

Education Assistance Act [25 U.S.C. 450c, 450d, 450e, 450i, 450m, 450n] except those provisions pertaining to indirect costs and length of contract, shall apply to grants provided under this chapter.

[See main edition for text of (b) to (e)]

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

REFERENCES IN TEXT

Section 110 of the Indian Self-Determination and Education Assistance Act [25 U.S.C. 450n], referred to in subsec. (a), was renumbered section 111 of that Act by Pub. L. 100-472, title II, § 206(b), Oct. 5, 1988, 102 Stat. 2295, without a corresponding amendment to this section.

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-301 substituted "104" for "105".

CHAPTER 28—INDIAN EDUCATION PROGRAM

SUBCHAPTER I—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF INDIAN CHILDREN

§ 2604. Applications for grants; conditions for approval

[See main edition for text of (a) to (d)]

(e) Auditing; penalties for false information

(1) [See main edition for text of (A) and (B)]

(C) No local educational agency may be held liable to the United States, or be otherwise penalized, by reason of the findings of any audit 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 Act² [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 of chapter 13 of Title 20, Education, and was repealed by Pub.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."

² See References in Text note below.

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)".

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 1, § 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

For purposes of this chapter—

[See main edition for text of (1) to (6)]

(7) [See main edition for text of (A) to (D)]

(E) Notwithstanding any other provision of this paragraph, the term "class II gaming" includes, during the 1-year period beginning on December 17, 1991, any gaming described in subparagraph (B)(ii) that was legally operated on Indian lands in the State of Wisconsin on or before May 1, 1988, if the Indian tribe having jurisdiction over the lands on which

such gaming was operated requested the State, by no later than November 16, 1988, to negotiate a Tribal-State compact under section 2710(d)(3) of this title.

(F) If, during the 1-year period described in subparagraph (E), there is a final judicial determination that the gaming described in subparagraph (E) is not legal as a matter of State law, then such gaming on such Indian land shall cease to operate on the date next following the date of such judicial decision.

[See main edition for text of (8) to (10)]

(As amended Pub. L. 102-238, § 2(a), Dec. 17, 1991, 105 Stat. 1908; Pub. L. 102-497, § 16, Oct. 24, 1992, 106 Stat. 3261.)

AMENDMENTS

1992—Par. (7)(E). Pub. L. 102-497 struck out “or Montana” after “Wisconsin”.

1991—Par. (7)(E), (F). Pub. L. 102-238 added subs. (E) and (F).

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)(ii) of Public Law 100-497 [25 U.S.C. 2703(7)(B)(ii)] 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)(ii) of Public Law 100-497 [25 U.S.C. 2703(7)(B)(ii)] 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)].”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2323a; title 28 sections 3701, 3704.

§ 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 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.

§ 2710. Tribal gaming ordinances

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2703 of this title.

§ 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.

§ 2718. Authorization of appropriations

[See main edition for text of (a)]

(b) Notwithstanding the provisions of section 2717 of this title, there are hereby authorized to be appropriated not to exceed \$2,000,000 to fund the operation of the Commission for each of the fiscal years beginning October 1, 1988, and October 1, 1989. Notwithstanding the provisions of section 2717 of this title, there are authorized to be appropriated such sums as may be necessary to fund the operation of the Commission for each of the fiscal years beginning October 1, 1991, and October 1, 1992.

(As amended Pub. L. 102-238, § 2(b), Dec. 17, 1991, 105 Stat. 1908.)

AMENDMENTS

1991—Subsec. (b). Pub. L. 102-238 inserted at end “Notwithstanding the provisions of section 2717 of this title, there are authorized to be appropriated such sums as may be necessary to fund the operation of the Commission for each of the fiscal years beginning October 1, 1991, and October 1, 1992.”

CHAPTER 30—INDIAN LAW ENFORCEMENT REFORM

Sec. 2801.	Definitions.
2802.	Indian law enforcement responsibilities.
	(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.