

115TH CONGRESS  
1ST SESSION

# H. R. 3744

To provide that an Indian group may receive Federal acknowledgment as an Indian tribe only by an Act of Congress.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2017

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide that an Indian group may receive Federal acknowledgment as an Indian tribe only by 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Recognition Act  
5 of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) Article I, section 8, clause 3 of the Con-  
9 stitution (commonly known as the “Indian Com-

1 merce Clause”) gives Congress authority over Indian  
2 affairs.

3 (2) Such authority is plenary and exclusive.

4 (3) Such authority may not be exercised by the  
5 executive branch, except as expressly delegated by  
6 an Act of Congress (or by a treaty ratified by the  
7 Senate before March 1871).

8 **SEC. 3. DEFINITIONS.**

9 As used in this Act:

10 (1) ASSISTANT SECRETARY.—The term “Assist-  
11 ant Secretary” means the Assistant Secretary of In-  
12 dian Affairs, or that officer’s authorized representa-  
13 tive.

14 (2) AUTONOMOUS.—The term “autonomous”  
15 means the exercise of political influence or authority  
16 independent of the control of any other Indian gov-  
17 erning entity. Autonomous must be understood in  
18 the context of the history, geography, culture and  
19 social organization of the petitioning group.

20 (3) COMMUNITY.—The term “Community”  
21 means any group of people which can demonstrate  
22 that consistent interactions and significant social re-  
23 lationships exist within its membership and that its  
24 members are differentiated from and identified as  
25 distinct from nonmembers. Community must be un-

1       derstood in the context of the history, geography,  
2       culture and social organization of the group.

3               (4) CONTINENTAL UNITED STATES.—The term  
4       “continental United States” means the contiguous  
5       48 States and Alaska.

6               (5) CONTINUOUSLY OR CONTINUOUS.—The  
7       term “continuously or continuous” means extending  
8       from first sustained contact with non-Indians  
9       throughout the group’s history to the present sub-  
10      stantially without interruption.

11              (6) DOCUMENTED PETITION.—The term “docu-  
12      mented petition” means the detailed arguments  
13      made by a petitioner to substantiate its claim to con-  
14      tinuous existence as an Indian tribe, together with  
15      the factual exposition and all documentary evidence  
16      necessary to demonstrate that these arguments ad-  
17      dress the mandatory criteria.

18              (7) HISTORICALLY, HISTORICAL OR HISTORY.—  
19      The term “historically, historical or history” means  
20      dating from first sustained contact with non-Indians.

21              (8) INDIAN GROUP OR GROUP.—The term “In-  
22      dian group or group” means any Indian or Alaska  
23      Native aggregation within the continental United  
24      States that the Secretary of the Interior does not ac-  
25      knowledge to be an Indian tribe. Indian tribe, also

1 referred to herein as tribe, means any Indian or  
2 Alaska Native tribe, band, pueblo, village, or com-  
3 munity within the continental United States that the  
4 Secretary of the Interior has lawfully acknowledged  
5 as an Indian tribe.

6 (9) INDIGENOUS.—The term “indigenous”  
7 means native to the continental United States in  
8 that at least part of the petitioner’s territory at the  
9 time of sustained contact extended into what is now  
10 the continental United States.

11 (10) INFORMED PARTY.—The term “informed  
12 party” means any person or organization, other than  
13 an interested party, who requests an opportunity to  
14 submit comments or evidence or to be kept informed  
15 of general actions regarding a specific petitioner.

16 (11) INTERESTED PARTY.—The term “inter-  
17 ested party” means any person, organization or  
18 other entity who can establish a legal, factual or  
19 property interest in an acknowledgment determina-  
20 tion and who requests an opportunity to submit  
21 comments or evidence or to be kept informed of gen-  
22 eral actions regarding a specific petitioner. “Inter-  
23 ested party” includes the governor and attorney gen-  
24 eral of the State in which a petitioner is located, and  
25 may include, but is not limited to, local govern-

1 mental units, and any recognized Indian tribes and  
2 unrecognized Indian groups that might be affected  
3 by an acknowledgment determination.

4 (12) LETTER OF INTENT.—The term “letter of  
5 intent” means an undocumented letter or resolution  
6 by which an Indian group requests Federal acknowl-  
7 edgment as an Indian tribe and expresses its intent  
8 to submit a documented petition.

9 (13) PETITIONER.—The term “petitioner”  
10 means any entity that has submitted a letter of in-  
11 tent to the Secretary requesting acknowledgment  
12 that it is an Indian tribe.

13 (14) POLITICAL INFLUENCE OR AUTHORITY.—  
14 The term “political influence or authority” means a  
15 tribal council, leadership, internal process or other  
16 mechanism which the group has used as a means of  
17 influencing or controlling the behavior of its mem-  
18 bers in significant respects, and/or making decisions  
19 for the group which substantially affect its members,  
20 and/or representing the group in dealing with out-  
21 siders in matters of consequence. This process is to  
22 be understood in the context of the history, culture  
23 and social organization of the group.

24 (15) PREVIOUS FEDERAL ACKNOWLEDG-  
25 MENT.—The term “previous Federal acknowledg-

1       ment” means action by the Federal Government  
2       clearly premised on identification of a tribal political  
3       entity and indicating clearly the recognition of a re-  
4       lationship between that entity and the United  
5       States.

6           (16) SECRETARY.—The term “Secretary”  
7       means the Secretary of the Interior or that officer’s  
8       authorized representative.

9           (17) SUSTAINED CONTACT.—The term “sus-  
10      tained contact” means the period of earliest sus-  
11      tained non-Indian settlement and/or governmental  
12      presence in the local area in which the historical  
13      tribe or tribes from which the petitioner descends  
14      was located historically.

15   **SEC. 4. GROUPS ELIGIBLE TO SUBMIT PETITIONS.**

16       (a) ELIGIBLE GROUPS.—Indian groups indigenous to  
17      the continental United States that are not federally recog-  
18      nized Indian tribes on the date of the enactment of this  
19      Act may submit a petition under this Act.

20       (b) INELIGIBLE GROUPS.—The following may not  
21      submit a petition under this Act:

22           (1) Splinter groups, political factions, commu-  
23      nities or groups of any character that separate from  
24      the main body of a federally recognized Indian tribe,  
25      unless they can establish clearly that they have func-

1       tioned throughout history until the present as an au-  
2       tonomous tribal entity, even if they have been re-  
3       garded by some as part of or have been associated  
4       in some manner with a federally recognized Indian  
5       tribe.

6           (2) Indian tribes, organized bands, pueblos,  
7       Alaska native villages, or communities that have  
8       been lawfully acknowledged to be federally recog-  
9       nized Indian tribes and are receiving services from  
10      the Bureau of Indian Affairs.

11          (3) Groups that petitioned and were denied  
12      Federal acknowledgment under part 83 of title 25,  
13      Code of Federal Regulations, including reorganized  
14      or reconstituted petitioners previously denied, or  
15      splinter groups, spin-offs, or component groups of  
16      any type that were once part of petitioners pre-  
17      viously denied.

18          (4) Groups for which a documented petition has  
19      not been filed pursuant to section 9 by the date that  
20      is five years after the date of the enactment of this  
21      Act.

22      (c) GROUPS WITH PETITIONS IN PROGRESS.—This  
23      Act, including the criteria in section 7, shall apply to any  
24      Indian group whose documented petition was submitted  
25      and not denied on the date of the enactment of this Act.

1 **SEC. 5. FILING A LETTER OF INTENT.**

2 Any Indian group in the continental United States  
3 that believes it should be acknowledged as an Indian tribe  
4 and that it can satisfy the criteria in this Act may submit  
5 a letter of intent requesting acknowledgment that an In-  
6 dian group exists as an Indian tribe. The letter of intent  
7 submitted under this section—

8 (1) shall be filed with the Assistant Secretary—  
9 Indian Affairs, Department of the Interior;

10 (2) may be filed in advance of, or at the same  
11 time as, a group's documented petition; and

12 (3) shall be produced, dated and signed by the  
13 governing body of an Indian group.

14 **SEC. 6. DUTIES OF THE ASSISTANT SECRETARY.**

15 (a) GUIDELINES.—The Assistant Secretary shall  
16 make available guidelines for the preparation of docu-  
17 mented petitions. These guidelines shall—

18 (1) include an explanation of the criteria, a dis-  
19 cussion of the types of evidence which may be used  
20 to demonstrate particular criteria, and general sug-  
21 gestions and guidelines on how and where to conduct  
22 research;

23 (2) include an example of a documented peti-  
24 tion format which shall provide guidance, but not  
25 preclude the use of any other format; and



1           (3) may be supplemented or updated as nec-  
2       essary.

3       (b) RESEARCH AND PREPARATION OF PETITION.—

4   The Assistant Secretary—

5           (1) shall provide petitioners with suggestions  
6       and advice regarding preparation of the documented  
7       petition; and

8           (2) shall not be responsible for the actual re-  
9       search on behalf of the petitioner.

10 **SEC. 7. CRITERIA FOR FEDERAL ACKNOWLEDGMENT.**

11       The criteria for consideration for Federal acknowl-  
12   edgment is, at a minimum, the following:

13           (1) The petitioner has been identified as an  
14       American Indian entity on a substantially contin-  
15       uous basis since 1900. Evidence that the group's  
16       character as an Indian entity has from time to time  
17       been denied shall not be considered to be conclusive  
18       evidence that this criterion has not been met. Evi-  
19       dence to be relied upon in determining a group's In-  
20       dian identity may include one or a combination of  
21       the following, as well as other evidence of identifica-  
22       tion by other than the petitioner itself or its mem-  
23       bers:

24                   (A) Identification as an Indian entity by  
25       Federal authorities.

1 (B) Relationships with State governments  
2 based on identification of the group as Indian.

3 (C) Dealings with a county, parish, or  
4 other local government in a relationship based  
5 on the group's Indian identity.

6 (D) Identification as an Indian entity by  
7 anthropologists, historians, and/or other schol-  
8 ars.

9 (E) Identification as an Indian entity in  
10 newspapers and books.

11 (F) Identification as an Indian entity in  
12 relationships with Indian tribes or with na-  
13 tional, regional, or State Indian organizations.

14 (2) A predominant portion of the petitioning  
15 group comprises a distinct community and has ex-  
16 isted as a community from historical times until the  
17 present.

18 (A) This criterion may be demonstrated by  
19 some combination of the following evidence and/  
20 or other evidence that the petitioner meets the  
21 definition of community:

22 (i) Significant rates of marriage with-  
23 in the group, and/or, as may be culturally  
24 required, patterned out-marriages with  
25 other Indian populations.

1                   (ii) Significant social relationships  
2 connecting individual members.

3                   (iii) Significant rates of informal so-  
4 cial interaction which exist broadly among  
5 the members of a group.

6                   (iv) A significant degree of shared or  
7 cooperative labor or other economic activity  
8 among the membership.

9                   (v) Evidence of strong patterns of dis-  
10 crimination or other social distinctions by  
11 nonmembers.

12                  (vi) Shared sacred or secular ritual  
13 activity encompassing most of the group.

14                  (vii) Cultural patterns shared among  
15 a significant portion of the group that are  
16 different from those of the non-Indian pop-  
17 ulations with whom it interacts. These pat-  
18 terns must function as more than a sym-  
19 bolic identification of the group as Indian.  
20 They may include, but are not limited to,  
21 language, kinship organization, or religious  
22 beliefs and practices.

23                  (viii) The persistence of a named, col-  
24 lective Indian identity continuously over a

1 period of more than 50 years, notwith-  
2 standing changes in name.

3 (ix) A demonstration of historical po-  
4 litical influence under the criterion in para-  
5 graph (3) shall be evidence for dem-  
6 onstrating historical community.

7 (B) A petitioner shall be considered to  
8 have provided sufficient evidence of community  
9 at a given point in time if evidence is provided  
10 to demonstrate any one of the following:

11 (i) More than 50 percent of the mem-  
12 bers reside in a geographical area exclu-  
13 sively or almost exclusively composed of  
14 members of the group, and the balance of  
15 the group maintains consistent interaction  
16 with some members of the community.

17 (ii) At least 50 percent of the mar-  
18 riages in the group are between members  
19 of the group.

20 (iii) At least 50 percent of the group  
21 members maintain distinct cultural pat-  
22 terns such as, but not limited to, language,  
23 kinship organization, or religious beliefs  
24 and practices.

1 (iv) There are distinct community so-  
2 cial institutions encompassing most of the  
3 members, such as kinship organizations,  
4 formal or informal economic cooperation,  
5 or religious organizations.

6 (v) The group has met the criterion in  
7 paragraph (3) using evidence described in  
8 paragraph (3)(B).

9 (3) The petitioner has maintained political in-  
10 fluence or authority over its members as an autono-  
11 mous entity from historical times until the present.

12 (A) This criterion may be demonstrated by  
13 some combination of the evidence listed below  
14 and/or by other evidence that the petitioner  
15 meets the definition of political influence or au-  
16 thority:

17 (i) The group is able to mobilize sig-  
18 nificant numbers of members and signifi-  
19 cant resources from its members for group  
20 purposes.

21 (ii) Most of the membership considers  
22 issues acted upon or actions taken by  
23 group leaders or governing bodies to be of  
24 importance.

1 (iii) There is widespread knowledge,  
2 communication and involvement in political  
3 processes by most of the group's members.

4 (iv) The group meets the criterion in  
5 paragraph (2) at more than a minimal  
6 level.

7 (v) There are internal conflicts which  
8 show controversy over valued group goals,  
9 properties, policies, processes and/or deci-  
10 sions.

11 (B) A petitioning group shall be considered  
12 to have provided sufficient evidence to dem-  
13 onstrate the exercise of political influence or au-  
14 thority at a given point in time by dem-  
15 onstrating that group leaders and/or other  
16 mechanisms exist or existed which—

17 (i) allocate group resources such as  
18 land, residence rights and the like on a  
19 consistent basis;

20 (ii) settle disputes between members  
21 or subgroups by mediation or other means  
22 on a regular basis;

23 (iii) exert strong influence on the be-  
24 havior of individual members, such as the  
25 establishment or maintenance of norms

1                   and the enforcement of sanctions to direct  
2                   or control behavior; and

3                   (iv) organize or influence economic  
4                   subsistence activities among the members,  
5                   including shared or cooperative labor.

6                   (C) A group that has met the requirements  
7                   in paragraph (2)(B) at a given point in time  
8                   shall be considered to have provided sufficient  
9                   evidence to meet this criterion at that point in  
10                  time.

11                  (4) A copy of the group's present governing  
12                  document including its membership criteria. In the  
13                  absence of a written document, the petitioner must  
14                  provide a statement describing in full its member-  
15                  ship criteria and current governing procedures.

16                  (5) The petitioner's membership consists of in-  
17                  dividuals who descend from a historical Indian tribe  
18                  or from historical Indian tribes which combined and  
19                  functioned as a single autonomous political entity.

20                  (A) Some types of evidence that can be  
21                  used for this purpose include the following:

22                          (i) Rolls prepared by the Secretary on  
23                          a descendancy basis for purposes of dis-  
24                          tributing claims money, providing allot-  
25                          ments, or other purposes.

1           (ii) State, Federal, or other official  
2 records or evidence identifying present  
3 members or ancestors of present members  
4 as being descendants of a historical tribe  
5 or tribes that combined and functioned as  
6 a single autonomous political entity.

7           (iii) Church, school, and other similar  
8 enrollment records identifying present  
9 members or ancestors of present members  
10 as being descendants of a historical tribe  
11 or tribes that combined and functioned as  
12 a single autonomous political entity.

13           (iv) Affidavits of recognition by tribal  
14 elders, leaders, or the tribal governing body  
15 identifying present members or ancestors  
16 of present members as being descendants  
17 of a historical tribe or tribes that combined  
18 and functioned as a single autonomous po-  
19 litical entity.

20           (v) Other records or evidence identi-  
21 fying present members or ancestors of  
22 present members as being descendants of a  
23 historical tribe or tribes that combined and  
24 functioned as a single autonomous political  
25 entity.



1           (B) The petitioner must provide an official  
2           membership list, separately certified by the  
3           group's governing body, of all known current  
4           members of the group. This list must include  
5           each member's full name (including maiden  
6           name), date of birth, and current residential ad-  
7           dress. The petitioner must also provide a copy  
8           of each available former list of members based  
9           on the group's own defined criteria, as well as  
10          a statement describing the circumstances sur-  
11          rounding the preparation of the current list  
12          and, insofar as possible, the circumstances sur-  
13          rounding the preparation of former lists.

14          (6) The membership of the petitioning group is  
15          composed principally of persons who are not mem-  
16          bers of any acknowledged North American Indian  
17          tribe. However, under certain conditions a peti-  
18          tioning group may be acknowledged even if its mem-  
19          bership is composed principally of persons whose  
20          names have appeared on rolls of, or who have been  
21          otherwise associated with, an acknowledged Indian  
22          tribe. The conditions are that the group must estab-  
23          lish that it has functioned throughout history until  
24          the present as a separate and autonomous Indian  
25          tribal entity, that its members do not maintain a bi-

1 lateral political relationship with the acknowledged  
2 tribe, and that its members have provided written  
3 confirmation of their membership in the petitioning  
4 group.

5 (7) Neither the petitioner nor its members are  
6 the subject of congressional legislation that has ex-  
7 pressly terminated or forbidden the Federal relation-  
8 ship.

9 **SEC. 8. PREVIOUS FEDERAL ACKNOWLEDGMENT.**

10 (a) IN GENERAL.—Unambiguous previous Federal  
11 acknowledgment shall be acceptable evidence of the tribal  
12 character of a petitioner to the date of the last such pre-  
13 vious acknowledgment. If a petitioner provides substantial  
14 evidence of unambiguous Federal acknowledgment, the pe-  
15 titioner shall only be required to demonstrate that it meets  
16 the requirements of section 7 to the extent required by  
17 this section. A determination of the adequacy of the evi-  
18 dence of previous Federal action acknowledging tribal sta-  
19 tus shall be made during the technical assistance review  
20 of the documented petition conducted pursuant to section  
21 10(b).

22 (b) EVIDENCE.—Evidence to demonstrate previous  
23 Federal acknowledgment includes evidence that the  
24 group—

1           (1) has had treaty relations with the United  
2 States;

3           (2) has been denominated a tribe by an Act of  
4 Congress or Executive order; and

5           (3) has been treated by the Federal Govern-  
6 ment as having collective rights in tribal lands or  
7 funds.

8 **SEC. 9. NOTICE OF RECEIPT OF A PETITION.**

9           (a) IN GENERAL.—Not later than 30 days after re-  
10 ceiving a letter of intent, or a documented petition if a  
11 letter of intent has not previously been received and no-  
12 ticed, the Assistant Secretary shall acknowledge to the  
13 sender such receipt in writing. Notice under this sub-  
14 section shall—

15           (1) include the name, location, and mailing ad-  
16 dress of the petitioner and such other information to  
17 identify the entity submitting the letter of intent or  
18 documented petition and the date it was received;

19           (2) serve to announce the opportunity for inter-  
20 ested parties and informed parties to submit factual  
21 or legal arguments in support of or in opposition to  
22 the petitioner's request for acknowledgment or to re-  
23 quest to be kept informed of all general actions af-  
24 fecting the petition; and

1 (3) indicate where a copy of the letter of intent  
2 and the documented petition may be examined.

3 (b) NOTICE TO STATE GOVERNMENTS.—The Assist-  
4 ant Secretary shall notify, in writing—

5 (1) the Governor and Attorney General of the  
6 State or States in which a petitioner is located; and

7 (2) any recognized tribe and any other peti-  
8 tioner that—

9 (A) appears to have a historical or present  
10 relationship with the petitioner; or

11 (B) may otherwise be considered to have a  
12 potential interest in the acknowledgment deter-  
13 mination.

14 (c) PUBLICATION.—Not later than 60 days after re-  
15 ceiving a letter of intent, or a documented petition if a  
16 letter of intent has not previously been received and no-  
17 ticed, the Assistant Secretary shall have the notice re-  
18 quired under this section published—

19 (1) in the Federal Register; and

20 (2) in a major newspaper or newspapers of gen-  
21 eral circulation in the town or city nearest to the pe-  
22 titioner.

23 **SEC. 10. PROCESSING OF THE DOCUMENTED PETITION.**

24 (a) REVIEW.—Upon receipt of a documented petition,  
25 the Assistant Secretary—

1           (1) shall cause a review to be conducted to de-  
2       termine the extent to which the petitioner has met  
3       the criteria set forth in section 7;

4           (2) shall include consideration of the docu-  
5       mented petition and the factual statements con-  
6       tained therein;

7           (3) may initiate other research for any purpose  
8       relative to analyzing the documented petition and  
9       obtaining additional information about the peti-  
10      tioner's status; and

11          (4) may consider any evidence which may be  
12      submitted by interested parties or informed parties.

13      (b) TECHNICAL ASSISTANCE.—

14          (1) Prior to review of the documented petition  
15      under subsection (a), the Assistant Secretary shall  
16      conduct a preliminary review of the petition in order  
17      to provide technical assistance to the petitioner.

18          (2) The review under paragraph (1) shall be a  
19      preliminary review for the purpose of providing the  
20      petitioner an opportunity to supplement or revise the  
21      documented petition prior to the review under para-  
22      graph (1). Insofar as possible, technical assistance  
23      reviews under this paragraph will be conducted in  
24      the order of receipt of documented petitions. How-  
25      ever, technical assistance reviews will not have pri-

1 ority over active consideration of documented peti-  
2 tions.

3 (3) After the technical assistance review, the  
4 Assistant Secretary shall notify the petitioner by let-  
5 ter of any obvious deficiencies or significant omis-  
6 sions apparent in the documented petition and pro-  
7 vide the petitioner with an opportunity to withdraw  
8 the documented petition for further work or to sub-  
9 mit additional information.

10 (4) If a petitioner's documented petition claims  
11 previous Federal acknowledgment or includes evi-  
12 dence of previous Federal acknowledgment, the tech-  
13 nical assistance review shall also include a review to  
14 determine whether that evidence is sufficient to meet  
15 the requirements of previous Federal acknowledg-  
16 ment.

17 (c) RESPONSE TO TECHNICAL ASSISTANCE RE-  
18 VIEW.—

19 (1) Petitioners may respond in part or in full  
20 to the technical assistance review letter or request,  
21 in writing, that the Assistant Secretary proceed with  
22 the active consideration of the documented petition  
23 using the materials already submitted.

24 (2) If the petitioner requests that the materials  
25 submitted in response to the technical assistance re-

1 view letter be again reviewed for adequacy, the As-  
2 sistant Secretary shall provide the additional review.

3 (3) If the assertion of previous Federal ac-  
4 knowledgment under section 8 cannot be substan-  
5 tiated during the technical assistance review, the pe-  
6 titioner may respond by providing additional evi-  
7 dence. A petitioner that claims previous Federal ac-  
8 knowledgment and fails to respond to a technical as-  
9 sistance review letter under this subsection, or whose  
10 response fails to establish the claim, shall have its  
11 documented petition considered on the same basis as  
12 documented petitions submitted by groups not claim-  
13 ing previous Federal acknowledgment. Petitioners  
14 that fail to demonstrate previous Federal acknowl-  
15 edgment after a review of materials submitted in re-  
16 sponse to the technical assistance review shall be so  
17 notified. Such petitioners may submit additional ma-  
18 terials concerning previous acknowledgment during  
19 the course of active consideration.

20 (d) CONSIDERATION OF DOCUMENTED PETITIONS.—  
21 The Assistant Secretary shall—

22 (1) review documented petitions in the order  
23 that they are determined ready for review;

1           (2) establish and maintain a numbered register  
2           of documented petitions which have been determined  
3           ready for active consideration;

4           (3) maintain a numbered register of letters of  
5           intent or incomplete petitions based on the original  
6           date received by the Department of the Interior; and

7           (4) use the register of letters of intent or in-  
8           complete petitions to determine the order of review  
9           by the Assistant Secretary if two or more docu-  
10          mented petitions are determined ready for review on  
11          the same date.

12          (e) REPORT.—Not later than 1 year after notifying  
13          the petitioner that review of the documented petition has  
14          begun, the Assistant Secretary shall—

15               (1) submit a report including a summary of the  
16               evidence, findings, petition, and supporting docu-  
17               mentation, to the Committee on Natural Resources  
18               of the House of Representatives and the Committee  
19               on Indian Affairs of the Senate;

20               (2) notify the petitioner and interested parties  
21               that the review is complete and the report required  
22               under paragraph (1) has been submitted;

23               (3) provide copies of the report to the petitioner  
24               and interested parties; and



1           (4) provide copies of the report to informed  
2       parties and others upon written request.

3       **SEC. 11. CLARIFICATION OF FEDERAL RECOGNITION AU-**  
4                               **THORITY.**

5           (a) ACT OF CONGRESS REQUIRED.—An Indian group  
6       may receive Federal acknowledgment (or reacknowledg-  
7       ment) as an Indian tribe only by an Act of Congress. The  
8       Secretary may not grant Federal acknowledgment (or re-  
9       acknowledgment) to any Indian group.

10          (b) PREVIOUS ACKNOWLEDGMENT.—This Act shall  
11       not affect the status of any Indian tribe that was federally  
12       acknowledged before the date of the enactment of this Act.

13       **SEC. 12. FORCE AND EFFECT OF REGULATIONS.**

14          Part 83 of title 25, Code of Federal Regulations,  
15       shall have no force or effect.

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