The beginning of the Lumbee Tribe's struggle for federal recognition dates back over 120 years to 1888, when 54 tribal leaders signed a petition seeking federal assistance for their people and more specifically for funding the Tribe's schools. Since then federal legislation to formally recognize the Tribe has been introduced in:


In addition, the Tribe attempted to obtain federal recognition administratively within the Executive Branch in both the 1930s and 1980s. This document provides a basic timeline of the circumstances surrounding each federal recognition effort over the past 122 years.

Note: Much of the information and language contained in this document are taken verbatim from the following sources: LRDA’s Federal Acknowledgment petition, prepared by Julian Pierce and Cynthia Hunt in the early 1980s; Federal Recognition: Lumbee Tribe’s One Hundred Year Quest, Unknown Author (circa 2001); several Senate and House Committee reports; and Malinda Maynor Lowery, "Lumbee Indians in the Jim Crow South: Race, Identity, and the Making of a Nation" (UNC Press, 2010)

1888: In December, fifty-four tribal leaders signed a petition to the United States Congress requesting “such aid as you may see fit to extend to them, the amount to be appropriated to be used for the sole and exclusive purpose of assisting your petitioners and other Croatans in said county and State to educate their children and fit them for the duties of American citizenship.” The House Committee on Indian Affairs referred the petition to the Department of the Interior (“Department”), which investigated the Tribe’s history and relations with the State of North Carolina. The Commissioner of Indian Affairs opposed recognition of the Tribe based on the cost of providing services:

While I regret exceedingly that the provisions made by the State of North Carolina seem to be entirely inadequate, I find it quite impractical to render any assistance at this time. The Government is responsible for the education of something like 36,000 Indian children and has provision for less than half this number. So long as the immediate wards of the Government are so insufficiency provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes.
1895: Tribal members again petitioned the Congress for an appropriation “to aid in the support, maintenance, and improvement of the Normal School for Croatan Indians in the said County of Robeson.” In support of the tribe’s petition the North Carolina General Assembly (state legislature) passed a resolution urging its Congressional delegation to support the petition, but the petition was unsuccessful.

1899: The first bill was introduced in Congress to appropriate funds for the education of Croatan Indian children, but failed to be enacted into law. H.R. 4009, 56th Cong. (1899).

1905: The Tribe again made an effort to secure federal assistance for the school system by holding an “education rally” at the Normal School, where the stated purpose of the rally was to secure “aid from the national government for [the Croatan] schools” (Robesonian; September 22, 1905: 1). Nothing came of this effort.

1910: Representative Godwin introduced legislation to provide federal assistance for the Tribe’s schools and to change the Tribe’s name to the “Cherokee Indians.” H.R. 19036, 61st Cong. (1910). It did not pass.

1911: Senator Simmons introduced legislation to establish “a school for the Indians of Robeson County, North Carolina.” S. 3258, 62nd Cong. (1911). The bill requested $50,000 for construction of a federal Indian school and $10,000 for maintenance, but nothing for salaries and other costs. Congressman Godwin joined with Senator Simmons in supporting the legislation. S. 3258 was sent to committee, which requested information from the Department. The Department sent Charles F. Pierce, Supervisor of Indian Schools, to Robeson County to investigate the tribe in response to the legislation introduced in Congress. Pierce reported, “There are but a few full bloods among the Croatans, although one would readily class a large majority as being at least three-fourths Indian. They are classed as good citizens, are quite industrious, law abiding, and, to repeat an expression used by the county superintendent of schools, ‘are crazy on the subject of education.’” Pierce nonetheless recommended against federal assistance for the Tribe, concluding:

At the present time it is the avowed policy of the [Federal] Government to require the states having an Indian population to assume the burden & responsibility for their education as soon as possible. North Carolina, like the state of New York, has a well organized plan for the education of Indians within its borders, and I can see no justification for any interference or aid, on the part of the [Federal] Government in either case. Should an appropriation be made for the Croatans, it would establish a precedent for the Catawbas of S.C., the Alabamas of Texas, the Tuscaroras of N.Y., as well as for other scattering tribes that are now cared for by the various states. In conclusion, should the matter of Gov’t aid for the Pembroke Normal School be brought before your office, . . . I would suggest an adverse recommendation.

Charles F. Pierce Report; Record Group 75, Entry 121, Central Classified Files,
23202-1912-Cherokee School-123 (March 2, 1912). The other tribes mentioned by Pierce have since been recognized by the United States.

The bill, S. 3258, passed the Senate nonetheless and was sent to the House for consideration in April 1912. Once the bill had passed the Senate, tribal leaders began holding mass meeting to rally support for the bill (Robesonian; May 23, 1912; June 13, 1912). A steering committee was formed to coordinate the tribal efforts, which included representatives from a number of the Lumbee settlements. D.F. Lowry was named Chairman. In February 1913 a committee was formed to go to Washington, D.C. to lobby for the bill, but the bill ultimately died when the House Committee decided against passage. The Chairman of the Committee felt that the eligibility of the Tribe’s students to attend federal Indian boarding schools, such as Carlisle, was sufficient and that the expenditure of some $50,000 for a new regional Indian school was not warranted.

1913: Senator Simmons introduced legislation to change the Tribe’s name to the “Cherokee Indians of Robeson County,” following similar action by the state. Later the same year Simmons and Godwin reintroduced the bill to provide for an Indian school. A tribal delegation consisting of W.R. Locklear, W.M. Lowry, and A. Chavis returned to Washington in 1914 seeking support for their educational system. On April 28, 1914, the Senate passed resolution 344, which called for an investigation into the status and conditions of the Indians of Robeson and adjoining counties.

The Department sent Special Indian Agent O.M. McPherson to Robeson County to conduct the study and to report his findings (Robesonian; July 30, 1914: 1). When McPherson arrived in Robeson County in the summer of 1914, he was greeted at a mass meeting of the Tribe called by the Committee on Invitation, which consisted of Stephen A. Hammond, J.A. Hunt, Stephen Hunt, Avenor Chavis and Troy Cummings (Robesonian; July 30, 1914: 5). The stated purpose of the meeting was to consider “all matters in which the Indians are interested both with reference to schools, the change of name and any other business which may be necessary.” On August 13, the Robesonian ran an article stating that some 3,000 Indians attended the meeting on the 11th.

McPherson submitted his report on September 19, 1914. The report again underscored the Tribe’s Indian roots, but McPherson’s only recommendation involved the establishment of an agricultural and mechanical training school for Indians in Robeson County, to redress the lack of institutions of higher learning for Indians in North Carolina under “Jim Crow.” Essentially, McPherson found their tribal ancestry difficult to determine, and their historic relationship to the federal government impossible to trace, but their needs as Indians indisputable. In his view, the Robeson County Indians’ poverty alone justified their recognition from Congress. In response to McPherson’s report, the Secretary of the Interior recommended that Congress appropriate funds for a school, but Commissioner of Indian Affairs Cato Sells rejected the proposal. Sells doubted “the wisdom of the Government’s assuming this burden” and chose to demur on the question of tribal ancestry. To avoid additional administrative obligations, Sells neglected to provide
Congress with a ruling on the tribe’s affiliation, and as a result, Congress did not act on the question of federal acknowledgement for Robeson County Indians.

1921: On March 9, A.B. Locklear wrote the Department requesting the status of the Cherokee bill. Finding that no action had been taken, Locklear headed a three-year effort to get a new bill introduced. To help with the drafting of the legislation, Locklear enlisted the pro bono services of a Washington attorney named Ellwood P. Morey.

1924: A bill was introduced in the House of Representatives that would have recognized the Tribe as the “Cherokee Indians of Robeson and adjoining counties in North Carolina,” and permitted tribal members to attend the federal Indian schools. H.R. 8083, 68th Cong. (1924). Although the Secretary of the Interior recommended passage of H.R. 8083, Commissioner of Indian Affairs Charles H. Burke opposed the legislation (McNickle 1936: 9). Burke was able to convince the Secretary to drop his support with three arguments: (1) the Robeson County Indians were self-supporting, (2) they no longer lived in a tribal state, and (3) they had never been recognized by the Department (IWBC January 2, 1925, Memo C.H. Burke to the Secretary of the Interior). The bill died. The OIA never questioned their identity as Indians. Rather, the OIA rejected them because of policy considerations and the lack of funds and never ruled on the question of tribal affiliation. In its official opinions about legislation, both in 1913 and in 1924, the OIA left the question of tribal affiliation for Congress to decide, while Congress consistently referred the issue back to the OIA’s agents and anthropologists for an “expert” opinion, which they never provided.

1931: Following a meeting with Senate Indian Affairs Committee staff member Albert A. Grorud, the Cherokee Indians of Robeson County elected a business committee and leadership council in a meeting held at Mount Airy church. At Mount Airy the men assembled elected B.G. (or “Buddy”) Graham as chief councilman. A.B. Locklear was also a member of the business committee. The business committee asked for action on the 1914 McPherson report, and for the Senate to send another representative to update the report. The Cherokee business committee expressed their wishes in terms of their historic relationships, not to the federal government, but to something that was deeper and more meaningful to them—their land, their identity, and their struggle. Moreover, they expressed themselves as representatives of a sovereign people. “We represent the interest of some 12,000 Cherokee Indians, men, women, and children,” they wrote. “Our forefathers occupied this particular country before any white man visited it, and their descendants have continuously, down to the present time, occupied it. Neither we nor our forefathers have ever received any compensation from their government for the lands of which we were deprived.”

1932: In March of 1932, a delegation of Indians met with John Collier, who at that time served as Executive Secretary of the American Indian Defense Association (AIDA), but a year later would become Commissioner of Indian Affairs. With Collier, Robeson County Indians reviewed a new draft bill for recognition as Cherokees, and
he agreed to help them introduce it. Collier then contacted Senator Josiah W. Bailey, North Carolina’s senior Senator. B.G. Graham and the Cherokee Business Committee forwarded Senator Bailey a petition signed by more than six hundred Indians requesting introduction of a Cherokee recognition bill. This Cherokee bill proposed three types of assistance: to recognize the Indians formerly known as Croatans as Cherokees (as the state had done), to permit these Indians to attend federal Indian schools, and to re-examine Robeson County Cherokees’ circumstances to update Orlando M. McPherson’s 1915 study. The bill also forbade any change in the Indians’ current property rights or “present status” as citizens and denied them any tribal rights or monies due to the Eastern Band of Cherokee or the Western Cherokee in Oklahoma. Bailey introduced the “Cherokee” bill (S. 4595, 72d Cong.) in May 1932, including all the provisions set forth in the original draft except the request for an additional investigation. The bill was referred to committee and from there to the Department for comment. Commissioner of Indian Affairs C.J. Rhoads gave an unfavorable report, writing, “We believe that the enactment of this legislation would be the initial step in bringing these Indians under the jurisdiction of the Federal Government.” To substantiate his reasoning, Rhoads might have denied that Robeson County’s Indians were Indians at all, but he chose not to. Instead, Rhoads acknowledged their identity repeatedly in the report, but left the question of their specific tribal affiliation to Congress. As before, Congress ultimately did not act on the bill (JWBC May 24, 1932, Memo, C.J. Rhoads to the Secretary of the Interior).

1933: In January tribal leaders held a special meeting to discuss strategies. In March they mounted a letter writing campaign urging Senator Bailey to reintroduce the legislation (Robesonian; January 23, 1933: 5). Bailey received in excess of 100 letters urging his support for the legislation and promising to support him in the next election. When the bill was introduced, however, it contained one significant difference from the version reviewed by the Tribe: Instead of recognizing them as Cherokee, the bill identified the Tribe as the Cheraw Indians. H.R. 5365, 73d Cong. (1933). The name change was the result of a report written by the southeastern Indian specialist and anthropologist John R. Swanton which suggested that “Cheraw” would be the most appropriate name.

The Lumbee quickly divided into two opposing groups on the issue of tribal name. Joseph Brooks traveled to Washington on behalf of the Cheraw Tribe. James Chavis then wrote the Senate Committee on Indian Affairs questioning the authority of Brooks to represent the Tribe. The Committee held hearings in January, 1934, where Joseph Brooks and B.G. Graham appeared with Senator Bailey in support of the Cheraw bill (Charlotte Observer; February 4, 1934).

Compounding the tribal name issue further, Secretary of the Interior Harold L. Ickes recommended that the bill be amended to provide for the recognition of the “Siouan Indians of Lumber River,” and further recommended that a clause be added providing that “nothing contained herein shall be construed as conferring Federal wardship or any other governmental rights or benefits upon such Indians.” Ickes went on to warn:
We believe that the enactment of this legislation would be the initial step in bringing these Indians under the jurisdiction of the Federal Government. Certainly it would have the effect of providing educational facilities for some of them at the expense of the Government. . . . Should the bill as it now reads be enacted, it is estimated that the eventual charge to the Federal Treasury, to provide school facilities and educate some two thousand children of school age, would approximate $700,000 the first year, and about $500,000 annually thereafter . . .

The Tribe split sharply over the “Siouan” bill. The reverend D.F. Lowry and Clifton Oxendine, who had worked since at least 1909 to secure recognition of the Tribe as Cherokee, were taken by surprise when their “Cherokee” bill of 1932 surfaced first as the “Cheraw” bill, and then as the “Siouan” bill. They immediately set out to defeat the “Siouan” bill.

1934: On February 1, Oxendine wrote to Senator Bailey challenging the leadership status of Brooks and Graham, claiming that they “are not leaders of our race” but are “of that class that believes that the government owes us something.” D.F. Lowry sent a similar letter to Senator Bailey on February 12, 1934.

In late March, delegations from the Brooks-Graham Siouan group and the Lowry-Oxendine Cherokee group met together with the Senate Committee on Indian Affairs for several days to iron out their differences. However, the struggle returned to Robeson County as supporters and opponents rallied their forces. The opponents of the “Siouan” bill led by D.F. Lowry held a meeting on April 14, 1934 in Pembroke (Robesonian; April 12, 1934). Supporters of the bill countered with a meeting on April 16. The speaker at this meeting was R.T. Bonnin, a Sioux Indian and president of the National Council of Indians, who urged the Tribe to continue the fight for the legislation (Robesonian; April 23, 1934).

On May 23, the House Committee on Indian Affairs reported favorably on the bill, but the action was meaningless because Senator Bailey had withdrawn his support of the controversial “Siouan” bill and it died in the Senate.

1935: The General Council of Siouan Indians formed a formal, democratically-elected government with federal recognition and economic uplift at the core of its mission. The Council had eighteen districts representing Robeson, Hoke, and Sampson counties. Siouans named districts after churches or other traditional settlement landmarks. The Siouan Council quickly assembled a roll of over 2,000 members, who represented their households.

1935-38: The defeat of the “Siouan” bill did not end the efforts by the General Council of Siouan Indians to gain recognition. Soon after the Indian Reorganization Act (“IRA”) became law in 1934, Brooks wrote to Commissioner John Collier to find out whether the Tribe was eligible to reorganize under its provisions. Collier then sent a memorandum to Assistant Solicitor Felix Cohen requesting an opinion. On
April 8, 1935, Cohen responded:

These Indians . . . can participate in the benefits of the [IRA] only in so far as individual members may be of one-half or more Indian blood. . . . A reservation having been established, those residing thereon will be entitled to adopt a constitution and bylaws and to receive a charter of incorporation. Under section 19 of the [IRA] the “Indians residing on one reservation” may be recognized as a “tribe” for the purposes of the [IRA] regardless of their previous status.

Brooks immediately asked the Department to make the blood quantum inquiry and the Department dispatched Dr. Carl Seltzer, a physical anthropologist, for that purpose. Approximately 200 Lumbee agreed to submit to Dr. Seltzer’s intrusive examination. Dr. Seltzer certified 22 out of 200 tribal members as one-half or more Indian blood, eligible to organize under the IRA. The Indian Reorganization Act entitled these Indians to certain benefits, including educational assistance, employment preference in the Indian Service, and land.

Members of the Siouan Council as well as applicants themselves began contacting the Office of Indian Affairs (“OIA”) about the status of their applications. OIA staff typically replied that they had not yet made a decision, although in January of 1938, seven months after Seltzer completed his second trip to Robeson County, the OIA began pressuring Joseph Brooks to give up his recognition quest. “[W]e cannot see what advantage there would be in extending Departmental recognition and assistance to a handful of this group,” D’Arcy McNickle told Brooks. McNickle argued that if the OIA recognized Robeson County’s twenty-two Indians, the state might change its policy and refuse to support Indian schools. Brooks told McNickle that he could see the logic in the OIA’s position, but he wanted the OIA to break the news to the Siouan Council. McNickle agreed, and a Siouan delegation visited Washington a few months later. But McNickle did not get the response he expected from the delegation. Rather than acquiesce to the test results and decline recognition, the delegation pressured McNickle and Collier to recommend that the Secretary of the Interior recognize the twenty-two.

When the Secretary of the Interior approved their enrollment under the Indian Reorganization Act, the OIA notified Joseph Brooks and each of the twenty-two. The letters stated that the IRA entitled these Indians to educational assistance and Indian Service preference, but that funds for land acquisition were not available to individuals, as the IRA had promised, because such funds had already been allocated to “landless tribal groups.” The letters emphasized that an individual’s recognition under the IRA did not entitle him to membership in an Indian tribe or give him “tribal status.” The IRA made it possible to recognize individual Indians without placing the heavy financial burden of a tribe onto the OIA, and the OIA staff made sure that the Siouan Council understood that recognition of the twenty-two did not mean recognition of the tribe as a whole nor of the Siouan Council government. Collier also reminded the recognized group that enrollment did not apply to their descendants, unless they were born of a parent whom Seltzer likewise had
determined to possess a blood quantum of one-half or more.

1936: Brooks’ discussions with the Department led eventually to the establishment of Pembroke Farms – a 17,000 acre resettlement project for Indians; the Red Banks Mutual Association – a cooperative of about 15 families leasing 1,700 of Pembroke Farms’s acres. The Department turned control over Pembroke Farms to the Farm Security Administration soon after Collier approved the project, but the BIA maintained a consultation role in the project’s management.

1943: Pembroke Farms had reached a capacity of sixty-four families by 1943. Just as it was beginning to run smoothly, the government sold the project units at a loss. The FSA gave homesteader families the first opportunity to purchase their farms, and if the family did not qualify for purchase, the government offered the land to another Indian applicant. The agency then opened the remaining land and the community building they had constructed to public auction. ¹ Siouan leaders, determined to preserve what economic autonomy they had gained, saw an opportunity to keep that remaining property in Indian hands. The FSA proposed to sell the vacant woodland to timber companies, who would pay a higher price than Indian farmers. The Tribe immediately protested and enlisted the help of the Department of the Interior, but they were too late. Indians recognized that they could do little about the woodland that the FSA sold, but they protested the sale of their community building, in which they held church services, fairs, and community meetings. The FSA did not offer to assist them, but the Indians managed to buy back the building and grounds from a local white man who had purchased it. Further, the Department refused to approve a tribal constitution submitted by the 22 tribal members certified as one-half or more Indian blood, once again thwarting the Tribe’s effort to become federally recognized.

1947: Ralph Brooks, spokesman for the Original 22, led several delegations to government agencies, members of Congress, and the National Congress of American Indians in Washington to discuss an appropriate name and procedure for recognition. The name suggested was “Lumbee,” after the river on which they lived, providing a generic name that described all the Indians in the county yet still sounded authentically “Indian.” Brooks also informed these agencies that his group included members of both Siouan and Cherokee factions. But Brooks received little encouragement from his meetings. Congressman J. Bayard Clark promised to introduce a bill, a tactic which had been tried repeatedly and failed. The OIA consistently and flatly denied the possibility of recognition under the IRA, citing the absence of treaty agreements with Robeson County Indians. Officials at the OIA encouraged Indians to seek recognition from the North Carolina legislature under the new name. Brooks told North Carolina Senator Clyde R. Hoey, “We feel that we are entitled to have a separate reservation and schools for our children. It is also our desire and ambition to be called a nation, with a [tribal] name of our own like all the other tribes of America.”

1949: Representatives of the Original 22 began to hold large meetings at the Brooks settlement Longhouse in the spring of 1949. The group elected three men to represent them, including Lindsay Revels, who had been active in the Siouan
movement of the 1930s and was first cousin to Lawrence Maynor, one of the Original 22. The group adopted the name “Lumbee” at the meeting and instructed its elected representatives “to do everything in their power to make this name accepted by the Federal Government and to endeavor to have the United States give them the same benefits as are accorded to other Indians.” Revels went back to Congress. “All of our people are willing to take the name of Lumbee Indians,” Revels wrote to the Senate; he also attached a list of 4,500 names of Indians they had recruited to sign on to their organization. Senator Clyde R. Hoey responded positively and met with Revels and Original 22 member Lawrence Maynor in August of 1950. Hoey pressed the Indian Office to support any Robeson County Indian legislation, and officials assured him they would. Hoey asked Revels and Maynor to work with Congressman Frank Ertle Carlyle, a lawyer and Lumberton resident who represented Robeson County. But Revels had difficulty getting his message heard. Hoey and Carlyle seemed slow to act on the legislation and the OIA again refused to help them directly. Months after their visit, D’Arcy McNickle sent a curt message to Revels: “I do not encourage you to come to Washington,” McNickle wrote, “since we are in no position to help your people.”

1950: D.F. Lowry reopened the campaign to have the Tribe’s name changed, this time to the “Lumbee Indians” (Robesonian; October 31, 1950). In justifying Lumbee as the name of preference, Lowry argued that because the Tribe was originally composed of members from different tribes, no one historical name was appropriate. The name Lumbee had been used in the area since at least 1926 (Raleigh News and Observer; February 21, 1926), and the representatives of the Original 22, first Ralph Brooks and then Lindsay Revels and Lawrence Maynor, had promulgated the name. Lowry’s group met opposition over its proposed name; reflecting Lowry’s influence, the referendum ballot offered two choices: “remain Cherokees of Robeson County” or “become Lumbee Indians of North Carolina.” Faced with these choices, Indians who favored neither name had no reason to vote. Opponents claimed that the majority of voters had boycotted the vote, but they lost an appeal in the State legislature for another referendum on the name (Raleigh News and Observer; April 2, 1953). After an overwhelming majority of tribal members approved the name by referendum in 1952, On April 20, 1953, the state finally recognized the Indians of Robeson County as Lumbees.

1955: D.F. Lowry was able to get a bill introduced by Congressman Carlyle in 1955 to recognize the “Lumbee Indians of North Carolina.” Those supporting the 1955 legislation were led by D.F. Lowry. The Department objected to Lowry’s Lumbee bill, noting that the United States had no treaty or other obligation to provide services to the Tribe and said:

We are therefore unable to recommend that the Congress take any action which might ultimately result in the imposition of additional obligations on the Federal Government or in placing additional persons of Indian blood under the jurisdiction of this Department. The persons who constitute this group of Indians have been recognized and designated as Indians by the State legislature. If they are not completely satisfied with
such recognition, they, as citizens of the State, may petition the legislature to amend or otherwise to change that recognition . . . If your committee should recommend the enactment of the bill, it should be amended to indicate clearly that it does not make these persons eligible for services provided through the Bureau of Indian Affairs to other Indians.

The House of Representatives passed the bill without adopting the Department’s unfavorable recommendation and it was then sent to the Senate. The Senate committee adopted the Secretary’s recommendation however, and when the bill emerged from the Senate Committee, it contained the following language:

Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indian shall be applicable to the Lumbee Indians.

Pub. L. 570, Act of June 7, 1956, 70 Stat. 254. The bill was passed by the Senate on May 21, 1956 and by the House three days later and signed by the President on June 7, 1956.

1980: On January 4, Julian Pierce submitted an undocumented letter of petition on behalf of the Tribe to the Bureau of Indian Affairs pursuant to a new administrative acknowledgment process created in the Executive Branch in 1978.

1984: The Lumbee Regional Development Association Inc. (“LRDA”), a nonprofit corporation organized in 1968, is designated as the Interim Tribal Council of the Lumbee Indian Tribe.

1987: On December 17, the LRDA submitted a documented petition for acknowledgment of the Lumbee Tribe, prepared by Julian Pierce and Cynthia Hunt. The LRDA petition consists of a two volume narrative report, one and a half file boxes of documentary evidence and a copy of the membership roll. Despite these labors, Associate Solicitor for Indian Affairs concluded in a formal opinion that the 1956 Lumbee Act precludes the Tribe from participating in the Department’s acknowledgment process for Indian tribes (Memorandum to Assistant Secretary—Indian Affairs, U.S. Department of the Interior, Office of the Solicitor [BIA.IA.0929] (1988)).

1988: Led by Arlinda Locklear, with Congressman Charles Rose and Senator James Sanford as steady sponsors, legislation was introduced in both the Senate and House to provide full federal recognition of the tribe. H.R. 5042, 100th Cong. (1988); S. 2672, 100th Cong. (1988). In response to the legislation the Senate Committee requested that the Congressional Research Service (“CRS”) review the history and various interpretations of the 1956 Lumbee Act. On September 28, 1988, the CRS concluded as follows:
The 1956 Lumbee legislation clearly did not establish entitlement of the Lumbee Indians for federal services. It also clearly named the group and denominated them as Indians. Without a court decision squarely on confronting the issue of whether the 1956 statute confers federal recognition on the Lumbee, there is insufficient documentation to determine if the statute effects federal recognition of the Lumbees. It is, however, a step toward recognition and would be a factor that either the Department of the Interior or a court would have to weigh along with others to determine whether the Lumbees are entitled to federal recognition.

At a Senate Committee hearing on August 11, 1988, Dr. Jack Campisi, the Tribe’s ethnohistorian; Dr. William Sturtevant, general editor of the Smithsonian Institution’s *Handbook of North American Indians*; and noted Indian law scholar Vine Deloria, Jr. all testified to the tribal origins of the Tribe. The Senate Committee reported the bill out for a vote on the Senate floor on September 29, 1988 but the bill eventually died with no further action.

1991: Legislation was again introduced in both the Senate and House to grant full federal recognition of the tribe. H.R. 1426, 102d Congr. (1991); S. 1036, 103d Cong. (1991). The House bill was passed in the House by roll call vote on September 26, 1991. The Senate Committee then favorably reported the bill out for a vote by the entire Senate on November 26, 1991. However, the Department attached an executive communication to the Senate report which opposed the bill because the Department believed that the Tribe should have to go through the administrative process, and thus recommended that the 1956 Act be amended to allow for that. On February 27, 1992 the bill narrowly failed a cloture motion in the Senate, which prevented consideration of the bill there by roll call vote. With no further action by the Senate, the bill died.

1993: Legislation was introduced in the House again by Congressman Rose to grant full federal recognition of the Tribe. H.R. 334, 103d Cong. (1993). The bill passed the House on October 28, 1993 and placed on the Senate Legislative Calendar under General Orders on November 22, 1993 so that it may be voted on by the entire Senate, but there was no further action on the bill and it died again in the Senate.

1996: Legislation was introduced in the House a fourth time by Congressman Rose to grant full federal recognition of the Tribe. H.R. 3810, 104th Cong. (1996). On July 26, 1996 the bill was referred to the House Subcommittee on Native American and Insular Affairs, where it died due to no further action by Congress.

2003: Still led by Arlinda Locklear, but with new sponsors Congressman Mike McIntyre and Senator Elizabeth Dole, legislation was introduced in both the Senate and House to provide full federal recognition of the tribe. H.R. 898, 108th Cong. (2003); S. 420, 108th Cong. (2003). The Senate bill was introduced on February 14, 2003 and referred to the Senate Committee on the same day. The House bill was introduced on February 25, 2003 and it was referred to the Committee on House
Resources on that same day. The House Committee requested comment from the Department of the Interior on March 10, 2003. The Senate Committee on Indian Affairs held a hearing on S.420 on September 17, 2003. On October 29, 2003 the Senate bill was favorably reported out of the Senate Committee then placed on the Senate Legislative Calendar under General Orders on November 25, 2003 so that it may be voted on by the entire Senate. The Committee on House Resources then held a hearing on April 1, 2004, but there was no further action by either the Senate or House and the bill died.

2005: Legislation was again introduced in the House by Congressman McIntyre and in the Senate this time by Senators Dole and Burr. H.R. 21, 109th Cong. (2005); S. 660, 109th Cong. (2005). The House bill was referred to Committee but went no further. The Senate held a hearing on the bill on July 12, 2006. At the hearing, R. Lee Fleming, Director of the Office of Federal Acknowledgment at the Department; Michell Hicks, principal chief of the Eastern Band of Cherokees; and Katherine Magnotta, chairwoman of the Tuscarora Nation of Indians all testified in opposition of the bill. The bill was nonetheless favorably reported out of the Senate Committee on August 2, 2006 and placed on the Senate Legislative Calendar under General Orders on September 13, 2006 so that it may be voted on by the entire Senate. But no further action was taken by Congress and the bill died.

2007: Legislation was again introduced in the House by Congressman McIntyre and in the Senate by Senator Dole. H.R. 65, 110th Cong. (2007); S. 333, 110th Cong. (2007). The Senate bill was referred to the Senate Committee but no further action was taken on it there. The House bill was referred to the House Committee on Natural Resources where a hearing was held on April 18, 2007. On April 25, 2007 the House Committee met and ordered that the bill be favorably reported with an amendment that prohibits the Tribe from conducting gaming activities. The House then passed the bill by a vote of 256-128 on June 7, 2007. The House bill was then sent to the Senate and referred to the Senate Committee on June 12, 2007. The Senate Committee retained the gaming prohibition in the bill and favorably reported it to the entire Senate on April 24, 2008. On July 8, 2008 the bill was placed on the Senate Legislative Calendar under General Orders, but no further action was taken and the bill died in the Senate.

2009: Legislation was again introduced in the House by Congressman McIntyre and in the Senate this time by Senator Burr, and again with a clause in the bill that prohibits the Tribe from conducting gaming activities. H.R. 31, 111th Cong. (2009); S. 1735, 111th Cong. (2009). On March 18, 2009 the House held a hearing where the Department of the Interior, under new President Barack Obama, testified in support of the Tribe’s recognition effort for the first time in its history. George Skibine of the Department testified that “as a matter of equity and good conscience, it is time for the Lumbee Tribe to be recognized.” The House passed the bill by a vote of 240-179 on June 3, 2009, and the bill was then sent to the Senate. The Senate Committee favorably reported the companion bill, S. 1735, on October 22, 2009. On January 20, 2010, the Senate bill was placed on the Senate Legislative Calendar under General Orders so that it may be voted on by the entire Senate.
Although it has been placed on a calendar of business, the order in which legislation is considered and voted on by the entire Senate is determined by the majority party leader, in this case Senator Harry Reid. Bills can also be brought to the floor and considered by the entire Senate whenever a majority of the Senate chooses.

If the House and Senate pass the same bill then it is sent to the President. If the House and Senate pass different bills then they are sent to Conference Committee, where senior members from each house meet to work out differences in the two bills. If the Conference Committee reaches a compromise, it prepares a written report which is submitted to the House and Senate for majority approval again. A bill becomes law if signed by the President or if not signed within ten days while Congress is in session.

2010: Lewin International as our exclusive recognition leaders?

Excerpt of the summary section from 1987 petition:

“First, there is no doubt that the federal officials in Congress and the Department of Interior recognized the Lumbees as Indians who descended from a limited number of local tribes, mostly Siouan in origin. Second, the efforts of the Lumbees to improve their education and change their name provides important insights into their political organization. Leadership derived from local settlements and coalesced when there was an issue of common concern. Third, on fundamental issues such as education, the leaders were able to get mass turn-outs for meetings, and could sustain interest in the face of repeated failure. Fourth, it is clear that the Lumbees were acting out of a sense of common and shared values that held that they were different from other populations in the county and state. These values included a belief in a common and unique ancestry, an overwhelming sense of belonging to a particular kin network, and through that belonging in a particular settlement, and therefore, being a member of a community.”

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For more information about the Lumbee Sovereignty Coalition and our movement to support full federal recognition of the Lumbee Tribe, visit www.lumbeesovereigntycoalition.com.

LSC is also on Twitter at www.twitter.com/lumbeesovcol/ and Facebook at www.facebook.com/lumbeesovereigntycoalition/.