

**AMENDMENTS**  
**OFFERED BY MRS. McMORRIS RODGERS OF**  
**WASHINGTON**

In section 100(c)(6)(A), strike “and”.

In section 100(c)(6)(B)(i), strike the heading and insert “FEDERAL AND STATE PLANS.—”, and strike “1974” and insert “1974, subject to subparagraph (C)”.

In section 100(c)(6)(B)(ii), strike “1974.” and insert “1974); and”.

In section 100(c)(6), add at the end the following new subparagraph:

1                   (C) does not include a plan which is estab-  
2                   lished and maintained by an Indian tribal gov-  
3                   ernment (as defined in section 7701(a)(40) the  
4                   Internal Revenue Code of 1986), a subdivision  
5                   of an Indian tribal government (determined in  
6                   accordance with section 7871(d) of such Code),  
7                   or an agency or instrumentality of either.

