



DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 11, strike lines 7 through 9 and insert the following:

“(B) providing immunizations.

**SA 4043.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 11, strike lines 17 through 19 and insert the following:

medicine, environmental health and engineering, and allied health professions.

**SA 4044.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 11, strike lines 21 through 23 and insert the following:

“(A) improving health, including by raising public awareness about

**SA 4045.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 12, strike lines 3 and 4.

**SA 4046.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 12, strike lines 5 and 6.

**SA 4047.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which

was ordered to lie on the table; as follows:

On page 12, strike lines 7 and 8.

**SA 4048.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 12, strike lines 9 and 10.

**SA 4049.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 12, strike line 18.

**SA 4050.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 12, strike line 24.

**SA 4051.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 13, strike lines 5 and 6.

**SA 4052.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 13, strike line 15.

**SA 4053.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which

was ordered to lie on the table; as follows:

On page 13, strike line 19.

**SA 4054.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 14, strike line 1.

**SA 4055.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 14, strike line 8.

**SA 4056.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 14, strike lines 10 and 11 and insert the following:

by the Service or a Tribal Health Program to pro-

**SA 4057.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 14, line 20, strike “(i)”.

On page 15, line 2, strike “or”.

On page 15, strike lines 3 and 4.

**SA 4058.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 15, line 6, insert “or” after the semicolon.

On page 15, strike lines 8 through 10 and insert the following:

Interior to be an Indian for any purpose.

**SA 4059.** Mr. DEMINT submitted an amendment intended to be proposed to

amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 16, lines 5 and 6, strike “including former reservations in Oklahoma, Indian allotments, and” and insert “including Indian allotments and”.

**SA 4060.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 18, strike lines 12 through 20 and insert the following:

the States in which they reside.

“(B) The individual is determined to be an

**SA 4061.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 48, strike lines 13 and 14 and insert the following:

efforts of an Indian Health Program; and

**SA 4062.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 92, strike lines 22 and 23.

**SA 4063.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 92, strike lines 14 through 16 and insert the following:

and therapeutic and residential treatment centers.

**SA 4064.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH,

Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

Beginning on page 159, strike line 12 and all that follows through page 161, line 16.

**SA 4065.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

Beginning on page 170, strike line 14 and all that follows through page 172, line 1, and insert the following:

“(1) GENERAL PROJECTS.—The Secretary may approve under this section demonstration projects that meet the following criteria:

“(A) There is a need for a new facility or program, such as a program for convenient care services, or the reorientation of an existing facility or program.

“(B) A significant number of Indians, including Indians with low health status, will be served by the project.

“(C) The project has the potential to deliver services in an efficient and effective manner.

“(D) The project is economically viable.

“(E) For projects carried out by an Indian Tribe or Tribal Organization, the Indian Tribe or Tribal Organization has the administrative and financial capability to administer the project.

“(F) The project is integrated with providers of related health and social services and is coordinated with, and avoids duplication of, existing services in order to expand the availability of services.

On page 173, line 5, strike “(1)(A)” and insert “(1)”.

On page 173, line 22, strike “(1)(A)” and insert “(1)”.

**SA 4066.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 207, strike lines 4 and 5 and insert the following:

care organization;

“(4) a self-insured plan; or

“(5) a high deductible or health savings account plan.

**SA 4067.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3894 proposed by Mr. BINGAMAN (for himself and Mr. THUNE) to the amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . RECISSION AND TRANSFER OF FUNDS.**

(a) RECISSION OF CERTAIN EARMARKS.—All of the amounts appropriated by the Consolidated Appropriations Act, 2008 (Public Law 110-161) and the accompanying report for congressional directed spending items for the City of Berkeley, California, or entities located in such city are hereby rescinded.

(b) TRANSFER OF FUNDS TO OPERATION AND MAINTENANCE, MARINE CORPS.—The amounts rescinded under subsection (a) shall be transferred to the “OPERATION AND MAINTENANCE, MARINE CORPS” account of the Department of Defense for fiscal year 2008 to be used for recruiting purposes.

(c) CONGRESSIONAL DIRECTED SPENDING ITEM DEFINED.—In this section, the term “congressional directed spending item” has the meaning given such term in paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

**SA 4068.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

Beginning on page 221, strike line 1 and all that follows through page 245, line 24.

**SA 4069.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 260, between lines 15 and 16, insert the following:

“(g) LIMITATION.—Notwithstanding any other provision of law, no funds shall be made available under this section for any needle exchange program.

**SA 4070.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 309, between lines 19 and 20, insert the following:

“(c) FIREARM PROGRAMS.—None of the funds made available to carry out this Act may be used to carry out any antifirearm program, gun buy-back program, or program to discourage or stigmatize the private ownership of firearms for collecting, hunting, or self-defense purposes.

**SA 4071.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH,

Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 364, strike lines 7 through 9 and insert the following:  
or colony, including \_\_\_\_\_

**SA 4072.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 364, strike lines 17 through 23.

On page 364, line 24, strike “(D)” and insert “(C)”.

On page 365, line 1, strike “through (C)” and insert “and (B)”.

**SA 4073.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **TITLE III—APPLICABILITY**

##### **SEC. 3. INDIAN TRIBES OPERATING CLASS III GAMING ACTIVITIES.**

This Act and the amendments made by this Act shall not apply to any Indian tribe carrying out any class III gaming activity (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

**SA 4074.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the end add the following:

#### **TITLE III—APPLICABILITY**

##### **SEC. 3. INDIAN TRIBES WITH CERTAIN GAMING REVENUES.**

This Act and the amendments made by this Act shall not apply to any Indian tribe for each calendar year during which the revenues of the Indian tribe from any class III gaming activity (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)) are in excess of \$100,000,000.

**SA 4075.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which

was ordered to lie on the table; as follows:

Strike paragraph (12) of section 4 of the Indian Health Care Improvement Act (as amended by section 101) and insert the following:

“(12) The term ‘Indian’ means any individual who is a member of an Indian Tribe.

**SA 4076.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

In section 213(a) of the Indian Health Care Improvement Act (as amended by section 101), strike paragraphs (1) through (4) and insert the following:

“(1) hospice care; and

“(2) home- and community-based services.

**SA 4077.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

Strike section 814 of the Indian Health Care Improvement Act (as amended by section 101) (relating to establishment of a National Bipartisan Commission on Indian Health Care).

**SA 4078.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of the Indian Health Care Improvement Act (as amended by section 101), insert the following:

##### **“SEC. 8. STUDY ON TOBACCO-RELATED DISEASE AND DISPROPORTIONATE HEALTH EFFECTS ON TRIBAL POPULATIONS.**

“Not later than 180 days after the date of enactment of the Indian Health Care Improvement Act Amendments of 2008, the Secretary, in consultation with appropriate Federal departments and agencies and acting through the epidemiology centers established under section 209, shall solicit from independent organizations bids to conduct, and shall submit to Congress a report describing the results of, a study to determine possible causes for the high prevalence of tobacco use among Indians.

**SA 4079.** Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which

was ordered to lie on the table; as follows:

At the end of title I, add the following:

##### **SEC. \_\_\_\_\_. GAO STUDY AND REPORT ON PAYMENTS FOR CONTRACT HEALTH SERVICES.**

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the utilization of health care furnished by health care providers under the contract health services program funded by the Indian Health Service and operated by the Indian Health Service, an Indian Tribe, or a Tribal Organization (as those terms are defined in section 4 of the Indian Health Care Improvement Act).

(2) ANALYSIS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the amounts reimbursed under the contract health services program described in paragraph (1) for health care furnished by entities, individual providers, and suppliers, including a comparison of reimbursement for such health care through other public programs and in the private sector;

(B) barriers to accessing care under such contract health services program, including, but not limited to, barriers relating to travel distances, cultural differences, and public and private sector reluctance to furnish care to patients under such program;

(C) the adequacy of existing Federal funding for health care under such contract health services program; and

(D) any other items determined appropriate by the Comptroller General.

**SA 4080.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

##### **SEC. \_\_\_\_\_. RECISSION AND TRANSFER OF FUNDS.**

(a) RECISSION OF CERTAIN EARMARKS.—All of the amounts appropriated by the Consolidated Appropriations Act, 2008 (Public Law 110-161) and the accompanying report for congressional directed spending items for the City of Berkeley, California, or entities located in such city are hereby rescinded.

(b) TRANSFER OF FUNDS TO OPERATION AND MAINTENANCE, MARINE CORPS.—The amounts rescinded under subsection (a) shall be transferred to the “OPERATION AND MAINTENANCE, MARINE CORPS” account of the Department of Defense for fiscal year 2008 to be used for recruiting purposes.

(c) CONGRESSIONAL DIRECTED SPENDING ITEM DEFINED.—In this section, the term “congressional directed spending item” has the meaning given such term in paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

**SA 4081.** Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 397, after line 2, add the following:

**SEC. 213. EXTENSION OF PROHIBITION ON MEDICAID PUBLIC PROVIDER AND GRADUATE MEDICAL EDUCATION RULES.**

Section 7002(a)(1) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007 (Public Law 110-28) is amended in the matter preceding subparagraph (A) by striking "1 year" and inserting "2 years".

**SA 4082.** Mr. DORGAN (for himself and Ms. MURKOWSKI) proposed an amendment to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; as follows:

On page 139, strike lines 5 through 9 and insert the following:

"(III) may include such health care facilities, and such renovation or expansion needs of any health care facility, as the Service may identify; and

On page 143, strike lines 15 through 17 and insert the following:

On page 145, line 13, insert "and" after the semicolon.

On page 145, line 16, strike ";" and insert a period.

On page 145, strike lines 17 and 18.

On page 146, line 9, strike "hostels and".

On page 147, strike lines 15 through 21 and insert the following:

"(e) FUNDING CONDITION.—All funds appropriated under the Act of November 2, 1921 (25 U.S.C. 13) (commonly known as the 'Snyder Act'), for the planning, design, construction, or renovation of health facilities for the benefit of 1 or more Indian Tribes shall be subject to the provisions of section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) or sections 504 and 505 of that Act (25 U.S.C. 458aaa-3, 458aaa-4).

Beginning on page 159, strike line 12 and all that follows through page 161, line 16, and insert the following:

**"SEC. 303. PREFERENCE TO INDIANS AND INDIAN FIRMS.**

"(a) DISCRETIONARY AUTHORITY; COVERED ACTIVITIES.—The Secretary, acting through the Service, may utilize the negotiating authority of section 23 of the Act of June 25, 1910 (25 U.S.C. 47), to give preference to any Indian or any enterprise, partnership, corporation, or other type of business organization owned and controlled by an Indian or Indians including former or currently federally recognized Indian Tribes in the State of New York (hereinafter referred to as an 'Indian firm') in the construction and renovation of Service facilities pursuant to section 301 and in the construction of safe water and sanitary waste disposal facilities pursuant to section 302. Such preference may be accorded by the Secretary unless the Secretary finds, pursuant to rules and regulations promulgated by the Secretary, that the project or function to be contracted for will not be satisfactory or that the project or function cannot be properly completed or maintained under the proposed contract. The Secretary, in arriving at such a finding, shall consider whether the Indian or Indian firm will be deficient with respect to—

"(1) ownership and control by Indians;

"(2) equipment;

"(3) bookkeeping and accounting procedures;

"(4) substantive knowledge of the project or function to be contracted for;

"(5) adequately trained personnel; or

"(6) other necessary components of contract performance.

"(b) PAY RATES.—For the purpose of implementing the provisions of this title, the Secretary shall assure that the rates of pay for personnel engaged in the construction or renovation of facilities constructed or renovated in whole or in part by funds made available pursuant to this title are not less than the prevailing local wage rates for similar work as determined in accordance with sections 3141 through 3144, 3146, and 3147 of title 40, United States Code.

On page 176, strike lines 12 through 15 and insert the following:

"(3) staff quarters; and

"(4) specialized care facilities, such as behavioral health and elder care facilities.

On page 196, line 15, insert ", including programs to provide outreach and enrollment through video, electronic delivery methods, or telecommunication devices that allow real-time or time-delayed communication between individual Indians and the benefit program," after "trust lands".

On page 269, strike line 18 and insert the following:

"(d) ALLOCATION OF CERTAIN FUNDS.—Twenty per-

On page 336, between lines 2 and 3, insert the following:

**"SEC. 8. TRIBAL HEALTH PROGRAM OPTION FOR COST SHARING.**

"(a) IN GENERAL.—Nothing in this Act limits the ability of a Tribal Health Program operating any health program, service, function, activity, or facility funded, in whole or part, by the Service through, or provided for in, a compact with the Service pursuant to title V of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa et seq.) to charge an Indian for services provided by the Tribal Health Program.

"(b) SERVICE.—Nothing in this Act authorizes the Service—

"(1) to charge an Indian for services; or

"(2) to require any Tribal Health Program to charge an Indian for services.

On page 347, after line 24, add the following:

**SEC. 104. MODIFICATION OF TERM.**

(a) IN GENERAL.—Except as provided in subsection (b), the Indian Health Care Improvement Act (as amended by section 101) and each provision of the Social Security Act amended by title II are amended (as applicable)—

(1) by striking "Urban Indian Organizations" each place it appears and inserting "urban Indian organizations";

(2) by striking "Urban Indian Organization" each place it appears and inserting "urban Indian organization";

(3) by striking "Urban Indians" each place it appears and inserting "urban Indians";

(4) by striking "Urban Indian" each place it appears and inserting "urban Indian";

(5) by striking "Urban Centers" each place it appears and inserting "urban centers"; and

(6) by striking "Urban Center" each place it appears and inserting "urban center".

(b) EXCEPTION.—The amendments made by subsection (a) shall not apply with respect to—

(1) the matter preceding paragraph (1) of section 510 of the Indian Health Care Improvement Act (as amended by section 101); and

(2) "Urban Indian" the first place it appears in section 513(a) of the Indian Health Care Improvement Act (as amended by section 101).

(c) MODIFICATION OF DEFINITION.—Section 4 of the Indian Health Care Improvement Act (as amended by section 101) is amended by

striking paragraph (27) and inserting the following:

"(27) The term 'urban Indian' means any individual who resides in an urban center and who meets 1 or more of the 4 criteria in subparagraphs (A) through (D) of paragraph (12)."

Beginning on page 358, strike line 23 and all that follows through page 360, line 11, and insert the following:

(d) SATISFACTION OF MEDICAID DOCUMENTATION REQUIREMENTS.—Section 1903(x)(3)(B) of the Social Security Act (42 U.S.C. 1396b(x)(3)(B)) is amended—

(1) by redesignating clause (v) as clause (vii); and

(2) by inserting after clause (iv), the following new clauses:

"(v) Except as provided in clause (vi), a document issued by a federally recognized Indian tribe evidencing membership or enrollment in, or affiliation with, such tribe (such as a tribal enrollment card or certificate of degree of Indian blood).

"(vi)(I) With respect to those federally recognized Indian tribes located within States having an international border whose membership includes individuals who are not citizens of the United States documentation (including tribal documentation, if appropriate) that the Secretary determines to be satisfactory documentary evidence of United States citizenship or nationality under the regulations adopted pursuant to subclause (II).

"(II) Not later than 90 days after the date of enactment of this subclause, the Secretary, in consultation with the tribes referred to in subclause (I), shall promulgate interim final regulations specifying the forms of documentation (including tribal documentation, if appropriate) deemed to be satisfactory evidence of the United States citizenship or nationality of a member of any such Indian tribe for purposes of satisfying the requirements of this subsection.

"(III) During the period that begins on the date of enactment of this clause and ends on the effective date of the interim final regulations promulgated under subclause (II), a document issued by a federally recognized Indian tribe referred to in subclause (I) evidencing membership or enrollment in, or affiliation with, such tribe (such as a tribal enrollment card or certificate of degree of Indian blood) accompanied by a signed attestation that the individual is a citizen of the United States and a certification by the appropriate officer or agent of the Indian tribe that the membership or other records maintained by the Indian tribe indicate that the individual was born in the United States is deemed to be a document described in this subparagraph for purposes of satisfying the requirements of this subsection."

On page 360, strike lines 21 and 22.

Beginning on page 361, strike line 19 and all that follows through page 362, line 4, and insert the following:

"(1) NO COST SHARING FOR INDIANS FURNISHED ITEMS OR SERVICES DIRECTLY BY OR THROUGH INDIAN HEALTH PROGRAMS.—

"(A) NO ENROLLMENT FEES, PREMIUMS, OR COPAYMENTS.—

"(i) IN GENERAL.—No enrollment fee, premium, or similar charge, and no deduction, copayment, cost sharing, or similar charge shall be imposed against an Indian who is furnished an item or service directly by the Indian Health Service, an Indian Tribe, a Tribal Organization, or an urban Indian organization, or by a health care provider through referral under the contract health service for which payment may be made under this title.

"(ii) EXCEPTION.—Clause (i) shall not apply to an individual only eligible for the programs or services under sections 102 and 103

or title V of the Indian Health Care Improvement Act.

**SA 4083.** Mr. BINGAMAN (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_\_. GAO STUDY AND REPORT ON PAYMENTS FOR CONTRACT HEALTH SERVICES.**

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the utilization of health care furnished by health care providers under the contract health services program funded by the Indian Health Service and operated by the Indian Health Service, an Indian Tribe, or a Tribal Organization (as those terms are defined in section 4 of the Indian Health Care Improvement Act).

(2) ANALYSIS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the amounts reimbursed under the contract health services program described in paragraph (1) for health care furnished by entities, individual providers, and suppliers, including a comparison of reimbursement for such health care through other public programs and in the private sector;

(B) barriers to accessing care under such contract health services program, including, but not limited to, barriers relating to travel distances, cultural differences, and public and private sector reluctance to furnish care to patients under such program;

(C) the adequacy of existing Federal funding for health care under such contract health services program; and

(D) any other items determined appropriate by the Comptroller General.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a), together with recommendations regarding—

(1) the appropriate level of Federal funding that should be established for health care under the contract health services program described in subsection (a)(1); and

(2) how to most efficiently utilize such funding.

(c) CONSULTATION.—In conducting the study under subsection (a) and preparing the report under subsection (b), the Comptroller General shall consult with the Indian Health Service, Indian Tribes, and Tribal Organizations.

**SA 4084.** Mr. REID (for Mr. BIDEN) proposed an amendment to the resolution S. Res. 444, expressing the sense of the Senate regarding the strong alliance that has been forged between the United States and the Republic of Korea and congratulating Myung-Bak Lee on his election to the presidency of the Republic of Korea; as follows:

On page 2, strike “the Republic of Korea is the United States seventh largest training partner and the United States is the third largest trading partner of the Republic of Korea, with nearly \$80,000,000,000 in goods and services passing between the 2 countries each year” and insert “the economic relationship between the United States and the Republic of Korea is deep and growing and has been mutually beneficial to both countries”.

**NOTICE OF HEARING**

**SUBCOMMITTEE ON WATER AND POWER**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on February 28, 2008, at 2:00 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 177/H.R. 2085, to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes; S. 1473/H.R. 1855, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project; S. 1474/H.R. 1139, to authorize the Secretary of the Interior to plan, design and construct facilities to provide water for irrigation, municipal, domestic, and other uses from the Bunker Hill Groundwater Basin, Santa Ana River, California, and for other purposes; S. 1929, to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed; S. 2370, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes; H.R. 2381, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Gina Weinstock at [energy.senate.gov](mailto:energy.senate.gov).

For further information, please contact Michael Connor at (202) 224-5479 or Gina Weinstock at (202) 224-5684.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 14, 2008, at 11:10 a.m. in open session, in order to receive testimony on the strategy in Afghanistan and recent reports by the Afghanistan study group and the Atlantic Council of the United States.

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

**COMMITTEE ON ARMED SERVICES**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 14, 2008, at 2:30 p.m. in open session, in order to receive testimony on the strategy in Afghanistan and recent reports by the Afghanistan study group and the Atlantic Council of the United States.

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

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 14, 2008, at 10 a.m., in order to conduct a hearing entitled “The State of the United States Economy and Financial Markets.”

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

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, February 14, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the President's fiscal year 2009 budget request for the USDA Forest Service.

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

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, February 14, 2008 at 10:30 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, “Legislative Hearing on the Marine Vessel Emissions Reduction Act of 2007, S. 1499.”

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

**COMMITTEE ON FINANCE**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, February 14, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on “International Aspects of a Climate Change Cap and Trade Program”.

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

**COMMITTEE ON FOREIGN RELATIONS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 14, 2008, at 3:45 p.m. in order to hold a committee coffee with Her Excellency Dora