

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 code<sup>1</sup> 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.

<sup>1</sup> So in original. Probably should be “Model Code”.

#### § 2455. Law enforcement and judicial report

##### (a) Compilation of law enforcement data

The Secretary of the Interior, with respect to the administration of any law enforcement or judicial services program by the Bureau of Indian Affairs, either directly or through contracts under the Indian Self-Determination Act [25 U.S.C. 450f et seq.], shall require the compilation of data relating to calls and encounters, arrests and detentions, and disposition of cases by Bureau of Indian Affairs or tribal law enforcement or judicial personnel involving Indians where it is determined that alcohol or substance abuse is a contributing factor.

##### (b) Referral of data

The data compiled pursuant to subsection (a) of this section shall be provided annually to the affected Indian tribe and Tribal Coordinating Committee to assist them in developing or modifying a Tribal Action Plan and shall also be submitted to the Indian Health Service<sup>1</sup> unit director who will have the responsibility for compiling a tribal comprehensive report as provided in section 2477<sup>2</sup> of this title.

##### (c) Confidentiality

In carrying out this section, the Secretary shall insure that the data is compiled and reported in a manner which will preserve the confidentiality of the families and individuals involved.

(Pub. L. 99-570, title IV, §4222, Oct. 27, 1986, 100 Stat. 3207-148.)

#### REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in subsec. (a), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, as amended, which is classified principally to part A (§450f et seq.) of subchapter II of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

Section 2477 of this title, referred to in subsec. (b), was repealed by Pub. L. 102-573, title VII, §702(b)(2), Oct. 29, 1992, 106 Stat. 4582.

#### SUBCHAPTER VI—INDIAN ALCOHOL AND SUBSTANCE ABUSE TREATMENT AND REHABILITATION

##### § 2471. Transferred

#### CODIFICATION

Section, Pub. L. 99-570, title IV, §4224, Oct. 27, 1986, 100 Stat. 3207-148, which related to review of programs providing health services and benefits to Indians, was renumbered section 4208A of Pub. L. 99-570 by Pub. L. 102-573, title VII, §702(b)(1), Oct. 29, 1992, 106 Stat. 4582, and transferred to section 2414a of this title.

##### §§ 2472 to 2478. Repealed. Pub. L. 102-573, title VII, § 702(b)(2), Oct. 29, 1992, 106 Stat. 4582

Section 2472, Pub. L. 99-570, title IV, §4225, Oct. 27, 1986, 100 Stat. 3207-148, related to responsibilities of Indian Health Service for alcohol and substance abuse prevention and treatment.

Section 2473, Pub. L. 99-570, title IV, §4226, Oct. 27, 1986, 100 Stat. 3207-149; Pub. L. 100-690, title II, §2217, Nov. 18, 1988, 102 Stat. 4222, provided for program of al-

<sup>1</sup> So in original. Probably should be followed by “service”.

<sup>2</sup> See References in Text note below.

cohol and substance abuse prevention and treatment through Indian Health Service.

Section 2474, Pub. L. 99-570, title IV, §4227, Oct. 27, 1986, 100 Stat. 3207-149; Pub. L. 100-690, title II, §2212, Nov. 18, 1988, 102 Stat. 4219; Pub. L. 101-630, title V, §509(a), Nov. 28, 1990, 104 Stat. 4567, provided for Indian Health Service program of alcohol and substance abuse detoxification and rehabilitation for Indian youth.

Section 2475, Pub. L. 99-570, title IV, §4228, Oct. 27, 1986, 100 Stat. 3207-150; Pub. L. 100-690, title II, §2213, Nov. 18, 1988, 102 Stat. 4220, provided for program of training and community education about alcohol and substance abuse.

Section 2476, Pub. L. 99-570, title IV, §4229, Oct. 27, 1986, 100 Stat. 3207-152; Pub. L. 100-690, title II, §2214, Nov. 18, 1988, 102 Stat. 4220, provided for establishment of Navajo alcohol rehabilitation demonstration program.

Section 2477, Pub. L. 99-570, title IV, §4230, Oct. 27, 1986, 100 Stat. 3207-152, related to compilation of data and preparation of reports on cases of alcohol or substance abuse in which Indian Health Service personnel or services were involved.

Section 2478, Pub. L. 99-570, title IV, §4231, as added Pub. L. 100-690, title II, §2215, Nov. 18, 1988, 102 Stat. 4221, authorized grants for alcohol and substance abuse prevention and treatment in urban centers.

## CHAPTER 27—TRIBALLY CONTROLLED SCHOOL GRANTS

Sec.	
2501.	Declaration of policy.
2502.	Grants authorized.
2502a.	Retrocession or re-assumption of Indian education funds.
2503.	Composition of grants.
2504.	Eligibility for grants.
2505.	Duration of eligibility determination.
2506.	Payment of grants; investment of funds.
2507.	Application with respect to Indian Self-Determination and Education Assistance Act.
2508.	Role of the Director.
2509.	Regulations.
2510.	The tribally controlled grant school endowment program.
2511.	Definitions.

### § 2501. Declaration of policy

#### (a) Recognition

Congress recognizes that the Indian Self-Determination and Education Assistance Act [25 U.S.C. 450 et seq.], which was a product of the legitimate aspirations and a recognition of the inherent authority of Indian nations, was and is a crucial positive step toward tribal and community control and that the United States has an obligation to assure maximum Indian participation in the direction of educational services so as to render the persons administering such services and the services themselves more responsive to the needs and desires of Indian communities.

#### (b) Commitment

Congress declares its commitment to the maintenance of the Federal Government's unique and continuing trust relationship with and responsibility to the Indian people for the education of Indian children through the establishment of a meaningful Indian self-determination policy for education that will deter further perpetuation of Federal bureaucratic domination of programs.

#### (c) National goal

Congress declares that a national goal of the United States is to provide the resources, pro-

cesses, and structure that will enable tribes and local communities to obtain the quantity and quality of educational services and opportunities that will permit Indian children—

(1) to compete and excel in areas of their choice; and

(2) to achieve the measure of self-determination essential to their social and economic well-being.

#### (d) Educational needs

Congress affirms—

(1) true self-determination in any society of people is dependent upon an educational process that will ensure the development of qualified people to fulfill meaningful leadership roles;

(2) that Indian people have special and unique educational needs, including the need for programs to meet the linguistic and cultural aspirations of Indian tribes and communities; and

(3) that those needs may best be met through a grant process.

#### (e) Federal relations

Congress declares a commitment to the policies described in this section and support, to the full extent of congressional responsibility, for Federal relations with the Indian nations.

#### (f) Termination

Congress repudiates and rejects House Concurrent Resolution 108 of the 83d Congress and any policy of unilateral termination of Federal relations with any Indian nation.

(Pub. L. 100-297, title V, §5202, as added Pub. L. 107-110, title X, §1043, Jan. 8, 2002, 115 Stat. 2063.)

#### REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (a), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, which is classified principally to subchapter II (§450 et seq.) of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

House Concurrent Resolution 108 of the 83rd Congress, referred to in subsec. (f), is H. Con. Res. 108, Eighty-third Congress, Aug. 1, 1953, 67 Stat. B132, which is not classified to the Code.

#### PRIOR PROVISIONS

A prior section 2501, Pub. L. 100-297, title V, §5202, Apr. 28, 1988, 102 Stat. 385, set forth findings, prior to repeal by Pub. L. 107-110, title X, §1043, Jan. 8, 2002, 115 Stat. 2063.

#### EFFECTIVE DATE

Section effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as a note under section 6301 of Title 20, Education.

#### SHORT TITLE

Pub. L. 100-297, title V, §5201, Apr. 28, 1988, 102 Stat. 385, provided that: "This part [part B (§§5201-5212) of title V of Pub. L. 100-297, enacting this chapter] may be cited as the 'Tribally Controlled Schools Act of 1988'."

#### TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM

Pub. L. 108-7, div. F, title I, §122, Feb. 20, 2003, 117 Stat. 241, as amended by Pub. L. 108-108, title I, §136(a), Nov. 10, 2003, 117 Stat. 1270, provided that: