

The Chair is not at this point making a determination as to whether the resolution constitutes a question of privilege. That determination will be made at the time designated by the Speaker for consideration of the resolution.

Mr. DOGGETT. Mr. Speaker, we thank you and we stand ready to proceed upon proper notice.

SADDLEBACK MOUNTAIN-ARIZONA SETTLEMENT ACT OF 1995

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1341) to provide for the transfer of certain lands to the Salt River Pima-Maricopa Indian Community and the city of Scottsdale, Arizona, and for other purposes.

The Clerk read as follows:

S. 1341

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Saddleback Mountain-Arizona Settlement Act of 1995".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Salt River Pima-Maricopa Indian Community and the city of Scottsdale, Arizona, have a longstanding interest in a 701-acre tract of land known as the "Saddleback Property", that lies within the boundaries of the City and abuts the north boundary of the Salt River Pima-Maricopa Indian Reservation;

(2) the Saddleback Property includes Saddleback Mountain and scenic hilly terrain along the Shea Boulevard corridor in Scottsdale, Arizona, that—

(A) has significant conservation value; and

(B) is of historic and cultural significance to the community;

(3) in 1989, the Resolution Trust Corporation acquired the Saddleback Property as a receiver for the Sun City Savings and Loan Association;

(4) after the Saddleback Property was noticed for sale by the Resolution Trust Corporation, a dispute between the Community and the City arose concerning the future ownership, use, and development of the Saddleback Property;

(5) the Community and the City each filed litigation with respect to that dispute, but in lieu of pursuing that litigation, the Community and the City negotiated a Settlement Agreement that—

(A) addresses the concerns of each of those parties with respect to the future use and development of the Saddleback Property; and

(B) provides for the dismissal of the litigation;

(6) under the Settlement Agreement, subject to detailed use and development agreements—

(A) the Community will purchase a portion of the Saddleback Property; and

(B) the City will purchase the remaining portion of that property; and

(7) the Community and the City agree that the enactment of legislation by Congress to ratify the Settlement Agreement is necessary in order for—

(A) the Settlement Agreement to become effective; and

(B) the United States to take into trust the property referred to in paragraph (6)(A) and make that property a part of the Reservation.

(b) PURPOSES.—The purposes of this Act are—

(1) to approve and confirm the Settlement, Release, and Property Conveyance Agreement executed by the Community, the City, and the Resolution Trust Corporation;

(2) to ensure that the Settlement Agreement (including the Development Agreement, the Use Agreement, and all other associated ancillary agreements and exhibits)—

(A) is carried out; and

(B) is fully enforceable in accordance with its terms, including judicial remedies and binding arbitration provisions; and

(3) to provide for the taking into trust by the United States of the portion of the Saddleback Property purchased by the Community in order to make that portion a part of the Reservation.

SEC. 3. DEFINITIONS.

For the purposes of this Act, the following definitions shall apply:

(1) CITY.—The term "City" means the city of Scottsdale, Arizona, which is a municipal corporation in the State of Arizona.

(2) COMMUNITY.—The term "Community" means the Salt River Pima-Maricopa Indian Community, which is a federally recognized Indian tribe.

(3) DEDICATION PROPERTY.—The term "Dedication Property" means a portion of the Saddleback Property, consisting of approximately 27 acres of such property, that the City will acquire in accordance with the Settlement Agreement.

(4) DEVELOPMENT AGREEMENT.—The term "Development Agreement" means the agreement between the City and the Community, executed on September 11, 1995, that sets forth conditions and restrictions that—

(A) are supplemental to the Settlement, Release and Property Conveyance Agreement referred to in paragraph (1)(A); and

(B) apply to the future use and development of the Development Property.

(5) DEVELOPMENT PROPERTY.—The term "Development Property" means a portion of the Saddleback Property, consisting of approximately 211 acres, that the Community will acquire in accordance with the Settlement Agreement.

(6) MOUNTAIN PROPERTY.—The term "Mountain Property" means a portion of the Saddleback Property, consisting of approximately 365 acres, that the Community will acquire in accordance with the Settlement Agreement.

(7) PRESERVATION PROPERTY.—The term "Preservation Property" means a portion of the Saddleback Property, consisting of approximately 98 acres, that the City will acquire in accordance with the Settlement Agreement.

(8) RESERVATION.—The term "Reservation" means the Salt River Pima-Maricopa Indian Reservation.

(9) SADDLEBACK PROPERTY.—The term "Saddleback Property" means a tract of land that—

(A) consists of approximately 701 acres within the city of Scottsdale, Arizona; and

(B) includes the Dedication Property, the Development Property, the Mountain Property, and the Preservation Property.

(10) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(11) SETTLEMENT AGREEMENT.—The term "Settlement Agreement"—

(A) means the Settlement, Release and Property Conveyance Agreement executed on September 11, 1995, by the Community, the City, and the Resolution Trust Corporation (in its capacity as the Receiver for the Sun State Savings and Loan Association, F.S.A.); and

(B) includes the Development Agreement, the Use Agreement, and all other associated ancillary agreements and exhibits.

(12) USE AGREEMENT.—The term "Use Agreement" means the agreement between

the City and the Community, executed on September 11, 1995, that sets forth conditions and restrictions that—

(A) are supplemental to the Settlement, Release and Property Conveyance Agreement referred to in paragraph (11)(A); and

(B) apply to the future use and development of the Mountain Property.

SEC. 4. APPROVAL OF AGREEMENT.

The Settlement Agreement is hereby approved and ratified and shall be fully enforceable in accordance with its terms and the provisions of this Act.

SEC. 5. TRANSFER OF PROPERTIES.

(a) IN GENERAL.—Upon satisfaction of all conditions to closing set forth in the Settlement Agreement, the Resolution Trust Corporation shall transfer, pursuant to the terms of the Settlement Agreement—

(1) to the Secretary, the Mountain Property and the Development Property purchased by the Community from the Resolution Trust Corporation; and

(2) to the City, the Preservation Property and the Dedication Property purchased by the City from the Resolution Trust Corporation.

(b) TRUST STATUS.—The Mountain Property and the Development Property transferred pursuant to subsection (a)(1) shall, subject to sections 6 and 7—

(1) be held in trust by the United States for the Community; and

(2) become part of the Reservation.

(c) LIMITATION ON LIABILITY.—Notwithstanding any other provision of law, the United States shall not incur any liability for conditions, existing prior to the transfer, on the parcels of land referred to in subsection (b) to be transferred to the United States in trust for the Salt River Pima-Maricopa Indian Community.

(d) RECORDS.—Upon the satisfaction of all of the conditions of closing set forth in the Settlement Agreement, the Secretary shall file a plat of survey depicting the Saddleback Property (that includes a depiction of the Dedication Property, the Development Property, the Mountain Property, and the Preservation Property) with—

(1) the office of the Recorder of Maricopa County, Arizona; and

(2) the Titles and Records Center of the Bureau of Indian Affairs, located in Albuquerque, New Mexico.

SEC. 6. LIMITATIONS ON USE AND DEVELOPMENT.

Upon the satisfaction of all of the conditions of closing set forth in the Settlement Agreement, the properties transferred pursuant to paragraphs (1) and (2) of section 5(a) shall be subject to the following limitations and conditions on use and development:

(1) PRESERVATION PROPERTY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Preservation Property shall be forever preserved in its natural state for use only as a public park or recreation area that shall—

(i) be utilized and maintained for the purposes set forth in section 4(C) of the Settlement Agreement; and

(ii) be subject to the restrictions set forth in section 4(C) of the Settlement Agreement.

(B) SHEA BOULEVARD.—At the sole discretion of the City, a portion of the Preservation Property may be used to widen, reconfigure, repair, or reengineer Shea Boulevard in accordance with section 4(D) of the Settlement Agreement.

(2) DEDICATION PROPERTY.—The Dedication Property shall be used to widen, reconfigure, repair, or reengineer Shea Boulevard and 136th Street, in accordance with sections 4(D) and 7 of the Settlement Agreement.

(3) MOUNTAIN PROPERTY.—Except for the areas in the Mountain Property referred to

as Special Cultural Land in section 5(C) of the Settlement Agreement, the Mountain Property shall be forever preserved in its natural state for use only as a public park or recreation area that shall—

(A) be utilized and maintained for the purposes set forth in section 5(C) of the Settlement Agreement; and

(B) be subject to the restrictions set forth in section 5(C) of the Settlement Agreement.

(4) DEVELOPMENT PROPERTY.—The Development Property shall be used and developed for the economic benefit of the Community in accordance with the provisions of the Settlement Agreement and the Development Agreement.

SEC. 7. AMENDMENTS TO THE SETTLEMENT AGREEMENT.

No amendment made to the Settlement Agreement (including any deviation from an approved plan described in section 9(B) of the Settlement Agreement) shall become effective, unless the amendment—

(1) is made in accordance with the applicable requirements relating to the form and approval of the amendment under sections 9(B) and 34 of the Settlement Agreement; and

(2) is consistent with the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. GALLEGLY] will be recognized for 20 minutes, and the gentleman from American Samoa [Mr. FALEOMAVAEGA] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. GALLEGLY].

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1341, the proposed Saddleback Mountain-Arizona Settlement Act of 1995, ratifies a land settlement agreement between the Resolution Trust Corporation, the city of Scottsdale, and the Salt River Pima-Maricopa Indian community.

Seven hundred and one acres of land, currently held by the Resolution Trust Corporation, would be disposed of, pursuant to S. 1341, as follows: one 27-acre tract and one 98-acre tract would be purchased by the city of Scottsdale; and one 211-acre tract and one 365-acre tract would be purchased by the Salt River Tribe.

Pending litigation between the parties would be dismissed.

Each of the four tracts would be administered according to a detailed ownership, development, and use agreement.

Finally, S. 1341 provides that the land purchased by the tribe will be taken into trust and become part of the Salt River Reservation.

The Congressional Budget Office estimates that, over time, "there would be no significant net budgetary impact" if S. 1341 is enacted into law.

The administration has testified that it "strongly support[s] the enactment of S. 1341".

I would also like to commend Congressman J.D. HAYWORTH for his leadership and tenacity in moving this ahead in an expeditious manner.

In conclusion, Mr. Speaker, I recommend a favorable vote on S. 1341.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, this bill would approve an agreement among the Resolution Trust Corporation, the Salt River Pima-Maricopa Indian Community of Arizona, and the city of Scottsdale to divide 701 acres of land known as the Saddleback Mountain property. In 1989, the RTC, in its capacity as receiver for the Sun State Savings and Loan Association, acquired the Saddleback Mountain property and noticed the land for sale. The Pima Tribe submitted the highest cash bid for the property offering \$6.5 million. In response to this bid, the city of Scottsdale filed suit against the RTC to acquire the property through eminent domain. Reacting to the suit, the RTC rejected all bids on the land and prepared to transfer the land to the city of Scottsdale at which point the tribe sued the city and the RTC for damages.

Finally, all sides agreed to negotiate a settlement. The agreement will allow the tribe to receive the bulk of the land, the city of Scottsdale to obtain land for preservation purposes and to address traffic flow problems, and the RTC will receive the full amount originally bid. All parties support this agreement and both lawsuits will be dismissed upon its enactment.

I support enactment of this bill and ask my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLEGLY. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, at this juncture, I would also like to publicly thank the gentleman from California, chairman of the Subcommittee on Native American and Insular Affairs, along with the ranking member. It is great to have a chairman like the gentleman from California [Mr. GALLEGLY] and a ranking member like the gentleman from American Samoa [Mr. FALEOMAVAEGA], my dear friend, who have worked so hard to try and address and redress some areas that are in need of common sense and a consensus. So, Mr. Speaker, I thank the gentleman from American Samoa very much for all of his efforts as well.

Mr. Speaker, as has been mentioned by my colleague, this legislation is to approve an agreement for the settlement of litigation over the Saddleback Mountain property in Arizona. The agreement provides for the sale by the RTC of part of the Saddleback Mountain property to the Salt River Pima Indian community, to be held in trust by the United States as part of the property to the city of Scottsdale.

Mr. Speaker, this legislation is the result of months of negotiation between the city of Scottsdale and the Salt River Pima Tribe, and lacks solely to authorize and confirm the agreement and to provide that the property purchased by the tribe will be taken into trust reservation status.

Mr. Speaker, again, as we take a look across our country, and as we take a look here in the Nation's Capital, so many contentious issues where at times we agree to disagree, I think it is especially noteworthy that here we have an example for, indeed, not only this august Chamber, but for the rest of the country, of local empowerment; of officials from the city of Scottsdale working with officials from the Salt River Pima Indian community to work out the problems to their mutual satisfaction, and then inviting the Federal Government to work to approve this. I think it typifies the notion of a new partnership and local empowerment.

Again, I think it is important, as both the chairman of the subcommittee and the ranking member pointed out, S. 1341 does not authorize any expenditure of funds by the United States. So, this is a cost-free, or relatively cost-free item that again empowers local communities given the special trust relationship with the United States Government and the special things we needed to work out in this place of legislation.

Undoubtedly, I would urge this august body to joint with our friends in the other body to adopt this and move forward. Once again, in conclusion, Mr. Speaker, I pause and thank my good friends, the chairman of the subcommittee and the distinguished ranking member, for all their efforts and call on my colleagues to overwhelmingly pass this common sense, practical approach to local empowerment and good government.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been stated earlier by my good friend, the gentleman from Arizona [Mr. HAYWORTH], I want to again express the true spirit of bipartisanship as we work towards agreement on some of the areas that were brought to the attention of both sides of the aisle. I commend my good friend from California, the chairman of the subcommittee, for his tremendous work in bringing this legislation to the floor.

Mr. Speaker, I urge my colleagues to support this bill and I yield back the balance of my time.

Mr. GALLEGLY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just in conclusion, I would like to reiterate my appreciation for the help of the gentleman from American Samoa, Mr. FALEOMAVAEGA, the ranking member of the committee, and for the leadership that we had from our good friend from Arizona, Mr. HAYWORTH.

Mr. Speaker, having no further requests for time, I yield back the balance of my time.

□ 1545

The SPEAKER pro tempore (Mr. WHITE). The question is on the motion offered by the gentleman from California [Mr. GALLEGLY] that the House suspend the rules and pass the Senate bill, S. 1341.

The question was taken.

Mr. GALLEGLY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

TECHNICAL CORRECTIONS IN LAWS RELATING TO NATIVE AMERICANS

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2726) to make certain technical corrections in laws relating to Native Americans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CORRECTION TO POKAGON RESTORATION ACT.

Section 9 of the Act entitled "An Act to restore Federal services to the Pokagon Band of Potawatomi Indians" (25 U.S.C. 1300j-7a) is amended—

(1) by striking "Bands" each place it appears and inserting "Band";

(2) in subsection (a), by striking "respective"; and

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by striking "membership rolls that contain" and inserting "a membership roll that contains"; and

(II) by striking "in such" and inserting "in the"; and

(ii) in the second sentence, by striking "Each such" and inserting "The";

(B) in paragraph (2)—

(i) by striking "rolls have" and inserting "roll has"; and

(ii) by striking "such rolls" and inserting "such roll";

(C) in the heading for paragraph (3), by striking "ROLLS" and inserting "ROLL"; and

(D) in paragraph (3), by striking "rolls are maintained" and inserting "roll is maintained".

SEC. 2. CORRECTION TO ODAWA AND OTTAWA RESTORATION ACT.

(a) REAFFIRMATION OF RIGHTS.—The heading of section 5(b) of the Little Traverse Bay Bands of Odawa Indians and the Little River Band of Ottawa Indians Act (25 U.S.C. 1300k-3) is amended by striking "TRIBE" and inserting "BANDS".

(b) MEMBERSHIP LIST.—Section 9 of the Little Traverse Bay Bands of Odawa and the Little River Band of Ottawa Indians Act (25 U.S.C. 1300k-7) is amended—

(1) in subsection (a)—

(A) by striking "Band" the first place it appears and inserting "Bands"; and

(B) by striking "the Band." and inserting "the respective Bands."; and

(2) in subsection (b)(1)—

(A) in the first sentence, by striking "the Band shall submit to the Secretary membership rolls that contain the names of all individuals eligible for membership in such Band" and inserting "each of the Bands shall submit to the Secretary a membership roll that contains the names of all individuals that are eligible for membership in such Band"; and

(B) in the second sentence, by striking "The Band, in consultation" and inserting "Each such Band, in consultation".

SEC. 3. INDIAN DAMS SAFETY ACT OF 1994.

Section 4(h) of the Indian Dams Safety Act of 1994 (25 U.S.C. 3803(h); 108 Stat. 1562) is amended by striking "(under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e))), as amended," and inserting "under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)".

SEC. 4. PASCUA YAQUI INDIANS OF ARIZONA.

Section 4(b) of the Act entitled "An Act to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona, and for other purposes" (25 U.S.C. 1300f-3(b)) is amended by striking "Pascua Yaqui tribe" and inserting "Pascua Yaqui Tribe".

SEC. 5. INDIAN LANDS OPEN DUMP CLEANUP ACT OF 1994.

Section 3(7) of the Indian Lands Open Dump Cleanup Act of 1994 (25 U.S.C. 3902(7); 108 Stat. 4165) is amended by striking "under section 6944 of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.)" and inserting "under section 4004 of the Solid Waste Disposal Act (42 U.S.C. 6944)".

SEC. 6. AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.

(a) MAINTENANCE OF RECORDS.—Section 303(c)(5)(D) of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4043(c)(5)(D); 108 Stat. 4247) is amended by striking "made under paragraph (3)(B)" and inserting "made under subparagraph (C)".

(b) ADVISORY BOARD.—Section 306(d) of the Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4046(d); 108 Stat. 4249) is amended by striking "Advisory Board" and inserting "advisory board".

SEC. 7. INDIAN SELF-DETERMINATION CONTRACT REFORM ACT OF 1994.

Section 102(11) of the Indian Self-Determination Contract Reform Act of 1994 (108 Stat. 4254) is amended by striking "subsection (e)" and inserting "subsection (e) of section 105".

SEC. 8. AUBURN INDIAN RESTORATION.

(a) ECONOMIC DEVELOPMENT.—Section 203 of the Auburn Indian Restoration Act (25 U.S.C. 1300l-1) is amended—

(1) in subsection (a)(2), by striking "as provided in section 107" and inserting "as provided in section 207"; and

(2) in subsection (b), by striking "section 104" and inserting "section 204".

(b) INTERIM GOVERNMENT.—The last sentence of section 206 of the Auburn Indian Restoration Act (25 U.S.C. 1300l-4) is amended by striking "Interim council" and inserting "Interim Council".

SEC. 9. CROW BOUNDARY SETTLEMENT ACT OF 1994.

(a) ENFORCEMENT.—Section 5(b)(3) of the Crow Boundary Settlement Act of 1994 (25 U.S.C. 1776c(b)(3); 108 Stat. 4636) is amended by striking "provisions of subsection (b)" and inserting "provisions of this subsection".

(b) APPLICABILITY.—Section 9(a) of the Crow Boundary Settlement Act of 1994 (25 U.S.C. 1776g(a); 108 Stat. 4640) is amended by striking "The Act" and inserting "This Act".

(c) ESCROW FUNDS.—Section 10(b) of the Crow Boundary Settlement Act of 1994 (25 U.S.C. 1776h(b); 108 Stat. 4641) is amended by striking "(collectively referred to in this subsection as the 'Suspension Accounts')" and inserting "(collectively referred to in this section as the 'Suspension Accounts')".

SEC. 10. TLINGIT AND HAIDA STATUS CLARIFICATION ACT.

The first sentence of section 205 of the Tlingit and Haida Status Clarification Act (25 U.S.C. 1215) is amended by striking "Indian tribes" and inserting "Indian Tribes".

SEC. 11. NATIVE AMERICAN LANGUAGES ACT.

Section 103 of the Native American Languages Act (25 U.S.C. 2902) is amended—

(1) in paragraph (2), by striking "under section 5351(4) of the Indian Education Act of 1988 (25 U.S.C. 2651(4))" and inserting "under section 9161(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881(4))"; and

(2) in paragraph (3), by striking "section 4009 of Public Law 100-297 (20 U.S.C. 4909)" and inserting "section 9212(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7912(1))".

SEC. 12. PONCA RESTORATION ACT.

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

(1) by inserting "Sarpy, Burt, Platte, Stanton, Holt, Hall, Wayne," before "Knox"; and

(2) by striking "or Charles Mix County" and inserting "Woodbury or Pottawatomie Counties of Iowa, or Charles Mix County".

SEC. 13. REVOCATION OF CHARTER OF INCORPORATION OF THE MINNESOTA CHIPPEWA TRIBE UNDER THE INDIAN REORGANIZATION ACT.

The request of the Minnesota Chippewa Tribe to surrender the charter of incorporation issued to that tribe on September 17, 1937, pursuant to section 17 of the Act of June 18, 1934, commonly known as the "Indian Reorganization Act" (48 Stat. 988, chapter 576; 25 U.S.C. 477) is hereby accepted and that charter of incorporation is hereby revoked.

SEC. 14. ADVISORY COUNCIL ON CALIFORNIA INDIAN POLICY ACT OF 1992.

Section 5(6) of the Advisory Council on California Indian Policy Act of 1992 (106 Stat. 2133; 25 U.S.C. 651 note) is amended by striking "18 months" and inserting "36 months".

SEC. 15. IN-LIEU FISHING SITE TRANSFER AUTHORITY.

Section 401 of Public Law 100-581 (102 Stat. 2944-2945) is amended by adding at the end the following new subsection:

"(g) The Secretary of the Army is authorized to transfer funds to the Department of the Interior to be used for purposes of the continued operation and maintenance of sites improved or developed under this section."

SEC. 16. ADOLESCENT TRANSITIONAL LIVING FACILITY.

Notwithstanding any other provision of law, any funds that were provided to the Ponca Indian Tribe of Nebraska for any of the fiscal years 1992 through 1995, and that were retained by that Indian tribe, pursuant to a self-determination contract with the Secretary of Health and Human Services that the Indian tribe entered into under section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) to carry out programs and functions of the Indian Health Service may be used by that Indian tribe to acquire, develop, and maintain a transitional living facility for adolescents, including land for that facility.