



ACCOMPLISHMENTS
FOR
TRIBAL NATIONS

Senator Tom Daschle

September 1, 2004

ACCOMPLISHMENTS FOR TRIBAL NATIONS

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ACCOMPLISHMENTS FOR TRIBAL NATIONS

AGRICULTURE AND LAND

Conservation of Natural and Cultural Resources in Indian Country

In 1984, then-Representative Daschle cosponsored a bill that would have provided for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands. The bill was passed in both the House and Senate, but was subsequently pocket-vetoed by President Reagan. [H.R.999, House agreed to Senate Amendment and cleared for President, 10/9/1984]

Indian Participation in Drought Assistance

In 1988, the Senate approved Senator Daschle's amendment to ensure drought assistance is provided to Indian tribes through the Disaster Assistance Act. This provision directs the Secretary of Agriculture to make certain that both Indian tribes and individual Indian operators are eligible for all livestock assistance provided under the Disaster Assistance Act of 1988. This provision was extended as part of the Farm Bill of 2002. [S.AMDT.2725 to S.2631, 7/28/1988; H.R.2646, PL 107-171, 5/13/2002]

Practical Agricultural Education Programs for Indian Reservations

During consideration of the Farm Bill in 1990, Senator Daschle fought to establish a program for positioning cooperative extension service agents on Indian reservations. The bill allowed extension service agents to educate Native Americans on issues that deal with agriculture, home economics, nutrition, and drug abuse, and established a mechanism for Native Americans to provide input into the type of programs that will benefit Native Americans and their reservations. With the program facing expiration, Senator Daschle again worked to include the program as part of the Land Grant Assistance Act for tribal colleges in the 2002 Farm Bill. As a result, the program will continue to provide vital agricultural and community education programs to Indian reservations. [S.2830, PL 101-624, 11/28/1990; H.R.2646, PL 107-171, 5/13/2002]

Settlement of Sisseton-Wahpeton Sioux Tribe Claims

In 1967, various Sioux tribes, including the Sisseton-Wahpeton Sioux Tribe, and the federal government reached a settlement to satisfy certain land compensation claims resulting from treaty violations. In 1972, a judgment fund distribution plan was established by Congress to provide payments to Sisseton-Wahpeton Sioux Tribal members. However, the plan also required that 25 percent of the settlement funds be paid to "lineal descendants," non-tribal members who could trace their ancestry to a member of the Sisseton-Wahpeton Sioux Tribe at the time of the treaty violations.

- In 1987, the tribe filed suit in federal court challenging the constitutionality of the award to lineal descendants. Both the federal district court in Montana and the Ninth Circuit Court of Appeals ruled that a six-year statute of limitations applied to the Tribe's claims, and that since the claims were not filed within six years of the 1972 act, the court was required to dismiss them. In response to this, Senator Daschle sponsored a bill that

would have amended federal law to waive the statute of limitations regarding the Sisseton-Wahpeton Sioux Tribe's ability to contest the constitutionality or validity of the Indian Claims Commission Judgment Fund Distribution Act of 1972. The amendment would have granted the tribe their day in court, allowing them to contest the constitutional issues involved in the case. [S.2342, Vetoed by President, 6/16/1992]

- In 1992, Senator Daschle sponsored an amendment that authorized the U.S. Attorney General to negotiate and settle the lawsuit brought by the Sisseton-Wahpeton Sioux Tribe challenging the validity of the 1972 judgment fund distribution program. Following enactment of Senator Daschle's legislation, the Department of Justice (DOJ) refused to discuss settlement, arguing the amendment was too general to permit the DOJ to agree to a settlement that would change the 25 percent allocated to lineal descendants. [S.AMDT.3370 to H.R.5686, PL 102-497, 10/24/1992]
- After passage of the 1992 Daschle-sponsored legislation that authorized the Department of Justice to negotiate the settlement of the tribe's claims, the Attorney General determined that the judgment fund distribution plan of 1972 could not be altered. In 1998, Senator Daschle cosponsored a bill that would not specifically change the distribution scheme. Daschle's proposal, which called for the distribution of the \$1.5 million principal to lineal descendants and the accrual of interest to the tribe for social and economic development, was enacted later that year. The BIA has initiated the process of distributing funds to the tribe and lineal descendants. [S.391, PL 105-387, 11/13/1998]

Enhancing Farm and Range Land in Indian Country

In 1992, Senator Daschle sponsored the Indian Agricultural Resources Management Act, which would have established within the Bureau of Indian Affairs a program to improve the management of rangelands and farmlands, and the production of agricultural resources on Indian lands. Senator Daschle's bill would have required a reservation-by-reservation resource management planning program, and allowed the leasing of Indian Rangelands or Farmlands in compliance with tribal laws. In addition, the bill would have established natural resources internships to educate students on natural resource and farmland management. The enhancement of tribal farmland and rangeland is essential for creating jobs, agricultural resources, and self-sufficiency on reservations. This legislation passed the Senate, but stalled in the House. [S.2977, Passed Senate, 10/2/1992]

Cleanup of Open Dumps on Indian Land

In 1994, Senator Daschle cosponsored a bill to clean up open dumps on Indian lands. Open dumps present both a health threat and an eyesore for residents of South Dakota's reservations. The new law directed the Indian Health Service to study, inventory, and manage open dumps on Indian land, and develop and implement a 10-point plan to address solid waste disposal needs on such lands. In addition, it required IHS to evaluate the health threat and provide assistance to tribal governments to close such dumps. [S.720, PL 103-399, 10/22/1994]

Tribal Funding for Water and Waste Management

In 1999, Senator Daschle cosponsored an amendment to the Agriculture Appropriations bill to include \$12 million for the management of water and waste disposal systems to benefit federally recognized Native American tribes. To qualify for the funding, a tribe must not be eligible for any other rural utilities programs under the Rural Community Advancement Program. The Water Systems for Rural and Native Villages in Alaska, in which the provision authorizing the water and waste facility program was incorporated, was extended during consideration of the Farm Bill in 2002. [S.AMDT.1526 to S.1233 (H.R.1906), PL 106-78, 10/22/1999; H.R.2646, PL 107-171, 5/13/2002]

Assistant Secretary of Civil Rights at USDA

For decades, minority farmers and ranchers have registered complaints about discrimination at the Department of Agriculture (USDA). Until recently, any effort by the Department to address grievances had been compromised by its lack of structure and resource allocation to give these issues adequate attention.

As part of the 2002 Farm Bill, Senator Daschle offered an amendment to establish at USDA an Assistant Secretary for Civil Rights that won approval on the Senate floor and ultimately became law. The position within the Department is responsible for “ensuring compliance with all civil rights and related laws by all agencies and under all programs of the Department.” As a result of these efforts, Native Americans and other minorities now have a specific place to go at USDA where someone is directly responsible for all civil rights matters. [H.R.2646, PL 107-171, 5/13/2002]

Indian Forestry Amendments to Farm Bill

The U.S. Forest Service currently owns millions of acres of forest and grasslands that share borders with land owned by tribes and by individual Native Americans. In the spirit of government-to-government relations, it is essential that the Forest Service and tribes coordinate their efforts to protect and manage resources on this land, and that the Forest Service assist tribes in the management of trust land. Senator Daschle was a strong supporter of two amendments to the Farm Bill that would have improved coordination between the Forest Service and Native Americans in managing and protecting mutual natural resources.

The first amendment would have expanded the Cooperative Forestry Assistance Act, designed primarily for state governments, to include a section creating four programs for tribal governments. The amendment would have allowed for tribal consultation and coordination on issues related to tribal rights and interests on lands, as well as provided assistance to tribes regarding resource management and conservation.

The second amendment to the Farm Bill would have created an Office of Tribal Relations within the Forest Service, with the purpose of providing advice on Forest Service policies and programs affecting Native Americans to ensure coordination between the Forest Service and tribes and to administer tribal programs set up by the Forest Service.

Although Senator Daschle's amendments were included as part of the Senate-passed version of the Farm Bill, they were ultimately removed during the conference committee due to opposition from the White House and congressional Republicans. [S.1731, Passed Senate, 2/13/2002]

Native American Probate Reform

Native American probate laws are among the most arcane and complicated laws to navigate. As a result, many Native Americans do not have access to or cannot take advantage of the land they own. In 2004, Senator Daschle cosponsored the American Indian Probate Reform Act, which would amend the Indian Land Consolidation Act to revise the requirements for testamentary and nontestamentary disposition of interests in trust, restricted lands, and personal property of an Indian. Senator Daschle's bill would repeal the limitation of interest in trust, restricted land, or personal property to a decedent's Indian spouse, and extend this interest to the tribe or lineal descendants. The bill passed the Senate in June of 2004, but is yet to come up for a vote in the House of Representatives. [S.1721, Passed Senate, 6/2/2004]

APPOINTMENTS

United States Commission on Civil Rights

In 1999, Senator Daschle appointed Elsie Meeks of South Dakota to the United States Commission on Civil Rights, the first Native American ever to serve on the prestigious national panel. Meeks is an enrolled member of the Oglala Sioux Tribe and the former executive director of the Lakota Fund, an organization in Kyle that makes small loans to help individuals start their own businesses. The commission is responsible for evaluating federal civil rights laws and equal opportunity programs, and submits an annual report to the President. [1999]

Appointments to Commission on Indian and Alaska Native Health Care

The Commission on Indian and Alaska Native Health Care was established as part of the Children's Health Act of 2000 to study the health needs of Indians and Native Alaskans who reside on reservation and tribal lands. The commission consisted of the Secretary of Health and Human Services (HHS), the Director of Indian Health Service (IHS), the Assistant Secretary of Interior for Indian Affairs, and 15 additional appointed members. As the Democratic leader in the Senate, Senator Daschle appointed two South Dakotans to serve on the commission. Carole Ann Heart, a member of the Tribal Chairman's Health Board in Aberdeen, and Sara DeCoteau, the director of the Sisseton-Wahpeton Indian Health Service, were selected by Senator Daschle to serve as members of the Commission on Indian and Alaskan Native Health Care. [2001]

United States Agency for International Development

In 2001, Senator Daschle recommended that U.S. Agency for International Development (USAID) Director Brady Anderson appoint Dr. Lionel Bordeaux of the Rosebud Sioux Tribe to serve on the USAID Advisory Committee on Voluntary Foreign Aid. The advisory committee serves as an important link between the U.S. government and private organizations active in humanitarian assistance and development work overseas. Dr. Bordeaux, the President of Sinte

Gleska University, will help promote cooperation between the public and private sectors in the U.S. foreign assistance programs. [2001]

National Advisory Board of the SBA

The National Advisory Board of the Small Business Administration (SBA) is responsible for evaluating SBA programs and making recommendations for improving the agency's efforts to help American small businesses. In 2001, Senator Daschle recommended the appointment of Loren "Bat" Pourier of South Dakota, the largest private sector employer on the Pine Ridge Reservation, to the National Advisory Board of the SBA. [2001]

Appointments to American Indian Land Title Commission

As a result of his leadership position in the Senate, Senator Daschle appointed two South Dakotans to the American Indian Land Title Report Commission in 2002. The appointees were Juel Burnette III of the Rosebud Sioux Tribe and Tom Livermont of the Sisseton-Wahpeton Sioux Tribe. This commission was established to examine how the Bureau of Indian Affairs (BIA) processes title reviews for home loan mortgages on American Indian reservations. The commission is charged with addressing concerns about the BIA's inability to oversee and track leases and the rights to the land involved in these transactions, which in turn inhibited the availability of mortgage loans on reservations. The American Indian Land Title Report Commission will lead a critical effort to improve home lending and mortgaging in Indian Country. Both the Senate and House of Representatives made appointments to the commission in 2002. However, the Administration has yet to make its selections, which are needed to allow the committee to begin its work. [2002]

Corporation for National and Community Service

In a letter to President Bush, Senator Daschle recommended that the President appoint Leona White Hat to serve on the Board of Directors of the Corporation for National and Community Service. Leona White Hat is the Assistant Director at the Black Hills State University Center for Indian Studies, and has volunteered as a tutor, teacher, and intern at a variety of community organizations. The Corporation for National and Community Service provides volunteer and service opportunities across the country through programs including Senior Corps, AmeriCorps, and Learn and Serve America. The board of directors consists of 15 members, one of whom must be between the ages of 16 and 25. Leona White Hat's appointment would fill this position on the board. [2003]

Special Trustee Advisory Board

In 2003, Senator Daschle endorsed the United Sioux Tribes' recommendation of Lower Brule Sioux Tribe Chairman Michael Jandreau to serve on the Special Trustee for American Indians Advisory Board. The Advisory Board, which consists of account holders, tribal representatives, and individuals with trust fund and financial management knowledge, was established to provide advice on trust fund matters to the Special Trustee. Senator Daschle endorsed the nomination, and wrote to Interior Department Secretary Gale Norton, calling on her to officially make the appointment. [2003]

Advisory Committee of the Election Assistance Commission

In 2004, Senator Daschle appointed Thomas Shortbull, a former member of the South Dakota Senate and Current President of Oglala Lakota College, to the Election Assistance Commission Board of Advisors. Shortbull, a resident of Kyle, will serve on the commission to examine the issues involved in administering fair and accurate elections. It will also review state and local standards and work hand-in-hand with the Standards Board to ensure that everyone has the opportunity to register to vote, that voting is accessible, and that every vote cast is counted. [2004]

ECONOMIC DEVELOPMENT

Indian Gaming Regulatory Act

In 1988, Senator Daschle was one of three original sponsors who introduced and enacted legislation to establish and regulate gaming on Native American lands. Honoring the inherent sovereignty of Indian tribes, the bill established the National Indian Gaming Commission, and determined the regulations and conditions under which tribal gaming exists. Gaming on tribal lands provides a comprehensive solution to creating opportunities, building infrastructure, and increasing investment capital in Indian Country. This landmark legislation rivals no other in terms of economic development on Indian lands, and is arguably one of the most important pieces of Indian-related legislation in U.S. history. [S.555, PL100-497, 10/17/1988]

Increased Loans for Native American Enterprises

Recognizing that Native American enterprises and business people often struggle to secure business loans, Senator Daschle cosponsored a bill in 1988 that increased the amount of loans to individual Indians or economic enterprises from \$350,000 to \$500,000. The bill amended the Indian Financing Act of 1974, and increased the loan guarantee authorization from \$200,000,000 to \$500,000,000. The restriction stating that such sale or assignment of a loan is subject to examination or supervision of the United States was removed in the bill, which allowed the granting of such loans to any individual. [S.1360, PL 100-442, 9/22/1988]

Investment in Tribal Businesses

In 1988, to compliment the Indian Gaming Regulatory Act and increased Indian loan capabilities legislation, Senator Daschle cosponsored and helped pass legislation in the Senate that would have established the Indian Development Finance Corporation, entrusted with providing development capital and technical assistance for new and existing Indian businesses. The corporation would have encouraged participation in the program by offering equity securities. By providing the necessary capital and financial services, the Corporation's aim would have been to promote economic development and private ownership on tribal lands. Senator Daschle's legislation passed in the Senate and House of Representatives, but the final bill was not enacted before Congress adjourned. [S.721, Passed Senate, 4/20/1988; Passed House 10/19/1988]

Indian Employment Tax Credit

Senator Daschle was a strong supporter of the Indian Employment Tax Credit, part of the Budget Resolution of 1993. The Indian Employment Tax Credit provides businesses with a tax incentive to hire individuals who live on or near Indian reservations, and are enrolled members of the tribe. Businesses paying wages to workers who qualify under the program may claim the tax credit. The incentive for businesses to hire reservation workers has the potential to create new jobs and offers expansive employment opportunities to individuals in Indian Country. In addition, by requiring that most of the services of a qualified position be performed on the reservation, the benefits of both the services provided and the tax credit are imparted on the local community. The Indian Employment Tax Credit was extended in the Senate-passed version of the Foreign Sales Corporation (FSC) bill. The FSC legislation is currently pending in Congress, and Senator Daschle will serve on the conference committee responsible for reconciling differences between the Senate and House versions of the bill. [H.R.2264, PL 103-66, 8/10/1993; S.1637, Passed Senate, 5/11/2004]

Accelerated Depreciation for Property on Indian Reservations

Senator Daschle played an integral role in passing an amendment to the Budget Resolution of 1993 that designated an accelerated depreciation formula for property on Indian reservations. The amendment allowed businesses to depreciate their capital expenses for property on reservations more rapidly than on other properties, reducing the companies' tax liability. This amendment has significantly enhanced much-needed economic development on reservations in South Dakota by attracting businesses and property owners, both on and off the reservation, interested in receiving substantial tax savings on their assets. The accelerated depreciation initiative for property on reservations was extended in the Senate-passed version of the Foreign Sales Corporation (FSC) bill. The Senate and House of Representatives have both passed versions of the FSC legislation, and a conference committee will work to reconcile differences between the two bills. Senator Daschle will serve as a negotiator on the conference committee. [H.R.2264, PL 103-66, 8/10/1993; S.1637, Passed Senate, 5/11/2004]

Community Development Financial Institutions (CDFIs)

During the 1990s, Senator Daschle was a strong supporter of a set-aside in the VA-HUD Appropriations bill for Native American Community Development Financial Institutions. Senator Daschle was also a strong supporter of legislation that initially created CDFIs, specialized private-sector institutions with a core mission of providing financial products and services to people and communities underserved by traditional financial markets. The Daschle-backed set-aside for Indian CDFIs provides assured funding to help expand business, housing, and financial services opportunities on South Dakota reservations. This legislation has had a great impact in South Dakota, spurring and creating entrepreneurship opportunities where none existed before. [H.R.3474, PL 103-325, 9/23/1994]

Rural Community Development

During consideration of the 1996 Farm Bill, Senator Daschle was a strong voice for the Rural Community Advancement Program, which provides planning assistance, grants, loans, loan guarantees, and other assistance to help rural communities develop infrastructure and economic

sustainability. This program is especially important for Indian Country because a special emphasis is placed on granting assistance to low-income areas and small communities. Financial assistance for community development is crucial for South Dakota's reservations, where poverty rates are among the highest in the nation. [H.R.2854, PL 104-127, 4/4/1996]

Tribal Business Information Centers

In 2002, Senator Daschle wrote a letter urging the White House and the Small Business Administration (SBA) to provide adequate assistance for Tribal Business Information Centers (TBICs) in South Dakota. The TBIC program was created within the SBA in 1995 to provide culturally tailored business development assistance to current and prospective business owners on reservations. Senator Daschle has been a strong supporter of these organizations throughout his career. Due to a lack of resources, the TBICs were struggling to provide services to potential small business owners in Indian Country. For this reason, Senator Daschle sought appropriate funding to ensure Native American entrepreneurs have the resources necessary to restore economic self-sufficiency to South Dakota's reservations. [Cosigned letter, 3/22/2002]

Compensating South Dakota Tribes for Land Lost to Flooding

Over 40 years ago, South Dakota's tribes lost important economic and cultural resources when thousands of acres of their most fertile and valuable land were flooded to complete the Fort Randall and Gavins Point dams. Families were forced from their homes, and entire towns were destroyed. Compensation for these tribes was long-overdue. Senator Daschle led the fight to ensure that Native American tribes were fairly compensated for their losses.

In 2001, Senator Daschle enacted legislation compensating the Yankton Sioux Tribe and Santee Tribe of Nebraska, the only remaining Missouri River tribes still waiting to be compensated for their losses. This is the culmination of Senator Daschle's effort to compensate South Dakota's tribes, including the Standing Rock Sioux Tribe, the Crow Creek Sioux Tribe, the Lower Brule Sioux Tribe, and the Cheyenne River Sioux Tribe. The legislation enacted by Senator Daschle would create trust funds for the tribes to finally and fully compensate them for the loss of land and adverse impact on tribal communities. Tribes will be able to draw annual revenues from the trust funds to spur economic development and meet educational, health, and social welfare goals on the reservation. [S.434, included in S.2017, PL 107-331, 12/13/2002]

Mni Wiconi

The lack of clean, stable water supplies threatens our rural and tribal communities, making it hard to attract new workers or families to the region. It also creates a serious health risk by forcing thousands of people to drink unhealthy water. Mni Wiconi, the Lakota translation meaning "water of life," is a more than \$300 million project to bring clean, safe drinking water to the Oglala Sioux Tribe and other reservations and communities in the area. The project was originally enacted in 1988 for the Oglala Sioux Tribe and Lyman and Jones Counties, and was amended in 1993 to include the Lower Brule and Rosebud Sioux Tribes.

Senator Daschle later co-authored, along with Senator Johnson, legislation to ensure that the Mni Wiconi Rural Water Project had the required funding to continue construction. The legislation, enacted in 2002, authorized an additional \$60 million for this important rural water project in

western South Dakota through 2008. The Mni Wiconi Rural Water Project is vital to several rural and tribal communities in South Dakota, providing thousands of South Dakota citizens with a safe, reliable source of drinking water. Senator Daschle will not be deterred from seeing this project through to completion, and has sought and secured funding for it in fiscal years 2002 (\$37,489,000), 2003 (\$39,000,000), and 2004 (\$31,471,000). [S.1999 passed as H.R.4638, PL 107-367, 12/19/2002]

United Sioux Tribes Development Corporation

From 2000 through 2003, Senator Daschle secured \$1,158,000 for the United Sioux Tribes to promote economic development. Poverty and joblessness rates are among the worst in the nation on many of the Indian reservations in South Dakota. The United Sioux Tribes of South Dakota Development Corporation, through the Bureau of Indian Affairs, offers job training and other programs to help stimulate economic development in these depressed areas. The goal of the program is to help find jobs for individuals seeking permanent employment opportunities in urban communities. Senator Daschle has been an advocate of this program, and has secured \$1,158,000 for the United Sioux Tribes from FY 2001 through FY 2004 for economic development efforts through the Interior Appropriations bills. [H.R. 2217, PL 107-63, H.J.RES.2, PL 108-7, 1/7/2003; H.R.2691, PL 108-108, 11/10/2003]

Rural Community Advancement Program

Every year since 2000, Senator Daschle has requested that the chairman and ranking member of the Senate Appropriations Subcommittee on Agriculture and Rural Development set aside funding for American Indian community development projects within USDA's Rural Community Advancement Program (RCAP). Since FY 2001, this RCAP set-aside has provided funding to tribal communities for drinking water and wastewater disposal grants, community facility grants to tribal colleges, rural business enterprise grants, business opportunity grants, and intermediary re-lending program loans. This funding has had a measurable impact in tribal communities, where poverty rates are among the highest in the nation.

Supporting Renewable Energy Programs

In March 2003, a giant wind turbine on the Rosebud reservation began turning, generating enough electricity to power hundreds of homes in the area. Wind power is a blossoming industry in the United States where tribes have made modest gains. The Intertribal Council on Utility Policy, headquartered on the Rosebud reservation, is largely responsible for these gains. The Council's plan to develop wind power on tribal lands throughout South Dakota has contributed to the production of clean energy as well as economic progress for Native American tribes. To assist in these efforts, Senator Daschle recently secured \$1.3 million for the Intertribal Council on Utility Policy to support the development of renewable energy programs on reservations. This includes a 50-megawatt wind energy project on tribal lands in South Dakota, North Dakota, and Nebraska. Wind energy projects on reservations provide employment for tribal members as well as renewable energy for the region, and Senator Daschle will continue to support the tribes' efforts in producing this valuable resource. [H.R.2754, PL 108-137, 7/16/2003]

InterTribal Bison Cooperative

From 1999 through 2004, Senator Daschle secured \$7.34 million in federal funding for bison management efforts. The InterTribal Bison Cooperative (ITBC) has been instrumental in rebuilding bison herds on Indian reservations. In 1991, the ITBC began with only 7 tribes and 1,500 bison. In 1999, after only 8 years, the ITBC had expanded to 48 tribes, with 9,000 bison in 16 states. The ITBC's efforts have not only restored a national treasure, but have brought significant, culturally appropriate economic benefits to participating tribes. In areas with some of the highest unemployment in the nation, hundreds of jobs have been created. By providing funding for vocational training of tribal members who manage bison herds, these tribes can take another step toward economic self-sufficiency. [H.R.3194, PL 106-113, 11/29/1999; H.R.4577, PL 106-554, 12/21/2000; H.R.2217, PL 107-63, 11/5/2000; H.R.3061, PL 107-116, 1/10/02; H.R.2691, 11/3/2003]

Tax Incentives for Improving Infrastructure and Encouraging Economic Development

To help generate economic opportunities for residents, Senator Daschle led the fight to include provisions in the Jumpstart Our Business Strength (JOBS) / Foreign Services Corporation (FSC) Act that will provide tax incentives for businesses in Indian Country and new financing options for communities for the construction of additional facilities. The provisions include:

- The creation of the Tribal New Markets Tax Credit, which adds \$50 million annually in tax credits dedicated solely to subsidizing investments on Native American reservations with poverty rates over 40 percent.
- \$200 million in new Indian School Construction Bonds to help finance replacement and repair of schools funded or run by the Bureau of Indian Affairs.
- New bonding authority for tribal governments, which gives tribes the same ability as states and local governments to issue tax-exempt bonds to finance construction on Indian reservations.

This legislation would also reauthorize the wind producer tax credit, creating enormous potential on reservations, where there is an estimated 276,000 megawatts of wind energy. These are tangible and effective policies that will create jobs, upgrade infrastructure, and improve the quality of life for Native Americans in South Dakota. Senator Daschle will serve as a negotiator in the conference committee that will reconcile differences between the House and Senate-passed versions of the bill. [S.1637, Passed Senate, 5/11/2004; Pending in the House as of 9/1/2004]

EDUCATION

Keeping Flandreau Indian School Open

In 1985, the Reagan Administration attempted to close the Flandreau Indian School. Senator Daschle introduced legislation to block the proposed BIA move, and worked with the BIA to develop a solution. The final BIA policy allowed the school to remain open. Flandreau is an

off-reservation boarding school providing Indian children an alternative to sometimes negative home environments. For many students, this is a “last chance” educational opportunity.

Creating More Responsive BIA Schools

In 1985 and 2001, Senator Daschle cosponsored a bill that amended Indian education programs found in the Education Amendments of 1978. The bill made BIA schools more responsive to tribal governing bodies and designated school boards. The measure also directed the BIA to exercise fiscal control and develop a five-year plan for capital improvements at the schools. [H.R.2908, PL 99-89, 8/15/1985; S.211, Committee on Indian Affairs, 4/4/2001]

Native American Job Training Programs

In 1988, the Senate passed Senator Daschle’s amendment calling for an Indian Set-Aside for JOBS training money. This amendment required the Department of Health and Human Services to set aside a portion of each state’s Job Opportunity and Basic Skills (JOBS) money (money to establish education and skills training programs for welfare recipients) so that Indian tribes and Alaska Native organizations can apply directly to the Department for this funding. The amount set aside would be equal to the number of Indian welfare recipients as a percentage of total recipients in the state. Tribes could use this money to establish their own JOBS programs on reservations. [S. AMDT.145 to H.R.558, PL 100-77, 7/22/1987]

Fighting Spending Cuts for Indian Education

In 1986, Senator Daschle led the congressional fight against Administration efforts to eliminate the Johnson-O’Malley program, a funding program that supports supplemental Indian education projects. Johnson-O’Malley is a year-to-year appropriation that provides grants to Native American education programs. The project is still in existence, and Senator Daschle continues to be a strong supporter of its efforts to improve Indian education. [1986, Indefinitely postponed by Senate, 12/2/1987]

Practical Education Programs for Indian Reservations

During consideration of the Farm Bill in 1990, Senator Daschle fought to establish a program for positioning cooperative extension service agents on Indian reservations. The bill allowed extension service agents to educate Native Americans on issues that deal with agriculture, home economics, nutrition, and drug abuse, and established a mechanism for Native Americans to provide input into the type of programs that will benefit Native Americans and their reservations. With the program facing expiration, Senator Daschle again worked to include the program as part of the Land Grant Assistance Act for tribal colleges in the 2002 Farm Bill. As a result, the program will continue to provide vital agricultural and community education programs to Indian reservations. [S.2830, PL 101-624, 11/28/1990; H.R.2646, PL 107-171, 5/13/2002]

Preserving Native American Languages

Native American languages are fast becoming extinct. In 1990, Senator Daschle cosponsored legislation aimed at promoting and preserving Native American languages in South Dakota and throughout the country. The bill recognized the rights of Native Americans to use and develop their languages. In addition, it encouraged the use of these languages in educational institutions

around the country, and supported the establishment of programs to integrate this use into school curricula. [S.2167, PL 101-477, 10/30/1990]

Tribal Teacher Training Grants

In 1992, Senator Daschle cosponsored an amendment to the Higher Education Act that authorized the Department of Education to award grants to tribal colleges for students enrolled in teacher training programs to address the problem of a general lack of qualified teachers in Indian Country. The grants are offered to institutions to provide financial assistance to students seeking to participate in developed teaching programs. Recipients of these grants are required to teach in Indian Country for one year for each year of college support received. These grants offer an opportunity for specific educational training, and ensure that high-quality teachers remain in the tribal school system. In 2001, Senator Daschle successfully worked to include the program in the No Child Left Behind Act, ensuring that Native American schools in South Dakota continue to have access to dedicated educators. [S.AMDT.1671 to S.1150, PL102-325, 7/23/1992; H.R.1, PL 107-110, 1/8/2002]

Effective Job Training Programs

In 1992, Senator Daschle cosponsored a bill that authorized the integration of employment, training, and related services provided by Indian tribes. The new program directed tribal governments to consolidate federally funded employment and job training programs, and placed participants in training positions with private employers. The consolidation of federally funded programs helps create more jobs and effectively develop the potential of participants. The Sisseton-Wahpeton Sioux Tribe was one of the first Native American tribes in the country to participate in the initial program. [S.1530, PL 102-477, 10/23/1992]

Impact Aid for School Construction

In 1996, Senator Daschle cosponsored an amendment that directed the Education Department to award unobligated Impact Aid funding to school districts in need of school construction projects. The funding's primary beneficiaries were listed as Native American reservations or school districts that: 1) are in dire need of construction funding, 2) contain a public elementary or secondary school that serves a student population which is 90 percent Indian students, and 3) serve students who are taught in inadequate and unsafe schools. Numerous schools throughout Indian Country are in disrepair or condemned. This funding will assist local school districts in initiating crucial construction projects to ensure students have a safe and satisfying place to learn. The Wakpala school on the Standing Rock Indian reservation was a beneficiary of this program. [S.AMDT.3529 to H.R.3019, PL 104-134, 4/30/1996]

Bringing Technology to Tribal Classrooms

Today's Indian children deserve access to a safe and up-to-date learning environment so that every student in every classroom has the opportunity to excel. In response to a request from the Director of the Oglala Sioux Tribe Education Department, Senator Daschle pressed successfully for inclusion of an amendment to the No Child Left Behind Act to increase the amount of funding provided to BIA schools for technology. [S.AMDT.545 to S.1, PL 107-110, 5/9/2001]

Oceti Sakowin Distance Learning Consortium

South Dakota reservations are some of the most remote areas in the country. In 2001, Senator Daschle secured \$500,000 for the advancement of distance learning education at BIA and tribal schools in South Dakota. Distance learning serves as a tool to assist schools in rural and remote areas through state-of-the-art technology. The project includes two components: developing a diabetes prevention curriculum delivered via distance education to tribal K-12 schools, and providing an Associate of Arts degree program via distance education to teacher's aides in the same schools. [HR 3061, PL 107-116, 1/10/2002]

Giving Tribes Influence in Operation of Schools

In the spirit of government-to-government relations, Senator Daschle has worked in coordination with the Senate Committee on Health, Education, Labor, and Pensions as well as the Committee on Indian Affairs to enact legislation that requires the Bureau of Indian Affairs (BIA) to actively consult with tribes in all matters that relate to BIA schools. Originally passed as part of the Education Amendments of 1978, and included in subsequent reauthorizations, this measure establishes formula-based funding for all BIA-operated schools and BIA-funded tribal schools. In addition, this legislation allows tribes to meet the specific needs of their children by granting them the authority to set academic standards for their BIA schools. In all subsequent education authorizations, including the No Child Left Behind Act in 2001, Daschle worked to protect the education authority of tribes. [PL 95-561; H.R.1, PL 107-110, 1/8/2002]

Useful and Timely Funding for BIA Schools

Senator Daschle has consistently worked with the Senate Committee on Indian Affairs and the Committee on Health, Education, Labor, and Pensions to enact legislation that allows tribes to operate BIA-funded schools as grant schools rather than as contract schools. Grant school funding allows tribal schools to receive funding on a more timely basis, to invest those funds under certain restrictions, and to use the interest gained to meet additional educational costs in their schools. This funding provides tribes with the resources needed to deliver a quality education and the flexibility to develop their curricula based on the needs of their students. [H.R.5, PL 100-297, 4/28/1988; H.R.1, PL 107-110, 1/8/2002]

Native American Endowment Fund

Educational opportunities on most Indian reservations are severely limited. In response, Senator Daschle took part in initial meetings with the Senate Committee on Indian Affairs and worked closely with the Clinton Administration to create a nonprofit American Indian Education Foundation. This nonprofit organization allows private gifts to further educational opportunities for Indian children in grades K-12. [H.R.5528, PL 106-568, 12/27/2000]

Kids Voting South Dakota

In 2001, Senator Daschle secured \$100,000 to expand the Kids Voting Project to South Dakota's nine Indian reservations. Kids Voting South Dakota is a nonprofit, nonpartisan, grassroots organization that works with schools and communities to enhance civics education. As part of the Kids Voting project, children go to the official polls in their neighborhoods and vote in their own voting booths for candidates for tribal, state, and federal offices while their parents cast their

votes. Senator Daschle believes this important program should be expanded throughout South Dakota, and specifically into tribal areas to empower Native Americans. [H.R.3061, PL 107-116, 1/10/2002]

St. Joseph's Indian School

St. Joseph's Indian School is a privately-financed residential facility that provides at-risk Lakota children with a safe and enriching environment in which to live and study. The school emphasizes academics, cultural awareness, and social well-being to its students. The school contacted Senator Daschle in 2001, requesting funding for after-school and counseling programs. Senator Daschle secured \$800,000 in the FY 2002 Labor-HHS-Education Appropriations bill, and another \$580,000 in the FY 2003 Commerce-Justice-State Appropriations bill. [H.R.3061, PL 107-116, 1/10/2002; H.J.RES.2, PL 108-7, 2/20/2003]

South Dakota Tribal College/E-Trade Financial/American Indian College Fund Endowment

One of the greatest challenges South Dakota tribal colleges face is raising scholarship funds to ensure that American Indians can make their dream of a college education a reality. Senator Daschle brought the CEO of E-Trade Financial to visit Cheyenne River and the Rapid City extension of the Oglala Lakota College and met with student leaders at the schools. Senator Daschle's delegation also visited Si Tanka-Huron University to announce the creation of a scholarship through the American Indian College Fund in the name of E-Trade Financial for South Dakota tribal college students. South Dakota tribal leaders tell the story of how difficult it is to lure economic development opportunities to the reservation, citing the lack of an educated, skilled workforce. This project represents an excellent opportunity to help South Dakota tribes better educate their students and develop the workforce necessary for the tribes to realize their economic development goals.

Institute of Museum and Library Services (IMLS)

Senator Daschle is a strong supporter of the Institute of Museum and Library Services (IMLS), which provides museums and libraries across the country with grants necessary to serve their schools and communities. This funding, authorized by the Library Services and Technology Act, is an example of a successful federal-state partnership that has provided a multitude of South Dakota communities with critical resources to upgrade and expand library services. Significant grant funding has been awarded to several Native American tribes in the state as well as the State Library in Pierre. Most recently, Daschle cosponsored legislation to reauthorize the IMLS. The bill, which was enacted into law, will strengthen and extend the program. [H.R.13, PL 108-81, 9/25/2003]

Impact Aid

Impact Aid compensates local school districts that have lost property tax revenue due to the presence of tax-exempt federal property, or that have experienced increased expenditures due to the enrollment of "federally connected" children, such as those attending public schools at Ellsworth Air Force Base or on reservations in South Dakota. Because of a federal presence, the tax base is generally reduced, and the result is a loss of revenue for local education. Recognizing that Impact Aid is a critical source of revenue for many Native American school districts in

South Dakota, Senator Daschle has consistently pressed for increased Impact Aid for South Dakota, and continues to help schools serving Native Americans in securing these funds.

President Bush's budget proposal for 2004 would have drastically cut Impact Aid, costing 13 school districts in South Dakota an estimated \$5.9 million in funding. Senator Daschle was able to work with his Senate colleagues to restore the funding, securing the viability of several schools in the state. It is essential that schools be provided with the basic resources necessary to offer their students a valuable education. For his efforts on behalf of schools that receive Impact Aid, Senator Daschle was awarded the Friends of the National Association of Federally Impacted Schools award.

Tribal Colleges

In 1990, Senator Daschle cosponsored a bill to reauthorize the Tribally Controlled Community College Assistance Act of 1978 [S.2167, PL 101-477, 10/30/1990]. As part of the Higher Education Act of 1998, Senator Daschle again fought to include funding guarantees for tribal colleges and universities. Language in the law required federal grants to tribal institutions to improve their capacity to serve Indian students [H.R.6, PL 105-244, 10/7/1998]. Tribal colleges represent an opportunity for many American Indians to develop academic knowledge and job-related skills and become contributors to the economy both on and off Indian reservations. Increased educational opportunities can promote economic development and job growth on reservations, improving the lives of all residents.

In 2000, Senator Daschle sought additional funding to support tribal colleges and universities (TCUs) [S.AMDT.3724 to H.R.4577, PL 106-554, 12/21/2000]. Four existing program authorizations beyond that at the Department of Interior, were identified that had not received funding. Those programs, at the Departments of Defense, Agriculture, Education, and Housing and Urban Development, were intended to support the construction and renovation of tribal college facilities, and to provide for the purchase of science laboratory and computer equipment. At Senator Daschle's urging, Congress provided \$15.5 million in new grant funds through those four programs. Since fiscal year 2001, \$60 million has been made available to tribal colleges in South Dakota and around the United States. [H.R.4576, PL 106-259, 8/9/2000; H.R.4461, PL 106-387, 10/28/2000; H.R.4635, PL 106-377, 10/27/2000; H.R.4577, PL 106-554, 12/21/2000; H.R.2330, PL 107-76, 11/28/2001; H.R.2620, PL 107-73, 11/26/2001; H.R.3338, PL 107-117, 1/10/2002; H.R.5010, PL 107-248, 10/23/2002; H.R.3061, PL 107-116, 1/10/2002; H.R.2658, PL 108-87, 9/30/2003; H.R.2673, PL 108-199, 1/23/2004]

In the three years for which funding awards have been made (FY 2004 funds are just beginning to become available), the five TCUs in South Dakota have secured \$14 million for improvements on their campuses:

- Oglala Lakota College has received \$3.7 million.
- Si Tanka-Huron University has been awarded \$3.1 million.
- Sinte Gleska University grants under these programs total \$2.6 million (plus \$135,000 to Lower Brule Community College, an affiliate).
- Sisseton Wahpeton College has received \$2.7 million.

- Sitting Bull College has been awarded \$1.75 million.

Supporting a Strong Child Nutrition Program

In 2004, Senator Daschle worked to further strengthen school lunch and child nutrition programs by beating back the Administration's proposal to require schools to engage in more intensive income verification procedures. This proposal would have created excessive paperwork burdens for schools and resulted in many eligible children losing access to free or reduced school lunches. Instead, Daschle supported other proposals to reduce administration errors while protecting eligible children. He also supported efforts to expand eligibility for the free lunch program and phase out the reduced-price program so that more children could be guaranteed a healthy, nutritious lunch and schools could be relieved of the administrative burden of monitoring families' income levels. Finally, Daschle supported a provision in the bill that expanded the fresh fruits and vegetables pilot program, which was included in the 2002 Farm Bill. This expansion resulted in the inclusion of the Oglala Sioux Tribe in the program. [S.2507, PL 108-265, 6/30/2004]

Expansion of Fresh Fruits and Vegetables Program in South Dakota

During consideration of the 2002 Farm Bill, Senator Daschle supported a provision that increased students' access to fresh fruits and vegetables in school. At his urging the law also extended this program to Indian reservations. Until recently, the pilot program operated in only four states and on one reservation. During the recent reauthorization of the National School Lunch Act, Daschle pressed for the expansion of the fresh fruits and vegetables program. On July 1, Daschle, along with Senator Johnson and Representative Herse, wrote a letter to Agriculture Secretary Ann Veneman, asking her to pledge that South Dakota would become part of the program. As a result, Pine Ridge has been selected to participate in this important school-based health program. [S.2507, PL 108-265, 6/30/2004]

HEALTH

Indian Health Care Improvement Act

In 1980, then-Representative Daschle fought for passage of the Indian Health Care Program Act, which authorized funding for programs created under the Indian Health Care Improvement Act. The bill aimed to improve the services and facilities of federal Indian health programs and encourage maximum participation of Native Americans in such programs. Through treaties and federal statutes, the federal government is obligated to meet the health care needs of Native Americans. Adequate funding is necessary to ensure that Indian health care facilities and treatment programs can address the future demand for health care in Indian Country. [H.R.6629, Passed in House, 9/9/1980; H.R.1426, Passed in House, 10/10/1986; H.R.5261, Passed Senate, 10/14/1988; S.2481, PL 102-573, 10/29/1992]

Drug and Alcohol Abuse Prevention and Treatment

In 1986, Daschle cosponsored a bill to coordinate and expand services for the prevention, identification, and treatment of alcohol and drug abuse among Indian youth. Chronic addictions

are at the root of severe suffering and helplessness on many reservations in South Dakota, and Senator Daschle's bill helped address these concerns through prevention and treatment initiatives. The bill directed the federal government to determine the scope of alcohol and drug abuse problems among Native American youth, and coordinate the programs of the Bureau of Indian Affairs and Indian Health Service to combat the problem. Although the House-passed 1986 bill was not signed into law, this measure was enacted into law as part of the Indian Health Care Improvement Act of 1992. [H.R.1156, Passed House, 9/16/1986; S.2481, PL 102-573, 10/29/1992]

Education Loan Repayment Program for IHS Medical Professionals

In 1987, Senator Daschle cosponsored legislation that would have created an education loan repayment program within the Indian Health Service. As a result of staff and trained health professionals shortages, IHS often struggles to meet the needs of its patients. Under Senator Daschle's legislation, health professionals who make a commitment to serve within the Indian Health Service would receive forgiveness on loans incurred during their education. The amount of loan assistance provided would be based on the years of service to IHS. The IHS Loan Repayment Program was intended to address the need for trained physicians, nurses, dentists, and other health professionals at IHS so that no individual is denied the health care they are promised. Senator Daschle's legislation passed the Senate, but was stalled in the House. However, this initiative is current law, passed as part of the Indian Health Care Improvement Act of 1992. [S.1475, Passed Senate, 11/19/1987; S.2481, PL 102-573, 10/29/1992]

Prevention and Treatment for Child Abuse and Family Violence

In 1995, Senator Daschle strongly supported the passage of legislation to help prevent child abuse and family violence, and provide necessary treatment to victims in Indian Country. The Indian Child Protection and Family Violence Prevention Act authorized funding for a grant program to help with the treatment of Native American children exposed to abuse. The bill also allowed funding for Indian child resource and family services centers as well the Indian child protection and family violence prevention program. The advocacy programs established under this legislation provide crucial services to the victims of child abuse and family violence in Indian Country, and highlight the importance of providing adequate funding through the appropriations process. [S.441, PL 104-16, 6/21/1995]

Combating Inhalant Abuse

In 1996, Senator Daschle sponsored an amendment to provide funding for the Indian Health Service to address inhalant abuse. The \$800,000 in initial funding would have been made available to programs specializing in the treatment of inhalant abuse. In addition, these funds would have been used to provide referrals to specialized facilities in the United States. The amendment was agreed to in the Senate. [S.AMDT.3506 to H.R. 3019, Agreed to in Senate, 3/14/1996]

University of Colorado School of Dentistry Tribal Oral Health Project

Access to health care on reservations in South Dakota is often poor, and the under-funding of the Indian Health Service exacerbates the problem. Dental care is even less available than other services. For this reason, the University of Colorado School of Dentistry proposed to work with

the University of South Dakota Dental Hygiene program to provide critical services to children on the Pine Ridge and Rosebud reservations. Senator Daschle was able to secure \$1,800,000 in the FY 2001 Labor-HHS-Education Appropriations bill for an oral health prevention and treatment program in Shannon, Jackson, Bennett, and Todd counties. This program will help provide the necessary care that will ensure the future health of the reservation population in South Dakota. Daschle has also introduced legislation in the 108th Congress to promote comprehensive dental care throughout South Dakota, with a special emphasis on bringing care to Indian Country. [H.R.4577, PL 106-554, 12/21/2000]

Full Funding for IHS Clinical Services

While Native Americans are theoretically provided full health coverage through the Indian Health Service, IHS is so underfunded and understaffed that patients are routinely denied care, and when care is provided, it is often substandard. For contract care – care that cannot be provided directly at IHS facilities – IHS patients are subjected to a literal “life or limb” test; unless their life or a limb is at immediate risk, they are denied the care. In many cases, care is denied until their situations are far more dire and far more costly to treat; in far too many cases, care is denied until it is too late to help them.

And it’s not simply an “Indian issue.” Surrounding non-Indian communities that provide ambulance services, hospital care, and other contract services are struggling to stay open due to IHS’s failure to reimburse them for care they provide IHS patients, leaving the entire community at risk.

Daschle has always been a strong and vocal supporter of full funding for the Indian Health Service, including preventive services, urban Indian health services, the facilities account, and clinical services. For the past four years, he has led the national effort to increase funding for IHS clinical services, including contract health services, above the President’s budget request to allow IHS to meet the basic health care needs of American Indians and Alaska Natives. In 2001, the Senate passed Daschle’s amendment to include \$4.2 billion for IHS clinical services in the FY 2002 budget resolution, but the amendment was dropped from the bill by a Republican-controlled conference committee. Senator Daschle has renewed this effort to increase funding for IHS every year since:

- 2002: won inclusion of a \$1 billion increase in the FY 2003 Senate Budget Committee-reported budget resolution, but Republican opposition to the budget prevented its consideration.
- 2003: offered an amendment to the FY 2004 budget resolution to provide a \$2.9 billion increase; the amendment failed on a party-line vote, with all Republican senators voting against it. A subsequent Republican amendment to increase IHS funding by \$292 million (one-tenth of what was needed to provide basic services) was passed by voice vote, but dropped in the Republican-controlled conference.

- 2003: offered an amendment to the FY 2004 Interior Appropriations bill, which would have provided the additional \$292 million for IHS promised in the budget amendment passed by the Senate. The same senators who had taken credit for the \$292 million increase used a procedural motion to block the funding on the appropriations bill.
- 2003: offered an amendment to the FY 2004 Interior Appropriations bill to reduce the amount of the increase in the bill's funding to implement the BIA's misguided reorganization plan. The \$63 million reduction would have been shifted to IHS clinical services, but Republican opposition defeated this amendment as well.
- 2004: offered an amendment to the FY 2005 budget resolution to provide a \$3.44 billion increase; the amendment failed on a largely party-line vote. Again, a Republican amendment to increase IHS funding by \$292 million was passed by voice vote, but the budget resolution was never finalized, and the increase never materialized.

[S.AMDT.325 to H.CON.RES.83, Agreed to in Senate, 4/6/2001; S.CON.RES.100, Reported by Budget Committee, 4/11/2002; S.AMDT.361 to S.CON.RES.23, Failed 48-51, 3/25/2003; S.AMDT.1734 to H.R.2691, Motion to Waive the Budget Act Failed 49-45, 9/23/2003; S.AMDT.1739 to H.R.2691, Failed 43-52, 9/23/2003; S.AMDT.2774 to S.CON.RES.95, Failed 42-54, 3/11/2004]

Eastside Neighborhood Center

In 2001, Senator Daschle was contacted by the director of the Eastside Neighborhood Center in Pierre regarding funding for a proposal that would provide school nurses, counseling services, and health clinics in rural elementary schools with significant Native American student populations. In many instances, the proposed Frontier School Health Initiative would be the only health care these children would receive. Senator Daschle secured \$200,000 for the program in the FY 2002 Labor-HHS-Education Appropriations bill. The project is operating in numerous tribal and other schools, primarily in the Crow Creek and Lower Brule communities. [H.R.3061, PL 107-116, 1/10/2002]

Native American Breast and Cervical Cancer Treatment

In 2000, Congress passed a law to provide treatment to uninsured women suffering from breast and cervical cancer. A loophole in the law prevented it from applying to many Native American women. In 2002, Senator Daschle joined his colleagues in enacting legislation to close that loophole and provide this essential treatment. His legislation helps to ensure that Native American women are provided much-needed federal and state resources to fight breast and cervical cancer. [S.1741, PL 107-121, 1/15/2002]

Diabetes Prevention and Intervention

Diabetes has reached near epidemic levels in Indian Country. Almost one-third of Native Americans over age 55 now have diabetes. Senator Daschle is committed to reversing this alarming trend. In 2002, he was able to secure a \$50 million annual increase for the Special Diabetes Program for Native Americans. Senator Daschle has continued his support for this program and in January 2004 enacted a substantial increase in the Special Diabetes Programs for

Indians, from \$100 million in fiscal year 2003 to \$150 million per year for fiscal years 2004 through 2008. The Special Diabetes Program distributes funds to tribal governments to develop and enhance diabetes programs, and establishes and improves local diabetes clinics. The Program, which Senator Daschle originally supported as part of the 1997 Balanced Budget Resolution, has resulted in over 300 diabetes prevention and treatment programs serving American Indians and Alaska Natives. [H.R.5738, PL 107-360, 12/17/2002]

Designate South Dakota as a Contract Health Service Delivery Area

During the committee markup of the Daschle-cosponsored Indian Health Care Improvement Act of 2000, Senator Daschle was successful in securing language in the bill that would designate South Dakota as a contract health service delivery area (CHSDA). This designation would greatly improve the delivery of health care to all tribal constituents in South Dakota by providing contract health care services to members of the state's Indian tribes. The contract health service program complements the health care resources available to Native Americans with the purchase of medical services at hospitals and medical centers outside the IHS system. Presently, CHSDAs in South Dakota, which determine the availability of contract health services, are located in counties that include all or part of a reservation. Patients living within these areas are eligible for Indian Health Service (IHS) contract health services, while those residing outside these counties experience difficulties in obtaining necessary care. Senator Daschle's proposal to designate the entire state of South Dakota as a CHSDA would prevent patients in these counties from being denied contract health services, and help ensure that all Native Americans in the state have access to high-quality, available medical care. [S.2526, Ordered to be Reported out of Indian Affairs Committee, 9/27/2000; S.212, Committee on Indian Affairs, 1/30/2001; S.556, Committee on Indian Affairs, 7/23/2003]

IHS Provisions in Medicare Prescription Drug Bill

Senator Daschle fought to include important provisions pertaining to Indian health in the Medicare reform bill enacted in 2003. Although all of South Dakota's seniors deserve better than what is provided in the bill that was passed by Congress and signed by the President, the IHS provisions will prevent many of the problems and inconveniences that Native Americans would have encountered under the new law. The following provisions were included as part of the Medicare bill enacted in 2003:

- Rx Drug Discount Card. Pharmacies operated by IHS and Indian tribes/tribal organizations will be able to participate in the Prescription Drug Discount Card program. In many remote Indian reservation locations, the only reasonably accessible pharmacies are those operated by IHS. Since the discount cards are the only current avenue to cheaper prescription drugs for Seniors under Medicare, it is important that those in Indian Country have access to them.
- Prescription Drug Benefit. Pharmacies operated by the IHS will be able to participate in the network of pharmacies established by an eligible entity offering a Medicare Prescription Drug Plan.

- Limitation on Charges for Contract Health Services. The bill established a Medicare-like rate cap on the amount hospitals may charge IHS and tribal health programs for inpatient care purchased under the IHS Contract Health Services program.
- IHS Reimbursement for Part B Services not Currently Covered. The bill will require Medicare to cover durable medical equipment, ambulance services, glaucoma screening, and other services currently not covered at certain IHS facilities.
- Coverage of Telehealth. The types of facilities designated as “originating sites” for telehealth purposes will be able to include seven additional types of facilities, including facilities operated by IHS, tribes, and Indian organizations.

Senator Daschle will continue to fight for a Medicare benefit that puts the interests of Native American and all seniors ahead of the interests of big drug companies and HMOs. In the meantime, he will ensure that South Dakota’s tribal community is not left with additional burdens under current law. [H.R.1, PL 108-173, 12/8/2003]

Northern Plains Healthy Start

Because of a program funding cut in 2000, the Northern Plains Healthy Start (NPHS) program’s application for funding was denied, and the program was shut down temporarily. In 2001, Senator Daschle restored funding. Since then, Senator Daschle has helped secure about \$6 million for NPHS, which reopened all but one of its program sites and serves hundreds of pregnant Native women and new mothers. NPHS provides prenatal care to Native American women who are members of the 17 federally recognized tribes in the Northern Plains region. This initiative provides services to nearly 2,000 women at 19 sites throughout the four-state region. Since its inception, NPHS has dramatically reduced the infant mortality rate in the region, cutting it nearly in half in the last decade. [H.R.4577, PL 106-554, 12/21/2000; H.R.2673, PL 108-199, 1/23/2004]

Sudden Infant Death Syndrome (SIDS)

In response to an Aberdeen Area IHS study released in late 2002, Senator Daschle secured \$1 million in the FY 2004 Consolidated Appropriations Act to prevent SIDS in Native communities. The study found that maternal alcohol consumption, exposure to tobacco and second-hand smoke, and teen pregnancy contributed to the high rate of SIDS in the Aberdeen Area. Senator Daschle is working to provide additional funding in FY 2005 to reduce the number of Native American babies who die from SIDS. [H.R.2673, PL 108-199, 1/23/2004]

Fetal Alcohol Syndrome

Fetal Alcohol Syndrome is a lifelong, yet completely preventable set of physical, mental, and neurobehavioral birth defects affecting thousands of people across the United States. In 2000, Senator Daschle was able to lead a bipartisan coalition to pass legislation providing \$25 million for a comprehensive Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effect (FAE) program at the Department of Health and Human Services and for the creation of a National FAS Task Force. This program is funding prevention and much-needed treatment assistance for individuals with FAS and FAE and their families. Part of that funding has supported the Four-State Consortium on FAS at the University of South Dakota to develop a model for FAS prevention.

Most recently, Senator Daschle secured funding for the Western South Dakota Center on Fetal Alcohol Syndrome at Black Hills State University, which will work with health care providers, educators, and families of individuals with FAS and FAE to address their unique needs.

[S.Amdt.3658 to H.R.4577, PL 106-554, 5/15/2000; H.R.2673, PL 108-199, 1/23/2004]

Preventing Sexually Transmitted Diseases (STDs)

Unfortunately, recent evidence suggests that the prevalence of STDs, including HIV/AIDS, is growing at an alarming rate on South Dakota's Indian reservations. To combat this serious problem, Senator Daschle sought and secured \$1 million in funding for the Centers for Disease Control to fund STD-education and prevention programs in locally-run health clinics. This money was included in the FY 2004 Omnibus Appropriations bill, and represents the first HIV/AIDS funding specifically targeted to Native American communities. [H.R.2673, PL 108-199, 1/23/2004]

Suicide Prevention Programs

Senator Daschle was an original cosponsor of legislation to provide funding for the development of a youth suicide prevention and intervention strategy. In the first six months of 2004, six young people on the Crow Creek Indian reservation have committed suicide, and many more have attempted suicide. In March and April alone, there were nearly 50 suicide attempts on the reservation. Sadly, similar epidemic suicide rates exist on other reservations. Legislation passed in July of 2004 includes grant funding to education systems, tribal organizations, juvenile justice programs, and local governments engaged in suicide intervention and prevention programs. Colleges, including tribal colleges and universities, also could receive funding to establish or enhance their outreach and treatment centers. The Crow Creek community has been providing activities for at-risk youth and established a community task force and peer mentoring effort focused on reducing the number of suicides. This bill offers a proactive approach to support and fund these kinds of community action plans and efforts to combat, prevent, and intervene in this tragic epidemic. [S.2634, Passage in Senate by Voice Vote, 7/8/2004]

Addressing the Problem of Black Mold

Mold infestation in Indian housing on reservations is a serious problem. On South Dakota's reservations, it is estimated that over 900 homes are infested and that the remediation will cost between \$10,000 and \$40,000 per unit. Tribes currently do not have the resources to address this problem. Senator Daschle recently sent a letter to the Secretary of the Department of Housing and Urban Development calling on him to issue promised department recommendations to address the problem. In addition, Senator Daschle's staff recently visited the Cheyenne River, Lower Brule, Crow Creek, and Pine Ridge reservations as part of a National American Indian Housing Council (NAIHC) housing tour, and returned with a firsthand report on the problems generated by black mold. Currently, Senator Daschle is exploring ways to develop a comprehensive inter-agency legislative plan to address the serious mold and moisture problem on South Dakota's Indian reservations.

HOUSING

Funding for Homeless Native Americans

In 1988, Senator Daschle offered an amendment to include Native Americans in the Stewart B. McKinney Homeless Assistance Act. The amendment earmarked for Indian tribes 1.5% of the funds under the FEMA Emergency Food and Shelter Program, Housing Assistance Programs, Health Programs, and Job Training for the Homeless Demonstration Project. [S.AMDT.134 to H.R. 558, PL 100-77, 7/22/1987]

Expanding Indian Housing Opportunities

The lack of affordable housing is one of the most pressing needs in Indian Country, and one of the U.S. Government's distinct treaty obligations. In 1988, Senator Daschle led the fight to pass legislation in the Senate that amended the United States Housing Act, establishing a separate program to provide housing assistance for Indians and Alaskan Natives. The bill directed the Secretary of Housing and Urban Development to carry out a Mutual Help Ownership Opportunity program for Native Americans and Alaska Natives, and provide financial assistance to Indian Housing Authorities (IHAs) for that purpose. As a result of low incomes and a lack of access to private financing, homeownership remains seemingly unreachable for many Native American families. Through IHAs, the Mutual Help program provides assistance that will allow eligible Indian families to eventually become homeowners. [H.R.3927, PL 100-358, 6/29/1988]

Fighting Cuts in Indian Housing

In 1988, Senator Daschle fought Reagan Administration-sponsored cuts in the level of Housing and Urban Development (HUD) Indian housing units for FY 1989. Senator Daschle's amendment to the FY 1989 Department of HUD Appropriations bill increased the appropriation for Indian housing in order to maintain the current level of 2,000 Indian Housing units for FY 1989. The Administration had recommended only 1,000 units and the House and Senate Appropriations Committees initially acceded to the Administration's request while increasing the HUD budget overall. Senator Daschle's amendment resolved this discrepancy, and ensured that this valuable housing assistance for Native Americans received necessary funding. Increased housing assistance in Indian Country will lead to safe, affordable housing, and create opportunities for area residents. [S.AMDT.2566 to H.R.4800, PL 100-404, 8/19/1988]

Increased Indian Housing Authorization

In 1990, Senator Daschle cosponsored an amendment to a homeownership bill that increased the authorization for Indian housing funding, an essential step in providing more affordable housing for Native Americans. The amendment increased authorized funding for Native American public housing grants by \$233 million in 1990, \$243 million in 1991, and \$252 million in 1992. The amendment also set aside section 515 rural rental housing funds for private non-profit organizations, including Indian tribes. [S.AMDT.2040 to S.566, PL 101-625, 11/28/1990]

Housing for Native American Veterans

In 1992, Senator Daschle sponsored the Native American Veterans' Home Loan Equity Act, which established a pilot program to furnish home loans to Native American veterans. From the Code Talkers of World War II to present day battles, Native American soldiers have made extraordinary contributions to America's freedom. It is important that these troops are remembered when they come home, and making home loans available and affordable on trust land provides stability and opportunity for Native American veterans. In 1997, Senator Daschle cosponsored similar legislation that extended the Native American Veteran Housing Loan Pilot Program, continuing the practice of providing housing loans and outreach to Native American veterans. [S.2528, Passed Senate, 9/18/1992; S.714, PL 105-114, 11/21/1997]

Tax Credits for Low-Income Housing

In 2000, Senator Daschle supported provisions in the Community Revitalization Act that created tax credits to subsidize housing investments on Native American reservations. The tax credits are allocated to structures serving individuals whose income is 60 percent or less of area income, which is essential on reservations where poverty rates are among the highest in the nation. The equity from these tax credits is distributed directly to the tribe, providing them the authority to determine low-income housing needs and the availability of funds. [H.R.4577, PL 106-554, 12/21/2000]

NAHASDA

The Native American Housing Assistance and Self-Determination Act (NAHASDA), first passed in 1996, is the preeminent federal program that provides housing assistance to low-to moderate-income families on Indian reservations. The project has been a success in South Dakota and across the country, and for this reason Senator Daschle played an integral part in the reauthorization of the bill through 2007.

The purpose of NAHASDA is to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance. The original bill created an independent Indian housing program, which distributes grants directly to individual tribes. The tribes are authorized to create housing authorities to assist in the implementation of the program. Since its original passage, NAHASDA has helped speed up the construction of new homes and has proven the ability of tribal housing authorities to do what is best for the individuals they serve. The new homes created through this program are an important investment in the future of tribal communities. Each year, Senator Daschle has pushed for increased NAHASDA funding during the appropriations process. [S.1210, PL 107-292, 11/13/2001]

Addressing the Problem of Black Mold

Mold infestation in Indian housing on reservations is a serious problem. On South Dakota's reservations, it is estimated that over 900 homes are infested and that the remediation will cost between \$10,000 and \$40,000 per unit. Tribes currently do not have the resources to address this problem. Senator Daschle recently sent a letter to the Secretary of the Department of Housing and Urban Development calling on him to issue promised department recommendations to address the problem. In addition, Senator Daschle's staff recently visited the Cheyenne River, Lower Brule, Crow Creek, and Pine Ridge reservations as part of a National American Indian

Housing Council (NAIHC) housing tour, and returned with a firsthand report on the problems generated by black mold. Currently, Senator Daschle is exploring ways to develop a comprehensive inter-agency legislative plan to address the serious mold and moisture problem on South Dakota's Indian reservations.

PUBLIC WELFARE

Exemption of Land in Calculating Social Security Payments

Many Native Americans own large trusts of land held in trust by the federal government. Yet, due to the federal government's severe mismanagement of these trust lands, they are not able to capitalize on this resource and must often live in poverty. In 1991, Senator Daschle sponsored a bill that would have determined that up to \$4,000 per year in income derived from trust or restricted lands held by individual Indians would not be considered as income for purposes of determining eligibility for assistance under the Social Security Act or any other federal or federally assisted program. Senator Daschle's bill passed the Senate, but stalled in the House; a \$2,000 trust income exclusion was eventually enacted as part of the Omnibus Budget Reconciliation Act of 1993. [S.754, Passed Senate, 11/26/1991; H.R.2264, PL 103-66, 8/10/1993]

Tribal TANF

The Welfare Reform Act, Temporary Assistance for Needy Families (TANF), was passed into law in 1996 to provide cash and other assistance to low-income families. Although Senator Daschle opposed the final Welfare Reform bill due to shortcomings that did not adequately protect children, he did play an instrumental role in including specific provisions that benefit Indian Country. As a member of the Senate Finance Committee, which had jurisdiction over the legislation, Senator Daschle actively worked to establish Tribal TANF. Tribal TANF allows tribes to administer TANF for their own populations. Like state TANF programs, the Tribal TANF initiative gives tribes the right to determine the individuals and families who will receive benefits as well as how they are processed. Under the Tribal TANF program, tribes have the authority to distribute cash allotments, child care, job search assistance, and other services covered in the overall bill. [H.R.3734, PL 104-193, 8/22/1996]

Supporting a Strong Child Nutrition Program

In 2004, Senator Daschle worked to further strengthen school lunch and child nutrition programs by beating back the Administration's proposal to require schools to engage in more intensive income verification procedures. This proposal would have created excessive paperwork burdens for schools and resulted in many eligible children losing access to free or reduced school lunches. Instead, Daschle supported other proposals to reduce administration errors while protecting eligible children. He also supported efforts to expand eligibility for the free lunch program and phase out the reduced-price program so that more children could be guaranteed a healthy, nutritious lunch and schools could be relieved of the administrative burden of monitoring families' income levels. Finally, Daschle supported a provision in the bill that expanded the fresh fruits and vegetables pilot program, which was included in the 2002 Farm

Bill. This expansion resulted in the inclusion of the Oglala Sioux Tribe in the program. [S.2507, PL 108-265, 6/30/2004]

Expansion of Fresh Fruits and Vegetables Program in South Dakota

During consideration of the 2002 Farm Bill, Senator Daschle supported a provision that increased students' access to fresh fruits and vegetables in school. At his urging the law also extended this program to Indian reservations. Until recently, the pilot program operated in only four states and on one reservation. During the recent reauthorization of the National School Lunch Act, Daschle pressed for the expansion of the fresh fruits and vegetables program. On July 1, Daschle, along with Senator Johnson and Representative Herseth, wrote a letter to Agriculture Secretary Ann Veneman, asking her to pledge that South Dakota would become part of the program. As a result, Pine Ridge has been selected to participate in this important school-based health program. [S.2507, PL 108-265, 6/30/2004]

RECONCILIATION

Compensation for the Innocent Victims of Wounded Knee

In 1988, Senator Daschle pushed through the Senate a bill to compensate innocent victims of the town of Wounded Knee, South Dakota for damages and loss of property and personal injuries suffered as a result of the 1973 occupation of the town by members of the American Indian Movement and later destruction of Indian bunkers and property allegedly contained within the area occupied by federal government forces. This legislation passed the Senate, but stalled in the House. [S.1305, Passed Senate, 1988]

National American Indian Heritage Week

In 1989, Senator Daschle cosponsored a resolution to declare the week of December 3, 1989 through December 9, 1989 National American Indian Heritage Week. [S.J.RES.218, Signed by President, 11/28/1989]

Acknowledging the Wounded Knee Massacre of 1890

In 1990, Senator Daschle cosponsored a resolution to acknowledge the 100th anniversary of the tragedy at Wounded Knee Creek, South Dakota in 1890. On that day, soldiers of the U.S. Army 7th Cavalry killed and wounded over 350 Lakota and Dakota men, women, and children. The resolution also recognized the Year of Reconciliation declared by the state of South Dakota between the citizens of the state and the member bands of the Great Sioux Nation. [S.CON.RES.153, Agreed to in Senate, 10/19/1990]

National American Indian Heritage Month

In 1991, Senator Daschle cosponsored a resolution in the Senate that declared the months of November 1991 and 1992 National American Indian Heritage Month. This provided recognition to Native Americans for the valuable contributions they have made to the country. Senator Daschle has cosponsored similar resolutions during every Congress since 1991. [S.J.RES.172, PL 102-123, 10/9/1991; H.J.RES.271, PL 103-462, 11/2/1994; S.RES.191, Passed Senate,

11/1/1995; S.RES.145, Passed Senate, 11/9/1997; S.RES.216, Passed Senate, 11/19/1999; S.RES.118, Passed Senate, 9/26/2001; S.RES.240, Passed Senate, 10/24/2003]

Year of Reconciliation Between American Indians and Non-Indians

In 1992, Senator Daschle sponsored a resolution designating 1992 as the ‘Year of Reconciliation Between American Indians and Non-Indians.’ The year 1992 marked the 500th anniversary of Christopher Columbus’s arrival on the American shore, and Senator Daschle felt it appropriate to recognize the struggles and honor the accomplishments of the indigenous peoples who originally inhabited the nation. In the past, tension between Native and non-Native people has been overcome through the understanding of differences. The purpose of the resolution was to create a national effort to recognize these differences and develop a trust and respect for other cultures. [S.J.RES.222, PL 102-279, 5/9/1992]

International Year of the World’s Indigenous Peoples

In 1993, Senator Daschle cosponsored a resolution that expressed the sense of the Congress concerning the International Year of the World’s Indigenous Peoples. Included in the resolution was language stating that the United States should address the rights and improve the social and economic conditions of its own indigenous peoples. [S.CON.RES.44, Passed Senate 11/20/1993, Passed House 11/23/1993]

Daschle Dash: Empowering Our American Indian Youth

As an avid runner and supporter of Indian youth, Senator Daschle joined approximately 1,000 Crow Creek Nation youth in a fun run/walk to promote healthy lifestyles and empower young people on the reservation. This event epitomized a fun and positive way to encourage Indian youth and strengthen tribal communities. [October 2002]

Wakpa Sica Reconciliation Place

The relationship between the United States and Native Americans has not always been a peaceful one, and today South Dakota continues to face the challenges of disparate cultures living side-by-side. Through this, however, there is a growing recognition of the need for reconciliation between different peoples. The potential for this unity encouraged Senator Daschle in 1999 (S.1658 and H.R.5528, P.L. 106-568, 12/27/2000) to introduce a bill that authorizes the construction of the Wakpa Sica Reconciliation Place in Fort Pierre, whose aim will be to foster reconciliation as well as preserve tribal history.

The Wakpa Sica Reconciliation Place will serve as a home for the Great Sioux Nation tribal judicial support center, which will strengthen the tribal justice system and help achieve greater social and economic growth and stability in Indian Country. The establishment of the Wakpa Sica Reconciliation Place will promote a better understanding of the history and culture of Lakota, Dakota, and Nakota people and, by doing so, achieve better relations between Indian and non-Indian peoples. It will provide Native Americans a central location to protect their past, strengthen their present, and build a brighter future.

Senator Daschle sponsored legislation in 2000 that authorized construction of the Wakpa Sica Reconciliation Place [S.1658 and H.R.5528, PL 106-568, 12/27/2000]. The FY 2001 Omnibus

Consolidated and Emergency Supplemental Appropriations bill included authorizing language for the Wakpa Sica Reconciliation Place [H.R. 4577, PL 106-554, 12/21/2000]. Specifically, the Wakpa Sica Historical Society was authorized to receive appropriations totaling \$18,258,441 to construct the facility.

In the FY 2002 Commerce-Justice-State Appropriations Bill, Senator Daschle secured \$150,000 for support in developing the tribal judicial support center. In addition, Senator Daschle helped secure \$6.45 million between FY 2002 and FY 2004 to construct Wakpa Sica Reconciliation Place, and he remains committed to its completion.

Gathering and Healing of Nations

Historical differences between Native and non-Native peoples in South Dakota has contributed to a challenging relationship over the years. Recognizing the need for healing and potential for unity among different cultures in the state, Senator Daschle co-hosted, with Governor Mike Rounds, the “Gathering and Healing of Nations” conference in October of 2003. The goal of the event was to bring together a cross-section of South Dakotans to encourage mutual understanding and respect for one another, and to identify projects on which both communities can work for the benefit of all.

The “Gathering and Healing of Nations” conference attracted more than 700 participants, united to begin a process of reconciliation. In addition to hearing key speakers at the event, participants in the conference met in small groups to focus discussion on issues facing tribal and non-tribal communities, including agriculture, education and youth, health care, economic development, and law enforcement. The conference also aimed at facilitating greater cooperation among federal, state, tribal, and local governments.

The focus of the “Gathering and Healing of Nations” conference was to produce an honest, constructive exchange of ideas. Through these efforts, a new understanding that recognizes similarities and respects differences has the potential to help resolve longstanding disagreements and discover a new unity among the people of South Dakota.

TRANSPORTATION

Improvements to Reservation Roads

Indian reservations often have some of the worst road conditions in the nation, and lack the resources for maintenance and repair. In 1994, Senator Daschle asked the Interior Appropriations Subcommittee to place a high priority on Indian reservation road maintenance funding. Senator Daschle asked the subcommittee for \$7.3 million to maintain the reservation roads in the BIA’s Aberdeen Area. This amount included \$2 million for needed equipment. The road maintenance program was funded at \$30 million nationally, and the Aberdeen Area road maintenance program received \$4.7 million for FY 1995. [H.R.4682, PL 103-332, 9/30/1994]

Indian Reservation Roads Program

The federal government has an obligation to provide safe and efficient access to and within Indian reservations in the United States. Established, reliable roads and bridges are essential for economic development and travel in Indian Country. To help fulfill this obligation, the Indian Reservation Roads (IRR) Program was included in the Transportation Equity Act of 1998, and Senator Daschle led the effort to ensure it passed. The BIA reservation roads program provides funding for eligible transportation projects to and within Native American reservations, lands, and communities. The 1998 bill created a set-aside to pay for the program and authorized the creation of a future funding formula. In addition, the program increased tribal involvement in the planning and repair of roads in Indian Country. [H.R.2400, PL 105-178, 6/9/1998]

Funding for Transportation Projects in Indian Country

To help in road and bridge construction and improvement projects throughout Indian Country, Senator Daschle was able to include substantial funding in the pending Surface Transportation Act of 2004. Road aging and use has contributed to a severe infrastructure deficit on Native American lands in South Dakota. The Daschle provision in the bill provides for a 36-percent increase in funding levels for the Indian Reservation Roads (IRR) program, and allows tribes to work with states to spend up to \$250,000, or 25 percent of their IRR funds on existing road maintenance.

The transportation bill also creates a new bridge program authored by Senator Daschle that authorizes a \$15-million-per-year set-aside to fund the construction and repair of bridges on tribal land. Other projects in the bill include \$7.2 million per year for safety projects on IRR roads, and \$51 million over six years for competitive grants to support tribal transit projects. The House and Senate have each passed separate transportation bills, and Senator Daschle is a negotiator in the conference committee appointed to reconcile the differences between the two bills. [S.1072, Passed by unanimous consent after amended, 5/19/2004; Incorporated into H.R.3550]

TRUST

Exemption of Land in Calculating Social Security Payments

Many Native Americans own large trusts of land held in trust by the federal government. Yet, due to the federal government's severe mismanagement of these trust lands, they are not able to capitalize on this resource and must often live in poverty. In 1991, Senator Daschle sponsored a bill that would have determined that up to \$4,000 per year in income derived from trust or restricted lands held by individual Indians would not be considered as income for purposes of determining eligibility for assistance under the Social Security Act or any other federal or federally assisted program. Senator Daschle's bill passed the Senate, but stalled in the House; a \$2,000 trust income exclusion was eventually enacted as part of the Omnibus Budget Reconciliation Act of 1993. [S.754, Passed Senate, 11/26/1991; H.R.2264, PL 103-66, 8/10/1993]

Settlement of Sisseton-Wahpeton Sioux Tribe Claims

In 1967, various Sioux tribes, including the Sisseton-Wahpeton Sioux Tribe, and the federal government reached a settlement to satisfy certain land compensation claims resulting from treaty violations. In 1972, a judgment fund distribution plan was established by Congress to provide payments to Sisseton-Wahpeton Sioux Tribal members. However, the plan also required that 25 percent of the settlement funds be paid to “lineal descendants,” non-tribal members who could trace their ancestry to a member of the Sisseton-Wahpeton Sioux Tribe at the time of the treaty violations.

- In 1987, the tribe filed suit in federal court challenging the constitutionality of the award to lineal descendants. Both the federal district court in Montana and the Ninth Circuit Court of Appeals ruled that a six-year statute of limitations applied to the Tribe’s claims, and that since the claims were not filed within six years of the 1972 act, the court was required to dismiss them. In response to this, Senator Daschle sponsored a bill that would have amended federal law to waive the statute of limitations regarding the Sisseton-Wahpeton Sioux Tribe’s ability to contest the constitutionality or validity of the Indian Claims Commission Judgment Fund Distribution Act of 1972. The amendment would have granted the tribe their day in court, allowing them to contest the constitutional issues involved in the case. [S.2342, Vetoed by President, 6/16/1992]
- In 1992, Senator Daschle sponsored an amendment that authorized the U.S. Attorney General to negotiate and settle the lawsuit brought by the Sisseton-Wahpeton Sioux Tribe challenging the validity of the 1972 judgment fund distribution program. Following enactment of Senator Daschle’s legislation, the Department of Justice (DOJ) refused to discuss settlement, arguing the amendment was too general to permit the DOJ to agree to a settlement that would change the 25 percent allocated to lineal descendants. [S.AMDT.3370 to H.R.5686, PL 102-497, 10/24/1992]
- After passage of the 1992 Daschle-sponsored legislation that authorized the Department of Justice to negotiate the settlement of the tribe’s claims, the Attorney General determined that the judgment fund distribution plan of 1972 could not be altered. In 1998, Senator Daschle cosponsored a bill that would not specifically change the distribution scheme. Daschle’s proposal, which called for the distribution of the \$1.5 million principal to lineal descendants and the accrual of interest to the tribe for social and economic development, was enacted later that year. The BIA has initiated the process of distributing funds to the tribe and lineal descendants. [S.391, PL 105-387, 11/13/1998]

Enhancing Farm and Range Land in Indian Country

In 1992, Senator Daschle sponsored the Indian Agricultural Resources Management Act, which would have established within the Bureau of Indian Affairs a program to improve the management of rangelands and farmlands, and the production of agricultural resources on Indian lands. Senator Daschle's bill would have required a reservation-by-reservation resource management planning program, and allowed the leasing of Indian Rangelands or Farmlands in compliance with tribal laws. In addition, the bill would have established natural resources intern positions to educate students on natural resource and farmland management. The enhancement of tribal farmland and rangeland is essential for creating jobs, agricultural resources, and self-sufficiency on reservations. This legislation passed the Senate, but stalled in the House. [S.2977, Passed Senate, 10/2/1992]

Native American Probate Reform

Native American probate laws are among the most arcane and complicated laws to navigate. As a result, many Native Americans do not have access to or cannot take advantage of the land they own. In 2004, Senator Daschle cosponsored the American Indian Probate Reform Act, which would amend the Indian Land Consolidation Act to revise the requirements for testamentary and nontestamentary disposition of interests in trust, restricted lands, and personal property of an Indian. Senator Daschle's bill would repeal the limitation of interest in trust, restricted land, or personal property to a decedent's Indian spouse, and extend this interest to the tribe or lineal descendants. The bill passed the Senate in June of 2004, but is yet to come up for a vote in the House of Representatives. [S.1721, Passed Senate, 6/2/2004]

VETERANS

Native American Monument at Arlington National Cemetery

In 1986, then-Representative Daschle secured a commitment that a memorial to Indian veterans would be constructed at Arlington National Cemetery. Today all visitors to Arlington National Cemetery can view the memorial to Native American Vietnam veterans, who continue to serve in the military at a higher rate than every other ethnic group.

Appreciation to Native American Veterans

In 1991, Senator Daschle cosponsored a resolution to express the appreciation of Congress to all American Indian veterans for their service in the U.S. Armed Forces. In addition, the resolution acknowledged the families and loved ones of Native American veterans for their support and strength throughout the years. [S.CON.RES.22, Passed Senate 3/21/1991, Passed House 4/17/1991]

Housing for Native American Veterans

In 1992, Senator Daschle sponsored the Native American Veterans' Home Loan Equity Act, which established a pilot program to furnish home loans to Native American veterans. From the Code Talkers of World War II to present day battles, Native American soldiers have made extraordinary contributions to America's freedom. It is important that these troops are remembered when they come home, and making home loans available and affordable on trust land provides stability and opportunity for Native American veterans. In 1997, Senator Daschle

cosponsored similar legislation that extended the Native American Veteran Housing Loan Pilot Program, continuing the practice of providing housing loans and outreach to Native American veterans. [S.2528, Passed Senate, 9/18/1992; S.714, PL 105-114, 11/21/1997]

Native American Code Talkers

During World War I and World War II, many brave Native Americans serving in the U.S. Armed Services performed the role of Code Talkers, using a code language derived from a variety of American Indian languages to ensure secure and rapid communication of information on the battlefield. Through three wars and five decades, enemy forces were never able to break the code, thanks to the service and ingenuity of Native American Code Talkers. Senator Daschle introduced and passed a resolution in 1995 honoring those Lakota and Dakota Code Talkers for their contribution to a successful end to WWII. These patriots provided an invaluable service to the United States and our allies, and they deserve recognition for their bravery. [S.RES.116, Passed Senate, 5/8/1995]

Exposure to Agent Orange

Between 1961 and 1971, the United States military released over 19 million gallons of herbicide in Vietnam, including more than 12 million gallons of dioxin-contaminated Agent Orange. The National Academy of Sciences (NAS) has linked Agent Orange exposure to serious conditions such as diabetes, soft-tissue sarcoma, and cancers of the prostate, lymphatic, and respiratory systems.

During Senator Daschle's first year in Congress, after hearing the stories of friends from Pine Ridge who believed their health problems were associated with exposure to Agent Orange, Daschle cosponsored legislation that required the Department of Veterans Affairs (VA) to conduct an epidemiological study of the long-term health effects of veterans' exposure to Agent Orange. [H.R.3499, PL 97-72, 11/3/1981] In 1991, Senator Daschle sponsored the Agent Orange Act, the first comprehensive law to address the problems of veterans exposed to the herbicide. The bill allowed veterans to receive disability compensation for diseases shown to be associated with exposure to Agent Orange, and required a panel of scientists to meet every two years to recommend changes to the list of diseases. In 2001, diabetes was added to the list of diseases eligible for Agent Orange compensation. [H.R.556, PL 102-4, 2/6/1991]

In 2003, as a result of continuing questions and uncertainty regarding contact with dioxin, Senator Daschle sponsored legislation to fund further research into the health impacts of exposure to Agent Orange on Vietnam veterans. The legislation, included in the FY 2004 VA-HUD Appropriations bill, established a program for independent research on veterans and Agent Orange. The research, to be overseen by the National Academy of Sciences' Institute of Medicine, will consist of multiple independent epidemiological studies related to Agent Orange and the diseases and health risks associated with exposure to the herbicide. Throughout his career in Congress, Senator Daschle has been an advocate for veterans and families dealing with the health effects of Agent Orange exposure, and he will continue to seek the medical answers and treatments sought by these individuals. [H.R.2673, PL 108-199, 1/23/2004]

TRICARE for National Guard and Reserve Members

Per capita, there are more service members - including Guard and Reserve members - from Indian Country than from any other ethnic group in the nation, and many of those are from South Dakota. Given the drastically increasing role of these reservists in the nation's military structure,

it is critical that the support and benefits they receive correspond with their responsibilities. Currently, National Guard members do not have access to the military health care system, unless they are on active duty. Recognizing the need to provide support for Native American and other reservists and their families, Senator Daschle introduced bipartisan legislation to provide the National Guard access to the military health care system, or TRICARE.

This legislation will extend TRICARE coverage to any reservist willing to pay the initial premium. The selection of TRICARE would offset reservists' private insurance premiums during mobilization periods. Finally, Senator Daschle's bill would make this program permanent, providing health care opportunities to the men and women sacrificing to make America more secure.

Senator Daschle's TRICARE amendment to the DOD Authorization bill [S.AMDT.3258 to S.2400, Agreed to in Senate, 6/2/2004] is a significant step for National Guard and reserve members risking their lives overseas and for their families. In addition, \$683 million to fund the program was included in the DOD Appropriations Act, which was signed by the President. [H.R.4613, PL 108-287, 8/5/2004]

Improving Access to VA Health Care

Since 2000, Senator Daschle has worked to establish a clinic for veterans in conjunction with the Indian Health Service (IHS) facility in Wagner. In 2004, the Department of Veterans Affairs (VA) announced that it is establishing the Wagner clinic and placed it on its priority list. In addition, Senator Daschle has worked to block funding cuts in to the Hot Springs VA, where 25 percent of patients are Native American veterans. These facilities are important to providing access to health care for Native Americans who have served honorably in the U.S. armed services. [VA press release on final report of Capital Asset Realignment for Enhanced Services (CARES), 5/7/2004]

Mandatory Funding for the VA

Senator Daschle offered two amendments in 2004 that would have made a portion of the Department of Veterans Affairs' (VA's) funding "mandatory," or automatic-the same way that other major health programs, like Medicare, are funded. VA facilities treat an estimated 43,000 veterans in South Dakota. With longer waiting times at hospitals and higher patient costs, mandatory funding would have provided funding to address these needs and give veterans the health care they have earned. Unfortunately, both Daschle amendments failed in the Senate on near party-line votes. [S.AMDT.2710, Amendment failed, 3/9/2004; S.AMDT.3409, Amendment failed, 6/23/2004]