

MARK MEADOWS
11TH DISTRICT, NORTH CAROLINA

COMMITTEE ON OVERSIGHT
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ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT

Congress of the United States
House of Representatives
Washington, DC 20515-3311

2160 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6401

200 NORTH GROVE STREET, SUITE 90
HENDERSONVILLE, NC 28792
(828) 693-5660

www.meadows.house.gov

TESTIMONY OF CONGRESSMAN MARK MEADOWS

**HEARING ON H.R. 1964, THE “LUMBEE RECOGNITION ACT”
BEFORE THE HOUSE SUBCOMMITTEE FOR INDIGENOUS PEOPLES OF THE UNITED
STATES**

December 4, 2019

Chairman Gallego, Ranking Member Cook, and members of the subcommittee, I write to express my opposition to H.R. 1964. As the representative for North Carolina’s 11th district, I have been blessed to work with the Eastern Band of Cherokee Indians in my district throughout my time in Congress. Chief Sneed and the Tribal Council of the Eastern Band have fought both for the advancement of their tribal members and for welfare of federally recognized tribes across our nation.

I wish to bring several issues with H.R. 1964 to your attention. In short, these concerns and the unique historical situation of Lumbees outlined in Chief Sneed’s testimony should give us pause and should convince Congress to seek the counsel of experts at the Interior Department’s Office of Federal Acknowledgement (OFA). Among other tribal affiliations, the Lumbee have claimed to be Cherokee multiple times, without the agreement of the three Cherokee Tribes in the US. The uncertainty around the origins of the Lumbee, partly apparent in the Lumbee’s choices over time to change their self-described cultural affiliation among any of at least 4 distinct groups of American Indians, is all the more reason for the Lumbee’s desire for recognition to go through the OFA process instead of being subject to political pressures in Congress.

Congress should not use H.R. 1964 to circumvent the respected, established, and fair OFA system, particularly when the Lumbee have not bothered to seek acknowledgment under the latest guidelines established in 2016.

Federal acknowledgement has permanent implications. We should not take it lightly. Federal acknowledgement should come only after weighing verifiable historical evidence, and the opacity of Lumbee history is all the more reason to enlist the expertise of the OFA. Questions of tribal acknowledgement and recognition are deep, historical questions of culture, genealogy, language, historical political organization, documented historical bilateral relations with the United States government and more. Legitimate questions about these aspects of the history of any group seeking federal recognition cannot be ignored by those wishing to expedite the recognition process by bypassing a federal office explicitly established to focus on these very questions. As you know, the Obama Administration Department of Interior Solicitor in 2016 reformed the process for federal recognition, changing the criteria and making it easier for

unrecognized tribes to petition for recognition and declaring that the Lumbees may pursue federal recognition through this process. Because this process is explicitly open to the Lumbee, and because this process takes stock of the relevant information more thoroughly than we in Congress could do, Congress should not circumvent it.

To be clear, my opposition to H.R. 1964 is not out of some ill will toward Lumbees themselves, but rather out of opposition to the bill's circumventing of an established and even-handed process – which the Lumbee have not completed – to handle the legitimate historical questions at hand.

Federal recognition of the Lumbee would also have significant financial implications for federally recognized tribes across our nation – implicating hundreds of millions of dollars in limited federal funding. While any tribe that completes the OFA process should be eligible for these funds, the scale of the funding in question for over 60,000 Lumbee mean that Congress should not ignore the views of BIA experts and push through recognition legislation potentially impacting appropriations for every federally-recognized tribe.

The expansion of federal recognition to new tribes is a matter of great significance, and one which should not be catalyzed by political pressures alone. I again want to thank the chairman and ranking member of this subcommittee for the opportunity to present this statement, and I look forward to working together with you in the future.

Sincerely,



Mark R. Meadows
Member of Congress