

(5) identify the projected expenditures under the plan in a single budget;

(6) identify the agency or agencies in the tribe to be involved in the delivery of the services integrated under the plan;

(7) identify any statutory provisions, regulations, policies or procedures that the tribe believes need to be waived in order to implement its plan; and

(8) be approved by the governing body of the tribe.

SEC. 7. PLAN REVIEW.

(a) CONSULTATION.—Upon receipt of a plan from an Indian tribe under section 4, the Secretary shall consult with the Secretary of each Federal agency providing funds to be used to implement the plan, and with the tribe submitting the plan.

(b) IDENTIFICATION OF WAIVERS.—The parties consulting on the implementation of the plan under subsection (a) shall identify any waivers of statutory requirements or of Federal agency regulations, policies or procedures necessary to enable the tribal government to implement its plan.

(c) WAIVERS.—Notwithstanding any other provision of law, the Secretary of the affected agency shall have the authority to waive any statutory requirement, regulation, policy, or procedure promulgated by the affected agency that has been identified by the tribe or the Federal agency under subsection (b) unless the Secretary of the affected department determines that such a waiver is inconsistent with the purposes of this Act or with those provisions of the Act that authorizes the program involved which are specifically applicable to Indian programs.

SEC. 8. PLAN APPROVAL.

(a) IN GENERAL.—Not later than 90 days after the receipt by the Secretary of a tribe's plan under section 4, the Secretary shall inform the tribe, in writing, of the Secretary's approval or disapproval of the plan, including any request for a waiver that is made as part of the plan.

(b) DISAPPROVAL.—If a plan is disapproved under subsection (a), the Secretary shall inform the tribal government, in writing, of the reasons for the disapproval and shall give the tribe an opportunity to amend its plan or to petition the Secretary to reconsider such disapproval, including reconsidering the disapproval of any waiver requested by the Indian tribe.

SEC. 9. FEDERAL RESPONSIBILITIES.

(a) RESPONSIBILITIES OF THE INDIAN HEALTH SERVICE.—

(1) MEMORANDUM OF UNDERSTANDING.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, and the Secretary of Transportation shall enter into an interdepartmental memorandum of agreement providing for the implementation of the plans authorized under this Act.

(2) LEAD AGENCY.—The lead agency under this Act shall be the Indian Health Service.

(3) RESPONSIBILITIES.—The responsibilities of the lead agency under this Act shall include—

(A) the development of a single reporting format related to the plan for the individual project which shall be used by a tribe to report on the activities carried out under the plan;

(B) the development of a single reporting format related to the projected expenditures for the individual plan which shall be used by a tribe to report on all plan expenditures;

(C) the development of a single system of Federal oversight for the plan, which shall be implemented by the lead agency;

(D) the provision of technical assistance to a tribe appropriate to the plan, delivered under an arrangement subject to the approval of the tribe participating in the project, except that a tribe shall have the authority to accept or reject the plan for providing the technical assistance and the technical assistance provider; and

(E) the convening by an appropriate official of the lead agency (whose appointment is subject to the confirmation of the Senate) and a representative of the Indian tribes that carry out projects under this Act, in consultation with each of the Indian tribes that participate in projects under this Act, of a meeting not less than 2 times during each fiscal year for the purpose of providing an opportunity for all Indian tribes that carry out projects under this Act to discuss issues relating to the implementation of this Act with officials of each agency specified in paragraph (1).

(b) REPORT REQUIREMENTS.—The single reporting format shall be developed by the Secretary under subsection (a)(3), consistent with the requirements of this Act. Such reporting format, together with records maintained on the consolidated program at the tribal level shall contain such information as will—

(1) allow a determination that the tribe has complied with the requirements incorporated in its approved plan; and

(2) provide assurances to the Secretary that the tribe has complied with all directly applicable statutory requirements and with those directly applicable regulatory requirements which have not been waived.

SEC. 10. NO REDUCTION IN AMOUNTS.

In no case shall the amount of Federal funds available to a participating tribe involved in any project be reduced as a result of the enactment of this Act.

SEC. 11. INTERAGENCY FUND TRANSFERS AUTHORIZED.

The Secretary of the Interior, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, or the Secretary of Transportation, as appropriate, is authorized to take such action as may be necessary to provide for the interagency transfer of funds otherwise available to a tribe in order to further the purposes of this Act.

SEC. 12. ADMINISTRATION OF FUNDS AND OVERAGE.

(a) ADMINISTRATION OF FUNDS.—

(1) IN GENERAL.—Program funds shall be administered under this Act in such a manner as to allow for a determination that funds from specific programs (or an amount equal to the amount utilized from each program) are expended on activities authorized under such program.

(2) SEPARATE RECORDS NOT REQUIRED.—Nothing in this section shall be construed as requiring a tribe to maintain separate records tracing any services or activities conducted under its approved plan under section 4 to the individual programs under which funds were authorized, nor shall the tribe be required to allocate expenditures among individual programs.

(b) OVERAGE.—All administrative costs under a plan under this Act may be commingled, and participating Indian tribes shall be entitled to the full amount of such costs (under each program or department's regulations), and no overage shall be counted for Federal audit purposes so long as the overage is used for the purposes provided for under this Act.

SEC. 13. FISCAL ACCOUNTABILITY.

Nothing in this Act shall be construed to interfere with the ability of the Secretary or the lead agency to fulfill the responsibilities for the safeguarding of Federal funds pursuant to chapter 75 of title 31, United States Code (the Single Audit Act of 1984).

SEC. 14. REPORT ON STATUTORY AND OTHER BARRIERS TO INTEGRATION.

(a) PRELIMINARY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the implementation of the program authorized under this Act.

(b) FINAL REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the results of the implementation of the program authorized under this Act. The report shall identify statutory barriers to the ability of tribes to integrate more effectively their alcohol and substance abuse services in a manner consistent with the purposes of this Act.

SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE INDIAN ALCOHOL AND DRUG TREATMENT OR MENTAL HEALTH PROGRAMS.

Any State with an alcohol and substance abuse or mental health program targeted to Indian tribes shall be eligible to receive, at no cost to the State, such Federal personnel assignments as the Secretary, in accordance with the applicable provisions of subchapter IV of chapter 33 of title 5, United States Code (the Intergovernmental Personnel Act of 1970), may deem appropriate to help insure the success of such program.

Mr. ENZI. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1507), as amended, was read the third time and passed.

The title was amended so as to read: "A bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes."

225TH BIRTHDAY OF THE UNITED STATES ARMY

Mr. ENZI. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S.J. Res. 46, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 46) commemorating the 225th Birthday of the United States Army.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ENZI. Mr. President, I ask unanimous consent that an amendment to the resolution which is at the desk be agreed to, and the resolution, as amended, be read a third time and passed. I further ask unanimous consent that an amendment to the preamble be agreed to, and the preamble, as amended, be agreed to, a title amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3378, 3379, AND 3380 EN BLOC

The PRESIDING OFFICER. The clerk will report the amendments by number.

The assistant legislative clerk read as follows:

The Senator from Wyoming (Mr. ENZI), for Mr. THURMOND, proposes amendments numbered 3378, 3379 and 3380, en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 3378, No. 3379, and No. 3380), en bloc, were agreed to, as follows.

AMENDMENT NO. 3378

Strike all after the resolved clause and insert the following:

That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

AMENDMENT NO. 3379

Strike the preamble and insert the following:

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of "Duty, Honor, Country" is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the

Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

AMENDMENT NO. 3380

Amend the title so as to read: "A Joint Resolution recognizing the 225th birthday of the United States Army."

The joint resolution (S.J. Res. 46), as amended, was read the third time and passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 46

Whereas on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas the collective expression of the pursuit of personal freedom that caused the authorization and organization of the United States Army led to the adoption of the Declaration of Independence and the codification of the new Nation's basic principles and values in the Constitution;

Whereas for the past 225 years, the Army's central mission has been to fight and win the Nation's wars;

Whereas whatever the mission, the Nation turns to its Army for decisive victory;

Whereas the 172 battle streamers carried on the Army flag are testament to the valor, commitment, and sacrifice of the brave soldiers who have served the Nation in the Army;

Whereas Valley Forge, New Orleans, Mexico City, Gettysburg, Verdun, Bataan, Normandy, Pusan, the Ia Drang Valley, Grenada, Panama, and Kuwait are but a few of the places where soldiers of the United States Army have won extraordinary distinction and respect for the Nation and its Army;

Whereas the motto of "Duty, Honor, Country" is the creed by which the American soldier lives and serves;

Whereas the United States Army today is the world's most capable and respected ground force;

Whereas future Army forces are being prepared to conduct quick, decisive, highly sophisticated operations anywhere, anytime; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the Nation can rely on its Army to produce well-trained, well-led, and highly motivated soldiers to carry out the missions entrusted to them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress, recognizing the historic significance of the 225th anniversary of the United States Army—

(1) expresses the appreciation of the people of the United States to the Army and the soldiers who have served in it for 225 years of dedicated service;

(2) honors the valor, commitment, and sacrifice that American soldiers have displayed throughout the history of the Army; and

(3) calls upon the President to issue a proclamation—

(A) recognizing the 225th birthday of the United States Army and the dedicated service of the soldiers who have served in the Army; and

(B) calling upon the people of the United States to observe that anniversary with appropriate ceremonies and activities.

NOMINATION OF JOHN A. GORDON

Mr. WARNER. Mr. President, could I interrupt the proceedings here momentarily and get the attention of the distinguished Democratic leader and the ranking member of the Armed Services Committee?

Early this morning, I say to the distinguished minority leader, on the subject of General Gordon, we talked and I talked to the majority leader. I think there is a consensus that tomorrow morning at some point his nomination can be voted upon.

Could we, at the conclusion of this day, before it is finished, at least represent that?

Mr. DASCHLE. Mr. President, in response to the senior Senator from Virginia, let me say we have no objection to moving to the nomination, with the understanding that at a date no later than a date that we could mutually agree to, we deal with the accompanying nomination.

I think that understanding has now been made, and I believe we can proceed to the first piece of this with that understanding.

Mr. WARNER. I thank our distinguished leader.

Mr. LEVIN. If the Senator will yield on that point, General Gordon has very strong support on both sides of the aisle. He is a Presidential nominee who has gotten a very positive response from just about everybody I know. I think the people look forward to voting on his nomination as early as possible tomorrow morning.

Again, I think there is an effort being made to set a deadline for another vote on a nominee to the same Department, someone who has been waiting for a long time.

Mr. DASCHLE. Mr. President, if the Senator will yield for another moment, Madelyn Creedon has been on the calendar since April 13, and General Gordon has been on the calendar since May 24.

We have no objection to moving to General Gordon first, even though he was just reported out a couple of weeks ago, and Mrs. Creedon has been now on the calendar for almost 2 months, with some understanding that we can move to the Creedon nomination no later than a time on which we can agree.

We have no reason not to want to move to the Gordon nomination.

Mr. WARNER. Mr. President, it would be no longer than the day or day after we return from the July 4 recess.

Mr. DASCHLE. That is acceptable, Mr. President.

Mr. WARNER. July 11 or July 12.

Mr. DASCHLE. With the understanding we would vote no later than July 11, we have no reservations.

Mr. WARNER. Could we make it July 12? I am not in a position to know exactly when votes are ordered on the return.

Mr. DASCHLE. We will make it the July 12.

Mr. LEVIN. If the Senator will yield on that, that opens the possibilities