

106TH CONGRESS
1ST SESSION

S. 1509

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.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Mr. CAMPBELL introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

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 1999”.

7 **SEC. 2. FINDINGS, PURPOSES.**

8 (a) FINDINGS.—The Congress finds that—

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

6 (A) improved the effectiveness of employ-
7 ment-related services provided by those tribes
8 and organizations to their members;

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

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

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

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

24 (F) the initiatives under the Indian Em-
25 ployment, Training, and Related Services Dem-

1 onstration Act of 1992 should have the benefit
2 of the support and attention of the officials
3 with policymaking authority of—

- 4 (i) the Department of the Interior;
5 (ii) other Federal agencies that ad-
6 minister programs covered by the Indian
7 Employment, Training, and Related Serv-
8 ices Demonstration Act of 1992.

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

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

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

- 23 (1) by redesignating paragraphs (1) through
24 (3) as paragraphs (2) through (4), respectively; and

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

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

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

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

21 (1) by striking “Federal department” and in-
22 serting “Federal agency”;

23 (2) by striking “Federal departmental” and in-
24 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.—Section 8 of the Indian Em-
6 ployment, Training, and Related Services Demonstration
7 Act of 1992 (25 U.S.C. 3407) is amended—

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

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

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

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

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

23 “(b) JOB CREATION OPPORTUNITIES.—

24 “(1) IN GENERAL.—Notwithstanding any other
25 provisions of law, including any requirement of a

1 program that is integrated under a plan under this
 2 Act, a tribal government may use a percentage of
 3 the funds made available under this Act (as deter-
 4 mined under paragraph (2)) for the creation of em-
 5 ployment opportunities, including providing private
 6 sector training placement under section 10.

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

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

13 “(B) 10 percent.

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

18 **SEC. 4. ALASKA REGIONAL CONSORTIA.**

19 The Indian Employment, Training, and Related Serv-
 20 ices Demonstration Act of 1992 is amended by adding at
 21 the end the following:

22 **“SEC. 19. ALASKA REGIONAL CONSORTIA.**

23 “(a) IN GENERAL.—Notwithstanding any other pro-
 24 vision of law, subject to subsection (b), the Secretary shall
 25 permit a regional consortium of Alaska Native villages or

1 regional or village corporations (as defined in or estab-
2 lished under the Alaska Native Claims Settlement Act (43
3 U.S.C. 1601 et seq.) to carry out a project under a plan
4 that meets the requirements of this Act through a resolu-
5 tion adopted by the governing body of that consortium or
6 corporation.

7 “(b) WITHDRAWAL.—Nothing in subsection (a) is in-
8 tended to prohibit an Alaska Native village from with-
9 drawing from participation in any portion of a program
10 conducted pursuant to this Act.”.

11 **SEC. 5. REPORT ON EXPANDING THE OPPORTUNITIES FOR**
12 **PROGRAM INTEGRATION.**

13 Not later than one year after the date of enactment
14 of this Act, the Secretary, the Secretary of Health and
15 Human Services, the Secretary of Labor, and the tribes
16 and organizations participating in the integration initia-
17 tive under this Act shall submit a report to the Committee
18 on Indian Affairs of the Senate and the Committee on Re-
19 sources of the House of Representatives on the opportuni-
20 ties for expanding the integration of human resource de-
21 velopment and economic development programs under this
22 Act, and the feasibility of establishing Joint Funding
23 Agreements to authorize tribes to access and coordinated
24 funds and resources from various agencies for purposes
25 of human resources development, physical infrastructure

1 development, and economic development assistance in gen-
2 eral. Such report shall identify programs or activities
3 which might be integrated and make recommendations for
4 the removal of any statutory or other barriers to such inte-
5 gration.

6 **SEC. 6. EFFECTIVE DATE.**

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

○