

OPENING STATEMENT

Good morning and thank you to our witnesses for being here to testify. I also want to recognize and welcome all the tribal members in the audience today.

Today we examine H.R. 1964, the *Lumbee Recognition Act*, introduced by our colleague from North Carolina, Mr. Butterfield.

H.R. 1964 will extend federal recognition to the Lumbee Tribe of North Carolina.

Federal recognition is the formal establishment of a government-to-government relationship between the United States and a tribal nation – its importance to Tribes cannot be overstated.

Official recognition allows a tribe to establish a homeland and to take that land into trust to be protected for future generations.

This in turn allows the tribe to manage its own resources, and gives them control over local jurisdiction and taxation issues.

Recognition also entitles tribal people to distinctive benefits, including eligibility to participate in many federal programs – including for health care and education.

In other words: recognition is necessary for a Tribe to fully exercise its sovereignty, and to protect the health, safety and welfare of its members.

That is why enactment of this legislation is so vital to the Lumbee people.

The Lumbee Tribe resides primarily in Robeson, Hoke, Cumberland and Scotland counties in North Carolina.

With approximately 60,000 members, it is the largest tribe in North Carolina, the largest tribe east of the Mississippi River and the ninth largest tribe in the nation.

In 1885, the Lumbee Tribe was recognized by the State of North Carolina. The Tribe then sought federal recognition from the United States in 1889 – and have been seeking it ever since.

Over the past 130 years, numerous bills have been introduced in Congress to federally recognize the Lumbee people, resulting in a record of hearing transcripts and committee reports.

In addition, numerous studies have been undertaken in academia on Lumbee ancestry, and reports have been requested and filed by the Department of the Interior on the Tribe's validity.

All of these documents consistently conclude one thing - the Lumbee people are indeed a distinct, self-governing Indian community that has been continuously and undeniably present in the Robeson county area.

So why are they still not federally recognized?

Historically, the Department of the Interior was often opposed to federal recognition for the Lumbee.

However, this opposition was not based on questions related to the Tribe's Indian ancestry or governmental status, but rather on the cost of providing services to the Tribe due to the size of its population.

Though that attitude has prevailed at times throughout our history, I hope we can agree today that it is unconscionable to deny a tribe its right to sovereignty based upon its size.

In 1955, the Lumbee Tribe once again sought federal recognition. Unfortunately, this was during what is known as the “Termination Era”, when the U.S. government sought to terminate relationships with tribal governments and force the assimilation of Indigenous people into mainstream American society.

To that end, the Department of the Interior recommended that Congress amend the Lumbee recognition legislation to deny eligibility for the benefits and services available to the tribe recognized under the bill.

Congress then enacted this amended legislation in 1956, effectively simultaneously recognizing and terminating the Lumbee Tribe.

Later, in 1987, the Lumbee Tribe attempted to restore their recognition through the newly created Federal Acknowledgment Process at Interior.

However, the Department informed the tribe that it was ineligible to participate in the Process because Congress itself had terminated its relationship with the tribe in the 1956 Act.

Therefore, they said, only Congress could restore that relationship.

While I do believe that the Federal Acknowledgment Process at Interior is an important avenue for tribal recognition, it is not the only one.

As we have established in previous hearings, Congress absolutely has the authority to federally recognize tribes.

Other tribes that were terminated by congressional action have come before Congress and had their relationship reestablished through legislation.

The Lumbee should not be treated any differently.

I want to thank Rep. Butterfield, along with Rep. Hudson, for championing this bipartisan legislation, and enter into the record their joint statement of support.

I also want to thank representatives from North Carolina Governor Roy Cooper's office, as well as the Executive Director of the North Carolina Commission of Indian Affairs, for attending today, and I submit their statements in support of Lumbee Recognition for the record.

I look forward to hearing testimony from our witnesses,
and I will now recognize the Ranking Member for any
opening remarks.