

106TH CONGRESS
2^D SESSION

S. 1509

AN ACT

To amend the Indian Employment, Training, and Related Services Demonstration Act of 1992, 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 2000”.

1 **SEC. 2. FINDINGS, PURPOSES.**

2 (a) FINDINGS.—The 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 employ-
9 ment-related services provided by those tribes
10 and organizations to their members;

11 (B) enabled more Indian and Alaska Na-
12 tive people to prepare for and secure employ-
13 ment;

14 (C) assisted in transitioning tribal mem-
15 bers from welfare to work; and

16 (D) otherwise demonstrated the value of
17 integrating employment, training, education
18 and related services.

19 (E) the initiatives under the Indian Em-
20 ployment, Training, and Related Services Dem-
21 onstration Act of 1992 should be strengthened
22 by ensuring that all Federal programs that em-
23 phasize the value of work may be included with-
24 in a demonstration program of an Indian or
25 Alaska Native organization;

1 (F) the initiatives under the Indian Em-
2 ployment, Training, and Related Services Dem-
3 onstration Act of 1992 should have the benefit
4 of the support and attention of the officials
5 with policymaking authority of—

6 (i) the Department of the Interior;

7 (ii) other Federal agencies that ad-
8 minister programs covered by the Indian
9 Employment, Training, and Related Serv-
10 ices Demonstration Act of 1992.

11 (b) PURPOSES.—The purposes of this Act are to
12 demonstrate how Indian tribal governments can integrate
13 the employment, training and related services they provide
14 in order to improve the effectiveness of those services, re-
15 duce joblessness in Indian communities, foster economic
16 development on Indian lands, and serve tribally-deter-
17 mined goals consistent with the policies of self-determina-
18 tion and self-governance.

19 **SEC. 3. AMENDMENTS TO THE INDIAN EMPLOYMENT,**
20 **TRAINING AND RELATED SERVICES DEM-**
21 **ONSTRATION ACT OF 1992.**

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

1 (1) by redesignating paragraphs (1) through
2 (3) as paragraphs (2) through (4), respectively; and
3 (2) by inserting before paragraph (2) the fol-
4 lowing:

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

9 (b) PROGRAMS AFFECTED.—Section 5 of the Indian
10 Employment, Training, and Related Services Demonstra-
11 tion Act of 1992 (25 U.S.C. 3404) is amended by striking
12 “job training, tribal work experience, employment oppor-
13 tunities, or skill development, or any program designed for
14 the enhancement of job opportunities or employment
15 training” and inserting the following: “assisting Indian
16 youth and adults to succeed in the workforce, encouraging
17 self-sufficiency, familiarizing Indian Youth and adults
18 with the world of work, facilitating the creation of job op-
19 portunities and any services related to these activities”.

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

23 (1) by striking “Federal department” and in-
24 serting “Federal agency”;

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

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

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

7 (d) PLAN APPROVAL.—Section 8 of the Indian Em-
8 ployment, Training, and Related Services Demonstration
9 Act of 1992 (25 U.S.C. 3407) is amended—

10 (1) in the first sentence, by inserting before the
11 period at the end the following; “, including any re-
12 quest for a waiver that is made as part of the plan
13 submitted by the tribal government”;

14 (2) in the second sentence, by inserting before
15 the period at the end the following: “, including re-
16 considering the disapproval of any waiver requested
17 by the Indian tribe”.

18 (e) JOB CREATION ACTIVITIES AUTHORIZED.—Sec-
19 tion 9 of the Indian Employment, Training, and Related
20 Services Demonstration Act of 1992 (25 U.S.C. 3407) is
21 amended—

22 (1) by inserting “(a) IN GENERAL.—” before
23 “The plan submitted”; and

24 (2) by adding at the end the following:

25 “(b) JOB CREATION OPPORTUNITIES.—

1 “(1) IN GENERAL.—Notwithstanding any other
 2 provisions of law, including any requirement of a
 3 program that is integrated under a plan under this
 4 Act, a tribal government may use a percentage of
 5 the funds made available under this Act (as deter-
 6 mined under paragraph (2)) for the creation of em-
 7 ployment opportunities, including providing private
 8 sector training placement under section 10.

9 “(2) DETERMINATION OF PERCENTAGE.—The
 10 percentage of funds that a tribal government may
 11 use under this subsection is the greater of—

12 “(A) the rate of unemployment in the serv-
 13 ice area of the tribe up to a maximum of 25
 14 percent; or

15 “(B) 10 percent.

16 “(c) LIMITATION.—The funds used for an expendi-
 17 ture described in subsection (a) may only include funds
 18 made available to the Indian tribe by a Federal agency
 19 under a statutory or administrative formula.”.

20 **SEC. 4. REPORT ON EXPANDING THE OPPORTUNITIES FOR**
 21 **PROGRAM INTEGRATION.**

22 Not later than one year after the date of enactment
 23 of this Act, the Secretary, the Secretary of Health and
 24 Human Services, the Secretary of Labor, and the tribes
 25 and organizations participating in the integration initia-

1 tive under this Act shall submit a report to the Committee
2 on Indian Affairs of the Senate and the Committee on Re-
3 sources of the House of Representatives on the opportuni-
4 ties for expanding the integration of human resource de-
5 velopment and economic development programs under this
6 Act, and the feasibility of establishing Joint Funding
7 Agreements to authorize tribes to access and coordinated
8 funds and resources from various agencies for purposes
9 of human resources development, physical infrastructure
10 development, and economic development assistance in gen-
11 eral. Such report shall identify programs or activities
12 which might be integrated and make recommendations for
13 the removal of any statutory or other barriers to such inte-
14 gration.

15 **SEC. 5. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act shall
17 take effect on the date of enactment of this Act.

Passed the Senate May 18, 2000.

Attest:

Secretary.

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