

In the Senate of the United States,

November 9, 1997.

Resolved, That the bill from the House of Representatives (H.R. 1604) entitled “An Act to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18–E, 58, 364, and 18–R before the Indian Claims Commission.”, do pass with the following

AMENDMENTS:

1 **(1)**Page 2, before line 1 insert:

2 ***TITLE I—DIVISION, USE, AND***
3 ***DISTRIBUTION OF JUDGMENT***
4 ***FUNDS OF THE OTTAWA AND***
5 ***CHIPPEWA INDIANS OF***
6 ***MICHIGAN***

7 **(2)**Page 2, line 1, strike out **[SECTION 1]** and insert:

8 ***SEC. 101***

9 **(3)**Page 2, line 2, strike out **[Act]** and insert: *title*

- 1 (4)Page 2, line 3, strike out **[2]** and insert: **102**
- 2 (5)Page 2, line 9, strike out **[Tribe]** and insert: *Band*
- 3 (6)Page 3, line 9, strike out **[Act]** and insert: *title*
- 4 (7)Page 3, line 14, strike out **[3]** and insert: **103**
- 5 (8)Page 3, line 15, strike out **[Act]** and insert: *title*
- 6 (9)Page 4, line 13, strike out **[6]** and insert: *106*
- 7 (10)Page 4, line 16, strike out **[4]** and insert: **104**
- 8 (11)Page 4, line 23, strike out **[10]** and insert: *110*
- 9 (12)Page 6, line 13, strike out **[10]** and insert: *110*
- 10 (13)Page 7, line 23, strike out **[Act]** and insert: *title*
- 11 (14)Page 7, line 24, strike out **[10]** and insert: *110*
- 12 (15)Page 8, line 3, strike out **[5]** and insert: **105**
- 13 (16)Page 8, line 9, strike out **[4]** and insert: *104*
- 14 (17)Page 8, line 13, strike out **[7]** and insert: *107*
- 15 (18)Page 8, line 15, strike out **[4]** and insert: *104*
- 16 (19)Page 8, line 20, strike out **[7]** and insert: *107*
- 17 (20)Page 8, line 21, strike out **[8]** and insert: *108*
- 18 (21)Page 8, line 23, strike out **[4]** and insert: *104*

- 1 **(22)**Page 9, line 4, strike out **[8]** and insert: *108*
- 2 **(23)**Page 9, line 5, strike out **[9]** and insert: *109*
- 3 **(24)**Page 9, line 7, strike out **[4]** and insert: *104*
- 4 **(25)**Page 9, line 12, strike out **[9]** and insert: *109*
- 5 **(26)**Page 9, line 14, strike out **[Act]** and insert: *title*
- 6 **(27)**Page 10, line 4, strike out **[3(b)]** and insert: *103(b)*
- 7 **(28)**Page 10, line 8, strike out **[3(b)]** and insert: *103(b)*
- 8 **(29)**Page 10, line 21, strike out **[3(b)]** and insert: *103(b)*
- 9 **(30)**Page 11, line 2, strike out **[3(b)]** and insert: *103(b)*
- 10 **(31)**Page 11, line 8, strike out **[3(b)]** and insert: *103(b)*
- 11 **(32)**Page 11, line 11, strike out **[Act]** and insert: *title*
- 12 **(33)**Page 11, line 13, strike out **[5]** and insert: *105*
- 13 **(34)**Page 11, line 17, strike out **[3]** and insert: *103*
- 14 **(35)**Page 11, line 17, strike out **[4]** and insert: *104*
- 15 **(36)**Page 11, line 23, strike out **[Act]** and insert: *title*
- 16 **(37)**Page 11, line 23, strike out **[4]** and insert: *104*
- 17 **(38)**Page 12, line 1, strike out **[6]** and insert: **106**
- 18 **(39)**Page 12, line 16, strike out **[4]** and insert: *104*

- 1 **(40)**Page 13, line 7, strike out **[10]** and insert: *110*
- 2 **(41)**Page 15, line 5, strike out **[10]** and insert: *110*
- 3 **(42)**Page 15, line 10, strike out **[4]** and insert: *104*
- 4 **(43)**Page 15, line 14, strike out **[Act]** and insert: *title*
- 5 **(44)**Page 15, line 17, strike out **[Act]** and insert: *title*
- 6 **(45)**Page 15, line 23, strike out **[Act]** and insert: *title*
- 7 **(46)**Page 16, line 3, strike out **[7]** and insert: **107**
- 8 **(47)**Page 16, line 10, strike out **[Act]** and insert: *title*
- 9 **(48)**Page 17, line 25, strike out **[Act]** and insert: *title*
- 10 **(49)**Page 22, line 12, strike out **[8]** and insert: **108**
- 11 **(50)**Page 25, line 14, strike out **[4]** and insert: *104*
- 12 **(51)**Page 26, line 3, strike out **[9]** and insert: **109**
- 13 **(52)**Page 26, line 10, strike out **[4]** and insert: *104*
- 14 **(53)**Page 30, line 19, strike out **[10]** and insert: **110**
- 15 **(54)**Page 31, line 21, strike out **[4(a)(1)]** and insert: *104*
- 16 *(a)(1)*
- 17 **(55)**Page 31, line 23, strike out **[4(a)(1)]** and insert: *104*
- 18 *(a)(1)*

1 (56)Page 32, line 7, strike out **[6]** and insert: *106*

2 (57)Page 32, line 15, strike out **[Act]** and insert: *title*

3 (58)Page 33, line 15, strike out **[6]** and insert: *106*

4 (59)Page 33, line 19, strike out **[6]** and insert: *106*

5 (60)Page 34, line 14, strike out **[6]** and insert: *106*

6 (61)Page 34, strike out all after line 14 down to and in-
7 cluding “eligibility” in line 17 and insert:

8 **SEC. 111. TREATMENT OF FUNDS IN RELATION TO OTHER**
9 **LAWS.**

10 (a) *APPLICABILITY OF PUBLIC LAW 93-134.—All*
11 *funds distributed under this Act or any plan approved in*
12 *accordance with this Act, including interest and investment*
13 *income that accrues on those funds before or while those*
14 *funds are held in trust, shall be subject to section 7 of Public*
15 *Law 93-134 (87 Stat. 468).*

16 (b) *TREATMENT OF FUNDS WITH RESPECT TO CER-*
17 *TAIN FEDERAL ASSISTANCE.—The eligibility*

18 (62)Page 35, line 4, strike out **[12]** and insert: **112**

19 (63)Page 35, after line 9 insert:

1 **TITLE II—LIMITATION ON**
2 **HEALTH CARE CONTRACTS**
3 **AND COMPACTS FOR THE**
4 **KETCHIKAN GATEWAY BOR-**
5 **OUGH**

6 **SEC. 201. FINDINGS.**

7 *Congress finds that—*

8 *(1) the execution of more than 1 contract or com-*
9 *compact between an Alaska native village or regional or*
10 *village corporation in the Ketchikan Gateway borough*
11 *and the Secretary to provide for health care services*
12 *in an area with a small population leads to duplica-*
13 *tive and wasteful administrative costs; and*

14 *(2) incurring the wasteful costs referred to in*
15 *paragraph (1) leads to decrease in the quality of*
16 *health care that is provided to Alaska Natives in an*
17 *affected area.*

18 **SEC. 202. DEFINITIONS.**

19 *In this title:*

20 *(1) ALASKA NATIVE.—The term “Alaska Native”*
21 *has the meaning given the term “Native” in section*
22 *3(b) of the Alaska Native Claims Settlement Act (43*
23 *U.S.C. 1602(b)).*

24 *(2) ALASKA NATIVE VILLAGE OR REGIONAL OR*
25 *VILLAGE CORPORATION.—The term “Alaska native*

1 *village or regional or village corporation” means an*
2 *Alaska native village or regional or village corpora-*
3 *tion defined in, or established pursuant to the Alaska*
4 *Native Claims Settlement Act (43 U.S.C. 1601 et*
5 *seq.).*

6 (3) *CONTRACT; COMPACT.—The terms “contract”*
7 *and “compact” mean a self-determination contract*
8 *and a self-governance compact as these terms are de-*
9 *defined in the Indian Self-Determination and Edu-*
10 *cation Assistance Act (25 U.S.C. 450 et seq.).*

11 (4) *SECRETARY.—The term “Secretary” means*
12 *the Secretary of Health and Human Services.*

13 **SEC. 203. LIMITATION.**

14 (a) *IN GENERAL.—The Secretary shall take such ac-*
15 *tion as may be necessary to ensure that, in considering a*
16 *renewal of a contract or compact, or signing of a new con-*
17 *tract or compact for the provision of health care services*
18 *in the Ketchikan Gateway Borough, there will be only one*
19 *contract or compact in effect.*

20 (b) *CONSIDERATION.—In any case in which the Sec-*
21 *retary, acting through the Director of the Indian Health*
22 *Service, is required to select from more than 1 application*
23 *for a contract or compact described in subsection (a), in*
24 *awarding the contract or compact, the Secretary shall take*
25 *into consideration—*

- 1 (1) *the ability and experience of the applicant;*
- 2 (2) *the potential for the applicant to acquire and*
- 3 *develop the necessary ability; and*
- 4 (3) *the potential for growth in the health care*
- 5 *needs of the covered borough.*

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 1604

AMENDMENTS