

follows: "There are authorized to be appropriated \$100,000 for each of the fiscal years 1990, 1991, and 1992, for the purpose of carrying out the provisions of this section."

#### § 1616c. Tribal recruitment and retention program

##### (a) Projects funded on competitive basis

The Secretary, acting through the Service, shall fund, on a competitive basis, projects to enable Indian tribes and tribal and Indian organizations to recruit, place, and retain health professionals to meet the staffing needs of Indian health programs (as defined in section 1616a(a)(2) of this title).

##### (b) Eligibility

(1) Any Indian tribe or tribal or Indian organization may submit an application for funding of a project pursuant to this section.

(2) Indian tribes and tribal and Indian organizations under the authority of the Indian Self-Determination Act [25 U.S.C. 5321 et seq.] shall be given an equal opportunity with programs that are administered directly by the Service to compete for, and receive, grants under subsection (a) for such projects.

(Pub. L. 94-437, title I, §110, as added Pub. L. 100-713, title I, §108, Nov. 23, 1988, 102 Stat. 4794; amended Pub. L. 102-573, title I, §117(b)(4), Oct. 29, 1992, 106 Stat. 4544.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in subsec. (b)(2), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, which is classified principally to subchapter I (§5321 et seq.) of chapter 46 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.

##### AMENDMENTS

1992—Subsec. (c). Pub. L. 102-573 struck out subsec. (c) which authorized appropriations for fiscal years 1990 to 1992.

#### § 1616d. Advanced training and research

##### (a) Establishment of program

The Secretary, acting through the Service, shall establish a program to enable health professionals to pursue advanced training or research in areas of study for which the Secretary determines a need exists. In selecting participants for a program established under this subsection, the Secretary, acting through the Service, shall give priority to applicants who are employed by the Indian Health Service, Indian tribes, tribal organizations, and urban Indian organizations, at the time of the submission of the applications.

##### (b) Obligated service

An individual who participates in a program under subsection (a), where the educational costs are borne by the Service, shall incur an obligation to serve in an Indian health program (as defined in section 1616a(a)(2) of this title) for a period of obligated service equal to at least the period of time during which the individual participates in such program. In the event that the

individual fails to complete such obligated service, the individual shall be liable to the United States for the period of service remaining. In such event, with respect to individuals entering the program after October 29, 1992, the United States shall be entitled to recover from such individual an amount to be determined in accordance with the formula specified in subsection (f) of section 1616a of this title in the manner provided for in such subsection.

##### (c) Eligibility

Health professionals from Indian tribes and tribal and Indian organizations under the authority of the Indian Self-Determination Act [25 U.S.C. 5321 et seq.] shall be given an equal opportunity to participate in the program under subsection (a).

(Pub. L. 94-437, title I, §111, as added Pub. L. 100-713, title I, §108, Nov. 23, 1988, 102 Stat. 4795; amended Pub. L. 102-573, title I, §108, Oct. 29, 1992, 106 Stat. 4538; Pub. L. 103-435, §16(a), Nov. 2, 1994, 108 Stat. 4573.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in subsec. (c), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, which is classified principally to subchapter I (§5321 et seq.) of chapter 46 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.

##### AMENDMENTS

1994—Subsec. (a). Pub. L. 103-435, §16(a)(1), struck out "who have worked in an Indian health program (as defined in section 1616a(a)(2) of this title) for a substantial period of time" after "health professionals" and inserted at end "In selecting participants for a program established under this subsection, the Secretary, acting through the Service, shall give priority to applicants who are employed by the Indian Health Service, Indian tribes, tribal organizations, and urban Indian organizations, at the time of the submission of the applications."

Subsec. (b). Pub. L. 103-435, §16(a)(2), inserted "(as defined in section 1616a(a)(2) of this title)" after "Indian health program".

1992—Subsec. (b). Pub. L. 102-573, §108(1), amended last sentence generally. Prior to amendment, last sentence read as follows: "The Secretary shall develop standards for appropriate recoupment for such remaining service."

Subsec. (d). Pub. L. 102-573, §108(2), struck out subsec. (d) which directed Secretary to prescribe regulations to carry out this section.

#### § 1616e. Nursing program

##### (a) Grants

The Secretary, acting through the Service, shall provide grants to—

- (1) public or private schools of nursing,
- (2) tribally controlled community colleges and tribally controlled postsecondary vocational institutions (as defined in section 2397h(2)<sup>1</sup> of title 20), and
- (3) nurse midwife programs, and nurse practitioner programs, that are provided by any public or private institution,

for the purpose of increasing the number of nurses, nurse midwives, and nurse practitioners who deliver health care services to Indians.

<sup>1</sup> See References in Text note below.