

sistance under any provision of this subchapter, the Secretary shall adopt such regulations as are necessary to provide for the offer of employment to the recipient of such assistance as required by such provision. Where an offer of employment is not reasonably made, the regulations shall provide that such service shall no longer be required.

**(b) Breach of contract; repayment**

Where an individual fails to accept a reasonable offer of employment in fulfillment of such obligated service or unreasonably terminates or fails to perform the duties of such employment, the Secretary shall require a repayment of the financial assistance provided, prorated for the amount of time of obligated service that was performed, together with interest on such amount which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Secretary of the Treasury.

(Pub. L. 103-177, title II, §204, Dec. 3, 1993, 107 Stat. 2022.)

SUBCHAPTER III—GENERAL PROVISIONS

**§ 3741. Regulations**

Except as otherwise provided by this chapter, the Secretary shall promulgate final regulations for the implementation of this chapter within 24 months after December 3, 1993. All regulations promulgated pursuant to this chapter shall be developed by the Secretary with the participation of the affected Indian tribes.

(Pub. L. 103-177, title III, §301, Dec. 3, 1993, 107 Stat. 2022.)

**§ 3742. Trust responsibility**

Nothing in this chapter shall be construed to diminish or expand the trust responsibility of the United States toward Indian trust lands or natural resources, or any legal obligation or remedy resulting therefrom.

(Pub. L. 103-177, title III, §302, Dec. 3, 1993, 107 Stat. 2022.)

**§ 3743. Severability**

If any provision of this chapter, or the application of any provision of this chapter to any person or circumstance, is held invalid, the application of such provision or circumstance and the remainder of this chapter shall not be affected thereby.

(Pub. L. 103-177, title III, §303, Dec. 3, 1993, 107 Stat. 2022.)

**§ 3744. Federal, State and local authority**

**(a) Disclaimer**

Nothing in this chapter shall be construed to supersede or limit the authority of Federal, State or local agencies otherwise authorized by law to provide services to Indians.

**(b) Duplication of services**

The Secretary shall work with all appropriate Federal departments and agencies to avoid duplication of programs and services currently

available to Indian tribes and landowners from other sources.

(Pub. L. 103-177, title III, §304, Dec. 3, 1993, 107 Stat. 2022.)

**§ 3745. Authorization of appropriations**

**(a) General authorization**

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

**(b) Funding source**

The activities required under subchapter II may only be funded from appropriations made pursuant to this chapter. To the greatest extent possible, such activities shall be coordinated with activities funded from other sources.

(Pub. L. 103-177, title III, §305, Dec. 3, 1993, 107 Stat. 2023.)

**§ 3746. Tribal immunity**

Nothing in this chapter shall be construed to affect, modify, diminish, or otherwise impair the sovereign immunity from suit enjoyed by Indian tribes.

(Pub. L. 103-177, title III, §306, as added Pub. L. 103-435, §12(b), Nov. 2, 1994, 108 Stat. 4572.)

**CHAPTER 40—INDIAN DAMS SAFETY**

Sec.	
3801.	Findings.
3802.	Definitions.
3803.	Dam Safety Maintenance and Repair Program.
3804.	Authorization of appropriations.
3805.	Indian dam safety.

**§ 3801. Findings**

The Congress finds that—

(1) the Secretary of the Interior has identified 53 dams on Indian lands that present a threat to human life in the event of a failure;

(2) because of inadequate attention in the past to problems stemming from structural deficiencies and regular maintenance requirements for dams operated by the Bureau of Indian Affairs, unsafe Bureau dams continue to pose an imminent threat to people and property;

(3) many Bureau dams have maintenance deficiencies regardless of their current safety condition classification and the deficiencies must be corrected to avoid future threats to human life and property;

(4) safe working dams on Indian lands are necessary to supply irrigation water, to provide flood control, to provide water for municipal, industrial, domestic, livestock, and recreation uses, and for fish and wildlife habitats; and

(5) it is necessary to institute a regular dam maintenance and repair program, utilizing the expertise in the Bureau, Indian tribes, and other Federal agencies.

(Pub. L. 103-302, §2, Aug. 23, 1994, 108 Stat. 1560.)

SHORT TITLE

Pub. L. 103-302, §1, Aug. 23, 1994, 108 Stat. 1560, provided that: "This Act [enacting this chapter] may be cited as the 'Indian Dams Safety Act of 1994'."