

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4162

To grant authority to provide social services block grants directly to Indian tribes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1994

Mr. RICHARDSON (for himself, Mr. McDERMOTT, Mr. BREWSTER, and Mr. KOPETSKI) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To grant authority to provide social services block grants directly to Indian tribes.

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. AUTHORITY TO PROVIDE SOCIAL SERVICES**

4 **BLOCK GRANTS DIRECTLY TO INDIAN**

5 **TRIBES.**

6 Section 2003 of the Social Security Act (42 U.S.C.  
7 1397b) is amended—

8 (1) by striking “Northern Mariana Islands”  
9 and inserting “Northern Mariana Islands, and any

1 participating Indian tribe or tribal organization  
2 under subsection (d),”; and

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

4 “(d)(1) Of the amounts specified in subsection (c),  
5 3 percent shall be available for grants or contracts with  
6 Indian tribes or tribal organizations in accordance with  
7 this subsection.

8 “(2) The Secretary shall make grants to or enter into  
9 contracts with Indian tribes or tribal organizations for  
10 planning and carrying out programs and activities under  
11 this title.

12 “(3) The Secretary shall establish criteria for the re-  
13 view and approval of applications for grants or contracts  
14 under this subsection.

15 “(4)(A) Not later than 180 days after the date of  
16 enactment of this subsection, the Secretary, with the full  
17 participation of Indian tribes and tribal organizations,  
18 shall establish and promulgate by regulation, a base fund-  
19 ing formula similar to the formula established under sec-  
20 tion 6580 of the Child Care and Development Block  
21 Grant Act of 1990 (42 U.S.C. 9858M).

22 “(B) The Secretary in the development of the funding  
23 formula, may consider such additional factors as the Sec-  
24 retary determines appropriate, including unique geo-

1 graphic and demographic conditions of the tribal reserva-  
2 tion and service area.

3 “(5) Funds not distributed to Indian tribes and tribal  
4 organizations in a fiscal year shall be available in subse-  
5 quent fiscal years for reallocation to eligible tribes and  
6 tribal organizations.

7 “(6) In any case where a contract is let or grant  
8 made to a tribal organization to perform services benefit-  
9 ting more than one Indian tribe, the approval of each such  
10 Indian tribe shall be a prerequisite to the letting or mak-  
11 ing of such contract or grant.

12 “(7) Nothing in this subsection shall be construed  
13 to—

14 “(A) serve as authorization to limit the eligi-  
15 bility of any individual to participate in any program  
16 offered by a State or subdivision thereof;

17 “(B) modify any requirement imposed upon a  
18 State by any provision in this title; or

19 “(C) preclude or discourage agreements be-  
20 tween Indian tribes and States which facilitate the  
21 provision of services by the Indian tribe to its service  
22 population.

23 “(e) For purposes of this section—

24 “(1) the term ‘Indian tribe’ means any Indian  
25 tribe, band, nation, or other organized group or com-

1 community, including any Alaska Native village or re-  
2 gional or village corporation as defined in or estab-  
3 lished pursuant to the Alaska Native Claims Settle-  
4 ment Act (43 U.S.C. 1601 et seq.) which is recog-  
5 nized as eligible for the special programs and serv-  
6 ices provided by the United States to Indians be-  
7 cause of their status as Indians; and

8 “(2) the term ‘tribal organization’ means—

9 “(A) the recognized governing body of any  
10 Indian tribe; and

11 “(B) any legally established organization  
12 of Indians which is controlled, sanctioned, or  
13 chartered by such governing body or which is  
14 democratically elected by the adult members of  
15 the Indian community to be served by such or-  
16 ganization and which includes the maximum  
17 participation of Indians in all phases of its  
18 activities.”.

19 **SEC. 2. EFFECTIVE DATE.**

20 The amendments made by section 1 shall take effect  
21 on the first day of the first fiscal year beginning after the  
22 date of enactment of this Act.

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