

[(7) A career in commercial vehicle driving offers a competitive salary, employment benefits, job security, and a profession.]

[(b) PURPOSE.—It is the purpose of this Act—

[(1) to foster and promote job creation and economic opportunities for Native Americans; and

[(2) to provide education, technical, and training assistance to Native Americans who are interested in a commercial vehicle driving career.]

[SEC. 3. DEFINITIONS.]

[In this Act:

[(1) COMMERCIAL VEHICLE DRIVING.—The term “commercial vehicle driving” means the driving of a vehicle which is a tractor-trailer truck.

[(2) SECRETARY.—The term “Secretary” means the Secretary of Labor.]

[SEC. 4. COMMERCIAL VEHICLE DRIVING TRAINING PROGRAM.]

[(a) GRANTS.—The Secretary may award 4 grants, on a competitive basis, to eligible entities to support programs providing training and certificates leading to the professional development of individuals with respect to commercial vehicle driving.

[(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

[(1) be a tribally-controlled community college or university (as defined in section 2 of the Tribally-Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1801)); and

[(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.]

[(c) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to—

[(1) grant applications that propose training that exceeds the United States Department of Transportation’s Proposed Minimum Standards for Training Tractor-Trailer Drivers; and

[(2) grant applications that propose training that exceeds the entry level truck driver certification standards set by the Professional Truck Driver Institute.]

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the Act.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Native American Commercial Driving Training and Technical Assistance Act”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) despite the availability of abundant natural resources on land under the jurisdiction of Indian tribes and the existence of a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer higher rates of unemployment, poverty, poor health, substandard housing, and associated social problems than any other group in the United States;

(2) the United States has an obligation to assist Native American communities in the establishment of appropriate economic and political conditions;

(3) the economic success and material well-being of Indian communities depend on the combined efforts of the Federal Government, tribal governments, the private sector, and individuals;

(4) commercial vehicle driving programs are currently offered at several tribal colleges and universities;

(5) the American Trucking Association reports that at least until 2005, the trucking industry will need to hire 403,000 truck drivers each year to fill vacant positions;

(6) according to the Federal Government Occupational Handbook, the commercial vehicle driving industry is expected to expand at the average rate of expansion for all occupations through the year 2008 because of economic growth and an increase in the quantity of freight carried by trucks; and

(7) a career in commercial vehicle driving offers a competitive salary, employment benefits, job security, and a profession.

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

(1) to foster and promote job creation and economic opportunities for Native Americans; and

(2) to provide education, technical, and training assistance to Native Americans who are interested in commercial vehicle driving careers.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMERCIAL VEHICLE DRIVING.—The term “commercial vehicle driving” means the driving of—

(A) a vehicle that is a tractor-trailer truck; or

(B) any other vehicle (such as a bus or a vehicle used for the purpose of construction) the driving of which requires a commercial license.

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

(3) NATIVE AMERICAN.—The term “Native American” means an individual who is a member of—

(A) an Indian tribe; or

(B) any people or culture that is indigenous to the United States, as determined by the Secretary.

(4) SECRETARY.—The term “Secretary” means the Secretary of Labor.

SEC. 4. COMMERCIAL VEHICLE DRIVING TRAINING PROGRAM.

(a) GRANTS.—The Secretary may provide grants, on a competitive basis, to entities described in subsection (b) to support programs providing training and certificates leading to the licensing of Native Americans with respect to commercial vehicle driving.

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), an entity shall—

(1) be a tribal college or university (as defined in section 316(b)(3) of the Higher Education Act (20 U.S.C. 1059(b)(3)); and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.]

(c) PRIORITY.—In providing grants under subsection (a), the Secretary shall give priority to grant applications that—

(1) propose training that exceeds proposed minimum standards for training tractor-trailer drivers of the Department of Transportation;

(2) propose training that exceeds the entry level truck driver certification standards set by the Professional Truck Driver Institute; and

(3) propose an education partnership with a private trucking firm, trucking association, or similar entity in order to ensure the effectiveness of the grant program under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this Act.

Mr. REID. Mr. President, I ask unanimous consent that the Senate agree to the committee substitute amendment; that the bill, as amended, be read a third time and passed; that 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. 1344), as amended, was read the third time and passed.

INDIAN FINANCING AMENDMENTS ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 558, S. 2017.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2017) to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following: [Strike the part shown in black brackets and insert the part shown in italic.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.]

[This Act may be cited as the “Indian Financing Act Amendments of 2002”.]

[SEC. 2. FINDINGS AND PURPOSE.]

[(a) FINDINGS.—Congress finds that—

[(1) the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.) was intended to provide Native American borrowers with access to commercial capital sources that, but for that Act, would not be available through loans guaranteed by the Secretary of the Interior;

[(2) although the Secretary of the Interior has made loan guarantees available, acceptance of loan guarantees by lenders to benefit Native American business borrowers has been limited;

[(3) 27 years after enactment of the Act, the promotion and development of Native American-owned business remains an essential foundation for growth of economic and social stability of Native Americans;

[(4) acceptance by lenders of the loan guarantees may be limited by liquidity and other capital market-driven concerns; and

[(5) it is in the best interest of the guaranteed loan program to—

[(A) encourage the orderly development and expansion of a secondary market for loans guaranteed by the Secretary; and

[(B) expand the number of lenders originating loans under that Act.]

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

[(1) to stimulate the use by lenders of secondary market investors for loans guaranteed by the Secretary of the Interior;

[(2) to preserve the authority of the Secretary to administer the program and regulate lenders;

[(3) to clarify that a good faith investor in loans guaranteed by the Secretary will receive appropriate payments;

[(4) to provide for the appointment by the Secretary of a qualified fiscal transfer agent to administer a system for the orderly transfer of the loans;

[(5) to authorize the Secretary to—

[(A) promulgate regulations to encourage and expand a secondary market program for loans guaranteed by the Secretary; and

[(B) allow the pooling of the loans as the secondary market develops; and

[(6) to authorize the Secretary to establish a schedule for assessing lenders and investors for the necessary costs of the fiscal transfer agent and system.]

[SEC. 3. LOAN GUARANTEES.]

[Section 205 of the Indian Financing Act of 1974 (25 U.S.C. 1485) is amended—

[(1) by inserting “(a) IN GENERAL.—” before “Any loan”; and

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

[(“(b) TRANSFER OF LOANS AND UNGUARANTEED PORTIONS OF LOANS.—

[(“(1) TRANSFER.—

[(“(A) IN GENERAL.—The lender of a loan guaranteed under this title may transfer to any person—

[(“(i) all of the rights and obligations of the lender under the loan, or in an unguaranteed portion of the loan; and

[(“(ii) the security given for the loan or unguaranteed portion.

[(“(B) REGULATIONS.—A transfer under subparagraph (A) shall be consistent with such regulations as the Secretary shall promulgate under subsection (g).

[(“(C) NOTICE.—A lender that completes a transfer under subparagraph (A) shall give notice of the transfer to the Secretary (or a designee of the Secretary).

[(“(2) EFFECT OF TRANSFER.—On any transfer under this subsection, the transferee shall—

[(“(A) be considered to be the lender under this title;

[(“(B) become the secured party of record; and

[(“(C) be responsible for—

[(“(i) performing the duties of the lender; and

[(“(ii) servicing the loan or portion of the loan, as appropriate, in accordance with the terms of guarantee of the Secretary of the loan or portion of the loan.

[(“(c) TRANSFER OF GUARANTEED PORTIONS OF LOANS.—

[(“(1) TRANSFER.—

[(“(A) IN GENERAL.—The lender of a loan guaranteed under this title, and any subsequent transferee of all or part of the guaranteed portion of the loan, may transfer to any person—

[(“(i) all or part of the guaranteed portion of the loan; and

[(“(ii) the security given for the guaranteed portion transferred.

[(“(B) REGULATIONS.—A transfer under subparagraph (A) shall be consistent with such regulations as the Secretary shall promulgate under subsection (g).

[(“(C) NOTICE.—A lender that completes a transfer under subparagraph (A) shall give notice of the transfer to the Secretary (or a designee of the Secretary).

[(“(D) ACKNOWLEDGEMENT.—On receipt of notice of a transfer under subparagraph (C), the Secretary (or a designee of the Secretary) shall issue to the transferee the acknowledgement of the Secretary of—

[(“(i) the transfer; and

[(“(ii) the interest of the transferee in the guaranteed portion of a loan that was transferred.

[(“(2) EFFECT.—Notwithstanding any other provision of law, with respect to any transfer under this subsection, the lender shall—

[(“(A) remain obligated under the guarantee agreement between the lender and the Secretary;

[(“(B) continue to be responsible for servicing the loan in a manner consistent with the guarantee agreement; and

[(“(C) remain the secured creditor of record.

[(“(d) FULL FAITH AND CREDIT.—

[(“(1) IN GENERAL.—The full faith and credit of the United States is pledged to the payment of all loan guarantees made under this title.

[(“(2) VALIDITY.—

[(“(A) IN GENERAL.—Except as provided in subparagraph (B), the validity of a guarantee of a loan under this title shall be incontestable if the guarantee is held by a transferee of a guaranteed obligation whose interest in a guaranteed loan has been acknowledged by

the Secretary (or a designee of the Secretary) under subsection (c)(1)(D).

[(“(B) FRAUD OR MISREPRESENTATION.—Subparagraph (A) shall not apply in a case in which the Secretary determines that a transferee of a loan or portion of a loan transferred under this section has actual knowledge of fraud or misrepresentation, or participates in or condones fraud or misrepresentation, in connection with the loan.

[(“(e) DAMAGES.—The Secretary may recover from a lender any damages suffered by the Secretary as a result of a material breach of an obligation of the lender under the guarantee of the loan.

[(“(f) FEE.—The Secretary may collect a fee for any loan or guaranteed portion of a loan transferred in accordance with subsection (b) or (c).

[(“(g) REGULATIONS.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall promulgate such regulations as are necessary to facilitate, administer, and promote the transfer of loans and guaranteed portions of loans under this section.

[(“(h) CENTRAL REGISTRATION.—On promulgation of final regulations under subsection (g), the Secretary shall—

[(“(1) provide for the central registration of all loans and portions of loans transferred under this section; and

[(“(2) contract with a fiscal transfer agent—

[(“(A) to act as a designee of the Secretary; and

[(“(B) on behalf of the Secretary—

[(“(i) to carry out the central registration and paying agent functions; and

[(“(ii) to issue acknowledgements of the Secretary under subsection (c)(1)(D).

[(“(i) POOLING.—

[(“(1) IN GENERAL.—Nothing in this title prohibits the pooling of whole loans, or portions of loans, transferred under this section.

[(“(2) REGULATIONS.—The Secretary may promulgate regulations to effect orderly and efficient pooling procedures under this title.”.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Indian Financing Amendments Act of 2002”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.) was intended to provide Native American borrowers with access to commercial sources of capital that otherwise would not be available through the guarantee or insurance of loans by the Secretary of the Interior;

(2) although the Secretary of the Interior has made loan guarantees and insurance available, use of those guarantees and that insurance by lenders to benefit Native American business borrowers has been limited;

(3) 27 years after the date of enactment of the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.), the promotion and development of Native American-owned business remains an essential foundation for growth of economic and social stability of Native Americans;

(4) use by commercial lenders of the available loan insurance and guarantees may be limited by liquidity and other capital market-driven concerns; and

(5) it is in the best interest of the insured and guaranteed loan program of the Department of the Interior—

(A) to encourage the orderly development and expansion of a secondary market for loans guaranteed or insured by the Secretary of the Interior; and

(B) to expand the number of lenders originating loans under the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.).

(b) PURPOSE.—The purpose of this Act is to reform and clarify the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.) in order to—

(1) stimulate the use by lenders of secondary market investors for loans guaranteed or insured under a program administered by the Secretary of the Interior;

(2) preserve the authority of the Secretary to administer the program and regulate lenders;

(3) clarify that a good faith investor in loans insured or guaranteed by the Secretary will receive appropriate payments;

(4) provide for the appointment by the Secretary of a qualified fiscal transfer agent to establish and administer a system for the orderly transfer of those loans; and

(5)(A) authorize the Secretary to promulgate regulations to encourage and expand a secondary market program for loans guaranteed or insured by the Secretary; and

(B) allow the pooling of those loans as the secondary market develops.

SEC. 3. AMENDMENTS TO INDIAN FINANCING ACT.

(a) LIMITATION ON LOAN AMOUNTS WITHOUT PRIOR APPROVAL.—Section 204 of the Indian Financing Act of 1974 (25 U.S.C. 1484) is amended in the last sentence by striking “\$100,000” and inserting “\$250,000”.

(b) SALE OR ASSIGNMENT OF LOANS AND UNDERLYING SECURITY.—Section 205 of the Indian Financing Act of 1974 (25 U.S.C. 1485) is amended—

(1) by striking “Any loan guaranteed” and inserting the following:

“(a) IN GENERAL.—Any loan guaranteed or insured”; and

(2) by adding at the end the following:

“(b) INITIAL TRANSFERS.—

“(1) IN GENERAL.—The lender of a loan guaranteed or insured under this title may transfer to any individual or legal entity—

“(A) all rights and obligations of the lender in the loan or in the unguaranteed or uninsured portion of the loan; and

“(B) any security given for the loan.

“(2) ADDITIONAL REQUIREMENTS.—With respect to a transfer described in paragraph (1)—

“(A) the transfer shall be consistent with such regulations as the Secretary shall promulgate under subsection (i); and

“(B) the lender shall give notice of the transfer to the Secretary.

“(3) RESPONSIBILITIES OF TRANSFEE.—On any transfer under paragraph (1), the transferee shall—

“(A) be deemed to be the lender for the purpose of this title;

“(B) become the secured party of record; and

“(C) be responsible for—

“(i) performing the duties of the lender; and

“(ii) servicing the loan in accordance with the terms of the guarantee by the Secretary of the loan.

“(c) SECONDARY TRANSFERS.—

“(1) IN GENERAL.—Any transferee under subsection (b) of a loan guaranteed or insured under this title may transfer to any individual or legal entity—

“(A) all rights and obligations of the transferee in the loan or in the unguaranteed or uninsured portion of the loan; and

“(B) any security given for the loan.

“(2) ADDITIONAL REQUIREMENTS.—With respect to a transfer described in paragraph (1)—

“(A) the transfer shall be consistent with such regulations as the Secretary shall promulgate under subsection (i); and

“(B) the transferor shall give notice of the transfer to the Secretary.

“(3) ACKNOWLEDGMENT BY SECRETARY.—On receipt of a notice of a transfer under paragraph (2)(B), the Secretary shall issue to the transferee an acknowledgement by the Secretary of—

“(A) the transfer; and

“(B) the interest of the transferee in the guaranteed or insured portion of the loan.

“(4) RESPONSIBILITIES OF LENDER.—Notwithstanding any transfer permitted by this subsection, the lender shall—

“(A) remain obligated on the guarantee agreement or insurance agreement between the lender and the Secretary;

“(B) continue to be responsible for servicing the loan in a manner consistent with that guarantee agreement or insurance agreement; and

“(C) remain the secured creditor of record.

“(d) FULL FAITH AND CREDIT.—

“(1) IN GENERAL.—The full faith and credit of the United States is pledged to the payment of all loan guarantees and loan insurance made under this title after the date of enactment of this subsection.

“(2) VALIDITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the validity of a guarantee or insurance of a loan under this title shall be incontestable if the obligations of the guarantee or insurance held by a transferee have been acknowledged under subsection (c)(3).

“(B) EXCEPTION FOR FRAUD OR MISREPRESENTATION.—Subparagraph (A) shall not apply in a case in which a transferee has actual knowledge of fraud or misrepresentation, or participates in or condones fraud or misrepresentation, in connection with a loan.

“(e) DAMAGES.—Notwithstanding section 3302 of title 31, United States Code, the Secretary may recover from a lender of a loan under this title any damages suffered by the Secretary as a result of a material breach of the obligations of the lender with respect to a guarantee or insurance by the Secretary of the loan.

“(f) FEES.—The Secretary may collect a fee for any loan or guaranteed or insured portion of a loan that is transferred in accordance with this section.

“(g) CENTRAL REGISTRATION OF LOANS.—On promulgation of final regulations under subsection (i), the Secretary shall—

“(1) provide for a central registration of all guaranteed or insured loans transferred under this section; and

“(2) enter into 1 or more contracts with a fiscal transfer agent—

“(A) to act as the designee of the Secretary under this section; and

“(B) to carry out on behalf of the Secretary the central registration and fiscal transfer agent functions, and issuance of acknowledgements, under this section.

“(h) POOLING OF LOANS.—

“(1) IN GENERAL.—Nothing in this title prohibits the pooling of whole loans or interests in loans transferred under this section.

“(2) REGULATIONS.—In promulgating regulations under subsection (i), the Secretary may include such regulations to effect orderly and efficient pooling procedures as the Secretary determines to be necessary.

“(i) REGULATIONS.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall develop such procedures and promulgate such regulations as are necessary to facilitate, administer, and promote transfers of loans and guaranteed and insured portions of loans under this section.”

Mr. REID. Mr. President, I ask unanimous consent that the Senate agree to the committee substitute amendment; that the bill, as amended, be read the third time and passed; that 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. 2017), as amended, was read the third time and passed.

NATIVE AMERICAN ALCOHOL AND SUBSTANCE ABUSE PROGRAM CONSOLIDATION ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 560, S. 210.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 210) to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

“This Act may be cited as the “Native American Alcohol and Substance Abuse Program Consolidation Act of 2001”.

SEC. 2. STATEMENT OF PURPOSE.

“The purposes of this Act are—

“(1) to enable Indian tribes to consolidate and integrate alcohol and other substance abuse prevention, diagnosis and treatment programs, and mental health and related programs, to provide unified and more effective and efficient services to Native Americans afflicted with alcohol and other substance abuse problems; and

“(2) to recognize that Indian tribes can best determine the goals and methods for establishing and implementing prevention, diagnosis and treatment programs for their communities, consistent with the policy of self-determination.

SEC. 3. DEFINITIONS.

“(a) IN GENERAL.—In this Act:

“(1) FEDERAL AGENCY.—The term “Federal agency” has the meaning given the term “agency” in section 551(1) of title 5, United States Code.

“(2) INDIAN.—The term “Indian” has the meaning given that term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d)).

“(3) INDIAN TRIBE.—The terms “Indian tribe” and “tribe” have the meaning given the term “Indian tribe” in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) and shall include entities as provided for in subsection (b)(2).

“(4) SECRETARY.—Except where otherwise provided, the term “Secretary” means the Secretary of Health and Human Services.

“(5) SUBSTANCE ABUSE.—The term “substance abuse” includes the illegal use or abuse of a drug, the abuse of an inhalant, or the abuse of tobacco or related products.

“(b) INDIAN TRIBE.—

“(1) IN GENERAL.—In any case in which an Indian tribe has authorized another Indian tribe, an inter-tribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this Act, the authorized Indian tribe, inter-tribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this Act).

“(2) INCLUSION OF OTHER ENTITIES.—In a case described in paragraph (1), the term “Indian tribe”, as defined in subsection (a)(2), shall include the additional authorized Indian tribe, inter-tribal consortium, or tribal organization.

ISEC. 4. INTEGRATION OF SERVICES AUTHORIZED.

“The Secretary, in cooperation with the Secretary of Labor, the Secretary of the Interior, the Secretary of Education, the Secretary of Housing and Urban Development, the United States Attorney General, and the Secretary of Transportation, as appropriate, shall, upon the receipt of a plan acceptable to the Secretary that is submitted by an Indian tribe, authorize the tribe to coordinate, in accordance with such plan, its federally funded alcohol and substance abuse and mental health programs in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.

ISEC. 5. PROGRAMS AFFECTED.

“The programs that may be integrated in a demonstration project under any plan referred to in section 4 shall include—

“(1) any program under which an Indian tribe is eligible for the receipt of funds under a statutory or administrative formula for the purposes of prevention, diagnosis, or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or any program designed to enhance the ability to treat, diagnose, or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders;

“(2) any program under which an Indian tribe is eligible for receipt of funds through a competitive or other grant program for the purposes of prevention, diagnosis, or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis, or prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose, or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders, if—

“(A) the Indian tribe has provided notice to the appropriate agency regarding the intentions of the tribe to include the grant program in the plan it submits to the Secretary, and the affected agency has consented to the inclusion of the grant in the plan; or

“(B) the Indian tribe has elected to include the grant program in its plan, and the administrative requirements contained in the plan are essentially the same as the administrative requirements under the grant program; and

“(3) any program under which an Indian tribe is eligible for receipt of funds under any other funding scheme for the purposes of prevention, diagnosis, or treatment of alcohol and other substance abuse problems and disorders, or mental health problems and disorders, or treatment, diagnosis, or prevention of related problems and disorders, or any program designed to enhance the ability to treat, diagnose, or prevent alcohol and other substance abuse and related problems and disorders, or mental health problems or disorders.

ISEC. 6. PLAN REQUIREMENTS.

“For a plan to be acceptable under section 4, the plan shall—

“(1) identify the programs to be integrated;

“(2) be consistent with the purposes of this Act authorizing the services to be integrated into the project;

“(3) describe a comprehensive strategy that identifies the full range of existing and potential alcohol and substance abuse and