

trolled community colleges (within the meaning of section 1801 of this title)".

1998—Subsec. (d)(5)(C). Pub. L. 105-244 made technical amendment to reference in original act which appears in text as reference to section 1801 of this title.

1995—Subsec. (i). Pub. L. 104-16 substituted "1995, 1996, and 1997" for "and 1995".

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

### § 3211. Repealed. Pub. L. 105-362, title VIII, § 801(a), Nov. 10, 1998, 112 Stat. 3287

Section, Pub. L. 101-630, title IV, §412, Nov. 28, 1990, 104 Stat. 4556, related to annual reports to Congress on administration of provisions concerning Indian child protection and family violence prevention.

## CHAPTER 35—INDIAN HIGHER EDUCATION PROGRAMS

### SUBCHAPTER I—HIGHER EDUCATION TRIBAL GRANT AUTHORIZATION

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### SUBCHAPTER III—TRIBAL DEVELOPMENT STUDENT ASSISTANCE REVOLVING LOAN PROGRAM

3331 to 3338. Repealed.

### SUBCHAPTER IV—AMERICAN INDIAN POST-SECONDARY ECONOMIC DEVELOPMENT SCHOLARSHIP

3351 to 3355. Repealed.

### SUBCHAPTER V—AMERICAN INDIAN TEACHER TRAINING

3371. Repealed.

### SUBCHAPTER I—HIGHER EDUCATION TRIBAL GRANT AUTHORIZATION

#### § 3301. Short title

This subchapter may be cited as the "Higher Education Tribal Grant Authorization Act".

(Pub. L. 102-325, title XIII, §1311, July 23, 1992, 106 Stat. 798.)

#### § 3302. Findings

The Congress finds that—

(1) there are increasing numbers of Indian students qualifying for postsecondary education, and there are increasing numbers desiring to go to postsecondary institutions;

(2) the needs of these students far outpace the resources available currently;

(3) Indian tribes have shown an increasing interest in administering programs serving

these individuals and making decisions on these programs reflecting their determinations of the tribal and human needs;

(4) the contracting process under the Indian Self-Determination and Education Assistance Act [25 U.S.C. 5301 et seq.] has provided a mechanism for the majority of the tribes to assume control over this program from the Bureau of Indian Affairs;

(5) however, inherent limitations in the contracting philosophy and mechanism, coupled with cumbersome administrative procedures developed by the Bureau of Indian Affairs have effectively limited the efficiency and effectiveness of these programs;

(6) the provision of these services in the most effective and efficient form possible is necessary for tribes, the country, and the individuals to be served; and

(7) these services are part of the Federal Government's continuing trust responsibility to provide education services to American Indian and Alaska Natives.

(Pub. L. 102-325, title XIII, §1312, July 23, 1992, 106 Stat. 798.)

#### REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in par. (4), 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.

#### § 3303. Program authority

##### (a) In general

The Secretary shall, from the amounts appropriated for the purpose of supporting higher education grants for Indian students under the authority of section 13 of this title, make grants to Indian tribes in accordance with the requirements of this subchapter to permit those tribes to provide financial assistance to individual Indian students for the cost of attendance at institutions of higher education.

##### (b) Limitation on Secretary's authority

The Secretary shall not place any restrictions on the use of funds provided to an Indian tribe under this subchapter that is not expressly authorized by this subchapter.

##### (c) Effect on Federal responsibilities

The provisions of this subchapter shall not affect any trust responsibilities of the Federal Government.

##### (d) No termination for administrative convenience

Grants provided under this subchapter may not be terminated, modified, suspended, or reduced only for the convenience of the administering agency.

(Pub. L. 102-325, title XIII, §1313, July 23, 1992, 106 Stat. 798.)

#### § 3304. Qualification for grants to tribes

##### (a) Contracting tribes

Any Indian tribe that obtains funds for educational purposes similar to those authorized in