



**COALITION OF LARGE TRIBES**

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon  
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation  
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe  
San Carlos Apache Tribe • Shoshone-Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation  
Sisseton Wahpeton Sioux Tribe • Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

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December 14, 2024

The Honorable Bruce Westerman, Chairman  
House Natural Resources Committee

The Honorable Raul Grijalva, Ranking Member  
House Natural Resources Committee

The Honorable Brian Schatz, Chairman  
Senate Committee on Indian Affairs

The Honorable Lisa Murkowski, Vice Chair  
Senate Committee on Indian Affairs

Dear Chairman Westerman, Ranking Member Grijalva, Chairman Schatz, and Vice Chair Murkowski:

I write on behalf of the Coalition of Large Tribes, an intertribal advocacy organization representing the interests of the more than 50 tribes with reservations of 100,000 acres or more, encompassing approximately 95% of Indian lands in the United States and more than one half the Native American population. COLT writes in opposition to “Lumbee Fairness Act,” S. 521 and H.R. 1101 and we ask you to oppose it as well. Our opposition is based on two grounds:

1. Senator Tillis’ patent unfairness in blocking wholly unrelated tribal legislation to try to strong-arm consideration of his bill, namely his grotesque maligning of tribal leaders in his November 21, 2024 floor remarks with respect to S.2088 / H.R. 3371 - Wounded Knee Massacre Memorial and Sacred Site Act; and
2. the lack of diligence with respect to the impacts of the “Lumbee Fairness Act,” S. 521 and H.R. 1101 on federally recognized tribes to which the United States owes Treaty and Trust duties; and

First, Wounded Knee is a stain on the dignity of Congress and a point of extreme dishonor for the United States. On December 29, 1890, unarmed men, women and children were massacred at Wounded Knee. In the words of General Nelson Miles, on whose orders the Seventh Cavalry pursued ailing Chief Spotted Elk and his people across the frozen Plains and Badlands, his soldiers’ actions constituted: “*the most abominable criminal military blunder and a horrible massacre of women and children.*” [DeMontravel, 1998, pp. 211–212]. Miles acknowledged, “*Every day we hear of poor women, little girls and boys and children found dead and frozen to the ground, or crawling over the prairie, for a distance of one hundred miles north and south.*” [p. 206]. Testifying before the Commission on Indian Affairs in 1920, Miles said he “*regarded the whole affair as most unjustifiable and worthy of the severest condemnation.*” [National Park Service].



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Less than a year after the Massacre, General Miles wrote in a letter dated November 20, 1891: *“Wholesale massacre occurred and I have never heard of a more brutal, cold-blooded massacre than that at Wounded Knee. About two hundred women and children were killed and wounded with little children on their backs, and small children powder-burned by the men who killed them being so near as to burn the flesh and clothing with the powder of their guns and nursing babes with five bullet holes through them ...”* [Letter to Baird].

Nonetheless, 20 U.S. soldiers were awarded Medals of Honor for their murderous, terrorist actions at Wounded Knee. Medals of Honor are awarded in the name of Congress. For a decade, COLT and sister tribal organizations have been pursuing legislation to remove the stain the Wounded Knee Medals of Honor visit on America, as well as S.2088 / H.R. 3371 - Wounded Knee Massacre Memorial and Sacred Site Act.

Senator Tillis’ statement on the floor expressing his disagreement with Lakota tribal leaders as grounds to block dignity for Wounded Knee families was wholly inappropriate. Likewise, Lumbees’ subsequent support for his behavior is repellent. That is simply not how tribes behave—countenancing a massacre and withholding justice for women and children as political convenience. Senator Tillis and Lumbee leadership should be ashamed of themselves and Congress should not reward their bad behavior by advancing S. 521 or H.R. 1101.

Second, COLT opposes any oppose legislation that would allow groups claiming to be Indian tribes to circumvent the Department of the Interior’s Office of Federal Acknowledgement. If enacted into law, such bills would have a significant impacts on COLT member tribes and our citizens because there has been no consideration as to Department of the Interior budgets and the implications of instantly adding 100,000 or more Indians to eligibility for existing programs. More importantly, the cultural integrity of all established tribes is threatened when groups self-identifying as tribes and Indians achieve federal acknowledgement through political processes rather than the objective criteria at the Office of Federal Acknowledgement. The process protects tribes and Indians whose history, culture, language, and long dealings with the federal government are beyond question.

Further, the Lumbee Fairness Act would undermine the fulfillment of federal Trust and Treaty obligations to tribes and individual Indians. The Lumbees claim perhaps 100,000 or more persons in their service area for purposes of housing monies. In 2011, the Congressional Budget Office (CBO) score estimated that the Lumbee Recognition Act would cost the federal government \$846 million over 2012-2016. Inexplicably, the CBO priced the 2022 legislation at \$363 million over the 2023-2027 period despite inflation, increased costs, and an estimated population increase



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of 9,000. New third-party estimates, accounting for inflation and an increase in the population of 6,000 members, price the cost of implementing the Lumbee Fairness Act for 2025-2029 at approximately \$1.74 billion—a shocking number considering all of Indian Affairs is funded at just \$2.8 billion. Our view is that Congress should not be acknowledging groups whose identity is so in question, particularly when it would likely drastically and significantly harm tribes across the country whose tribal identity is unquestioned.

In conclusion, COLT posits that the Trust and Treaty relations our tribes have fought to maintain over the years are undermined when politics drives federal acknowledgement decisions. We humbly request your support in maintaining the integrity of our separate COLT member tribes' tribal culture and our government-to-government relations with the United States. Reject S. 521 and H.R. 1101.

Respectfully,

DocuSigned by:



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Oliver "OJ" Semans, Sr.

Executive Director

CC: COLT Congressional Delegations

(Montana, South Dakota, North Dakota, Idaho, Washington, Oregon, Nevada, Oklahoma, Colorado, Utah, Arizona, New Mexico, Wyoming)