

# Union Calendar No. 354

108TH CONGRESS  
2D SESSION

# S. 1146

[Report No. 108–523, Part 1]

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2003

Referred to the Committee on Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 3, 2004

Reported from the Committee on Resources

JUNE 3, 2004

Referral to the Committee on Energy and Commerce extended for a period ending not later July 9, 2004

JULY 9, 2004

The Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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# AN ACT

To implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.

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 “Three Affiliated Tribes  
5       Health Facility Compensation Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) in 1949, the United States assumed juris-  
9       diction over more than 150,000 prime acres on the  
10      Fort Berthold Indian Reservation, North Dakota,  
11      for the construction of the Garrison Dam and Res-  
12      ervoir;

13              (2) the reservoir flooded and destroyed vital in-  
14      frastructure on the reservation, including a hospital  
15      of the Indian Health Service;

16              (3) the United States made a commitment to  
17      the Three Affiliated Tribes of the Fort Berthold In-  
18      dian Reservation to replace the lost infrastructure;

19              (4) on May 10, 1985, the Secretary of the Inte-  
20      rior established the Garrison Unit Joint Tribal Advi-  
21      sory Committee to examine the effects of the Garri-  
22      son Dam and Reservoir on the Fort Berthold Indian  
23      Reservation;

24              (5) the final report of the Committee issued on  
25      May 23, 1986, acknowledged the obligation of the

1 Federal Government to replace the infrastructure  
 2 destroyed by the Federal action;

3 (6) the Committee on Indian Affairs of the Sen-  
 4 ate—

5 (A) acknowledged the recommendations of  
 6 the final report of the Committee in Senate Re-  
 7 port No. 102–250; and

8 (B) stated that every effort should be  
 9 made by the Administration and Congress to  
 10 provide additional Federal funding to replace  
 11 the lost infrastructure; and

12 (7) on August 30, 2001, the Chairman of the  
 13 Three Affiliated Tribes testified before the Com-  
 14 mittee on Indian Affairs of the Senate that the  
 15 promise to replace the lost infrastructure, particu-  
 16 larly the hospital, still had not been kept.

17 **SEC. 3. RURAL HEALTH CARE FACILITY, FORT BERTHOLD**  
 18 **INDIAN RESERVATION, NORTH DAKOTA.**

19 The Three Affiliated Tribes and Standing Rock Sioux  
 20 Tribe Equitable Compensation Act is amended—

21 (1) in section 3504 (106 Stat. 4732), by adding  
 22 at the end the following:

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 24 are authorized to be appropriated such sums as are nec-  
 25 essary to carry out this section.”; and

1           (2) by striking section 3511 (106 Stat. 4739)  
2           and inserting the following:

3   **“SEC. 3511. RURAL HEALTH CARE FACILITY, FORT**  
4               **BERTHOLD INDIAN RESERVATION, NORTH**  
5               **DAKOTA.**

6           “There are authorized to be appropriated to the Sec-  
7   retary of Health and Human Services \$20,000,000 for the  
8   construction of, and such sums as are necessary for other  
9   expenses relating to, a rural health care facility on the  
10   Fort Berthold Indian Reservation of the Three Affiliated  
11   Tribes, North Dakota.”.



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