

**Statement by Senator Richard Burr (R-NC)**  
**S. 1364, the Lumbee Tribe of North Carolina Recognition Act**  
**November 17, 2021**

- Well, Chairman Schatz, Vice Chairman Murkowski, Senator Hoeven, I thank you on behalf of Senator Tillis and I for the opportunity to come in and introduce our legislation to take a wrong and make a right out of it.
- To say the tribe has been here before would be an understatement.
- The Lumbee people have been seeking federal recognition from Congress for over 130 years. This committee has been holding hearings on the Lumbee's status since 1912.
- Time and time again the Lumbee people have proven their case to Congress. This committee's files are full of testimony, letters, reports, and other records, which demonstrate, beyond any shadow of a doubt, that the Lumbee tribe is worthy of full federal recognition.
- Over the last 33 years, 29 Lumbee recognition bills have been introduced into Congress. Fifteen by Democrats, 14 by Republicans, showing just how bipartisan this effort has always been. Today is the 15<sup>th</sup> congressional hearing on Lumbee recognition since 1988, and the 7<sup>th</sup> in this committee. Over that time, congressional committees have approved Lumbee recognition bills 13 times, including seven by this committee. The House has passed Lumbee recognition bills 6 times, including two overwhelming votes in the last 12 months.
- I believe no other tribe in the country has been subjected to as much congressional scrutiny over such an extended period of time, or received as many repeated expressions of bipartisan congressional support, as the Lumbee tribe.

- Having said that, I recognize some in the audience may not be as familiar with Lumbee and their history as we are.
- Since time immemorial, the Lumbee have called the present day counties of Robeson, Scotland, Hoke, and Cumberland their home. They have been a cohesive community in North Carolina for centuries, and they have developed unique tribal institutions that have served their membership well in the face of extraordinary adversity.
- They have been teachers, farmers, doctors, and small business owners. Some have served as sheriffs, clerks of court, state legislators, or judges. Many have protected our nation in the Armed Forces. Their contributions to their communities, to the state of North Carolina, and to this country, are innumerable.
- Their commitment to education is unparalleled. In the late 1800s, the state authorized the Tribe to run the state's school district for Lumbee children. The state also authorized an advanced Indian school to train teachers for the Lumbee schools. Although the state provided no money for construction, the Lumbees built the school on their own. It has been in operation continuously since then, and today, it is the University of North Carolina at Pembroke.
- The state of North Carolina recognized the Lumbee tribe in 1885. Three years later, the tribe began its quest for federal recognition. Over the next 50 years, they repeatedly petitioned the federal government for assistance, but at no avail.
- Then, during the height of the shameful termination era, Congress passed the Lumbee Act of 1956. This partial recognition designated the Indians

“residing in Robeson and adjoining counties of North Carolina” as the “Lumbee Indians of North Carolina”, but it blocked them from accessing federal benefits available to other federally recognized tribes -- nothing short of discrimination.

- To put this in context, four other tribes were terminated by Congress in 1956, and all have had their federal recognition status restored. Only the Lumbees have yet to receive a full recognition that they deserve.
- The Lumbee tribe is incredibly resilient, but decades of discrimination have caused severe economic consequences. Robeson County is one of the poorest counties in the state. And while the other 574 federally recognized tribes can use the rights and services offered by the federal government to improve their economic situations, because of the 1956 law, the Lumbee cannot. They are the only tribe in the country in this situation, and it is unjust and it's immoral.
- This is ample precedent for correcting this injustice, but not the least of which is legislation Congress passed in 1987 to fully recognize the Tiwa Indians in Texas. Nineteen years prior, Congress had passed a law, modeled after the 1956 Lumbee Act, which recognized the Tiwas but prohibited them from accessing federal services.
- In the Tiwa's case, Congress corrected the inequity of the initial decision. It is way past time for us to do the same for the Lumbees.
- Support for this action is broad and bipartisan. The House version was introduced by Democrat colleagues, G.K. Butterfield and David Price, and Republicans colleagues, Dan Bishop and Richard Hudson. The bill passed the House earlier this month with an 85 percent of members voting in favor. It also passed the House overwhelmingly last Congress. It's time for the Senate to do the same.

- North Carolina Governor Roy Cooper, a Democrat, has written a letter urging congressional leaders to pass Lumbee recognition without delay. I'd ask the Committee to include a copy of that letter to be included in the record.
- Similarly, both President Biden and President Trump have publicly pledged their support for this legislation, and I'd like to thank in advance Assistant Secretary Newland who clearly and unequivocally reaffirms the administration's support of this in his testimony today.
- Mr. Chairman, I pause here for a second because I think some would say, with all the Lumbees have been through, did they just crawl in a hole and not play a role in the communities they lived in? No, they did exactly the opposite, without the abilities, without the benefits of federal recognition. This is a tribe, under Chairman Godwin's leadership now, that didn't let the lack of federal recognition set them back. They made sure that their books were audited and transparent. They went to HUD and they got more money than probably any tribe in the country ever has from HUD, even with recognition, because they were a trusted partner.
- When North Carolina was plagued with hurricane after hurricane, flood after flood, many of you remember that several years ago, it was Chairman Godwin and the Lumbee Indians that stood up and said to FEMA and to the American Red Cross, "you won't find a better partner than us." And starting with the first tragedy through the end, now they're the first call that the American Red Cross makes in southeastern North Carolina to the Lumbees to preposition because they know they're the best source logistically to handle the challenges that are going to face that end of the state.

- In summary, the time for excuses is over. The time for action is now. It is time to finally do what should have been done over 130 years ago. It is time for the federal government to fully recognize the Lumbee tribe. I respectfully request the support of each one of you in helping to make this a reality.
- I thank the Chair.