

that relate to the date of completion, or the date of submission, of any forms used to establish, before April 28, 1988, a child's eligibility for entitlement under the Indian Elementary and Secondary School Assistance Act³ [20 U.S.C. 241aa et seq.].

[See main edition for text of (2) and (3)]

(As amended Pub. L. 101-301, § 5(c), May 24, 1990, 104 Stat. 207.)

REFERENCES IN TEXT

The Indian Elementary and Secondary School Assistance Act, referred to in subsecs. (d)(4) and (e)(1)(C), is title III of act Sept. 30, 1950, ch. 1124, as added by Pub. L. 92-318, title IV, § 411(a), June 23, 1972, 86 Stat. 335, as amended, which was classified generally to subchapter III (§ 241aa et seq.) of chapter 13 of Title 20, Education, and was repealed by Pub. L. 100-297, title V, § 5352(1), Apr. 28, 1988, 102 Stat. 414.

AMENDMENTS

1990—Subsec. (e)(1)(C). Pub. L. 101-301 amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: "No local educational agency may be held liable to the United States, or be otherwise penalized, by reason of the findings of any audit conducted before April 28, 1988, that—

"(i) relate to the date of completion, or the date of submission, of any forms used to establish a child's eligibility for entitlement under the Indian Elementary and Secondary School Assistance Act, and

"(ii) are the subject of any administrative or judicial proceeding pending on April 28, 1988."

SUBCHAPTER II—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

§ 2624. Gifted and talented

[See main edition for text of (a) and (b)]

(c) Additional grants

[See main edition for text of (1) to (3)]

(4) In providing grants under paragraph (1), the Secretary shall—

[See main edition for text of (A)]

(B) ensure that a definition of the term "gifted and talented student" for purposes of this section and section 2008(c)(3)(A)(i) of this title is developed as soon as possible.

[See main edition for text of (5) to (7); (d) and (e)]

(As amended Pub. L. 101-301, § 5(d)(2), May 24, 1990, 104 Stat. 208.)

AMENDMENTS

1990—Subsec. (c)(4)(B). Pub. L. 101-301 substituted "section 2008(c)(3)(A)(i)" for "section 2008(c)(4)(A)(i)".

³ See References in Text note below.

SUBCHAPTER IV—PROGRAM ADMINISTRATION

§ 2641. Office of Indian Education

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

SUBCHAPTER V—MISCELLANEOUS

§ 2651. Definitions

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2604, 2902 of this title.

CHAPTER 29—INDIAN GAMING REGULATION

Sec.

2717a. Availability of class II gaming activity fees to carry out duties of Commission.

§ 2703. Definitions

CLASS II GAMING WITH RESPECT TO INDIAN TRIBES IN WISCONSIN OR MONTANA ENGAGED IN NEGOTIATING TRIBAL-STATE COMPACTS

Pub. L. 101-301, § 6, May 24, 1990, 104 Stat. 209, provided that: "Notwithstanding any other provision of law, the term 'class II gaming' includes, for purposes of applying Public Law 100-497 [25 U.S.C. 2701 et seq.] with respect to any Indian tribe located in the State of Wisconsin or the State of Montana, during the 1-year period beginning on the date of enactment of this Act [May 24, 1990], any gaming described in section 4(7)(B)(i) of Public Law 100-497 [25 U.S.C. 2703(7)(B)(i)] that was legally operated on Indian lands on or before May 1, 1988, if the Indian tribe having jurisdiction over the lands on which such gaming was operated made a request, by no later than November 16, 1988, to the State in which such gaming is operated to negotiate a Tribal-State compact under section 11(d)(3) of Public Law 100-497 [25 U.S.C. 2710(d)(3)]."

TRIBAL-STATE COMPACT COVERING INDIAN TRIBES IN MINNESOTA; OPERATION OF CLASS II GAMES; ALLOWANCE OF ADDITIONAL YEAR FOR NEGOTIATIONS

Pub. L. 101-121, title I, § 118, Oct. 23, 1989, 103 Stat. 722, provided that: "Notwithstanding any other provision of law, the term 'Class II gaming' in Public Law 100-497 [25 U.S.C. 2701 et seq.], for any Indian tribe located in the State of Minnesota, includes, during the period commencing on the date of enactment of this Act [Oct. 23, 1989] and continuing for 365 days from that date, any gaming described in section 4(7)(B)(i) of Public Law 100-497 [25 U.S.C. 2703(7)(B)(i)] that was legally operated on Indian lands on or before May 1, 1988, if the Indian tribe having jurisdiction [sic] over the lands on which such gaming was operated, requested the State of Minnesota, no later than 30 days after the date of enactment of Public Law 100-497 [Oct. 17, 1988], to negotiate a tribal-state compact pursuant to section 11(d)(3) of Public Law 100-497 [25 U.S.C. 2710(d)(3)]."

§ 2707. Commission staffing

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 1st, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 2717. Commission funding

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2706, 2710, 2717a, 2718 of this title.

§ 2717a. Availability of class II gaming activity fees to carry out duties of Commission

In fiscal year 1990 and thereafter, fees collected pursuant to and as limited by section 2717 of this title shall be available to carry out the duties of the Commission, to remain available until expended.

(Pub. L. 101-121, title I, Oct. 23, 1989, 103 Stat. 718.)

CODIFICATION

Section was enacted as part of the Department of the Interior and Related Agencies Appropriations Act, 1990, and not as part of the Indian Gaming Regulatory Act which comprises this chapter.

CHAPTER 30—INDIAN LAW ENFORCEMENT REFORM

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| Sec.
2801. | Definitions. |
| 2802. | Indian law enforcement responsibilities. <ul style="list-style-type: none"> (a) Responsibility of Secretary. (b) Division of Law Enforcement Services; establishment and responsibilities. (c) Additional responsibilities of Division. (d) Branch of Criminal Investigations; establishment, responsibilities, regulations, personnel, etc. (e) Division of Law Enforcement Services personnel; standards of education, experience, etc.; classification of positions. |
| 2803. | Law enforcement authority. |
| 2804. | Assistance by other agencies. <ul style="list-style-type: none"> (a) Agreement for use of personnel or facilities of Federal, tribal, State, or other government agency. (b) Agreement to be in accord with agreements between Secretary and Attorney General. (c) Limitations on use of personnel of non-Federal agency. (d) Authority of Federal agency head to enter into agreement with Secretary. (c) Authority of Federal agency head to enter into agreement with Indian tribe. (f) Status of person as Federal employee. |
| 2805. | Regulations. |
| 2806. | Jurisdiction. <ul style="list-style-type: none"> (a) Investigative jurisdiction over offenses against criminal laws. (b) Exercise of investigative authority. |

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- (c) Law enforcement commission or other delegation of prior authority not invalidated or diminished.
 - (d) Authorities in addition to prior authority; civil or criminal jurisdiction, law enforcement, investigative, or judicial authority, of United States, Indian tribes, States, etc., unaffected.
2807. Uniform allowance.
2808. Source of funds.
2809. Reports to tribes.
 - (a) Reports by law enforcement officials of Bureau or Federal Bureau of Investigation.
 - (b) Reports by United States attorney.
 - (c) Case file included within reports.
 - (d) Transfer or disclosure of confidential or privileged communication, information or sources to tribal officials.

§ 2801. Definitions

For purposes of this chapter—

- (1) The term "Bureau" means the Bureau of Indian Affairs of the Department of the Interior.
- (2) The term "employee of the Bureau" includes an officer of the Bureau.
- (3) The term "enforcement of a law" includes the prevention, detection, and investigation of an offense and the detention or confinement of an offender.
- (4) The term "Indian country" has the meaning given that term in section 1151 of title 18.
- (5) The term "Indian tribe" has the meaning given that term in section 1301 of this title.
- (6) The term "offense" means an offense against the United States and includes a violation of a Federal regulation relating to part or all of Indian country.
- (7) The term "Secretary" means the Secretary of the Interior.
- (8) The term "Division of Law Enforcement Services" means the entity established within the Bureau under section 2802(b) of this title.
- (9) The term "Branch of Criminal Investigations" means the entity the Secretary is required to establish within the Division of Law Enforcement Services under section 2802(d)(1) of this title.

(Pub. L. 101-379, § 2, Aug. 18, 1990, 104 Stat. 473.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 101-379, Aug. 18, 1990, 104 Stat. 473, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Section 1 of Pub. L. 101-379 provided that: "This Act enacting this chapter and provisions set out as a note under section 2991a of Title 42, The Public Health and Welfare may be cited as the 'Indian Law Enforcement Reform Act'."