

## **Bills reviewed by the Tennessee Commission of Indian Affairs: vote & majority opinion 2009**

**HB 1305 / SB 1804** Child Custody and Support - As introduced, requires juvenile courts to conduct custody proceedings in compliance with the Indian Child Welfare Act.

Approved, unanimous.

Simply makes explicit state compliance with federal law.

**HB 186 / SB 136** Holidays and Days of Special Observance - As introduced, redesignates the second Monday in September each year as American Indian Day instead of the fourth Monday in September each year.

Disapproved, unanimous.

A 'caption bill' - a legislative proposal that has no intrinsic political meaning but is proposed 'just in case' a legislator wants to amend something in that section of TN Code.

... a kind of trojan horse with unknown purpose.

**HJR 82** Naming and Designating - "American Indian Heritage Month," September 2009

Disapproved, unanimous.

No background information on who or why this was proposed.

Opens up the future possibility of anybody arbitrarily requesting the legislature to move established community memorials to other dates.

**HB 239 / SB 1733** State Government - As introduced, grants state recognition to certain Indian tribes, bands, and groups; provides means for other Indian tribes, bands, and groups to receive state recognition. ("Confederation recognition bill")

Disapproved, 4-3.

Bad legislative proposal: no background information publicly available on the tribal origins of these groups, fraudulent use of tribal names, establishes unknown self-appointed groups as definers and arbitrators of recognition criteria, no definition of tribe and no recognition criteria, legislature ignoring existing state agency charged with establishment and implementation of recognition criteria.

**HB 333 / SB 1735** Naming and Designating - As introduced, extends state Native American Indian recognition with full legal rights and protections to the Remnant Yuchi Nation in the counties of Sullivan, Carter, Greene, Hawkins, Unicoi, Johnson, and Washington.

Disapproved, 3-2.

Bad legislative proposal: no background information publicly available on the tribal origin of this groups, theft of identity of a real tribe, fraudulent use of tribal name, no definition of tribe and no recognition criteria.

**HB 1692** Minority Affairs - As introduced, grants state recognition to certain Indian tribes, bands, and groups; provides means for other Indian tribes, bands, and groups to receive state recognition.

Disapproved, 4-1.

Bad legislative proposal: no background information publicly available on the tribal origins and 20th-century histories of these groups, fraudulent use of tribal names, establishes unknown self-appointed groups as definers and arbitrators of recognition criteria, no definition of tribe and no recognition criteria, legislature ignoring existing state agency charged with establishment and implementation of recognition criteria.

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*Motion for the Commission of Indian Affairs to initiate rulemaking procedures to establish state recognition criteria.*

Approved, 5-1.

*Motion to propose former Rule 0785-1 June 2007 (Revised) for state recognition criteria.*

Approved, unanimous.

Desire for 'tribal recognition' continues to be the primary issue of recently created Native American Indian culture clubs in the state, which apparently will not rest until settled by the legislature or the Commission of Indian Affairs. Last year's repeal of the recognition rule 0785-1 of June 2007 was directed by legislative committee to help save Commission. There is a continued need for state-mandated objective evaluation criteria to determine the meaning of the term 'Native American Indian tribe' in the state of Tennessee.