

105TH CONGRESS  
1ST SESSION

# S. 1279

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to emphasize the need for job creation on Indian reservations, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 1997

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

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## A BILL

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to emphasize the need for job creation on Indian reservations, 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 Employment,  
5       Training and Related Services Demonstration Act Amend-  
6       ments of 1997”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) Indian tribes and Alaska Native organiza-  
4 tions that have participated in carrying out pro-  
5 grams under the Indian Employment, Training and  
6 Related Services Demonstration Act of 1992 (25  
7 U.S.C. 3401 et seq.) have—

8 (A) improved the effectiveness of services  
9 provided by those tribes and organizations;

10 (B) enabled more Indian people to secure  
11 employment;

12 (C) assisted welfare recipients; and

13 (D) otherwise demonstrated the value of  
14 integrating education, employment, and train-  
15 ing services.

16 (2) The initiative under the Indian Employ-  
17 ment, Training and Related Services Demonstration  
18 Act of 1992 should be strengthened by ensuring that  
19 all programs that emphasize the value of work may  
20 be included within a demonstration program of an  
21 Indian tribe or Alaska Native organization.

22 (3) The initiative under the Indian Employ-  
23 ment, Training and Related Services Demonstration  
24 Act of 1992 shares goals and innovative approaches  
25 of the Indian Self-Determination and Education As-  
26 sistance Act (25 U.S.C. 450 et seq.).

1           (4) The programs referred to in paragraph (2)  
2           should be implemented by the unit within the De-  
3           partment of the Interior responsible for carrying out  
4           the Indian Employment, Training and Related Serv-  
5           ices Demonstration Act of 1992.

6           (5) The initiative under the Indian Employ-  
7           ment, Training and Related Services Demonstration  
8           Act of 1992 should have the benefit of the support  
9           and attention of the officials of—

10                   (A) the Department of the Interior; and

11                   (B) other Federal agencies involved with  
12           policymaking authority with respect to pro-  
13           grams that emphasize the value of work for  
14           American Indians and Alaska Natives.

15 **SEC. 3. AMENDMENTS TO THE INDIAN EMPLOYMENT,**  
16 **TRAINING AND RELATED SERVICES DEM-**  
17 **ONSTRATION ACT OF 1992.**

18           (a) DEFINITIONS.—Section 3 of the Indian Employ-  
19           ment, Training and Related Services Demonstration Act  
20           of 1992 (25 U.S.C. 3402) is amended—

21                   (1) by redesignating paragraphs (1) through  
22                   (3) as paragraphs (2) through (4), respectively; and

23                   (2) by inserting before paragraph (2) the fol-  
24           lowing:

1           “(1) FEDERAL AGENCY.—The term ‘Federal  
2           agency’ has the same meaning given the term ‘agen-  
3           cy’ in section 551(1) of title 5, United States  
4           Code.”.

5           (b) PROGRAMS AFFECTED.—Section 5 of the Indian  
6           Employment, Training and Related Services Demonstra-  
7           tion Act of 1992 (25 U.S.C. 3404) is amended by striking  
8           “employment opportunities, or skill development” and all  
9           that follows through the end of the section, and inserting  
10          “securing employment, retaining employment, or creating  
11          employment opportunities. The programs referred to in  
12          the preceding sentence may include the program com-  
13          monly referred to as the general assistance program estab-  
14          lished under the Act of November 2, 1921 (commonly  
15          known as the ‘Snyder Act’) (42 Stat. 208, chapter 115;  
16          25 U.S.C. 13) and the program known as the Johnson-  
17          O’Malley Program established under the Johnson-  
18          O’Malley Act (25 U.S.C. 452 through 457).”.

19          (c) PLAN REVIEW.—Section 7 of the Indian Employ-  
20          ment, Training and Related Services Demonstration Act  
21          of 1992 (25 U.S.C. 3406) is amended—

22                 (1) by striking “Federal department” both  
23                 places it appears and inserting “Federal agency”;

24                 (2) by striking “Federal departmental” and in-  
25                 serting “Federal agency”;

1           (3) by striking “department” each place it ap-  
2           pears and inserting “agency”; and

3           (4) in the third sentence, by inserting “statu-  
4           tory requirement,” after “to waive any”.

5           (d) PLAN APPROVAL.—The second sentence of sec-  
6           tion 8 of the Indian Employment, Training and Related  
7           Services Demonstration Act of 1992 (25 U.S.C. 3407) is  
8           amended by inserting before the period at the end the fol-  
9           lowing: “, including reconsidering the disapproval of any  
10          waiver requested by the Indian tribe”.

11          (e) JOB CREATION ACTIVITIES.—Section 9 of the In-  
12          dian Employment, Training and Related Services Dem-  
13          onstration Act of 1992 (25 U.S.C. 3408) is amended—

14                 (1) by inserting “(a) IN GENERAL.—” before  
15                 “The plan submitted”;

16                 (2) by striking “if such expenditures” and all  
17                 that follows through the end of subsection (a) (as re-  
18                 designated by paragraph (1) of this subsection); and

19                 (3) by adding at the end the following:

20                 “(b) LIMITATION.—The funds used for an expendi-  
21                 ture described in subsection (a) may only include funds  
22                 made available to the Indian tribe by a Federal agency  
23                 under a statutory or administrative formula.”.

24          (f) PRIVATE SECTOR TRAINING PLACEMENTS.—Sec-  
25          tion 11(a) of the Indian Employment, Training and Relat-

1 ed Services Demonstration Act of 1992 (25 U.S.C.  
2 3410(a)) is amended—

3 (1) in the matter preceding paragraph (1), by  
4 striking “Bureau of Indian Affairs” and inserting  
5 “Office of Self-Governance of the Department of the  
6 Interior”;

7 (2) in paragraph (4)—

8 (A) by inserting “delivered under an ar-  
9 rangement subject to the approval of the Indian  
10 tribe participating in the project,” after “appro-  
11 priate to the project,”; and

12 (B) by striking the period and inserting “;  
13 and”;

14 (3) by adding at the end the following:

15 “(5) the convening by an appropriate official of  
16 the lead agency (whose appointment is subject to the  
17 confirmation of the Senate) and a representative of  
18 the Indian tribes that carry out demonstration  
19 projects under this Act, in consultation with each  
20 such Indian tribe, of a meeting not less than 2 times  
21 during each fiscal year for the purpose of providing  
22 an opportunity for all Indian tribes that carry out  
23 demonstration projects under this Act to discuss is-  
24 sues relating to the implementation of this Act with

1 officials of each department specified in subsection  
2 (a).”.

3 (g) PERSONNEL.—In carrying out the amendment  
4 made by subsection (f)(1), the Secretary of the Interior  
5 shall transfer from the Bureau of Indian Affairs to the  
6 Office of Self-Governance of the Department of the Inte-  
7 rior such personnel and resources as the Secretary deter-  
8 mines to be appropriate.

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