

propriated pursuant to this subsection shall remain available until expended.

“(h) TERMINATION.—The Commission shall terminate 1 year after the date of the initial meeting of the Commission.”

Substantially identical provisions were contained in Pub. L. 106-568, title X, §1001, Dec. 27, 2000, 114 Stat. 2923.

§ 4044. Reconciliation report

The Secretary shall transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate, by May 31, 1996, a report identifying for each tribal trust fund account for which the Secretary is responsible a balance reconciled as of September 30, 1995. In carrying out this section, the Secretary shall consult with the Special Trustee. The report shall include—

(1) a description of the Secretary’s methodology in reconciling trust fund accounts;

(2) attestations by each account holder that—

(A) the Secretary has provided the account holder with as full and complete accounting as possible of the account holder’s funds to the earliest possible date, and that the account holder accepts the balance as reconciled by the Secretary; or

(B) the account holder disputes the balance of the account holder’s account as reconciled by the Secretary and statement explaining why the account holder disputes the Secretary’s reconciled balance; and

(3) a statement by the Secretary with regard to each account balance disputed by the account holder outlining efforts the Secretary will undertake to resolve the dispute.

(Pub. L. 103-412, title III, §304, Oct. 25, 1994, 108 Stat. 4248.)

SETTLEMENT OF TRIBAL CLAIMS

Pub. L. 107-153, §1, Mar. 19, 2002, 116 Stat. 79, as amended by Pub. L. 109-158, §1, Dec. 30, 2005, 119 Stat. 2954, provided that:

“(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of determining the date on which an Indian tribe received a reconciliation report for purposes of applying a statute of limitations, any such report provided to or received by an Indian tribe in response to section 304 of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4044) shall be deemed to have been received by the Indian tribe on December 31, 2000.

“(b) STATEMENT OF PURPOSE.—Subsection (a) is solely intended to provide recipients of reconciliation reports with the opportunity to postpone the filing of claims, or to facilitate the voluntary dismissal of claims, to encourage settlement negotiations with the United States.”

§ 4045. Staff and consultants

(a) Staff

The Special Trustee may employ such staff as the Special Trustee deems necessary. The Special Trustee may request staff assistance from within the Department and any office or Bureau thereof as the Special Trustee deems necessary.

(b) Contracts

To the extent and in such amounts as may be provided in advance by appropriations Acts, the

Special Trustee may enter into contracts and other arrangements with public agencies and with private persons and organizations for consulting services and make such payments as necessary to carry out the provisions of this subchapter.

(Pub. L. 103-412, title III, §305, Oct. 25, 1994, 108 Stat. 4248.)

§ 4046. Advisory board

(a) Establishment and membership

Notwithstanding any other provision of law, the Special Trustee shall establish an advisory board to provide advice on all matters within the jurisdiction of the Special Trustee. The advisory board shall consist of nine members, appointed by the Special Trustee after consultation with Indian tribes and appropriate Indian organizations, of which—

(1) five members shall represent trust fund account holders, including both tribal and Individual Indian Money accounts;

(2) two members shall have practical experience in trust fund and financial management;

(3) one member shall have practical experience in fiduciary investment management; and

(4) one member, from academia, shall have knowledge of general management of large organizations.

(b) Term

Each member shall serve a term of two years.

(c) FACA

The advisory board shall not be subject to the Federal Advisory Committee Act.

(d) Termination

The advisory board shall terminate upon termination of the Office of Special Trustee.

(Pub. L. 103-412, title III, §306, Oct. 25, 1994, 108 Stat. 4249; Pub. L. 104-109, §6(b), Feb. 12, 1996, 110 Stat. 764.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1996—Subsec. (d). Pub. L. 104-109 substituted “advisory board” for “Advisory Board”.

APPOINTMENT OF NEW MEMBERS

Pub. L. 108-7, div. F, title I, §133, Feb. 20, 2003, 117 Stat. 243, provided that: “Within 90 days of enactment of this Act [Feb. 20, 2003] the Special Trustee for American Indians, in consultation with the Secretary of the Interior and the Tribes, shall appoint new members to the Special Trustee Advisory Board.”

SUBCHAPTER IV—AUTHORIZATION OF APPROPRIATIONS

§ 4061. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 103-412, title IV, §401, Oct. 25, 1994, 108 Stat. 4249.)

CHAPTER 43—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION

- Sec.
- 4101. Congressional findings.
- 4102. Administration through Office of Native American Programs.
- 4103. Definitions.
- 4104. Waiver of matching funds requirements in Indian housing programs.

SUBCHAPTER I—BLOCK GRANTS AND GRANT REQUIREMENTS

- 4111. Block grants.
- 4112. Indian housing plans.
- 4113. Review of plans.
- 4114. Treatment of program income and labor standards.
- 4115. Environmental review.
- 4116. Regulations.
- 4117. Authorization of appropriations.

SUBCHAPTER II—AFFORDABLE HOUSING ACTIVITIES

PART A—GENERAL BLOCK GRANT PROGRAM

- 4131. National objectives and eligible families.
- 4132. Eligible affordable housing activities.
- 4133. Program requirements.
- 4134. Types of investments.
- 4135. Low-income requirement and income targeting.
- 4136. Repealed.
- 4137. Lease requirements and tenant selection.
- 4138. Availability of records.
- 4139. Noncompliance with affordable housing requirement.
- 4140. Continued use of amounts for affordable housing.

PART B—SELF-DETERMINED HOUSING ACTIVITIES FOR TRIBAL COMMUNITIES

- 4145. Purpose.
- 4145a. Program authority.
- 4145b. Use of amounts for housing activities.
- 4145c. Inapplicability of other provisions.
- 4145d. Review and report.

SUBCHAPTER III—ALLOCATION OF GRANT AMOUNTS

- 4151. Annual allocation.
- 4152. Allocation formula.

SUBCHAPTER IV—COMPLIANCE, AUDITS, AND REPORTS

- 4161. Remedies for noncompliance.
- 4162. Replacement of recipient.
- 4163. Monitoring of compliance.
- 4164. Performance reports.
- 4165. Review and audit by Secretary.
- 4166. GAO audits.
- 4167. Reports to Congress.
- 4168. Public availability of information.

SUBCHAPTER V—TERMINATION OF ASSISTANCE FOR INDIAN TRIBES UNDER INCORPORATED PROGRAMS

- 4181. Termination of Indian housing assistance under United States Housing Act of 1937.
- 4182. Termination of new commitments for rental assistance.
- 4183. Savings provision.
- 4184. Effect on HOME Investment Partnerships Act.

SUBCHAPTER VI—FEDERAL GUARANTEES FOR FINANCING FOR TRIBAL HOUSING ACTIVITIES

- 4191. Authority and requirements.
- 4192. Security and repayment.
- 4193. Payment of interest.

- Sec.
- 4194. Training and information.
- 4195. Limitations on amount of guarantees.
- 4196. Demonstration program for guaranteed loans to finance tribal community and economic development activities.

SUBCHAPTER VII—OTHER HOUSING ASSISTANCE FOR NATIVE AMERICANS

- 4211. 50-year leasehold interest in trust or restricted lands for housing purposes.
- 4212. Training and technical assistance.

SUBCHAPTER VIII—HOUSING ASSISTANCE FOR NATIVE HAWAIIANS

- 4221. Definitions.
- 4222. Block grants for affordable housing activities.
- 4223. Housing plan.
- 4224. Review of plans.
- 4225. Treatment of program income and labor standards.
- 4226. Environmental review.
- 4227. Regulations.
- 4228. Affordable housing activities.
- 4229. Eligible affordable housing activities.
- 4230. Program requirements.
- 4231. Types of investments.
- 4232. Low-income requirement and income targeting.
- 4233. Lease requirements and tenant selection.
- 4234. Repayment.
- 4235. Annual allocation.
- 4236. Allocation formula.
- 4237. Remedies for noncompliance.
- 4238. Monitoring of compliance.
- 4239. Performance reports.
- 4240. Review and audit by Secretary.
- 4241. Government Accountability Office audits.
- 4242. Reports to Congress.
- 4243. Authorization of appropriations.

§ 4101. Congressional findings

The Congress finds that—

(1) the Federal Government has a responsibility to promote the general welfare of the Nation—

(A) by using Federal resources to aid families and individuals seeking affordable homes in safe and healthy environments and, in particular, assisting responsible, deserving citizens who cannot provide fully for themselves because of temporary circumstances or factors beyond their control;

(B) by working to ensure a thriving national economy and a strong private housing market; and

(C) by developing effective partnerships among the Federal Government, State, tribal, and local governments, and private entities that allow government to accept responsibility for fostering the development of a healthy marketplace and allow families to prosper without government involvement in their day-to-day activities;

(2) there exists a unique relationship between the Government of the United States and the governments of Indian tribes and a unique Federal responsibility to Indian people;

(3) the Constitution of the United States invests the Congress with plenary power over the field of Indian affairs, and through treaties, statutes, and historical relations with Indian tribes, the United States has undertaken a unique trust responsibility to protect and support Indian tribes and Indian people;