



2001 SENATE JOINT RESOLUTION 61

February 26, 2002 - Introduced by Senator GEORGE, cosponsored by Representative MUSSER. Referred to Committee on Universities, Housing, and Government Operations.

1 **Relating to:** state recognition of the sovereign status of federally recognized
2 American Indian tribes and bands.

3 Whereas, article I, section 8, of the U.S. Constitution gives Congress the power
4 “to regulate Commerce with foreign Nations, and among the several States, and with
5 the Indian Tribes,” thus recognizing American Indian tribes and bands as separate
6 and independent political communities within the territorial boundaries of the
7 United States; and

8 Whereas, the U.S. Supreme Court has interpreted the U.S. Constitution as
9 recognizing the sovereignty of American Indian tribes and bands by classifying
10 treaties between the United States and American Indian tribes as part of the
11 “supreme law of the land,” and by establishing Indian affairs as a unique area of
12 federal concern; and

13 Whereas, Congress has enacted measures that promote tribal economic
14 development and tribal self-government and self-determination; and

1 Whereas, previous U.S. presidents have affirmed tribal sovereignty and, thus,
2 the rights of American Indian tribes and bands in the following ways: President
3 Lyndon B. Johnson recognized “the right of the first Americans ... to freedom of choice
4 and self determination”; President Nixon strongly encouraged “self-determination”
5 among American Indian people; President Reagan pledged “to pursue the policy of
6 self-government” for American Indian tribes and reaffirmed “the
7 government-to-government basis” for dealing with American Indian tribes;
8 President George Bush stated that a government-to-government relationship
9 between the American Indian tribes and the federal government was “the
10 cornerstone of [his] Administration’s policy of fostering tribal self-government and
11 self-determination”; and President Clinton issued an executive order to strengthen
12 the United States’ government-to-government relationships with American Indian
13 tribes and to establish regular and meaningful consultation and collaboration with
14 tribal officials in the development of federal policies that have tribal implications;
15 and

16 Whereas, the Wisconsin legislature is committed to strengthening and
17 assisting tribal governments in their development and to promoting tribal
18 self-governance; and

19 Whereas, the Wisconsin legislature supports and is committed to the
20 enforcement of the Indian Civil Rights Act of 1968 (25 USC 1301 and following),
21 which safeguards tribal sovereignty while simultaneously ensuring that the civil
22 rights of American Indians are protected; and

23 Whereas, the Wisconsin legislature wishes to promote positive
24 government-to-government relations between the state of Wisconsin and each of the
25 federally recognized American Indian tribes and bands in this state; and

