

Rights Act of 1968 instead of the Fair Housing Act in subsecs. (c)(2)(E)(i)(I) and (d)(1). Title VIII of the Civil Rights Act of 1968 is title VIII of Pub. L. 90-284 which is known as the Fair Housing Act, see References in Text note above. The reference to “such title” in subsec. (c)(2)(E)(i)(I) probably refers to title VI of the Civil Rights Act of 1964 and title VIII of the Civil Rights Act of 1968 (the Fair Housing Act).

§ 4224. Review of plans

(a) Review and notice

(1) Review

(A) In general

The Secretary shall conduct a review of a housing plan submitted to the Secretary under section 4223 of this title to ensure that the plan complies with the requirements of that section.

(B) Limitation

The Secretary shall have the discretion to review a plan referred to in subparagraph (A) only to the extent that the Secretary considers that the review is necessary.

(2) Notice

(A) In general

Not later than 60 days after receiving a plan under section 4223 of this title, the Secretary shall notify the Director of the Department of Hawaiian Home Lands whether the plan complies with the requirements under that section.

(B) Effect of failure of Secretary to take action

For purposes of this subchapter, if the Secretary does not notify the Director, as required under this subsection and subsection (b) of this section, upon the expiration of the 60-day period described in subparagraph (A)—

(i) the plan shall be considered to have been determined to comply with the requirements under section 4223 of this title; and

(ii) the Director shall be considered to have been notified of compliance.

(b) Notice of reasons for determination of non-compliance

If the Secretary determines that a plan submitted under section 4223 of this title does not comply with the requirements of that section, the Secretary shall specify in the notice under subsection (a) of this section—

(1) the reasons for noncompliance; and

(2) any modifications necessary for the plan to meet the requirements of section 4223 of this title.

(c) Review

(1) In general

After the Director of the Department of Hawaiian Home Lands submits a housing plan under section 4223 of this title, or any amendment or modification to the plan to the Secretary, to the extent that the Secretary considers such action to be necessary to make a determination under this subsection, the Secretary shall review the plan (including any amendments or modifications thereto) to determine whether the contents of the plan—

(A) set forth the information required by section 4223 of this title to be contained in the housing plan;

(B) are consistent with information and data available to the Secretary; and

(C) are not prohibited by or inconsistent with any provision of this chapter or any other applicable law.

(2) Incomplete plans

If the Secretary determines under this subsection that any of the appropriate certifications required under section 4223(c)(2)(E) of this title are not included in a plan, the plan shall be considered to be incomplete.

(d) Updates to plan

(1) In general

Subject to paragraph (2), after a plan under section 4223 of this title has been submitted for a fiscal year, the Director of the Department of Hawaiian Home Lands may comply with the provisions of that section for any succeeding fiscal year (with respect to information included for the 5-year period under section 4223(b) of this title or for the 1-year period under section 4223(c) of this title) by submitting only such information regarding such changes as may be necessary to update the plan previously submitted.

(2) Complete plans

The Director shall submit a complete plan under section 4223 of this title not later than 4 years after submitting an initial plan under that section, and not less frequently than every 4 years thereafter.

(e) Effective date

This section and section 4223 of this title shall take effect on the date provided by the Secretary pursuant to section 4227(a)¹ of this title to provide for timely submission and review of the housing plan as necessary for the provision of assistance under this subchapter for fiscal year 2001.

(Pub. L. 104-330, title VIII, §804, as added Pub. L. 106-568, title II, §203, Dec. 27, 2000, 114 Stat. 2881, and Pub. L. 106-569, title V, §513, Dec. 27, 2000, 114 Stat. 2975.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(1)(C), was in the original “this Act”, meaning Pub. L. 104-330, Oct. 26, 1996, 110 Stat. 4016, known as the Native American Housing Assistance and Self-Determination Act of 1996. For complete classification of this Act to the Code, see Short Title note set out under section 4101 of this title and Tables.

CODIFICATION

Pub. L. 106-568, §203, and Pub. L. 106-569, §513, enacted substantially identical sections 804 of Pub. L. 104-330. This section is based on the text of section 804 of Pub. L. 104-330, as added by Pub. L. 106-569, §513.

§ 4225. Treatment of program income and labor standards

(a) Program income

(1) Authority to retain

The Department of Hawaiian Home Lands may retain any program income that is real-

¹ So in original. Probably should be section “4227”.