

Public Law 108-437  
108th Congress  
An Act

To implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.

Dec. 3, 2004  
[S. 1146]

*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 “Three Affiliated Tribes Health Facility Compensation Act”.

Three Affiliated Tribes Health Facility Compensation Act.

**SEC. 2. FINDINGS.**

Congress finds that—

- (1) in 1949, the United States assumed jurisdiction over more than 150,000 prime acres on the Fort Berthold Indian Reservation, North Dakota, for the construction of the Garrison Dam and Reservoir;
- (2) the reservoir flooded and destroyed vital infrastructure on the reservation, including a hospital of the Indian Health Service;
- (3) the United States made a commitment to the Three Affiliated Tribes of the Fort Berthold Indian Reservation to replace the lost infrastructure;
- (4) on May 10, 1985, the Secretary of the Interior established the Garrison Unit Joint Tribal Advisory Committee to examine the effects of the Garrison Dam and Reservoir on the Fort Berthold Indian Reservation;
- (5) the final report of the Committee issued on May 23, 1986, acknowledged the obligation of the Federal Government to replace the infrastructure destroyed by the Federal action;
- (6) the Committee on Indian Affairs of the Senate—
  - (A) acknowledged the recommendations of the final report of the Committee in Senate Report No. 102-250; and
  - (B) stated that every effort should be made by the Administration and Congress to provide additional Federal funding to replace the lost infrastructure; and
- (7) on August 30, 2001, the Chairman of the Three Affiliated Tribes testified before the Committee on Indian Affairs of the Senate that the promise to replace the lost infrastructure, particularly the hospital, still had not been kept.

**SEC. 3. RURAL HEALTH CARE FACILITY, FORT BERTHOLD INDIAN RESERVATION, NORTH DAKOTA.**

The Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act is amended—

(1) in section 3504 (106 Stat. 4732), by adding at the end the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”; and

(2) by striking section 3511 (106 Stat. 4739) and inserting the following:

**“SEC. 3511. RURAL HEALTH CARE FACILITY, FORT BERTHOLD INDIAN RESERVATION, NORTH DAKOTA.**

“There are authorized to be appropriated to the Secretary of Health and Human Services \$20,000,000 for the construction of, and such sums as are necessary for other expenses relating to, a rural health care facility on the Fort Berthold Indian Reservation of the Three Affiliated Tribes, North Dakota.”.

Approved December 3, 2004.

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**LEGISLATIVE HISTORY—S. 1146:**

HOUSE REPORTS: No. 108-523, Pt. 1 (Comm. on Resources).

CONGRESSIONAL RECORD:

Vol. 149 (2003): Oct. 27, considered and passed Senate.

Vol. 150 (2004): Nov. 17, considered and passed House.

