

munity of Indians, including any Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.]), which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians.

(6) The term “Native Hawaiian” means any descendant of a person who, prior to 1778, was a native of the Hawaiian Islands.

(7) The term “Secretary” means the Secretary of the Interior.

(8) The term “Board” means the Board of Trustees of the Institute established under this chapter.

(Pub. L. 99-498, title XV, § 1503, Oct. 17, 1986, 100 Stat. 1600.)

#### REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in par. (5), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

#### SUBCHAPTER I—AMERICAN INDIANS AND ALASKA NATIVES

##### § 4411. Establishment of Institute

###### (a) In general

There is hereby established a corporation to be known as the “Institute of American Indian and Alaska Native Culture and Arts Development”, which shall be under the direction and control of a Board of Trustees established under section 4412 of this title.

###### (b) Succession and amendment of charter

The corporation established under subsection (a) shall have succession until dissolved by Act of Congress. Only the Congress shall have the authority to revise or amend the charter of such corporation.

(Pub. L. 99-498, title XV, § 1504, Oct. 17, 1986, 100 Stat. 1601.)

#### AVAILABILITY OF FISCAL YEAR 1988 APPROPRIATIONS

Pub. L. 100-202, §101(g) [title I, §100], Dec. 22, 1987, 101 Stat. 1329-213, 1329-228, provided: “That notwithstanding any provision of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act [this chapter], the amounts appropriated for fiscal year 1988 for the Bureau of Indian Affairs for the Institute of American Indian Arts shall be available to operate the Institute until the Board of Regents and President of the Institute have been named and had an opportunity to organize, and for use under part A of that Act [this subchapter].”

#### AVAILABILITY OF APPROPRIATIONS; IMPLEMENTATION OF CHAPTER; INTERIM AUTHORITY OF SECRETARY

Pub. L. 99-500, §101(h) [title I, §100], Oct. 18, 1986, 100 Stat. 1783-242, 1783-255, and Pub. L. 99-591, §101(h) [title I, §100], Oct. 30, 1986, 100 Stat. 3341-242, 3341-255, provided: “That notwithstanding any provision of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act [this chapter], the amounts appropriated for fiscal year 1987 for the Bureau of Indian Affairs for the Institute of American Indian Arts shall be available for use under part A of that Act [this subchapter] and—

“(1) that Act shall be implemented in a reasonable period of time and shall be fully implemented by no later than October 1, 1987,

“(2) until the earlier of—

“(A) October 1, 1987, or

“(B) the appointment and confirmation of a majority of the members of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development under section 1505(a)(1)(A) of that Act [20 U.S.C. 4412(a)(1)(A)], the Secretary of the Interior shall have the authority conferred upon such members under that Act, and

“(3) until the earlier of—

“(A) October 1, 1987, or

“(B) the appointment of a President of such Institute under section 1508 of that Act [20 U.S.C. 4415], the Secretary of the Interior shall have the authority conferred upon such members under that Act, and

“(3) [(4)] until the earlier of—

“(A) October 1, 1987, or

“(B) the appointment of a President of such Institute under section 1508 of that Act, the Secretary of the Interior shall have the authority conferred upon the President of such Institute under this [that] Act”.

##### § 4412. Board of Trustees

###### (a) Composition

(1) The Board of Trustees of the Institute shall be composed of 13 voting members and 6 nonvoting members as follows:

(A) Subject to the provisions of subsection (i), the voting members shall be appointed by the President of the United States, not later than 180 days after October 17, 1986, from among individuals from private life who are Indians, or other individuals, widely recognized in the field of Indian art and culture and who represent diverse political views, and diverse fields of expertise, including finance, law, fine arts, and higher education administration.

(B) The nonvoting members shall consist of—

(i) 2 Members of the House of Representatives appointed by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives;

(ii) 2 Members of the Senate appointed by the President pro tempore of the Senate, upon the recommendation of the Majority Leader and the Minority Leader of the Senate;

(iii) the President of the Institute, ex officio; and

(iv) the president of the student body of the Institute, ex officio.

(2) In making appointments pursuant to paragraph (1)(A), the President of the United States shall—

(A) consult with the Indian tribes and the various organizations of Indians;

(B) publish in the Federal Register an announcement of the expiration of terms no less than 4 months before such expiration;

(C) solicit nominations from Indian tribes and various Indian organizations to fill the vacancies;

(D) give due consideration to the appointment of individuals who will provide appropriate regional and tribal representation on the Board; and

(E) ensure that a majority of the Board appointed under paragraph (1)(A) are Indians.