

109TH CONGRESS  
1ST SESSION

# S. 1312

To amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 27, 2005

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, 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 “Reducing Conflicts of  
5       Interests in the Representation of Indian Tribes Act of  
6       2005”.

7       **SEC. 2. ADDITIONAL EMPLOYMENT RIGHTS.**

8       Section 104 of the Indian Self-Determination and  
9       Education Assistance Act (25 U.S.C. 450i) is amended by  
10      striking subsection (j) and inserting the following:

1 “(j) ADDITIONAL EMPLOYMENT RIGHTS.—

2 “(1) IN GENERAL.—Notwithstanding sections  
3 205 and 207 of title 18, United States Code, an offi-  
4 cer or employee of the United States assigned to an  
5 Indian tribe under section 3372 of title 5, United  
6 States Code, or section 2072 of the Revised Statutes  
7 (25 U.S.C. 48), or an individual that was formerly  
8 an officer or employee of the United States and who  
9 is an employee of an Indian tribe employed to per-  
10 form services pursuant to self-governance contracts  
11 or compacts under this Act that the individual for-  
12 merly performed for the United States, may commu-  
13 nicate with and appear before any department, agen-  
14 cy, court, or commission on behalf of the Indian  
15 tribe with respect to any matter relating to the con-  
16 tract or compact, including any matter in which the  
17 United States is a party or has a direct and sub-  
18 stantial interest.

19 “(2) NOTIFICATION OF INVOLVEMENT IN PEND-  
20 ING MATTER.—An officer, employee, or former offi-  
21 cer or employee described in paragraph (1) shall  
22 submit to the head of each appropriate department,  
23 agency, court, or commission, in writing, a notifica-  
24 tion of any personal and substantial involvement the  
25 officer, employee, or former officer or employee had

1       as an officer or employee of the United States with  
2       respect to the pending matter.”.

3   **SEC. 3. EFFECTIVE DATE.**

4       The effective date of the amendment made by this  
5   Act shall be the date that is 1 year after the date of enact-  
6   ment of this Act.

