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HEARING BEFORE THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

NINETY-FIRST CONGRESS

FIRST SESSION

ON

THE NOMINATION OF BRANTLEY BLUE, OF TENNESSEE, TO
BE A COMMISSIONER OF THE INDIAN CLAIMS COMMISSION

APRIL 24, 1969



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**NOMINATION OF BRANTLEY BLUE, OF TENNESSEE,
TO BE A COMMISSIONER OF THE INDIAN CLAIMS
COMMISSION**

THURSDAY, APRIL 24, 1969

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met at 10:10 a.m., in room 3110, New Senate Office Building, Senator Mike Gravel (acting chairman) presiding.

Present: Senators Gravel, Allott, and Jordan of Idaho.

Also present: Jerry T. Verkler, staff director; Stewart French, chief counsel; James H. Gamble, professional staff member, and Klaus Wiebe, assistant minority counsel.

Senator GRAVEL. This hearing will please come to order.

The purpose of the hearing this morning is to consider the nomination of Mr. Brantley Blue, of Kingsport, Tenn., to be a member of the Indian Claims Commission.

The nominee is here, and I understand he will be introduced by the junior Senator from Tennessee, Hon. Howard H. Baker.

It is our honor to have one of our colleagues introduce him, and, Senator Baker, the floor is yours.

**STATEMENT OF HON. HOWARD H. BAKER, A U.S. SENATOR FROM
THE STATE OF TENNESSEE**

Senator BAKER. Thank you very much, Mr. Chairman, and members of the committee.

It is indeed a great honor to be here before your committee on this matter and, if I may, to introduce a very distinguished Member of the House of Representatives, Congressman James Quillen, who represents the district from which Mr. Brantley Blue comes.

Mr. Blue is a native of Pembroke, N.C., residing for the past 20 years, within the First Congressional District of Tennessee.

He is a Lumbee Indian and has served with great distinction in the City of Kingsport, Tenn., in many capacities, as an attorney and as a solid citizen.

With your permission, Mr. Chairman, I would like to yield to my colleague, Congressman Quillen, for the introduction of the nominee.

Senator GRAVEL. Congressman Quillen, it is indeed a pleasure to have you here. You may proceed.

STATEMENT OF HON. JAMES H. QUILLEN, A REPRESENTATIVE IN
CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF
TENNESSEE

Mr. QUILLEN. Thank you, Senator Baker, Mr. Chairman, and members of the committee.

The nominee is a constituent of mine within the First Congressional District of Tennessee. He is from Kingsport, Tenn., which also happens to be my hometown.

I want to introduce him to the committee. I think you have his biographical sketch—Brantley Blue.

He graduated from law school at Cumberland University, Lebanon, Tenn., in December of 1949 and immediately removed himself to Kingsport, Tenn., where he has engaged in the practice of law until this day.

While in Kingsport he has served as city judge, president of the bar association, and in many leading capacities in civic and church work.

Interestingly, he was born in Pembroke, N.C., as a member of the Lumbee Indians of North Carolina. There are more than 30,000 Lumbees in Robeson County, N.C., though they have never been organized in a tribal manner. Until recently, the county was divided pretty well into three racial groups with respect to their public schools, churches, theaters, and public restaurants.

He was the first member of his group to become an attorney.

He is one of nine children. His father was a shoe cobbler. He has overcome many obstacles and hardships and, when he was going to school in Robeson County, N.C., as I said, they had three school systems. He attended the one for Indians and did so, with members of his group, until the Supreme Court decision of 1954.

He is a man of modest means. He has overcome much throughout his life, but, as an American, the challenge is with him and he fights for a better way of life for all.

He has many qualifications for this appointment. I know him as a friend, as an outstanding practicing attorney, as a wonderful family man, and as a great American. I am sure that he will make an outstanding Commissioner and will devote his full time and abilities toward accomplishing and completing the work of the Indian Claims Commission.

At this point I would like to thank Senator Baker, my colleague, for his support and his untiring efforts in behalf of Mr. Blue.

Mr. Chairman and members of this distinguished committee, it is a pleasure for me to have appeared here this morning in behalf of this outstanding American who lives in my hometown of Kingsport, Tenn.

Senator GRAVEL. Thank you, sir.

Mr. Blue, would you care to make any comments at this time? We will insert your biographical sketch at this point in the record and then you may proceed.

(The biographical sketch is as follows:)

BIOGRAPHICAL SKETCH OF BRANTLEY BLUE

Born October 11, 1925 in Pembroke, North Carolina.

EDUCATION

Attended public schools of Pembroke, North Carolina. Attended Pembroke State College, and received LL.B. from Cumberland University in 1949.

OCCUPATIONAL BACKGROUND

1942-43—Montgomery Ward Company, Baltimore, Maryland.
 1944-46—United States Navy.
 1949—Present—Engaged in the general practice of law in Kingsport, Tennessee.
 1955-59—City Judge in Kingsport, Tennessee.

ORGANIZATION AFFILIATIONS

Law School: Blue Key Honorary Fraternity; Phi Alpha Delta Legal Fraternity.
 American Legion, Hammond Post No. 3 (Former Commander).
 Vice Chairman, National Americanism Council, American Legion.
 Kingsport Exchange Club (Past President).
 Kingsport Bar Association (Past President).
 Kingsport Chamber of Commerce.
 Tennessee Bar Association.
 Former Judge Advocate, American Legion, Department of Tennessee.

FAMILY DATA

Married to former Dorothy Milam of Kingsport, Tennessee. Two children: Janet and Patricia, both living at home.

STATEMENT OF BRANTLEY BLUE, NOMINEE TO BE A COMMISSIONER OF INDIAN CLAIMS COMMISSION

Mr. BLUE. Mr. Chairman and distinguished members of the committee, I am pleased to be sponsored by Senator Howard Baker and Congressman James Quillen, both of whom are from Tennessee. I am also honored to have been nominated by President Nixon for this position and I hope that his confidence in me can be justified by my actions in the future.

I am familiar with S. 307, the bill that was introduced in Congress by the efforts of this committee. I have read the report that was attached to it. I have met with the present members of the Indian Claims Commission several times. I have discussed the duties and responsibilities with them and they have impressed upon me one thing—that this committee and the Congress expects the work of the Commission to be accomplished by April of 1972.

They are dedicated to that task and by talking with them and seeing that dedication I am convinced, in addition to having read what Congress has said about it, particularly this committee, that completion of the work is what this committee is interested in primarily, in addition to seeing that justice is done honorably. I dedicate myself to that task and will devote myself to it wholeheartedly in an effort to see to it that our job is done, even though it calls for our dissolution when it is done.

I feel that if I assume this position, and if the Senate confirms me, that will be my task, in accordance with justice and the situation of doing it in an honorable way and I do dedicate myself to that task.

I will now be pleased to answer any questions.

Senator GRAVEL. Thank you.

I am pretty sure that the confidence placed in you by the President is well placed.

Senator Allott, do you have any specific questions?

Senator ALLOTT. I have no questions, Mr. Chairman.

I note that the Chairman of the Commission is here, and fortunately, Mr. Blue, you have talked with the Commissioners several times, and I know you have talked with the members of the committee. You are fully aware of the great pressure that is on this Commission to get this work wrapped up and concluded.

Your reference to the last bill, S. 307, is that right?

Mr. BLUE. Yes, sir.

Senator ALLOTT. S. 307, and your reading of the report indicates that you know, I am sure from that, the great compulsion that not only the Interior Committee of the Senate but the Interior Committee of the House feels in this respect. We want to cooperate, the committee does, with the Commission in every respect, but on the other hand there is nothing that can be done from this end to actually wrap up this work except the application and efforts of the Commission itself.

I have read your résumé and I am sure that Mr. Quillen or Senator Baker would not even think of suggesting to the President the name of a lawyer for a position on this Commission who was not of the highest quality and this, in itself, recommends you very highly as far as I am concerned, because of their own professional capability.

I think that is all I have, Mr. Chairman.

Senator GRAVEL. Senator Jordan.

Senator JORDAN. Thank you, Mr. Chairman.

Mr. Blue, you come well recommended with these two distinguished Members of Congress as your sponsors.

I think that the President chose wisely and well when he nominated you for this job. Apparently you have explored all of its ramifications because you anticipated the questions that would come from this committee, when you told us you had read the enabling act and had visited with the present members of the Commission, and you were dedicated to the objective which we all hold to here on this committee. I am pleased to welcome you into the fold and wish you well in your endeavors with the Commission.

Senator GRAVEL. Thank you, Senators.

I have a telegram from the Kingsport Bar Association which I would like to introduce into the record at this point. It is very complimentary to Mr. Blue. It is testimony of what your working colleagues think of you.

(The telegram referred to follows:)

KINGSFORT, TENN., April 22, 1969.

HENRY M. JACKSON,
Chairman, Interior and Insular Affairs Committee,
New Senate Office Building, Washington, D.C.:

The Kingsport Bar Association enthusiastically supports the nomination by President Nixon of Brantley Blue, a member of this association, to the Indian Claims Commission. As a former member of our local judiciary and as an active

member of this bar he has performed outstanding service to his profession and his community. We feel he is admirably suited for this high position of responsibility. We request that our endorsement appear within the record of his confirmation hearing.

FRANK DODSON,
President, Kingsport Bar Association.

Senator GRAVEL. If there are no further questions, we will recess the hearing into an executive session and take up your financial statement and I am sure, if you would just wait for a few minutes. I anticipate the meeting to be very brief and we can come up and congratulate you.

(Whereupon, at 10:20 o'clock a.m., the committee went into executive session.)

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