

108TH CONGRESS
2D SESSION

H. R. 3838

To provide grants to local governments to assist such local governments in participating in certain decisions related to certain Indian groups and Indian tribes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2004

Mrs. JOHNSON of Connecticut (for herself, Mr. SHAYS, Mr. SIMMONS, and Mr. JOHNSON of Illinois) introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide grants to local governments to assist such local governments in participating in certain decisions related to certain Indian groups and Indian tribes.

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. GRANT PROGRAM.**

4 (a) IN GENERAL.—To the extent funds are made
5 available by appropriations and acceptable requests are
6 submitted, the Secretary of the Interior shall provide
7 grants to local governments to assist those local govern-
8 ments in participating (including, but not limited to,
9 through administrative and judicial appeals) in the deci-

1 sionmaking process related to actions described in sub-
2 section (b), if the Secretary determines that such actions
3 are likely to significantly affect the people represented by
4 the local governments and to reimburse local governments
5 for the costs of such participation that were incurred after
6 the date of the enactment of this Act.

7 (b) ACTIONS FOR WHICH GRANTS MAY BE AVAIL-
8 ABLE.—The Secretary may make grants under this sec-
9 tion for participation assistance related to the following
10 actions:

11 (1) ACKNOWLEDGEMENT.—An Indian group is
12 seeking Federal acknowledgement or recognition (or
13 reacknowledgement or rerecognition) and the Sec-
14 retary determines that the Indian group seeking
15 such acknowledgement or recognition (or reacknowl-
16 edgement or rerecognition) has asserted or is likely
17 to assert trust status with respect to land within
18 boundaries of the area over which the local govern-
19 ment has jurisdiction.

20 (2) TRUST LAND.—An acknowledged Indian
21 tribe is requesting that land within the boundaries
22 of the area over which the local government has ju-
23 risdiction be put into trust status for that tribe.

24 (3) LAND CLAIMS.—An Indian group or an ac-
25 knowledged Indian tribe is claiming interest in land

1 based upon a treaty or a law specifically applicable
2 to transfers of land or natural resources from, by,
3 or on behalf of any Indian, Indian nation, or group,
4 tribe, or band of Indians (including the Acts com-
5 monly known as the Trade and Intercourse Acts (1
6 Stat. 137; 2 Stat. 139; and 4 Stat. 729)).

7 (4) OTHER ACTIONS.—Any other action or pro-
8 posed action relating to an Indian group or acknowl-
9 edged Indian tribe if the Secretary determines that
10 the action or proposed action is likely to significantly
11 affect the people represented by that local govern-
12 ment.

13 (c) AMOUNT OF GRANTS.—Grants awarded under
14 this section to a local government for any one action may
15 not exceed \$500,000 in any fiscal year.

16 (d) DEFINITIONS.—For the purposes of this sec-
17 tion—

18 (1) the term “acknowledged Indian tribe”
19 means any Indian tribe, band, nation, pueblo, or
20 other organized group or community which is recog-
21 nized as eligible for the special programs and serv-
22 ices provided by the United States to Indians be-
23 cause of their status as Indians; and

24 (2) the term “Secretary” means the Secretary
25 of the Interior.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$8,000,000 for each fiscal year that begins after the date
4 of the enactment of this Act.

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