

105TH CONGRESS
2D SESSION

S. 1925

To make certain technical corrections in laws relating to Native Americans,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 2, 1998

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

A BILL

To make certain technical corrections in laws relating to
Native Americans, and for other purposes.

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. AUTHORIZATION FOR 99-YEAR LEASES.**

4 The second sentence of subsection (a) of the first sec-
5 tion of the Act of August 9, 1955 (69 Stat. 539, chapter
6 615; 25 U.S.C. 415), is amended—

7 (1) by inserting “lands held in trust for the
8 Confederated Tribes of the Grand Ronde Commu-
9 nity of Oregon,” after “lands held in trust for the
10 Cahuilla Band of Indians of California,”; and

1 (2) by inserting “the Cabazon Indian Reserva-
2 tion,” after “the Navajo Reservation,”.

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

4 Section 1(c) of the Act entitled “An Act to establish
5 a reservation for the Confederated Tribes of the Grand
6 Ronde Community of Oregon, and for other purposes,”
7 approved September 9, 1988 (102 Stat. 1594), is amend-
8 ed—

9 (1) by striking “10,120.68 acres of land” and
10 inserting “10,311.60 acres of land”; and

11 (2) in the table contained in that subsection, by
12 striking all after

“4	7	30	Lots 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;	240”
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13 through the end of the table, and inserting the fol-
14 lowing:

“6	8	1	N $\frac{1}{2}$ SW $\frac{1}{4}$	29.59
6	8	12	W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	21.70
6	8	13	W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.31
6	7	7	E $\frac{1}{2}$ E $\frac{1}{2}$	57.60
6	7	8	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$	22.46
6	7	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.84
6	7	18	E $\frac{1}{2}$ NE $\frac{1}{4}$	43.42
			Total	<hr/> 10,311.60”.

1 **SEC. 3. SAN CARLOS APACHE WATER RIGHTS SETTLEMENT.**

2 Section 3711(b) of the San Carlos Apache Tribe
3 Water Rights Settlement Act of 1992 (106 Stat. 4752)
4 is amended by striking “subsections (c) and (d) of section
5 3704” inserting “section 3704(d)”.

6 **SEC. 4. YUOK SETTLEMENT RECOGNITION.**

7 Section 4 of Public Law 98–458 (25 U.S.C. 1407)
8 is amended—

9 (1) in paragraph (2), by striking “or” at the
10 end;

11 (2) in paragraph (3), by inserting “or” at the
12 end; and

13 (3) by inserting after paragraph (3) the follow-
14 ing:

15 “(4) are distributed pursuant to—

16 “(A) the judgment of the United States
17 Claims Court (which was subsequently reorga-
18 nized as the United States Court of Federal
19 Claims) in *Jesse Short et al. v. United States*,
20 486 F2d. 561 (Ct. Cl. 1973); or

21 “(B) any other judgment of the United
22 States Court of Federal Claims in favor of 1 or
23 more individual Indians,”.

1 **SEC. 5. SELF-DETERMINATION CONTRACT CARRY-OVER EX-**
2 **PENDITURE AUTHORIZATION.**

3 Notwithstanding any other provision of law, any
4 funds that were provided to the Ponca Tribe of Nebraska
5 for any of the fiscal years 1992 through 1998 pursuant
6 to a self-determination contract with the Secretary of
7 Health and Human Services that the Ponca Tribe of Ne-
8 braska entered into under section 102 of the Indian Self-
9 Determination and Education Assistance Act (25 U.S.C.
10 450f) that were retained by the Ponca Tribe of Nebraska
11 to carry out programs and functions of the Indian Health
12 Service may be used by the Ponca Tribe of Nebraska to
13 purchase or build facilities for the health services pro-
14 grams of the Ponca Tribe of Nebraska.

15 **SEC. 6. NAVAJO-HOPI LAND DISPUTE SETTLEMENT ACT.**

16 Section 12 of the Navajo-Hopi Land Dispute Settle-
17 ment Act (Public Law 104–301; 110 Stat. 3653) is
18 amended—

19 (1) in subsection (a)(1)(C), in the first sen-
20 tence, by inserting “of surface water” after “on such
21 lands”; and

22 (2) in subsection (b), striking “subsection
23 (a)(3)” both places it appears and inserting “sub-
24 section (a)(1)(C)”.

1 **SEC. 7. TREATMENT OF CERTAIN DEMONSTRATION**
 2 **PROJECTS.**

3 (a) IN GENERAL.—The Secretary of the Interior shall
 4 take such action as may be necessary to extend the terms
 5 of the projects referred to in section 512 of the Indian
 6 Health Care Improvement Act (25 U.S.C. 1660b) so that
 7 the term of each such project expires on October 1, 2002.

8 (b) AMENDMENT TO INDIAN HEALTH CARE IM-
 9 PROVEMENT ACT.—Section 512 of the Indian Health Care
 10 Improvement Act (25 U.S.C. 1660b) is amended by add-
 11 ing at the end the following:

12 “(c) In addition to the amounts made available under
 13 section 514 to carry out this section through fiscal year
 14 2000, there are authorized to be appropriated such sums
 15 as may be necessary to carry out this section for each of
 16 fiscal years 2001 and 2002.”.

17 **SEC. 8. CONFEDERATED TRIBES OF COOS, LOWER UMPQUA,**
 18 **AND SIUSLAW INDIANS RESERVATION ACT.**

19 Section 7(b) of the Coos, Lower Umpqua, and
 20 Siuslaw Restoration Act (Public Law 98–481, 98 Stat.
 21 2253) is amended by adding at the end the following:

22 “(4) In Lane County, Oregon, a parcel de-
 23 scribed as beginning at the common corner to sec-
 24 tions 23, 24, 25, and 26 township 18 south, range
 25 12 west, Willamette Meridian; then west 25 links;
 26 then north 2 chains and 50 links; then east 25 links

1 to a point on the section line between sections 23
2 and 24; then south 2 chains and 50 links to the
3 place of origin, and containing .062 of an acre, more
4 or less, situated and lying in section 23, township 18
5 south, range 12 west, of Willamette Meridian.”.

6 **SEC. 9. HOOPA VALLEY RESERVATION BOUNDARY ADJUST-**
7 **MENT.**

8 Section 2(b) of the Hoopa Valley Reservation South
9 Boundary Adjustment Act (25 U.S.C. 1300i–1 note) is
10 amended—

11 (1) by striking “north 72 degrees 30 minutes
12 east” and inserting “north 73 degrees 50 minutes
13 east”; and

14 (2) by striking “south 15 degrees 59 minutes
15 east” and inserting “south 14 degrees 36 minutes
16 east”.

17 **SEC. 10. CLARIFICATION OF SERVICE AREA FOR CONFED-**
18 **ERATED TRIBES OF SILETZ INDIANS OF OR-**
19 **EGON.**

20 Section 2 of the Act entitled “An Act to establish a
21 reservation for the Confederated Tribes of Siletz Indians
22 of Oregon”, approved September 4, 1980 (94 Stat. 1073
23 and 1074), is amended—

24 (1) in the first sentence, by striking “The Sec-
25 retary” and inserting “(a) The Secretary”; and

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

2 “(b) Subject to the express limitations under sections
3 4 and 5, for purposes of determining eligibility for Federal
4 assistance programs, the service area of the Confederated
5 Tribes of the Siletz Indians of Oregon shall include Ben-
6 ton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah,
7 Polk, Tillamook, Washington, and Yamhill Counties in Or-
8 egon.”.

9 **SEC. 11. MICHIGAN INDIAN LAND CLAIMS SETTLEMENT.**

10 Section 111 of the Michigan Indian Land Claims Set-
11 tlement Act (111 Stat. 2665) is amended—

12 (1) by striking “The eligibility” and inserting
13 the following:

14 “(b) TREATMENT OF FUNDS FOR PURPOSES OF CER-
15 TAIN FEDERAL PROGRAMS AND BENEFITS.—The eligi-
16 bility”; and

17 (2) by inserting before subsection (b), as des-
18 ignated by paragraph (1) of this section, the follow-
19 ing:

20 “(a) TREATMENT OF FUNDS FOR PURPOSES OF IN-
21 COME TAXES.—None of the funds distributed pursuant to
22 this Act, or pursuant to any plan approved in accordance
23 with this Act, shall be subject to Federal or State income
24 taxes.”.

1 **SEC. 12. MISCELLANEOUS TECHNICAL CORRECTIONS.**

2 (a) AUTHORIZATION.—Section 711(h) of the Indian
3 Health Care Improvement Act (25 U.S.C. 1665j(h)) is
4 amended by striking “for each” and all that follows
5 through “2000,” and inserting “for each of fiscal years
6 1996 through 2000,”.

7 (b) REFERENCE.—Section 4(12)(B) of the Native
8 American Housing Assistance and Self-Determination Act
9 of 1996 (25 U.S.C. 4103(12)(B)) is amended by striking
10 “Indian Self-Determination and Education Assistance Act
11 of 1975” and inserting “Indian Self-Determination and
12 Education Assistance Act (25 U.S.C. 450 et seq.)”.

13 **SEC. 13. TRANSFER OF WATER RIGHTS.**

14 The Jicarilla Apache Tribe Water Rights Settlement
15 Act (106 Stat. 2237 et seq.) is amended by adding at the
16 end the following:

17 **“SEC. 12. TRANSFER OF WATER RIGHTS.**

18 “(a) IN GENERAL.—In accordance with the require-
19 ments of section 2116 of the Revised Statutes (25 U.S.C.
20 177), the transfer of water rights set forth in paragraph
21 (5) of the stipulation and settlement agreement between
22 the Jicarilla Apache Tribe and other parties to the case
23 referred to in section 8(e)(1)(B)(ii), that was executed on
24 October 7, 1997, is approved.

25 “(b) EFFECTIVE DATE.—The approval under sub-
26 section (a) shall become effective on the date of entry of

1 a partial final decree by the court for the case referred
2 to in that subsection that quantifies the reserved water
3 rights claims of the Jicarilla Apache Tribe.”.

4 **SEC. 14. NATIVE HAWAIIAN HEALTH SCHOLARSHIP PRO-**
5 **GRAM.**

6 (a) **ELIGIBILITY.**—Section 10(a)(1) of the Native
7 Hawaiian Health Care Act of 1988 (42 U.S.C.
8 11709(a)(1)) is amended by striking “meet the require-
9 ments of section 338A of the Public Health Service Act
10 (42 U.S.C. 2541)” and inserting “meet the requirements
11 of paragraphs (1), (3), and (4) of section 338A(b) of the
12 Public Health Service Act (42 U.S.C. 2541(b))”.

13 (b) **TERMS AND CONDITIONS.**—Section 10(b)(1) of
14 the Native Hawaiian Health Care Act of 1988 (42 U.S.C.
15 11709(b)(1)) is amended—

16 (1) in subparagraph (A), by inserting “identi-
17 fied in the Native Hawaiian comprehensive health
18 care master plan implemented under section 4” after
19 “health care professional”;

20 (2) by redesignating subparagraphs (B)
21 through (D) as subparagraphs (C) through (E), re-
22 spectively;

23 (3) by inserting after subparagraph (A) the fol-
24 lowing:

1 “(B) the primary health services covered under
2 the scholarship assistance program under this sec-
3 tion shall be the services included under the defini-
4 tion of that term under section 12(8),”;

5 (4) by striking subparagraph (D), as redesign-
6 nated, and inserting the following:

7 “(D) the obligated service requirement for each
8 scholarship recipient shall be fulfilled through the
9 full-time clinical or nonclinical practice of the health
10 profession of scholarship recipient, in an order of
11 priority that would provide for practice—

12 “(i) first, in any 1 of the 5 Native
13 Hawaiian health care systems, and

14 “(ii) second, in—

15 “(I) a health professional short-
16 age area or medically underserved
17 area located in the State of Hawaii, or

18 “(II) geographic area or facility
19 that is—

20 “(aa) located in the State of
21 Hawaii, and

22 “(bb) has a designation that
23 is similar to a designation de-
24 scribed in subclause (I) made by

1 the Secretary, acting through the
2 Public Health Service,”;

3 (5) in subparagraph (E), as redesignated, by
4 striking the period and inserting a comma; and

5 (6) by adding at the end the following:

6 “(F) the obligated service of a scholarship re-
7 cipient shall not be performed by the recipient
8 through membership in the National Health Service
9 Corps, and

10 “(G) the requirements of sections 331 through
11 338 of the Public Health Service Act (42 U.S.C.
12 254d through 254k), section 338C of that Act (42
13 U.S.C. 254m), other than subsection (b)(5) of that
14 section, and section 338D of that Act (42 U.S.C.
15 254n) applicable to scholarship assistance provided
16 under section 338A of that Act (42 U.S.C. 254l)
17 shall not apply to the scholarship assistance provided
18 under subsection (a) of this section.”.

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