

106TH CONGRESS
1ST SESSION

S. 612

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 1999

Mr. CAMPBELL (for himself and Mr. INOUE) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, 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 Needs Assess-
5 ment and Program Evaluation Act of 1999”.

6 **SEC. 2. FINDINGS, PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the United States and the Indian tribes
9 have a unique legal and political government-to-gov-
10 ernment relationship;

1 (2) pursuant to the Constitution, treaties, stat-
2 utes, Executive order, court decisions, and course of
3 conduct, the United States has a trust obligation to
4 provide certain services to Indian tribes and to Indi-
5 ans;

6 (3) Federal agencies charged with admin-
7 istering programs and providing services to or for
8 the benefit of Indians have not furnished Congress
9 with adequate information necessary to assess such
10 program on the needs of Indians and Indian tribes;

11 (4) such lack of information has hampered the
12 ability of the Congress to determine the nature,
13 type, and magnitude of such needs as well as its
14 ability to respond to them; and

15 (5) Congress cannot properly fulfill its obliga-
16 tion to Indian tribes and Indian people unless and
17 until it has an adequate store of information related
18 to the needs of Indians nationwide.

19 (b) PURPOSES.—The purposes of this Act are to—

20 (1) ensure that Indian needs for Federal pro-
21 grams and services are known in a more certain and
22 predictable fashion;

23 (2) require that Federal agencies and depart-
24 ments carefully review and monitor the effectiveness
25 of the programs and services provided to Indians;

1 (3) provide for more efficient and effective co-
2 operation and coordination of, and accountability
3 from, the agencies and departments providing pro-
4 grams and services, including technical and business
5 development assistance, to Indians; and

6 (4) provide Congress with reliable information
7 regarding both Indian needs and the evaluation of
8 Federal programs and services provided to Indians
9 nationwide.

10 **SEC. 3. INDIAN TRIBAL NEEDS ASSESSMENT.**

11 (a) INDIAN TRIBAL NEEDS ASSESSMENTS.—In
12 general—

13 (1) Within 180 days after the enactment of this
14 Act, the Secretary, in consultation and coordination
15 with the Departments of Agriculture, Commerce,
16 Defense, Energy, Labor, Justice, Treasury, Trans-
17 portation, and Veterans Affairs, the Environmental
18 Protection Agency, other relevant agencies, offices,
19 and departments, shall develop a uniform method,
20 criteria, and procedures for determining, analyzing,
21 and compiling the program and service assistance
22 needs of Indian tribes and Indians nationwide. The
23 needs assessment shall address, but not be limited
24 to, the following:

1 (A) The total population of the tribe(s),
2 and the population of tribal members located in
3 the service area, where applicable.

4 (B) The size of the service area.

5 (C) The location of the service area.

6 (D) The availability of similar programs
7 within the geographical area to tribes or tribal
8 members.

9 (E) Socio-economic conditions that exist
10 within the service area.

11 (2) The Secretary shall consult with tribal gov-
12 ernments in establishing and conducting the needs
13 assessment mandated by this Act.

14 (3) Within 1 year of the enactment of this Act,
15 and every five (5) years thereafter, each Federal
16 agency or department, in coordination with the Sec-
17 retary, shall conduct an Indian Needs Assessment
18 (“INA”) aimed at determining the actual needs of
19 Indian tribes and Indians eligible for programs and
20 services administered by such agency or department.

21 (4) The Indian Needs Assessment developed
22 pursuant to subsection (c)(3) above shall be filed
23 with the Committees on Appropriations and Indian
24 Affairs of the Senate, and the Committees on Appro-
25 priations and Resources of the House of Representa-

1 tives on February 1 of each year in which it is to
2 be submitted.

3 (b) FEDERAL AGENCY INDIAN TRIBAL PROGRAM
4 EVALUATION.

5 (1) Within 180 days of enactment of this Act,
6 the Secretary shall develop a uniform method, cri-
7 teria, and procedures for compiling, maintaining,
8 keeping current and reporting to Congress all infor-
9 mation concerning—

10 (A) the agency or department annual ex-
11 penditure for programs and services for which
12 Indians are eligible, with specific information
13 regarding the names of tribes who are currently
14 participating in or receiving each service, the
15 names of tribes who have applied for and not
16 received programs or services, and the names of
17 tribes whose services or programs have been
18 terminated within the last fiscal year;

19 (B) services or programs specifically for
20 the benefit of Indians, with specific information
21 regarding the names of tribes who are currently
22 participating in or receiving each service, the
23 names of tribes who have applied for and not
24 received programs or services, and the names of

1 tribes whose services or programs have been
2 terminated within the last fiscal year; and

3 (C) the agency or department method of
4 delivery of such services and funding, including
5 a detailed explanation of the outreach efforts of
6 each agency or department to Indian tribes.

7 (2) Within 1 year of the enactment of this Act,
8 and annually thereafter, each Federal agency or de-
9 partment responsible for providing services or pro-
10 grams to or for the benefit of Indian tribes or Indi-
11 ans shall file an Annual Indian Program Evaluation
12 (“AIPE”) with the Committees on Appropriations
13 and Indian Affairs of the Senate, and the Commit-
14 tees on Appropriations and Resources of the House
15 of Representatives.

16 (c) ANNUAL LISTING OF TRIBAL ELIGIBLE PRO-
17 GRAMS.—On or before February 1 of each calendar year,
18 those Federal agencies or departments mentioned in sub-
19 section (b)(2) above, shall develop and publish in the Fed-
20 eral Register a list of all programs and services offered
21 by such agency or department for which Indian tribes or
22 their members are or may be eligible, and shall provide
23 a brief explanation of the program or service.

1 **SEC. 4. REPORT TO CONGRESS.**

2 (a) IN GENERAL.—The Secretary shall, within 1 year
3 of the enactment of this Act, develop and submit to the
4 Committees on Appropriations and Indian Affairs of the
5 Senate, and the Committees on Appropriations and Re-
6 sources of the House of Representatives a report detailing
7 the coordination of Federal program and service assist-
8 ance for which Indian tribes and their members are eligi-
9 ble.

10 (b) STRATEGIC PLAN.—The Secretary shall, within
11 18 months after the enactment of this Act, and after con-
12 sultation and coordination with the Indian tribes, file a
13 Strategic Plan for the Coordination of Federal Assistance
14 for Indians.

15 (c) CONTENTS OF STRATEGIC PLAN.—The Plan re-
16 quired under this Act shall contain: (1) Identification of
17 reforms necessary to the laws, regulations, policies, proce-
18 dures, practices, and systems of the agencies involved; (2)
19 proposals for remedying the reforms identified in the Plan;
20 and (3) other recommendations consistent with the pur-
21 poses of the Act.

22 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

23 Beginning in fiscal year 2001 and for each fiscal year
24 thereafter, there are authorized to be appropriated such
25 sums as are necessary to carry out this Act.

