

Subsec. (a)(3). Pub. L. 102-573, § 703(7), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “For the purpose of providing the assistance required by this subsection, there are authorized to be appropriated—

“(A) \$500,000 under paragraph (1)(A) for each of the fiscal years 1989, 1990, 1991, and 1992, and

“(B) \$450,000 under paragraph (1)(B) for each of the fiscal years 1989 and 1990.”

Subsec. (b). Pub. L. 102-573, § 703(8), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

“(1) The Secretary of the Interior, in cooperation with appropriate Federal, tribal, and State and local law enforcement agencies, shall establish and implement a program for the eradication of marijuana cultivation within Indian country as defined in section 1152 of title 18. The Secretary shall establish a priority for the use of funds appropriated under subsection (b) of this section for those Indian reservations where the scope of the problem is most critical, and such funds shall be available for contracting by Indian tribes pursuant to the Indian Self-Determination Act.

“(2) AUTHORIZATION.—For the purpose of establishing the program required by paragraph (1), there are authorized to be appropriated \$500,000 for each of the fiscal years 1989, 1990, 1991, and 1992.”

1988—Pub. L. 100-690, § 2208(a), substituted “Tohono O’odham and St. Regis Reservations;” for “Papago Reservation;” in section catchline.

Subsec. (a). Pub. L. 100-690, § 2208(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows:

“(1) INVESTIGATION AND CONTROL.—The Secretary of the Interior shall provide assistance to the Papago Indian Tribe (Tohono O’odham) of Arizona for the investigation and control of illegal narcotics traffic on the Papago Reservation along the border with Mexico. The Secretary shall ensure that tribal efforts are coordinated with appropriate Federal law enforcement agencies, including the United States Customs Service.

“(2) AUTHORIZATIONS.—For the purpose of providing the assistance required by subsection (a) of this section, there is authorized to be appropriated \$500,000 for each of the fiscal years 1987, 1988, and 1989.”

Subsec. (b)(2). Pub. L. 100-690, § 2208(b), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “To carry out subsection (a) of this section, there is authorized to be appropriated such sums as may be necessary for each of the fiscal years 1987, 1988, and 1989.”

SUBCHAPTER V—BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT

§ 2451. Bureau of Indian Affairs law enforcement and judicial training

(a) Training programs

(1) In general

The Secretary of the Interior, in coordination with the Attorney General, the Administrator of the Drug Enforcement Administration, and the Director of the Federal Bureau of Investigation, shall ensure, through the establishment of a new training program or by supplementing existing training programs, that all Bureau of Indian Affairs and tribal law enforcement and judicial personnel have access to training regarding—

(A) the investigation and prosecution of offenses relating to illegal narcotics; and

(B) alcohol and substance abuse prevention and treatment.

(2) Youth-related training

Any training provided to Bureau of Indian Affairs or tribal law enforcement or judicial

personnel under paragraph (1) shall include training in issues relating to youth alcohol and substance abuse prevention and treatment.

(b) Authorization

For the purposes of providing the training required by subsection (a) of this section, there are authorized to be appropriated \$2,000,000 for fiscal year 1993 and such sums as are necessary for each of fiscal years 2011 through 2015.

(Pub. L. 99-570, title IV, § 4218, Oct. 27, 1986, 100 Stat. 3207-146; Pub. L. 100-690, title II, § 2209, Nov. 18, 1988, 102 Stat. 4219; Pub. L. 102-573, title VII, § 703(9), Oct. 29, 1992, 106 Stat. 4584; Pub. L. 111-211, title II, § 241(f), July 29, 2010, 124 Stat. 2291.)

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211, § 241(f)(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Secretary of the Interior shall ensure, through the establishment of a new training program or through the supplement of existing training programs, that all Bureau of Indian Affairs and tribal law enforcement and judicial personnel shall have available training in the investigation and prosecution of offenses relating to illegal narcotics and in alcohol and substance abuse prevention and treatment. Any training provided to Bureau of Indian Affairs and tribal law enforcement and judicial personnel as provided in this subsection shall specifically include training in the problems of youth alcohol and substance abuse prevention and treatment. Such training shall be coordinated with the Indian Health Service in the carrying out of its responsibilities under section 2475 of this title.”

Subsec. (b). Pub. L. 111-211, § 241(f)(2), substituted “as are necessary for each of fiscal years 2011 through 2015.” for “as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999 and 2000.”

1992—Subsec. (b). Pub. L. 102-573 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “For the purpose of providing the training required by subsection (a) of this section, there are authorized to be appropriated \$1,500,000 for each of the fiscal years 1989, 1990, 1991, and 1992.”

1988—Subsec. (b). Pub. L. 100-690 amended subsec. (b) generally, substituting “1989, 1990, 1991, and 1992” for “1987, 1988, and 1989”.

§ 2452. Medical assessment and treatment of juvenile offenders

(a) Development and implementation of procedures

The Memorandum of Agreement entered into pursuant to section 2411 of this title shall include a specific provision for the development and implementation at each Bureau of Indian Affairs¹ agency and Indian Health Service unit of a procedure for the emergency medical assessment and treatment of every Indian youth arrested or detained by Bureau of Indian Affairs or tribal law enforcement personnel for an offense relating to or involving alcohol or substance abuse. The medical assessment required by this subsection—

(1) shall be conducted to determine the mental or physical state of the individual assessed so that appropriate steps can be taken to protect the individual’s health and well-being,

(2) shall occur as soon as possible after the arrest or detention of an Indian youth, and

¹ So in original. Probably should be “Affairs”.

(3) shall be provided by the Indian Health Service, either through its direct or contract health service.

(b) Treatment of certain committed youth

The Indian Health Service shall not refuse to provide necessary interim treatment for any Indian youth referred pursuant to subsection (a) of this section who has been charged or is being prosecuted for any crime unless such referral is prohibited by a court of competent jurisdiction or the youth is determined by a court of competent jurisdiction to be a danger to others.

(Pub. L. 99-570, title IV, § 4219, Oct. 27, 1986, 100 Stat. 3207-147; Pub. L. 100-690, title II, § 2210, Nov. 18, 1988, 102 Stat. 4219.)

AMENDMENTS

1988—Pub. L. 100-690 designated existing provisions as subsec. (a) and added subsec. (b).

§ 2453. Juvenile detention centers

(a) Plan

(1) In general

The Secretary of the Interior shall construct or renovate and staff new or existing juvenile detention centers.

(2) Construction and operation

The Secretary shall ensure that the construction and operation of the centers is consistent with the Juvenile Justice and Delinquency Prevention Act of 1974 [42 U.S.C. 5601 et seq.].

(3) Development of plan

(A) In general

Not later than 1 year after July 29, 2010, the Secretary and the Attorney General, in consultation with tribal leaders and tribal justice officials, shall develop a long-term plan for the construction, renovation, and operation of Indian juvenile detention and treatment centers and alternatives to detention for juvenile offenders.

(B) Coordination

The plan under subparagraph (A) shall require the Bureau of Indian Education and the Indian Health Service to coordinate with tribal and Bureau of Indian Affairs juvenile detention centers to provide services to those centers.

(b) Authorization

(1) For the purpose of constructing or renovating juvenile detention centers as provided in subsection (a) of this section, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2011 through 2015.

(2) For the purpose of staffing and operating juvenile detention centers, there are authorized to be appropriated \$7,000,000 for each of fiscal years 2011 through 2015.

(Pub. L. 99-570, title IV, § 4220, Oct. 27, 1986, 100 Stat. 3207-147; Pub. L. 100-690, title II, § 2211, Nov. 18, 1988, 102 Stat. 4219; Pub. L. 102-573, title VII, § 703(10), Oct. 29, 1992, 106 Stat. 4584; Pub. L. 111-211, title II, § 241(g), July 29, 2010, 124 Stat. 2291.)

REFERENCES IN TEXT

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in subsec. (a)(2), is Pub. L.

93-415, Sept. 7, 1974, 88 Stat. 1109, which is classified principally to chapter 72 (§ 5601 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 5601 of Title 42 and Tables.

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211, § 241(g)(1), designated first sentence as par. (1) and second sentence as par. (2), inserted headings, and added par. (3).

Subsec. (b)(1). Pub. L. 111-211, § 241(g)(2)(A), substituted “for each of fiscal years 2011 through 2015” for “for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000”.

Subsec. (b)(2). Pub. L. 111-211, § 241(g)(2), substituted “for each of fiscal years 2011 through 2015” for “for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000” and realigned margins.

1992—Subsec. (b). Pub. L. 102-573 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

“(1) For the purpose of constructing or renovating juvenile detention centers as provided in subsection (a) of this section, there is authorized to be appropriated \$10,000,000 for the fiscal year 1989 and \$5,000,000 for each of the fiscal years 1990 and 1991.

“(2) For the purpose of staffing and operating juvenile detention centers, there is authorized to be appropriated \$5,000,000 for each of the fiscal years 1989 and 1990. An amount equal to the amount of funds appropriated pursuant to this paragraph for fiscal year 1990 shall be included in the base budget of the Bureau of Indian Affairs and funding thereafter shall be pursuant to section 13 of this title.”

1988—Subsec. (b). Pub. L. 100-690 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “For the purpose of subsection (a) of this section, there is authorized to be appropriated \$10,000,000 for construction and renovation for each of the fiscal years 1987, 1988, and 1989, and \$5,000,000 for staffing and operation for each of the fiscal years 1987, 1988, and 1989.”

§ 2454. Model Indian Juvenile Code

The Secretary of the Interior, either directly or by contract, shall provide for the development of a Model Indian Juvenile Code which shall be consistent with the Juvenile Justice and Delinquency Prevention Act of 1974 [42 U.S.C. 5601 et seq.] and which shall include provisions relating to the disposition of cases involving Indian youth arrested or detained by Bureau of Indian Affairs or tribal law enforcement personnel for alcohol or drug related offenses. The development of such model code¹ shall be accomplished in cooperation with Indian organizations having an expertise or knowledge in the field of law enforcement and judicial procedure and in consultation with Indian tribes. Upon completion of the Model Code, the Secretary shall make copies available to each Indian tribe.

(Pub. L. 99-570, title IV, § 4221, Oct. 27, 1986, 100 Stat. 3207-147.)

REFERENCES IN TEXT

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in text, is Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, as amended, which is classified principally to chapter 72 (§ 5601 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 5601 of Title 42 and Tables.

¹ So in original. Probably should be “Model Code”.