

103RD CONGRESS
2^D SESSION

H. R. 4709

AMENDMENT

In the Senate of the United States,

October 4 (legislative day, September 12), 1994.

Resolved, That the bill from the House of Representatives (H.R. 4709) entitled “An Act to make certain technical corrections, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. LEASING AUTHORITY OF THE INDIAN PUEBLO***
2 ***FEDERAL DEVELOPMENT CORPORATION.***

3 *Notwithstanding the provisions of section 17 of the Act*
4 *of June 18, 1934 (48 Stat. 988, chapter 576; 25 U.S.C.*
5 *477), the Indian Pueblo Federal Development Corporation,*
6 *whose charter was issued pursuant to such section by the*
7 *Secretary of the Interior on January 15, 1993, shall have*
8 *the authority to lease or sublease trust or restricted Indian*
9 *lands for up to 50 years.*

10 ***SEC. 2. GRAND RONDE RESERVATION ACT.***

11 *(a) LANDS DESCRIBED.—Section 1 of the Act entitled*
12 *“An Act to establish a reservation for the Confederated*
13 *Tribes of the Grand Ronde Community of Oregon, and for*
14 *other purposes”, approved September 9, 1988 (102 Stat.*
15 *1594), is amended—*

16 *(1) in subsection (c)—*

1 (A) by striking “9,879.65” and inserting
 2 “10,120.68”; and

3 (B) by striking all after

“6 8 1 SW¹/₄SW¹/₄, W¹/₂SE¹/₄SW¹/₄ 53.78”

4 and inserting the following:

“6	8	1	S ¹ / ₂ E ¹ / ₂ SE ¹ / ₄ SW ¹ / ₄	10.03
6	7	8	Tax lot 800	5.55
4	7	30	Lots 3, 4, SW ¹ / ₄ NE ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ , E ¹ / ₂ SW ¹ / ₄	240
			Total	10,120.68.”;

5 and

6 (2) by adding at the end the following new sub-
 7 section:

8 “(d) CLAIMS EXTINGUISHED; LIABILITY.—

9 “(1) CLAIMS EXTINGUISHED.—All claims to
 10 lands within the State of Oregon based upon recog-
 11 nized title to the Grand Ronde Indian Reservation es-
 12 tablished by the Executive order of June 30, 1857,
 13 pursuant to treaties with the Kalapuya, Molalla, and
 14 other tribes, or any part thereof by the Confederated
 15 Tribes of the Grand Ronde Community of Oregon, or
 16 any predecessor or successor in interest, are hereby ex-
 17 tinguished, and any transfers pursuant to the Act of
 18 April 28, 1904 (Chap. 1820; 33 Stat. 567) or other
 19 statute of the United States, by, from, or on behalf of
 20 the Confederated Tribes of the Grand Ronde Commu-

1 nity of Oregon, or any predecessor or successor inter-
2 est, shall be deemed to have been made in accordance
3 with the Constitution and all laws of the United
4 States that are specifically applicable to transfers of
5 lands or natural resources from, by, or on behalf of
6 any Indian, Indian nation, or tribe of Indians (in-
7 cluding, but not limited to, the Act of July 22, 1790,
8 commonly known as the ‘Trade and Intercourse Act
9 of 1790’ (1 Stat. 137, chapter 33, section 4)).

10 “(2) *LIABILITY.*—The Tribe shall assume respon-
11 sibility for lost revenues, if any, to any county be-
12 cause of the transfer of revested Oregon and Califor-
13 nia Railroad grant lands in section 30, Township 4
14 South, Range 7 West.”.

15 **(b) CIVIL AND CRIMINAL JURISDICTION.**—Section 3 of
16 such Act (102 Stat. 1595) is amended by adding at the end
17 the following: “Such exercise shall not affect the Tribe’s con-
18 current jurisdiction over such matters.”.

19 **SEC. 3. CONFEDERATED TRIBES OF THE SILETZ INDIANS**
20 **OF OREGON.**

21 Section 2 of the Act entitled “An Act to establish a
22 reservation for the Confederated Tribes of Siletz Indians of
23 Oregon, approved September 4, 1980 (Public Law 96–340;
24 94 Stat. 1072) is amended—

25 (1) by inserting “(a)” after “SEC. 2.”; and

1 (2) by adding at the end the following:

2 “(b)(1) The Secretary of the Interior, acting at the re-
3 quest of the Confederated Tribes of the Siletz Indians of Or-
4 regon, shall accept (subject to all valid rights-of-way and
5 easements existing on the date of such request) any appro-
6 priate warranty deed conveying to the United States in
7 trust for the Confederated Tribes of the Siletz Indians of
8 Oregon, contingent upon payment of all accrued and un-
9 paid taxes, the following parcels of land located in Lincoln
10 County, State of Oregon:

11 “(A) In Township 10 South, Range 8 West, Wil-
12 lamette Meridian—

13 “(i) a tract of land in the northwest and the
14 northeast quarters of section 7 consisting of
15 208.50 acres, more or less, conveyed to the Tribe
16 by warranty deed from John J. Jantzi and
17 Erma M. Jantzi on March 30, 1990; and

18 “(ii) 3 tracts of land in section 7 consisting
19 of 18.07 acres, more or less, conveyed to the Tribe
20 by warranty deed from John J. Jantzi and
21 Erma M. Jantzi on March 30, 1990.

22 “(B) In Township 10 South, Range 10 West,
23 Willamette Meridian—

24 “(i) a tract of land in section 4, including
25 a portion of United States Government Lot 31

1 *lying west and south of the Siletz River, consist-*
2 *ing of 15.29 acres, more or less, conveyed to the*
3 *Tribe by warranty deed from Patrick J. Collson*
4 *and Patricia Ann Collson on February 27, 1991;*

5 *“(ii) a tract of land in section 9, located in*
6 *Tract 60, consisting of 4.00 acres, more or less,*
7 *conveyed to the Tribe by contract of sale from*
8 *Gladys M. Faulkner on December 9, 1987;*

9 *“(iii) a tract of land in section 9, including*
10 *portions of the north one-half of United States*
11 *Government Lot 15, consisting of 7.34 acres,*
12 *more or less, conveyed to the Tribe by contract*
13 *of sale from Clayton E. Hursh and Anna L.*
14 *Hursh on December 9, 1987;*

15 *“(iv) a tract of land in section 9, including*
16 *a portion of the north one-half of United States*
17 *Government Lot 16, consisting of 5.62 acres,*
18 *more or less, conveyed to the Tribe by warranty*
19 *deed from Steve Jebert and Elizabeth Jebert on*
20 *December 1, 1987;*

21 *“(v) a tract of land in the southwest quarter*
22 *of the northwest quarter of section 9, consisting*
23 *of 3.45 acres, more or less, conveyed to the Tribe*
24 *by warranty deed from Eugenie Nashif on July*
25 *11, 1988; and*

1 “(vi) a tract of land in section 10, includ-
2 ing United States Government Lot 8 and por-
3 tions of United States Government Lot 7, con-
4 sisting of 29.93 acres, more or less, conveyed to
5 the Tribe by warranty deed from Doyle Grooms
6 on August 6, 1992.

7 “(C) In the northwest quarter of section 2 and
8 the northeast quarter of section 3, Township 7 South,
9 Range 11 West, Willamette Meridian, a tract of land
10 comprising United States Government Lots 58, 59,
11 63, and 64, Lincoln Shore Star Resort, Lincoln City,
12 Oregon.

13 “(2) The parcels of land described in paragraph (1),
14 together with the following tracts of lands which have been
15 conveyed to the United States in trust for the Confederated
16 Tribes of Siletz Indians of Oregon—

17 “(A) a tract of land in section 3, Township 10
18 South, Range 10 West, Willamette Meridian, includ-
19 ing portions of United States Government Lots 25,
20 26, 27, and 28, consisting of 49.35 acres, more or less,
21 conveyed by the Siletz Tribe to the United States in
22 trust for the Tribe on March 15, 1986; and

23 “(B) a tract of land in section 9, Township 10
24 South, Range 10 West, Willamette Meridian, includ-
25 ing United States Government Lot 33, consisting of

1 U.S.C. 177)) as if Congress had given its consent prior to
2 the transfer.

3 (b) *LANDS DESCRIBED.*—The lands referred to in sub-
4 section (a) are more particularly described as follows:

5 Tract 1-B-1 (1.9251 acres) and Tract 1-B-2-A
6 (0.0748 acres), Block 2 San Elizario, El Paso Coun-
7 ty, Texas.

8 **SEC. 5. AUTHORIZATION FOR 99-YEAR LEASES.**

9 The second sentence of subsection (a) of the first section
10 of the Act of August 9, 1955 (69 Stat. 539, chapter 615;
11 25 U.S.C. 415(a)) is amended by inserting “the Viejas In-
12 dian Reservation,” after “Soboba Indian Reservation,”.

13 **SEC. 6. WIND RIVER INDIAN IRRIGATION PROJECT.**

14 Funds appropriated for construction of the Wind
15 River Indian Irrigation Project for fiscal year 1990 (pursu-
16 ant to Public Law 101-121), fiscal year 1991 (pursuant
17 to the Department of the Interior and Related Agencies Ap-
18 propriations Act, 1991 (Public Law 101-512)), and fiscal
19 year 1992 (pursuant to the Department of the Interior and
20 Related Agencies Appropriations Act, 1992 (Public Law
21 102-154)) shall be made available on a nonreimbursable
22 basis.

1 **SEC. 7. REIMBURSEMENT OF COSTS INCURRED BY GILA**
2 **RIVER INDIAN COMMUNITY FOR CERTAIN**
3 **RECLAMATION CONSTRUCTION.**

4 *The Secretary of the Interior is authorized to pay*
5 *\$1,842,205 to the Gila River Indian Community as reim-*
6 *bursement for the costs incurred by the Gila River Indian*
7 *Community for construction allocated to irrigation on the*
8 *Sacaton Ranch that would have been nonreimbursable if*
9 *such construction had been performed by the Bureau of Rec-*
10 *lamation under section 402 of the Colorado River Basin*
11 *Project Act (43 U.S.C. 1542).*

12 **SEC. 8. RECOGNITION OF INDIAN COMMUNITY.**

13 *Section 10 of the Indian Law Technical Amendments*
14 *of 1987 (Public Law 100–153) is amended—*

15 *(1) by striking “The Frank’s” and inserting “(a)*
16 *Subject to subsection (b), the Frank’s”;*

17 *(2) by striking “recognized as eligible” and in-*
18 *serting the following:*

19 *“recognized—*

20 *“(1) as eligible”;*

21 *(3) by striking the period at the end and insert-*
22 *ing “; and”;* and

23 *(4) by adding at the end the following:*

24 *“(2) as a self-governing dependent Indian com-*
25 *munity that is not subject to the jurisdiction of any*
26 *federally recognized tribe.*

1 “(b)(1) *Nothing in this section may be construed to*
2 *alter or affect the jurisdiction of the State of Washington*
3 *under section 1162 of title 18, United States Code.*

4 “(2) *Nothing in this section may be construed to con-*
5 *stitute the recognition by the United States that the Frank’s*
6 *Landing Indian Community is a federally recognized In-*
7 *dian tribe.*

8 “(3) *Notwithstanding any other provision of law, the*
9 *Frank’s Landing Indian Community shall not engage in*
10 *any class III gaming activity (as defined in section 3(8)*
11 *of the Indian Gaming Regulatory Act of 1988 (25 U.S.C.*
12 *2703(8)).”.*

13 **SEC. 9. RECONVEYANCE OF CERTAIN EXCESS LANDS.**

14 (a) *IN GENERAL.*—*The Congress finds that the Sac*
15 *and Fox Nation of Oklahoma has determined the lands de-*
16 *scribed in subsection (b) to be excess to their needs and*
17 *should be returned to the original Indian grantors or their*
18 *heirs. The Secretary of the Interior is authorized to accept*
19 *transfer of title from the Sac and Fox Nation of Oklahoma*
20 *of its interest in the lands described in subsection (b).*

21 (b) *PERSONS AND LANDS.*—*The lands and individuals*
22 *referred to in subsection (a) are as follows:*

23 (1) *To the United States of America in trust for*
24 *Sadie Davis, now Tyner, or her heirs or devisees, the*
25 *Surface and Surface Rights only in and to the*

1 *SE¹/₄SE¹/₄SE¹/₄SE¹/₄ of section 28, Township 17*
2 *North, Range 6 East of the Indian Meridian, Lincoln*
3 *County, Oklahoma, containing 2.50 acres, more or*
4 *less.*

5 *(2) To the United States of America in trust for*
6 *Mabel Wakole, or her heirs or devisees, the Surface*
7 *and Surface Rights only in and to the NE¹/₄NE¹/₄ of*
8 *Lot 6 of NW¹/₄ of section 14, Township 11 North,*
9 *Range 4 East of the Indian Meridian, Pottawatomie*
10 *County, Oklahoma, containing 2.50 acres, more or*
11 *less.*

12 **SEC. 10. TITLE I OF PUBLIC LAW 97-459, PERTAINING TO**
13 **THE DEVILS LAKE SIOUX TRIBE.**

14 *Paragraph (1) of section 108(a) of title I of Public*
15 *Law 97-459 (96 Stat. 2515) is amended by striking out*
16 *“of the date of death of the decedent” and inserting in lieu*
17 *thereof “after the date on which the Secretary’s determina-*
18 *tion of the heirs of the decedent becomes final”.*

19 **SEC. 11. NORTHERN CHEYENNE LAND TRANSFER.**

20 *(a) IN GENERAL.—Notwithstanding any contrary pro-*
21 *vision of law, the Secretary of the Interior or an authorized*
22 *representative of the Secretary (referred to in this section*
23 *as the “Secretary”) is hereby authorized and directed to*
24 *transfer by deed to Lame Deer High School District No.*
25 *6, Rosebud County, Montana (referred to in this section as*

1 the "School District"), all right, title, and interest of the
2 United States and the Northern Cheyenne Tribe (referred
3 to in this section as the "Tribe") in and to the lands de-
4 scribed in this subsection (referred to in this section as
5 "Subject Lands"), to be held and used by the School District
6 for the exclusive purpose of constructing and operating
7 thereon a public high school and related facilities. The Sub-
8 ject Lands consist of a tract of approximately 40 acres with-
9 in the Northern Cheyenne Indian Reservation, more par-
10 ticularly described as follows:

11 A tract of land located in the $W^{1/2}$ $SE^{1/4}$ and the $E^{1/2}$
12 $SW^{1/4}$ of section 10, Township 3 South, Range 41
13 East, M.P.M., described as follows: Beginning at the
14 south $1/4$ corner of said section 10, thence south 89 de-
15 grees 56 minutes west 393.31 feet on and along the
16 south line of said section 10 to the true point of be-
17 ginning, thence south 89 degrees 56 minutes west
18 500.0 feet on and along said section line, thence north
19 00 degrees 00 minutes east, 575.0 feet, thence north 54
20 degrees 9 minutes 22 seconds east 2382.26 feet, thence
21 south 23 degrees 44 minutes 21 seconds east 622.56
22 feet, thence south 51 degrees 14 minutes 40 seconds
23 west 2177.19 feet to the true point of beginning, con-
24 taining in all 40.0 acres, more or less.

25 (b) DEED AND LEASE.—

1 (1) *IN GENERAL.*—*The deed issued under this*
2 *section shall provide that—*

3 (A) *title to all coal and other minerals, in-*
4 *cluding oil, gas, and other natural deposits,*
5 *within the Subject Lands shall remain in the*
6 *Secretary in trust for the Tribe, as provided in*
7 *Public Law 90–424 (82 Stat. 424);*

8 (B) *the Subject Lands may be used for the*
9 *purpose of constructing and operating a public*
10 *high school and related facilities thereon, and for*
11 *no other purpose;*

12 (C) *title to the Subject Lands, free and clear*
13 *of all liens and encumbrances, shall automati-*
14 *cally revert to the Secretary in trust for the*
15 *Tribe, and the deed shall be of no further force*
16 *or effect, if, within 8 years after the date of the*
17 *deed, classes have not commenced in a perma-*
18 *nent public high school facility established on the*
19 *Subject Lands, or if such classes commence at the*
20 *facility within such 8-year period, but the facil-*
21 *ity subsequently permanently ceases operating as*
22 *a public high school; and*

23 (D) *at any time after the conclusion of the*
24 *current litigation (commenced before the date of*
25 *enactment of this Act and including all trial*

1 *and, if any, appellate proceedings) challenging*
2 *the November 9, 1993, decision of the Super-*
3 *intendent of Public Instruction for the State of*
4 *Montana granting the petition to create the*
5 *School District, and with the prior approval of*
6 *the Superintendent of Public Instruction (re-*
7 *ferred to in this section as the “Superintendent’s*
8 *Approval”), the Tribe shall have the right to re-*
9 *place the deed with a lease covering the Subject*
10 *Lands issued under section 1(a) of the Act of Au-*
11 *gust 9, 1955 (69 Stat. 539, chapter 615; 25*
12 *U.S.C. 415(a)) having a term of 25 years, with*
13 *a right to renew for an additional 25 years.*

14 (2) *CONDITIONS OF LEASE.—Under the lease re-*
15 *ferred to in paragraph (1)(D), the Subject Lands*
16 *shall be leased rent free to the School District for the*
17 *exclusive purpose of constructing and operating a*
18 *public high school and related facilities thereon. The*
19 *lease shall terminate if, within 8 years after the date*
20 *of the deed, classes have not commenced in a perma-*
21 *nent public high school facility established on the*
22 *Subject Lands, or if such classes commence at the fa-*
23 *cility within such 8-year period, but the facility sub-*
24 *sequently permanently ceases operating as a public*
25 *high school. In the event the Tribe seeks and obtains*

1 *the Superintendent's Approval, the Tribe may tender*
2 *a lease, signed by the Tribe and approved by the Sec-*
3 *retary, which complies with the provisions of this sub-*
4 *section. Upon such tender, the deed shall be of no fur-*
5 *ther force or effect, and, subject to the leasehold inter-*
6 *est offered to the School District, title to the Subject*
7 *Lands, free and clear of all liens and encumbrances,*
8 *shall automatically revert to the Secretary in trust for*
9 *the Tribe. The Tribe may at any time irrevocably re-*
10 *linquish the right provided to it under this subsection*
11 *by resolution of the Northern Cheyenne Tribal Coun-*
12 *cil explicitly so providing.*

13 *(c) EFFECT OF ACCEPTANCE OF DEED.—Upon the*
14 *School District's acceptance of a deed delivered under this*
15 *section, the School District, and any party who may subse-*
16 *quently acquire any right, title, or interest of any kind*
17 *whatsoever in or to the Subject Lands by or through the*
18 *School District, shall be subject to, be bound by, and comply*
19 *with all terms and conditions set forth in subparagraphs*
20 *(A) through (D) of subsection (b)(1).*

21 **SEC. 12. INDIAN AGRICULTURE AMENDMENT.**

22 *(a) LEASING OF INDIAN AGRICULTURAL LANDS.—Sec-*
23 *tion 105 of the American Indian Agriculture Resource Man-*
24 *agement Act (25 U.S.C. 3715) is amended—*

25 *(1) in subsection (b)—*

1 (A) by striking “and” at the end of para-
2 graph (3);

3 (B) by striking the period at the end of
4 paragraph (4) and inserting “; and”; and

5 (C) by adding at the end the following new
6 paragraph:

7 “(5) shall approve leases and permits of tribally
8 owned agricultural lands at rates determined by the
9 tribal governing body.”; and

10 (2) in subsection (c), amending paragraph (1) to
11 read as follows:

12 “(1) Nothing in this section shall be construed as limit-
13 ing or altering the authority or right of an individual allot-
14 tee or Indian tribe in the legal or beneficial use of his, her,
15 or its own land or to enter into an agricultural lease of
16 the surface interest of his, her, or its allotment or land
17 under any other provision of law.”.

18 (b) *TRIBAL IMMUNITY*.—The American Indian Agri-
19 culture Resource Management Act (25 U.S.C. 3701 et seq.)
20 is amended by adding at the end the following new section:

21 “**SEC. 306. TRIBAL IMMUNITY.**

22 “Nothing in this Act shall be construed to affect, mod-
23 ify, diminish, or otherwise impair the sovereign immunity
24 from suit enjoyed by Indian tribes.”.

1 **SEC. 13. SAN CARLOS APACHE WATER RIGHTS SETTLEMENT**

2 **ACT OF 1992.**

3 *Section 3711(b)(1) of title XXXVII of the San Carlos*
4 *Apache Tribe Water Rights Settlement Act of 1992 (106*
5 *Stat. 4752) is amended by striking “December 31, 1994”*
6 *and inserting “December 31, 1995”.*

7 **SEC. 14. RELATIONSHIP BETWEEN BUY INDIAN ACT AND**
8 **MENTOR-PROTEGE PROGRAM.**

9 *Section 23 of the Act of June 25, 1910 (36 Stat. 861;*
10 *25 U.S.C. 47; commonly referred to as the “Buy Indian*
11 *Act”), is amended by adding at the end the following: “Par-*
12 *ticipation in the Mentor-Protege Program established under*
13 *section 831 of the National Defense Authorization Act for*
14 *Fiscal Year 1991 (10 U.S.C. 2301 note) or receipt of assist-*
15 *ance pursuant to any developmental assistance agreement*
16 *authorized under such program shall not render Indian*
17 *labor or Indian industry ineligible to receive any assistance*
18 *authorized under this section. For the purposes of this sec-*
19 *tion—*

20 *“(1) no determination of affiliation or control*
21 *(either direct or indirect) may be found between a*
22 *protege firm and its mentor firm on the basis that the*
23 *mentor firm has agreed to furnish (or has furnished)*
24 *to its protege firm pursuant to a mentor-protege*
25 *agreement any form of developmental assistance de-*
26 *scribed in subsection (f) of section 831 of the National*

1 *Defense Authorization Act for Fiscal Year 1991 (10*
2 *U.S.C. 2301 note); and*

3 “(2) the terms ‘protege firm’ and ‘mentor firm’
4 *have the meaning given such terms in subsection (c)*
5 *of such section 831.”.*

6 **SEC. 15. ACQUISITION OF LANDS ON WIND RIVER RESERVA-**
7 **TION.**

8 (a) *AUTHORITY TO HOLD LANDS IN TRUST FOR THE*
9 *INDIVIDUAL TRIBE.*—*The Secretary of the Interior is hereby*
10 *authorized to acquire individually in the name of the Unit-*
11 *ed States in trust for the benefit of the Eastern Shoshone*
12 *Tribe of the Wind River Reservation or the Northern Arap-*
13 *aho Tribe of the Wind River Reservation, as appropriate,*
14 *lands or other rights when the individual assets of only one*
15 *of the tribes is used to acquire such lands or other rights.*

16 (b) *LANDS REMAIN PART OF JOINT RESERVATION*
17 *SUBJECT TO EXCLUSIVE TRIBAL CONTROL.*—*Any lands ac-*
18 *quired under subsection (a) within the exterior boundaries*
19 *of the Wind River Reservation shall remain a part of the*
20 *Reservation and subject to the joint tribal laws of the Res-*
21 *ervation, except that the lands so acquired shall be subject*
22 *to the exclusive use and control of the tribe for which such*
23 *lands were acquired.*

1 (c) *INCOME*.—*The income from lands acquired under*
2 *subsection (a) shall be credited to the tribe for which such*
3 *lands were acquired.*

4 (d) *SAVINGS PROVISION*.—*Nothing in this section shall*
5 *be construed to prevent the joint acquisition of lands for*
6 *the benefit of the Eastern Shoshone Tribe of the Wind River*
7 *Reservation and the Northern Arapaho Tribe of the Wind*
8 *River Reservation.*

9 **SEC. 16. ADVANCED TRAINING AND RESEARCH.**

10 *Section 111 of the Indian Health Care Improvement*
11 *Act (25 U.S.C. 1616d) is amended—*

12 (1) *in subsection (a)—*

13 (A) *by striking “who have worked in an In-*
14 *dian health program (as defined in section*
15 *108(a)(2)) for a substantial period of time”;* and

16 (B) *by adding at the end the following new*
17 *sentence: “In selecting participants for a pro-*
18 *gram established under this subsection, the Sec-*
19 *retary, acting through the Service, shall give pri-*
20 *ority to applicants who are employed by the In-*
21 *dian Health Service, Indian tribes, tribal orga-*
22 *nizations, and urban Indian organizations, at*
23 *the time of the submission of the applications.”;*
24 *and*

1 *Affairs, Muskogee Area Office, dated September 21, 1993,*
2 *and the accompanying Resolution that was approved by the*
3 *Business Committee of the Ottawa Tribe of Oklahoma Au-*
4 *gust 19, 1993, the specific changes in the Secretarial Plan*
5 *that became effective on June 14, 1983, for the use of funds*
6 *that were awarded in satisfaction of judgments in final*
7 *awards by the Indian Claims Commission for claims with*
8 *the following docket numbers: 133-A, 133-B, 133-C, 302,*
9 *and 338.*

10 **SEC. 19. APPLICABILITY OF FEDERAL ADVISORY COMMIT-**
11 **TEE ACT.**

12 *The activities of the Department of the Interior associ-*
13 *ated with the Department's consultation with Indian tribes*
14 *organizations related to the management of funds held in*
15 *trust by the United States for Indian tribes shall be exempt*
16 *from the Federal Advisory Committee Act (5 U.S.C. App.).*

17 **SEC. 20. POKAGON POTAWATOMI MEMBERSHIP LIST.**

18 *The Act entitled "An Act to restore Federal services*
19 *to the Pokagon Band of Potawatomi Indians", approved*
20 *September 21, 1994 (Public Law 103-323) is amended—*

21 *(1) by redesignating section 9 as section 10; and*

22 *(2) by inserting after section 8 the following new*

23 *section:*

1 **“SEC. 9. MEMBERSHIP LIST.**

2 “(a) *LIST OF MEMBERS AS OF SEPTEMBER 1994.*—
3 *Not later than 120 days after the date of enactment of this*
4 *Act, the Bands shall submit to the Secretary a list of all*
5 *individuals who, as of September 21, 1994, were members*
6 *of the respective Bands.*

7 “(b) *LIST OF INDIVIDUALS ELIGIBLE FOR MEMBER-*
8 *SHIP.*—

9 “(1) *IN GENERAL.*—*Not later than 18 months*
10 *after the date of enactment of this Act, the Bands*
11 *shall submit to the Secretary membership rolls that*
12 *contain the names of all individuals eligible for mem-*
13 *bership in such Bands. Each such Band, in consulta-*
14 *tion with the Secretary, shall determine whether an*
15 *individual is eligible for membership in the Band on*
16 *the basis of provisions in the governing documents of*
17 *the Band that determine the qualifications for inclu-*
18 *sion in the membership roll of the Band.*

19 “(2) *PUBLICATION OF NOTICE.*—*At such time as*
20 *the rolls have been submitted to the Secretary, the*
21 *Secretary shall immediately publish in the Federal*
22 *Register a notice of such rolls.*

23 “(3) *MAINTENANCE OF ROLLS.*—*The Bands shall*
24 *ensure that the rolls are maintained and kept cur-*
25 *rent.”.*

1 **SEC. 21. ODAWA AND OTTAWA MEMBERSHIP LISTS.**

2 *The Little Traverse Bay Bands of Odawa and the Lit-*
3 *tle River Band of Ottawa Indians Act (Public Law 103-*
4 *324) is amended by adding at the end the following new*
5 *section:*

6 **“SEC. 9. MEMBERSHIP LIST.**

7 *“(a) LIST OF PRESENT MEMBERSHIP.—Not later than*
8 *120 days after the date of enactment of this Act, the Band*
9 *shall submit to the Secretary a list of all individuals who,*
10 *as of September 21, 1994, were members of the Band.*

11 *“(b) LIST OF INDIVIDUALS ELIGIBLE FOR MEMBER-*
12 *SHIP.—*

13 *“(1) IN GENERAL.—Not later than 18 months*
14 *after the date of enactment of this Act, the Band shall*
15 *submit to the Secretary membership rolls that contain*
16 *the names of all individuals eligible for membership*
17 *in such Band. The Band, in consultation with the*
18 *Secretary, shall determine whether an individual is*
19 *eligible for membership in the Band on the basis of*
20 *provisions in the governing documents of the Band*
21 *that determine the qualifications for inclusion in the*
22 *membership roll of the Band.*

23 *“(2) PUBLICATION OF NOTICE.—At such time as*
24 *the rolls have been submitted to the Secretary, the*
25 *Secretary shall immediately publish in the Federal*
26 *Register a notice of such rolls.*

1 “(3) *MAINTENANCE OF ROLLS.*—*The Band shall*
2 *ensure that the rolls are maintained and kept cur-*
3 *rent.*”.

4 **SEC. 22. INDIAN SELF-DETERMINATION AND EDUCATION**
5 **ASSISTANCE ACT.**

6 (a) *IN GENERAL.*—*The Indian Self-Determination Act*
7 *is amended—*

8 (1) *in section 107(b)(2) (25 U.S.C. 450k(b)(2)),*
9 *by striking “Committee on Interior and Insular Af-*
10 *fairs” and inserting “Committee on Natural Re-*
11 *sources”;*

12 (2) *in section 301 (25 U.S.C. 450f note), by*
13 *striking “eight” and inserting “18”; and*

14 (3) *in section 302(a) (25 U.S.C. 450f note), by*
15 *striking “The Secretaries” and inserting “For each*
16 *fiscal year, the Secretaries”.*

17 (b) *ADVISORY COMMITTEES.*—*The Indian Self-Deter-*
18 *mination and Education Assistance Act Amendments of*
19 *1990 (title II of Public Law 101–644) is amended by add-*
20 *ing at the end the following new section:*

21 **“SEC. 204. TRIBAL AND FEDERAL ADVISORY COMMITTEES.**

22 *“Notwithstanding any other provision of law (includ-*
23 *ing any regulation), the Secretary of the Interior and the*
24 *Secretary of Health and Human Services are authorized*
25 *to jointly establish and fund advisory committees or other*

1 *advisory bodies composed of members of Indian tribes or*
2 *members of Indian tribes and representatives of the Federal*
3 *Government to ensure tribal participation in the implemen-*
4 *tation of the Indian Self-Determination and Education As-*
5 *sistance Act (Public Law 93-638).”.*

6 **SEC. 23. CROW BOUNDARY SETTLEMENT.**

7 *Section 6(c) of the Crow Boundary Settlement Act of*
8 *1994 is amended to read as follows:*

9 *“(c) INVESTMENT.—At the request of the Secretary, the*
10 *Secretary of the Treasury shall invest all sums deposited*
11 *into, accruing to, and remaining in, the Crow Tribal Trust*
12 *Fund in accordance with the first section of the Act of Feb-*
13 *ruary 12, 1929 (45 Stat. 1164, chapter 178, 25 U.S.C.*
14 *161a).”.*

Attest:

Secretary.

HR 4709 EAS—2

HR 4709 EAS—3

HR 4709 EAS—4