

108TH CONGRESS  
1ST SESSION

# S. 1600

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

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2003

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

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## 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 2003”.

6        **SEC. 2. FINDINGS AND 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) under the Constitution, treaties, statutes,  
2           Executive orders, court decisions, and course of con-  
3           duct of the United States, the United States has a  
4           trust obligation to provide certain services to Indian  
5           tribes and members of Indian tribes;

6           (3) Federal agencies charged with admin-  
7           istering programs and providing services to or for  
8           the benefit of Indian tribes and members of Indian  
9           tribes have not provided Congress adequate informa-  
10          tion necessary to assess the adequacy of the pro-  
11          grams and services meeting the needs of Indian  
12          tribes and members of Indian tribes, hampering the  
13          ability of Congress to determine the nature, type,  
14          and magnitude of those needs or the ability of the  
15          United States to respond to those needs; and

16          (4) Congress cannot properly fulfill its obliga-  
17          tion to Indian tribes and Indian people unless it has  
18          an adequate store of information concerning the  
19          needs of Indian tribes and members of Indian tribes  
20          nationwide.

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

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

1           (2) to require that Federal agencies carefully  
2 review and monitor the effectiveness of programs  
3 and services provided to Indian tribes and members  
4 of Indian tribes;

5           (3) to provide for more efficient and effective  
6 cooperation and coordination of, and accountability  
7 from, the agencies providing programs and services,  
8 including technical and business development assist-  
9 ance, to Indian tribes and members of Indian tribes;  
10 and

11           (4) to provide to Congress reliable information  
12 regarding both Indian needs and the evaluation of  
13 Federal programs and services provided to Indian  
14 tribes and members of Indian tribes nationwide.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17           (1) INDIAN TRIBE.—The term “Indian tribe”  
18 has the meaning given the term in section 4 of the  
19 Indian Self-Determination and Education Assistance  
20 Act (25 U.S.C. 450b).

21           (2) NEEDS ASSESSMENT.—The term “needs as-  
22 sessment” means an assessment of the program and  
23 service needs of Indian tribes and members of In-  
24 dian tribes, that includes, at a minimum, consider-  
25 ation of—

1 (A) the population of each Indian tribe (in-  
2 cluding the population of tribal members lo-  
3 cated in the service area of an Indian tribe,  
4 where applicable);

5 (B) the size of the service area;

6 (C) the location of the service area;

7 (D) the availability of similar programs  
8 within the geographical area to Indian tribes or  
9 tribal members; and

10 (E) socioeconomic conditions that exist  
11 within the service area.

12 (3) PROGRAM EVALUATION.—The term “pro-  
13 gram evaluation” means an evaluation report devel-  
14 oped in accordance with section 4(b).

15 (4) SECRETARY.—The term “Secretary” means  
16 the Secretary of the Interior.

17 **SEC. 4. NEEDS ASSESSMENTS AND PROGRAM EVALUA-**  
18 **TIONS.**

19 (a) NEEDS ASSESSMENTS.—

20 (1) DEVELOPMENT OF METHOD, CRITERIA, AND  
21 PROCEDURES.—Not later than 180 days after the  
22 date of enactment of this Act, the Secretary, in con-  
23 sultation and coordination with tribal governments  
24 and with the Secretary of Agriculture, Secretary of  
25 Commerce, Secretary of Defense, Secretary of En-

1       ergy, Secretary of Labor, Attorney General, Sec-  
2       retary of the Treasury, Secretary of Transportation,  
3       Secretary of Veterans Affairs, Administrator of the  
4       Environmental Protection Agency, Secretary of  
5       Housing and Urban Development, Secretary of  
6       Health and Human Services, and heads of other  
7       agencies responsible for providing programs or serv-  
8       ices to or for the benefit of Indian tribes or members  
9       of Indian tribes, shall develop a uniform method, cri-  
10      teria, and procedures for determining, analyzing,  
11      and compiling a needs assessment.

12           (2) NEEDS ASSESSMENTS.—Not later than 1  
13      year after the date of enactment of this Act, and  
14      every 5 years thereafter, each Federal agency, in co-  
15      ordination with the Secretary, shall—

16           (A) conduct a needs assessment to deter-  
17      mine the needs of Indian tribes and members of  
18      Indian tribes eligible for programs and services  
19      administered by the agency; and

20           (B) submit to the Committee on Appro-  
21      priations and Committee on Indian Affairs of  
22      the Senate and the Committee on Appropria-  
23      tions and the Committee on Resources of the  
24      House of Representatives a report that de-  
25      scribes the results of the needs assessment.

1 (b) PROGRAM EVALUATIONS.—

2 (1) DEVELOPMENT OF METHOD, CRITERIA, AND  
3 PROCEDURES.—Not later than 180 days after the  
4 date of enactment of this Act, the Secretary shall  
5 develop a uniform method, criteria, and procedures  
6 for compiling, maintaining, updating, and reporting  
7 to Congress a program evaluation containing all in-  
8 formation concerning—

9 (A) the annual expenditure by a Federal  
10 agency for programs and services for which In-  
11 dian tribes and members of Indian tribes are el-  
12 igible, with specific information including—

13 (i) the names of Indian tribes that are  
14 participating in or receiving each service;

15 (ii) the names of Indian tribes that  
16 have applied for and not received programs  
17 or services; and

18 (iii) the names of Indian tribes for  
19 which programs or services were termi-  
20 nated within the preceding fiscal year;

21 (B) programs or services specifically for  
22 the benefit of Indian tribes and members of In-  
23 dian tribes, with specific information includ-  
24 ing—

1 (i) the names of Indian tribes that are  
2 currently participating in or receiving each  
3 program or service;

4 (ii) the names of Indian tribes that  
5 have applied for and not received programs  
6 or services; and

7 (iii) the names of Indian tribes for  
8 which programs or services were termi-  
9 nated within the preceding fiscal year; and

10 (C) the methods of delivery of the pro-  
11 grams and services, including a detailed expla-  
12 nation of the outreach efforts of each agency to  
13 Indian tribes.

14 (2) PROGRAM EVALUATIONS.—Not later than 1  
15 year after the date of enactment of this Act, and an-  
16 nually thereafter, each Federal agency responsible  
17 for providing programs or services for the benefit of  
18 Indian tribes or members of Indian tribes shall sub-  
19 mit to the Committee on Appropriations and the  
20 Committee on Indian Affairs of the Senate and the  
21 Committee on Appropriations and the Committee on  
22 Resources of the House of Representatives a report  
23 that describes the results of the program evaluation.

24 (c) ANNUAL LISTING OF TRIBAL ELIGIBLE PRO-  
25 GRAMS.—On or before February 1 of each year, each Fed-

1 eral agency described in subsection (b)(2) shall publish in  
2 the Federal Register—

3 (1) a list of all programs and services offered  
4 by the agency for which Indian tribes or members of  
5 Indian tribes are or may be eligible; and

6 (2) a brief explanation of the program or serv-  
7 ice.

8 **SEC. 5. REPORT ON COORDINATION OF PROGRAMS AND**  
9 **SERVICES.**

10 (a) IN GENERAL.—Not later than 1 year after the  
11 date of enactment of this Act, the Secretary shall submit  
12 to the Committee on Appropriations and the Committee  
13 on Indian Affairs of the Senate and the Committee on Ap-  
14 propriations and the Committee on Resources of the  
15 House of Representatives a report detailing the coordina-  
16 tion of Federal programs and service assistance for which  
17 Indian tribes and members of Indian tribes are eligible.

18 (b) STRATEGIC PLAN.—

19 (1) IN GENERAL.—Not later than 18 months  
20 after the date of enactment of this Act, after con-  
21 sultation and coordination with the Indian tribes,  
22 the Secretary shall submit to the Committee on Ap-  
23 propriations and the Committee on Indian Affairs of  
24 the Senate and the Committee on Appropriations  
25 and the Committee on Resources of the House of

1       Representatives a strategic plan for the coordination  
2       of Federal assistance for Indian tribes and members  
3       of Indian tribes.

4               (2) CONTENTS OF STRATEGIC PLAN.—The stra-  
5       tegic plan under paragraph (1) shall contain—

6                       (A) an identification of reforms necessary  
7                       to the laws (including regulations), policies, pro-  
8                       cedures, practices, and systems of the agencies  
9                       responsible for providing programs or services  
10                      for the benefit of Indian tribes or members of  
11                      Indian tribes;

12                     (B) proposals for remedying the reforms  
13                     identified in the plan; and

14                     (C) other recommendations consistent with  
15                     the purposes of this Act.

16 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

17       There are authorized to be appropriated for each fis-  
18       cal year such sums as are necessary to carry out this Act.

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