

the reviews and audits of the Secretary under this section, except that grant amounts already expended on affordable housing activities may not be recaptured or deducted from future assistance provided to the Department of Hawaiian Home Lands.

(Pub. L. 104-330, title VIII, § 821, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2894, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2988.)

#### CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted identical sections 821 of Pub. L. 104-330. This section is based on the text of section 821 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513.

#### § 4241. Government Accountability Office audits

To the extent that the financial transactions of the Department of Hawaiian Home Lands involving grant amounts under this subchapter relate to amounts provided under this subchapter, those transactions may be audited by the Comptroller General of the United States under such regulations as may be prescribed by the Comptroller General. The Comptroller General of the United States shall have access to all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by the Department of Hawaiian Home Lands pertaining to such financial transactions and necessary to facilitate the audit.

(Pub. L. 104-330, title VIII, § 822, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2895, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2989; amended Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

#### CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted identical sections 822 of Pub. L. 104-330. This section is based on the text of section 822 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513.

#### AMENDMENTS

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

#### § 4242. Reports to Congress

##### (a) In general

Not later than 90 days after the conclusion of each fiscal year in which assistance under this subchapter is made available, the Secretary shall submit to Congress a report that contains—

- (1) a description of the progress made in accomplishing the objectives of this subchapter;
- (2) a summary of the use of funds available under this subchapter during the preceding fiscal year; and
- (3) a description of the aggregate outstanding loan guarantees under section 1715z-13b of title 12.

##### (b) Related reports

The Secretary may require the Director to submit to the Secretary such reports and other information as may be necessary in order for the Secretary to prepare the report required under subsection (a).

(Pub. L. 104-330, title VIII, § 823, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2895, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2989.)

#### CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted identical sections 823 of Pub. L. 104-330. This section is based on the text of section 823 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513.

#### § 4243. Authorization of appropriations

There are authorized to be appropriated to the Department of Housing and Urban Development for grants under this subchapter such sums as may be necessary for each of fiscal years 2001, 2002, 2003, 2004, and 2005.

(Pub. L. 104-330, title VIII, § 824, as added Pub. L. 106-568, title II, § 203, Dec. 27, 2000, 114 Stat. 2895, and Pub. L. 106-569, title V, § 513, Dec. 27, 2000, 114 Stat. 2989.)

#### CODIFICATION

Pub. L. 106-568, § 203, and Pub. L. 106-569, § 513, enacted substantially identical sections 824 of Pub. L. 104-330. This section is based on the text of section 824 of Pub. L. 104-330, as added by Pub. L. 106-569, § 513. Section 824 of Pub. L. 104-330, as added by Pub. L. 106-568, § 203, authorized appropriations for fiscal years 2000 to 2004, instead of fiscal years 2001 to 2005.

### CHAPTER 44—NATIVE AMERICAN BUSINESS DEVELOPMENT, TRADE PROMOTION, AND TOURISM

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#### § 4301. Findings; purposes

##### (a) Findings

Congress finds that—

(1) clause 3 of section 8 of article I of the United States Constitution recognizes the special relationship between the United States and Indian tribes;

(2) beginning in 1970, with the inauguration by the Nixon Administration of the Indian self-determination era, each President has reaffirmed the special government-to-government relationship between Indian tribes and the United States;

(3) in 1994, President Clinton issued an Executive memorandum to the heads of departments and agencies that obligated all Federal departments and agencies, particularly those that have an impact on economic development, to evaluate the potential impacts of their actions on Indian tribes;

(4) consistent with the principles of inherent tribal sovereignty and the special relationship between Indian tribes and the United States, Indian tribes retain the right to enter into contracts and agreements to trade freely, and seek enforcement of treaty and trade rights;

(5) Congress has carried out the responsibility of the United States for the protection and