

114TH CONGRESS  
1ST SESSION

# H. R. 2751

To establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2015

Ms. MCCOLLUM (for herself, Mr. COLE, Mr. TAKAI, and Mr. DENHAM) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, 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 “Alyce Spotted Bear  
5 and Walter Soboleff Commission on Native Children Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the United States has a distinct legal, trea-  
9 ty, and trust obligation to provide for the education,

1 health care, safety, social welfare, and other needs of  
2 Native children;

3 (2) chronic underfunding of Federal programs  
4 to fulfill the longstanding Federal trust obligation  
5 has resulted in limited access to critical services for  
6 the more than 2,100,000 Native children under the  
7 age of 24 living in the United States;

8 (3) Native children are the most at-risk popu-  
9 lation in the United States, confronting serious dis-  
10 parities in education, health, and safety, with 37  
11 percent living in poverty;

12 (4) 17 percent of Native children have no  
13 health insurance coverage, and child mortality has  
14 increased 15 percent among Native children aged 1  
15 to 14, while the overall rate of child mortality in the  
16 United States decreased by 9 percent;

17 (5) suicide is the second leading cause of death  
18 in Native children aged 15 through 24, a rate that  
19 is 2.5 times the national average, and violence, in-  
20 cluding intentional injuries, homicide, and suicide,  
21 account for 75 percent of the deaths of Native chil-  
22 dren aged 12 through 20;

23 (6) 58 percent of 3- and 4-year-old Native chil-  
24 dren are not attending any form of preschool, 15  
25 percent of Native children are not in school and not

1 working, and the graduation rate for Native high  
2 school students is 50 percent;

3 (7) 22.9 percent of Native children aged 12 and  
4 older report alcohol use, 16 percent report substance  
5 dependence or abuse, 35.8 percent report tobacco  
6 use, and 12.5 percent report illicit drug use;

7 (8) Native children disproportionately enter fos-  
8 ter care at a rate more than 2.1 times the general  
9 population and have the third highest rate of victim-  
10 ization; and

11 (9) there is no resource that is more vital to the  
12 continued existence and integrity of Native commu-  
13 nities than Native children, and the United States  
14 has a direct interest, as trustee, in protecting Native  
15 children.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18 (1) COMMISSION.—The term “Commission”  
19 means the Alyce Spotted Bear and Walter Soboleff  
20 Commission on Native Children established by sec-  
21 tion 4.

22 (2) INDIAN.—The term “Indian” has the mean-  
23 ing given the term in section 4 of the Indian Self-  
24 Determination and Education Assistance Act (25  
25 U.S.C. 450b).

1           (3) INDIAN TRIBE.—The term “Indian tribe”  
2           has the meaning given the term in section 4 of the  
3           Indian Self-Determination and Education Assistance  
4           Act (25 U.S.C. 450b).

5           (4) NATIVE CHILD.—The term “Native child”  
6           means—

7                   (A) an Indian child, as that term is de-  
8                   fined in section 4 of the Indian Child Welfare  
9                   Act of 1978 (25 U.S.C. 1903);

10                   (B) an Indian who is between the ages of  
11                   18 and 24 years old; and

12                   (C) a Native Hawaiian who is not older  
13                   than 24 years old.

14           (5) NATIVE HAWAIIAN.—The term “Native Ha-  
15           waiian” has the meaning given the term in section  
16           7207 of the Elementary and Secondary Education  
17           Act of 1965 (20 U.S.C. 7517).

18           (6) SECRETARY.—The term “Secretary” means  
19           the Secretary of the Interior.

20           (7) TRIBAL COLLEGE OR UNIVERSITY.—The  
21           term “Tribal College or University” has the meaning  
22           given the term in section 316(b) of the Higher Edu-  
23           cation Act of 1965 (20 U.S.C. 1059c(b)).

1 **SEC. 4. COMMISSION ON NATIVE CHILDREN.**

2 (a) IN GENERAL.—There is established a commission  
3 in the Office of Tribal Justice of the Department of Jus-  
4 tice, to be known as the “Alyce Spotted Bear and Walter  
5 Soboleff Commission on Native Children”.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be  
8 composed of 11 members, of whom—

9 (A) 3 shall be appointed by the President,  
10 in consultation with—

11 (i) the Attorney General;

12 (ii) the Secretary;

13 (iii) the Secretary of Education; and

14 (iv) the Secretary of Health and  
15 Human Services;

16 (B) 3 shall be appointed by the Majority  
17 Leader of the Senate, in consultation with the  
18 Chairperson of the Committee on Indian Affairs  
19 of the Senate;

20 (C) 1 shall be appointed by the Minority  
21 Leader of the Senate, in consultation with the  
22 Vice Chairperson of the Committee on Indian  
23 Affairs of the Senate;

24 (D) 3 shall be appointed by the Speaker of  
25 the House of Representatives, in consultation  
26 with the Chairperson of the Committee on Nat-

1           ural Resources of the House of Representatives;  
2           and

3           (E) 1 shall be appointed by the Minority  
4           Leader of the House of Representatives, in con-  
5           sultation with the Ranking Member of the Com-  
6           mittee on Natural Resources of the House of  
7           Representatives.

8           (2) REQUIREMENTS FOR ELIGIBILITY.—

9           (A) IN GENERAL.—Subject to subpara-  
10          graph (B), each member of the Commission  
11          shall have significant experience and expertise  
12          in—

13                   (i) Indian affairs; and

14                   (ii) matters to be studied by the Com-  
15          mission, including—

16                           (I) health care issues facing Na-  
17                           tive children, including mental health,  
18                           physical health, and nutrition;

19                           (II) Indian education, including  
20                           experience with Bureau of Indian  
21                           Education schools and public schools,  
22                           tribally operated schools, tribal col-  
23                           leges or universities, early childhood  
24                           education programs, and the develop-  
25                           ment of extracurricular programs;

1 (III) juvenile justice programs re-  
2 lating to prevention and reducing in-  
3 carceration and rates of recidivism;  
4 and

5 (IV) social service programs that  
6 are used by Native children and de-  
7 signed to address basic needs, such as  
8 food, shelter, and safety, including  
9 child protective services, group homes,  
10 and shelters.

11 (B) EXPERTS.—

12 (i) NATIVE CHILDREN.—1 member of  
13 the Commission shall—

14 (I) meet the requirements of sub-  
15 paragraph (A); and

16 (II) be responsible for providing  
17 the Commission with insight into and  
18 input from Native children on the  
19 matters studied by the Commission.

20 (ii) RESEARCH.—1 member of the  
21 Commission shall—

22 (I) meet the requirements of sub-  
23 paragraph (A); and

24 (II) have extensive experience in  
25 statistics or social science research.

1           (3) TERMS.—

2                   (A) IN GENERAL.—Each member of the  
3 Commission shall be appointed for the life of  
4 the Commission.

5                   (B) VACANCIES.—A vacancy in the Com-  
6 mission shall be filled in the manner in which  
7 the original appointment was made.

8           (c) OPERATION.—

9                   (1) CHAIRPERSON.—Not later than 15 days  
10 after the date on which all members of the Commis-  
11 sion have been appointed, the Commission shall se-  
12 lect 1 member to serve as Chairperson of the Com-  
13 mission.

14                   (2) MEETINGS.—

15                           (A) IN GENERAL.—The Commission shall  
16 meet at the call of the Chairperson.

17                           (B) INITIAL MEETING.—The initial meet-  
18 ing of the Commission shall take place not later  
19 than 30 days after the date described in para-  
20 graph (1).

21                   (3) QUORUM.—A majority of the members of  
22 the Commission shall constitute a quorum, but a  
23 lesser number of members may hold hearings.

24                   (4) RULES.—The Commission may establish, by  
25 majority vote, any rules for the conduct of Commis-



1 sion business, in accordance with this Act and other  
2 applicable law.

3 (d) NATIVE ADVISORY COMMITTEE.—

4 (1) ESTABLISHMENT.—The Commission shall  
5 establish a committee, to be known as the “Native  
6 Advisory Committee”.

7 (2) MEMBERSHIP.—

8 (A) COMPOSITION.—The Native Advisory  
9 Committee shall consist of—

10 (i) 1 representative of Indian tribes  
11 from each region of the Bureau of Indian  
12 Affairs who is 25 years of age or older;  
13 and

14 (ii) 1 Native Hawaiian who is 25  
15 years of age or older.

16 (B) QUALIFICATIONS.—Each member of  
17 the Native Advisory Committee shall have expe-  
18 rience relating to matters to be studied by the  
19 Commission.

20 (3) DUTIES.—The Native Advisory Committee  
21 shall—

22 (A) serve as an advisory body to the Com-  
23 mission; and

24 (B) provide to the Commission advice and  
25 recommendations, submit materials, documents,

1 testimony, and such other information as the  
2 Commission determines to be necessary to carry  
3 out the duties of the Commission under this  
4 section.

5 (4) NATIVE CHILDREN SUBCOMMITTEE.—The  
6 Native Advisory Committee shall establish a sub-  
7 committee that shall consist of at least 1 member  
8 from each region of the Bureau of Indian Affairs  
9 and 1 Native Hawaiian, each of whom shall be a  
10 Native child, and have experience serving on the  
11 council of a tribal, regional, or national youth orga-  
12 nization.

13 (e) COMPREHENSIVE STUDY OF NATIVE CHILDREN  
14 ISSUES.—

15 (1) IN GENERAL.—The Commission shall con-  
16 duct a comprehensive study of Federal, State, local,  
17 and tribal programs that serve Native children, in-  
18 cluding an evaluation of—

19 (A) the impact of concurrent jurisdiction  
20 on child welfare systems;

21 (B) the barriers Indian tribes and Native  
22 Hawaiians face in applying, reporting on, and  
23 using existing public and private grant re-  
24 sources, including identification of any Federal  
25 cost-sharing requirements;

1 (C) the obstacles to nongovernmental fi-  
2 nancial support, such as from private founda-  
3 tions and corporate charities, for programs ben-  
4 efitting Native children;

5 (D) the issues relating to data collection,  
6 such as small sample sizes, large margins of  
7 error, or other issues related to the validity and  
8 statistical significance of data on Native chil-  
9 dren;

10 (E) the barriers to the development of sus-  
11 tainable, multidisciplinary programs designed to  
12 assist high-risk Native children and families of  
13 those high-risk Native children;

14 (F) cultural or socioeconomic challenges in  
15 communities of Native children;

16 (G) any examples of successful program  
17 models and use of best practices in programs  
18 that serve children and families;

19 (H) the barriers to interagency coordina-  
20 tion on programs benefitting Native children;  
21 and

22 (I) the use of memoranda of agreement or  
23 interagency agreements to facilitate or improve  
24 agency coordination, including the effects of ex-

1           isting memoranda or interagency agreements on  
2           program service delivery and efficiency.

3           (2) COORDINATION.—In conducting the study  
4           under paragraph (1), the Commission shall, to the  
5           maximum extent practicable—

6                   (A) to avoid duplication of efforts, collabo-  
7                   rate with other workgroups focused on similar  
8                   issues, such as the Task Force on American In-  
9                   dian/Alaska Native Children Exposed to Vio-  
10                  lence of the Attorney General; and

11                   (B) to improve coordination and reduce  
12                  travel costs, use available technology.

13           (3) RECOMMENDATIONS.—Taking into consid-  
14           eration the results of the study under paragraph (1)  
15           and the analysis of any existing data relating to Na-  
16           tive children received from Federal agencies, the  
17           Commission shall—

18                   (A) develop recommendations for goals,  
19                   and plans for achieving those goals, for Federal  
20                   policy relating to Native children in the short-  
21                   , mid-, and long-term, which shall be informed  
22                   by the development of accurate child well-being  
23                   measures, except that the Commission shall not  
24                   consider or recommend the recognition or the

1 establishment of a government-to-government  
2 relationship with—

3 (i) any entity not recognized on or be-  
4 fore the date of enactment of this Act by  
5 the Federal Government through an Act of  
6 Congress, Executive action, judicial decree,  
7 or any other action; or

8 (ii) any entity not included in the list  
9 authorized pursuant to the Federally Rec-  
10 ognized Indian Tribe List Act of 1994 (25  
11 U.S.C. 479a et seq.);

12 (B) make recommendations on necessary  
13 modifications and improvements to programs  
14 that serve Native children at the Federal, State,  
15 and tribal levels, on the condition that the rec-  
16 ommendations recognize the diversity in cul-  
17 tural values, integrate the cultural strengths of  
18 the communities of the Native children, and will  
19 result in—

20 (i) improvements to the child welfare  
21 system that—

22 (I) reduce the disproportionate  
23 rate at which Native children enter  
24 child protective services and the pe-

1           riod of time spent in the foster sys-  
2           tem;

3                   (II) increase coordination among  
4           social workers, police, and foster fami-  
5           lies assisting Native children while in  
6           the foster system to result in the in-  
7           creased safety of Native children while  
8           in the foster system;

9                   (III) encourage the hiring and re-  
10          tention of licensed social workers in  
11          Native communities;

12                   (IV) address the lack of available  
13          foster homes in Native communities;  
14          and

15                   (V) reduce truancy and improve  
16          the academic proficiency and gradua-  
17          tion rates of Native children in the  
18          foster system;

19                   (ii) improvements to the mental and  
20          physical health of Native children, taking  
21          into consideration the rates of suicide, sub-  
22          stance abuse, and access to nutrition and  
23          health care, including—

24                           (I) an analysis of the increased  
25          access of Native children to Medicaid

1 under the Patient Protection and Af-  
2 fordable Care Act (Public Law 111-  
3 148) and the effect of that increase  
4 on the ability of Indian tribes and Na-  
5 tive Hawaiians to develop sustainable  
6 health programs; and

7 (II) an evaluation of the effects  
8 of a lack of public sanitation infra-  
9 structure, including in-home sewer  
10 and water, on the health status of Na-  
11 tive children;

12 (iii) improvements to educational and  
13 vocational opportunities for Native children  
14 that will lead to—

15 (I) increased school attendance,  
16 performance, and graduation rates for  
17 Native children across all educational  
18 levels, including early education, post-  
19 secondary, and graduate school;

20 (II) localized strategies developed  
21 by educators, tribal and community  
22 leaders, and law enforcement to pre-  
23 vent and reduce truancy among Na-  
24 tive children;

1 (III) scholarship opportunities at  
2 a Tribal College or University and  
3 other public and private postsecondary  
4 institutions;

5 (IV) increased participation of  
6 the immediate families of Native chil-  
7 dren;

8 (V) coordination among schools  
9 and Indian tribes that serve Native  
10 children, including in the areas of  
11 data sharing and student tracking;

12 (VI) accurate identification of  
13 students as Native children; and

14 (VII) increased school counseling  
15 services, improved access to quality  
16 nutrition at school, and safe student  
17 transportation;

18 (iv) improved policies and practices by  
19 local school districts that would result in  
20 improved academic proficiency for Native  
21 children;

22 (v) increased access to extracurricular  
23 activities for Native children that are de-  
24 signed to increase self-esteem, promote  
25 community engagement, and support aca-



1           demic excellence while also serving to pre-  
2           vent unplanned pregnancy, membership in  
3           gangs, drug and alcohol abuse, and suicide,  
4           including activities that incorporate tradi-  
5           tional language and cultural practices of  
6           Indians and Native Hawaiians;

7           (vi) taking into consideration the re-  
8           port of the Indian Law and Order Com-  
9           mission issued pursuant to section 15(f) of  
10          the Indian Law Enforcement Reform Act  
11          (25 U.S.C. 2812(f)), improvements to Fed-  
12          eral, State, and tribal juvenile justice sys-  
13          tems and detention programs—

14                 (I) to provide greater access to  
15                 educational opportunities and social  
16                 services for incarcerated Native chil-  
17                 dren;

18                 (II) to promote prevention and  
19                 reduce incarceration and recidivism  
20                 rates among Native children;

21                 (III) to identify intervention ap-  
22                 proaches and alternatives to incarcer-  
23                 ation of Native children;

24                 (IV) to incorporate families and  
25                 the traditional cultures of Indians and

1 Native Hawaiians in the juvenile jus-  
2 tice process, including through the de-  
3 velopment of a family court for juve-  
4 nile offenses; and

5 (V) to prevent unnecessary de-  
6 tentions and identify successful re-  
7 entry programs;

8 (vii) expanded access to a continuum  
9 of early development and learning services  
10 for Native children from prenatal to age 5  
11 that are culturally competent, support Na-  
12 tive language preservation, and comprehen-  
13 sively promote the health, well-being, learn-  
14 ing, and development of Native children,  
15 such as—

16 (I) high quality early care and  
17 learning programs for children start-  
18 ing from birth, including Early Head  
19 Start, Head Start, child care, and  
20 preschool programs;

21 (II) programs, including home  
22 visiting and family resource and sup-  
23 port programs, that increase the ca-  
24 pacity of parents to support the learn-  
25 ing and development of the children of

1 the parents, beginning prenatally, and  
2 connect the parents with necessary re-  
3 sources;

4 (III) early intervention and pre-  
5 school services for infants, toddlers,  
6 and preschool-aged children with de-  
7 velopmental delays or disabilities; and

8 (IV) professional development op-  
9 portunities for Native providers of  
10 early development and learning serv-  
11 ices;

12 (viii) the development of a system that  
13 delivers wraparound services to Native  
14 children in a way that is comprehensive  
15 and sustainable, including through in-  
16 creased coordination among Indian tribes,  
17 schools, law enforcement, health care pro-  
18 viders, social workers, and families;

19 (ix) more flexible use of existing Fed-  
20 eral programs, such as by—

21 (I) providing Indians and Native  
22 Hawaiians with more flexibility to  
23 carry out programs, while maintaining  
24 accountability, minimizing administra-  
25 tive time, cost, and expense and re-

1           ducing the burden of Federal paper-  
2           work requirements; and

3                   (II) allowing unexpended Federal  
4           funds to be used flexibly to support  
5           programs benefitting Native children,  
6           while taking into account—

7                   (aa) the Indian Employ-  
8                   ment, Training and Related Serv-  
9                   ices Demonstration Act of 1992  
10                  (25 U.S.C. 3401 note; 106 Stat.  
11                  2302);

12                  (bb) the Coordinated Tribal  
13                  Assistance Solicitation program  
14                  of the Department of Justice;

15                  (cc) the Federal policy of  
16                  self-determination; and

17                  (dd) any consolidated grant  
18                  programs; and

19                  (x) solutions to other issues that, as  
20                  determined by the Commission, would im-  
21                  prove the health, safety, and well-being of  
22                  Native children;

23                  (C) make recommendations for improving  
24                  data collection methods that consider—

- 1 (i) the adoption of standard defini-  
2 tions and compatible systems platforms to  
3 allow for greater linkage of data sets  
4 across Federal agencies;
- 5 (ii) the appropriateness of existing  
6 data categories for comparative purposes;
- 7 (iii) the development of quality data  
8 and measures, such as by ensuring suffi-  
9 cient sample sizes and frequency of sam-  
10 pling, for Federal, State, and tribal pro-  
11 grams that serve Native children;
- 12 (iv) the collection and measurement of  
13 data that are useful to Indian tribes and  
14 Native Hawaiians;
- 15 (v) the inclusion of Native children in  
16 longitudinal studies; and
- 17 (vi) tribal access to data gathered by  
18 Federal, State, and local governmental  
19 agencies; and
- 20 (D) identify models of successful Federal,  
21 State, and tribal programs in the areas studied  
22 by the Commission.
- 23 (f) REPORT.—Not later than 3 years after the date  
24 on which all members of the Commission are appointed  
25 and amounts are made available to carry out this Act, the

1 Commission shall submit to the President, Congress, and  
2 the White House Council on Native American Affairs a  
3 report that contains—

4 (1) a detailed statement of the findings and  
5 conclusions of the Commission; and

6 (2) the recommendations of the Commission for  
7 such legislative and administrative actions as the  
8 Commission considers to be appropriate.

9 (g) POWERS.—

10 (1) HEARINGS.—

11 (A) IN GENERAL.—The Commission may  
12 hold such hearings, meet and act at such times  
13 and places, take such testimony, and receive  
14 such evidence as the Commission considers to  
15 be advisable to carry out the duties of the Com-  
16 mission under this section, except that the  
17 Commission shall hold not less than 5 hearings  
18 in Native communities.

19 (B) PUBLIC REQUIREMENT.—The hearings  
20 of the Commission under this paragraph shall  
21 be open to the public.

22 (2) WITNESS EXPENSES.—

23 (A) IN GENERAL.—A witness requested to  
24 appear before the Commission shall be paid the  
25 same fees and allowances as are paid to wit-

1           nesses under section 1821 of title 28, United  
2           States Code.

3           (B) PER DIEM AND MILEAGE.—The fees  
4           and allowances for a witness shall be paid from  
5           funds made available to the Commission.

6           (3) INFORMATION FROM FEDERAL, TRIBAL,  
7           AND STATE AGENCIES.—

8           (A) IN GENERAL.—The Commission may  
9           secure directly from a Federal agency such in-  
10          formation as the Commission considers to be  
11          necessary to carry out this section.

12          (B) TRIBAL AND STATE AGENCIES.—The  
13          Commission may request the head of any tribal  
14          or State agency to provide to the Commission  
15          such information as the Commission considers  
16          to be necessary to carry out this Act.

17          (4) POSTAL SERVICES.—The Commission may  
18          use the United States mails in the same manner and  
19          under the same conditions as other agencies of the  
20          Federal Government.

21          (5) GIFTS.—The Commission may accept, use,  
22          and dispose of gifts or donations of services or prop-  
23          erty related to the purpose of the Commission.

24          (h) COMMISSION PERSONNEL MATTERS.—

1           (1) TRAVEL EXPENSES.—A member of the  
2 Commission shall be allowed travel expenses, includ-  
3 ing per diem in lieu of subsistence, at rates author-  
4 ized for an employee of an agency under subchapter  
5 I of chapter 57 of title 5, United States Code, while  
6 away from the home or regular place of business of  
7 the member in the performance of the duties of the  
8 Commission.

9           (2) DETAIL OF FEDERAL EMPLOYEES.—

10           (A) IN GENERAL.—On the affirmative vote  
11 of  $\frac{2}{3}$  of the members of the Commission—

12           (i) the Attorney General, the Sec-  
13 retary, the Secretary of Education, and the  
14 Secretary of Health and Human Services  
15 shall each detail, without reimbursement,  
16 one or more employees of the Department  
17 of Justice, the Department of the Interior,  
18 the Department of Education, and the De-  
19 partment of Health and Human Services;  
20 and

21           (ii) with the approval of the appro-  
22 priate Federal agency head, an employee of  
23 any other Federal agency may be, without  
24 reimbursement, detailed to the Commis-  
25 sion.



1           (B) EFFECT ON DETAILEES.—Detail  
2           under this paragraph shall be without interrup-  
3           tion or loss of civil service status, benefits, or  
4           privileges.

5           (3) PROCUREMENT OF TEMPORARY AND INTER-  
6           MITTENT SERVICES.—

7           (A) IN GENERAL.—On request of the Com-  
8           mission, the Attorney General shall provide to  
9           the Commission, on a reimbursable basis, rea-  
10          sonable and appropriate office space, supplies,  
11          and administrative assistance.

12          (B) NO REQUIREMENT FOR PHYSICAL FA-  
13          CILITIES.—The Administrator of General Serv-  
14          ices shall not be required to locate a permanent,  
15          physical office space for the operation of the  
16          Commission.

17          (4) MEMBERS NOT FEDERAL EMPLOYEES.—No  
18          member of the Commission, the Native Advisory  
19          Committee, or the Native Children Subcommittee  
20          shall be considered to be a Federal employee.

21          (i) TERMINATION OF COMMISSION.—The Commis-  
22          sion shall terminate 90 days after the date on which the  
23          Commission submits the report under subsection (f).

24          (j) NONAPPLICABILITY OF FACA.—The Federal Ad-  
25          visory Committee Act (5 U.S.C. App.) shall not apply to

1 the Commission, the Native Advisory Committee, or the  
2 Native Children Subcommittee.

3 (k) EFFECT.—This Act shall not be construed to rec-  
4 ognize or establish a government-to-government relation-  
5 ship with—

6 (1) any entity not recognized on or before the  
7 date of enactment of this Act by the Federal Gov-  
8 ernment through an Act of Congress, Executive ac-  
9 tion, judicial decree, or any other action; or

10 (2) any entity not included in the list author-  
11 ized pursuant to the Federally Recognized Indian  
12 Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

13 (l) FUNDING.—There is authorized to be appro-  
14 priated to carry out this Act \$2,000,000.

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