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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE RESOLUTION**

**No. 149**      Session of  
2005

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INTRODUCED BY BISHOP, LEDERER, THOMAS, YOUNGBLOOD, BELFANTI,  
WATERS, JAMES, CALTAGIRONE, SHANER, PRESTON, JOSEPHS,  
BLACKWELL, DALEY, WASHINGTON, HARHAI, PALLONE, WALKO,  
PISTELLA, PETRARCA, MANDERINO, DeLUCA AND FRANKEL,  
MARCH 15, 2005

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 15, 2005

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A RESOLUTION

1 Directing appointment of a special committee to study rights of  
2 Native Americans indigenous to this Commonwealth.

3 WHEREAS, This Commonwealth was historically the homeland of  
4 diverse groups; and

5 WHEREAS, The Commonwealth has a duty and responsibility to  
6 foster the awareness, understanding and appreciation of the many  
7 and varied contributions to the quality of life made by its  
8 diverse ethnic communities, including Native Americans; and

9 WHEREAS, It is in the public interest for the Commonwealth  
10 and its citizens to identify, conserve and perpetuate the  
11 diverse cultural and ethnic heritage of this Commonwealth and to  
12 promote greater awareness and understanding for the education,  
13 inspiration and the general public welfare of all the people,  
14 including future generations; and

15 WHEREAS, It is in the shared interest of the Commonwealth and  
16 groups in Pennsylvania to avoid misrepresentation of Native

1 American identity, culture and heritage; and

2 WHEREAS, It is in the shared interest of the Commonwealth and  
3 groups in this Commonwealth to recognize groups indigenous to  
4 Pennsylvania and certify Native American organizations; and

5 WHEREAS, Recognition will enable the Commonwealth to provide  
6 access to Federal programs to eligible groups; therefore be it

7 RESOLVED, That a Special Committee on Recognition of Native  
8 Americans in Pennsylvania be established, consisting of four  
9 representatives appointed by the Speaker of the House of  
10 Representatives and three representatives appointed by the  
11 Minority Leader of the House of Representatives; and be it  
12 further

13 RESOLVED, That the committee conduct a study of recognition  
14 of the rights of Native American tribes, bands, groups and  
15 clans, who are indigenous to this Commonwealth, who have been  
16 identified as Native American from before 1790 until the present  
17 and who have been part of a continuous Native American community  
18 from before 1790 until the present; and be it further

19 RESOLVED, That the committee study historical documentation  
20 on long-standing relationships of the group with the government  
21 of the Commonwealth or the United States based on identification  
22 of the group or the group's members as Native American,  
23 documentation on repeated dealings of the group with a county or  
24 other local government in a relationship based on the  
25 identification of the group or group's members as Native  
26 Americans, documentation on repeated dealings of the group with  
27 other federally or State recognized groups or national Native  
28 American organizations in a relationship based on identification  
29 of the group as Native American, documentation on identification  
30 of the group as Native American by scholars, documentation on

1 repeated identification of the group or group's members as  
2 Native American in official and unofficial records and  
3 documentation identifying the name of the group or other term  
4 recognizing the group as Native American with an approximate  
5 location in this Commonwealth from before 1790 until the  
6 present; and be it further

7       RESOLVED, That the committee study historical documentation  
8 of membership criteria of the group which address membership  
9 procedures adopted by the group and of a list of all individuals  
10 included on the group's current and previous rolls and the  
11 county in which each resides; and be it further

12       RESOLVED, That the committee study other evidence, including  
13 affidavits from federally or State recognized tribal elders,  
14 tribal leaders or tribal officials; and be it further

15       RESOLVED, That the committee make every effort to protect the  
16 privacy of individuals; and be it further

17       RESOLVED, That the committee be empowered to hold hearings,  
18 take testimony and make its investigations at such places as it  
19 deems necessary in this Commonwealth and that each member of the  
20 committee have power to administer oaths and affirmations to  
21 witnesses appearing before the committee; and be it further

22       RESOLVED, That the committee be empowered to issue subpoenas  
23 under the hand and seal of its chairperson commanding any person  
24 to appear before the committee and to answer questions touching  
25 matters properly being inquired into by the committee and to  
26 produce records and documents the committee deems necessary; and  
27 be it further

28       RESOLVED, That subpoenas be able to be served upon any person  
29 and have the same effect as subpoenas issued out of the courts  
30 of this Commonwealth and that any person who willfully neglects

1 or refuses to testify before the committee or to produce records  
2 or documents be subject to the penalties provided by the laws of  
3 this Commonwealth in such case; and be it further

4 RESOLVED, That the committee make a report to the House of  
5 Representatives making recommendations on legislation  
6 recognizing the status and rights of Native Americans in this  
7 Commonwealth; and be it further

8 RESOLVED, That the expenses incurred by the committee in  
9 carrying out its responsibilities, including per diem and travel  
10 expenses incurred by members and regular staff, stenographic  
11 charges and other incidental expenses, be paid from appropriate  
12 accounts under the control of the Chief Clerk of the House of  
13 Representatives and be in addition to any other amount  
14 authorized for expenses for contractors, consultants and staff;  
15 and be it further

16 RESOLVED, That the chairperson make a monthly report of all  
17 expenses incurred by the committee to each member of the  
18 committee and to the Majority Leader and the Minority Leader of  
19 the House of Representatives and, within 30 calendar days after  
20 the committee has made its report or the mandate of the  
21 committee has expired, cause a record of all expenses incurred  
22 by the committee, or the members thereof, which are payable at  
23 Commonwealth expense to be filed with the Chief Clerk of the  
24 House of Representatives.