

**(b) Carryover****(1) In general**

Any funds transferred to an Indian tribe under this chapter that are not obligated or expended prior to the beginning of the fiscal year after the fiscal year for which the funds were appropriated shall remain available for obligation or expenditure without fiscal year limitation, subject to the condition that the funds shall be obligated or expended in accordance with the approved plan of the Indian tribe.

**(2) No additional documentation**

The Indian tribe shall not be required to provide any additional justification or documentation of the purposes of the approved plan as a condition of receiving or expending the funds.

**(c) Indirect costs**

Notwithstanding any other provision of law, an Indian tribe shall be entitled to recover 100 percent of any indirect costs incurred by the Indian tribe as a result of the transfer of funds to the Indian tribe under this chapter.

**(d) Overage****(1) In general**

All administrative costs may be commingled and participating Indian tribes shall be entitled to the full amount of such costs (under each program or department's regulations).

**(2) Treatment**

The amount equal to the difference between the amount of the commingled funds and the actual administrative cost of the programs, as described in paragraph (1), shall be considered to be properly spent for Federal audit purposes if the amount is used to achieve the purposes of this chapter.

**(e) Matching funds**

Notwithstanding any other provision of law, any funds transferred to an Indian tribe under this chapter shall be treated as non-Federal funds for purposes of meeting matching requirements under any other Federal law, except those administered by the Department of Labor or the Department of Health and Human Services.

**(f) Claims**

The following provisions of law shall apply to plans approved under this chapter:

(1) Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101-512; 104 Stat. 1959 [25 U.S.C. 5321 note]).

(2) Chapter 171 of title 28 (commonly known as the "Federal Tort Claims Act").

**(g) Interest or other income****(1) In general**

An Indian tribe shall be entitled to retain interest earned on any funds transferred to the tribe under an approved plan and such interest shall not diminish the amount of funds the Indian tribe is authorized to receive under the plan in the year the interest is earned or in any subsequent fiscal year.

**(2) Prudent investment**

Funds transferred under a plan shall be managed in accordance with the prudent investment standard.

(Pub. L. 102-477, §14, Oct. 23, 1992, 106 Stat. 2305; Pub. L. 115-93, §14, Dec. 18, 2017, 131 Stat. 2035.)

## AMENDMENTS

2017—Pub. L. 115-93 substituted "Administration of funds" for "Administration of funds and overage" in section catchline, added subsecs. (a) to (c) and (e) to (g), redesignated former subsec. (b) as (d) and designated existing provisions as par. (1), inserted heading, substituted "regulations" for "regulations", and no overage shall be counted for Federal audit purposes, provided that the overage is used for the purposes provided for under this chapter", and added par. (2), and struck out former subsec. (a) which related to administration of funds.

**§§ 3414, 3415. Repealed. Pub. L. 115-93, § 16(a), Dec. 18, 2017, 131 Stat. 2036**

Section 3414, Pub. L. 102-477, §15, Oct. 23, 1992, 106 Stat. 2305, related to fiscal accountability.

Section 3415, Pub. L. 102-477, §16, Oct. 23, 1992, 106 Stat. 2305; Pub. L. 103-437, §10(e)(1), (2)(C), Nov. 2, 1994, 108 Stat. 4589, related to report on statutory obstacles to program integration.

**§ 3416. Labor market information on Indian work force****(a) Report**

The Secretary of Labor, in consultation with the Secretary, Indian tribes, and the Director of the Bureau of the Census, shall develop, maintain and publish, not less than biennially, a report on the population eligible for the services which the Secretary provides to Indian people. The report shall include, but is not limited to, information at the national level by State, Bureau of Indian Affairs Service area, and tribal level for the—

(1) total service population;

(2) the service population under age 16 and over 64;

(3) the population available for work, including those not considered to be actively seeking work;

(4) the employed population, including those employed with annual earnings below the poverty line; and

(5) the numbers employed in private sector positions and in public sector positions.

**(b) Indian demographic information**

The Secretary, in consultation with the Bureau of the Census of the Department of Commerce, and the National Center for Native American Studies and Policy Development authorized by Public Law 101-301, shall prepare a report on the need for comprehensive, accurate and periodically updated information on the size and characteristics of the Indian and Alaska Native population throughout the entire United States. This report shall include the need for information, together with the cost of acquiring such information, on the characteristics and need for education, health, housing, job training, and other basic needs of such population, and shall take into consideration the need for this information by Indian tribes and organiza-