



January 31, 2025

The Honorable Thom Tillis
United States Senate
113 Dirksen Senate Office Building
Washington, DC 20510

The Honorable David Rouzer
United States House of Representatives
2333 Rayburn House Office Building
Washington, DC 20515

RE: Full Federal Recognition of Lumbee Tribe of North Carolina

Dear Senator Tillis and Representative Rouzer:

Thank you for your commitment to the citizens of North Carolina through your service in the United States Senate and United States House of Representatives.

I write to submit a request regarding potential legislation or other Federal action that would grant full Federal recognition to the Lumbee Indian Tribe of North Carolina. As sponsors of S. 107 and H.R. 474, which would amend the Lumbee Act of 1956 to grant full Federal recognition to the Lumbee Tribe, this letter is specifically addressed to you, however, I have copied all members of North Carolina's congressional delegation.

As I am sure you are aware, President Donald J. Trump issued a Memorandum to the Secretary of the Interior on January 23, 2025, directing the Secretary to *"review all applicable authorities regarding the recognition or acknowledgement of Indian tribes and, in consultation with the leadership of the Lumbee Tribe of North Carolina, shall submit to the President a plan to assist the Lumbee Tribe in obtaining full Federal recognition through legislation or other available mechanisms, including the right to receive full Federal benefits."*

I want to be very clear that the North Carolina Family Policy Council does not oppose full Federal recognition for the Lumbee Tribe and the myriad of benefits that would include (such as funding for education, health care, housing, economic development, disaster relief, etc.). We do, however, strongly oppose the potential that full Federal recognition would have in extending to the Tribe the right to pursue and conduct gambling operations in North Carolina.

In short, we ask that if you introduce and/or support legislation or other Federal action to grant full Federal recognition to the Lumbee Tribe, that you include language in that legislation or other Federal action to expressly prohibit the Lumbee Tribe from pursuing or conducting gambling operations in North Carolina.

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This request is not without extensive precedent. Legislation to grant full Federal recognition to the Lumbee Tribe has been introduced in the U.S. Congress for many years. In 2007, an amendment was adopted to H.R. 65 that would have expressly prohibited the Lumbee Tribe from pursuing gambling operations in North Carolina, should the Lumbee Recognition Act be enacted into law. The specific language of the amendment reads as follows:

“The tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.”

This same provision was later incorporated into every subsequent version of the Lumbee Recognition Act introduced in both the U.S. House and U.S. Senate between 2009 and January 2015 (see: H.R. 31—111th Congress, S. 1735—111th Congress, H.R. 27—112th Congress, S. 1218—112th Congress, H.R. 1803—113th Congress, S. 1132—113th Congress, and H.R. 184—114th Congress).

Even more recently, this language was included in H.R. 3650 introduced by former Congressman Robert Pittenger on August 11, 2017 during the 115th Congress. It is our understanding that at that time Tribal Chairman of the Lumbee Tribe, Mr. Harvey Godwin, Jr., consented to the inclusion of this language in H.R. 3650.

So, why does this matter?

For more than two decades, the North Carolina Family Policy Council has researched the issue of gambling and its impact on the citizens of our state and nation. The addiction that results from the presence of gambling damages individual lives, destroys families, and plagues communities. Research consistently shows a very high correlation between gambling addiction and increases in crime, personal debt, bankruptcy, embezzlement, other forms of theft, domestic violence, child abuse, divorce, and even suicide.

This is why the North Carolina Family Policy Council fought vehemently for over a decade to prevent North Carolina from entering the gambling business through a state-run lottery; why we have fought to eradicate from North Carolina what many refer to as the "crack cocaine" of gambling—video poker and video sweepstakes; why we have consistently opposed efforts to expand gambling by the Eastern Band of Cherokee Indians; why we opposed efforts by the South Carolina-based Catawba Indian Nation to establish a Las Vegas-style gambling casino in Kings Mountain, N.C., just 35 miles west of Charlotte; why we opposed the legalization of sports gambling and parimutuel wagering on horse racing in North Carolina; and why we have opposed recent efforts in the North Carolina General Assembly to legalize four commercial gambling casinos and tens of thousands of video lottery terminals across the state.

January 31, 2025

Page 3 of 4

As you know, the Federal Indian Gaming Regulatory Act (IGRA) specifies the circumstances under which federally recognized Indian tribes are allowed to operate Class III gaming activities, such as video poker, table games, etc. North Carolina has already entered into a Tribal-State Compact with the Eastern Band of Cherokee Indians and is required by 25 U.S.C. § 2710 (d)(3)(A) to "negotiate...in good faith to enter into such a compact" at the request of any tribe that has full Federal recognition and jurisdiction over Indian lands.

As a result, the State of North Carolina would be unable to deny a similar compact to the Lumbee Tribe should the tribe gain full Federal recognition.

This means that without a provision expressly prohibiting the tribe from gambling, the passage of the Lumbee Recognition Act or other Federal action granting full Federal recognition could pave the way for the Lumbee Tribe to establish one or more gambling casinos along the I-95 corridor in Eastern North Carolina, offering video gambling, Las Vegas-style table games with live dealers, sports betting, off-track wagering on horse racing, and other forms of gambling.

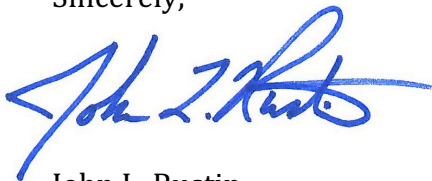
Such operations along the highly traveled, heavily populated Interstate 95 corridor in eastern North Carolina would change the face of our state forever, and, as some have argued, the entire eastern seaboard. While some may claim that a casino in Robeson and adjacent counties may provide some economic benefit for that particular region, it would do so by cannibalizing existing businesses, commerce, and tourism. The presence of gambling casinos would also substantially increase the myriad of social ills mentioned above. This is not in the best interest of our state or its citizens.

Again, should you introduce and/or support legislation or other Federal action that would grant full Federal recognition to the Lumbee Tribe of North Carolina, the North Carolina Family Policy Council strongly urges you to include language in said proposal that would expressly prohibit the Lumbee Tribe from pursuing or conducting gambling operations in North Carolina.

Thank you for your consideration of these concerns. Please feel free to contact me by email at jrustin@ncfamily.org or by phone at (919) 807-0800 if you have any questions or would like to discuss this matter in detail.

With kindest regards.

Sincerely,



John L. Rustin
President

January 31, 2025

Page 4 of 4

Copies to North Carolina Congressional Delegation:

The Honorable Ted Budd, U.S. Senate

The Honorable Don Davis, U.S. House of Representatives, N.C. District 1

The Honorable Deborah K. Ross, U.S. House of Representatives, N.C. District 2

The Honorable Greg Murphy, U.S. House of Representatives, N.C. District 3

The Honorable Valerie Foushee, U.S. House of Representatives, N.C. District 4

The Honorable Virginia Foxx, U.S. House of Representatives, N.C. District 5

The Honorable Addison McDowell, U.S. House of Representatives, N.C. District 6

The Honorable Mark Harris, U.S. House of Representatives, N.C. District 8

The Honorable Richard Hudson, U.S. House of Representatives, N.C. District 9

The Honorable Pat Harrigan, U.S. House of Representatives, N.C. District 10

The Honorable Chuck Edwards, U.S. House of Representatives, N.C. District 11

The Honorable Alma Adams, U.S. House of Representatives, N.C. District 12

The Honorable Brad Knott, U.S. House of Representatives, N.C. District 13

The Honorable Tim Moore, U.S. House of Representatives, N.C. District 14