

**(e) Authorization**

(1) For the planning and design, construction, and renovation of, or purchase or lease of land or facilities for, emergency shelters and half-way houses to provide emergency care for Indian youth, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2011 through 2015.

(2) For the staffing and operation of emergency shelters and half-way houses, there are authorized to be appropriated \$5,000,000 for fiscal year 1993 and \$7,000,000 for each of fiscal years 2011 through 2015.

(3) The Secretary of the Interior shall allocate funds appropriated pursuant to this subsection on the basis of priority of need of the various Indian tribes and such funds, when allocated, shall be subject to contracting or available for grants pursuant to the Indian Self-Determination Act [25 U.S.C. 5321 et seq.].

(4) Funds appropriated under the authority of this subsection may be used by any Indian tribe or tribal organization to purchase or lease any land or facilities if—

(A) the Secretary of the Interior determines that no Federal land or facilities are reasonably available for emergency shelters or halfway<sup>1</sup> houses described in subsection (a) to serve the needs of that Indian tribe or tribal organization, and

(B) the Indian tribe or tribal organization enters into an agreement with the Secretary of the Interior that requires the Indian tribe or tribal organization to use the land or facilities for emergency shelters or half-way houses described in subsection (a).

(5) Nothing in this Act may be construed—

(A) to limit the authority for contracts with, or grants to, Indian tribes or tribal organizations under the Indian Self-Determination Act [25 U.S.C. 5321 et seq.] for the construction, improvement, renovation, operation, repair, land acquisition, or maintenance of tribal juvenile detention facilities, emergency shelters, or half-way houses, or

(B) to require a lease of tribal facilities to the United States to qualify for financial assistance for the facilities under this chapter or any other Act.

(Pub. L. 99-570, title IV, § 4213, Oct. 27, 1986, 100 Stat. 3207-144; Pub. L. 100-690, title II, § 2207, Nov. 18, 1988, 102 Stat. 4218; Pub. L. 101-272, Apr. 18, 1990, 104 Stat. 137; Pub. L. 102-573, title VII, § 703(5), Oct. 29, 1992, 106 Stat. 4583; Pub. L. 111-211, title II, § 241(c), July 29, 2010, 124 Stat. 2290.)

**Editorial Notes****REFERENCES IN TEXT**

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in subsec. (b)(1), is Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, which is classified principally to chapter 111 (§11101 et seq.) of Title 34, Crime Control and Law Enforcement. For complete classification of this Act to the Code, see Short Title of 1974 Act note set out under section 10101 of Title 34 and Tables.

The Indian Self-Determination Act, referred to in subsec. (e)(3), (5)(A), 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.

This Act, referred to in subsec. (e)(5), is Pub. L. 99-570, Oct. 27, 1986, 100 Stat. 3207, known as the Anti-Drug Abuse Act of 1986. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section 801 of Title 21, Food and Drugs, and Tables.

**AMENDMENTS**

2010—Subsec. (e)(1). Pub. L. 111-211, §241(c)(1), substituted “each of fiscal years 2011 through 2015.” for “fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.”

Subsec. (e)(2). Pub. L. 111-211, §241(c)(2), substituted “each of fiscal years 2011 through 2015.” for “each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.”

Subsec. (e)(4), (5). Pub. L. 111-211, §241(c)(3), realigned margins.

1992—Subsec. (e)(1), (2). Pub. L. 102-573 amended pars. (1) and (2) generally. Prior to amendment, pars. (1) and (2) read as follows:

“(1) For the planning and design, construction, and renovation of, or purchase or lease of land or facilities for, emergency shelters or half-way houses to provide emergency care for Indian youth, there is authorized to be appropriated \$5,000,000 for the fiscal year 1989 and \$3,000,000 for each of the fiscal years 1990, 1991, and 1992.

“(2) For the staffing and operation of emergency shelters and half-way houses, there is authorized to be appropriated \$3,000,000 for the fiscal year 1989 and \$3,000,000 for fiscal year 1990. An amount equal to the amount of funds appropriated pursuant to this paragraph for fiscal year 1990 shall be included in the base budget of the Bureau of Indian Affairs and funding thereafter shall be pursuant to section 13 of this title.”

1990—Subsec. (e)(1). Pub. L. 101-272, §1(1), inserted “; or purchase or lease of land or facilities for,” after “renovation of”.

Subsec. (e)(3). Pub. L. 101-272, §1(2), inserted “or available for grants” after “subject to contracting”.

Subsec. (e)(4), (5). Pub. L. 101-272, §1(3), added pars. (4) and (5).

1988—Subsec. (a). Pub. L. 100-690, §2207(a), inserted provisions which permitted half-way houses to be used as either intake facilities or aftercare facilities, and authorized Indian Health Service, Bureau of Indian Affairs, and tribes to use resources to staff and operate such facilities.

Subsec. (e). Pub. L. 100-690, §2207(b), amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “For the planning and design, construction,

and renovation of emergency shelters or half-way houses to provide emergency care for Indian youth, there is authorized to be appropriated \$5,000,000 for each of the fiscal years 1987, 1988, and 1989. For the operation of emergency shelters or half-way houses there is authorized to be appropriated \$3,000,000 for each of the fiscal years 1987, 1988, and 1989. The Secretary of the Interior shall allocate funds appropriated pursuant to this subsection on the basis of priority of need of the various Indian tribes and such funds, when allocated, shall be subject to contracting pursuant to the Indian Self-Determination Act.”

**§ 2434. Social services reports****(a) Data**

The Secretary of the Interior, with respect to the administration of any family or social services program by the Bureau of Indian Affairs directly or through contracts under the Indian Self-Determination Act [25 U.S.C. 5321 et seq.], shall require the compilation of data relating to

<sup>1</sup> So in original. Probably should be “half-way”.

the number and types of child abuse and neglect cases seen and the type of assistance provided. Additionally, such data should also be categorized to reflect those cases that involve, or appear to involve, alcohol and substance abuse, those cases which are recurring, and those cases which involve other minor siblings.

**(b) Referral of data**

The data compiled pursuant to subsection (a) shall be provided annually to the affected Indian tribe and Tribal Coordinating Committee to assist them in developing or modifying a Tribal Action Plan and shall also be submitted to the Indian Health Service service unit director who will have responsibility for compiling a tribal comprehensive report as provided in section 2477<sup>1</sup> of this title.

**(c) Confidentiality**

In carrying out the requirements of subsections (a) and (b), the Secretary shall insure that the data is compiled and reported in a manner which will preserve the confidentiality of the families and individuals.

(Pub. L. 99-570, title IV, §4214, Oct. 27, 1986, 100 Stat. 3207-145.)

**Editorial Notes**

REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in subsec. (a), 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.

Section 2477 of this title, referred to in subsec. (b), was repealed by Pub. L. 102-573, title VII, §702(b)(2), Oct. 29, 1992, 106 Stat. 4582.

SUBCHAPTER IV—LAW ENFORCEMENT AND JUDICIAL SERVICES

**§ 2441. Review of programs**

**(a) Law enforcement and judicial services**

In the development of the Memorandum of Agreement required by section 2411 of this title, the Secretary of the Interior, the Attorney General, and the Secretary of Health and Human Services, in cooperation with the Attorney General of the United States, shall review and consider—

(1) the various programs established by Federal law providing law enforcement or judicial services for Indian tribes, and

(2) tribal and State and local law enforcement and judicial programs and systems

to determine their applicability and relevance in carrying out the purposes of this chapter.

**(b) Dissemination of review**

The results of the review conducted pursuant to subsection (a) shall be made available to every Indian tribe as soon as possible for their consideration and use in the development and modification of a Tribal Action Plan.

(Pub. L. 99-570, title IV, §4215, Oct. 27, 1986, 100 Stat. 3207-145; Pub. L. 111-211, title II, §241(d), July 29, 2010, 124 Stat. 2290.)

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

**Editorial Notes**

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211 inserted “, the Attorney General,” after “the Secretary of the Interior” in introductory provisions.

**§ 2442. Illegal narcotics traffic on Tohono O’odham and St. Regis Reservations; source eradication**

**(a) Investigation and control**

(1) The Secretary of the Interior shall provide assistance to—

(A) the Tohono O’odham Tribe of Arizona for the investigation and control of illegal narcotics traffic on the Tohono O’odham Reservation along the border with Mexico;

(B) the St. Regis Band of Mohawk Indians of New York for the development of tribal law enforcement and judicial systems to aid in the investigation and control of illegal narcotics traffic on the St. Regis Reservation along the border with Canada;

(C) the Makah Indian Tribe of Washington for the investigation and control of illegal narcotic traffic on the Makah Indian Reservation arising from its proximity to international waters; and

(D) the Blackfeet Nation of Montana for the investigation and control of illegal narcotics traffic on the Blackfeet Indian Reservation along the border with Canada.

(2) The Secretary shall ensure that tribal efforts under this subsection are coordinated with appropriate Federal law enforcement agencies, including the United States Customs and Border Protection, the Bureau of Immigration and Customs Enforcement, and the Drug Enforcement Administration.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$2,000,000 for each of fiscal years 2011 through 2015.

**(b) Marijuana eradication and interdiction**

(1) The Secretary of the Interior, in cooperation with appropriate Federal, tribal, and State and local law enforcement agencies, shall establish and implement a program for the eradication of marijuana cultivation, and interdiction, investigation, and control of illegal narcotics trafficking within Indian country as defined in section 1152 of title 18. The Secretary shall establish a priority for the use of funds appropriated under paragraph (2) for those Indian reservations where the scope of the problem is most critical, and such funds shall be available for contracting by Indian tribes pursuant to the Indian Self-Determination Act (25 U.S.C. 450f et seq.).<sup>1</sup>

(2) For the purpose of establishing the program required by paragraph (1), there are authorized to be appropriated \$2,000,000 for each of fiscal years 2011 through 2015.

(Pub. L. 99-570, title IV, §4216, Oct. 27, 1986, 100 Stat. 3207-146; Pub. L. 100-690, title II, §2208, Nov. 18, 1988, 102 Stat. 4218; Pub. L. 102-573, title VII, §703(6)–(8), Oct. 29, 1992, 106 Stat. 4583; Pub.

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