

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2631

To amend the American Indian Trust Fund Management Reform Act of 1994 to transfer certain authorities to the Office of Special Trustee for American Indians, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 1995

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Resources

---

## A BILL

To amend the American Indian Trust Fund Management Reform Act of 1994 to transfer certain authorities to the Office of Special Trustee for American Indians, 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 “American Indian Trust  
5        Fund Management Reform Act Amendments of 1995”.

1 **SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE OFFICE OF**  
2 **SPECIAL TRUSTEE.**

3 (a) IN GENERAL.—Section 303(b)(2) of the Amer-  
4 ican Indian Trust Fund Management Reform Act of 1994  
5 (25 U.S.C. 4043(b)(2)) is amended—

6 (1) by striking the paragraph heading and in-  
7 sserting the following new heading: “ADMINISTRA-  
8 TION OF FINANCIAL TRUST SERVICES.—”

9 (2) by redesignating subparagraphs (A) through  
10 (C) as subparagraphs (B) through (D), respectively;  
11 and

12 (3) by inserting before subparagraph (B), as so  
13 redesignated, the following new subparagraph:

14 “(A) ADMINISTRATIVE AUTHORITY.—The  
15 Office of Special Trustee shall have direct ad-  
16 ministrative authority over the human and fi-  
17 nancial resources supporting the provision of fi-  
18 nancial trust services and functions to Indian  
19 tribes and Indian individuals administered by  
20 the Bureau on the day before the date of enact-  
21 ment of the American Indian Trust Fund Man-  
22 agement Reform Act Amendments of 1995.”.

23 (b) TRANSFER OF FUNCTIONS.—The Secretary of  
24 the Interior shall transfer to the Office of Special Trustee  
25 for American Indians established under section 302 of the  
26 American Indian Trust Fund Management Reform Act of

1 1994 (25 U.S.C. 4042) the functions and services of the  
2 Bureau of Indian Affairs relating to the administration  
3 of human and financial resources supporting the provision  
4 of financial trust services and functions to Indian tribes  
5 and Indian individuals in a manner consistent with section  
6 303(b)(2)(A) of that Act, as amended by subsection (a).

7 (c) ADMINISTRATIVE SUPPORT SERVICES.—

8 (1) IN GENERAL.—Subject to paragraph (2),  
9 for fiscal year 1996, the Secretary of the Interior  
10 shall ensure that, to the extent practicable, the Bu-  
11 reau of Indian Affairs provides administrative sup-  
12 port services for the financial trust functions and  
13 services transferred to the Office of Special Trustee  
14 for American Indians under subsection (b) at a level  
15 that is comparable to the level of administrative sup-  
16 port services provided by the Bureau of Indian Af-  
17 fairs to support those financial trust functions and  
18 services during fiscal year 1995.

19 (2) EFFECT OF REDUCTION IN FUNDING.—If,  
20 for fiscal year 1996, the amount of funds made  
21 available by appropriations for the Bureau of Indian  
22 Affairs for general administrative support services is  
23 less than the amount made available for such pur-  
24 poses for fiscal year 1995, the Secretary shall deter-  
25 mine the level of administrative support services de-

1 scribed in paragraph (1) to be provided for fiscal  
2 year 1996 on a pro rata basis, taking into account  
3 the total amount of funds made available by appro-  
4 priations for the Bureau for general administrative  
5 support services.

6 **SEC. 3. OFFICE OF SPECIAL TRUSTEE.**

7 Section 302(b) of the American Indian Trust Fund  
8 Management Reform Act of 1994 (25 U.S.C. 4042(b)) is  
9 amended by adding at the end the following new para-  
10 graph:

11 “(3) TERM OF SPECIAL TRUSTEE.—

12 “(A) IN GENERAL.—Except as provided in  
13 subparagraphs (B) and (C), the Special Trustee  
14 shall serve for a term of 4 years.

15 “(B) TERMINATION OF OFFICE.—If, pur-  
16 suant to subsection (c), the Office of Special  
17 Trustee is terminated prior to the expiration of  
18 the term specified in subparagraph (A), the  
19 term of the Special Trustee shall expire on the  
20 termination date determined under that sub-  
21 section.

22 “(C) VACANCY.—If a vacancy occurs prior  
23 to the expiration of the term of the Special  
24 Trustee, the vacancy shall be filled in the same  
25 manner as the original appointment and, except

1 as provided in subparagraph (B), the individual  
2 appointed to succeed shall serve for the  
3 unexpired portion of that term.”.

4 **SEC. 4. CONFORMING AMENDMENTS.**

5 Section 303 of the American Indian Trust Fund  
6 Management Reform Act of 1994 (25 U.S.C. 4043), as  
7 amended by section 2, is further amended—

8 (1) in subsection (b)(2)—

9 (A) in subparagraph (B)—

10 (i) by striking “the Bureau” and in-  
11 sserting “the Department”; and

12 (ii) by striking “holders,” and insert-  
13 ing “holders”;

14 (B) in subparagraph (C), by striking “that  
15 the Bureau establishes” and inserting “the es-  
16 tablishment of”; and

17 (C) in subparagraph (D), by striking “that  
18 the Bureau establishes” and inserting “the es-  
19 tablishment of”; and

20 (2) in subsection (c)—

21 (A) in paragraph (2), by striking “Bu-  
22 reau” each place it appears and inserting “Of-  
23 fice”; and

1                   (B) in paragraph (3), by striking “Bu-  
2                   reau” each place it appears and inserting “Of-  
3                   fice”.

○