

113TH CONGRESS  
1ST SESSION

# S. 1574

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2013

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Indian Employment, Training and Related Services Con-  
6 solidation Act of 2013”.

1 (b) REFERENCES.—Except as otherwise expressly  
2 provided, wherever in this Act an amendment or repeal  
3 is expressed in terms of an amendment to, or repeal of,  
4 a section or other provision, the reference shall be consid-  
5 ered to be made to a section or other provision of the In-  
6 dian Employment, Training and Related Services Dem-  
7 onstration Act of 1992 (25 U.S.C. 3401 et seq.).

8 **SEC. 2. STATEMENT OF PURPOSE.**

9 Section 2 (25 U.S.C. 3401) is amended—

10 (1) by striking “The purposes of this Act are  
11 to demonstrate how Indian tribal governments can”  
12 and inserting “The purpose of this Act is to facili-  
13 tate the ability of Indian tribes to”;

14 (2) by inserting “from diverse Federal sources”  
15 after “they provide”;

16 (3) by striking “and serve tribally-determined”  
17 and inserting “, serve tribally determined”; and

18 (4) by inserting “, reduce administrative, re-  
19 porting, and accounting costs, and make permanent  
20 any demonstration project under any plan referred  
21 to in section 4” before the period at the end.

22 **SEC. 3. DEFINITIONS.**

23 Section 3 (25 U.S.C. 3402) is amended by adding  
24 at the end the following:

1           “(5) TRIBAL ORGANIZATION.—The term ‘tribal  
2           organization’ has the meaning given the term in sec-  
3           tion 4 of the Indian Self-Determination and Edu-  
4           cation Assistance Act (25 U.S.C. 450b).”.

5 **SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.**

6           Section 4 (25 U.S.C. 3403) is amended to read as  
7 follows:

8 **“SEC. 4. INTEGRATION OF SERVICES AUTHORIZED.**

9           “(a) AUTHORIZATION.—The Secretary shall, in co-  
10 operation with the Attorney General, the Secretary of Ag-  
11 riculture, the Secretary of Commerce, the Secretary of  
12 Education, the Secretary of Energy, the Secretary of  
13 Health and Human Services, the Secretary of Homeland  
14 Security, the Secretary of Housing and Urban Develop-  
15 ment, the Secretary of Labor, the Secretary of Transpor-  
16 tation, and the Secretary of Veterans Affairs, after the  
17 Secretary approves a plan submitted by an Indian tribe  
18 or tribal organization under section 8, authorize the In-  
19 dian tribe or tribal organization, as applicable, to coordi-  
20 nate, in accordance with the plan, Federally funded em-  
21 ployment, training, and related services programs in a  
22 manner that integrates the programs into a consolidated  
23 and comprehensive program.

24           “(b) SINGLE INTEGRATED PLAN.—Consistent with  
25 section 8, after the Secretary approves a plan submitted

1 by an Indian tribe or tribal organization, the Indian tribe  
2 or tribal organization shall not be required to submit any  
3 additional budget, report, audit, supplemental audit, or  
4 other documentation.”.

5 **SEC. 5. PROGRAMS AFFECTED AND TRANSFER OF FUNDS.**

6 Section 5 (25 U.S.C. 3404) is amended to read as  
7 follows:

8 **“SEC. 5. PROGRAMS AFFECTED.**

9 “(a) IN GENERAL.—The programs that may be inte-  
10 grated into a project under a plan described in section 4  
11 shall include—

12 “(1) any program under which an Indian tribe  
13 or tribal organization is eligible for receipt of funds  
14 under a statutory or administrative formula;

15 “(2) any funds to which an Indian tribe, tribal  
16 organization, or members of an Indian tribe or tribal  
17 organization may be under Federal law;

18 “(3) any funds an Indian tribe or tribal organi-  
19 zation may secure as a result of a competitive proc-  
20 ess, a noncompetitive process, or a specific designa-  
21 tion; and

22 “(4) any program under which block grant  
23 funds may be provided to an Indian tribe or tribal  
24 organization, regardless of whether the block grant  
25 is for the benefit of the Indian tribe or tribal organi-

1 zation because of the status of the Indian tribe or  
2 tribal organization or the status of the beneficiaries  
3 the grant serves, that are made available for the  
4 purposes of—

5 “(A) job training;

6 “(B) welfare to work and tribal work expe-  
7 rience;

8 “(C) creating or enhancing employment  
9 opportunities;

10 “(D) higher education;

11 “(E) skill development;

12 “(F) assisting Indian youth and adults to  
13 succeed in the workforce;

14 “(G) encouraging self-sufficiency;

15 “(H) familiarizing individual participants  
16 with the world of work;

17 “(I) facilitating the creation of job oppor-  
18 tunities; and

19 “(J) any services related to the activities  
20 described in subparagraphs (A) through (I).

21 “(b) TRANSFER OF FUNDS.—Notwithstanding any  
22 other provision of law, all funds for programs and services  
23 covered by an approved plan shall, at the request of the  
24 Indian tribe or tribal organization, be transferred to the  
25 Indian tribe or tribal organization pursuant to an existing

1 contract, compact, or funding agreement awarded pursu-  
2 ant to the title I or IV of the Indian Self-Determination  
3 and Education Assistance Act (25 U.S.C. 450 et seq.).”.

4 **SEC. 6. PLAN REVIEW; WAIVER AUTHORITY; AND DISPUTE**  
5 **RESOLUTION.**

6 Section 7 (25 U.S.C. 3406) is amended to read as  
7 follows:

8 “(a) IN GENERAL.—Upon receipt of a plan from an  
9 Indian tribe or tribal organization, the Secretary shall con-  
10 sult with—

11 “(1) the head of each Federal agency providing  
12 funds to be used to implement the plan; and

13 “(2) the Indian tribe or tribal organization that  
14 submitted the plan.

15 “(b) IDENTIFICATION OF WAIVERS.—The parties de-  
16 scribed in subsection (a) shall identify any waivers of ap-  
17 plicable statutory, regulatory, or administrative require-  
18 ments, or of Federal agency policies or procedures nec-  
19 essary to enable the Indian tribe or tribal organization to  
20 efficiently implement the plan.

21 “(c) TRIBAL WAIVER REQUEST.—In consultation  
22 with the Secretary, a participating Indian tribe or tribal  
23 organization may request the head of each affected agency  
24 to waive any statutory, regulatory, administrative require-  
25 ment, policy, or procedure identified subsection (b).

1 “(d) WAIVER AUTHORITY.—

2 “(1) IN GENERAL.—Except as provided in para-  
3 graph (2), notwithstanding any other provision of  
4 law, the head of each affected agency shall waive  
5 any applicable statutory, regulatory, administrative  
6 requirement, regulation, policy, or procedure promul-  
7 gated by the agency that has been identified by the  
8 parties under subparagraph (b).

9 “(2) EXCEPTION.—The head of an affected  
10 agency shall not grant a waiver under paragraph (1)  
11 if the head of the affected agency determines that a  
12 waiver will be inconsistent with the purposes of this  
13 Act.

14 “(e) DECISION ON WAIVER REQUEST.—

15 “(1) IN GENERAL.—Not later than 90 days  
16 after the head of an affected agency receives a waiv-  
17 er request, the head of the affected agency shall de-  
18 cide whether to grant or deny the request.

19 “(2) DENIAL OF REQUEST.—If the head of the  
20 affected agency denies a waiver request, not later  
21 than 90 days after the date on which the denial is  
22 made, the head of the affected agency shall provide  
23 the requesting Indian tribe or tribal organization  
24 and the Secretary with written notice of the denial  
25 and the reasons for the denial.

1           “(3) FAILURE TO ACT ON REQUEST.—If the  
2 head of an affected agency does not make a decision  
3 under paragraph (1) within 90 days after the date  
4 on which the head of the affected agency receives  
5 the waiver request, the request shall be granted.

6           “(f) SECRETARIAL REVIEW.—If the head of an af-  
7 fected agency denies a waiver request under subsection  
8 (e)(2), not later than 10 days after the date on which the  
9 request is denied, the Secretary shall review the denial and  
10 determine whether granting the waiver—

11           “(1) will be inconsistent with the provisions of  
12 the Act; or

13           “(2) will prevent the affected agency from ful-  
14 filling its obligations under the Act.

15           “(g) INTERAGENCY DISPUTE RESOLUTION.—

16           “(1) IN GENERAL.—Not later than 20 days  
17 after the date on which the Secretary determines  
18 that granting the waiver will not be inconsistent  
19 with the provisions of the Act and would not prevent  
20 the lead agency from fulfilling its obligations under  
21 the Act, the Secretary shall establish and initiate an  
22 interagency dispute resolution process involving—

23           “(A) the Secretary;

24           “(B) the participating Indian tribe or trib-  
25 al organization; and



1 “(C) the head of the affected agency.

2 “(2) DURATION.—A dispute subject to para-  
3 graph (1) shall be resolved not later than 30 days  
4 after the date on which the process is initiated.

5 “(h) FINAL AUTHORITY.—If the dispute resolution  
6 process fails to resolve the dispute between a participating  
7 Indian tribe or tribal organization and an affected agency,  
8 the head of the affected agency shall have the final author-  
9 ity to resolve the dispute.

10 “(i) FINAL DECISION.—Not later than 10 days after  
11 the date on which the dispute is resolved under this sec-  
12 tion, the Secretary shall inform the requesting Indian tribe  
13 or tribal organization—

14 “(1) the final decision on the waiver request;  
15 and

16 “(2) notice of the right to file an appeal to the  
17 final decision in an appropriate district court of the  
18 United States.”.

19 **SEC. 7. PLAN APPROVAL; SECRETARIAL AUTHORITY; RE-**  
20 **VIEW OF DECISION.**

21 Section 8 (25 U.S.C. 3407) is amended to read as  
22 follows:

23 “(a) PLAN REQUIREMENTS.—A plan submitted to  
24 the Secretary for approval under this Act shall—

1           “(1) identify the programs to be integrated and  
2 consolidated;

3           “(2) be consistent with the purposes of this Act;

4           “(3) describe—

5                 “(A) a comprehensive strategy identifying  
6 the full range of potential employment opportu-  
7 nities on and near the service area of the In-  
8 dian tribe or tribal organization;

9                 “(B) the education, training, and related  
10 services to be provided to assist Indians to ac-  
11 cess those employment opportunities;

12                 “(C) the way in which services are to be  
13 integrated, consolidated, and delivered; and

14                 “(D) the results expected from the plan;

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

18           “(5) identify any agency of the Indian tribe or  
19 tribal organization to be involved in the delivery of  
20 the services integrated under the plan;

21           “(6) identify any statutory provisions, regula-  
22 tions, policies, or procedures that the Indian tribe or  
23 tribal organization believes need to be waived to im-  
24 plement the plan; and

1           “(7) be approved by the governing body of the  
2 Indian tribe or tribal organization.

3           “(b) EXCLUSIVE AUTHORITY OF THE SECRETARY.—  
4 The Secretary shall have exclusive authority to approve  
5 or disapprove a plan submitted by an Indian tribe or tribal  
6 organization in accordance with section 7.

7           “(c) APPROVAL PROCESS.—

8           “(1) IN GENERAL.—Not later than 90 days  
9 after the date on which the Secretary receives a  
10 plan, the Secretary shall approve or deny the plan,  
11 including any request for a waiver that is made as  
12 part of the plan.

13           “(2) APPROVAL.—If the Secretary approves a  
14 plan under paragraph (1), the Secretary shall au-  
15 thorize the transfer of funds under the plan.

16           “(3) DENIAL.—If the Secretary denies the plan  
17 under paragraph (1), the Secretary shall provide to  
18 the Indian tribe or tribal organization a written noti-  
19 fication of disapproval of the plan that contains a  
20 specific finding that clearly demonstrates that, or  
21 that is supported by a controlling legal authority,  
22 the plan does not meet the requirements set forth in  
23 subsection (a).

24           “(4) FAILURE TO ACT.—If the Secretary does  
25 not make a decision under paragraph (1) within 90

1 days after the date on which the Secretary receives  
2 the plan, the plan shall be approved.

3 “(d) EXTENSION OF TIME.—Notwithstanding any  
4 other provision of law, the Secretary may extend or other-  
5 wise alter the 90-day period specified in subsection (c)(1)  
6 above, if before the expiration of the period, the Secretary  
7 obtains the express written consent of the Indian tribe or  
8 tribal organization to extend or alter the period for up to  
9 90 additional days.

10 “(e) APPLICABILITY.—If the Secretary denies the  
11 plan under subsection (c)(1), the following shall apply:

12 “(1) Subsections (b) and (e) of section 102 of  
13 the Indian Self-Determination Act (25 U.S.C. 450f).

14 “(2) Subsections (a) and (c) of section 110 of  
15 that Act (25 U.S.C. 450m–1).”.

16 **SEC. 8. JOB CREATION ACTIVITIES AUTHORIZED.**

17 Section 9 (25 U.S.C. 3408) is amended—

18 (1) in subsection (a)—

19 (A) by striking “a tribal government may”  
20 and inserting “an Indian tribe or tribal organi-  
21 zation may”;

22 (B) by striking “tribal government or of  
23 individual Indian people” and inserting “Indian  
24 tribes, tribal organizations, or Indians”; and

1           (C) by striking “an overall regional eco-  
2           nomic activity which has a reasonable likelihood  
3           of success and consistent with the purposes spe-  
4           cifically applicable to Indian programs in the  
5           statute under which the funds are authorized”  
6           and inserting “the plan”;

7           (2) by striking subsection (b) and inserting the  
8           following:

9           “(b) **JOB CREATION OPPORTUNITIES.**—Notwith-  
10          standing any other provision of law, including any require-  
11          ment of a program that is integrated under a plan under  
12          this Act, an Indian tribe or tribal organization may use  
13          the funds made available under this Act for the creation  
14          of employment opportunities, including providing private  
15          sector training placement under section 10.”; and

16          (3) by striking subsection (c).

17          **SEC. 9. EMPLOYER TRAINING PLACEMENTS.**

18          Section 10 (25 U.S.C. 3409) is amended to read as  
19          follows:

20          **“SEC. 10. EMPLOYER TRAINING PLACEMENTS.**

21          “(a) **IN GENERAL.**—Subject to subsection (b), an In-  
22          dian tribe or tribal organization that has in place an ap-  
23          proved plan under this Act may use the funds made avail-  
24          able under the plan—

1           “(1) to place participants in training positions  
2 with employers; and

3           “(2) to pay the participants a training allow-  
4 ance or wage for a training period of not more than  
5 1 year.

6           “(b) REQUIREMENTS.—An Indian tribe or tribal or-  
7 ganization may carry out subsection (a) only if the tribe  
8 or tribal organization enters into a written agreement with  
9 each applicable employer under which the employer shall  
10 agree—

11           “(1) to provide on-the-job training to the par-  
12 ticipants; and

13           “(2) on satisfactory completion of the training  
14 period described in subsection (a)(2), to prioritize  
15 the provision of permanent employment to the par-  
16 ticipants.”.

17 **SEC. 10. FEDERAL RESPONSIBILITIES.**

18           Section 11 (25 U.S.C. 3410) is amended to read as  
19 follows:

20 **“SEC. 11. FEDERAL RESPONSIBILITIES.**

21           “(a) LEAD AGENCY.—

22           “(1) IN GENERAL.—Notwithstanding any other  
23 provision of law, the lead agency for each program  
24 carried out under this Act shall be the Bureau of In-  
25 dian Affairs.

1           “(2) INCLUSIONS.—The responsibilities of the  
2 Director of the Bureau of Indian Affairs in carrying  
3 out this Act shall include—

4           “(A) the development of a single model re-  
5 port for each Indian tribe and tribal organiza-  
6 tion that has in place an approved plan under  
7 this Act to submit to the Director reports on  
8 any consolidated activities undertaken and joint  
9 expenditures made under the plan;

10           “(B) the provision, directly or through con-  
11 tract, of appropriate voluntary and technical as-  
12 sistance to participating tribes and tribal orga-  
13 nizations;

14           “(C) the development and use of a single  
15 monitoring and oversight system for plans ap-  
16 proved under this Act;

17           “(D)(i) the receipt of all funds covered by  
18 a plan approved under this Act; and

19           “(ii) distribution of the funds to the re-  
20 spective Indian tribes and tribal organizations  
21 by not later than 20 days after the date of re-  
22 ceipt of the funds from the appropriate Federal  
23 department or agency; and

1           “(E)(i) the performance of activities de-  
2           scribed in section 7 relating to agency waivers;  
3           and

4           “(ii) the establishment of an interagency  
5           dispute resolution process.

6           “(3) INCORPORATION OF SELF-DETERMINA-  
7           TION.—

8           “(A) IN GENERAL.—At the election of an  
9           Indian tribe or tribal organization that has in  
10          place an approved plan under this Act, the plan  
11          may incorporate any provision of the Indian  
12          Self-Determination Act (25 U.S.C. 450f et  
13          seq.).

14          “(B) EFFECT.—On incorporation of a pro-  
15          vision under subparagraph (A), the provision  
16          shall have the same force and effect as if incor-  
17          porated in this Act.

18          “(4) MEMORANDUM OF AGREEMENT.—

19          “(A) IN GENERAL.—Not later than 1 year  
20          after the date of enactment of the Indian Em-  
21          ployment, Training and Related Services Con-  
22          solidation Act of 2013, the Secretary (acting  
23          through the Director of the Bureau of Indian  
24          Affairs), in conjunction with the Secretaries of  
25          Agriculture, Commerce, Education, Energy,



1 Health and Human Services, Homeland Secu-  
2 rity, Housing and Urban Development, Labor,  
3 Transportation, and Veterans Affairs and the  
4 Attorney General, shall enter into an inter-  
5 departmental memorandum of agreement pro-  
6 viding for the implementation of this Act.

7 “(B) INCLUSIONS.—The memorandum of  
8 agreement under subparagraph (A) shall in-  
9 clude provisions relating to—

10 “(i) an annual meeting of partici-  
11 pating Indian tribes, tribal organizations,  
12 and Federal departments and agencies, to  
13 be cochaired by—

14 “(I) a representative of the Presi-  
15 dent; and

16 “(II) a representative of the par-  
17 ticipating tribes and tribal organiza-  
18 tions;

19 “(ii) an annual review of the achieve-  
20 ments under this Act and any statutory,  
21 regulatory, administrative, or policy obsta-  
22 cles that prevent participating Indian  
23 tribes or tribal organizations from fully  
24 and efficiently carrying out the purposes of  
25 this Act; and

1           “(iii) a forum comprised of partici-  
2           pating Indian tribes, tribal organizations,  
3           and Federal departments and agencies to  
4           identify and resolve interagency conflicts  
5           and conflicts between the Federal Govern-  
6           ment and Indian tribes or tribal organiza-  
7           tions in the administration of this Act.

8           “(b) REPORT FORMAT.—

9           “(1) IN GENERAL.—The Secretary shall develop  
10          and distribute to Indian tribes and tribal organiza-  
11          tions that have in place an approved plan under this  
12          Act a single report format, in accordance with the  
13          requirements of this Act.

14          “(2) REQUIREMENTS.—The Secretary shall en-  
15          sure that the report format developed under para-  
16          graph (1), together with records maintained by each  
17          participating Indian tribe or tribal organization, con-  
18          tains information sufficient—

19                 “(A) to determine whether the tribe or  
20                 tribal organization has complied with the re-  
21                 quirements of the approved plan of the tribe or  
22                 tribal organization; and

23                 “(B) to provide assurances to the head of  
24                 each applicable Federal department or agency  
25                 that the tribe or tribal organization has com-

1           plied with all directly applicable statutory and  
2           regulatory requirements.

3           “(3) LIMITATION.—The report format devel-  
4           oped under paragraph (1) shall not require a partici-  
5           pating Indian tribe or tribal organization to report  
6           on the expenditure of funds (expressed by fund  
7           source or single agency code) transferred to the tribe  
8           or tribal organization under an approved plan under  
9           this Act.”.

10 **SEC. 11. NO REDUCTION IN AMOUNTS.**

11           Section 12 (25 U.S.C. 3411) is amended by striking  
12           “a tribal government” and all that follows through the end  
13           of the section and inserting the following: “an Indian tribe  
14           or tribal organization that has in place an approved plan  
15           under this Act be reduced as a result of—

16                   “(1) the enactment of this Act; or

17                   “(2) the approval or implementation of a plan  
18           under this Act.”.

19 **SEC. 12. INTERAGENCY TRANSFERS OF FUNDS.**

20           Section 13 (25 U.S.C. 3412) is amended to read as  
21           follows:

22 **“SEC. 13. INTERAGENCY TRANSFERS OF FUNDS.**

23           “Notwithstanding any other provision of law, not  
24           later than 20 days after the date of apportionment to the  
25           applicable department or agency, the Secretary, together

1 with the Secretaries of Agriculture, Commerce, Education,  
2 Energy, Health and Human Services, Homeland Security,  
3 Housing and Urban Development, Labor, Transportation,  
4 and Veterans Affairs and the Attorney General, as appro-  
5 priate, may transfer to the Director of the Bureau of In-  
6 dian Affairs, for distribution to an Indian tribe or tribal  
7 organization that has in place an approved plan under this  
8 Act, any funds otherwise available to the applicable de-  
9 partment or agency to achieve the purposes of this Act.”.

10 **SEC. 13. ADMINISTRATION OF FUNDS.**

11 Section 14 (25 U.S.C. 3413) is amended—

12 (1) by redesignating subsection (b) as sub-  
13 section (d);

14 (2) by striking the section designation and  
15 heading and all that follows through subsection (a)  
16 and inserting the following:

17 **“SEC. 14. ADMINISTRATION OF FUNDS.**

18 **“(a) REQUIREMENTS.—**

19 **“(1) IN GENERAL.—**The amounts used to carry  
20 out a plan approved under this Act shall be adminis-  
21 tered in such manner as the Secretary determines to  
22 be appropriate to ensure the amounts are spent on  
23 activities authorized under the plan.

24 **“(2) SEPARATE RECORDS AND AUDITS NOT RE-**  
25 **QUIRED.—**Notwithstanding any other provision of

1 law (including regulations and circulars of any agen-  
2 cy (including Office of Management and Budget Cir-  
3 cular A-133)), an Indian tribe or tribal organization  
4 that has in place an approved plan under this Act  
5 shall not be required—

6 “(A) to maintain separate records that  
7 trace any service or activity conducted under  
8 the approved plan to the program for which the  
9 funds were initially authorized or transferred;

10 “(B) to allocate expenditures among such  
11 a program; or

12 “(C) to audit expenditures by the original  
13 source of the program.

14 “(b) CARRYOVER.—Any funds transferred to an In-  
15 dian tribe or tribal organization under this Act that are  
16 not obligated or expended prior to the beginning of the  
17 fiscal year after the fiscal year for which the funds were  
18 appropriated shall remain available for obligation or ex-  
19 penditure without fiscal year limitation, subject to the con-  
20 ditions that—

21 “(1) the funds shall be obligated or expended in  
22 accordance with the approved plan of the tribe or  
23 tribal organization; and

24 “(2) the tribe or tribal organization shall not be  
25 required to provide any additional justification or

1 documentation of the purposes of the approved plan  
2 as a condition of receiving or expending the funds.

3 “(c) INDIRECT COSTS.—Notwithstanding any other  
4 provision of law, an Indian tribe or tribal organization  
5 shall be entitled to recover the entire amount of indirect  
6 costs associated with any funds transferred to the tribe  
7 or tribal organization under this Act, in accordance with  
8 the applicable indirect cost rate specified in the approved  
9 plan of the tribe or tribal organization.”; and

10 (3) in subsection (d) (as redesignated by para-  
11 graph (1))—

12 (A) by striking “All administrative” and  
13 inserting the following:

14 “(1) IN GENERAL.—All administrative”; and

15 (B) by striking “regulations)” and all that  
16 follows through the end of the subsection and  
17 inserting the following: “regulations).

18 “(2) TREATMENT.—The amount equal to the  
19 difference between the amount of the commingled  
20 funds and the actual administrative cost of the pro-  
21 grams, as described in paragraph (1), shall be con-  
22 sidered to be properly spent for Federal audit pur-  
23 poses if the amount is used to achieve the purposes  
24 of this Act.”.

1 **SEC. 14. LABOR MARKET INFORMATION ON INDIAN WORK**  
2 **FORCE.**

3 Section 17 (25 U.S.C. 3416) is amended—

4 (1) in subsection (a), in the first sentence—

5 (A) by striking “, in a consistent and reli-  
6 able manner,”; and

7 (B) by striking “, by gender,”; and

8 (2) in subsection (b)—

9 (A) in the first sentence—

10 (i) by striking “and the National Cen-  
11 ter for Native American Studies and Policy  
12 Development authorized by Public Law  
13 101–301,”; and

14 (ii) by striking “and Alaska Native  
15 population throughout the entire United  
16 States” and inserting “throughout the  
17 United States”;

18 (B) in the second sentence, by inserting “,  
19 tribal organizations,” after “Indian tribes”; and

20 (C) by striking the third sentence and in-  
21 serting the following: “The report under this  
22 subsection shall be submitted to the Committee  
23 on Indian Affairs of the Senate and the Com-  
24 mittees on Natural Resources and Education  
25 and Labor of the House of Representatives by  
26 not later than October 30, 2015.”.

1 **SEC. 15. ASSIGNMENT OF FEDERAL PERSONNEL TO STATE**  
2 **INDIAN ECONOMIC DEVELOPMENT PRO-**  
3 **GRAMS.**

4 Section 18 (25 U.S.C. 3417) is amended—

5 (1) by inserting “or tribal organizations” after  
6 “Indian tribes”; and

7 (2) by striking “1970, may deem” and inserting  
8 “1970 (42 U.S.C. 4701 et seq.), determines to be”.

9 **SEC. 16. REPEALS; CONFORMING AMENDMENTS.**

10 (a) REPEALS.—Sections 15 and 16 (25 U.S.C. 3414,  
11 3415) are repealed.

12 (b) CONFORMING AMENDMENTS.—Sections 17 and  
13 18 (25 U.S.C. 3416, 3417) (as amended by this Act) are  
14 redesignated as sections 15 and 16, respectively.

15 **SEC. 17. EFFECT OF ACT.**

16 Nothing in this Act or an amendment made by this  
17 Act—

18 (1) affects any plan approved under the Indian  
19 Employment, Training and Related Services Dem-  
20 onstration Act of 1992 (25 U.S.C. 3401 et seq.) be-  
21 fore the date of enactment of this Act;

22 (2) requires any Indian tribe or tribal organiza-  
23 tion to resubmit a plan described in paragraph (1);  
24 or



- 1 (3) modifies the effective period of any plan de-
- 2 scribed in paragraph (1).

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