

105TH CONGRESS  
1ST SESSION

# S. 1281

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to facilitate the creation of employment opportunities for American Indians and Alaska Natives, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 1997

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

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## A BILL

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to facilitate the creation of employment opportunities for American Indians and Alaska Natives, 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. SHORT TITLE.**

4       This Act may be cited as the “Indian Employment  
5       and Training Improvement Act of 1997”.

1 **SEC. 2. PLAN REVIEW.**

2 The third sentence of section 7 of the Indian Employ-  
3 ment, Training and Related Services Demonstration Act  
4 of 1992 (25 U.S.C. 3406) is amended by striking “shall  
5 have the authority to waive any” and inserting “shall  
6 waive any statutory requirement,”.

7 **SEC. 3. PLAN APPROVAL.**

8 Section 8 of the Indian Employment, Training and  
9 Related Services Demonstration Act of 1992 (25 U.S.C.  
10 3407) is amended—

11 (1) in the first sentence, by inserting before the  
12 period at the end the following: “(including any re-  
13 quest for a waiver that is made as part of the plan  
14 submitted by the tribal government)”; and

15 (2) in the second sentence, by inserting before  
16 the period at the end the following: “, including re-  
17 considering the disapproval of any waiver requested  
18 by the Indian tribe”.

19 **SEC. 4. JOB CREATION ACTIVITIES.**

20 Section 9 of the Indian Employment, Training and  
21 Related Services Demonstration Act of 1992 (25 U.S.C.  
22 3408) is amended—

23 (1) by inserting “(a) IN GENERAL.—” before  
24 “The plan submitted”; and

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

26 “(b) EMPLOYMENT OPPORTUNITIES.—

1           “(1) IN GENERAL.—Notwithstanding any other  
2           provision of law, including any requirement of a pro-  
3           gram that is integrated under a plan under this Act,  
4           a tribal government may use a percentage of the  
5           funds made available under this Act (as determined  
6           under paragraph (2)) for the creation of employment  
7           opportunities, including providing private sector  
8           training placement under section 10.

9           “(2) DETERMINATION OF PERCENTAGE.—The  
10          percentage of funds that a tribal government may  
11          use under this subsection is the greater of—

12                   “(A) the rate of unemployment in the area  
13                   subject to the jurisdiction of the tribal govern-  
14                   ment; or

15                   “(B) 10 percent.”.

16 **SEC. 5. FEDERAL RESPONSIBILITIES.**

17          (a) IN GENERAL.—Section 11(a) of the Indian Em-  
18          ployment, Training and Related Services Demonstration  
19          Act of 1992 (25 U.S.C. 3410(a)) is amended—

20                   (1) in the matter preceding paragraph (1), by  
21                   striking “Bureau of Indian Affairs” and inserting  
22                   “Office of Self-Governance of the Department of the  
23                   Interior”;

24                   (2) in paragraph (4), by striking the period and  
25                   inserting “; and”; and

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

2 “(5) ensuring an orderly transition with respect  
3 to the administration of the programs integrated  
4 under the project in such manner as to eliminate  
5 any potential adverse effects of the project on any  
6 Indian tribe that—

7 “(A) has entered into a self-determination  
8 contract (as that term is defined in section 4(j)  
9 of the Indian Self-Determination and Education  
10 Assistance Act (25 U.S.C. 450b(j))); or

11 “(B) receives funding under this Act.”.

12 (b) PERSONNEL.—In carrying out the amendment  
13 made by subsection (a)(1), the Secretary of the Interior  
14 shall transfer from the Bureau of Indian Affairs to the  
15 Office of Self-Governance of the Department of the Inte-  
16 rior such personnel and resources as the Secretary deter-  
17 mines to be appropriate.

18 **SEC. 6. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE**  
19 **INDIAN ECONOMIC DEVELOPMENT PRO-**  
20 **GRAMS.**

21 Section 18 of the Indian Employment, Training and  
22 Related Services Demonstration Act of 1992 (25 U.S.C.  
23 3417) is amended—

24 (1) by striking the section heading and insert-  
25 ing the following:

1 **“SEC. 18. ASSIGNMENT OF FEDERAL PERSONNEL TO IN-**  
2 **DIAN ECONOMIC DEVELOPMENT PRO-**  
3 **GRAMS.”;**

4 and

5 (2) by inserting “or Indian tribe” after “State”  
6 each place it appears.

7 **SEC. 7. CONSOLIDATED ADVISORY COMMITTEES.**

8 The Indian Employment, Training and Related Serv-  
9 ices Demonstration Act of 1992 (25 U.S.C. 3401 et seq.)  
10 is amended by adding at the end the following:

11 **“SEC. 19. CONSOLIDATED ADVISORY COMMITTEE.**

12 “(a) IN GENERAL.—The head of each Federal agency  
13 specified in section 4 that otherwise has jurisdiction over  
14 a program that is integrated under this Act (in accordance  
15 with a plan under section 6) shall permit a tribal govern-  
16 ment that carries out that plan to establish a consolidated  
17 advisory committee to carry out the duties of each advi-  
18 sory committee that would otherwise be required under ap-  
19 plicable law (including any council or commission relating  
20 to private industry) to carry out the programs integrated  
21 under the plan.

22 “(b) WAIVERS.—As necessary to carry out paragraph  
23 (1), each agency head referred to in that paragraph shall  
24 waive any statutory requirement, regulation, or policy re-  
25 quiring the establishment of an advisory committee (in-  
26 cluding any advisory commission or council).”

1 **SEC. 8. ALASKA REGIONAL CONSORTIA.**

2       The Indian Employment, Training and Related Serv-  
3 ices Demonstration Act of 1992 (25 U.S.C. 3401 et seq.),  
4 as amended by section 7 of this Act, is further amended  
5 by adding at the end the following:

6 **“SEC. 20. ALASKA REGIONAL CONSORTIA.**

7       “(a) IN GENERAL.—Notwithstanding any other pro-  
8 vision of law, subject to subsection (b), the Secretary shall  
9 permit a regional consortium of Alaska Native villages or  
10 regional or village corporations (as defined in or estab-  
11 lished under the Alaska Native Claims Settlement Act (43  
12 U.S.C. 1601 et seq.)) to carry out a project under a plan  
13 that meets the requirements of this Act through a resolu-  
14 tion adopted by the governing body of each such entity.

15       “(b) WITHDRAWAL.—Nothing in subsection (a) is in-  
16 tended to prohibit an Alaska Native village or regional or  
17 village corporation from withdrawing from participation in  
18 any portion of a program conducted pursuant to that sub-  
19 section at any time after the plan for the program is im-  
20 plemented.”.

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