H.R. 31 - “The Lumbee Recognition Act”
(McIntyre, D-NC)

H.R. 31 would extend federal recognition to the Lumbee Tribe of North Carolina. The Tribe first sought federal recognition in a petition submitted to Congress in 1888. Congress referred the petition to the Department of the Interior, which denied the petition due to funding concerns. Since 1899, numerous bills have been introduced in Congress to recognize the Tribe. These bills failed primarily due to the Department’s opposition based on the cost of providing services to the Lumbee or because recognition ran counter to the prevailing Federal Indian policy at that time. For example, Congress passed the 1956 Lumbee Act during a period of Federal Indian policy known as the Termination Era, during which Congress terminated its relationship with 109 Indian nations. Consequently, the 1956 Lumbee Act simultaneously recognized and terminated the Federal relationship with the Lumbees.

Over the years, Congress requested and obtained several reports from the Department of the Interior on the Tribe's history and status. These studies consistently concluded that the Lumbees were a distinct, self-governing Indian community, descended from Siouan speaking tribes, principally the Cheraw. Historically, the Cheraw were located on Drowning Creek in North Carolina. Drowning Creek was renamed the Lumber River by the State of North Carolina in 1809. The ancestors of the modern day Lumbee Tribe have been located on and around Drowning Creek/Lumber River ever since the first contact with Europeans in the early 1700s.

The State of North Carolina has recognized the Tribe for over 100 years. In its recognition acts, the State of North Carolina has imposed various names on the Tribe including Croatan [1885 to 1911], Indians of Robeson County [1911 to 1913], Cherokee Indians of Robeson County [1913-1953], and finally Lumbee Indians [1953 to present]. Under pressure from the Tribe, the State authorized the Tribe to conduct a referendum on its name and in 1951, the Tribe adopted the name `Lumbee Indians of North Carolina.' This is the only name ever selected by the Tribe.

Under the bill as amended, Federal recognition is extended to the Lumbee Tribe of North Carolina. The Secretary of the Interior and the Secretary of Health and Human Services are required to develop a determination of needs to provide services to the Lumbees and submit their findings to Congress. The legislation authorizes the Secretary of Interior to place land into trust for the tribe and do so in compliance with environmental laws. The Tribe is prohibited from conducting gaming pursuant to the Indian Gaming Regulatory Act, or any other Federal law. Finally, the State of North Carolina will exercise civil and criminal jurisdiction over any trust lands of the Tribe, however, the Secretary of the Interior may accept a retrocession of such jurisdiction from the State.

This bill passed the House last Congress with 256 votes. H.R. 31 has 185 cosponsors.