



## UNITED SOUTH AND EASTERN TRIBES, INC.

USET Resolution No. 2004:053

### S. 1600 - INDIAN NEEDS ASSESSMENT AND PROGRAM EVALUATION ACT

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member tribe, as the Board of Directors comprises delegates from the member tribes' leadership; and
- WHEREAS,** S. 1600, "Indian Needs Assessment and Program Evaluation Act of 2003" has been introduced in the 107<sup>th</sup> Congress and referred to the Committee on Indian Affairs, the committee of jurisdiction; and
- WHEREAS,** S. 1600 will provide for periodic Indian needs assessments and require federal Indian program evaluations; and
- WHEREAS,** S. 1600 will ensure that Indian needs for federal programs, services, functions, and activities (PSFA's) are known in a more certain and predictable fashion; and
- WHEREAS,** S. 1600 will require that federal agencies carefully review and monitor the effectiveness of PSFA's provided to Indian Tribes and members of Indian Tribes; and
- WHEREAS,** S. 1600 will provide more efficient and effective cooperation and coordination of, and accountability from, the agencies providing PSFA's, including technical and business development assistance to Indian tribes and members of Indian Tribes; and
- WHEREAS,** S. 1600 will provide to Congress reliable information regarding both Indian needs and the evaluation of federal PSFA's provided to Indian Tribes and members of Indian Tribes nationwide; and
- WHEREAS,** S. 1600 requires the Secretary of the agencies responsible for providing PSFA's to or for the benefit of Indian Tribes or members of Indian tribes, to develop in consultation and coordination with tribal governments, a uniform method, criteria, and procedures for determining, analyzing, and compiling a needs assessment; therefore, be it
- RESOLVED** that the USET Board of Directors supports S. 1600, "Indian Needs Assessment and Program Evaluation Act of 2003", and calls upon the Congress to enact this bill in the 108<sup>th</sup> Congress.

### CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting, at which a quorum was present, in Arlington, VA, on Thursday, February 5, 2004.

Keller George, President  
United South and Eastern Tribes, Inc.

Beverly M. Wright, Secretary  
United South and Eastern Tribes, Inc.

*"Because there is strength in Unity"*

S 1600 IS

108th CONGRESS

1st Session

**S. 1600**

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

**IN THE SENATE OF THE UNITED STATES**

**September 9, 2003**

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

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**A BILL**

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the 'Indian Needs Assessment and Program Evaluation Act of 2003'.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS- Congress finds that--

- (1) the United States and the Indian tribes have a unique legal and political government-to-government relationship;
- (2) under the Constitution, treaties, statutes, Executive orders, court decisions, and course of conduct of the United States, the United States has a trust obligation to provide certain services to Indian tribes and members of Indian tribes;
- (3) Federal agencies charged with administering programs and providing services to or for the benefit of Indian tribes and members of Indian tribes have not provided Congress adequate information necessary to assess the adequacy of the programs and services meeting the needs of Indian tribes and members of Indian tribes, hampering the ability of Congress to determine the nature, type, and magnitude of those needs or the ability of the United States to respond to those needs; and

(4) Congress cannot properly fulfill its obligation to Indian tribes and Indian people unless it has an adequate store of information concerning the needs of Indian tribes and members of Indian tribes nationwide.

(b) **PURPOSES-** The purposes of this Act are--

(1) to ensure that Indian needs for Federal programs and services are known in a more certain and predictable fashion;

(2) to require that Federal agencies carefully review and monitor the effectiveness of programs and services provided to Indian tribes and members of Indian tribes;

(3) to provide for more efficient and effective cooperation and coordination of, and accountability from, the agencies providing programs and services, including technical and business development assistance, to Indian tribes and members of Indian tribes; and

(4) to provide to Congress reliable information regarding both Indian needs and the evaluation of Federal programs and services provided to Indian tribes and members of Indian tribes nationwide.

### **SEC. 3. DEFINITIONS.**

In this Act:

(1) **INDIAN TRIBE-** The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) **NEEDS ASSESSMENT-** The term 'needs assessment' means an assessment of the program and service needs of Indian tribes and members of Indian tribes, that includes, at a minimum, consideration of--

(A) the population of each Indian tribe (including the population of tribal members located in the service area of an Indian tribe, where applicable);

(B) the size of the service area;

(C) the location of the service area;

(D) the availability of similar programs within the geographical area to Indian tribes or tribal members; and

(E) socioeconomic conditions that exist within the service area.

(3) **PROGRAM EVALUATION-** The term 'program evaluation' means an evaluation report developed in accordance with section 4(b).

(4) **SECRETARY-** The term 'Secretary' means the Secretary of the Interior.

### **SEC. 4. NEEDS ASSESSMENTS AND PROGRAM EVALUATIONS.**

(a) NEEDS ASSESSMENTS-

(1) DEVELOPMENT OF METHOD, CRITERIA, AND PROCEDURES- Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation and coordination with tribal governments and with the Secretary of Agriculture, Secretary of Commerce, Secretary of Defense, Secretary of Energy, Secretary of Labor, Attorney General, Secretary of the Treasury, Secretary of Transportation, Secretary of Veterans Affairs, Administrator of the Environmental Protection Agency, Secretary of Housing and Urban Development, Secretary of Health and Human Services, and heads of other agencies responsible for providing programs or services to or for the benefit of Indian tribes or members of Indian tribes, shall develop a uniform method, criteria, and procedures for determining, analyzing, and compiling a needs assessment.

(2) NEEDS ASSESSMENTS- Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, each Federal agency, in coordination with the Secretary, shall--

(A) conduct a needs assessment to determine the needs of Indian tribes and members of Indian tribes eligible for programs and services administered by the agency; and

(B) submit to the Committee on Appropriations and Committee on Indian Affairs of the Senate and the Committee on Appropriations and the Committee on Resources of the House of Representatives a report that describes the results of the needs assessment.

(b) PROGRAM EVALUATIONS-

(1) DEVELOPMENT OF METHOD, CRITERIA, AND PROCEDURES- Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a uniform method, criteria, and procedures for compiling, maintaining, updating, and reporting to Congress a program evaluation containing all information concerning--

(A) the annual expenditure by a Federal agency for programs and services for which Indian tribes and members of Indian tribes are eligible, with specific information including--

(i) the names of Indian tribes that are participating in or receiving each service;

(ii) the names of Indian tribes that have applied for and not received programs or services; and

(iii) the names of Indian tribes for which programs or services were terminated within the preceding fiscal year;

(B) programs or services specifically for the benefit of Indian tribes and members of Indian tribes, with specific information including--

(i) the names of Indian tribes that are currently participating in or receiving each program or service;

(ii) the names of Indian tribes that have applied for and not received programs

or services; and

(iii) the names of Indian tribes for which programs or services were terminated within the preceding fiscal year; and

(C) the methods of delivery of the programs and services, including a detailed explanation of the outreach efforts of each agency to Indian tribes.

(2) PROGRAM EVALUATIONS- Not later than 1 year after the date of enactment of this Act, and annually thereafter, each Federal agency responsible for providing programs or services for the benefit of Indian tribes or members of Indian tribes shall submit to the Committee on Appropriations and the Committee on Indian Affairs of the Senate and the Committee on Appropriations and the Committee on Resources of the House of Representatives a report that describes the results of the program evaluation.

(c) ANNUAL LISTING OF TRIBAL ELIGIBLE PROGRAMS- On or before February 1 of each year, each Federal agency described in subsection (b)(2) shall publish in the Federal Register--

(1) a list of all programs and services offered by the agency for which Indian tribes or members of Indian tribes are or may be eligible; and

(2) a brief explanation of the program or service.

## **SEC. 5. REPORT ON COORDINATION OF PROGRAMS AND SERVICES.**

(a) IN GENERAL- Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Appropriations and the Committee on Indian Affairs of the Senate and the Committee on Appropriations and the Committee on Resources of the House of Representatives a report detailing the coordination of Federal programs and service assistance for which Indian tribes and members of Indian tribes are eligible.

(b) STRATEGIC PLAN-

(1) IN GENERAL- Not later than 18 months after the date of enactment of this Act, after consultation and coordination with the Indian tribes, the Secretary shall submit to the Committee on Appropriations and the Committee on Indian Affairs of the Senate and the Committee on Appropriations and the Committee on Resources of the House of Representatives a strategic plan for the coordination of Federal assistance for Indian tribes and members of Indian tribes.

(2) CONTENTS OF STRATEGIC PLAN- The strategic plan under paragraph (1) shall contain--

(A) an identification of reforms necessary to the laws (including regulations), policies, procedures, practices, and systems of the agencies responsible for providing programs or services for the benefit of Indian tribes or members of Indian tribes;

(B) proposals for remedying the reforms identified in the plan; and

(C) other recommendations consistent with the purposes of this Act.

**SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this Act.

*END*