

Native American Indiana Affairs Commission  
Wednesday, November 7, 2007 (1:00 pm)  
Eiteljorg Museum of American Indians & Western Art  
Canal Level Board Room  
500 West Washington Street  
Indianapolis, Indiana

- I. Call to Order and Noting of Quorum
  - A. Commission members present: Brian Buchanan, Terry Stuff, Brian Fahey, Steve Hall, Mike Barnhart, Ray Gonyea, Rick Jones, Reggie Petoskey, Dark Rain Thom, Linda Madagame, Joe Baker, Senator Waterman, John Quick and Clarence White
  - B. Clarence White - opening prayer
- II. Introduction of Commission
- III. Agenda Approval
  - A. Motion to accept agenda – Brian Fahey; seconded by Dark Rain Thom
  - B. Motioned carried Minutes
- IV. Minutes Approval/Discussion
  - A. Motion to accept minutes – Brian Fahey; seconded by Mike Barnhart
  - B. Motion carried
- V. Announcements
  - A. Next year's meetings set
    - 1. January 9
    - 2. March 5
    - 3. May 7
    - 4. June 25
    - 5. September 3
    - 6. November 5
  - B. Town Hall Information
    - 1. Indpls. Town Hall – Nov. 10 - Boner Center – see attachment
    - 2. Peru Town Hall – December 1 – Brian Buchanan
    - 3. Bloomington Town Hall a success even with low turnout
  - C. Garfield Park Event – Awareness program - Linda Madagame
    - 1. December 7 at Garfield Park – See attachment
    - 2. They hope to have a Pow Wow at Garfield Park – summer of 2008
    - 3. Garfield Park may be a Delaware sacred ground – Michael Pace
  - D. International Festival Event
    - 1. November 15-10
    - 2. Brian Fahey will represent the commission
  - E. IUPUI Education Conference
    - 1. November 15-16
    - 2. NAGPRA – November 16<sup>th</sup> 8:00 am – 5:00 pm
  - F. Native American Proclamation Day
    - 1. November 1<sup>st</sup> 10:00 am – 4:00pm
    - 2. Joe Baker and Linda Madogame will attend
  - G. Indiana State Town Hall Meeting
    - 1. Fort Wayne – November 1, 2007
    - 2. Indianapolis – November 27 Indiana Govt Center South – Auditorium
- VI. Commission Organization

- A. Commission seat openings
  - 1. Met with Governor's office- should have filled by end of the year
- B. Intro of new director
  - 1. Aleeah Livengood
- C. Bylaw Amendment – Secretary – See attachment
  - 1. Motion for amendment to establish the office of secretary
  - 2. Brian Fahey; seconded by Reggie Petoskey
  - 3. Motion carried
  - 4. Linda Madogame nominated elected secretary
- VII. Committee Reports –
  - A. Executive Committee
    - 1. Logo – Brian Fahey unveiled some ideas
    - 2. Will use state seal until logo developed & approved
    - 3. Need to keep design simple
  - B. Legislative Funding Committee
    - 1. Legislative recommendations
    - 2. Blank Bill – NA License Plate Proposal – money would go to commission – Historic Prophetstown now receives it – negotiations are going on they need to replace lost revenue
    - 3. Basic proposal is the proceeds from the NA Trust Fund (from license plate sales) will go for the benefit of the commission
  - C. Sachem Committee
    - 1. Get Aleeah involved.
  - D. DOC Spirituality Committee Report
    - 1. Reggie Petoskey and Steve Hall have been visiting prisons together
    - 2. Spiritual Consultant position has been posted. The commission will pre-screen applicants
  - E. Directory Committee Report
    - 1. Need Aleeah's help.
    - 2. Brian Fahey has updated list. There are four pieces that need to be combined.
  - F. State Recognition Committee
    - 1. Legislative recommendations – see attachment
    - 2. Discussion of statute vs. executive order
    - 3. Mike Barnhart suggested tabling until next time
    - 4. Brian Fahey will work on new version
  - G. Housing Assistance Committee
    - 1. Julia Holloway spoke about a money follows the person grant along with federal transition grants (nursing home to home)
    - 2. Discussion about low income housing bond, tax credits low-interest mortgage loans.
    - 3. Michael Young from Indiana Housing offered to meet & discuss Native American housing needs.
- VIII. Public Comments
  - A. Gentleman lost home – no housing for NA.
  - B. Need help with NAGPRA
- IX. Adjournment



**THE NATIVE AMERICAN INDIAN AFFAIRS  
COMMISSION FOR INDIANA (NAIAC)**

**WILL BE HOSTING A TOWN HALL MEETING**

**SATURDAY, NOVEMBER 10th, 2007**

**FROM 9AM until 12N**

**AT THE AMERICAN INDIAN CENTER OF INDIANA, INC  
(located within the John H. Boner Community Center)  
2236 E. 10th Street, Indianapolis, Indiana, 46201  
(800) 745-5872**



**Agenda**  
**Native American Indian Affairs Commission**  
<http://www.in.gov/dwd/naiac>  
[contact@inaiac.in.gov](mailto:contact@inaiac.in.gov)  
**Town Hall Meeting**  
November 10, 2007/9:00am-Noon

**HOSTED BY : American Indian Center**

- **CALL TO ORDER**
- **INTRODUCTION**
- **COMMISSION MEMBER INTRODUCTION**
- **COMMISSION OVERVIEW**
- **COMMISSION ORGANIZATION/OPERATING PROCEDURES**
- **2006 PROGRESS REPORT SUMMARY**
- **2007 GOALS**
- **PUBLIC COMMENTS/CONCERNS**
- **ADJOURNMENT**

## John H. Boner Community Center

### *Directions*

- **From the east:** From 70-W traveling toward downtown Indianapolis, take the Keystone/Rural exit and turn left (south) onto Rural. Continue south to Tenth Street, and then take a right onto Tenth Street. The Boner Center will be on your right at Tenth and Beville streets.
- **From the south:** Take 65-N to the Market Street exit. Turn left at the bottom of the ramp and go one block to College Avenue. Turn right (north) onto College. At Tenth Street, turn right. The Boner Center will be on your right at Tenth and Beville streets.
- **From the west:** Take 70-E toward downtown Indianapolis. Merge onto 65-N, and exit at Market Street. Turn left at the bottom of the ramp and go one block to College Avenue. Go right (north) onto College. At Tenth Street, turn right. The Boner Center will be on your right at Tenth and Beville streets.
- **From the north:** Go south on College Avenue. At Tenth Street, turn left. The Boner Center will be on your right at Tenth and Beville streets.

[Maps.com](#)

# Indians Indians.....

## *EAST MEETS WEST*

On Friday December 7th, 2007 *Garfield Park Arts Center* will kick off a unique celebration of Indian cultures from around the planet with a special exhibit and concert, highlighting the cultures of Eastern Indians & Native Indians from North and South America.

Inspired by Indiana's indigenous Native American cultures and the burgeoning community of Eastern Indians, *Indians Indians* will feature an exhibition of regalia and multi-media artwork created by and inspired by Indians from East to West. On First Friday, December 7th, we'll host a special *Bhangra Pow Wow*, featuring award winning *DJ Rekha* and world-renowned tabla player *Badal Roy*, plus dancers and participants from all cultures!

Please join us in this first-ever creative collision of Indian Cultures by becoming a community partner or sponsor today. Contact Robin Williams @ 317.327.7066 or web: [rwillia2@indygov.org](mailto:rwillia2@indygov.org).

DJ Rekha is a producer, activist and above all, cultural worker. Selected by *The New York Times Magazine* as "one of the ten women of downtown music" and named "one of the most influential South Asians in the United States" by *Newsweek Magazine*.



The founder of **Basement Bhangra** and Bollywood Disco nights, that have been called "One of the most unique experiences in the city" by Paper Magazine, she will be starting a 30 city tour of North America to support her album "DJ Rekha presents Basement Bhangra" this fall.

Born in London and raised in New York and the U.K., Rekha brings her passion for pop culture and music that spans both sides of the pond to A/P/A Institute, and continues to explore where pop culture and politics intersect.

In addition, Rekha has worked on collaborations including with actress/playwright Sarah Jones to score the Obie and Tony award-winning "Bridge and Tunnel." She is currently the music supervisor for the documentary "Project Kashmir" due out in 2007, served as the associate producer of the NPR radio documentary "Feet in Two Worlds," and can be heard on her international radio program on XM/Worldspace Satellite Radio. Rekha also heads up Sanga-ment, a production and music consulting company that has debuted many British Asian musician in the US. Rekha will spend part of her time at A/P/A Institute researching and creating a radio documentary on the artists participating in the bhangra music scene around the globe.



Amerendra 'Badal' Roy Choudhury arrived in New York in 1968 with a pair of tablas and eight dollars in his pocket.

In three days he took a bus-boy job and then waiting positions in various Indian restaurants. Soon, instead of waiting on customers he was entrancing them with his drumming. Badal's passionate style of playing is free-flowing and always from the heart, and when *Miles Davis* heard

him play, the superstar warmed to him and spread the word. Soon he received his big break: an invitation to record with John McLaughlin and Miles successively.

Today Badal Roy is the foremost exponent of tabla in jazz music. He has played with not only Davis and McLaughlin, but also artists as diverse as **Herbie Mann, Dave Liebman, Don Cherry, Pharaoh Sanders, Dizzy Gillespie, Lonnie Liston Smith, Andreas Vollenweider, Parliament Funkadelic** and **Yoko Ono**. He has been an integral part of **Ornette Coleman's** Prime Time since 1988. He is currently featured with other Miles Davis vets on an *On the Corner* box-set, and will be acting in an upcoming bio-pic on Miles Davis' life story.

# NATIVE AMERICAN HERITAGE MONTH

## Native American Heritage Month Proclamation

Thursday, November 1, 2007

10:00 am – 4:00 pm, Indiana State Fairgrounds

## Native American Heritage Month (NAHM) Kickoff

Tuesday, November 6, 2007

1:30pm-3:00pm, University College 115

## SAPB Local Showcase: Wayne "Buggin" Malone

Wednesday, November 7, 2007

12pm-1pm, Democracy Plaza (weather permitting) or  
University College Lower Level

## Indiana Native American Indian Affairs Commission Meeting

Wednesday, November 7, 2007

1pm-3pm, Eiteljorg Museum, Canal Level Board Room

## Bear Creek Gallery Open House

Saturday, November 10 & 11, 2007

Bear Creek Gallery, 8659 River Crossing Blvd., Indianapolis, IN

## Native American Affairs Town Hall Meeting

Saturday, November 10, 2007, 9am-12pm

American Indian Center of Indiana, Inc., Indianapolis, IN

## NAHM Bead Working

Tuesday, November 13, 2007

12:30pm-1:30pm, University College Lower Level

## Native American Indian Education Conference

Thursday, November 15, 2007

9am-5pm, University College 115

## A Night with Coyote

Thursday, November 15, 2007

6:00pm-8:30pm, University College 115

## Native American Indian Education Conference

Friday, November 16, 2007

9am-5pm, University College 115

## Celebrating Native American Heritage Month: Realities, not Stereotypes

Saturday, November 17, 2007

1pm to 4 pm

Mathers Museum of World Cultures, Bloomington, IN

## History Isn't That Far Away: Oral Histories of Contemporary Delaware Indians

Saturday, November 17, 2007

1:00 pm; Book Signing at 2:00 pm, Eiteljorg Museum

## Contemporary Native Art Seminar

Monday, November 19, 2007

12pm-1pm, University College 115

## The Three Sisters

November 23 & 24, 2007

11:30am-2:00pm, Eiteljorg Museum

## Kinaaldi Film Screening & Panel Discussion

Wednesday, November 28, 2007

12:00pm-1:30pm, University Library, Ruth Lilly Auditorium

## NAHM Quill Demonstration

Wednesday, November 28, 2007

3pm-4pm, University College Lower Level

## Pow Wow Highway Film Screening

Thursday, November 29, 2007

11:30am-1:30pm, University College Lower Level

Visit [www.life.iupui.edu](http://www.life.iupui.edu) for more information

Native American  
Heritage Month



Proposed Amendment to the Bylaws:  
Establishing the Office of Secretary

Indiana Native American Indian Affairs Commission  
November 7, 2007

It is hereby resolved that the following amendment to the Commission's bylaws, by which the Office of Secretary is created, be adopted.

1. Article III, Section 2, regarding Committee Chairpersons, is hereby renumbered as Article III, Section 3.

2. A new Article III, Section 2, is hereby adopted, to read as follows:

“(1) A Secretary shall be elected by a majority of the Commissioners and shall serve a term of two years from the date of election.

(2) The Secretary shall perform the following duties:

- a. Keep, or cause to be kept, the minutes of the meetings of the Commission and such of its Committees as shall be required;
- b. See that notices are given in full accordance with provisions of these bylaws and as may be required by law;
- c. Ensure the safekeeping of the Commission's records; the books, records and papers in the hands of the Secretary shall at all times be subject to the inspection, supervision and control of the Commission;
- d. Ensure that all correspondence to and from the Commission is written, received, referred or otherwise appropriately handled;
- e. Keep By-Laws and standing rules for current reference;
- f. Issue notices of all regular and special meetings of the Commission and its Committees as directed by the Commission's chairperson or by the Committee's chairpersons;
- g. Distribute copies of minutes and the agenda to each Commissioner at or prior to each Commission meeting;

- h. Keep track of the absences of Commissioners at meetings, and report the same to the Commission for further action, per the Commission's authorizing statute [IC 31.4 et seq];
  - i. Ensure the Commission's compliance with Open Records, Public Meetings statutes and ethics standards;
  - j. Ensure compliance by Commissioners with conflict of interest rules, and maintain records of such statements or waivers;
  - k. Perform other duties as the need arises or as directed by the chairperson;
  - l. By action of the Commission or as directed by the chairperson, certain duties of the Secretary may be delegated to the Executive Director, Board members or committees as appropriate; however, the accountability for such duties remains with the Secretary;
3. Any Commissioner appointed by the Governor may resign at any time upon written notice to the Secretary, any such resignation to take effect as specified therein or, if not specified, upon receipt by the Secretary. Upon receipt of such resignation, the Secretary shall so inform the Governor in writing."

Respectfully submitted,  
Brian J. Fahey

Bill Amending IC 4-4-31.4-7  
Indiana Native American Indian Affairs Commission

Section 7 of Indiana Code 4-4-31.4 is hereby amended to read as follows:  
(amending language in bold italics)

“Staff; expenses; chairperson; ***per diem; budget;***

Sec. 7. (a) The department shall provide staff and administrative support for the commission.

(b) Expenses incurred under this chapter shall be paid from funds appropriated to the department. ***In addition,***

1. ***Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.***
2. ***Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.***
3. ***Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.***

(c) ***If money is appropriated to the Commission under the state budget, the money does not revert to the state general fund at the end of a state fiscal year but remains available to***

***the Commission until the purpose for which it was appropriated is fulfilled.***

***(d)*** The governor shall appoint a voting member of the commission to serve as the commission's chairperson.”

# STATE OF INDIANA

## Executive Department Indianapolis

Executive Order \_\_\_\_\_

For: State Recognition of Indian Tribes in Indiana

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS

**WHEREAS**, there are 42,000 citizens of the State of Indiana who are identified as Native American, most of whom retain their heritage, cultural, community, spiritual traditions and history, as well as their tribal affiliation;

**WHEREAS**, many of these Native American citizens are affiliated with or are members of tribes which are not recognized under federal law by the Office of Federal Recognition, Bureau of Indian Affairs, United State Department of the Interior, nor by the State of Indiana, though they may meet reasonable criteria for such state recognition and be entitled to the benefits and privileges such recognition would confer on their tribes, and whose tribal histories have long been intertwined with the history of our state;

**WHEREAS**, to ensure that those tribes which may be so entitled to state recognition are able to proceed in an orderly, proscribed manner to achieve state recognition, it is desirable to set forth criteria and procedures by which such determinations may be made;

**WHEREAS**, the Indiana Native American Indian Affairs Commission was established to study and make recommendations to federal, state and local governments in several key areas of concern to the Native American citizens and tribes of Indiana, and therefore it is appropriate that said Commission be charged with the responsibility to manage the process of state recognition for Native American Indian tribes, in and for the State of Indiana.

NOW, THEREFORE, I, Mitchell R. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that, in furtherance of the goal of

providing criteria and procedures by which applicant groups may be recognized by the State of Indiana as Native American Indian Tribes in the State of Indiana, the Indiana Native American Indian Affairs Commission shall proceed according to the criteria and procedures set forth herein below and incorporated herein, and make recommendations to the Governor as to which applicants groups shall be or shall not be hereafter recognized as a Native American Indian Tribe in the State of Indiana.

1. Scope.

These criteria and procedures shall be applicable in all instances in which an applicant group shall seek state recognition by the State of Indiana as a Native American Indian Tribe.

2. Definitions.

2.1 "State" means the State of Indiana.

2.2 "Commission" means the Indiana Native American Indian Affairs Commission.

2.3 "Native American" and "Indian" means all persons having origins in any of the original peoples of North American who maintain tribal affiliation through membership or community identification.

2.4 "Tribe" means an assembly of Indian people comprising numerous families, clans, or generations together with their descendants, who have a common character, interest, spiritual heritage, and behavior denoting a separate ethnic and cultural heritage, and who have existed as a separate community on a substantially continuous basis or who can trace their historic origins as an separate and identifiable group through the past 100 years. In general, core members of the tribe are related to each other by blood. A tribal council and governing authority unique to Native American Indians govern them.

2.5 "Official Record" means a record created, received, sanctioned by, or proceeding from, an officer acting in an official capacity

2.6 "Lineage" mean direct descent from a particular ancestor or the descendants of a common ancestor considered the founder of the line.

2.7 "Applicant Group" means a group of individuals collectively seeking recognition as a Native American Indian Tribe by the State of Indiana by submitting a Notice of Intent to Petition to the Commission.

2.8 "Official Roll" means the updated membership list to be submitted to the Commission by applicant groups in which are contained the names, addresses, dates of membership, and lineages of the members of the applicant group, certified as such by the tribal council and governing authority.

2.9 "Recognized" means being acknowledged as a Native American Indian Tribe by the State of Indiana or by the federal government of the United States.

### 3. Tribes Already Recognized by the State of Indiana

One tribes are currently recognized by the State of Indiana, the Upper Kispoko Band of Shawnee Indians, recognized by the issuance of a Concurrent Resolution of the Indiana Legislature so recognizing the tribe, dated April 12, 1985. Recognition of this tribe by the State of Indiana is hereby ratified.

### 4. Limitations.

4.1 Native American Indian tribes recognized by the State of Indiana, their members, lands, natural resources, and other property owned by such tribes or their members are subject to the civil, criminal and regulatory jurisdiction and laws of the State of Indiana, its agencies, political subdivisions, and the civil and criminal jurisdiction of the courts of the State of Indiana, to the same extent that any other person, citizens or land in Indiana.

4.2 Notwithstanding their state recognition, Native American Indian tribes have no power or authority to take any action which would establish, advance or promote any form of Class III gaming in the State of Indiana; nor does this Executive Order confer power or authority to take any action which could establish, advance or promote any form of Class III gaming in the state.

4.3 Nothing in this Executive Order recognizes, creates, extends, or forms the basis of any right or claim of interest in land or real estate in this state for any Native American Indian tribe recognized by the state.

4.4 State recognized tribes that subsequently obtain federal recognition are not bound by the limitations of this Executive Order and, therefore, gain and retain all federal recognized rights granted by the federal government.

5. Groups Eligible for Petition Process.

5.1 Only Native American Indian groups located in Indiana who claim to exist and function as a tribe are eligible to petition or to be considered for state recognition as a Native American Indian tribe.

5.2 Each applicant group seeking recognition shall document the status and structure of their organization. The formal status and type of organizational structure of the applicant group shall not be a factor in the recognition process.

6. Groups Ineligible for Recognition.

The following groups and entities are ineligible for state recognition as Native American Indian tribes:

6.1 Previously denied applicant groups or applicants groups or successors in interest of groups whose membership is substantially identical to that of a previously denied applicant group.

6.2 Splinter groups, including political factions, community, or group of any character that separates or has separated from the main body of a state or federally recognized tribe, and has not functioned as an autonomous Indian tribe for at least the past one hundred (100) years.

7. Criteria for State Recognition

Eligibility for recognition shall be based on the recommendations of the Commission in its application of the following criteria:

7.1 The applicant group is headquartered in Indiana, is indigenous to this state, and has been identified on a substantially continuous basis as Native American throughout the history of the group and for no less than the past one hundred (100) years.

7.2 The applicant group has maintained tribal political influence or other authority over its members, or is able to demonstrate their existence as a substantially continuous and distinct cultural entity capable of self regulation.

7.3 The membership of the applicant group is composed of persons whose lineage can be demonstrated to derive from common Native American ancestors or the descendants of common Native American ancestors, and a majority of whom are not members of any other federally or state recognized tribe in North America.

7.4 The applicant groups meets one or more of the following needs of its members: Native American derived spiritual traditions and practices, social interaction, economic support, and cultural needs through a continuous series of activities and events which preserve, document, and promote the group's Native American cultural, history and heritage.

7.5 Petitions supporting a claim for recognition must be supported by official records such as birth and death certificates, church records, school records, U.S. Bureau of the Census records, and other pertinent official documents.

7.6 Documented kinship relationships with other Native American Indian tribes in and outside the State of Indiana.

7.7 Anthropological records or historical accounts which describe the applicant group's Native American ancestry, history, cultural and heritage.

7.8 A minimum of fifty (50) living descendants who are eighteen years of age or older, whose Native American lineage can be documented by a lineal genealogical chart, and whose names and current addresses appear on the applicant group's official roll.

7.9 Documented traditions, customs, legends, language, songs, and other elements of cultural and spiritual belief and usage which support the applicant group's Native American heritage.

## 8. Commission Assistance to Applicant Groups.

When a group has identified itself as a Native American Indian group, it shall request technical assistance from the Commission. The Commission shall be limited to explaining the applicable procedures, processes and deadlines to the applicant group.

9. Procedure for Recognition.

The procedure to be followed shall be:

- 9.1 The applicant group shall submit a Notice of Intent to Petition to the Commission.
- 9.2 The Commission shall acknowledge receipt of the applicant group's Notice of Intent to Petition within thirty (30) days of receipt.
- 9.3 Upon receipt of the Notice of Intent to Petition, the Commission shall notify in writing within sixty (60) days the following interested parties:
  - 9.3.1 Native American Indian tribes recognized by the State of Indiana.
  - 9.3.2 The Office of the Governor, local and county governments, and township trustees located within a 25-mile radius of the applicant group's geographic area.
- 9.4 All petitions and responses to petitions must be received no less than ten (10) business days prior to the meeting at which they are to be considered.
- 9.5 The applicant group shall provide an original and five copies when submitting petitions, responses to petitions, or other supplementary information during the petition process.
- 9.6 The applicant group shall complete and submit a fully documented petition to the Commission, including its current membership official roll, and all past official rolls. Failure to submit the official rolls shall be sufficient grounds to deny the petition.
- 9.7 The applicant group may submit additional petition documentation and materials throughout the petition process until such time as a final recognition recommendation is made by the Commission. The Commission may direct the further consideration of such additional documentation and materials as its shall deem appropriate under the circumstances.

10. Recognition Committee.

The Recognition Committee shall be appointed by the chairperson of the Commission from among the Commission current members. It shall consist of five Commissioners,

three of which shall have been appointed to the Commission by the Governor as Native Americans as per the Commission's statute (IC 31.4 et seq.). Upon appointment, each member of the Recognition Committee shall sign a conflict of interest statement to the effect that he or she shall not serve in a recognition case if he or she has a bias for or against the applicant group or any of its members.

Once an applicant group has completed the petition process, the Recognition Committee shall submit a written report to the Commission in which the petition shall have been reviewed in light of the recognition criteria set forth above, for the completeness and sufficiency of the petition and accompanying documentation and materials, and the timeliness by which the applicant group has acted throughout the process.

The Recognition Committee's procedures shall be as follows:

10.1 The Recognition Committee shall conduct an initial review of the petition and shall notify the applicant group of its preliminary findings and deficiencies. This process shall be completed within ninety (90) days of the date on which the petition was submitted.

10.2 Upon receipt of the Recognition Committee's preliminary findings, the applicant group shall have one hundred eighty (180) days in which to respond in writing to any deficiencies in the petition noted by the Recognition Committee. If requested, an additional response period shall commence on the 181st day after the receipt of the Recognition Committee's preliminary findings. No further requests for additional time shall be granted.

10.3 The Recognition Committee shall conduct a hearing to consider the petition, including the applicant group's responses to all deficiencies noted. The affirmative vote of four of the five members of the Recognition Committee shall be required before the committee's recommendation can be sent to the Commission.

10.4 The Recognition Committee shall introduce its recommendation to the Commission at the next regularly scheduled Commission meeting. Further Commission action shall not take place until the second Commission meeting after receiving the Recognition Committee's recommendation.

10.5 The Commission shall, by a majority of the Commissioners entitled to vote (absences counted), decide whether to accept the recommendation from the Recognition Committee, send the matter back to the Recognition Committee for

further consideration, request further information, conduct a hearing, or return the petition to the Recognition Committee if additional documentation or materials have been received from the applicant group.

10.6 The applicant group may withdraw from the petition process at any time prior to the decision of the Commission. After a petition is withdrawn, the applicant group may not initiate a new petition until one year from the date of the withdrawal.

10.7 If the decision of the Commission is to recommend that the applicant group be recognized as a Native American Indian tribe in the State of Indiana, it shall notify the Governor in writing of its findings and recommendation within thirty (30) days of the date on which the final vote was taken. The role of the Commission in that process shall then have been completed, unless it shall be otherwise directed by the Governor.

10.8 If the decision of the Commission is not to recommend recognition, it shall so notify the applicant group in writing within thirty (30) days of the date on which the final vote was taken. The role of the Commission in that process shall then have been completed.

10.9 The Commission shall have the authority to adopt additional procedures in furtherance of these goals, and to direct the activities of its staff in furtherance of the petition process.

## 11. State Recognition by the Governor

Upon receipt of the Commission's findings and recommendation, the Governor shall choose to accept or not accept the recommendation. If the Governor decides to accept the recommendation, a further Executive Order granting the applicant group state recognition as a Native American Indian tribe shall be issued. The Commission, upon notification by the Governor of the decision to extent state recognition, shall add material to its state website noting the final decision, displaying the further Executive Order granting state recognition, and shall thenceforth refer to the applicant group as a state recognized Native American Indian tribe in the State of Indiana.

## 12. Status of Official Records of an Applicant Group

11.1 The documentation and materials submitted by an applicant group shall be confidential and not subject to the Open Records laws of the State of Indiana.

11.1 Upon completion of a petition process and consideration of the Commission's recommendation to the Governor, all such documentation and materials shall be transferred to the State Archives under seal. They shall be accessible only upon further order of the Governor.

IN TESTIMONY WHEREOF, I,  
Mitchell E. Daniels, Jr., have  
hereunto set my hand and caused  
to be affixed the Great Seal of the  
State of Indiana on this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

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Mitchell R. Daniels, Jr.  
Governor of Indiana

ATTEST: Todd Roleita  
Secretary of State