

HR 3103

Indian Tribal Federal Recognition Administrative Procedures Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Native Americans

Introduced: Oct 5, 2011

Current Status: Referred to the Subcommittee Indian and Alaska Native Affairs.

Latest Action: Referred to the Subcommittee Indian and Alaska Native Affairs. (Oct 17, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/3103>

Sponsor

Name: Del. Faleomavaega, Eni F. H. [D-AS-At Large]

Party: Democratic • **State:** AS • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Referred to	Oct 17, 2011

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

No related bills are listed.

Indian Tribal Federal Recognition Administrative Procedures Act - Establishes the Commission on Recognition of Indian Tribes. Sets forth procedures for an Indian group to submit letters of intent and a petition to the Commission requesting federal recognition as an Indian tribe (effectively transferring the federal recognition process to the Commission from the Bureau of Indian Affairs [BIA]).

Requires recognition petitions to: (1) show that the group's members have descended from an historical Indian group, or from historical Indian groups that combined and functioned as a single autonomous entity; (2) show that the group comprises a community of related members that has been distinct from surrounding communities since 1900; and (3) include the petitioner's membership criteria and current governing procedures.

Requires the Commission to make an expedited decision or conduct a preliminary hearing as to whether a petitioner should be recognized as an Indian tribe.

Gives petitioners a hearing before an adjudicatory panel of the Commission if: (1) an interested party rebuts an expedited decision in favor of the petitioner, or (2) the expedited decision or preliminary hearing does not result in the petitioner's recognition.

Gives Indian groups previously denied recognition by the BIA the right to an adjudicatory hearing if this Act's recognition criteria affect the merits of their petitions.

Authorizes a petitioner or any interested party to request the Commission to reconsider a final determination of an adjudicatory panel.

Makes an Indian tribe that is recognized by the Commission: (1) eligible for the services and benefits from the federal government that are available to other federally recognized Indian tribes, and (2) subject to the same responsibilities, obligations, privileges, and immunities of those tribes.

Allows the recognition or restoration of Indian tribes by: (1) federal law, (2) the Commission, (3) reorganization under the Indian Reorganization Act or the Alaska Indian Reorganization Act, and (4) any final decision of a U.S. court.

Applies the Indian Reorganization Act to all tribes recognized by the Commission, even if they were not under federal jurisdiction when that Act was enacted.

Authorizes the Secretary of Health and Human Services (HHS) to award grants to Indian groups seeking federal recognition as Indian tribes to enable them to conduct research to substantiate, and prepare the documentation necessary for submission of, petitions under this Act.

Actions Timeline

- **Oct 17, 2011:** Referred to the Subcommittee Indian and Alaska Native Affairs.
- **Oct 5, 2011:** Introduced in House
- **Oct 5, 2011:** Referred to the House Committee on Natural Resources.