

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 21

Session of  
2003

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INTRODUCED BY BISHOP, LEDERER, YOUNGBLOOD, BEBKO-JONES,  
MANDERINO, LAUGHLIN, MICOZZIE, CIVERA, BELFANTI, SHANER,  
MUNDY, DALEY, CRUZ, HARHAI, DeLUCA, PRESTON, KIRKLAND,  
ROBERTS, JAMES AND FRANKEL, JANUARY 29, 2003

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REFERRED TO COMMITTEE ON RULES, JANUARY 29, 2003

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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  
17 American identity, culture and heritage; and

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

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

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

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

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

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

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

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

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

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

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

27 RESOLVED, That subpoenas be able to be served upon any person  
28 and have the same effect as subpoenas issued out of the courts  
29 of this Commonwealth and that any person who willfully neglects  
30 or refuses to testify before the committee or to produce records

1 or documents be subject to the penalties provided by the laws of  
2 this Commonwealth in such case; and be it further

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

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

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