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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To extend Federal recognition to the Lipan Apache Tribe of Texas.

IN THE HOUSE OF REPRESENTATIVES

Mr. VICENTE GONZALEZ of Texas introduced the following bill; which was
referred to the Committee on _____

A BILL

To extend Federal recognition to the Lipan Apache Tribe
of Texas.

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 “Lipan Apache Tribe
5 of Texas Recognition Act”.

6 **SEC. 2 FINDINGS.**

7 Congress finds the following:

8 (1) The Lipan Apache Tribe of Texas is the po-
9 litical successor to historic Lipan Apache bands that

1 maintained an independent Tribal identity and polit-
2 ical organization within present-day Texas for cen-
3 turies before and after Spanish, Mexican, Republic
4 of Texas, and United States sovereignty.

5 (2) The ancestors of the Tribe entered into doc-
6 umented agreements and government-to-government
7 relations with Spanish, Mexican, Republic of Texas,
8 and United States authorities, demonstrating rec-
9 ognition of the Lipan Apache as a distinct Tribal en-
10 tity.

11 (3) Members of the Tribe served as United
12 States Army Indian Scouts at frontier posts in
13 Texas, establishing direct Federal interaction and
14 enrollment under the authority of the United States.

15 (4) The Lipan Apache people continued to exist
16 as a distinct community in Texas despite 19th-cen-
17 tury displacement efforts and have preserved polit-
18 ical, cultural, and kinship continuity into the present
19 day.

20 (5) The Tribe maintains an organized govern-
21 ment, enrollment criteria, and recognized leadership
22 representing a continuous Tribal community.

23 (6) Federal judicial proceedings involving mem-
24 bers of the Lipan Apache Tribe of Texas acknowl-
25 edged the sincerely held traditional Native American

1 religious beliefs and practices of Tribal members in
2 the exercise of their religious freedom under Federal
3 law and resulted in a settlement with the Depart-
4 ment of the Interior providing lifetime Federal per-
5 mits for the possession and religious use of protected
6 eagle feathers by certain Tribal members.

7 (7) The State of Texas has honored the Lipan
8 Apache Tribe of Texas through legislative resolu-
9 tions acknowledging the Tribe's history and valuable
10 contributions to the State.

11 (8) The Tribe has continuously existed as a dis-
12 tinct political and cultural community to the present
13 day.

14 (9) The lack of Federal recognition has denied
15 the Tribe and its members access to services and
16 benefits provided to other federally recognized In-
17 dian Tribes.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (2) TRIBAL MEMBER.—The term “Tribal mem-
23 ber” means—

1 (A) an individual who is an enrolled mem-
2 ber of the Tribe as of the date of the enactment
3 of this Act; and

4 (B) an individual who is placed on the
5 membership rolls of the Tribe in accordance
6 with this Act.

7 (3) **TRIBE.**—The term “Tribe” means the
8 Lipan Apache Tribe of Texas.

9 **SEC. 4. FEDERAL RECOGNITION.**

10 (a) **IN GENERAL.**—Federal recognition is extended to
11 the Tribe.

12 (b) **APPLICABILITY OF FEDERAL LAWS.**—Except as
13 otherwise provided in this Act, all Federal laws (including
14 regulations) of general application to Indians and Indian
15 Tribes, including the Act of June 18, 1934 (25 U.S.C.
16 5101 et seq., commonly known as the “Indian Reorganiza-
17 tion Act”), shall apply to the Tribe and its members.

18 **SEC. 5. FEDERAL SERVICES AND BENEFITS.**

19 (a) **IN GENERAL.**—The Tribe and its members shall
20 be eligible for all services and benefits provided by the
21 Federal Government to federally recognized Indian Tribes,
22 including services and benefits under the Act of June 18,
23 1934 (25 U.S.C. 5101 et seq.), without regard to the ex-
24 istence of a reservation for the Tribe when—

1 (1) the Secretary and the Secretary of Health
2 and Human Services has each developed a deter-
3 mination of needs under subsection (c); and

4 (2) the Secretary has completed the verification
5 of the membership roll under subsection (d).

6 (b) SERVICE AREA.—Not later than 120 days after
7 the date of the enactment of this Act, the Service area
8 for the purpose of delivery of Federal services to Tribal
9 members shall be determined in coordination and con-
10 sultation with the Secretary.

11 (c) DETERMINATION OF NEEDS.—On verification by
12 the Secretary of a membership roll under subsection (d),
13 the Secretary and the Secretary of Health and Human
14 Services shall each—

15 (1) develop, in consultation with the Tribe, a
16 determination of needs to provide the services for
17 which members of the Tribe are eligible; and

18 (2) in the first fiscal year following the date on
19 which the membership roll is verified under sub-
20 section (d), submit to Congress a written statement
21 of those needs which shall be included in the mate-
22 rials submitted pursuant to section 1105 of title 31,
23 United States Code, for that fiscal year.

24 (d) TRIBAL MEMBERSHIP ROLL.—

1 (1) IN GENERAL.—As a condition of receiving
2 Federal services and benefits described in subsection
3 (a), the Tribe shall submit to the Secretary the
4 membership roll in effect on the date of enactment
5 of this Act, which shall be verified by the Secretary
6 in accordance with paragraph (2).

7 (2) VERIFICATION AND TIMELINE.—The
8 verification by the Secretary under paragraph (1)
9 shall—

10 (A) be limited to confirming documentary
11 proof of compliance with the membership cri-
12 teria set out in the governing documents sub-
13 mitted under section 6; and

14 (B) be completed not later than 2 years
15 after the submission of a digitized membership
16 roll with supporting documentary proof by the
17 Tribe to the Secretary.

18 **SEC. 6. MEMBERSHIP ROLL AND GOVERNING DOCUMENTS.**

19 (a) IN GENERAL.—The membership roll and gov-
20 erning documents of the Tribe shall be the most recent
21 membership roll and governing documents, respectively,
22 submitted by the Tribe to the Secretary upon enactment
23 of this Act.

24 (b) DETERMINATION OF MEMBERSHIP.—The quali-
25 fications for inclusion on the membership roll of the Tribe

1 shall be determined in accordance with the governing doc-
2 uments submitted under subsection (a).

3 (c) MAINTENANCE OF ROLL.—The Tribe shall main-
4 tain the membership roll.

5 **SEC. 7. GOVERNING BODY.**

6 The governing body of the Tribe shall be—

7 (1) the governing body in place as of the date
8 of enactment of this Act; or

9 (2) any subsequent governing body elected in
10 accordance with the election procedure specified in
11 the governing documents of the Tribe.