

106TH CONGRESS
1ST SESSION

S. 1588

To authorize the awarding of grants to Indian tribes and tribal organizations, and to facilitate the recruitment of temporary employees to improve Native American participation in and assist in the conduct of the 2000 decennial census of population, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 1999

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

A BILL

To authorize the awarding of grants to Indian tribes and tribal organizations, and to facilitate the recruitment of temporary employees to improve Native American participation in and assist in the conduct of the 2000 decennial census of population, 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 “Native American Cen-
5 sus Participation Enhancement Act of 1999”.

1 **SEC. 2. DEFINITIONS.**

2 (a) 2000 CENSUS.—The term “2000 census” means
3 the 2000 decennial census of population.

4 (b) BUREAU.—The term “Bureau” means the Bu-
5 reau of the Census.

6 (c) INDIAN TRIBE.—The term “Indian tribe” has the
7 meaning given that term in section 4(e) of the Indian Self-
8 Determination and Education Assistance Act (25 U.S.C.
9 450b(e)).

10 (d) INDIAN LANDS.—For purposes of this title, the
11 term “Indian lands” shall include lands within the defini-
12 tion of “Indian country”, as defined in 18 U.S.C. 1151;
13 or “Indian reservations” as defined in section 3(d) of the
14 Indian Financing Act of 1974, 25 U.S.C. 1452(d), or sec-
15 tion 4(10) of the Indian Child Welfare Act, 25 U.S.C.
16 1903(10). For purposes of this definition, such section
17 3(d) of the Indian Financing Act of 1974 shall be applied
18 by treating the term “former Indian reservations in Okla-
19 homa” as including only those lands which are within the
20 jurisdictional area of an Oklahoma Indian Tribe (as deter-
21 mined by the Secretary of the Interior) and are recognized
22 by such Secretary as eligible for trust land status under
23 25 CFR part 151 (as in effect on the date of enactment
24 of this sentence).

25 (e) SECRETARY.—The term “Secretary” means the
26 Secretary of Commerce.

1 (f) Tribal Organization.—The term “tribal organiza-
2 tion” has the meaning given that term by section 4 of the
3 Indian Self-Determination and Education Assistance Act
4 (25 U.S.C. 450b).

5 **SEC. 3. FINDINGS AND PURPOSES.**

6 The Congress finds that—

7 (1) article I of the United States Constitution
8 provides that an enumeration be taken of the United
9 States population every 10 years to permit the ap-
10 portionment of Representatives and for other pur-
11 poses;

12 (2) information collected through the decennial
13 census is used to determine—

14 (A) the boundaries of congressional dis-
15 tricts within States;

16 (B) the boundaries of the districts for the
17 legislature of each State and the boundaries of
18 other political subdivisions within the States;
19 and

20 (C) the allocation of billions of dollars of
21 Federal and State funds;

22 (3) the enumeration of Native Americans has
23 not been accurate and has led to an undercounting
24 of the Native American population living on Indian
25 lands and in rural areas;

1 (4) the United States has a legal obligation to
2 conduct an enumeration of the census in all commu-
3 nities in the United States, including Native commu-
4 nities; and

5 (5) Tribal governments and Native Americans
6 have an obligation to answer the census and ensure
7 they are represented in the census.

8 **TITLE I—GRANTS TO TRIBES**
9 **AND ORGANIZATIONS**

10 **SECTION 1. PROGRAM AUTHORIZATION.**

11 In order to improve Native American participation in
12 the 2000 census, the Secretary may, in accordance with
13 the provisions of this Act, provide for grants to be made
14 to Indian tribes and tribal organizations, consistent with
15 the purposes of this Act.

16 **SEC. 2. APPLICATIONS.**

17 (a) APPLICATIONS REQUIRED.—Each entity referred
18 to in section 2 that wishes to receive a grant under this
19 Act shall submit an application at such time, in such form,
20 and complete with such information as the Secretary shall
21 by regulation require, except that any such application
22 shall include at least—

23 (1) a statement of the objectives for which the
24 grant is sought; and

1 (2) a description of the types of programs and
2 activities for which the grant is sought.

3 (b) NOTICE OF APPROVAL OR DISAPPROVAL.—Each
4 entity submitting an application under subsection (a)
5 shall, not later than 60 days after the date of its submis-
6 sion, be notified in writing as to whether such application
7 is approved or disapproved.

8 **SEC. 3. MATCHING REQUIREMENT.**

9 (a) IN GENERAL.—A grant may not be made to an
10 entity under this Act unless such entity agrees, with re-
11 spect to the costs to be incurred by such entity in carrying
12 out the programs an activities for which the grant is made,
13 to make available non-Federal contributions in an amount
14 equal to not less than 50 percent of the Federal funds
15 provided under the grant.

16 (b) NON-FEDERAL CONTRIBUTIONS.—An entity re-
17 ceiving a grant under this Act may meet the requirement
18 under subsection (a) through—

19 (1) the use of amounts from non-Federal
20 sources; or

21 (2) in-kind contributions, fairly evaluated, but
22 only if and to the extent allowable under section 9.

1 **SEC. 4. ALLOCATION.**

2 The Secretary shall allocate the amounts appro-
3 priated to carry out this Act equitably and in a manner
4 that best achieves the purposes of this Act.

5 **SEC. 5. USE OF GRANT FUNDS.**

6 A grant made under this Act may be used only for
7 one or more of the following:

8 (1) To train volunteers to assist individuals re-
9 siding on Indian lands to complete and return cen-
10 sus questionnaires.

11 (2) To educate Native American and the public
12 about the importance of participating in the 2000
13 census.

14 (3) To educate Native Americans and the pub-
15 lic about the confidentiality that is accorded to infor-
16 mation collected in the 2000 census.

17 (4) To recruit candidates to apply for census
18 office and field enumerator positions.

19 (5) To sponsor community events to promote
20 the 2000 census.

21 (6) To produce community-tailored promotional
22 materials.

23 (7) To rent space to provide any of the training
24 described in this section.

1 **SEC. 6. REGULATIONS.**

2 Any regulations to carry out this Act shall be pre-
3 scribed not later than 60 days after the date of enactment
4 of this Act. The regulations shall include—

5 (1) provisions requiring that any application for
6 a grant under this Act be submitted to the appro-
7 priate regional center or area office of the Bureau
8 of the Census, as identified under the regulations;
9 and

10 (2) provisions under which the decision to ap-
11 prove or disapprove any such application shall be
12 made by the head of the appropriate center or office
13 in accordance with guidelines set forth in the regula-
14 tions.

15 **TITLE II—RECRUITMENT OF**
16 **TEMPORARY EMPLOYEES**

17 **SECTION 1. RECRUITING TEMPORARY EMPLOYEES.**

18 (a) COMPENSATION SHALL NOT BE TAKEN INTO AC-
19 COUNT.—Section 23 of title 13, United States Code, is
20 amended by adding at the end the following:

21 “(d)(1) As used in this subsection, the term ‘tem-
22 porary census position’ shall mean a temporary position
23 within the Bureau, established for purposes related to the
24 2000 census, as determined under regulations which the
25 Secretary shall prescribe.

1 “(2) Notwithstanding any other provision of law, the
2 earning or receipt by an individual of compensation for
3 service performed by such individual in a temporary cen-
4 sus position shall not have the effect of causing—

5 “(A) such individual or any other individual to
6 become eligible for any benefits described in para-
7 graph (3)(A); or

8 “(B) a reduction in the amount of any benefits
9 described in paragraph (3)(A) for which such indi-
10 vidual or any other individual would otherwise be eli-
11 gible.

12 “(3) This subsection—

13 “(A) shall apply with respect to benefits pro-
14 vided under any Federal program or under any
15 State, tribal or local program financed in whole or
16 in part with Federal funds;

17 “(B) shall apply only with respect to compensa-
18 tion for service performed during calendar year
19 2000; and

20 “(C) shall not apply if the individual per-
21 forming the service involved was first appointed to
22 a temporary census position (whether such individ-
23 ual’s then current position or a previous one) before
24 January 1, 2000.”.

1 (2) Nothing in the amendment made by paragraph
 2 (1) shall be considered to apply with respect to Public Law
 3 101–86 or the Internal Revenue Code of 1986.

4 (b) REEMPLOYED ANNUITANTS AND FORMER MEM-
 5 BERS OF THE UNIFORMED SERVICES.—Public Law 101–
 6 86 (13 U.S.C. 23) is amended—

7 (1) in section 1(b) and the long title by striking
 8 “the 1990 decennial census” and inserting “the
 9 2000 decennial census”; and

10 (2) in section 4 by striking “December 31,
 11 1990” and inserting December 31, 2000”.

12 **SECTION 2. CENSUS ASSISTANTS.**

13 (a) IN GENERAL.—Subject to available appropria-
 14 tions, and after consulting with Indian tribes, the Sec-
 15 retary may provide such reasonable and appropriate incen-
 16 tives to facilitate and encourage volunteers to assist in the
 17 enumeration of Native Americans.

18 (b) REIMBURSEMENTS.—In his discretion, the Sec-
 19 retary may reimburse volunteers for fuel and mileage ex-
 20 penses; meals and related expenses; and other reasonable
 21 and necessary expenses incurred by assistants in the con-
 22 duct of the Census.

23 (c) DEBT RELIEF.—In consultation with the Sec-
 24 retary of the Treasury, the Secretary shall develop and
 25 implement a program of undergraduate or graduate debt

1 relief for those Census assistants that have provided sig-
2 nificant service in the conduct of the enumeration of the
3 Census.

