

103^D CONGRESS
2^D SESSION

S. 1936

To provide for the integrated management of Indian resources, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, FEBRUARY 22), 1994

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

A BILL

To provide for the integrated management of Indian resources, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Indian Integrated Re-
5 sources Management Planning Act”.

6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

8 (1) INDIAN LAND.—The term “Indian land”
9 means all land that is—

1 (A) held in trust by the United States for
2 the benefit of an Indian tribe or an individual
3 Indian; or

4 (B) owned by an Indian or Indian tribe
5 and is subject to restrictions against alienation.

6 (2) INDIAN NATURAL RESOURCES.—The term
7 “Indian natural resources” includes forests, ranges,
8 wildlife, water, fisheries, soils, minerals, oil, gas,
9 coal, agriculture, recreation, archaeological re-
10 sources, historical resources, cultural resources, tra-
11 ditional resources, socioeconomic resources, and
12 threatened and endangered species.

13 (3) INDIAN TRIBE.—The term “Indian tribe”
14 means any Indian tribe, band, nation, pueblo, or
15 other organized group or community, including any
16 Alaska Native Village or regional corporation as de-
17 fined in or established pursuant to the Alaska Na-
18 tive Claims Settlement Act (43 U.S.C. 1601 et seq.),
19 that is eligible for the special programs and services
20 provided by the United States to Indians because of
21 their status as Indians.

22 (4) INTEGRATED RESOURCE MANAGEMENT
23 PLAN.—The term “integrated resource management
24 plan” means a plan developed by an Indian tribe

1 and approved by the Secretary pursuant to section
2 4—

3 (A) to assess available natural resources;

4 (B) to identify management objectives that
5 integrate—

6 (i) quality of life;

7 (ii) production goals;

8 (iii) preservation goals; and

9 (iv) landscape descriptions of the nat-
10 ural resources; and

11 (C) that encompasses tribal codes and spe-
12 cific natural resource management plans in ef-
13 fect on the date of enactment of this Act.

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 **SEC. 3. FINDINGS; PURPOSE.**

17 (a) FINDINGS.—The Congress finds that—

18 (1) it is the policy of the United States to pro-
19 mote tribal self-determination and self-governance;

20 (2) the United States holds most Indian natural
21 resources in trust for the benefit of Indian tribes
22 and individuals;

23 (3) it is consistent with the Federal trust re-
24 sponsibility and the policies of self-determination
25 and self-governance to promote increased tribal in-

1 involvement in the management and use of Indian
2 land and natural resources; and

3 (4) Indian tribes have among their principal
4 policy objectives, the management of their natural
5 resources in a manner that is consistent with the
6 cultural, social, and economic needs and values of
7 the tribes.

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

9 (1) to authorize the Secretary to assist Indian
10 tribes in the development and implementation of in-
11 tegrated resource management plans;

12 (2) to ensure that the management of natural
13 resources on Indian land is conducted in a manner
14 that is consistent with tribal culture and values, ap-
15 plicable Federal laws, and the Federal trust respon-
16 sibility; and

17 (3) to promote and enhance tribal self-deter-
18 mination and self-governance by ensuring tribal con-
19 trol of natural resources and co-management by In-
20 dian tribes and the Secretary.

21 **SEC. 4. INDIAN NATURAL RESOURCE MANAGEMENT PLAN.**

22 (a) IN GENERAL.—The Secretary shall establish and
23 carry out a program to assist Indian tribes to develop and
24 implement integrated natural resource management plans.

25 (b) ASSISTANCE.—

1 (1) IN GENERAL.—Upon the request of an In-
2 dian tribe, the Secretary shall provide assistance
3 under this subsection, including the transfer to the
4 tribe of all natural resources data, including maps
5 and other information held by the Secretary that re-
6 lates to land under the authority of the Indian tribe.

7 (2) GRANTS; CONTRACTS.—Upon the request of
8 an Indian tribe, the Secretary shall enter into a
9 grant, contract, or cooperative agreement with each
10 Indian tribe under the Indian Self-Determination
11 and Education Assistance Act (25 U.S.C. 450 et
12 seq.) to provide financial assistance to the Indian
13 tribe for the development of an integrated resource
14 management plan.

15 (c) DEVELOPMENT.—The process for plan develop-
16 ment shall include provisions for—

- 17 (1) a determination of the need for the plan;
- 18 (2) identification of short- and long-term goals;
- 19 (3) identification of the geographic area to be
20 included in the plan;
- 21 (4) identification of available and needed data;
- 22 (5) identification of the natural resources exper-
23 tise needed prepare the plan;
- 24 (6) a determination of the time required for
25 data collection;

1 (7) a determination of the affected parties, in-
2 cluding landowners, lessees, and residents;

3 (8) public comment;

4 (9) identification and consideration of alter-
5 native plans;

6 (10) an estimation of the cost of plan develop-
7 ment;

8 (11) a list of resources to be included in the
9 plan;

10 (12) a list of resource management goals and
11 objectives; and

12 (13) compliance with applicable Federal and
13 tribal laws.

14 (d) APPROVAL BY SECRETARY.—

15 (1) SUBMISSION.—Upon completion of a plan,
16 an Indian tribe shall submit the plan to the Sec-
17 retary for approval.

18 (2) APPROVAL.—Not later than 6 months after
19 receipt of a plan, the Secretary shall approve or dis-
20 approve the plan. If the Secretary neither approves
21 nor disapproves the plan, such inaction shall be
22 deemed to be an approval of the plan.

23 (3) DISAPPROVAL.—If the Secretary dis-
24 approves a plan, the Secretary shall state the rea-
25 sons for such disapproval and shall provide rec-

1 ommendations and technical assistance for plan revi-
2 sions.

3 (e) FORCE AND EFFECT.—An approved plan shall
4 govern all activities of the Indian tribe and the Secretary
5 with regard to matters included in the plan. The plan shall
6 take effect on the date of approval.

7 (f) AMENDMENTS.—

8 (1) IN GENERAL.—An Indian tribe may amend
9 the plan at any time consistent with this section.

10 (2) PUBLIC COMMENT.—Proposed amendments
11 shall be made available for public review and com-
12 ment.

13 (3) APPROVAL.—Upon approval by the Indian
14 tribe, proposed amendments shall be submitted to
15 the Secretary for approval in accordance with sub-
16 section (d).

17 **SEC. 5. MANAGEMENT.**

18 Consistent with the Indian Self-Determination and
19 Education Assistance Act (25 U.S.C. 450 et seq.), the
20 Secretary shall provide for the management of Indian nat-
21 ural resources in a manner that is consistent with the ap-
22 proved integrated resource management plans.

23 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

24 There is authorized to be appropriated such sums as
25 are necessary to carry out this Act.

