

107TH CONGRESS
1ST SESSION

S. 502

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 9, 2001

Mr. CAMPBELL (for himself, Mr. BINGAMAN, 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 2001”.

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

7 (a) FINDINGS.—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 orders, 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 departments and agencies charged
7 with administering programs and providing services
8 to, or for the benefit of, Indians have not furnished
9 Congress with adequate information necessary to as-
10 sess such programs on the needs of Indians and In-
11 dian tribes;

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

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

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

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

(2) require that Federal departments and agencies carefully review and monitor the effectiveness of the programs and services provided to Indians;

(3) provide for more efficient and effective cooperation and coordination of, and accountability from, the Federal departments and agencies providing programs and services, including technical and business development assistance, to Indians; and

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

SEC. 3. INDIAN TRIBAL NEEDS ASSESSMENT.

(a) INDIAN TRIBAL NEEDS ASSESSMENTS.—

(1) IMMEDIATE ASSESSMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall contract with an appropriate entity, in consultation and coordination with the Indian tribes, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of

1 the Treasury, the Secretary of Transportation,
2 the Secretary of Veterans Affairs, the Attorney
3 General, the Administrator of the Environ-
4 mental Protection Agency, and the heads of any
5 other relevant Federal departments or agencies,
6 for the development of a uniform method and
7 criteria, and uniform procedures for deter-
8 mining, analyzing, and compiling the program
9 and service assistance needs of Indian tribes
10 and Indians by each such department or agen-
11 cy. The needs assessment shall address, but not
12 be limited to, the following:

13 (i) The location of the service area of
14 each program.

15 (ii) The size of the service area of
16 each program.

17 (iii) The total population of each tribe
18 located in the service area.

19 (iv) The total population of members
20 of other tribes located in the service area.

21 (v) The availability of similar pro-
22 grams within the geographical area to
23 tribes or tribal members.

24 (vi) The socio-economic conditions
25 that exist within the service area.

1 (B) CONSULTATION.—The contractor shall
2 consult with tribal governments in establishing
3 and conducting the needs assessment required
4 under subparagraph (A).

5 (2) ONGOING FEDERAL NEEDS ASSESS-
6 MENTS.—

7 (A) IN GENERAL.—Not later than 2 years
8 after the date of enactment of this Act, and
9 every 5 years thereafter, each Federal depart-
10 ment or agency, in coordination with the Sec-
11 retary of the Interior, shall conduct an Indian
12 Needs Assessment (in this Act referred to as
13 the “INA”) aimed at determining the actual
14 needs of Indian tribes and Indians eligible for
15 programs and services administered by such de-
16 partment or agency.

17 (B) SUBMISSION TO CONGRESS.—Not later
18 than February 1 of any year in which an INA
19 is required to be conducted under subparagraph
20 (A), a copy of the INA shall be submitted to
21 the Committee on Appropriations and the Com-
22 mittee on Resources of the House of Represent-
23 atives and the Committee on Appropriations
24 and the Committee on Indian Affairs of the
25 Senate.

1 (b) FEDERAL AGENCY INDIAN TRIBAL PROGRAM
2 EVALUATION.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of enactment of this Act, the Sec-
5 retary of the Interior shall develop a uniform method
6 and criteria, and uniform procedures for compiling,
7 maintaining, keeping current, and reporting to Con-
8 gress all information concerning—

9 (A) the annual expenditures of the depart-
10 ment or agency for programs and services for
11 which Indians are eligible, with specific infor-
12 mation regarding the names of tribes who are
13 currently participating in or receiving each serv-
14 ice, the names of tribes who have applied for
15 and not received programs or services, and the
16 names of tribes whose services or programs
17 have been terminated within the last fiscal year;

18 (B) services or programs specifically for
19 the benefit of Indians, with specific information
20 regarding the names of tribes who are currently
21 participating in or receiving each service, the
22 names of tribes who have applied for and not
23 received programs or services, and the names of
24 tribes whose services or programs have been
25 terminated within the last fiscal year; and

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

5 (2) SUBMISSION TO CONGRESS.—Not later
6 than 2 years after the date of enactment of this Act,
7 and annually thereafter, each Federal department or
8 agency responsible for providing services or pro-
9 grams to, or for the benefit of, Indian tribes or Indi-
10 ans shall file an Annual Indian Program Evaluation
11 (in this Act referred to as the “AIPE”) with the
12 Committee on Appropriations and the Committee on
13 Resources of the House of Representatives and the
14 Committee on Appropriations and the Committee on
15 Indian Affairs of the Senate.

16 (c) ANNUAL LISTING OF TRIBAL ELIGIBLE PRO-
17 GRAMS.—Not later than February 1 of each calendar year,
18 each Federal department or agency described in sub-
19 section (b)(2), shall develop and publish in the Federal
20 Register a list of all programs and services offered by such
21 department or agency for which Indian tribes or their
22 members are or may be eligible, and shall provide a brief
23 explanation of the program or service.

24 (d) CONFIDENTIALITY.—Any information received,
25 collected, or gathered from Indian tribes concerning pro-

1 gram function, operations, or need in order to conduct an
2 INA or an AIPE shall be used only for the purposes of
3 this Act set forth in section 2(b).

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

5 (a) IN GENERAL.—Not later than 2 years after the
6 date of enactment of this Act, the Secretary of the Interior
7 shall develop and submit to the Committee on Appropria-
8 tions and the Committee on Resources of the House of
9 Representatives and the Committee on Appropriations and
10 the Committee on Indian Affairs of the Senate a report
11 detailing the coordination of Federal program and service
12 assistance for which Indian tribes and their members are
13 eligible.

14 (b) STRATEGIC PLAN.—Not later than 30 months
15 after the date of enactment of this Act, the Secretary of
16 the Interior, in consultation and coordination with the In-
17 dian tribes, shall file a Strategic Plan for the Coordination
18 of Federal Assistance for Indians (in this Act referred to
19 as the “Strategic Plan”).

20 (c) CONTENTS OF STRATEGIC PLAN.—The Strategic
21 Plan required under subsection (b) shall contain the fol-
22 lowing:

23 (1) Identification of reforms necessary to the
24 laws, regulations, policies, procedures, practices, and

1 systems of the Federal departments or agencies in-
2 volved.

3 (2) Proposals for implementing the reforms
4 identified in the Strategic Plan.

5 (3) Any other recommendations that are con-
6 sistent with the purposes of this Act set forth in sec-
7 tion 2(b).

8 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated for fiscal
10 year 2002 and each fiscal year thereafter, such sums as
11 are necessary to carry out this Act.

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