The language of the Bill is very vague about the services and benefits that will be provided to the Tribe upon recognition and how much funding will be needed and where it will come from. The Bill states in Sec. 6 that "there are authorized to be appropriated such sums as are necessary to carry out this Act" (Library of Congress). The uncertainly lies in what the entitlements of a federally recognized tribe are, since none are listed in the Bill. The majority of intense opposition to this bill comes from predominantly fiscally conservative or Republican members of the House, because of the financing at stake in the passage of this bill. Doc Hastings, Chair of the House Natural Resource Committee (R-WA), summed up the concern by stating in the hearing of its past sister bill, "the bill conveys a unique set of benefits, legal immunities and responsibilities. It affects the tribe's individual members, and in has impact on states, counties, local towns and other tribes. It affects the Federal government's ability to deal with hundred of recognized tribes at a time when the Federal budget is stretched thin and huge backlog of unmet needs exist across Indian country."

The Tribe in question does not need the federal remedy of recognition because its members are well integrated into the broader economic and political system of their surrounding area, and do not show any signs of suffering.
These individuals are not serving an injustice; they are not being denied their liberties because they are not being federally recognized as a tribe. They have become rather assimilated and have mixed will with the non-Indians living among them. As Rep. McIntyre states, "from medicine and law to business and banking, from the farms and factories to the schools and churches, from government, military, and community service to entertainment and athletic accomplishments, the Lumbee have made tremendous contributions to our county, state, and nation" (McIntyre). The Representative continues to share that Lumbee members have been sheriffs, county officials, school board members, state representatives and judges. This wide range of success doesn't portray oppression, nor does it suggest discrimination by the non-Indian citizens.

Allowing the Tribe to go through the BIA recognition process would be a less political way to correct this injustice, rather than allowing Congress to conscribe legislation.

There is the concern the Lumbee tribe and supporters are forgoing the intended purpose of the federal recognition process, which is to be conducted through the Department of the Interior (BIA). There is a guideline of seven mandatory criteria that each tribe in question has to meet, and if they cannot then they are denied recognition. Congressional legislation bypasses this process and allows tribes who would be denied by the BIA to continue onward to recognition. The argument continues by stating the agency has experts in the area conducting the review process and Congress is not skilled in the specific area of tribal recognition. Sending

this Act through Congress shapes it into a political question, with members only acting on their personal political interests or the interest of their party, and not the Lumbee people. The BIA process was created to avoid this, a neutral party looking clear at the evidence and not motives.

Through improper record keeping, there is not an accurate membership log of the Tribe, and currently the Tribe's membership criteria is vague and does not precisely identify members, nor is there critical proof of ancestry line dated to present day members.

The Lumbee Tribe had no formal process for record keeping in the past; therefore there are no concrete historical membership records and the trail of linage to ancestor members becomes difficult to trace. Anthropologists have resorted to using church records and school registries to trace past members of the Tribe to provide proof of heritage to current members. The BIA cannot cite a "distinct community" if there are no formal members. Under the Constitution of the current Tribe there are criteria set for membership into the Tribe. There is a provision in the Constitution that to qualify as a member that person must "keep in contact with the Tribe." What does contact mean in this situation? Looking through what's left of records and piecing together the Tribe today would be too costly and probably impossible.

Allowing the Lumbee Tribe federal recognition through Congress would create tension among Native American Tribes.

Other tribes that have been granted federal recognition oppose the Lumbee for seeking congressional legislation, such as The United South and Eastern Cherokee Tribes, Incorporated. This opposition consists of two main aspects: one that they are not having to endure the same process through the BIA that was set before other tribes; and two, more tribal competition for resources and funding would result from recognition. Tribes are competitive over the funding allocated to them by the government and also by the state, and if there were another tribe, especially one the size of the Lumbee, it would interfere with their survival. Also if those tribes already have agreements with the state on resources, then another tribal party may interfere with that as well. Congressmen will have pressure from their personal districts to meet the needs of their constituents, and if any are members of Tribes it will provoke a difficult choice to make.

According to BIA criteria, the Lumbee Tribe is not eligible to federal recognition since they were terminated in 1956.

By law, the BIA cannot confer recognition unless "Neither the petitioner nor its members are the subjects of congressional legislation that has expressly terminated or forbidden the Federal relationship" (BIA, G). The Lumbee Tribe was