

114TH CONGRESS
2D SESSION

S. 3234

To amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, the Indian Trader Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

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

A BILL

To amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, the Indian Trader Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

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 Community
5 Economic Enhancement Act of 2016”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1)(A) to bring industry and economic develop-
4 ment to Indian communities, Indian tribes must
5 overcome a number of barriers, including—

6 (i) geographical location;

7 (ii) lack of infrastructure or capacity;

8 (iii) lack of sufficient collateral; and

9 (iv) regulatory bureaucracy relating to—

10 (I) development; and

11 (II) access to services provided by the

12 Federal Government; and

13 (B) the barriers described in subparagraph (A)
14 often add to the cost of doing business in Indian
15 communities;

16 (2) Indian tribes—

17 (A) enact laws;

18 (B) determine policy for the benefit of trib-
19 al members; and

20 (C) produce goods and services for con-
21 sumers;

22 (3) the Federal Government has—

23 (A) an important government-to-govern-
24 ment relationship with Indian tribes; and

25 (B) a role in facilitating healthy tribal
26 economies;

1 (4) the input of Indian tribes in developing
2 Federal policy and programs leads to more meaning-
3 ful and effective measures to assist Indian tribes and
4 Indian entrepreneurs in building tribal economies;

5 (5)(A) many components of tribal infrastruc-
6 ture need significant repair or replacement; and

7 (B) access to private capital for projects in In-
8 dian communities—

9 (i) may not be realized; or

10 (ii) may come at a higher cost than such
11 access for other projects;

12 (6)(A) Federal capital improvement programs,
13 such as tax-exempt bond financing and loan guaran-
14 tees, are tools that help improve or replace crum-
15 bling infrastructure;

16 (B) Indian tribes may not be accorded the same
17 status as other units of government under Federal
18 law for purposes of issuing tax-exempt debt because
19 certain tribal projects may not qualify as essential
20 government functions; and

21 (C) as a result of the difference in status de-
22 scribed in subparagraph (B), investors may avoid fi-
23 nancing, or demand a premium to finance, projects
24 in Indian communities, making the projects more
25 costly or inaccessible;

1 (7) there are a number of loan guarantee pro-
 2 grams available for projects in Indian communities,
 3 but those programs may not be fully used; and

4 (8)(A) most real property held by Indian tribes
 5 is trust or restricted land that essentially cannot be
 6 held as collateral; and

7 (B) while creative solutions, such as leasehold
 8 mortgages, have been developed in response to the
 9 problem identified in subparagraph (A), some solu-
 10 tions remain subject to review and approval by the
 11 Bureau of Indian Affairs, adding additional costs
 12 and delay to tribal projects.

13 **SEC. 3. NATIVE AMERICAN BUSINESS DEVELOPMENT,**
 14 **TRADE PROMOTION, AND TOURISM ACT OF**
 15 **2000.**

16 (a) FINDINGS; PURPOSES.—Section 2 of the Native
 17 American Business Development, Trade Promotion, and
 18 Tourism Act of 2000 (25 U.S.C. 4301) is amended by
 19 adding at the end the following:

20 “(c) APPLICABILITY TO INDIAN-OWNED BUSI-
 21 NESSES.—The findings and purposes in subsections (a)
 22 and (b) shall apply to any Indian-owned business gov-
 23 erned—

24 “(1) by tribal laws regulating trade or com-
 25 merce on Indian lands; or

1 “(2) pursuant to section 5 of the Act of August
2 15, 1876 (19 Stat. 200, chapter 289; 25 U.S.C.
3 261).”.

4 (b) DEFINITIONS.—Section 3 of the Native American
5 Business Development, Trade Promotion, and Tourism
6 Act of 2000 (25 U.S.C. 4302) is amended—

7 (1) by redesignating paragraphs (1) through
8 (9) as paragraphs (2), (4), (5), (6), (7), (8), (11),
9 (12), and (13), respectively;

10 (2) by inserting before paragraph (2) (as so re-
11 designated) the following:

12 “(1) DIRECTOR.—The term ‘Director’ means
13 the Director of Native American Business Develop-
14 ment appointed pursuant to section 4(a)(2).”;

15 (3) by inserting after paragraph (2) (as so re-
16 designated) the following:

17 “(3) FUND.—The term ‘Fund’ means the In-
18 dian Economic Development Fund established by
19 section 9(a)(1).”; and

20 (4) by inserting after paragraph (8) (as so re-
21 designated) the following:

22 “(9) NATIVE COMMUNITY DEVELOPMENT FI-
23 NANCIAL INSTITUTION.—The term ‘Native commu-
24 nity development financial institution’ means a com-
25 munity development financial institution (as defined

1 in section 103 of the Community Development
 2 Banking and Financial Institutions Act of 1994 (12
 3 U.S.C. 4702))—

4 “(A) the investment area of which includes
 5 an Indian reservation; or

6 “(B) the targeted population of which in-
 7 cludes an Indian tribe.

8 “(10) OFFICE.—The term ‘Office’ means the
 9 Office of Native American Business Development es-
 10 tablished by section 4(a)(1).”.

11 (c) OFFICE OF NATIVE AMERICAN BUSINESS DEVEL-
 12 OPMENT.—Section 4 of the Native American Business De-
 13 velopment, Trade Promotion, and Tourism Act of 2000
 14 (25 U.S.C. 4303) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by striking “Department of Com-
 18 merce” and inserting “Office of the Sec-
 19 retary”; and

20 (ii) by striking “(referred to in this
 21 Act as the ‘Office’)”; and

22 (B) in paragraph (2), in the first sentence,
 23 by striking “(referred to in this Act as the ‘Di-
 24 rector’)”; and

25 (2) by adding at the end the following:

1 “(c) DUTIES OF DIRECTOR.—

2 “(1) IN GENERAL.—The Director shall serve
3 as—

4 “(A) the program and policy advisor to the
5 Secretary with respect to the trust and govern-
6 mental relationship between the United States
7 and Indian tribes; and

8 “(B) the point of contact for Indian tribes,
9 tribal organizations, and Indians regarding—

10 “(i) policies and programs of the De-
11 partment of Commerce; and

12 “(ii) other matters relating to eco-
13 nomic development.

14 “(2) DEPARTMENTAL COORDINATION.—The Di-
15 rector shall coordinate with all offices and agencies
16 within the Department of Commerce to ensure that
17 each office and agency has an accountable process to
18 ensure—

19 “(A) meaningful and timely coordination
20 and assistance, as required by this Act; and

21 “(B) consultation with Indian tribes re-
22 garding the policies, programs, assistance, and
23 activities of the offices and agencies.”.

1 (d) INDIAN COMMUNITY DEVELOPMENT INITIA-
 2 TIVES.—The Native American Business Development,
 3 Trade Promotion, and Tourism Act of 2000 is amended—

4 (1) by redesignating section 8 (25 U.S.C. 4307)
 5 as section 10; and

6 (2) by inserting after section 7 (25 U.S.C.
 7 4306) the following:

8 **“SEC. 8. INDIAN COMMUNITY DEVELOPMENT INITIATIVES.**

9 “(a) INTERAGENCY COORDINATION.—The Secretary
 10 (acting through the Director), the Secretary of the Inte-
 11 rior (acting through the Assistant Secretary for Indian Af-
 12 fairs), and the Secretary of the Treasury (acting through
 13 the Administrator of the Community Development Finan-
 14 cial Institutions Fund), shall coordinate—

15 “(1) to develop initiatives that—

16 “(A) encourage, promote, and provide edu-
 17 cation regarding investments in Indian commu-
 18 nities through—

19 “(i) the loan guarantee program of
 20 Bureau of Indian Affairs under section
 21 201 of the Indian Financing Act of 1974
 22 (25 U.S.C. 1481);

23 “(ii) programs carried out using
 24 amounts in the Community Development
 25 Financial Institutions Fund established

1 under section 104(a) of the Community
2 Development Banking and Financial Insti-
3 tutions Act of 1994 (12 U.S.C. 4703(a));
4 and

5 “(iii) other capital development pro-
6 grams;

7 “(B) examine and develop alternatives that
8 would qualify as collateral for financing in In-
9 dian communities; and

10 “(C) provide entrepreneur and other train-
11 ing relating to economic development through
12 tribally controlled colleges and universities;

13 “(2) to identify regulatory or legal barriers to
14 increasing investment, including qualifying or ap-
15 proving collateral structures, in Indian communities;
16 and

17 “(3) to ensure consultation with Indian tribes
18 regarding increasing investment in Indian commu-
19 nities.

20 “(b) WAIVER.—For assistance provided pursuant to
21 section 108 of Public Law 103–325 (12 U.S.C. 4707), to
22 benefit Native American communities and provided pri-
23 marily through qualified community development lender
24 organizations with experience and expertise in community
25 development banking and lending in Indian country, Na-

1 tive American organizations, Indian tribes and tribal orga-
 2 nizations, and other suitable providers, section 108(e) of
 3 Public Law 103–325 (12 U.S.C. 4707(e)) shall not apply.

4 “(c) TRIBAL GOVERNMENT FUNCTIONS.—Notwith-
 5 standing any other provision of law, for purposes of fi-
 6 nancing and economic or community development, the es-
 7 sential governmental functions of an Indian tribe shall be
 8 considered to include any function that may be performed
 9 or financed by a State or unit of local government with
 10 general taxing authority.

11 **“SEC. 9. INDIAN ECONOMIC DEVELOPMENT FUND.**

12 “(a) ESTABLISHMENT.—

13 “(1) IN GENERAL.—There is established in the
 14 Treasury of the United States a fund, to be known
 15 as the ‘Indian Economic Development Fund’, to be
 16 allocated by the Secretary of the Treasury for ad-
 17 ministration by the Secretary of the Interior, acting
 18 through the Assistant Secretary for Indian Affairs
 19 (referred to in this section as the ‘Secretary’).

20 “(2) COMPOSITION.—The Fund shall consist
 21 of—

22 “(A) such amounts as are deposited in the
 23 Fund under subsection (b); and

24 “(B) any interest earned on investment of
 25 amounts in the Fund under subsection (c).

1 “(b) DEPOSITS TO FUND.—

2 “(1) IN GENERAL.—Beginning on the date that
3 is 1 year after the date of enactment of the Indian
4 Community Economic Enhancement Act of 2016,
5 any Indian tribe may deposit amounts in the Fund.

6 “(2) ACTION BY SECRETARY OF TREASURY.—

7 The Secretary of the Treasury—

8 “(A) may accept from an Indian tribe any
9 amounts deposited by the Indian tribe pursuant
10 to paragraph (1); and

11 “(B) shall allocate all amounts in the
12 Fund to the Secretary of the Interior for use in
13 accordance with this section.

14 “(3) USE.—Amounts deposited pursuant to this
15 subsection shall be used—

16 “(A) to support existing credit subsidies
17 for the loan guarantee program of the Bureau
18 of Indian Affairs under section 201 of the In-
19 dian Financing Act of 1974 (25 U.S.C. 1481);
20 and

21 “(B) to establish a credit subsidy solely for
22 any eligible community development financial
23 institution (as defined in section 114A of the
24 Community Development Banking and Finan-

1 cial Institutions Act of 1994 (12 U.S.C.
2 4713a))—

3 “(i) that applies for financing under
4 the program for bonds and notes issued for
5 eligible community or economic develop-
6 ment purposes under that section; and

7 “(ii)(I) the investment area of which
8 includes an Indian reservation; or

9 “(II) the targeted population of which
10 includes an Indian tribe.

11 “(c) INVESTMENT OF AMOUNTS.—

12 “(1) IN GENERAL.—The Secretary shall invest
13 such portion of the Fund as is not, in the judgment
14 of the Secretary, required to meet current with-
15 drawals.

16 “(2) CREDITS TO FUND.—The interest on, and
17 the proceeds from the sale or redemption of, any ob-
18 ligations held in the Fund shall be credited to, and
19 form a part of, the Fund.

20 “(d) EXPENDITURES.—

21 “(1) IN GENERAL.—Effective beginning on the
22 date that is 2 years after the date of enactment of
23 the Indian Community Economic Enhancement Act
24 of 2016, of the amounts in the Fund for a fiscal
25 year, the Secretary shall—

1 “(A) use such amounts as are necessary to
2 carry out subparagraphs (A), (B), and (D) of
3 paragraph (2); and

4 “(B) transfer to the Secretary of the
5 Treasury the amount described in subparagraph
6 (C) of paragraph (2) for use in accordance with
7 that subparagraph.

8 “(2) REQUIREMENTS.—For each fiscal year be-
9 ginning after the date described in paragraph (1)—

10 “(A) not more than 5 percent of the
11 amounts in the Fund shall be used for adminis-
12 trative expenses;

13 “(B) the Secretary shall use to provide
14 credit subsidies under the loan guarantee pro-
15 gram of the Bureau of Indian Affairs under
16 section 201 of the Indian Financing Act of
17 1974 (25 U.S.C. 1481) an amount equal to the
18 lesser of—

19 “(i) 40 percent of the amounts in the
20 Fund; and

21 “(ii) \$7,500,000;

22 “(C) the Secretary of the Treasury shall
23 allocate to provide credit subsidies under the
24 program for bonds issued for eligible commu-
25 nity or economic development purposes estab-

lished under section 114A of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4713a) that are targeted solely for distribution to Native community development financial institutions an amount equal to the lesser of—

“(i) 40 percent of the amounts in the Fund; and

“(ii) \$10,000,000; and

“(D) the Secretary shall deposit in the reserve fund under subsection (e) not less than 15 percent of the amounts in the Fund.

“(e) RESERVE FUND.—

“(1) ESTABLISHMENT.—The Secretary shall establish within the Fund a reserve fund, which shall consist of an amount equal to the greater of—

“(A) 15 percent of the amounts in the Fund; and

“(B) the amounts in the Fund in excess of the amounts required to be used under subparagraphs (B) and (C) of subsection (d)(2).

“(2) USE.—

“(A) PROHIBITION.—Except as provided in subparagraph (B), amounts in the reserve fund shall not be used for any purpose.

1 “(B) EXCESS AMOUNTS.—

2 “(i) CONSULTATION.—The Secretary
3 shall consult with Indian tribes regarding
4 additional uses for the Fund if the total
5 amount in the reserve fund for a fiscal
6 year exceeds an amount equal to the great-
7 er of—

8 “(I) 15 percent of the total
9 amounts in the Fund; and

10 “(II) \$25,000,000.

11 “(ii) USE.—The Secretary may use
12 any excess amounts described in clause (i)
13 to provide to Indian tribes or Native com-
14 munity development financial institutions
15 assistance for projects for—

16 “(I) community or economic de-
17 velopment;

18 “(II) health care or public safety;

19 “(III) natural resource protec-
20 tion, including wildfire prevention, re-
21 habilitation, and management; and

22 “(IV) sanitation.

23 “(f) CONSULTATION.—Not later than 180 days after
24 the date of enactment of the Indian Community Economic
25 Enhancement Act of 2016, the Secretary and the Sec-

1 retary of the Treasury shall consult with Indian tribes re-
 2 garding the purposes, administration, methods of invest-
 3 ment and accountability, and benefits of the Fund.”.

4 **SEC. 4. BUY INDIAN ACT.**

5 Section 23 of the Act of June 25, 1910 (commonly
 6 known as the “Buy Indian Act”) (36 Stat. 861, chapter
 7 431; 25 U.S.C. 47), is amended to read as follows:

8 **“SEC. 23. EMPLOYMENT OF INDIAN LABOR AND PURCHASE**
 9 **OF PRODUCTS OF INDIAN INDUSTRY; PAR-**
 10 **TICIPATION IN MENTOR-PROTEGE PROGRAM.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) INDIAN ECONOMIC ENTERPRISE.—The
 13 term ‘Indian economic enterprise’ has the meaning
 14 given the term in section 1480.201 of title 48, Code
 15 of Federal Regulations (or successor regulations).

16 “(2) MENTOR FIRM; PROTEGE FIRM.—The
 17 terms ‘mentor firm’ and ‘protege firm’ have the
 18 meanings given those terms in section 831(c) of the
 19 National Defense Authorization Act for Fiscal Year
 20 1991 (10 U.S.C. 2302 note; Public Law 101–510).

21 “(3) SECRETARIES.—The term ‘Secretaries’
 22 means—

23 “(A) the Secretary of the Interior; and

24 “(B) the Secretary of Health and Human
 25 Services.

1 “(b) ENTERPRISE DEVELOPMENT.—

2 “(1) IN GENERAL.—Unless determined by one
3 of the Secretaries to be impracticable and unreason-
4 able—

5 “(A) Indian labor shall be employed; and

6 “(B) purchases of Indian industry prod-
7 ucts (including printing, notwithstanding any
8 other provision of law) may be made in open
9 market by the Secretaries.

10 “(2) MENTOR-PROTEGE PROGRAM.—

11 “(A) IN GENERAL.—Participation in the
12 Mentor-Protege Program established under sec-
13 tion 831(a) of the National Defense Authoriza-
14 tion Act for Fiscal Year 1991 (10 U.S.C. 2302
15 note; Public Law 101–510) or receipt of assist-
16 ance under a developmental assistance agree-
17 ment under that program shall not render any
18 individual or entity involved in the provision of
19 Indian labor or an Indian industry product in-
20 eligible to receive assistance under this section.

21 “(B) TREATMENT.—For purposes of this
22 section, no determination of affiliation or con-
23 trol (whether direct or indirect) may be found
24 between a protege firm and a mentor firm on
25 the basis that the mentor firm has provided, or

1 agreed to provide, to the protege firm, pursuant
2 to a mentor-protege agreement, any form of de-
3 velopmental assistance described in section
4 831(f) of the National Defense Authorization
5 Act for Fiscal Year 1991 (10 U.S.C. 2302 note;
6 Public Law 101–510).

7 “(c) IMPLEMENTATION.—In carrying out this sec-
8 tion, the Secretaries shall—

9 “(1) conduct outreach to Indian industrial enti-
10 ties;

11 “(2) provide training;

12 “(3) promulgate regulations in accordance with
13 this section;

14 “(4) require regional offices of the Bureau of
15 Indian Affairs and the Indian Health Service to ag-
16 gregate data regarding compliance with this section;

17 “(5) require procurement management reviews
18 to include a review of the implementation of this sec-
19 tion; and

20 “(6) consult with Indian tribes, Indian indus-
21 trial entities, and other stakeholders regarding meth-
22 ods to facilitate compliance with—

23 “(A) this section; and

24 “(B) other small business or procurement
25 goals.

1 “(d) REPORT.—

2 “(1) IN GENERAL.—Not later than 1 year after
3 the date of enactment of this subsection, and not
4 less frequently than once every 2 years thereafter,
5 each of the Secretaries shall submit to the Com-
6 mittee on Indian Affairs of the Senate and the Com-
7 mittee on Natural Resources of the House of Rep-
8 resentatives a report describing, during the period
9 covered by the report, the implementation of this
10 section by each of the respective Secretaries.

11 “(2) CONTENTS.—Each report under this sub-
12 section shall include, for each fiscal year during the
13 period covered by the report—

14 “(A) the names of each agency under the
15 respective jurisdiction of each of the Secretaries
16 to which this section has been applied;

17 “(B) a summary of the types of purchases
18 made from, and contracts awarded to, Indian
19 economic enterprises, expressed by agency re-
20 gion;

21 “(C) a description of the percentage in-
22 crease or decrease in total dollar value and
23 number of purchases and awards made within
24 each agency region, as compared to the totals
25 of the region for the preceding fiscal year;

1 “(D) a description of the methods used by
2 applicable contracting officers and employees to
3 conduct market searches to identify qualified
4 Indian economic enterprises;

5 “(E) a summary of all deviations granted
6 under section 1480.403 of title 48, Code of
7 Federal Regulations (or successor regulations),
8 including a description of—

9 “(i) the alternative procurement meth-
10 od used; and

11 “(ii) the dollar value of any awards
12 made pursuant to those deviations;

13 “(F) a summary of all determinations
14 made to provide awards to Indian economic en-
15 terprises, including a description of the dollar
16 value of the awards;

17 “(G) a description of the total number and
18 value of all purchases of, and contracts awarded
19 for, supplies, services, and construction (includ-
20 ing the percentage increase or decrease, as com-
21 pared to the preceding fiscal year) from—

22 “(i) Indian economic enterprises; and

23 “(ii) non-Indian economic enterprises;

24 and

1 “(H) any administrative, procedural, legal,
 2 or other barriers to achieving the purposes of
 3 this section, together with recommendations for
 4 legislative or administrative actions to address
 5 those barriers.”.

6 **SEC. 5. INDIAN TRADER ACT.**

7 Section 5 of the Act of August 15, 1876 (commonly
 8 known as the “Indian Trader Act”) (19 Stat. 200, chapter
 9 289; 25 U.S.C. 261), is amended—

10 (1) by striking “The Commissioner” and insert-
 11 ing the following:

12 “(a) IN GENERAL.—The Commissioner”; and

13 (2) by adding at the end the following:

14 “(b) WAIVER.—On request of an Indian tribe, the
 15 Secretary of the Interior shall waive any applicable licens-
 16 ing requirement under subsection (a), if the Secretary de-
 17 termines that the Indian tribe has enacted tribal laws to
 18 govern licensing, trade, or commerce with respect to the
 19 Indian tribe or land held by, or in trust for the benefit
 20 of, the Indian tribe.”.

21 **SEC. 6. NATIVE AMERICAN PROGRAMS ACT OF 1974.**

22 (a) FINANCIAL ASSISTANCE FOR NATIVE AMERICAN
 23 PROJECTS.—Section 803 of the Native American Pro-
 24 grams Act of 1974 (42 U.S.C. 2991b) is amended—

1 (1) by redesignating subsections (b) through (d)
2 as subsections (c) through (e), respectively; and

3 (2) by inserting after subsection (a) the fol-
4 lowing:

5 “(b) ECONOMIC DEVELOPMENT.—

6 “(1) IN GENERAL.—The Commissioner may
7 provide assistance under subsection (a) for projects
8 relating to the purposes of this title to a community
9 development financial institution—

10 “(A) that receives assistance under the
11 Community Development Banking and Finan-
12 cial Institutions Act of 1994 (12 U.S.C. 4701
13 et seq.); and

14 “(B)(i) the investment area of which in-
15 cludes an Indian reservation; or

16 “(ii) the targeted population of which in-
17 cludes an Indian tribe.

18 “(2) PRIORITY.—In providing assistance under
19 this section for economic development purposes, the
20 Commissioner shall give priority to any application
21 seeking assistance for—

22 “(A) the development of a tribal code or
23 court system for purposes of economic develop-
24 ment, including commercial codes, training for
25 court personnel, regulation pursuant to section

1 5 of the Act of August 15, 1876 (19 Stat. 200,
2 chapter 289; 25 U.S.C. 261), and the develop-
3 ment of nonprofit subsidiaries or other tribal
4 business structures;

5 “(B) the development or maintenance of a
6 community development financial institution,
7 including training and administrative expenses;
8 or

9 “(C) the development of a tribal master
10 plan for community and economic development
11 and infrastructure.”.

12 (b) TECHNICAL ASSISTANCE AND TRAINING.—Sec-
13 tion 804 of the Native American Programs Act of 1974
14 (42 U.S.C. 2991c) is amended—

15 (1) in the matter preceding paragraph (1), by
16 striking “The Commissioner” and inserting the fol-
17 lowing:

18 “(a) IN GENERAL.—The Commissioner”; and

19 (2) by adding at the end the following:

20 “(b) PRIORITY.—In providing assistance under sub-
21 section (a), the Commissioner shall give priority to any
22 application described in section 803(b)(2).”.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
24 816 of the Native American Programs Act of 1974 (42
25 U.S.C. 2992d) is amended—

1 (1) by striking “803(d)” each place it appears
2 and inserting “803(e)”; and

3 (2) in subsection (a), by striking “1999, 2000,
4 2001, and 2002” and inserting “2017 through
5 2021”.

○