

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

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§ 2501. Declaration of policy

(a) Recognition

Congress recognizes that the Indian Self-Determination and Education Assistance Act [25 U.S.C. 5301 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, processes, 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, which is classified principally to chapter 46 (§5301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 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:

"(a) DEFINITIONS.—In this section:

"(1) CONSTRUCTION.—The term 'construction', with respect to a tribally controlled school, includes the construction or renovation of that school.

"(2) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)) [now 25 U.S.C. 5304(e)].

"(3) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(4) TRIBALLY CONTROLLED SCHOOL.—The term 'tribally controlled school' means a school that currently