

§ 305b. Rules and regulations; submission to Secretary of the Interior

The Board shall prescribe from time to time rules and regulations governing the conduct of its business and containing such provisions as it may deem appropriate for the effective execution and administration of the powers conferred upon it by this Act: *Provided*, That before prescribing any procedure for the disbursement of money the Board shall advise and consult with the Government Accountability Office: *Provided further*, That all rules and regulations proposed by the Board shall be submitted to the Secretary of the Interior and shall become effective upon his approval.

(Aug. 27, 1935, ch. 748, §3, 49 Stat. 892; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 27, 1935, ch. 748, 49 Stat. 891, as amended, which is classified generally to section 305 et seq. of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

Disbursement functions of all Government agencies, except Departments of the Army, Navy, and Air Force and Panama Canal, transferred to Division of Disbursements, Department of the Treasury, by Ex. Ord. No. 6166, §4, June 10, 1933, and Ex. Ord. No. 6728, May 29, 1934. Division subsequently consolidated with other agencies into the Fiscal Service in Department of the Treasury by Reorg. Plan No. III of 1940, §1(a)(1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231. See section 306 of Title 31, Money and Finance.

§ 305c. Appropriation

There is authorized to be appropriated out of any sums in the Treasury not otherwise appropriated such sums as may be necessary to defray the expenses of the Board and carry out the purposes and provisions of this Act. All income derived by the Board from any source shall be covered into the Treasury of the United States and shall constitute a special fund which is appropriated and made available until expended for carrying out the purposes and provisions of this Act. Out of the funds available to it at any time the Board may authorize such expenditures, consistent with the provisions of this Act, as it may determine to be necessary for the accomplishment of the purposes and objectives of this Act.

(Aug. 27, 1935, ch. 748, §4, 49 Stat. 892.)

REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 27, 1935, ch. 748, 49 Stat. 891, which is classified generally to section 305 et seq. of this title. For complete classification of this Act to the Code, see Tables.

TRANSFER OF FUNCTIONS

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tain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 305c-1. Repealed. Pub. L. 87-23, §2, Apr. 24, 1961, 75 Stat. 45

Section, act May 10, 1939, ch. 119, §1, 53 Stat. 699, provided for a limitation of \$10 per diem in lieu of subsistence on amount that may be paid to members of the Indian Arts and Crafts Board. See section 305 of this title.

§ 305d. Criminal proceedings; civil actions

(a) Definition of Federal law enforcement officer

In this section, the term “Federal law enforcement officer” includes a Federal law enforcement officer (as defined in section 115(c) of title 18).

(b) Authority to conduct investigations

Any Federal law enforcement officer shall have the authority to conduct an investigation relating to an alleged violation of this Act occurring within the jurisdiction of the United States.

(c) Criminal proceedings

(1) Investigation

(A) In general

The Board may refer an alleged violation of section 1159 of title 18 to any Federal law enforcement officer for appropriate investigation.

(B) Referral not required

A Federal law enforcement officer may investigate an alleged violation of section 1159 of that title regardless of whether the Federal law enforcement officer receives a referral under subparagraph (A).

(2) Findings

The findings of an investigation of an alleged violation of section 1159 of title 18 by any Federal department or agency under paragraph (1)(A) shall be submitted, as appropriate, to—

- (A) a Federal or State prosecuting authority; or
- (B) the Board.

(3) Recommendations

On receiving the findings of an investigation under paragraph (2), the Board may—

- (A) recommend to the Attorney General that criminal proceedings be initiated under section 1159 of title 18; and
- (B) provide such support to the Attorney General relating to the criminal proceedings as the Attorney General determines to be appropriate.

(d) Civil actions

In lieu of, or in addition to, any criminal proceeding under subsection (c), the Board may recommend that the Attorney General initiate a civil action under section 305e of this title.

(Aug. 27, 1935, ch. 748, §5, as added Pub. L. 101-644, title I, §103, Nov. 29, 1990, 104 Stat. 4662; amended Pub. L. 111-211, title I, §102(a), July 29, 2010, 124 Stat. 2258.)