

Calendar No. 585106TH CONGRESS
2^D SESSION**S. 1507****[Report No. 106-306]**

To authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

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

JUNE 6, 2000

Reported by Mr. CAMPBELL, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italics]

A BILL

To authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Native American Alco-
3 hol and Substance Abuse Program Consolidation Act of
4 1999”.

5 **SEC. 2. STATEMENT OF PURPOSE.**

6 The purposes of this Act are (a) to enable Indian
7 tribes to consolidate and integrate alcohol and other sub-
8 stance abuse prevention, diagnosis and treatment pro-
9 grams to provide unified and more effective and efficient
10 services to Native Americans afflicted with alcohol and
11 other substance abuse problems; and (b) to recognize that
12 Indian tribes can best determine the goals and methods
13 for establishing and implementing prevention, diagnosis
14 and treatment programs for their communities, consistent
15 with the policy of self-determination.

16 **SEC. 3. DEFINITIONS.**

17 For the purposes of this Act, the following definitions
18 shall apply:

19 (1) **FEDERAL AGENCY.**—The term “Federal
20 agency” has the same meaning given the term in
21 section 551(1) of title 5, United States Code.

22 (2) **INDIAN TRIBE.**—The terms “Indian tribe”
23 and “tribe” shall have the meaning given the term
24 “Indian tribe” in section 4(e) of the Indian Self-De-
25 termination and Education Assistance Act.

1 (3) INDIAN.—The term “Indian” shall have the
2 meaning given such term in section 4(d) of the In-
3 dian Self-Determination and Education Assistance
4 Act.

5 (4) SECRETARY.—Except where otherwise pro-
6 vided, the term “Secretary” means the Secretary of
7 the Interior.

8 **SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.**

9 The Secretary of the Interior, in cooperation with the
10 appropriate Secretary of Labor, Secretary of Health and
11 Human Services, Secretary of Education, Secretary of
12 Housing and Urban Development, United States Attorney
13 General, Secretary of Transportation, and Director of the
14 National Institutes of Health shall, upon the receipt of
15 a plan acceptable to the Secretary submitted by an Indian
16 tribe, authorize the tribe to coordinate, in accordance with
17 such plan, its federally funded alcohol and substance
18 abuse in a manner that integrates the program services
19 involved into a single, coordinated, comprehensive program
20 and reduces administrative costs by consolidating adminis-
21 trative functions.

22 **SEC. 5. PROGRAMS AFFECTED.**

23 The programs that may be integrated in any such
24 plan referred to in section 4 shall include any program
25 under which an Indian tribe is eligible for receipt of funds

1 under a statutory or administrative formula for the pur-
2 poses of prevention, diagnosis or treatment of alcohol and
3 other substance abuse problems and disorders, or any pro-
4 gram designed to enhance the ability to treat, diagnose
5 or prevent alcohol and other substance abuse and related
6 problems and disorders.

7 **SEC. 6. PLAN REQUIREMENTS.**

8 For a plan to be acceptable pursuant to section 4,
9 it shall—

- 10 (1) Identify the programs to be integrated;
- 11 (2) be consistent with the purposes of this Act
12 authorizing the services to be integrated into this
13 project;
- 14 (3) describe a comprehensive strategy which
15 identifies the full range of existing and potential di-
16 agnosis, treatment and prevention programs avail-
17 able on and near the tribe's service area;
- 18 (4) describe the way in which services are to be
19 integrated and delivered and the results expected
20 under the plan;
- 21 (5) identify the projected expenditures under
22 the plan in a single budget;
- 23 (6) identify the agency or agencies in the tribe
24 to be involved in the delivery of the services inte-
25 grated under the plan;

1 (7) identify any statutory provisions, regula-
2 tions, policies or procedures that the tribe believes
3 need to be waived in order to implement its plan;
4 and

5 (8) be approved by the governing body of the
6 tribe.

7 **SEC. 7. PLAN REVIEW.**

8 Upon receipt of the plan from a tribal government,
9 the Secretary shall consult with the Secretary of each Fed-
10 eral agency providing funds to be used to implement the
11 plan, and with the tribe submitting the plan. The parties
12 consulting on the implementation of the plan submitted
13 shall identify any waivers of statutory requirements or of
14 Federal agency regulations, policies or procedures nec-
15 essary to enable the tribal government to implement its
16 plan. Notwithstanding any other provision of law, the Sec-
17 retary of the affected agency shall have the authority to
18 waive any statutory requirement, regulation, policy, or
19 procedure promulgated by the affected agency that has
20 been identified by the tribe or the Federal agency to be
21 waived, unless the Secretary of the affected department
22 determines that such a waiver is inconsistent with the pur-
23 poses of this Act or those provisions of the statute from
24 which the program involved derives its authority which are
25 specifically applicable to Indian programs.

1 **SEC. 8. PLAN APPROVAL.**

2 Within 90 days after the receipt of a tribe's plan by
3 the Secretary, the Secretary shall inform the tribe, in writ-
4 ing, of the Secretary's approval or disapproval of the plan,
5 including any request for a waiver that is made as part
6 of the plan submitted by the tribal government. If the plan
7 is disapproved, the tribal government shall be informed,
8 in writing, of the reasons for the disapproval and shall
9 be given an opportunity to amend its plan or to petition
10 the Secretary to reconsider such disapproval, including re-
11 considering the disapproval of any waiver requested by the
12 Indian tribe.

13 **SEC. 9. FEDERAL RESPONSIBILITIES.**

14 (a) **RESPONSIBILITIES OF THE DEPARTMENT OF THE**
15 **INTERIOR.**—Within 180 days following the date of enact-
16 ment of this Act, the Secretary of the Interior, the Sec-
17 retary of Labor, the Secretary of Health and Human Serv-
18 ices, the Secretary of Education, the Secretary of Housing
19 and Urban Development, the United States Attorney Gen-
20 eral, the Secretary of Transportation, and the Director of
21 the National Institutes of Health shall enter into an inter-
22 departmental memorandum of agreement providing for
23 the implementation of the plans authorized under this Act.
24 The lead agency under this Act shall be the Bureau of
25 Indian Affairs, Department of the Interior. The respon-
26 sibilities of the lead agency shall include—

1 (1) the use of a single report format related to
2 the plan for the individual project which shall be
3 used by a tribe to report on the activities undertaken
4 by the plan;

5 (2) the use of a single report format related to
6 the projected expenditures for the individual plan
7 which shall be used by a tribe to report on all plan
8 expenditures;

9 (3) the development of a single system of Fed-
10 eral oversight for the plan, which shall be imple-
11 mented by the lead agency;

12 (4) the provision of technical assistance to a
13 tribe appropriate to the plan, delivered under an ar-
14 rangement subject to the approval of the tribe par-
15 ticipating in the project, except that a tribe shall
16 have the authority to accept or reject the plan for
17 providing the technical assistance and the technical
18 assistance provider; and

19 (5) The convening by an appropriate official of
20 the lead agency (whose appointment is subject to the
21 confirmation of the Senate) and a representative of
22 the Indian tribes that carry out projects under this
23 Act, in consultation with each of the Indian tribes
24 that participate in projects under this Act, of a
25 meeting not less than 2 times during each fiscal year

1 for the purpose of providing an opportunity for all
2 Indian tribes that carry out projects under this Act
3 to discuss issues relating to the implementation of
4 this Act with officials of each agency specified in
5 subsection (a).

6 (b) **REPORT REQUIREMENTS.**—The single report for-
7 mat shall be developed by the Secretary, consistent with
8 the requirements of this Act. Such report format, together
9 with records maintained on the consolidated program at
10 the tribal level shall contain such information as will allow
11 a determination that the tribe has complied with the re-
12 quirements incorporated in its approved plan and will pro-
13 vide assurances to the Secretary that the tribe has com-
14 plied with all directly applicable statutory requirements
15 and with those directly applicable regulatory requirements
16 which have not been waived.

17 **SEC. 10. NO REDUCTION IN AMOUNTS.**

18 In no case shall the amount of Federal funds avail-
19 able to a participating tribe involved in any project be re-
20 duced as a result of the enactment of this Act.

21 **SEC. 11. INTERAGENCY FUND TRANSFERS AUTHORIZED.**

22 The Secretary of the Interior, the Secretary of Labor,
23 the Secretary of Health and Human Services, the Sec-
24 retary of Education, the Secretary of Housing and Urban
25 Development, the United States Attorney General, the

1 Secretary of Transportation, or the Director of the Na-
2 tional Institutes of Health, as appropriate, is authorized
3 to take such action as necessary to provide for interagency
4 transfer of funds otherwise available to a tribe in order
5 to further the purposes of this Act.

6 **SEC. 12. ADMINISTRATION OF FUNDS AND OVERAGE.**

7 (a) ADMINISTRATION OF FUNDS.—

8 (1) IN GENERAL.—Program funds shall be ad-
9 ministered in such a manner as to allow for a deter-
10 mination that funds from specific programs (or an
11 amount equal to the amount attracted from each
12 program) are spent on allowable activities authorized
13 under such program.

14 (2) SEPARATE RECORDS NOT REQUIRED.—
15 Nothing in this section shall be construed as requir-
16 ing the tribe to maintain separate records tracing
17 any services or activities conducted under its ap-
18 proved plan to the individual programs under which
19 funds were authorized, nor shall the tribe be re-
20 quired to allocate expenditures among individual
21 programs.

22 (b) OVERAGE.—All administrative costs may be com-
23 mingled and participating Indian tribes shall be entitled
24 to the full amount of such costs (under each program or
25 department's regulations), and no overage shall be count-

1 ed for Federal audit purposes, provided that the overage
2 is used for the purposes provided for under this Act.

3 **SEC. 13. FISCAL ACCOUNTABILITY.**

4 Nothing in this Act shall be construed to interfere
5 with the ability of the Secretary or the lead agency to ful-
6 fill the responsibilities for the safeguarding of Federal
7 funds pursuant to the Single Audit Act of 1984.

8 **SEC. 14. REPORT ON STATUTORY AND OTHER BARRIERS TO**
9 **INTEGRATION.**

10 (a) **PRELIMINARY REPORT.**—Not later than two
11 years after the date of enactment of this Act, the Sec-
12 retary shall submit a report to the Committee on Indian
13 Affairs of the Senate and the Committee on Resources of
14 the House of Representatives on the implementation of the
15 program authorized under this Act.

16 (b) **FINAL REPORT.**—Not later than five years after
17 the date of the enactment of this Act, the Secretary shall
18 submit a report to the Committee on Indian Affairs of
19 the Senate and the Committee on Resources of the House
20 of Representatives on the results of the implementation
21 of the program authorized under this Act. The report shall
22 identify statutory barriers to the ability of tribes to inte-
23 grate more effectively their alcohol and substance services
24 in a manner consistent with the purposes of this Act.

1 **SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE**
2 **INDIAN ALCOHOL AND DRUG TREATMENT**
3 **PROGRAMS.**

4 Any State with an alcohol and substance abuse pro-
5 gram targeted to Indian tribes shall be eligible to receive,
6 at no cost to the State, such Federal personnel assign-
7 ments as the Secretary, in accordance with the applicable
8 provisions of the Intergovernmental Personnel Act of
9 1970, may deem appropriate to help insure the success
10 of such program.

11 **SEC. 16. ALASKA REGIONAL CONSORTIA.**

12 (a) **IN GENERAL.**—Notwithstanding any other provi-
13 sion of law, subject to subsection (b), the Secretary shall
14 permit a regional consortium of Alaska Native villages or
15 regional or village corporations (as defined or established
16 under the Alaska Native Claims Settlement Act (43
17 U.S.C. § 1601, et seq.)) to carry out a project under a
18 plan that meets the requirements of this Act through a
19 resolution adopted by the governing body of that Consor-
20 tium or corporation.

21 (b) **WITHDRAWAL.**—Nothing in subsection (a) is in-
22 tended to prohibit an Alaska Native village or regional cor-
23 poration from withdrawing from participation in any por-
24 tion of a program conducted pursuant to that subsection.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Native American Alcohol*
3 *and Substance Abuse Program Consolidation Act of 2000”.*

4 **SEC. 2. STATEMENT OF PURPOSE.**

5 *The purposes of this Act are—*

6 *(1) to enable Indian tribes to consolidate and in-*
7 *tegrate alcohol and other substance abuse prevention,*
8 *diagnosis and treatment programs, and mental health*
9 *and related programs, to provide unified and more ef-*
10 *fective and efficient services to Native Americans af-*
11 *licted with alcohol and other substance abuse prob-*
12 *lems; and*

13 *(2) to recognize that Indian tribes can best deter-*
14 *mine the goals and methods for establishing and im-*
15 *plementing prevention, diagnosis and treatment pro-*
16 *grams for their communities, consistent with the pol-*
17 *icy of self-determination.*

18 **SEC. 3. DEFINITIONS.**

19 *(a) IN GENERAL.—In this Act:*

20 *(1) FEDERAL AGENCY.—The term “Federal agen-*
21 *cy” has the same meaning given the term in section*
22 *551(1) of title 5, United States Code.*

23 *(2) INDIAN.—The term “Indian” shall have the*
24 *meaning given such term in section 4(d) of the In-*
25 *Indian Self-Determination and Education Assistance*
26 *Act (25 U.S.C. 450b(d)).*

1 (3) *INDIAN TRIBE.*—*The terms “Indian tribe”*
2 *and “tribe” shall have the meaning given the term*
3 *“Indian tribe” in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C.*
4 *450b(e)) and shall include entities as provided for in*
5 *subsection (b)(2).*

7 (4) *SECRETARY.*—*Except where otherwise provided, the term “Secretary” means the Secretary of*
8 *Health and Human Services.*

10 (5) *SUBSTANCE ABUSE.*—*The term “substance*
11 *abuse” includes the illegal use or abuse of a drug, the*
12 *abuse of an inhalant, or the abuse of tobacco or re-*
13 *lated products.*

14 (b) *INDIAN TRIBE.*—

15 (1) *IN GENERAL.*—*In any case in which an In-*
16 *Indian tribe has authorized another Indian tribe, an*
17 *inter-tribal consortium, or a tribal organization to*
18 *plan for or carry out programs, services, functions, or*
19 *activities (or portions thereof) on its behalf under this*
20 *Act, the authorized Indian tribe, inter-tribal consor-*
21 *tium, or tribal organization shall have the rights and*
22 *responsibilities of the authorizing Indian tribe (except*
23 *as otherwise provided in the authorizing resolution or*
24 *in this Act).*

1 (2) *INCLUSION OF OTHER ENTITIES.*—*In a case*
2 *described in paragraph (1), the term “Indian tribe”,*
3 *as defined in subsection (a)(2), shall include the addi-*
4 *tional authorized Indian tribe, inter-tribal consor-*
5 *tium, or tribal organization.*

6 **SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.**

7 *The Secretary of Health and Human Services, in co-*
8 *operation with the Secretary of Labor, Secretary of the Inte-*
9 *rior, Secretary of Education, Secretary of Housing and*
10 *Urban Development, United States Attorney General, and*
11 *Secretary of Transportation, as appropriate, shall, upon the*
12 *receipt of a plan acceptable to the Secretary that is sub-*
13 *mitted by an Indian tribe, authorize the tribe to coordinate,*
14 *in accordance with such plan, its federally funded alcohol*
15 *and substance abuse and mental health programs in a man-*
16 *ner that integrates the program services involved into a sin-*
17 *gle, coordinated, comprehensive program and reduces ad-*
18 *ministrative costs by consolidating administrative func-*
19 *tions.*

20 **SEC. 5. PROGRAMS AFFECTED.**

21 *The programs that may be integrated in a demonstra-*
22 *tion project under any plan referred to in section 4 shall*
23 *include—*

24 (1) *any program under which an Indian tribe is*
25 *eligible for the receipt of funds under a statutory or*

1 *administrative formula for the purposes of preven-*
2 *tion, diagnosis or treatment of alcohol and other sub-*
3 *stance abuse problems and disorders, or mental health*
4 *problems and disorders, or any program designed to*
5 *enhance the ability to treat, diagnose or prevent alco-*
6 *hol and other substance abuse and related problems*
7 *and disorders, or mental health problems or disorders;*

8 *(2) any program under which an Indian tribe is*
9 *eligible for receipt of funds through a competitive or*
10 *other grant program for the purposes of prevention,*
11 *diagnosis or treatment of alcohol and other substance*
12 *abuse problems and disorders, or mental health prob-*
13 *lems and disorders, or treatment, diagnosis and pre-*
14 *vention of related problems and disorders, or any pro-*
15 *gram designed to enhance the ability to treat, diag-*
16 *nose or prevent alcohol and other substance abuse and*
17 *related problems and disorders, or mental health*
18 *problems or disorders, if—*

19 *(A) the Indian tribe has provided notice to*
20 *the appropriate agency regarding the intentions*
21 *of the tribe to include the grant program in the*
22 *plan it submits to the Secretary, and the affected*
23 *agency has consented to the inclusion of the*
24 *grant in the plan; or*

1 (B) the Indian tribe has elected to include
2 the grant program in its plan, and the adminis-
3 trative requirements contained in the plan are
4 essentially the same as the administrative re-
5 quirements under the grant program; and

6 (3) any program under which an Indian tribe is
7 eligible for receipt of funds under any other funding
8 scheme for the purposes of prevention, diagnosis or
9 treatment of alcohol and other substance abuse prob-
10 lems and disorders, or mental health problems and
11 disorders, or treatment, diagnosis and prevention of
12 related problems and disorders, or any program de-
13 signed to enhance the ability to treat, diagnose or pre-
14 vent alcohol and other substance abuse and related
15 problems and disorders, or mental health problems or
16 disorders.

17 **SEC. 6. PLAN REQUIREMENTS.**

18 For a plan to be acceptable under section 4, the plan
19 shall—

20 (1) identify the programs to be integrated;

21 (2) be consistent with the purposes of this Act
22 authorizing the services to be integrated into the
23 project;

24 (3) describe a comprehensive strategy that identi-
25 fies the full range of existing and potential alcohol

1 *and substance abuse and mental health treatment and*
2 *prevention programs available on and near the tribe's*
3 *service area;*

4 (4) *describe the manner in which services are to*
5 *be integrated and delivered and the results expected*
6 *under the plan;*

7 (5) *identify the projected expenditures under the*
8 *plan in a single budget;*

9 (6) *identify the agency or agencies in the tribe*
10 *to be involved in the delivery of the services integrated*
11 *under the plan;*

12 (7) *identify any statutory provisions, regula-*
13 *tions, policies or procedures that the tribe believes*
14 *need to be waived in order to implement its plan; and*

15 (8) *be approved by the governing body of the*
16 *tribe.*

17 **SEC. 7. PLAN REVIEW.**

18 (a) *CONSULTATION.*—*Upon receipt of a plan from an*
19 *Indian tribe under section 4, the Secretary shall consult*
20 *with the Secretary of each Federal agency providing funds*
21 *to be used to implement the plan, and with the tribe submit-*
22 *ting the plan.*

23 (b) *IDENTIFICATION OF WAIVERS.*—*The parties con-*
24 *sulting on the implementation of the plan under subsection*
25 (a) *shall identify any waivers of statutory requirements or*

1 *of Federal agency regulations, policies or procedures nec-*
2 *essary to enable the tribal government to implement its*
3 *plan.*

4 (c) *WAIVERS.—Notwithstanding any other provision*
5 *of law, the Secretary of the affected agency shall have the*
6 *authority to waive any statutory requirement, regulation,*
7 *policy, or procedure promulgated by the affected agency*
8 *that has been identified by the tribe or the Federal agency*
9 *under subsection (b) unless the Secretary of the affected de-*
10 *partment determines that such a waiver is inconsistent with*
11 *the purposes of this Act or with those provisions of the Act*
12 *that authorizes the program involved which are specifically*
13 *applicable to Indian programs.*

14 **SEC. 8. PLAN APPROVAL.**

15 (a) *IN GENERAL.—Not later than 90 days after the*
16 *receipt by the Secretary of a tribe's plan under section 4,*
17 *the Secretary shall inform the tribe, in writing, of the Sec-*
18 *retary's approval or disapproval of the plan, including any*
19 *request for a waiver that is made as part of the plan.*

20 (b) *DISAPPROVAL.—If a plan is disapproved under*
21 *subsection (a), the Secretary shall inform the tribal govern-*
22 *ment, in writing, of the reasons for the disapproval and*
23 *shall give the tribe an opportunity to amend its plan or*
24 *to petition the Secretary to reconsider such disapproval, in-*

1 *cluding reconsidering the disapproval of any waiver re-*
2 *quested by the Indian tribe.*

3 **SEC. 9. FEDERAL RESPONSIBILITIES.**

4 *(a) RESPONSIBILITIES OF THE INDIAN HEALTH SERV-*
5 *ICE.—*

6 *(1) MEMORANDUM OF UNDERSTANDING.—Not*
7 *later than 180 days after the date of enactment of this*
8 *Act, the Secretary of the Interior, the Secretary of*
9 *Labor, the Secretary of Health and Human Services,*
10 *the Secretary of Education, the Secretary of Housing*
11 *and Urban Development, the United States Attorney*
12 *General, and the Secretary of Transportation shall*
13 *enter into an interdepartmental memorandum of*
14 *agreement providing for the implementation of the*
15 *plans authorized under this Act.*

16 *(2) LEAD AGENCY.—The lead agency under this*
17 *Act shall be the Indian Health Service.*

18 *(3) RESPONSIBILITIES.—The responsibilities of*
19 *the lead agency under this Act shall include—*

20 *(A) the development of a single reporting*
21 *format related to the plan for the individual*
22 *project which shall be used by a tribe to report*
23 *on the activities carried out under the plan;*

24 *(B) the development of a single reporting*
25 *format related to the projected expenditures for*

1 *the individual plan which shall be used by a*
2 *tribe to report on all plan expenditures;*

3 *(C) the development of a single system of*
4 *Federal oversight for the plan, which shall be im-*
5 *plemented by the lead agency;*

6 *(D) the provision of technical assistance to*
7 *a tribe appropriate to the plan, delivered under*
8 *an arrangement subject to the approval of the*
9 *tribe participating in the project, except that a*
10 *tribe shall have the authority to accept or reject*
11 *the plan for providing the technical assistance*
12 *and the technical assistance provider; and*

13 *(E) the convening by an appropriate offi-*
14 *cial of the lead agency (whose appointment is*
15 *subject to the confirmation of the Senate) and a*
16 *representative of the Indian tribes that carry out*
17 *projects under this Act, in consultation with each*
18 *of the Indian tribes that participate in projects*
19 *under this Act, of a meeting not less than 2*
20 *times during each fiscal year for the purpose of*
21 *providing an opportunity for all Indian tribes*
22 *that carry out projects under this Act to discuss*
23 *issues relating to the implementation of this Act*
24 *with officials of each agency specified in para-*
25 *graph (1).*

1 (b) *REPORT REQUIREMENTS.*—*The single reporting*
2 *format shall be developed by the Secretary under subsection*
3 *(a)(3), consistent with the requirements of this Act. Such*
4 *reporting format, together with records maintained on the*
5 *consolidated program at the tribal level shall contain such*
6 *information as will—*

7 (1) *allow a determination that the tribe has com-*
8 *plied with the requirements incorporated in its ap-*
9 *proved plan; and*

10 (2) *provide assurances to the Secretary that the*
11 *tribe has complied with all directly applicable statu-*
12 *tory requirements and with those directly applicable*
13 *regulatory requirements which have not been waived.*

14 **SEC. 10. NO REDUCTION IN AMOUNTS.**

15 *In no case shall the amount of Federal funds available*
16 *to a participating tribe involved in any project be reduced*
17 *as a result of the enactment of this Act.*

18 **SEC. 11. INTERAGENCY FUND TRANSFERS AUTHORIZED.**

19 *The Secretary of the Interior, the Secretary of Labor,*
20 *the Secretary of Health and Human Services, the Secretary*
21 *of Education, the Secretary of Housing and Urban Develop-*
22 *ment, the United States Attorney General, or the Secretary*
23 *of Transportation, as appropriate, is authorized to take*
24 *such action as may be necessary to provide for the inter-*

1 agency transfer of funds otherwise available to a tribe in
2 order to further the purposes of this Act.

3 **SEC. 12. ADMINISTRATION OF FUNDS AND OVERAGE.**

4 (a) ADMINISTRATION OF FUNDS.—

5 (1) IN GENERAL.—Program funds shall be ad-
6 ministered under this Act in such a manner as to
7 allow for a determination that funds from specific
8 programs (or an amount equal to the amount utilized
9 from each program) are expended on activities au-
10 thorized under such program.

11 (2) SEPARATE RECORDS NOT REQUIRED.—Noth-
12 ing in this section shall be construed as requiring a
13 tribe to maintain separate records tracing any serv-
14 ices or activities conducted under its approved plan
15 under section 4 to the individual programs under
16 which funds were authorized, nor shall the tribe be re-
17 quired to allocate expenditures among individual pro-
18 grams.

19 (b) OVERAGE.—All administrative costs under a plan
20 under this Act may be commingled, and participating In-
21 dian tribes shall be entitled to the full amount of such costs
22 (under each program or department's regulations), and no
23 overage shall be counted for Federal audit purposes so long
24 as the overage is used for the purposes provided for under
25 this Act.

1 **SEC. 13. FISCAL ACCOUNTABILITY.**

2 *Nothing in this Act shall be construed to interfere with*
3 *the ability of the Secretary or the lead agency to fulfill the*
4 *responsibilities for the safeguarding of Federal funds pursu-*
5 *ant to chapter 75 of title 31, United States Code (the Single*
6 *Audit Act of 1984).*

7 **SEC. 14. REPORT ON STATUTORY AND OTHER BARRIERS TO**
8 **INTEGRATION.**

9 (a) *PRELIMINARY REPORT.*—*Not later than 2 years*
10 *after the date of enactment of this Act, the Secretary shall*
11 *submit a report to the Committee on Indian Affairs of the*
12 *Senate and the Committee on Resources of the House of*
13 *Representatives on the implementation of the program au-*
14 *thorized under this Act.*

15 (b) *FINAL REPORT.*—*Not later than 5 years after the*
16 *date of the enactment of this Act, the Secretary shall submit*
17 *a report to the Committee on Indian Affairs of the Senate*
18 *and the Committee on Resources of the House of Representa-*
19 *tives on the results of the implementation of the program*
20 *authorized under this Act. The report shall identify statu-*
21 *tory barriers to the ability of tribes to integrate more effec-*
22 *tively their alcohol and substance abuse services in a man-*
23 *ner consistent with the purposes of this Act.*

1 **SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE**
2 **INDIAN ALCOHOL AND DRUG TREATMENT OR**
3 **MENTAL HEALTH PROGRAMS.**

4 *Any State with an alcohol and substance abuse or*
5 *mental health program targeted to Indian tribes shall be*
6 *eligible to receive, at no cost to the State, such Federal per-*
7 *sonnel assignments as the Secretary, in accordance with the*
8 *applicable provisions of subchapter IV of chapter 33 of title*
9 *5, United States Code (the Intergovernmental Personnel Act*
10 *of 1970), may deem appropriate to help insure the success*
11 *of such program.*

Amend the title so as to read: “A bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes.”.

Calendar No. 585

106TH CONGRESS
2D SESSION

S. 1507

[Report No. 106-306]

A BILL

To authorize the integration and consolidation of alcohol and substance programs and services provided by Indian tribal governments, and for other purposes.

JUNE 6, 2000

Reported with an amendment and an amendment to the title