

105TH CONGRESS
2D SESSION

H. R. 4068

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1998

Mr. YOUNG of Alaska introduced the following bill; which was referred to the
Committee on Resources

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 first section of the Act entitled “An Act to au-
5 thorize the leasing of restricted Indian lands for public,
6 religious, educational, recreational, residential, business,
7 and other purposes requiring the grant of long-term
8 leases”, approved August 9, 1955 (25 U.S.C. 415(a)), is
9 amended—

1 (1) by inserting “lands held in trust for the
 2 confederated Tribes of the Grand Ronde Community
 3 of Oregon,” after “lands held in trust for the
 4 Cahuilla Band of Indians of California,”; and

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

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

8 Section 1(c) of the Act entitled “An Act to establish
 9 a reservation for the Confederated Tribes of the Grand
 10 Ronde Community of Oregon, and for other purposes”,
 11 approved September 9, 1988 (25 U.S.C. 713f note; 102
 12 Stat. 1594), is amended—

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

15 (2) in the table contained in that subsection, by
 16 striking:

“4	7	30	Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$	240;”
----	---	----	--	-------

17 and all that follows through the end of the table and
 18 inserting the following:

“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				10,311.60".

1 **SEC. 3. NAVAJO-HOPI LAND DISPUTE SETTLEMENT ACT.**

2 Section 12 of the Navajo-Hopi Land Dispute Settle-
3 ment Act of 1996 (110 Stat. 3653) is amended—

4 (1) in subsection (a)(1)(C), by inserting “of
5 surface water” after “on such lands”; and

6 (2) in subsection (b), by striking “subsection
7 (a)(3)” each place it appears and inserting “sub-
8 section (a)(1)(C)”.

9 **SEC. 4. TREATMENT OF CERTAIN DEMONSTRATION**
10 **PROJECTS.**

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

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

1 “(c) In addition to the amounts made available under
 2 section 514 to carry out this section through fiscal year
 3 2000, there are authorized to be appropriated such sums
 4 as may be necessary to carry out this section for each of
 5 fiscal years 2001 and 2002.”.

6 **SEC. 5. CONFEDERATED TRIBES OF COOS, LOWER UMPQUA,**
 7 **AND SIUSLAW INDIANS RESERVATION ACT.**

8 Section 7(b) of the Coos, Lower Umpqua, and
 9 Siuslaw Restoration Act (25 U.S.C. 714e(b)) is amended
 10 by adding at the end the following:

11 “(4) In Lane County, Oregon, a parcel de-
 12 scribed as beginning at the common corner to sec-
 13 tions 23, 24, 25, and 26 township 18 south, range
 14 12 west, Willamette Meridian; then west 25 links;
 15 then north 2 chains and 50 links; then east 25 links
 16 to a point on the section line between sections 23
 17 and 24; then south 2 chains and 50 links to the
 18 place of origin, and containing .062 of an acre, more
 19 or less, situated and lying in section 23, township 18
 20 south, range 12 west, of Willamette Meridian.”.

21 **SEC. 6. HOOPA VALLEY RESERVATION BOUNDARY ADJUST-**
 22 **MENT.**

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

1 (1) by striking “north 72 degrees 30 minutes
2 east” and inserting “north 73 degrees 50 minutes
3 east”; and

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

7 **SEC. 7. CLARIFICATION OF SERVICE AREA FOR CONFED-**
8 **ERATED TRIBES OF SILETZ INDIANS OF OR-**
9 **EGON.**

10 Section 2 of the Act entitled “An Act to establish a
11 reservation for the Confederated Tribes of Siletz Indians
12 of Oregon”, approved September 4, 1980 (25 U.S.C. 711e
13 note; 94 Stat. 1073), is amended—

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

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

17 “(b) Subject to the express limitations under sections
18 4 and 5, for purposes of determining eligibility for Federal
19 assistance programs, the service area of the Confederated
20 Tribes of the Siletz Indians of Oregon shall include Ben-
21 ton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah,
22 Polk, Tillamook, Washington, and Yamhill Counties in Or-
23 egon.”.

1 **SEC. 8. LOWER SIOUX INDIAN COMMUNITY.**

2 Notwithstanding any other provision of law, the
3 Lower Sioux Indian Community in Minnesota is hereby
4 authorized to sell, convey, and warrant to a buyer, without
5 further approval of the United States, all the Community's
6 interest in the following real property located in Redwood
7 County, Minnesota:

8 A tract of land located in the Northeast Quarter
9 (NE $\frac{1}{4}$) of Section Five (5), Township One Hundred
10 Twelve (112) North, Range Thirty-five (35) West,
11 County of Redwood and State of Minnesota, de-
12 scribed as follows: Commencing at the north quarter
13 corner of Section 5 in Township 112 North, Range
14 35 West of the 5th Principal Meridian; thence east
15 a distance of 678 feet; thence south a distance of
16 650 feet; thence South 45 degrees West a distance
17 of 367.7 feet; thence west a distance of 418 feet to
18 a point situated on the north and south quarter line
19 of said Section 5; thence north a distance of 910
20 feet to the place of beginning, subject to highway
21 easements of record, and containing 13.38 acres,
22 more or less.

23 Nothing in this section is intended to authorize the Lower
24 Sioux Indian Community in Minnesota to sell any of its
25 lands that are held in trust by the United States.

1 **SEC. 9. FEDERAL TRUST EMPLACEMENT OF TRIBAL LANDS.**

2 The Cow Creek Band of Umpqua Tribe of Indians
3 Recognition Act (25 U.S.C. 712 et seq.) is amended by
4 adding at the end the following new section:

5 **“SEC. 7. CERTAIN PROPERTY TAKEN INTO TRUST.**

6 “The Secretary of the Interior shall accept title to
7 any real property located in the Umpqua River watershed
8 upstream from Scottsburg, Oregon, or the northern slope
9 of the Rogue River watershed upstream from Agness, Or-
10 egon, if conveyed or otherwise transferred to the United
11 States by or on behalf of the Tribe and shall place such
12 land in trust for the benefit of the Tribe. Land taken into
13 trust pursuant to this section shall become part of the
14 Tribe’s reservation lands.”.

15 **SEC. 10. TRANSFER OF WATER RIGHTS.**

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

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

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

1 “(b) EFFECTIVE DATE.—The approval under sub-
2 section (a) shall become effective on the date of entry of
3 a partial final decree by the court for the case referred
4 to in the subsection that quantifies the reserved water
5 rights claims of the Jicarilla Apache Tribe.”.

6 **SEC. 11. SAN LUIS REY INDIAN WATER RIGHTS SETTLE-**
7 **MENT ACT.**

8 Section 105 of the San Luis Rey Indian Water Rights
9 Settlement Act (Public Law 100–675; 102 Stat. 4000) is
10 amended—

11 (1) by inserting “(1)” before “Until”; and

12 (2) by adding at the end the following new
13 paragraph:

14 “(2) Notwithstanding paragraph (1), prior to comple-
15 tion of the final settlement and as soon as feasible, the
16 Secretary is authorized and directed to disburse a total
17 of \$8,000,000, of which \$1,600,000 will go to each of the
18 Bands, from the interest income which has accrued to the
19 Fund. The disbursed funds shall be invested or used for
20 economic development of the Bands, the Bands’ reserva-
21 tion land, and their members and may not be used for
22 per capita payments to members of any Band. The United
23 States shall not be liable for any claim or causes of action
24 arising from the Bands’ use or expenditure of moneys dis-
25 tributed from the Fund.”.

1 **SEC. 12. NATIVE HAWAIIAN HEALTH SCHOLARSHIP PRO-**
2 **GRAM.**

3 (a) **ELIGIBILITY.**—Section 10(a)(1) of the Native
4 Hawaiian Health Care Improvement Act (42 U.S.C.
5 11709(a)(1)) is amended by striking “meet the require-
6 ments of section 338A of the Public Health Service Act
7 (42 U.S.C. 2541)” and inserting “meet the requirements
8 of paragraphs (1), (3), and (4) of section 338A(b) of the
9 Public Health Service Act (42 U.S.C. 2541(b))”.

10 (b) **TERMS AND CONDITIONS.**—Section 10(b)(1) of
11 the Native Hawaiian Health Care Improvement Act (42
12 U.S.C. 11709(b)(1)) is amended—

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

17 (2) by redesignating subparagraphs (B)
18 through (D) as subparagraphs (C) through (E), re-
19 spectively;

20 (3) by inserting after subparagraph (A) the fol-
21 lowing:

22 “(B) the primary health services covered under
23 the scholarship assistance program under this sec-
24 tion shall be the services included under the defini-
25 tion of that term under section 12(8);”;

1 (4) by striking subparagraph (D), as redesignig-
2 nated, and inserting the following:

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

8 “(i) first, in any 1 of the 5 Native Hawai-
9 ian health care systems; and

10 “(ii) second, in—

11 “(I) a health professional shortage
12 area or medically underserved area located
13 in the State of Hawaii; or

14 “(II) a geographic area or facility that
15 is—

16 “(aa) located in the State of Ha-
17 waii; and

18 “(bb) has a designation that is
19 similar to a designation described in
20 subclause (I) made by the Secretary,
21 acting through the Public Health
22 Service;”;

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

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

1 “(F) the obligated service of a scholarship re-
2 recipient shall not be performed by the recipient
3 through membership in the National Health Service
4 Corps; and

5 “(G) the requirements of sections 331 through
6 338 of the Public Health Service Act (42 U.S.C.
7 254d through 254k), section 338C of that Act (42
8 U.S.C. 254m), other than subsection (b)(5) of that
9 section, and section 338D of that Act (42 U.S.C.
10 254n) applicable to scholarship assistance provided
11 under section 338A of that Act (42 U.S.C. 254l)
12 shall not apply to the scholarship assistance provided
13 under subsection (a) of this section.”.

14 **SEC. 13. MISCELLANEOUS TECHNICAL CORRECTIONS.**

15 (a) AUTHORIZATION.—Section 711(h) of the Indian
16 Health Care Improvement Act (25 U.S.C. 1665j(h)) is
17 amended by striking “of the fiscal years” and inserting
18 “of fiscal years”.

19 (b) REFERENCE.—Section 4(12)(B) of the Native
20 American Housing Assistance and Self-Determination Act
21 of 1996 (25 U.S.C. 4103(12)(B)) is amended by striking
22 “Indian Self-Determination and Education Assistance Act
23 of 1975” and inserting “Indian Self-Determination and
24 Education Assistance Act (25 U.S.C. 450 et seq.)”.

1 **SEC. 14. MICHIGAN INDIAN LAND CLAIMS SETTLEMENT.**

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

4 (1) by striking “The eligibility” and inserting
5 the following:

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

9 (2) by inserting before subsection (b), as des-
10 ignated by paragraph (1) of this section, the follow-
11 ing:

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

○