

**AMENDMENT TO RULES COMMITTEE PRINT**

**119-8**

**OFFERED BY MR. ROUZER OF NORTH CAROLINA**

At the end of subtitle B of title XVII, add the following:

**1 SEC. 1724. LUMBEE TRIBE OF NORTH CAROLINA.**

2 The Act of June 7, 1956 (70 Stat. 254, chapter 375),  
3 is amended—

4 (1) by striking section 2;

5 (2) in the first sentence of the first section, by  
6 striking “That the Indians” and inserting the fol-  
7 lowing:

**8 “SEC. 3. DESIGNATION OF LUMBEE INDIANS.**

9 “The Indians—”;

10 (3) in the preamble—

11 (A) by inserting before the first undesig-  
12 nated clause the following:

**13 “SECTION 1. FINDINGS.**

14 “Congress finds that—”;

15 (B) by designating the undesignated  
16 clauses as paragraphs (1) through (4), respec-  
17 tively, and indenting appropriately;

1 (C) by striking “Whereas” each place it  
2 appears;

3 (D) by striking “and” after the semicolon  
4 at the end of each of paragraphs (1) and (2)  
5 (as so designated); and

6 (E) in paragraph (4) (as so designated), by  
7 striking “: Now, therefore,” and inserting a pe-  
8 riod;

9 (4) by moving the enacting clause so as to ap-  
10 pear before section 1 (as so designated);

11 (5) by striking the last sentence of section 3 (as  
12 designated by paragraph (2));

13 (6) by inserting before section 3 (as designated  
14 by paragraph (2)) the following:

15 **“SEC. 2. DEFINITIONS.**

16 “In this Act, the term ‘Secretary’ means the Sec-  
17 retary of the Interior.”; and

18 (7) by adding at the end the following:

19 **“SEC. 4. FEDERAL RECOGNITION.**

20 “(a) IN GENERAL.—Federal recognition is extended  
21 to the Lumbee Tribe of North Carolina (as designated as  
22 petitioner number 65 by the Office of Federal Acknowl-  
23 edgment).

24 “(b) APPLICABILITY OF LAWS.—All laws and regula-  
25 tions of the United States of general application to Indi-

1   ans and Indian tribes shall apply to the Lumbee Tribe  
2   of North Carolina and its members.

3   **“SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.**

4       “(a) IN GENERAL.—The Lumbee Tribe of North  
5   Carolina and its members shall be eligible for all services  
6   and benefits provided by the Federal Government to feder-  
7   ally recognized Indian tribes.

8       “(b) SERVICE AREA.—For the purpose of the delivery  
9   of Federal services and benefits described in subsection  
10  (a), those members of the Lumbee Tribe of North Caro-  
11  lina residing in Robeson, Cumberland, Hoke, and Scotland  
12  counties in North Carolina shall be deemed to be residing  
13  on or near an Indian reservation.

14       “(c) DETERMINATION OF NEEDS.—On verification  
15  by the Secretary of a tribal roll under subsection (d), the  
16  Secretary and the Secretary of Health and Human Serv-  
17  ices shall—

18           “(1) develop, in consultation with the Lumbee  
19   Tribe of North Carolina, a determination of needs to  
20   provide the services for which members of the  
21   Lumbee Tribe of North Carolina are eligible; and

22           “(2) after the tribal roll is verified, each submit  
23   to Congress a written statement of those needs.

24       “(d) TRIBAL ROLL.—

1           “(1) IN GENERAL.—For purpose of the delivery  
2           of Federal services and benefits described in sub-  
3           section (a), the tribal roll in effect on the date of en-  
4           actment of this section shall, subject to verification  
5           by the Secretary, define the service population of the  
6           Lumbee Tribe of North Carolina.

7           “(2) VERIFICATION LIMITATION AND DEAD-  
8           LINE.—The verification by the Secretary under  
9           paragraph (1) shall—

10           “(A) be limited to confirming documentary  
11           proof of compliance with the membership cri-  
12           teria set out in the constitution of the Lumbee  
13           Tribe of North Carolina adopted on November  
14           16, 2001; and

15           “(B) be completed not later than 2 years  
16           after the submission of a digitized roll by the  
17           Lumbee Tribe of North Carolina to the Sec-  
18           retary.

19   **“SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.**

20           “(a) IN GENERAL.—Notwithstanding any other pro-  
21           vision of law, the Secretary is hereby authorized to take  
22           land into trust for the benefit of the Lumbee Tribe of  
23           North Carolina.

24           “(b) TREATMENT OF CERTAIN LAND.—An applica-  
25           tion to take into trust land located within Robeson Coun-

1 ty, North Carolina, under this section shall be treated by  
2 the Secretary as an ‘on reservation’ trust acquisition  
3 under part 151 of title 25, Code of Federal Regulations  
4 (or a successor regulation).

5 **“SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.**

6 “(a) IN GENERAL.—With respect to land located  
7 within the State of North Carolina that is owned by, or  
8 held in trust by the United States for the benefit of, the  
9 Lumbee Tribe of North Carolina, or any dependent Indian  
10 community of the Lumbee Tribe of North Carolina, the  
11 State of North Carolina shall exercise jurisdiction over—

12 “(1) all criminal offenses that are committed;  
13 and

14 “(2) all civil actions that arise.

15 **“(b) TRANSFER OF JURISDICTION.—**

16 “(1) IN GENERAL.—Pursuant to section 403 of  
17 the Civil Rights Act of 1968 (25 U.S.C. 1323), and  
18 subject to paragraph (2), the Secretary may accept  
19 on behalf of the United States, after consulting with  
20 the Attorney General of the United States, any  
21 transfer by the State of North Carolina to the  
22 United States of any portion of the jurisdiction of  
23 the State of North Carolina described in subsection  
24 (a) over Indian country occupied by the Lumbee  
25 Tribe of North Carolina pursuant to an agreement

1       between the Lumbee Tribe of North Carolina and  
2       the State of North Carolina.

3               “(2) RESTRICTION.—A transfer of jurisdiction  
4       described in paragraph (1) may not take effect until  
5       2 years after the effective date of the agreement de-  
6       scribed in that paragraph.

7               “(c) EFFECT.—Nothing in this section affects the ap-  
8       plication of section 109 of the Indian Child Welfare Act  
9       of 1978 (25 U.S.C. 1919).”.

