

Union Calendar No.

115TH CONGRESS
2^D SESSION

H. R. 3764

[Report No. 115-]

To extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2017

Mr. GIANFORTE introduced the following bill; which was referred to the Committee on Natural Resources

JULY --, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on September 13, 2017]

A BILL

To extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes.

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 “Little Shell Tribe of*
5 *Chippewa Indians Restoration Act of 2018”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *MEMBER.*—*The term “member” means an*
9 *individual who is enrolled in the Tribe pursuant to*
10 *section 6.*

11 (2) *SECRETARY.*—*The term “Secretary” means*
12 *the Secretary of the Interior.*

13 (3) *TRIBE.*—*The term “Tribe” means the Little*
14 *Shell Tribe of Chippewa Indians of Montana.*

15 **SEC. 3. FEDERAL RECOGNITION.**

16 (a) *IN GENERAL.*—*Federal recognition is extended to*
17 *the Tribe.*

18 (b) *EFFECT OF FEDERAL LAWS.*—*Except as otherwise*
19 *provided in this Act, all Federal laws (including regula-*
20 *tions) of general application to Indians and Indian tribes,*
21 *including the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)*
22 *(commonly known as the “Indian Reorganization Act”),*
23 *shall apply to the Tribe and members.*

1 **SEC. 4. FEDERAL SERVICES AND BENEFITS.**

2 (a) *IN GENERAL.*—Beginning on the date of enactment
3 of this Act, the Tribe and each member shall be eligible for
4 all services and benefits provided by the United States to
5 Indians and federally recognized Indian tribes, without re-
6 gard to—

7 (1) *the existence of a reservation for the Tribe;*

8 *or*

9 (2) *the location of the residence of any member*
10 *on or near an Indian reservation.*

11 (b) *SERVICE AREA.*—For purposes of the delivery of
12 services and benefits to members, the service area of the
13 Tribe shall be considered to be the area comprised of Blaine,
14 Cascade, Glacier, and Hill Counties in the State of Mon-
15 tana.

16 **SEC. 5. REAFFIRMATION OF RIGHTS.**

17 (a) *IN GENERAL.*—Nothing in this Act diminishes any
18 right or privilege of the Tribe or any member that existed
19 before the date of enactment of this Act.

20 (b) *CLAIMS OF TRIBE.*—Except as otherwise provided
21 in this Act, nothing in this Act alters or affects any legal
22 or equitable claim of the Tribe to enforce any right or privi-
23 lege reserved by, or granted to, the Tribe that was wrong-
24 fully denied to, or taken from, the Tribe before the date of
25 enactment of this Act.

1 **SEC. 6. MEMBERSHIP ROLL.**

2 (a) *IN GENERAL.*—As a condition of receiving recogni-
3 tion, services, and benefits pursuant to this Act, the Tribe
4 shall submit to the Secretary, by not later than 18 months
5 after the date of enactment of this Act, a membership roll
6 consisting of the name of each individual enrolled as a
7 member of the Tribe.

8 (b) *DETERMINATION OF MEMBERSHIP.*—The quali-
9 fications for inclusion on the membership roll of the Tribe
10 shall be determined in accordance with sections 1 through
11 3 of article 5 of the constitution of the Tribe dated Sep-
12 tember 10, 1977 (including amendments to the constitu-
13 tion).

14 (c) *MAINTENANCE OF ROLL.*—The Tribe shall main-
15 tain the membership roll under this section.

16 **SEC. 7. ACQUISITION OF LAND.**

17 (a) *HOMELAND.*—The Secretary shall acquire, for the
18 benefit of the Tribe, trust title to 200 acres of land within
19 the service area of the Tribe to be used for a tribal land
20 base.

21 (b) *ADDITIONAL LAND.*—The Secretary may acquire
22 additional land for the benefit of the Tribe pursuant to sec-
23 tion 5 of the Act of June 18, 1934 (25 U.S.C. 5108) (com-
24 monly known as the “Indian Reorganization Act”).