

107TH CONGRESS
2^D SESSION

S. 2711

To reauthorize and improve programs relating to Native Americans.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2002

Mr. INOUE (for himself and Mr. CAMPBELL) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To reauthorize and improve programs relating to Native
Americans.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Indian Programs Reauthorization and Technical Amend-
6 ments Act of 2002”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REAUTHORIZATIONS

Sec. 101. Bosque Redondo Memorial Act.

Sec. 102. Navajo-Hopi Land Settlement Act of 1974.

- Sec. 103. Indian Health Care Improvement Act.
 Sec. 104. Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986.
 Sec. 105. Indian Child Protection and Family Violence Prevention Act.
 Sec. 106. Native American Programs Act of 1974.
 Sec. 107. Native Hawaiian Health Care Improvement Act.
 Sec. 108. Four Corners Interpretive Center Act.

TITLE II—PROVISIONS RELATING TO PARTICULAR INDIAN
 TRIBES

- Sec. 201. Authorization of 99-year leases for Confederated Tribes of the Umatilla Indian Reservation.
 Sec. 202. Cow Creek land selection.
 Sec. 203. Navajo-Hopi Relocation Impact Study.
 Sec. 204. Ponca Tribe of Nebraska.
 Sec. 205. Mississippi Band of Choctaw Indians.
 Sec. 206. Modification of Pueblo de Cochiti Settlement.
 Sec. 207. Chippewa Cree Tribe of the Rocky Boy's Reservation settlement modification.
 Sec. 208. Disposal of Oil Shale Reserve Numbered 2.
 Sec. 209. Land of Pechanga Band of Luiseno Mission Indians.
 Sec. 210. Quinault Indian Nation water feasibility study.
 Sec. 211. Waiver of repayment of expert assistance loans to the Pueblo of Santo Domingo.
 Sec. 212. Trinity River record of decision.

TITLE III—NATIVE AMERICAN PROGRAMS

- Sec. 301. Trademarks for Indian arts and crafts.
 Sec. 302. Tribally controlled postsecondary vocational and technical institutions.
 Sec. 303. Self-determination provisions.
 Sec. 304. Indian land consolidation.

1 TITLE I—REAUTHORIZATIONS

2 SEC. 101. BOSQUE REDONDO MEMORIAL ACT.

3 Section 206 of the Bosque Redondo Memorial Act
4 (16 U.S.C. 431 note; Public Law 106–511) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “2000”
7 and inserting “2004”; and

8 (B) in paragraph (2), by striking “2001
9 and 2002” and inserting “2005 and 2006”;

10 and

1 (2) in subsection (b), by striking “2002” and
2 inserting “2006,”.

3 **SEC. 102. NAVAJO-HOPI LAND SETTLEMENT ACT OF 1974.**

4 Section 25(a)(8) of Public Law 93–531 (commonly
5 known as the “Navajo-Hopi Land Settlement Act of
6 1974”) (25 U.S.C. 640d–24(a)(8)) is amended by striking
7 “annually for fiscal years 1995, 1996, 1997, 1998, 1999,
8 and 2000” and inserting “for each of fiscal years 2002
9 through 2006”.

10 **SEC. 103. INDIAN HEALTH CARE IMPROVEMENT ACT.**

11 (a) INDIAN HEALTH PROFESSIONAL PERSONNEL.—
12 Title I of the Indian Health Care Improvement Act is
13 amended by striking section 123 (25 U.S.C. 1616p) and
14 inserting the following:

15 **“SEC. 123. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this title such sums as are necessary for each of fiscal
18 years 2002 through 2006.”.

19 (b) HEALTH SERVICES.—

20 (1) AUTHORIZATION OF APPROPRIATIONS.—

21 (A) INTERMEDIATE ADOLESCENT MENTAL
22 HEALTH SERVICES.—Section 209(m) of the In-
23 dian Health Care Improvement Act (25 U.S.C.
24 1621h(m)) is amended by striking paragraph
25 (6) and inserting the following:

1 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as are necessary for each of fiscal years 2002
4 through 2006.”.

5 (B) CALIFORNIA CONTRACT HEALTH SERV-
6 ICES DEMONSTRATION PROGRAM.—Section 211
7 of the Indian Health Care Improvement Act
8 (25 U.S.C. 1621j) is amended by striking sub-
9 section (g) and inserting the following:

10 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 such sums as are necessary for each of fiscal years 2002
13 through 2006.”.

14 (C) PATIENT TRAVEL COSTS.—Section 213
15 of the Indian Health Care Improvement Act
16 (25 U.S.C. 1621l) is amended by striking sub-
17 section (b) and inserting the following:

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 such sums as are necessary for each of fiscal years 2002
21 through 2006.”.

22 (D) EPIDEMIOLOGY CENTERS.—Section
23 214(b) of the Indian Health Care Improvement
24 Act (25 U.S.C. 1621m(b)) is amended by strik-
25 ing paragraph (6) and inserting the following:

1 “(6) AUTHORIZATION OF APPROPRIATIONS.—
2 There are authorized to be appropriated to carry out
3 this subsection such sums as are necessary for each
4 of fiscal years 2002 through 2006.”.

5 (E) COMPREHENSIVE SCHOOL HEALTH
6 EDUCATION PROGRAMS.—Section 215 of the In-
7 dian Health Care Improvement Act (25 U.S.C.
8 1621n) is amended by striking subsection (g)
9 and inserting the following:

10 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 such sums as are necessary for each of fiscal years 2002
13 through 2006.”.

14 (F) INDIAN YOUTH GRANT PROGRAM.—
15 Section 216 of the Indian Health Care Im-
16 provement Act (25 U.S.C. 1621o) is amended
17 by striking subsection (e) and inserting the fol-
18 lowing:

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 such sums as are necessary for each of fiscal years 2002
22 through 2006.”.

23 (2) ADDITIONAL AUTHORIZATION OF APPRO-
24 PRIATIONS.—Title II of the Indian Health Care Im-

1 provement Act is amended by striking section 224
2 (25 U.S.C. 1621w) and inserting the following:

3 **“SEC. 224. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated to carry out
5 this title (other than sections 209(m), 211(g), 213(b),
6 214(b)(6), 215(g), and 216(e)) such sums as are nec-
7 essary for each of fiscal years 2002 through 2006.”.

8 (c) HEALTH FACILITIES.—Title III of the Indian
9 Health Care Improvement Act is amended by striking sec-
10 tion 309 (25 U.S.C. 1638a) and inserting the following:

11 **“SEC. 309. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out
13 this title such sums as are necessary for each of fiscal
14 years 2002 through 2006.”.

15 (d) ACCESS TO HEALTH SERVICES.—Title IV of the
16 Indian Health Care Improvement Act is amended by strik-
17 ing section 407 (25 U.S.C. 1647) and inserting the fol-
18 lowing:

19 **“SEC. 407. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated to carry out
21 this title such sums as are necessary for each of fiscal
22 years 2002 through 2006.”.

23 (e) HEALTH SERVICES FOR URBAN INDIANS.—Title
24 V of the Indian Health Care Improvement Act is amended

1 by striking section 514 (25 U.S.C. 1660d) and inserting
2 the following:

3 **“SEC. 514. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated to carry out
5 this title such sums as are necessary for each of fiscal
6 years 2002 through 2006.”.

7 (f) ORGANIZATIONAL IMPROVEMENTS.—Title VI of
8 the Indian Health Care Improvement Act is amended by
9 striking section 603 (25 U.S.C. 1663) and inserting the
10 following:

11 **“SEC. 603. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out
13 this title such sums as are necessary for each of fiscal
14 years 2002 through 2006.”.

15 (g) SUBSTANCE ABUSE PROGRAMS.—

16 (1) AUTHORIZATION OF APPROPRIATIONS.—

17 (A) INDIAN WOMEN TREATMENT PRO-
18 GRAMS.—Section 703 of the Indian Health
19 Care Improvement Act (25 U.S.C. 1665b) is
20 amended by striking subsection (d) and insert-
21 ing the following:

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) IN GENERAL.—Subject to paragraph (2),
24 there are authorized to be appropriated to carry out

1 this section such sums as are necessary for each of
2 fiscal years 2002 through 2006.

3 “(2) GRANTS.—Of the funds made available
4 under paragraph (1) for a fiscal year, 20 percent
5 shall be used to provide grants to urban Indian or-
6 ganizations funded under title V.”.

7 (B) GALLUP ALCOHOL AND SUBSTANCE
8 ABUSE TREATMENT CENTER.—Section 706 of
9 the Indian Health Care Improvement Act (25
10 U.S.C. 1665e) is amended by striking sub-
11 section (d) and inserting the following:

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this section
14 such sums as are necessary for each of fiscal years 2002
15 through 2006.”.

16 (C) FETAL ALCOHOL SYNDROME AND
17 FETAL ALCOHOL EFFECT GRANTS.—Section
18 708 of the Indian Health Care Improvement
19 Act (25 U.S.C. 1665g) is amended by striking
20 subsection (f) and inserting the following:

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—Subject to paragraph (2),
23 there are authorized to be appropriated to carry out
24 this section such sums as are necessary for each of
25 fiscal years 2002 through 2006.

1 “(2) GRANTS.—Of the funds made available
2 under paragraph (1) for a fiscal year, 10 percent
3 shall be used to provide grants to urban Indian or-
4 ganizations funded under title V.”.

5 (D) THUNDER CHILD TREATMENT CEN-
6 TER.—Section 710 of the Indian Health Care
7 Improvement Act (25 U.S.C. 1665i) is
8 amended—

9 (i) by striking “(b) For the purposes
10 of” and all that follows through “No fund-
11 ing” and inserting the following:

12 “(b) AUTHORIZATION OF APPROPRIATIONS.—

13 “(1) IN GENERAL.—There are authorized to be
14 appropriated to carry out this section such sums as
15 are necessary for each of fiscal years 2002 through
16 2006.

17 “(2) STAFFING AND OPERATION.—No fund-
18 ing”; and

19 (ii) in the third sentence, by striking
20 “None of the funding” and inserting the
21 following:

22 “(3) ADMINISTRATIVE PURPOSES.—None of the
23 funding”.

24 (E) SUBSTANCE ABUSE COUNSELOR EDU-
25 CATION DEMONSTRATION PROJECT.—Section

1 711 of the Indian Health Care Improvement
2 Act (25 U.S.C. 1665j) is amended by striking
3 subsection (h) and inserting the following:

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 such sums as are necessary for each of fiscal years 2002
7 through 2006, to remain available until expended.”.

8 (2) ADDITIONAL AUTHORIZATION OF APPRO-
9 PRIATIONS.—Title VII of the Indian Health Care
10 Improvement Act is amended by striking section 714
11 (25 U.S.C. 1665m) and inserting the following:

12 **“SEC. 714. AUTHORIZATION OF APPROPRIATIONS.**

13 ““There are authorized to be appropriated to carry out
14 this title (other than sections 703(d), 706(d), 708(f),
15 710(b), and 711(h)) such sums as are necessary for each
16 of fiscal years 2002 through 2006.”.

17 (h) MISCELLANEOUS.—

18 (1) HOME- AND COMMUNITY-BASED CARE DEM-
19 ONSTRATION PROJECT.—Section 821 of the Indian
20 Health Care Improvement Act (25 U.S.C. 1680k) is
21 amended by striking subsection (i) and inserting the
22 following:

23 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section

1 such sums as are necessary for each of fiscal years 2002
2 through 2006, to remain available until expended.”.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—

4 Title VIII of the Indian Health Care Improvement
5 Act is amended by striking section 825 (25 U.S.C.
6 1680o) and inserting the following:

7 **“SEC. 825. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this title (other than section 821) such sums as are nec-
10 essary for each of fiscal years 2002 through 2006.”.

11 **SEC. 104. INDIAN ALCOHOL AND SUBSTANCE ABUSE PRE-**

12 **VENTION AND TREATMENT ACT OF 1986.**

13 (a) TRIBAL ACTION PLANS.—

14 (1) IN GENERAL.—Section 4206(d) of the In-
15 dian Alcohol and Substance Abuse Prevention and
16 Treatment Act of 1986 (25 U.S.C. 2412(d)) is
17 amended—

18 (A) by striking “(1) The Secretary” and
19 inserting the following:

20 “(1) IN GENERAL.—The Secretary”; and

21 (B) by striking paragraph (2) and insert-
22 ing the following:

23 “(2) AUTHORIZATION OF APPROPRIATIONS.—

24 There are authorized to be appropriated to carry out

1 this subsection such sums as are necessary for each
2 of fiscal years 2002 through 2006.”.

3 (2) ADDITIONAL AUTHORIZATION.—Section
4 4206(f) of the Indian Alcohol and Substance Abuse
5 Prevention and Treatment Act of 1986 (25 U.S.C.
6 2412(f)) is amended—

7 (A) by striking “(f)(1) The Secretary” and
8 inserting the following:

9 “(f) GRANTS FOR IN-SCHOOL TRAINING PRO-
10 GRAMS.—

11 “(1) IN GENERAL.—The Secretary”;

12 (B) in paragraph (2)—

13 (i) by striking “(2) Funds” and in-
14 serting the following:

15 “(2) USE OF FUNDS.—Funds”; and

16 (ii) by indenting subparagraphs (A)
17 through (E) appropriately; and

18 (C) by striking paragraph (3) and insert-
19 ing the following:

20 “(3) AUTHORIZATION OF APPROPRIATIONS.—

21 There are authorized to be appropriated to carry out
22 this subsection such sums as are necessary for each
23 of fiscal years 2002 through 2006.”.

24 (b) NEWSLETTER.—Section 4210 of the Indian Alco-
25 hol and Substance Abuse Prevention and Treatment Act

1 of 1986 (25 U.S.C. 2416) is amended by striking sub-
2 section (b) and inserting the following:

3 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 such sums as are necessary for each of fiscal years 2002
6 through 2006.”.

7 (c) INDIAN EDUCATION PROGRAMS.—Section
8 4212(a) of the Indian Alcohol and Substance Abuse Pre-
9 vention and Treatment Act of 1986 (25 U.S.C. 2432(a))
10 is amended—

11 (1) in the first sentence, by striking “The As-
12 sistant Secretary of Indian Affairs” and inserting
13 the following:

14 “(1) IN GENERAL.—The Assistant Secretary of
15 Indian Affairs”;

16 (2) in the second sentence, by striking “The As-
17 sistant Secretary shall” and inserting the following:

18 “(2) DEFRAIMENT OF COSTS.—The Assistant
19 Secretary shall”; and

20 (3) by striking the third sentence and inserting
21 the following:

22 “(3) AUTHORIZATION OF APPROPRIATIONS.—
23 There are authorized to be appropriated to carry out
24 this subsection such sums as are necessary for each
25 of fiscal years 2002 through 2006.”.

1 (d) EMERGENCY SHELTERS.—Section 4213(e) of the
2 Indian Alcohol and Substance Abuse Prevention and
3 Treatment Act of 1986 (25 U.S.C. 2433(e)) is amended—

4 (1) by striking paragraphs (1) through (3) and
5 inserting the following:

6 “(1) IN GENERAL.—There are authorized to be
7 appropriated to carry out planning and design, con-
8 struction, and renovation of, or to purchase or lease
9 land or facilities for, emergency shelters and halfway
10 houses to provide emergency care for Indian youth,
11 such sums as are necessary for each of fiscal years
12 2002 through 2006.

13 “(2) STAFFING AND OPERATION.—There is au-
14 thorized to be appropriated for staffing and oper-
15 ation of emergency shelters and halfway houses de-
16 scribed in paragraph (1) \$7,000,000 for each of fis-
17 cal years 2002 through 2006.

18 “(3) ALLOCATION.—

19 “(A) IN GENERAL.—The Secretary of the
20 Interior shall allocate funds made available
21 under this subsection to Indian tribes on the
22 basis of priority of need of the Indian tribes.

23 “(B) CONTRACTING AND GRANTS.—Funds
24 allocated under subparagraph (A) shall be sub-
25 ject to contracting or available for grants under

1 the Indian Self-Determination Act (25 U.S.C.
2 450f et seq.)”;

3 (2) in paragraph (4), by striking “(4) Funds”
4 and inserting the following:

5 “(4) CONDITIONS FOR USE.—Funds”; and

6 (3) in paragraph (5)—

7 (A) by striking “(5) Nothing in this Act
8 may be construed” and inserting the following:

9 “(5) EFFECT ON OTHER AUTHORITY.—Nothing
10 in this Act”;

11 (B) in subparagraph (A)—

12 (i) by striking “to limit” and inserting
13 “limits”; and

14 (ii) by striking “houses, or” and in-
15 serting “houses; or”; and

16 (C) in subparagraph (B), by striking “to
17 require” and inserting “requires”.

18 (e) ILLEGAL NARCOTICS TRAFFIC ON THE TOHONO
19 O’ODHAM AND ST. REGIS RESERVATIONS; SOURCE
20 ERADICATION.—Section 4216 of the Indian Alcohol and
21 Substance Abuse Prevention and Treatment Act of 1986
22 (25 U.S.C. 2442) is amended—

23 (1) in subsection (a), by striking paragraph (3)
24 and inserting the following:

1 “(3) AUTHORIZATION OF APPROPRIATIONS.—
2 There are authorized to be appropriated to carry out
3 this subsection such sums as are necessary for each
4 of fiscal years 2002 through 2006.”; and

5 (2) in subsection (b), by striking paragraph (2)
6 and inserting the following:

7 “(2) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated to carry out
9 this subsection such sums as are necessary for each
10 of fiscal years 2002 through 2006.”.

11 (f) BUREAU OF INDIAN AFFAIRS LAW ENFORCE-
12 MENT AND JUDICIAL TRAINING.—Section 4218 of the In-
13 dian Alcohol and Substance Abuse Prevention and Treat-
14 ment Act of 1986 (25 U.S.C. 2451) is amended by strik-
15 ing subsection (b) and inserting the following:

16 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 such sums as are necessary for each of fiscal years 2002
19 through 2006.”.

20 (g) JUVENILE DETENTION CENTERS.—Section 4220
21 of the Indian Alcohol and Substance Abuse Prevention
22 and Treatment Act of 1986 (25 U.S.C. 2453) is amended
23 by striking subsection (b) and inserting the following:

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 such sums as are necessary for each of fiscal years 2002
2 through 2006.”.

3 **SEC. 105. INDIAN CHILD PROTECTION AND FAMILY VIO-**
4 **LENCE PREVENTION ACT.**

5 (a) INDIAN CHILD ABUSE TREATMENT GRANT PRO-
6 GRAM.—Section 409 of the Indian Child Protection and
7 Family Violence Prevention Act (25 U.S.C. 3208) is
8 amended by striking subsection (e) and inserting the fol-
9 lowing:

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
11 is authorized to be appropriated to carry out this section
12 \$10,000,000 for each of fiscal years 2002 through 2006.”.

13 (b) INDIAN CHILD RESOURCE AND FAMILY SERV-
14 ICES CENTERS.—Section 410 of the Indian Child Protec-
15 tion and Family Violence Prevention Act (25 U.S.C. 3209)
16 is amended by striking subsection (h) and inserting the
17 following:

18 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to carry out this section
20 \$3,000,000 for each of fiscal years 2002 through 2006.”.

21 (c) INDIAN CHILD PROTECTION AND FAMILY VIO-
22 LENCE PREVENTION PROGRAM.—Section 411 of the In-
23 dian Child Protection and Family Violence Prevention Act
24 (25 U.S.C. 3210) is amended by striking subsection (i)
25 and inserting the following:

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$30,000,000 for each of fiscal years 2002 through 2006.”.

4 **SEC. 106. NATIVE AMERICAN PROGRAMS ACT OF 1974.**

5 (a) IN GENERAL.—Section 816 of the Native Amer-
6 ican Programs Act of 1974 (42 U.S.C. 2992d) is
7 amended—

8 (1) by striking subsections (a) through (c) and
9 inserting the following:

10 “(a) IN GENERAL.—There are authorized to be
11 appropriated—

12 “(1) to carry out section 803(d), \$8,000,000
13 for each of fiscal years 2002 through 2006; and

14 “(2) to carry out provisions of this title other
15 than section 803(d) and any other provision having
16 an express authorization of appropriations, such
17 sums as are necessary for each of fiscal years 2002
18 through 2006.

19 “(b) LIMITATION.—Not less than 90 percent of the
20 funds made available to carry out this title for a fiscal
21 year (other than funds made available to carry out section
22 803(d), 803A, 803C, 804, and any other provision of this
23 title having an express authorization of appropriations)
24 shall be expended to carry out section 803(a).”;

1 (2) by redesignating subsection (d) as sub-
2 section (c); and

3 (3) by striking subsection (e).

4 (b) EXPRESS AUTHORIZATION.—Section 803A(f) of
5 the Native American Programs Act of 1974 (42 U.S.C.
6 2991b–1(f)) is amended—

7 (1) by striking “(f)(1)” and all that follows
8 through the end of paragraph (1) and inserting the
9 following:

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—

11 “(1) IN GENERAL.—There is authorized to be
12 appropriated to carry out this section \$1,000,000 for
13 each of fiscal years 2002 through 2006, to remain
14 available until expended.”; and

15 (2) in paragraph (2), by striking “(2) The re-
16 volving loan fund” and inserting the following:

17 “(2) REVOLVING LOAN FUND.—The revolving
18 loan fund”.

19 **SEC. 107. NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT**
20 **ACT.**

21 (a) NATIVE HAWAIIAN HEALTH CARE SYSTEMS.—
22 Section 6 of the Native Hawaiian Health Care Improve-
23 ment Act (42 U.S.C. 11705) is amended by striking sub-
24 section (h) and inserting the following:

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as are nec-
3 essary to carry out this section for each of fiscal years
4 2002 through 2006.”.

5 (b) NATIVE HAWAIIAN HEALTH SCHOLARSHIPS.—
6 Section 10 of the Native Hawaiian Health Care Improve-
7 ment Act (42 U.S.C. 11709) is amended by striking sub-
8 section (c) and inserting the following:

9 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as are nec-
11 essary to carry out this section for each of fiscal years
12 2002 through 2006.”.

13 **SEC. 108. FOUR CORNERS INTERPRETIVE CENTER ACT.**

14 Section 7 of the Four Corners Interpretive Center
15 Act (Public Law 106–143; 113 Stat. 1706) is amended—

16 (1) in subsection (a)(2), by striking “2005” and
17 inserting “2007”;

18 (2) in subsection (b), by striking “2002” and
19 inserting “2004”; and

20 (3) in subsection (c), by striking “2001” and
21 inserting “2003”.

1 **TITLE II—PROVISIONS RELAT-**
 2 **ING TO PARTICULAR INDIAN**
 3 **TRIBES**

4 **SEC. 201. AUTHORIZATION OF 99-YEAR LEASES FOR CON-**
 5 **FEDERATED TRIBES OF THE UMATILLA IN-**
 6 **DIAN RESERVATION.**

7 (a) IN GENERAL.—Subsection (a) of the first section
 8 of the Act of August 9, 1955 (25 U.S.C. 415(a)) is amend-
 9 ed in the second sentence—

10 (1) by inserting “the reservation of the Confed-
 11 erated Tribes of the Umatilla Indian Reservation,”
 12 before “the Burns Paiute Reservation,”;

13 (2) by inserting “the” before “Yavapai-Pres-
 14 cott”; and

15 (3) by striking “Washington,,” and inserting
 16 “Washington,”.

17 (b) EFFECTIVE DATE.—The amendments made by
 18 subsection (a) apply to any lease entered into on, or re-
 19 newed after, the date of enactment of this Act.

20 **SEC. 202. COW CREEK LAND SELECTION.**

21 Section 7 of the Cow Creek Band of Umpqua Tribe
 22 of Indians Recognition Act (25 U.S.C. 712e) is amended
 23 in the third sentence by inserting before the period at the
 24 end the following: “, and shall be treated as on-reservation

1 land for the purpose of processing acquisitions of real
2 property into trust”.

3 **SEC. 203. NAVAJO-HOPI RELOCATION IMPACT STUDY.**

4 (a) REAUTHORIZATION.—Section 25(a) of Public
5 Law 93–531 (commonly known as the “Navajo-Hopi Land
6 Settlement Act of 1974”) (25 U.S.C. 640d–24(a)) is
7 amended by striking paragraph (8) and inserting the fol-
8 lowing:

9 “(8) RELOCATION HOUSING.—There is author-
10 ized to be appropriated to carry out section 15
11 \$30,000,000 for each of fiscal years 2002 through
12 2006.”.

13 (b) STUDY.—Public Law 93–531 (commonly known
14 as the “Navajo-Hopi Land Settlement Act of 1974”) (25
15 U.S.C. 640d et seq.) is amended—

16 (1) by redesignating the second section 32 (25
17 U.S.C. 640d–31) as section 33; and

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

19 **“SEC. 34. NAVAJO-HOPI RELOCATION IMPACT STUDY.**

20 “(a) IN GENERAL.—Not later than 90 days after the
21 date of enactment of this section, the Secretary shall enter
22 into a contract with an independent contractor under
23 which the independent contractor shall complete, not later
24 than 1 year after the date of enactment of this section,
25 a study to determine whether—

1 “(1) the purposes of this Act have been
2 achieved; and

3 “(2) recommended activities should be carried
4 out to mitigate the consequences of the implementa-
5 tion of this Act.

6 “(b) SCOPE.—The study conducted under subsection
7 (a) shall include an analysis of—

8 “(1) the long-term effects of the relocation pro-
9 grams under this Act;

10 “(2) the ongoing needs of the populations relo-
11 cated under this Act;

12 “(3) the ongoing needs of the other commu-
13 nities affected by relocations under this Act, includ-
14 ing communities affected by section 10(f);

15 “(4) the effects of termination of the relocation
16 programs under this Act, including the effects of—

17 “(A) closure of the Office of Navajo and
18 Hopi Indian Relocation; and

19 “(B) transfer of responsibilities of that Of-
20 fice to other Federal agencies and the Navajo
21 Nation in accordance with applicable provisions
22 of the Indian Self-Determination and Education
23 Assistance Act (25 U.S.C. 450 et seq.); and

24 “(5) other appropriate factors, as determined
25 by the Secretary.

1 “(c) REPORT.—Not later than 1 year after the date
2 of enactment of this section, the Secretary shall submit
3 to Congress, the Hopi Tribe, and the Navajo Nation a re-
4 port that describes the results of the study conducted
5 under subsection (a).

6 “(d) FUNDING.—Of amounts made available to the
7 Office of Navajo and Hopi Indian Relocation, not more
8 than \$1,000,000 shall be made available to the Secretary
9 to carry out this section.”.

10 **SEC. 204. PONCA TRIBE OF NEBRASKA.**

11 Section 5 of the Ponca Restoration Act (25 U.S.C.
12 983e) is amended—

13 (1) in the first sentence, by striking “Notwith-
14 standing” and inserting the following:

15 “(a) IN GENERAL.—Notwithstanding”;

16 (2) in the second sentence, by striking “In the
17 case of Federal” and inserting the following:

18 “(b) FEDERAL SERVICES.—In the case of Federal”;

19 and

20 (3) by adding at the end the following:

21 “(c) DESIGNATION.—For the purpose of services pro-
22 vided by the Indian Health Service, the area comprised
23 of Douglas County and Sarpy County, Nebraska, and
24 Pottawattamie County, Iowa, is designated as the Ponca
25 Health and Wellness Clinic Service Unit.”.

1 **SEC. 205. MISSISSIPPI BAND OF CHOCTAW INDIANS.**

2 Section 1(a)(2) of Public Law 106–228 (114 Stat.
3 462) is amended by striking “report entitled” and all that
4 follows through “is hereby declared” and inserting the fol-
5 lowing: “report entitled ‘Report of May 17, 2002, Clari-
6 fying and Correcting Legal Descriptions or Recording In-
7 formation for Certain Lands placed into Trust and Res-
8 ervation Status for the Mississippi Band of Choctaw Indi-
9 ans by Section 1(a)(2) of Pub. L. 106–228, as amended
10 by Title VIII, Section 811 of Pub. L. 106–568’, on file
11 in the Office of the Superintendent, Choctaw Agency, Bu-
12 reau of Indian Affairs, Department of the Interior, is de-
13 clared”.

14 **SEC. 206. MODIFICATION OF PUEBLO DE COCHITI SETTLE-**
15 **MENT.**

16 Section 1 of Public Law 102–358 (106 Stat. 960)
17 is amended—

18 (1) by striking “implement the settlement” and
19 inserting the following: “implement—

20 “(1) the settlement;”;

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

23 (3) by adding at the end the following:

24 “(2) the modifications regarding the use of the
25 settlement funds as described in the agreement
26 known as the ‘First Amendment to Operation and

1 Maintenance Agreement for Implementation of
2 Cochiti Wetlands Solution’, executed—

3 “(A) on October 22, 2001, by the Army
4 Corps of Engineers;

5 “(B) on October 25, 2001, by the Pueblo
6 de Cochiti of New Mexico; and

7 “(C) on November 8, 2001, by the Sec-
8 retary of the Interior.”.

9 **SEC. 207. CHIPPEWA CREE TRIBE OF THE ROCKY BOYS**
10 **RESERVATION SETTLEMENT MODIFICATION.**

11 (a) IN GENERAL.—Section 101(b)(3) of the Chip-
12 pewa Cree Tribe of The Rocky Boy’s Reservation Indian
13 Reserved Water Rights Settlement and Water Supply En-
14 hancement Act of 1999 (Public Law 106–163; 113 Stat.
15 1782) is amended by striking “3 years” and inserting “5
16 years”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall apply to any decree described in sec-
19 tion 101(b)(1) of the Chippewa Cree Tribe of The Rocky
20 Boy’s Reservation Indian Reserved Water Rights Settle-
21 ment and Water Supply Enhancement Act of 1999 (Public
22 Law 106–163; 113 Stat. 1782) entered into on or after
23 December 9, 1999.

1 **SEC. 208. DISPOSAL OF OIL SHALE RESERVE NUMBERED 2.**

2 Section 3405(c) of the Strom Thurmond National
3 Defense Authorization Act for Fiscal Year 1999 (10
4 U.S.C. 7420 note; Public Law 105–261) is amended by
5 striking paragraph (3) and inserting the following:

6 “(3) With respect to the land conveyed to the Tribe
7 under subsection (b)—

8 “(A) the land shall not be subject to any Fed-
9 eral restriction on alienation; and

10 “(B) no grant, lease, exploration or develop-
11 ment agreement, or other conveyance of the land (or
12 any interest in the land) that is authorized by the
13 governing body of the Tribe shall be subject to ap-
14 proval by the Secretary of the Interior or any other
15 Federal official.”.

16 **SEC. 209. LAND OF PECHANGA BAND OF LUISENO MISSION**
17 **INDIANS.**

18 (a) **LIMITATION ON CONVEYANCE.**—Land described
19 in subsection (b) (or any interest in that land) shall not
20 be transferred or otherwise made available for condemna-
21 tion until the date on which—

22 (1) the Secretary of the Interior renders a final
23 decision on the fee-to-trust application pending on
24 the date of enactment of this Act concerning the
25 land; and

1 (2) final decisions have been rendered regarding
2 all appeals relating to the application decision.

3 (b) DESCRIPTION OF LAND.—The land referred to in
4 subsection (a) is land located in Riverside County, Cali-
5 fornia, that is held in fee by the Pechanga Band of
6 Luiseno Mission Indians, as described in Document No.
7 211130 of the Office of the Recorder, Riverside County,
8 California, and recorded on May 15, 2001.

9 **SEC. 210. QUINAULT INDIAN NATION WATER FEASIBILITY**
10 **STUDY.**

11 (a) IN GENERAL.—The Secretary of the Interior may
12 carry out a water source, quantity, and quality feasibility
13 study for the Quinault Indian Nation, to identify ways to
14 meet the current and future domestic and commercial
15 water supply and distribution needs of the Quinault In-
16 dian Nation on the Olympic Peninsula, Washington.

17 (b) PUBLIC AVAILABILITY OF RESULTS.—As soon as
18 practicable after completion of a feasibility study under
19 subsection (a), the Secretary of the Interior shall—

20 (1) publish in the Federal Register a notice of
21 the availability of the results of the feasibility study;
22 and

23 (2) make available to the public, on request, the
24 results of the feasibility study.

1 **SEC. 211. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE**
2 **LOANS TO THE PUEBLO OF SANTO DOMINGO.**

3 Notwithstanding any other provision of law—

4 (1) the balances of all expert assistance loans
5 made to the Pueblo of Santo Domingo under Public
6 Law 88–168 (77 Stat. 301), and relating to Pueblo
7 of Santo Domingo v. United States (Docket No. 355
8 of the United States Court of Federal Claims), in-
9 cluding all principal and interest, are canceled; and

10 (2) the Secretary of the Interior shall take such
11 action as is necessary to—

12 (A) document the cancellation under para-
13 graph (1); and

14 (B) release the Pueblo of Santo Domingo
15 from any liability associated with any loan de-
16 scribed in paragraph (1).

17 **SEC. 212. TRINITY RIVER RECORD OF DECISION.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law, the record of decision by the United States
20 Fish and Wildlife Service entitled “Trinity River
21 Mainstem Fishery Restoration”, issued by the Secretary
22 of the Interior with the concurrence of the Hoopa Valley
23 Tribe on December 19, 2000 (referred to in this section
24 as the “record of decision”), shall be considered to comply
25 with all provisions of law under which, and subject to
26 which, the record of decision was issued.

1 (b) IMPLEMENTATION.—As soon as practicable after
 2 the date of enactment of this Act, the Secretary of the
 3 Interior, and any other person with respect to which the
 4 record of decision describes any right, authority, or obliga-
 5 tion, shall implement and otherwise comply with the
 6 record of decision.

7 (c) MODIFICATION.—The Secretary may modify the
 8 record of decision only with the concurrence of—

- 9 (1) the Hoopa Valley Tribe; and
- 10 (2) the Yurok Tribe.

11 **TITLE III—NATIVE AMERICAN** 12 **PROGRAMS**

13 **SEC. 301. TRADEMARKS FOR INDIAN ARTS AND CRAFTS.**

14 (a) POWERS OF INDIAN ARTS AND CRAFTS
 15 BOARD.—Section 2(g) of the Act of August 27, 1935 (25
 16 U.S.C. 305a(g)), is amended—

17 (1) in paragraph (1), by inserting “trademarks
 18 for” after “products and”;

19 (2) in paragraph (3), by striking “and assign it
 20 and the goodwill associated with it to an individual
 21 Indian or Indian tribe without charge; and” and in-
 22 serting a semicolon;

23 (3) in paragraph (4), by striking “to pursue or
 24 defend in the courts any appeal or proceeding with
 25 respect to any final determination of that office”

1 and inserting “to file with the United States Patent
2 and Trademark Office, and prosecute, an application
3 for any trademark or other mark described in para-
4 graph (1) that is owned by an individual Indian, In-
5 dian tribe, or Indian arts and crafts organization,
6 for registration without charge in the United States
7 Patent and Trademark Office”; and

8 (4) by inserting after the semicolon at the end
9 the following: “(5)(A) to assign any trademark de-
10 scribed in paragraph (2) that is owned by the Fed-
11 eral Government, and the goodwill associated with
12 the trademark, to an individual Indian, Indian tribe,
13 or Indian arts and crafts organization; and (B) to
14 record any such assignment in the United States
15 Patent and Trademark Office, without charge; and
16 (6) to pursue or defend in the appropriate courts of
17 the United States any appeal or proceeding with re-
18 spect to any final determination of the United States
19 Patent and Trademark Office;”.

20 (b) TRADEMARK FEE WAIVER.—Section 31(b) of the
21 Act of July 5, 1946 (15 U.S.C. 1113(b)), is amended—

22 (1) in the first sentence, by striking “The Di-
23 rector” and inserting the following:

24 “(1) WAIVER.—The Director”; and

1 (2) by striking the second sentence and insert-
 2 ing the following:

3 “(2) INDIAN PRODUCTS.—

4 “(A) IN GENERAL.—The Indian Arts and
 5 Crafts Board will not be charged any fee to reg-
 6 ister trademarks for Indian products or for the
 7 products of an individual Indian, Indian tribe,
 8 or Indian arts and crafts organization (as those
 9 terms are used in section 2 of the Act of Au-
 10 gust 27, 1935 (25 U.S.C. 305a)).

11 “(B) NO REGISTRATION FEES.—An indi-
 12 vidual Indian, Indian tribe, or Indian arts and
 13 crafts organization (as those terms are used in
 14 section 2 of the Act of August 27, 1935 (25
 15 U.S.C. 305a)) shall not be charged any fee to
 16 register a trademark or other mark for an In-
 17 dian arts and crafts product.”.

18 **SEC. 302. TRIBALLY CONTROLLED POSTSECONDARY VOCA-**
 19 **TIONAL AND TECHNICAL INSTITUTIONS.**

20 Section 311(a) of the Carl D. Perkins Vocational and
 21 Technical Education Act of 1998 (20 U.S.C. 2391(a)) is
 22 amended—

23 (1) by striking “Funds made available” and in-
 24 serting the following:

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), funds made available”; and

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

4 “(2) EXEMPTION FOR TRIBALLY CONTROLLED
5 POSTSECONDARY VOCATIONAL AND TECHNICAL IN-
6 STITUTIONS.—Paragraph (1) shall not apply to
7 funds made available under section 117.”.

8 **SEC. 303. SELF-DETERMINATION PROVISIONS.**

9 (a) APPLICATION OF LAWS TO ADMINISTRATIVE AP-
10 PEALS.—Section 110 of the Indian Self-Determination
11 and Education Assistance Act (25 U.S.C. 450m–1) is
12 amended by striking subsection (c) and inserting the fol-
13 lowing:

14 “(c) APPLICATION OF LAWS TO ADMINISTRATIVE AP-
15 PEALS.—

16 “(1) IN GENERAL.—The Equal Access to Jus-
17 tice Act (5 U.S.C. 504 note; Public Law 96–481),
18 section 504 of title 5, United States Code, and sec-
19 tion 2412 of title 28, United States Code, shall
20 apply to an administrative appeal by a tribal organi-
21 zation that—

22 “(A) is pending on or filed after October
23 5, 1988; and

1 “(B) relates to a contract, a grant agree-
2 ment, or any other agreement or compact au-
3 thorized under—

4 “(i) this Act; or

5 “(ii) the Tribally Controlled Schools
6 Act of 1988 (25 U.S.C. 2501 et seq.).

7 “(2) FEE.—

8 “(A) IN GENERAL.—In the case of any
9 claim for a fee described in subparagraph (B),
10 the fee shall be \$125 per hour, unless an appro-
11 priate Federal agency determines by regulation
12 that an increase in the cost of living or a spe-
13 cial factor, such as the limited availability of
14 qualified attorneys or agents for the pro-
15 ceedings involved, justifies a higher fee.

16 “(B) DESCRIPTION OF CLAIM.—A claim
17 described in this subparagraph is—

18 “(i) a claim by a person for a fee for
19 services relating to an appeal described in
20 paragraph (1) that are performed on or
21 after March 29, 1996; or

22 “(ii) a claim by a person for a fee for
23 services that—

24 “(I) is asserted on or after
25 March 29, 1996; but

1 “(II) is for a fee for services re-
2 lating to an appeal described in para-
3 graph (1) performed before that
4 date.”.

5 (b) INCORPORATION OF SELF-DETERMINATION PRO-
6 VISIONS.—Section 403 of the Indian Self-Determination
7 and Education Assistance Act (25 U.S.C. 458cc) is
8 amended by striking subsection (l) and inserting the fol-
9 lowing:

10 “(l) INCORPORATION OF SELF-DETERMINATION
11 PROVISIONS.—

12 “(1) IN GENERAL.—At the option of any par-
13 ticipating Indian tribe, any or all of the provisions
14 of title I or V shall be incorporated in a compact or
15 funding agreement entered into under title III or
16 this title.

17 “(2) FORCE AND EFFECT.—A provision incor-
18 porated under paragraph (1) shall—

19 “(A) have the same force and effect as if
20 included in title III or this title; and

21 “(B) be deemed to—

22 “(i) supplement or supplant any re-
23 lated provision in this title, as appropriate;
24 and

1 “(ii) apply to any agency subject to
2 this title.

3 “(3) TIMING.—In any case in which an Indian
4 tribe requests incorporation of a provision under
5 paragraph (1) during the negotiation stage of a com-
6 pact or funding agreement described in that para-
7 graph, the incorporation shall—

8 “(A) be considered to be effective imme-
9 diately; and

10 “(B) control the negotiation and any re-
11 sulting compact or funding agreement.”.

12 **SEC. 304. INDIAN LAND CONSOLIDATION.**

13 (a) TECHNICAL CORRECTION.—Section 206(c)(2)(B)
14 of the Indian Land Consolidation Act (25 U.S.C.
15 2205(c)(2)(B)) is amended by striking “207(a)(6)(B) of
16 this Act” and inserting “207(a)(6)”.

17 (b) EFFECTIVE DATE.—Section 207(g) of the Indian
18 Land Consolidation Act (25 U.S.C. 2206(g)) is amended
19 by striking paragraph (5) and inserting the following:

20 “(5) EFFECTIVE DATE.—

21 “(A) IN GENERAL.—Except as provided in
22 subparagraph (B), this section shall not apply
23 to the estate of an individual who dies before
24 the date that is 1 year after the date on which

1 the Secretary makes the certification required
2 under paragraph (4).

3 “(B) APPROVAL.—Subsection (e) takes ef-
4 fect on November 7, 2000.”.

5 (c) TRUST AND RESTRICTED LAND TRANS-
6 ACTIONS.—Section 217(c) of the Indian Land Consolida-
7 tion Act (25 U.S.C. 2216(c)) is amended—

8 (1) by striking the subsection heading and all
9 that follows through the end of the first sentence
10 and inserting the following:

11 “(c) ACQUISITION OF INTEREST BY SECRETARY.—

12 “(1) REQUEST.—

13 “(A) IN GENERAL.—An Indian, or the rec-
14 ognized tribal government of a reservation, that
15 is in possession of any portion of the fee inter-
16 est in a parcel of land described in subpara-
17 graph (B) may request that the interest be
18 taken into trust by the Secretary.

19 “(B) LAND.—A parcel of land described in
20 this subparagraph is any parcel of land—

21 “(i) that is located within a reserva-
22 tion; and

23 “(ii) at least a portion of the owner-
24 ship interest in which is held by the Sec-

1 retary, in trust or restricted status, on No-
2 vember 7, 2000.”; and

3 (2) in the second sentence, by striking “Upon”
4 and inserting the following:

5 “(2) INTEREST.—Upon”.

○