

104TH CONGRESS  
2D SESSION

# H. R. 2726

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IN THE SENATE OF THE UNITED STATES

JANUARY 24, 1996

Received

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## AN ACT

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,*

1 **SECTION 1. CORRECTION TO POKAGON RESTORATION ACT.**

2 Section 9 of the Act entitled “An Act to restore Fed-  
3 eral services to the Pokagon Band of Potawatomi Indians”  
4 (25 U.S.C. 1300j–7a) is amended—

5 (1) by striking “Bands” each place it appears  
6 and inserting “Band”;

7 (2) in subsection (a), by striking “respective”;  
8 and

9 (3) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) in the first sentence—

12 (I) by striking “membership rolls  
13 that contain” and inserting “a mem-  
14 bership roll that contains”; and

15 (II) by striking “in such” and in-  
16 serting “in the”; and

17 (ii) in the second sentence, by striking  
18 “Each such” and inserting “The”;

19 (B) in paragraph (2)—

20 (i) by striking “rolls have” and insert-  
21 ing “roll has”; and

22 (ii) by striking “such rolls” and in-  
23 serting “such roll”;

24 (C) in the heading for paragraph (3), by  
25 striking “ROLLS” and inserting “ROLL”; and

1 (D) in paragraph (3), by striking “rolls are  
2 maintained” and inserting “roll is maintained”.

3 **SEC. 2. CORRECTION TO ODAWA AND OTTAWA RESTORA-**  
4 **TION ACT.**

5 (a) REAFFIRMATION OF RIGHTS.—The heading of  
6 section 5(b) of the Little Traverse Bay Bands of Odawa  
7 Indians and the Little River Band of Ottawa Indians Act  
8 (25 U.S.C. 1300k–3) is amended by striking “TRIBE” and  
9 inserting “BANDS”.

10 (b) MEMBERSHIP LIST.—Section 9 of the Little Tra-  
11 verse Bay Bands of Odawa and the Little River Band of  
12 Ottawa Indians Act (25 U.S.C. 1300k–7) is amended—

13 (1) in subsection (a)—

14 (A) by striking “Band” the first place it  
15 appears and inserting “Bands”; and

16 (B) by striking “the Band.” and inserting  
17 “the respective Bands.”; and

18 (2) in subsection (b)(1)—

19 (A) in the first sentence, by striking “the  
20 Band shall submit to the Secretary membership  
21 rolls that contain the names of all individuals  
22 eligible for membership in such Band” and in-  
23 serting “each of the Bands shall submit to the  
24 Secretary a membership roll that contains the

1 names of all individuals that are eligible for  
2 membership in such Band”; and

3 (B) in the second sentence, by striking  
4 “The Band, in consultation” and inserting  
5 “Each such Band, in consultation”.

6 **SEC. 3. INDIAN DAMS SAFETY ACT OF 1994.**

7 Section 4(h) of the Indian Dams Safety Act of 1994  
8 (25 U.S.C. 3803(h); 108 Stat. 1562) is amended by strik-  
9 ing “(under the Indian Self-Determination and Education  
10 Assistance Act (25 U.S.C. 450b(e))), as amended,” and  
11 inserting “under the Indian Self-Determination and Edu-  
12 cation Assistance Act (25 U.S.C. 450 et seq.)”.

13 **SEC. 4. PASCUA YAQUI INDIANS OF ARIZONA.**

14 Section 4(b) of the Act entitled “An Act to provide  
15 for the extension of certain Federal benefits, services, and  
16 assistance to the Pascua Yaqui Indians of Arizona, and  
17 for other purposes” (25 U.S.C. 1300f–3(b)) is amended  
18 by striking “Pascua Yaqui tribe” and inserting “Pascua  
19 Yaqui Tribe”.

20 **SEC. 5. INDIAN LANDS OPEN DUMP CLEANUP ACT OF 1994.**

21 Section 3(7) of the Indian Lands Open Dump Clean-  
22 up Act of 1994 (25 U.S.C. 3902(7); 108 Stat. 4165) is  
23 amended by striking “under section 6944 of the Solid  
24 Waste Disposal Act (42 U.S.C. 6941 et seq.)” and insert-

1 ing “under section 4004 of the Solid Waste Disposal Act  
2 (42 U.S.C. 6944)”.

3 **SEC. 6. AMERICAN INDIAN TRUST FUND MANAGEMENT RE-**  
4 **FORM ACT OF 1994.**

5 (a) MAINTENANCE OF RECORDS.—Section  
6 303(e)(5)(D) of the American Indian Trust Fund Man-  
7 agement Reform Act of 1994 (25 U.S.C. 4043(e)(5)(D);  
8 108 Stat. 4247) is amended by striking “made under  
9 paragraph (3)(B)” and inserting “made under subpara-  
10 graph (C)”.

11 (b) ADVISORY BOARD.—Section 306(d) of the Indian  
12 Trust Fund Management Reform Act of 1994 (25 U.S.C.  
13 4046(d); 108 Stat. 4249) is amended by striking “Advi-  
14 sory Board” and inserting “advisory board”.

15 **SEC. 7. INDIAN SELF-DETERMINATION CONTRACT REFORM**  
16 **ACT OF 1994.**

17 Section 102(11) of the Indian Self-Determination  
18 Contract Reform Act of 1994 (108 Stat. 4254) is amend-  
19 ed by striking “subsection (e)” and inserting “subsection  
20 (e) of section 105”.

21 **SEC. 8. AUBURN INDIAN RESTORATION.**

22 (a) ECONOMIC DEVELOPMENT.—Section 203 of the  
23 Auburn Indian Restoration Act (25 U.S.C. 1300l–1) is  
24 amended—

1           (1) in subsection (a)(2), by striking “as pro-  
2           vided in section 107” and inserting “as provided in  
3           section 207”; and

4           (2) in subsection (b), by striking “section 104”  
5           and inserting “section 204”.

6           (b) INTERIM GOVERNMENT.—The last sentence of  
7           section 206 of the Auburn Indian Restoration Act (25  
8           U.S.C. 13001–4) is amended by striking “Interim council”  
9           and inserting “Interim Council”.

10   **SEC. 9. CROW BOUNDARY SETTLEMENT ACT OF 1994.**

11           (a) ENFORCEMENT.—Section 5(b)(3) of the Crow  
12           Boundary Settlement Act of 1994 (25 U.S.C. 1776c(b)(3);  
13           108 Stat. 4636) is amended by striking “provisions of sub-  
14           section (b)” and inserting “provisions of this subsection”.

15           (b) APPLICABILITY.—Section 9(a) of the Crow  
16           Boundary Settlement Act of 1994 (25 U.S.C. 1776g(a);  
17           108 Stat. 4640) is amended by striking “The Act” and  
18           inserting “This Act”.

19           (c) ESCROW FUNDS.—Section 10(b) of the Crow  
20           Boundary Settlement Act of 1994 (25 U.S.C. 1776h(b);  
21           108 Stat. 4641) is amended by striking “(collectively re-  
22           ferred to in this subsection as the ‘Suspension Accounts’)”  
23           and inserting “(collectively referred to in this section as  
24           the ‘Suspension Accounts’)”.

1 **SEC. 10. TLINGIT AND HAIDA STATUS CLARIFICATION ACT.**

2 The first sentence of section 205 of the Tlingit and  
3 Haida Status Clarification Act (25 U.S.C. 1215) is  
4 amended by striking “Indian tribes” and inserting “In-  
5 dian Tribes”.

6 **SEC. 11. NATIVE AMERICAN LANGUAGES ACT.**

7 Section 103 of the Native American Languages Act  
8 (25 U.S.C. 2902) is amended—

9 (1) in paragraph (2), by striking “under section  
10 5351(4) of the Indian Education Act of 1988 (25  
11 U.S.C. 2651(4))” and inserting “under section  
12 9161(4) of the Elementary and Secondary Edu-  
13 cation Act of 1965 (20 U.S.C. 7881(4))”; and

14 (2) in paragraph (3), by striking “section 4009  
15 of Public Law 100–297 (20 U.S.C. 4909)” and in-  
16 serting “section 9212(1) of the Elementary and Sec-  
17 ondary Education Act of 1965 (20 U.S.C.  
18 7912(1))”.

19 **SEC. 12. PONCA RESTORATION ACT.**

20 Section 5 of the Ponca Restoration Act (25 U.S.C.  
21 983c) is amended—

22 (1) by inserting “Sarpy, Burt, Platte, Stanton,  
23 Holt, Hall, Wayne,” before “Knox”; and

24 (2) by striking “or Charles Mix County” and  
25 inserting “, Woodbury or Pottawattomie Counties of  
26 Iowa, or Charles Mix County”.

1 **SEC. 13. REVOCATION OF CHARTER OF INCORPORATION**  
2 **OF THE MINNESOTA CHIPPEWA TRIBE**  
3 **UNDER THE INDIAN REORGANIZATION ACT.**

4 The request of the Minnesota Chippewa Tribe to sur-  
5 render the charter of incorporation issued to that tribe on  
6 September 17, 1937, pursuant to section 17 of the Act  
7 of June 18, 1934, commonly known as the “Indian Reor-  
8 ganization Act” (48 Stat. 988, chapter 576; 25 U.S.C.  
9 477) is hereby accepted and that charter of incorporation  
10 is hereby revoked.

11 **SEC. 14. ADVISORY COUNCIL ON CALIFORNIA INDIAN POL-**  
12 **ICY ACT OF 1992.**

13 Section 5(6) of the Advisory Council on California In-  
14 dian Policy Act of 1992 (106 Stat. 2133; 25 U.S.C. 651  
15 note) is amended by striking “18 months” and inserting  
16 “36 months”.

17 **SEC. 15. IN-LIEU FISHING SITE TRANSFER AUTHORITY.**

18 Section 401 of Public Law 100–581 (102 Stat. 2944–  
19 2945) is amended by adding at the end the following new  
20 subsection:

21 “(g) The Secretary of the Army is authorized to  
22 transfer funds to the Department of the Interior to be  
23 used for purposes of the continued operation and mainte-  
24 nance of sites improved or developed under this section.”.

1 **SEC. 16. ADOLESCENT TRANSITIONAL LIVING FACILITY.**

2 Notwithstanding any other provision of law, any  
3 funds that were provided to the Ponca Indian Tribe of  
4 Nebraska for any of the fiscal years 1992 through 1995,  
5 and that were retained by that Indian tribe, pursuant to  
6 a self-determination contract with the Secretary of Health  
7 and Human Services that the Indian tribe entered into  
8 under section 102 of the Indian Self-Determination and  
9 Education Assistance Act (25 U.S.C. 450f) to carry out  
10 programs and functions of the Indian Health Service may  
11 be used by that Indian tribe to acquire, develop, and main-  
12 tain a transitional living facility for adolescents, including  
13 land for that facility.

14 **SEC. 17. EXPENDITURE OF MESCALERO APACHE TRIBE**  
15 **JUDGMENT FUNDS.**

16 Notwithstanding any other provision of law, or any  
17 distribution plan approved pursuant to the Indian Tribal  
18 Judgment Funds Use or Distribution Act (25 U.S.C. 1401  
19 et seq.), the Secretary of the Interior may reprogram, in  
20 accordance with the Resolutions, approved by the Mesca-  
21 lero Apache Tribal Council on January 24, 1995, any and  
22 all remaining funds (principal and interest accounts) re-  
23 garding specific changes in the Secretarial Plans for the  
24 use of the funds in Docket Nos. 22-G, 30, 48, 30-A, and  
25 48-A, awarded in satisfaction of the judgments by the In-  
26 dian Claims Commission.

1 **SEC. 18. ESTABLISHMENT OF A BAND ROLL.**

2 Section 5(d)(2) of the Lac Vieux Desert Band of  
3 Lake Superior Chippewa Indians Act (25 U.S.C. 1300h–  
4 3(d)(2); 102 Stat. 1578) is amended—

5 (1) by inserting “and base roll” after “require-  
6 ment”; and

7 (2) by striking “modification is” and inserting  
8 “modifications are”.

9 **SEC. 19. OPTION TO INCORPORATE SELF-DETERMINATION**  
10 **PROVISIONS INTO SELF-GOVERNANCE.**

11 Section 403 of the Indian Self-Determination and  
12 Education Assistance Act (25 U.S.C. 458cc) is amended  
13 by adding the following new subsection:

14 “(1) INCORPORATE SELF-DETERMINATION PROVI-  
15 SIONS.—At the option of a participating tribe or tribes,  
16 any or all provisions of title I of this Act shall be made  
17 part of an agreement entered into under title III of this  
18 Act or this title. The Secretary is obligated to include such  
19 provisions at the option of the participating tribe or tribes.  
20 If such provision is incorporated it shall have the same  
21 force and effect as if set out in full in title III or this  
22 title.”.

Passed the House of Representatives January 23,  
1996.

Attest:

Robin H. Carle,  
*Clerk.*