

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.

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

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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