

campus site. This master plan shall evaluate development and construction requirements (based on a growth plan approved by the Board), including (but not limited to) items such as infrastructure and site analysis, development of a phased plan with architectural and engineering studies, cost projections, landscaping, and related studies which cover all facets of the Institute's programs and planned functions.

(b) Deadline for transmittal

The plan required by this subsection shall be transmitted to Congress no later than 18 months after July 23, 1992. Such plan shall include a prioritization of needs, as determined by the Board.

(Pub. L. 99-498, title XV, §1519, as added Pub. L. 102-325, title XIII, §1331(k), July 23, 1992, 106 Stat. 808.)

EFFECTIVE DATE

Section effective Oct. 1, 1992, see section 2 of Pub. L. 102-325, set out as an Effective Date of 1992 Amendment note under section 1001 of this title.

SUBCHAPTER II—NATIVE HAWAIIANS AND ALASKA NATIVES

§ 4441. Program for Native Hawaiian and Alaska Native culture and arts development

(a) In general

The Secretary of the Interior is authorized to make grants for the purpose of supporting programs for Native Hawaiian or Alaska Native culture and arts development to any private, nonprofit organization or institution which—

- (1) primarily serves and represents Native Hawaiians or Alaska Natives, and
- (2) has been recognized by the Governor of the State of Hawaii or the Governor of the State of Alaska, as appropriate, for the purpose of making such organization or institution eligible to receive such grants.

(b) Purpose of grants

Grants made under subsection (a) shall, to the extent deemed possible by the Secretary and the recipient of the grant, be used—

- (1) to provide scholarly study of, and instruction in, Native Hawaiian or Alaska Native art and culture,
- (2) to establish programs which culminate in the awarding of degrees in the various fields of Native Hawaiian or Alaska Native art and culture, or
- (3) to establish centers and programs with respect to Native Hawaiian or Alaska Native art and culture that are similar in purpose to the centers and programs described in subsections (b) and (c) of section 4417 of this title.

(c) Management of grants

(1) Any organization or institution which is the recipient of a grant made under subsection (a) shall establish a governing board to manage and control the program with respect to which such grant is made.

(2) For any grants made with respect to Native Hawaiian art and culture, the members of the governing board which is required to be established under paragraph (1) shall—

- (A) be Native Hawaiians or individuals widely recognized in the field of Native Hawaiian art and culture,

(B) include a representative of the Office of Hawaiian Affairs of the State of Hawaii,

(C) include the president of the University of Hawaii,

(D) include the president of the Bishop Museum, and

(E) serve for a fixed term of office.

(3) For any grants made with respect to Alaska Native art and culture, the members of the governing board which is required to be established under paragraph (1) shall—

(A) include Alaska Natives and individuals widely recognized in the field of Alaska Native art and culture,

(B) represent the Eskimo, Indian and Aleut cultures of Alaska, and

(C) serve for a fixed term.

(Pub. L. 99-498, title XV, §1521, Oct. 17, 1986, 100 Stat. 1610; Pub. L. 103-239, title VII, §722(2), May 4, 1994, 108 Stat. 606.)

AMENDMENTS

1994—Pub. L. 103-239 amended section generally, substituting provisions relating to development program for Native Hawaiian and Alaska Native culture and arts for provisions relating to development program for Native Hawaiian culture and arts.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-239, §801, May 4, 1994, 108 Stat. 607, provided that: "This Act [see Short Title note set out under section 6101 of this title] shall take effect on the date of enactment of this Act [May 4, 1994]."

§ 4442. Administrative provisions

(a) Payments

The Secretary may award grants under this subchapter in installments, in advance, or by way of reimbursement and may make necessary adjustments in payments of grants on account of overpayments or underpayments.

(b) Recovery of overpayments

(1) If the Secretary or a court of competent jurisdiction finds that—

(A) any person—

(i) has—

(I) made, or has caused to be made by another, a false statement or representation of a material fact knowing it to be false, or

(II) knowingly failed, or caused another to fail, to disclose a material fact; and

(ii) as a result of such action, has received any funds under this subchapter which such person would not have otherwise received, or

(B) any person misappropriates any funds paid by the Secretary under this subchapter,

such person shall be liable to repay the amount of such funds to the United States. Any such finding by the Secretary may be made only after an opportunity for a fair hearing.

(2) Any amount repaid under this subsection shall be returned to the general fund of the Treasury of the United States.

(c) Penalties

Whoever—

(1) makes a false statement of a material fact knowing it to be false, or knowingly fails