

SUBCHAPTER IV—AMERICAN INDIAN POST-SECONDARY ECONOMIC DEVELOPMENT SCHOLARSHIP

§§ 3351 to 3355. Repealed. Pub. L. 105-332, § 6(b)(1), Oct. 31, 1998, 112 Stat. 3128

Section 3351, Pub. L. 102-325, title XIII, §1361, July 23, 1992, 106 Stat. 813, related to American Indian Post-Secondary Economic Development Scholarship.

Section 3352, Pub. L. 102-325, title XIII, §1362, July 23, 1992, 106 Stat. 813, related to Indian scholarships.

Section 3353, Pub. L. 102-325, title XIII, §1363, July 23, 1992, 106 Stat. 813, related to scholarship conditions.

Section 3354, Pub. L. 102-325, title XIII, §1364, July 23, 1992, 106 Stat. 815, required annual reports by Indian tribes receiving grants.

Section 3355, Pub. L. 102-325, title XIII, §1365, July 23, 1992, 106 Stat. 815, authorized appropriations.

SUBCHAPTER V—AMERICAN INDIAN TEACHER TRAINING

§ 3371. Repealed. Pub. L. 105-332, § 6(b)(1), Oct. 31, 1998, 112 Stat. 3128

Section, Pub. L. 102-325, title XIII, §1371, July 23, 1992, 106 Stat. 815; Pub. L. 105-244, title I, §102(a)(8)(D), Oct. 7, 1998, 112 Stat. 1619, related to American Indian teacher training.

CHAPTER 36—INDIAN EMPLOYMENT, TRAINING AND RELATED SERVICES

- Sec.
- 3401. Statement of purpose.
- 3402. Definitions.
- 3403. Integration of services authorized.
- 3404. Programs affected.
- 3405. Plan requirements.
- 3406. Plan review.
- 3407. Plan approval; Secretarial authority; review of decision.
- 3408. Job creation activities authorized.
- 3409. Employer training placements.
- 3410. Federal responsibilities.
- 3411. No reduction in amounts.
- 3412. Transfer of funds.
- 3413. Administration of funds.
- 3414, 3415. Repealed.
- 3416. Labor market information on Indian work force.
- 3417. Assignment of Federal personnel to State Indian economic development programs.

§ 3401. Statement of purpose

The purpose of this chapter is to facilitate the ability of Indian tribes and tribal organizations to integrate the employment, training and related services they provide from diverse Federal sources in order to improve the effectiveness of those services, reduce joblessness in Indian communities, and serve tribally determined goals consistent with the policy of self-determination, while reducing administrative, reporting, and accounting costs.

(Pub. L. 102-477, § 2, Oct. 23, 1992, 106 Stat. 2302; Pub. L. 115-93, § 3, Dec. 18, 2017, 131 Stat. 2026.)

Editorial Notes

AMENDMENTS

2017—Pub. L. 115-93 substituted “The purpose of this chapter is to facilitate the ability of Indian tribes and tribal organizations to” for “The purposes of this chapter are to demonstrate how Indian tribal governments can” and “, and serve tribally determined” for “and

serve tribally-determined” and inserted “from diverse Federal sources” after “they provide” and “, while reducing administrative, reporting, and accounting costs” after “self-determination”.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-93, § 1, Dec. 18, 2017, 131 Stat. 2026, provided that: “This Act [amending this section and sections 3402 to 3407, 3409 to 3413, 3416, and 3417 of this title, repealing sections 3414 and 3415 of this title, and enacting and amending provisions set out as notes under this section] may be cited as the ‘Indian Employment, Training and Related Services Consolidation Act of 2017.’”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-568, title XI, §1101, Dec. 27, 2000, 114 Stat. 2930, provided that: “This title [amending sections 3402, 3404, and 3406 to 3408 of this title and enacting provisions set out as notes under this section] may be cited as the ‘Indian Employment, Training, and Related Services Demonstration Act Amendments of 2000.’”

SHORT TITLE

Pub. L. 102-477, § 1, Oct. 23, 1992, 106 Stat. 2302, as amended by Pub. L. 115-93, § 2(a), Dec. 18, 2017, 131 Stat. 2026, provided that: “This Act [enacting this chapter] may be cited as the ‘Indian Employment, Training and Related Services Act of 1992.’”

EFFECT OF PUB. L. 115-93

Pub. L. 115-93, § 17, Dec. 18, 2017, 131 Stat. 2037, provided that: “Nothing in this Act [see Short Title of 2017 Amendment note above] or any amendment made by this Act—

“(1) affects any plan approved under the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3401 et seq.) (as so redesignated) before the date of enactment of this Act [Dec. 18, 2017];

“(2) requires any Indian tribe or tribal organization to resubmit a plan described in paragraph (1); or

“(3) modifies the effective period of any plan described in paragraph (1).”

REFERENCES

Pub. L. 115-93, § 2(b), Dec. 18, 2017, 131 Stat. 2026, provided that: “Any reference in law to the ‘Indian Employment, Training and Related Services Demonstration Act of 1992’ shall be deemed to be a reference to the ‘Indian Employment, Training and Related Services Act of 1992.’”

CONGRESSIONAL FINDINGS AND PURPOSES

Pub. L. 106-568, title XI, §1102, Dec. 27, 2000, 114 Stat. 2931, provided that:

“(a) FINDINGS.—The Congress finds that—

“(1) [sic] Indian tribes and Alaska Native organizations that have participated in carrying out programs under the Indian Employment, Training, and Related Services Demonstration Act of 1992 [now Indian Employment, Training, and Related Services Act of 1992] (25 U.S.C. 3401 et seq.) have—

“(A) improved the effectiveness of employment-related services provided by those tribes and organizations to their members;

“(B) enabled more Indian and Alaska Native people to prepare for and secure employment;

“(C) assisted in transitioning tribal members from welfare to work; and

“(D) otherwise demonstrated the value of integrating employment, training, education and related services. [sic]

“(E) the initiatives under the Indian Employment, Training, and Related Services Demonstration Act of 1992 should be strengthened by ensuring that all Federal programs that emphasize the value

of work may be included within a demonstration program of an Indian or Alaska Native organization; and

“(F) the initiatives under the Indian Employment, Training, and Related Services Demonstration Act of 1992 should have the benefit of the support and attention of the officials with policy-making authority of—

“(i) the Department of the Interior; or

“(ii) other Federal agencies that administer programs covered by the Indian Employment, Training, and Related Services Demonstration Act of 1992.

“(b) PURPOSES.—The purposes of this title [see Short Title of 2000 Amendment note above] are to demonstrate how Indian tribal governments can integrate the employment, training, and related services they provide in order to improve the effectiveness of those services, reduce joblessness in Indian communities, foster economic development on Indian lands, and serve tribally-determined goals consistent with the policies of self-determination and self-governance.”

REPORT ON EXPANDING OPPORTUNITIES FOR PROGRAM INTEGRATION

Pub. L. 106-568, title XI, §1104, Dec. 27, 2000, 114 Stat. 2932, provided that not later than 1 year after Dec. 27, 2000, the Secretary, the Secretary of Health and Human Services, the Secretary of Labor, and the tribes and organizations participating in the integration initiative under title XI of Pub. L. 106-568 (see Short Title of 2000 Amendment note above) would submit a report to Congress on the opportunities for expanding the integration of human resource development and economic development programs under such title, and the feasibility of establishing Joint Funding Agreements to authorize tribes to access and coordinate funds and resources from various agencies for human resources development, physical infrastructure development, and economic development assistance.

§ 3402. Definitions

For the purposes of this chapter, the following definitions apply:

(1) Federal agency

The term “federal¹ agency” has the same meaning given the term “agency” in section 551(1) of title 5.

(2) Indian tribe

(A) In general

The terms “Indian tribe” and “tribe” have the meaning given the term “Indian tribe” in section 5304 of this title.

(B) Inclusion

The term “Indian tribe” includes tribal organizations (as defined in section 5304 of this title).

(3) Indian

The term “Indian” shall have the meaning given such term in section 5304(d) of this title.

(4) Program

The term “program” means a program described in section 3404(a) of this title.

(5) Secretary

Except where otherwise provided, the term “Secretary” means the Secretary of the Interior.

(Pub. L. 102-477, §3, Oct. 23, 1992, 106 Stat. 2302; Pub. L. 106-568, title XI, §1103(a), Dec. 27, 2000,

114 Stat. 2931; Pub. L. 115-93, §4, Dec. 18, 2017, 131 Stat. 2026.)

Editorial Notes

AMENDMENTS

2017—Par. (2). Pub. L. 115-93, §4(1), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “The terms ‘Indian tribe’ and ‘tribe’ shall have the meaning given the term ‘Indian tribe’ in section 5304(e) of this title.”

Pars. (4), (5). Pub. L. 115-93, §4(2), (3), added par. (4) and redesignated former par. (4) as (5).

2000—Pub. L. 106-568 added par. (1) and redesignated former pars. (1) to (3) as (2) to (4), respectively.

§ 3403. Integration of services authorized

The Secretary shall, after approving a plan submitted by an Indian tribe in accordance with section 3407 of this title, authorize the Indian tribe to, in accordance with the plan—

(1) integrate the programs and Federal funds received by the Indian tribe in accordance with waiver authority granted under section 3406(d) of this title; and

(2) coordinate the employment, training, and related services provided with those funds in a consolidated and comprehensive tribal plan.

(Pub. L. 102-477, §4, Oct. 23, 1992, 106 Stat. 2302; Pub. L. 115-93, §5, 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 Secretary of the Interior, in cooperation with the appropriate Secretary of Labor, Secretary of Health and Human Services, or Secretary of Education, shall, upon the receipt of a plan acceptable to the Secretary of the Interior submitted by an Indian tribal government, authorize the tribal government to coordinate, in accordance with such plan, its federally funded employment, training, and related services programs in a manner that integrates the program services involved into a single, coordinated, comprehensive program and reduces administrative costs by consolidating administrative functions.”

§ 3404. Programs affected

(a) Programs affected

(1) In general

The programs that may be integrated pursuant to a plan approved under section 3407 of this title shall be only programs—

(A) implemented for the purpose of—

- (i) job training;
- (ii) welfare to work and tribal work experience;
- (iii) creating or enhancing employment opportunities;
- (iv) skill development;
- (v) assisting Indian youth and adults to succeed in the workforce;
- (vi) encouraging self-sufficiency;
- (vii) familiarizing individual participants with the world of work;
- (viii) facilitating the creation of job opportunities;
- (ix) economic development; or
- (x) any services related to the activities described in clauses (i) through (x); and

¹ So in original. Probably should be capitalized.