

select no less than three Indian tribal governments or Alaska Native entities to participate in such demonstration projects.

**(b) Criteria**

Criteria established by the Director for the selection and participation of an Indian tribal government or Alaska Native entity in the demonstration project shall provide that in order to be eligible to participate, an Indian tribal government or Alaska Native entity must—

- (1) have one or more existing open dumps on Indian lands or Alaska Native lands which are under its authority;
- (2) have developed a comprehensive solid waste management plan for such lands; and
- (3) have developed a closure and postclosure maintenance plan for each dump located on such lands.

**(c) Duration of funding for project**

No demonstration project shall be funded for more than three fiscal years.

(Pub. L. 103-399, §7, Oct. 22, 1994, 108 Stat. 4167.)

**§ 3907. Authorization of appropriations**

**(a) General authorization**

There are authorized to be appropriated such sums as may be necessary to carry out this chapter.

**(b) Coordination**

The activities required to be performed by the Director under this chapter shall be coordinated with activities related to solid waste and sanitation facilities funded pursuant to other authorizations.

(Pub. L. 103-399, §8, Oct. 22, 1994, 108 Stat. 4168.)

**§ 3908. Disclaimers**

**(a) Authority of Director**

Nothing in this chapter shall be construed to alter, diminish, repeal, or supersede any authority conferred on the Director pursuant to section 1632 of this title, and section 2004a of title 42.

**(b) Exempted lands and facilities**

This chapter shall not apply to open dump sites on Indian lands or Alaska Native lands—

- (1) that comprise an area of one-half acre or less and that are used by individual families on lands to which they hold legal or beneficial title;
- (2) of any size that have been or are being operated for a profit; or
- (3) where solid waste from an industrial process is being or has been routinely disposed of at a privately owned facility in compliance with applicable Federal laws.

**(c) Rules of construction**

(1) Nothing in this chapter shall be construed to amend or modify the authority or responsibility of the Administrator of the Environmental Protection Agency under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) Nothing in this chapter is intended to amend, repeal, or supersede any provision of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(Pub. L. 103-399, §9, Oct. 22, 1994, 108 Stat. 4168.)

REFERENCES IN TEXT

The Solid Waste Disposal Act, referred to in subsec. (c), is title II of Pub. L. 89-272, Oct. 20, 1965, 79 Stat. 997, as amended generally by Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2795, which is classified generally to chapter 82 (§6901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6901 of Title 42 and Tables.

**CHAPTER 42—AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM**

Sec. 4001.	Definitions.
SUBCHAPTER I—RECOGNITION OF TRUST RESPONSIBILITY	
4011	Responsibility of Secretary to account for daily and annual balances of Indian trust funds. <ul style="list-style-type: none"> <li>(a) Requirement to account.</li> <li>(b) Periodic statement of performance.</li> <li>(c) Annual audit.</li> </ul>
4012.	Authority for payment of claims for interest owed.
SUBCHAPTER II—INDIAN TRUST FUND MANAGEMENT PROGRAM	
4021.	Purpose.
4022.	Voluntary withdrawal from trust funds program. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Approval of plan.</li> <li>(c) Dissolution of trust responsibility.</li> </ul>
4023.	Judgment funds. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Limitation.</li> <li>(c) Secretarial duties.</li> </ul>
4024.	Technical assistance.
4025.	Grant program. <ul style="list-style-type: none"> <li>(a) General authority.</li> <li>(b) Use of funds.</li> </ul>
4026.	Return of withdrawn funds.
4027.	Savings provision.
4028.	Report to Congress.
4029.	Regulations. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Effect.</li> </ul>
SUBCHAPTER III—SPECIAL TRUSTEE FOR AMERICAN INDIANS	
4041.	Purposes.
4042.	Office of Special Trustee for American Indians. <ul style="list-style-type: none"> <li>(a) Establishment.</li> <li>(b) Special Trustee.</li> <li>(c) Termination of Office.</li> </ul>
4043.	Authorities and functions of Special Trustee. <ul style="list-style-type: none"> <li>(a) Comprehensive strategic plan.</li> <li>(b) Duties.</li> <li>(c) Coordination of policies.</li> <li>(d) Problem resolution.</li> <li>(e) Special Trustee access.</li> <li>(f) Annual report.</li> </ul>
4044.	Reconciliation report.
4045.	Staff and consultants. <ul style="list-style-type: none"> <li>(a) Staff.</li> <li>(b) Contracts.</li> </ul>
4046.	Advisory board. <ul style="list-style-type: none"> <li>(a) Establishment and membership.</li> <li>(b) Term.</li> <li>(c) FACA.</li> <li>(d) Termination.</li> </ul>
SUBCHAPTER IV—AUTHORIZATION OF APPROPRIATIONS	
4061.	Authorization of appropriations.