

a single report on the expenditure of consolidated funds under such plan.

(Pub. L. 102-477, §11, Oct. 23, 1992, 106 Stat. 2304; Pub. L. 115-93, §11, Dec. 18, 2017, 131 Stat. 2032.)

AMENDMENTS

2017—Pub. L. 115-93 amended section generally. Prior to amendment, section related to Federal responsibilities, specifying the responsibilities of Department of the Interior, and report requirements.

§ 3411. No reduction in amounts

(a) In general

In no case shall the amount of Federal funds available to an Indian tribe that has in place an approved plan under this chapter be reduced as a result of—

- (1) the enactment of this chapter; or
- (2) the approval or implementation of a plan of an Indian tribe under this chapter.

(b) Interaction with other laws

The inclusion of a program in a tribal plan under this chapter shall not—

- (1) modify, limit, or otherwise affect the eligibility of the program for contracting under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.); or
- (2) eliminate the applicability of any provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), as the provision relates to a specific program eligible for contracting under that Act.

(Pub. L. 102-477, §12, Oct. 23, 1992, 106 Stat. 2304; Pub. L. 115-93, §12, Dec. 18, 2017, 131 Stat. 2034.)

REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (b), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which is classified principally to chapter 46 (§5301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

AMENDMENTS

2017—Pub. L. 115-93 amended section generally. Prior to amendment, text read as follows: “In no case shall the amount of Federal funds available to a tribal government involved in any demonstration project be reduced as a result of the enactment of this chapter.”

§ 3412. Transfer of funds

(a) In general

Notwithstanding any other provision of law, not later than 30 days after the date of apportionment to the applicable Federal department or agency, the head of a Federal agency overseeing a program identified in a plan approved under this chapter shall transfer to the Director of the Bureau of Indian Affairs for distribution to an Indian tribe any funds identified in the approved plan of the Indian tribe.

(b) Transfer of funds

Notwithstanding any other provision of law, at the request of the Indian tribe, all program funds transferred to an Indian tribe in accordance with the approved plan of the Indian tribe shall be transferred to the Indian tribe pursuant to an existing contract, compact, or funding agreement awarded pursuant to title I or IV of

the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.).

(Pub. L. 102-477, §13, Oct. 23, 1992, 106 Stat. 2304; Pub. L. 115-93, §13, Dec. 18, 2017, 131 Stat. 2034.)

REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (b), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203. Title I of the Act is classified principally to subchapter I (§5321 et seq.) of chapter 46 of this title. Title IV of the Act is classified generally to subchapter IV (§5361 et seq.) of chapter 46 of this title. For complete classification of this Act to the Code, see section 1 of Pub. L. 93-638, set out as a Short Title note under section 5301 of this title and Tables.

AMENDMENTS

2017—Pub. L. 115-93 amended section generally. Prior to amendment, text read as follows: “The Secretary of the Interior, Secretary of Labor, Secretary of Health and Human Services, or the Secretary of Education, as appropriate, is authorized to take such action as may be necessary to provide for an interagency transfer of funds otherwise available to a tribal government in order to further the purposes of this chapter.”

§ 3413. Administration of funds

(a) Requirements

(1) In general

(A) Consolidation and reallocation of funds

Notwithstanding any other provision of law, all amounts transferred to a tribe pursuant to an approved plan may be consolidated, reallocated, and rebudgeted as specified in the approved plan to best meet the employment, training, and related needs of the local community served by the Indian tribe.

(B) Authorized use of funds

The amounts used to carry out a plan approved under this chapter shall be administered in such manner as the Secretary determines to be appropriate to ensure the amounts are spent on activities authorized under the approved plan.

(C) Effect

Nothing in this section interferes with the ability of the Secretary or the lead agency to use accounting procedures that conform to generally accepted accounting principles, auditing procedures, and safeguarding of funds that conform to chapter 75 of title 31 (commonly known as the “Single Audit Act of 1984”).

(2) Separate records and audits not required

Notwithstanding any other provision of law (including regulations and circulars of any agency (including Office of Management and Budget Circular A-133)), an Indian tribe that has in place an approved plan under this chapter shall not be required—

(A) to maintain separate records that trace any service or activity conducted under the approved plan to the program for which the funds were initially authorized or transferred;

(B) to allocate expenditures among such a program; or

(C) to audit expenditures by the original source of the program.