

**§ 137.60**

funding agreement, Title V, or this part.

**Subpart F—Statutorily Mandated Grants**

**§ 137.60 May a statutorily mandated grant be added to a funding agreement?**

Yes, in accordance with section 505(b)(2) of the Act [25 U.S.C. 458aaa-4(b)(2)], a statutorily mandated grant may be added to the funding agreement after award.

**§ 137.65 May a Self-Governance Tribe receive statutorily mandated grant funding in an annual lump sum advance payment?**

Yes, grant funds shall be added to the funding agreement as an annual lump sum advance payment after the grant is awarded.

**§ 137.66 May a Self-Governance Tribe keep interest earned on statutorily mandated grant funds?**

Yes, a Self-Governance Tribe may keep Interest Earned on Statutorily Mandated Grant Funds.

**§ 137.67 How may a Self-Governance Tribe use interest earned on statutorily mandated grant funds?**

Interest earned on such funds must be used to enhance the grant program including allowable administrative costs.

**§ 137.68 May funds from a statutorily mandated grant added to a funding agreement be reallocated?**

No, unless it is permitted under the statute authorizing the grant or under the terms and conditions of the grant award, funds from a statutorily mandated grant may not be reallocated.

**§ 137.69 May a statutorily mandated grant program added to a funding agreement be redesigned?**

No, unless it is permitted under the statute authorizing the grant or under the terms and conditions of the grant award, a program added to a funding agreement under a statutorily mandated grant may not be redesigned.

**42 CFR Ch. I (10–1–10 Edition)**

**§ 137.70 Are the reporting requirements different for a statutorily mandated grant program added to a funding agreement?**

Yes, the reporting requirements for a statutorily mandated grant program added to a funding agreement are subject to the terms and conditions of the grant award.

**§ 137.71 May the Secretary and the Self-Governance Tribe develop separate programmatic reporting requirements for statutorily mandated grants?**

Yes, the Secretary and the Self-Governance Tribe may develop separate programmatic reporting requirements for statutorily mandated grants.

**§ 137.72 Are Self-Governance Tribes and their employees carrying out statutorily mandated grant programs added to a funding agreement covered by the Federal Tort Claims Act (FTCA)?**

Yes, Self-Governance Tribes and their employees carrying out statutorily mandated grant programs are added to a funding agreement covered by the FTCA. Regulations governing coverage under the FTCA are published at 25 CFR Part 900, Subpart M.

**§ 137.73 What provisions of Title V apply to statutorily mandated grants added to the funding agreement?**

None of the provisions of Title V apply.

**Subpart G—Funding**

**GENERAL**

**§ 137.75 What funds must the Secretary transfer to a Self-Governance Tribe in a funding agreement?**

Subject to the terms of any compact or funding agreement, the Secretary must transfer to a Tribe all funds provided for in the funding agreement, pursuant to section 508(c) of the Act [25 U.S.C. 458aaa-7(c)] and § 137.80. The Secretary shall provide funding for periods covered by joint resolution adopted by Congress making continuing appropriations, to the extent permitted by such resolutions.