

gram, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 7475 to 7480 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 7475, Pub. L. 89-10, title VII, §7145, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3734, related to graduate fellowships in bilingual education program.

Section 7476, Pub. L. 89-10, title VII, §7146, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3735, related to application for professional development award. See section 6951 of this title.

Section 7477, Pub. L. 89-10, title VII, §7147, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, set forth program requirements.

Section 7478, Pub. L. 89-10, title VII, §7148, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, authorized payment of stipends to persons participating in programs.

Section 7479, Pub. L. 89-10, title VII, §7149, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to program evaluations. See section 6951 of this title.

Section 7480, Pub. L. 89-10, title VII, §7150, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, related to use of funds for second language competence.

SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

§ 7491. Definitions

For the purposes of this part:

(1) **Adult**

The term “adult” means an individual who—

- (A) has attained the age of 16 years; or
- (B) has attained an age that is greater than the age of compulsory school attendance under an applicable State law.

(2) **Free public education**

The term “free public education” means education that is—

- (A) provided at public expense, under public supervision and direction, and without tuition charge; and
- (B) provided as elementary or secondary education in the applicable State or to preschool children.

(3) **Indian**

The term “Indian” means an individual who is—

- (A) a member of an Indian tribe or band, as membership is defined by the tribe or band, including—
  - (i) any tribe or band terminated since 1940; and
  - (ii) any tribe or band recognized by the State in which the tribe or band resides;
- (B) a descendant, in the first or second degree, of an individual described in subparagraph (A);
- (C) considered by the Secretary of the Interior to be an Indian for any purpose;
- (D) an Eskimo, Aleut, or other Alaska Native; or
- (E) a member of an organized Indian group that received a grant under the Indian Education Act of 1988 as in effect the day preceding October 20, 1994.

(Pub. L. 89-10, title VII, §7151, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1931.)

REFERENCES IN TEXT

The Indian Education Act of 1988, as in effect the day preceding October 20, 1994, referred to in par. (3)(E), is part C (§§5301-5352) of title V of Pub. L. 100-297, Apr. 28, 1988, 102 Stat. 395, which was classified principally to chapter 28 (§2601 et seq.) of Title 25, Indians, prior to repeal by Pub. L. 103-382, title III, §367, Oct. 20, 1994, 108 Stat. 3976.

PRIOR PROVISIONS

A prior section 7491, Pub. L. 89-10, title VII, §7161, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3736, set forth special rule relating to transition, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7492. Authorizations of appropriations

(a) **Subpart 1**

For the purpose of carrying out subpart 1 of this part, there are authorized to be appropriated \$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(b) **Subparts 2 and 3**

For the purpose of carrying out subparts 2 and 3 of this part, there are authorized to be appropriated \$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

(Pub. L. 89-10, title VII, §7152, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1932.)

PART B—NATIVE HAWAIIAN EDUCATION

§ 7511. Short title

This part may be cited as the “Native Hawaiian Education Act”.

(Pub. L. 89-10, title VII, §7201, as added Pub. L. 107-110, title VII, §701, Jan. 8, 2002, 115 Stat. 1932.)

PRIOR PROVISIONS

Provisions naming former part B (§7901 et seq.) of subchapter IX of this chapter as the “Native Hawaiian Education Act” were contained in section 7901 of this title, prior to the general amendment of subchapter IX by Pub. L. 107-110.

A prior section 7511, Pub. L. 89-10, title VII, §7201, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3737, set forth short title of the Foreign Language Assistance Act of 1994, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 7512. Findings

Congress finds the following:

(1) Native Hawaiians are a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago, whose society was organized as a nation and internationally recognized as a nation by the United States, Britain, France, and Japan, as evidenced by treaties governing friendship, commerce, and navigation.

(2) At the time of the arrival of the first non-indigenous people in Hawaii in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient subsistence social system based on a communal land tenure system with a sophisticated language, culture, and religion.