

tribe, regardless of whether the block grant is for the benefit of the Indian tribe because of the status of the Indian tribe or the status of the beneficiaries the grant serves, shall be eligible to be integrated into the plan.

**(b) Program authorization**

The Secretary shall, in cooperation with the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Education, the Secretary of Energy, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Transportation, and the Secretary of Veterans Affairs, after the Secretary approves a plan submitted by an Indian tribe or tribal organization under section 3407 of this title, authorize the Indian tribe or tribal organization, as applicable, to coordinate, in accordance with the plan, federally funded employment, training, and related services programs and funding in a manner that integrates the programs and funding into a consolidated and comprehensive program.

(Pub. L. 102-477, § 5, Oct. 23, 1992, 106 Stat. 2302; Pub. L. 106-568, title XI, § 1103(b), Dec. 27, 2000, 114 Stat. 2931; Pub. L. 115-93, § 6, Dec. 18, 2017, 131 Stat. 2027.)

**Editorial Notes**

AMENDMENTS

2017—Pub. L. 115-93 amended section generally. Prior to amendment, text read as follows: “The programs that may be integrated in a demonstration project under any such plan referred to in section 3403 of this title shall include any program under which an Indian tribe is eligible for receipt of funds under a statutory or administrative formula for the purposes of assisting Indian youth and adults to succeed in the workforce, encouraging self-sufficiency, familiarizing Indian Youth and adults with the world of work, facilitating the creation of job opportunities and any services related to these activities.”

2000—Pub. L. 106-568 substituted “assisting Indian youth and adults to succeed in the workforce, encouraging self-sufficiency, familiarizing Indian Youth and adults with the world of work, facilitating the creation of job opportunities and any services related to these activities” for “job training, tribal work experience, employment opportunities, or skill development, or any program designed for the enhancement of job opportunities or employment training”.

**§ 3405. Plan requirements**

A plan submitted to the Secretary for approval under this chapter shall—

- (1) identify the programs to be integrated and consolidated;
- (2) be consistent with the purposes of this chapter;
- (3) describe—
  - (A) a comprehensive strategy identifying the full range of potential employment opportunities on and near the service area of the Indian tribe;
  - (B) the education, training, and related services to be provided to assist Indians to access those employment opportunities;
  - (C) the way in which services and program funds are to be integrated, consolidated, and delivered; and

(D) the results expected, including the expected number of program participants in unsubsidized employment during the second quarter after exit from the program, from the plan;

(4) identify the projected expenditures under the plan in a single budget covering all consolidated funds;

(5) identify any agency of the Indian tribe to be involved in the delivery of the services integrated under the plan;

(6) identify any statutory provisions, regulations, policies, or procedures that the Indian tribe believes need to be waived to implement the plan; and

(7) be approved by the governing body of the Indian tribe.

(Pub. L. 102-477, § 6, Oct. 23, 1992, 106 Stat. 2303; Pub. L. 115-93, § 7, Dec. 18, 2017, 131 Stat. 2028.)

**Editorial Notes**

AMENDMENTS

2017—Pub. L. 115-93 amended section generally. Prior to amendment, section related to plan requirements, consisting of eight pars.

**§ 3406. Plan review**

**(a) In general**

Upon receipt of a plan from an Indian tribe, the Secretary shall consult with—

- (1) the head of each Federal agency overseeing a program identified in the plan; and
- (2) the Indian tribe that submitted the plan.

**(b) Identification of waivers**

The parties identified in subsection (a) shall identify any waivers of applicable statutory, regulatory, or administrative requirements, or of Federal agency policies or procedures necessary to enable the Indian tribe to efficiently implement the plan.

**(c) Tribal waiver request**

In consultation with the Secretary, a participating Indian tribe may request that the head of each affected agency waive any statutory, regulatory, or administrative requirement, policy, or procedure identified subsection<sup>1</sup> (b).

**(d) Waiver authority**

**(1) In general**

Except as provided in paragraph (2), notwithstanding any other provision of law, the head of each affected Federal agency shall waive any applicable statutory, regulatory, or administrative requirement, regulation, policy, or procedure promulgated by the agency that has been identified by the parties under subparagraph<sup>2</sup> (b).

**(2) Exception**

The head of an affected Federal agency shall not grant a waiver under paragraph (1) if the head of the affected agency determines that a waiver will be inconsistent with—

- (A) the purposes of this chapter; or
- (B) the provision of law from which the program included in the plan derives its au-

<sup>1</sup> So in original.

<sup>2</sup> So in original. Probably should be “subsection”.