

Union Calendar No. 421

105TH CONGRESS
2^D SESSION

H. R. 4068

[Report No. 105-733]

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

SEPTEMBER 18, 1998

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 16, 1998]

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 section*
5 *of the Act entitled “An Act to authorize the leasing of re-*

(1) by inserting “lands held in trust for the Con-
federated Tribes of the Grand Ronde Community of
Oregon,” after “lands held in trust for the Cahuilla
Band of Indians of California,”; and

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

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

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

19 (2) in the table contained in that subsection, by
20 striking:

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

21 *and all that follows through the end of the table and*
 22 *inserting the following:*

“6	8	1	$N^{1/2}SW^{1/4}$	29.59
6	8	12	$W^{1/2}SW^{1/4}NE^{1/4}$, $SE^{1/4}SW^{1/4}NE^{1/4}NW^{1/4}$, $N^{1/2}SE^{1/4}NW^{1/4}$, $N^{1/2}SW^{1/4}SW^{1/4}SE^{1/4}$	21.70
6	8	13	$W^{1/2}E^{1/2}NW^{1/4}NW^{1/4}$	5.31
6	7	7	$E^{1/2}E^{1/2}$	57.60
6	7	8	$SW^{1/4}SW^{1/4}NW^{1/4}$, $W^{1/2}SW^{1/4}$	22.46
6	7	17	$NW^{1/4}NW^{1/4}$, $N^{1/2}SW^{1/4}NW^{1/4}$	10.84
6	7	18	$E^{1/2}NE^{1/4}$	43.42
<hr/>				
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 sur-*
5 *face 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 IMPROVE-*
17 *MENT ACT.—Section 512 of the Indian Health Care Im-*

1 *provement Act (25 U.S.C. 1660b) is amended by adding*
 2 *at the end the following:*

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

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

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

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

1 **SEC. 6. HOOPA VALLEY RESERVATION BOUNDARY ADJUST-**
 2 **MENT.**

3 *Section 2(b) of the Hoopa Valley Reservation South*
 4 *Boundary Adjustment Act (25 U.S.C. 1300i-1 note) is*
 5 *amended—*

6 *(1) by striking “north 72 degrees 30 minutes*
 7 *east” and inserting “north 73 degrees 50 minutes*
 8 *east”; and*

9 *(2) by striking “south 15 degrees 59 minutes*
 10 *east” and inserting “south 14 degrees 36 minutes*
 11 *east”.*

12 **SEC. 7. CLARIFICATION OF SERVICE AREA FOR CONFED-**
 13 **ERATED TRIBES OF SILETZ INDIANS OF OR-**
 14 **EGON.**

15 *Section 2 of the Act entitled “An Act to establish a*
 16 *reservation for the Confederated Tribes of Siletz Indians of*
 17 *Oregon”, approved September 4, 1980 (25 U.S.C. 711e note;*
 18 *94 Stat. 1073), is amended by adding at the end the follow-*
 19 *ing:*

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

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

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

8 *A tract of land located in the Northeast Quarter*
9 *(NE¹/₄) of Section Five (5), Township One Hundred*
10 *Twelve (112) North, Range Thirty-five (35) West,*
11 *County of Redwood and State of Minnesota, described*
12 *as follows: Commencing at the north quarter corner of*
13 *Section 5 in Township 112 North, Range 35 West of*
14 *the 5th Principal Meridian; thence east a distance of*
15 *678 feet; thence south a distance of 650 feet; thence*
16 *South 45 degrees West a distance of 367.7 feet; thence*
17 *west a distance of 418 feet to a point situated on the*
18 *north and south quarter line of said Section 5; thence*
19 *north a distance of 910 feet to the place of beginning,*
20 *subject to highway easements of record, and contain-*
21 *ing 13.38 acres, more or less.*

22 *Nothing in this section is intended to authorize the Lower*
23 *Sioux Indian Community in Minnesota to sell any of its*
24 *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 Rec-*
 3 *ognition Act (25 U.S.C. 712 et seq.) is amended by adding*
 4 *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 any*
 7 *real property located in the Umpqua River watershed up-*
 8 *stream from Scottsburg, Oregon, or the northern slope of*
 9 *the Rogue River watershed upstream from Agness, Oregon,*
 10 *if conveyed or otherwise transferred to the United States*
 11 *by or on behalf of the Tribe and shall place such land in*
 12 *trust for the benefit of the Tribe. Land taken into trust pur-*
 13 *suant to this section shall become part of the Tribe’s reserva-*
 14 *tion lands.”.*

15 **SEC. 10. AMENDMENTS TO THE JICARILLA APACHE TRIBE**
 16 **WATER RIGHTS SETTLEMENT ACT.**

17 *(a) Section 8(e)(3) of the Jicarilla Apache Tribe Water*
 18 *Rights Settlement Act, as amended by Public Law 104–261,*
 19 *is further amended by striking “December 31, 1998” and*
 20 *inserting in lieu thereof “December 31, 2000”.*

21 *(b) The Jicarilla Apache Tribe Water Rights Settle-*
 22 *ment Act (Public Law 102–441) is amended by adding at*
 23 *the end the following new section:*

24 **“SEC. 12. APPROVAL OF STIPULATION.**

25 *“Notwithstanding any other provision of Federal law,*
 26 *including section 2116 of the Revised Statutes (25 U.S.C.*

1 177), the Stipulation and Settlement Agreement, dated Oc-
 2 tober 7, 1997, between the Jicarilla Apache Tribe and other
 3 parties to *State of New Mexico v. Aragon*, No. CIV-7941
 4 JC, U.S. Dist. Ct., D.N.M., approved by the United States
 5 District Court in that proceeding, is hereby approved.”.

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

8 Section 105(c) of the San Luis Rey Indian Water
 9 Rights Settlement Act (Public Law 100-675; 102 Stat.
 10 4000), as amended by section 117 of the Department of the
 11 Interior and Related Agencies Appropriations Act, 1992
 12 (Public Law 102-154; 105 Stat. 1012-1013), is amended—

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

14 (2) by adding at the end the following new para-
 15 graph:

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

1 *the Bands’ use or expenditure of moneys distributed from*
 2 *the Fund.”.*

3 **SEC. 12. NATIVE HAWAIIAN HEALTH SCHOLARSHIP PRO-**
 4 **GRAM.**

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

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

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

19 (2) by redesignating subparagraphs (B) through
 20 (D) as subparagraphs (C) through (E), respectively;

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

23 “(B) the primary health services covered under
 24 the scholarship assistance program under this section

1 *shall be the services included under the definition of*
2 *that term under section 12(8);”;*

3 *(4) by striking subparagraph (D), as redesign-*
4 *ated, and inserting the following:*

5 *“(D) the obligated service requirement for each*
6 *scholarship recipient shall be fulfilled through the full-*
7 *time clinical or nonclinical practice of the health pro-*
8 *fession of the scholarship recipient, in an order of pri-*
9 *ority that would provide for practice—*

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

12 *“(ii) second, in—*

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

16 *“(II) a geographic area or facility that*
17 *is—*

18 *“(aa) located in the State of Ha-*
19 *waii; and*

20 *“(bb) has a designation that is*
21 *similar to a designation described in*
22 *subclause (I) made by the Secretary,*
23 *acting through the Public Health Serv-*
24 *ice;”;*

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

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

4 “(F) the obligated service of a scholarship recipi-
5 ent shall not be performed by the recipient through
6 membership in the National Health Service Corps;
7 and

8 “(G) the requirements of sections 331 through
9 338 of the Public Health Service Act (42 U.S.C. 254d
10 through 254k), section 338C of that Act (42 U.S.C.
11 254m), other than subsection (b)(5) of that section,
12 and section 338D of that Act (42 U.S.C. 254n) appli-
13 cable to scholarship assistance provided under section
14 338A of that Act (42 U.S.C. 254l) shall not apply to
15 the scholarship assistance provided under subsection
16 (a) of this section.”.

17 **SEC. 13. MISCELLANEOUS TECHNICAL CORRECTIONS.**

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

22 (b) *REFERENCE*.—Section 4(12)(B) of the Native
23 American Housing Assistance and Self-Determination Act
24 of 1996 (25 U.S.C. 4103(12)(B)) is amended by striking
25 “Indian Self-Determination and Education Assistance Act

1 *of 1975” and inserting “Indian Self-Determination and*
2 *Education Assistance Act (25 U.S.C. 450 et seq.)”.*

3 ***SEC. 14. REPEAL.***

4 *Section 326(d)(1) of Public Law 105–83 is repealed.*

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