

108TH CONGRESS
1ST SESSION

S. 463

To provide grants to ensure full and fair participation in certain decisionmaking processes of the Bureau of Indian Affairs.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2003

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

A BILL

To provide grants to ensure full and fair participation in certain decisionmaking processes of the Bureau of Indian Affairs.

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) DEFINITIONS.—In this section:

5 (1) ACKNOWLEDGED INDIAN TRIBE.—The term
6 “acknowledged Indian tribe” means an Indian tribe,
7 band, nation, pueblo, or other organized group or
8 community that is recognized as eligible for the spe-
9 cial programs and services provided by the United
10 States to Indians because of their status as Indians.

1 (2) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means an eligible Indian group or eligible local
3 government.

4 (3) ELIGIBLE INDIAN GROUP.—The term “eligi-
5 ble Indian group” means a group that—

6 (A) is an acknowledged Indian tribe or has
7 petitioned the Secretary to be acknowledged as
8 an Indian tribe; and

9 (B) needs financial assistance to facilitate
10 fair participation in a pending action, as deter-
11 mined by the Secretary.

12 (4) ELIGIBLE LOCAL GOVERNMENT.—The term
13 “eligible local government” means a municipality or
14 county that needs financial assistance to facilitate
15 fair participation in a pending action.

16 (5) PENDING ACTION.—The term “pending ac-
17 tion” means—

18 (A) a pending action in which—

19 (i)(I) an Indian group seeks Federal
20 acknowledgment; or

21 (II) an Indian tribe the status of
22 which as a federally acknowledged Indian
23 tribe has been terminated seeks to be re-
24 stored to federally acknowledged status;

1 (ii) a federally acknowledged Indian
2 tribe asserts trust status with respect to
3 land within the boundaries of an area over
4 which a local government exercises juris-
5 diction;

6 (iii) a federally acknowledged Indian
7 tribe files a petition with the Secretary re-
8 questing that land within the boundaries of
9 an area over which a local government ex-
10 ercises jurisdiction be taken into trust for
11 the benefit of the Indian tribe; and

12 (iv) an Indian group or a federally ac-
13 knowledged Indian tribe asserts a claim to
14 land based on a treaty or a law specifically
15 applicable to transfers of land or natural
16 resources from, by, or on behalf of any In-
17 dian, Indian tribe, Indian group, or band
18 of Indians (including the Act of July 22,
19 1790 (1 Stat. 137, chapter 33), the Act of
20 March 30, 1802 (2 Stat. 139, chapter 13),
21 and the Act of June 30, 1834 (4 Stat.
22 729, chapter 161) (commonly known as
23 the “Trade and Intercourse Acts”)); or

24 (B) any other action or proposed action re-
25 lating to an Indian group or federally acknowl-

1 edged Indian tribe if the Secretary determines
2 that the action or proposed action is likely to
3 significantly affect the citizens represented by a
4 local government.

5 (6) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (b) GRANTS.—Subject to the availability of funds, on
8 application of an eligible entity, the Secretary shall provide
9 a grant to the eligible entity to assist eligible entity in
10 participating in the decisionmaking process relating to a
11 pending action, if the Secretary determines that the assist-
12 ance—

13 (1) is necessary to protect the interests of the
14 Government or eligible entity; and

15 (2) would promote the interest of just adminis-
16 tration in the Bureau of Indian Affairs.

17 (c) AMOUNT.—A grant provided under this section
18 to an eligible entity for any single pending action shall
19 not exceed \$500,000 in any fiscal year.

20 (d) USE OF GRANT.—A grant provided under this
21 section may be used only to pay expenses incurred after
22 the date of enactment of this Act.

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.

○