are descendants of an Indian tribe which historically inhabited a specific area. An early study of the group (the 1911 Vineland Training School study) indicated that at that time the group's members were scattered in various communities in New York and New

Jersey. For example, 418 people were living in 20 different communities in Bergen County, New Jersey; 285 were living in 6 communities in Essex County, New Jersey; 380 were living in 12 communities in Orange County, New Jersey; 260 were living in 5 communities in Passaic County, New Jersey; and 620 were living in 7 communities in Rockland County, New York. Please provide documentation and descriptions of events and systems of communication which would demonstrate that these scattered members of the group constituted a cohesive community which maintained tribal relations and that the members recognized a leader or leaders of the group.

The current Ramapough membership seems to be concentrated in three major geographical areas -- Mahwah, Ringwood and Hillburn. Please provide a history of the groups in each of these areas and a description of their current organization. Include in this history any information regarding whether the membership of the current group is still as scattered as it was when the 1911 study noted above was conducted. If the members are not still scattered, provide information as to what historical or social factors caused the members to regroup in the three geographic areas they inhabit today.

Also, for each of the geographic areas describe the nature of the community that your members form. Describe any events that occur in these communities on a regular or irregular basis that help maintain member interaction and cohesiveness. Also describe how the members in these various areas interact with members in other areas.

The petition notes that among the elements joining the communities of Mahwah, Ringwood and Hillburn are the churches, but there is barely one page (55-56) in the petition regarding the role of the churches in forming or maintaining the Ramapough sense of an identity as an Indian community. Please provide more information on the social networking that goes on in the churches and how this distinguishes the group from other populations in the area. Also, please provide an explanation of the statement in the petition that some church members "adhere to Native American beliefs as well as Christianity." What kind of Native American beliefs are meant by this statement?

Criterion 83.7(c) requires that the group provide evidence that it has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present. One aspect of the Ramapough group's history which received attention in most of the documentation provided with the petition was that until recently there was no overall group leadership or even local leaders other than the heads of specific families. Even Speck, whose 1911 article notes that the group seemed to have Indian ancestry, stated that "absolutely no semblance of an organization exists among them."

Please provide information on the group's leaders from historical times to the present. Include a list of past leaders and or officers of the group and the dates that they held their positions. The petition states that the group's leaders only exercised their authority for ceremonial purposes, during tribal negotiations, or in response to a crisis. Please

provide descriptions of these events and the documentation supporting your statements that demonstrate how particular individuals or groups of individuals exercised autonomous political control or authority over group events and activities over time.

You also need to provide a descriptions and discussion of the nature of the Ramapough leadership in the local communities, i.e., the "clan leaders and clan meetings" mentioned in the petition, and the type and nature of the authority that the local leader or leaders exert over the members in their respective areas. Article V of the March 1990 bylaws describes how tribal officers are elected. Please provide information on how people are elected to or inherit local leadership or clan offices.

Criterion 83.7(e) requires that the membership of a petitioning group must consist of individuals who can show descent from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity. While your petition claims that the Ramapough group is composed of members who descend from Munsee Indians who originally inhabited the area--with infusions of other Indians--there is no specific identification of a tribal entity or specific Indian affiliation for any of the ancestors of the current Ramapough families. The 1895 New Jersey State census used as a base list does not identify the families or specific individuals as Indians. Other materials submitted with the petition make reference to possible Indian ancestry, but it is not specified exactly where the Indian ancestry appears in the family or exactly what type of Indian ancestry (Munsee, Tuscarora, etc.).

The only reference to a specific Indian is in the "Muster Rolls of N.Y. Provincial Troops 1755-1764, found in Collections of the N.Y. Historical Society (NY, 1891, pp. 334 & 404), which lists as Indian one John DeFries, born at Tappan about 1735. However, the Ramapough DeFreese ancestry has only been traced with certainty back to Samuel E. DeFreese, born at Hohokus Township, New Jersey, about 1818. If you can provide any clear evidence that the John DeFreese mentioned in the muster rolls is an ancestor of the current Ramapough DeFreese family, please do so.

COMMENTS AND QUESTIONS REGARDING THE MEMBERSHIP LIST, CONSTITUTION, AND COUNCIL RESOLUTIONS

Although your petition included a copy of the current Ramapough membership list, criterion 83.7(e) also requires "a copy of each available former list of members." Please send us copies of any previous membership lists that exist for your group. Include with these lists any information you have about when and why they were created.

You should continue to keep your membership list current by recording new births and deaths which take place in the interim before the petition is placed on active consideration.

If available, please provide us with copies of any previous governing documents that have been used by the Ramapough, and indicate when they were adopted by the group. Also, please provide a copy of the articles of incorporation your group filed when it incorporated. Your current bylaws indicate that when any changes are made in the bylaws, notice is sent to

the membership as a whole. Please provide a copy of the notice that was sent when the March 1990 bylaws were adopted.

COMMENTS AND QUESTIONS REGARDING DOCUMENTATION

Appendix C of the petition emphasizes the importance of "traditions, oral histories and expressions of self-identity" of the Ramapough people, as well as the work done by local historians, in delineating the group's history. However, while oral history might be used to provide an outline of the group's history, when documentation exists it should be used to support, expand or supplant the existing oral traditions. Oral history does not supplant the documentation.

Although a great deal of documentation was provided with the petition, there are a number of references from both the "Chronological List of Most Significant References" and the "Sources for Section 83.7(a)" which were not provided. It is extremely important that copies of the relevant portions of all documentation used as supporting evidence be made available. You should copy and submit the relevant sections of any document which would not be readily available to the BAR researchers. Without such documents, the BAR might miss important and valuable information that would support your petition. Also, once a group is placed on active consideration it is important that the BAR's time not be lost in the collection of cited documents, such as relevant newspaper articles, which are not readily available here in Washington.

The BAR staff is willing to meet with your researchers to provide a more specific list of items needed, but the most significant items not provided in the petition seem to be the following (the first two items would be particularly important for us to have, as Appendix C of the petition states that they provide "more accurate explanations of the long and complicated history of the Ramapough Mountain Indians"):

Tholl, Claire and Thomas Demarest, "The Original Inhabitants of Bergen County." Bergen County History. River Edge, NJ: 1975. Also, please let us know if this is the same reference that is cited on page 70 as Tholl, Clair K. "The Original Inhabitants of Bergen County and the Ramapo Mountain People." If they are different references, please send copies of both.

Salomon, Julian Harris. Indians of the Lower Hudson Region: The Munsee. New City, NY: Historical Society of Rockland County, 1982.

Crawford, Constance. "The Jackson Whites." M.A. Thesis, New York University, 1940. What is provided with the petition seems to be an abstract of the original thesis. Please provide a copy of the entire thesis.

Bigford, Paul. "The Origins of the Jackson Whites of the Ramapo Mountains." Allendale, NJ: 1965.

"The Jackson Whites." Hackensack Republican, November 19, 1891.

Also, the author of the 1911 Vineland Training School study indicated that she had prepared extensive charts tracing the family relationships of the Ramapough people. If these charts are available, please provide copies, or at least a sample indicating what information they contain.

Please provide samples of any monthly council minutes, minutes of the quarterly general meetings, clan meeting minutes and council resolutions which may exist. Include with the minutes of the general meetings a description of topics usually discussed at such meetings and the number of people who attended. Please include copies of minutes as far back as possible. Be sure to include minutes of group meetings at which any of the leaders and/or officers were elected.

If your group chooses to respond to this OD review letter, we encourage you and your researchers to consult with the BAR staff before preparing a response, so that you might utilize your research resources more effectively. The BAR can provide technical assistance, but cannot be responsible for actual research on the part of the petitioner. During active consideration, your petition will be thoroughly reviewed and evaluated to determine whether the group meets the requirements to be acknowledged as an Indian tribe. It may be necessary to request additional information during the course of active consideration. The BAR will make every effort to consult with you and your researchers regarding questions raised in this letter and those that might be raised during active consideration of your petition prior to publication of a proposed finding.

We recommend that you contact Bruce Thompson, the Acknowledgment staff member who has administrative responsibility for New Jersey petitioners, so that we can make arrangements to provide additional technical assistance to you and your researchers. You may write him c/o Bureau of Indian Affairs, Branch of Acknowledgment and Research, Mail Stop 4627-MIB, 1849 C Street, N.W., Washington, D.C. 20240, or call him at (202) 208-3592.

Sincerely,

RS/ Robert Delaware

acty Deputy to the Assistant Secretary -
Indian Affairs (Tribal Services)

cc: Edward M. Gabriel
Daniel J. Murphy
Charles Blackwell
Senator Lautenberger
Stewart Rafert

cc: Surname, Chron, 440RF, BAR Chron, HOLD
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