

**OPENING STATEMENT
CONGRESSMAN HEATH SHULER**

March 18, 2009

I want to thank Chairman Rahall and Ranking Member Hastings for holding this hearing today and for all the good work they have done on behalf of Native Americans.

Mr. Chairman, every time a legislative body has tried to resolve the Lumbee issue, they have made the situation worse.

In 1978, the United States Department of Interior recognized the need to end the inconsistent process of native recognition, and adopted a uniform guideline for federal acknowledgement.

H.R. 31, the "Lumbee Recognition Act," would circumvent that process. I cannot support such legislation.

I believe the federal acknowledgment process allows for the uniform and rigorous evaluation necessary to make an informed and accurate decision.

This process requires that any petitioning group meet seven mandatory criteria in order to become federally recognized.

The process is a thorough one, managed and overseen by qualified experts in the fields of genealogy, anthropology, and Native American history.

I strongly oppose any attempts to circumvent this established process by any group, including Lumbee. Members of Congress should not arbitrarily rule on the identity of a people without establishing the facts.

And the best way to establish those facts is to let the system work, and let the experts do their job.

The fair way to address this situation is to allow the Lumbee to complete the administrative process at the Office of Federal Acknowledgement in the Department of the Interior.

This process protects not only the interests of the United States but also the political and cultural integrity of established Indian tribes.