

Union Calendar No. 428

103D CONGRESS
2D SESSION

H. R. 4180

[Report No. 103-781]

A BILL

To prohibit the withdrawal of acknowledgement or recognition of an Indian tribe or Alaska Native group or of the leaders of an Indian tribe or Alaska Native group, absent an Act of Congress.

OCTOBER 3, 1994

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 1994

Mr. THOMAS of Wyoming (for himself, Mr. RICHARDSON, Mr. YOUNG of Alaska, and Mr. BOEHLERT) introduced the following bill; which was referred to the Committee on Natural Resources

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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 12, 1994]

A BILL

To prohibit the withdrawal of acknowledgement or recognition of an Indian tribe or Alaska Native group or of the leaders of an Indian tribe or Alaska Native group, absent an Act of Congress.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Federally Recognized*
3 *Indian Tribe List Act of 1994”.*

4 **SEC. 2. DEFINITIONS.**

5 *For the purposes of this Act:*

6 (1) *The term “Secretary” means the Secretary of*
7 *the Interior.*

8 (2) *The term “Indian tribe” means any Indian*
9 *or Alaska Native tribe, band, nation, pueblo, village*
10 *or community that the Secretary of the Interior ac-*
11 *knowledges to exist as an Indian tribe.*

12 (3) *The term “list” means the list of recognized*
13 *tribes published by the Secretary pursuant to section*
14 *4 of this Act.*

15 **SEC. 3. FINDINGS.**

16 *The Congress finds that—*

17 (1) *the Constitution, as interpreted by Federal*
18 *case law, invests Congress with plenary authority*
19 *over Indian Affairs;*

20 (2) *ancillary to that authority, the United States*
21 *has a trust responsibility to recognized Indian tribes,*
22 *maintains a government-to-government relationship*
23 *with those tribes, and recognizes the sovereignty of*
24 *those tribes;*

25 (3) *Indian tribes presently may be recognized by*
26 *Act of Congress; by the administrative procedures set*

1 *forth in part 83 of the Code of Federal Regulations*
2 *denominated "Procedures for Establishing that an*
3 *American Indian Group Exists as an Indian Tribe;"*
4 *or by a decision of a United States court;*

5 *(4) a tribe which has been recognized in one of*
6 *these manners may not be terminated except by an*
7 *Act of Congress;*

8 *(5) Congress has expressly repudiated the policy*
9 *of terminating recognized Indian tribes, and has ac-*
10 *tively sought to restore recognition to tribes that pre-*
11 *viously have been terminated;*

12 *(6) the Secretary of the Interior is charged with*
13 *the responsibility of keeping a list of all federally rec-*
14 *ognized tribes;*

15 *(7) the list published by the Secretary should be*
16 *accurate, regularly updated, and regularly published,*
17 *since it is used by the various departments and agen-*
18 *cies of the United States to determine the eligibility*
19 *of certain groups to receive services from the United*
20 *States; and*

21 *(8) the list of federally recognized tribes which*
22 *the Secretary publishes should reflect all of the feder-*
23 *ally recognized Indian tribes in the United States*
24 *which are eligible for the special programs and serv-*

1 *ices provided by the United States to Indians because*
2 *of their status as Indians.*

3 **SEC. 4. PUBLICATION OF LIST OF RECOGNIZED TRIBES.**

4 *(a) PUBLICATION OF THE LIST.—The Secretary shall*
5 *publish in the Federal Register a list of all Indian tribes*
6 *which the Secretary recognizes to be eligible for the special*
7 *programs and services provided by the United States to In-*
8 *dians because of their status as Indians.*

9 *(b) FREQUENCY OF PUBLICATION.—The list shall be*
10 *published within 60 days of enactment of this Act, and an-*
11 *nually on or before every January 30 thereafter.*

Amend the title so as to read: “A bill to provide for the annual publication of a list of federally recognized Indian tribes.”.