section 116 of Pub. L. 104–193, as amended, set out as an Effective Date note under section 601 of Title 42, The Public Health and Welfare.

§ 640. Repealed. Pub. L. 93–531, § 26, Dec. 22, 1974, 88 Stat. 1723

Section, act Apr. 19, 1950, ch. 92, § 10, 64 Stat. 47, established Joint Committee on Navajo-Hopi Indian Administration, with function of making a continuous study of programs for administration and rehabilitation of Navajo and Hopi Indians.

EFFECTIVE DATE OF REPEAL

Section 26 of Pub. L. 93–531 provided that the repeal is effective as of the close of business December 31, 1974.

§ 640a. Diné College; purpose

It is the purpose of sections 640a to 640c–3 of this title to assist the Navajo Nation in providing education to the members of the tribe and other qualified applicants through a community college, established by that tribe, known as Diné College.

(Pub. L. 92–189, § 2, Dec. 15, 1971, 85 Stat. 646; Pub. L. 110–315, title IX, § 946(a), Aug. 14, 2008, 122 Stat. 3468.)

CODIFICATION

Section was not enacted as part of act Apr. 19, 1950, ch. 92, 64 Stat. 44, which comprises this subchapter.

AMENDMENTS

2008—Pub. L. 110–315 substituted ''Navajo Nation'' for ''Navajo Tribe of Indians'' and ''Diné College'' for ''the Navajo Community College''.

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110–315, title IX, § 945, Aug. 14, 2008, 122 Stat. 3468, provided that: ''This subpart [subpart 2 (§§ 945, 946) of part E of title IX of Pub. L. 110–315, amending this section and sections 640b to 640c–3 of this title] may be cited as the 'Navajo Nation Higher Education Act of 2008'.''

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95–471, title II, § 201, Oct. 17, 1978, 92 Stat. 1329, provided that: ''This title [enacting section 640c–1 of this title, amending section 640c of this title and enacting provisions set out as notes under this section and section 640c–1 of this title] may be cited as the 'Navajo Community College Assistance Act of 1978'.''

SHORT TITLE

Section 1 of Pub. L. 92–189 provided: ''That this Act [sections 640a to 640c–3 of this title] may be cited as the 'Navajo Community College Act'.''

EXPANSION OF NAVAJO COMMUNITY COLLEGE

Pub. L. 95–471, title II, § 202, Oct. 17, 1978, 92 Stat. 1329, provided that: ''The Congress after careful study and deliberation, finds that—

''(1) the Navajo Tribe constitutes the largest American Indian tribe in the United States;

''(2) the Navajo Tribe has, through its duly constituted tribal council and representatives, established a community college within the boundaries of the reservation;

''(3) the population of the Navajo Tribe and the best area of the Navajo reservation requires that the Navajo Community College expand to better serve the needs of such population; and

''(4) the Congress has already recognized the need for this institution by the passage of the Navajo Community College Act [sections 640a to 640c–3 of this title].''

§ 640b. Grants

The Secretary of the Interior is authorized to make grants to the Navajo Nation to assist the tribe in the construction, maintenance, and operation of Diné College. Such college shall be designed and operated by the Navajo Nation to insure that the Navajo people and other qualified applicants have educational opportunities which are suited to their unique needs and interests.

(Pub. L. 92–189, § 3, Dec. 15, 1971, 85 Stat. 646; Pub. L. 110–315, title IX, § 946(b), Aug. 14, 2008, 122 Stat. 3468.)

CODIFICATION

Section was not enacted as part of act Apr. 19, 1950, ch. 92, 64 Stat. 44, which comprises this subchapter.

AMENDMENTS

2008—Pub. L. 110–315, in first sentence, inserted ''the'' before ''Interior'' and substituted ''Navajo Nation'' for ''Navajo Tribe of Indians'' and ''Diné College'' for ''the Navajo Community College'', and, in second sentence, substituted ''Navajo Nation'' for ''Navajo Tribe'' and ''Navajo people'' for ''Navajo Indians''.

§ 640c. Study of facilities needs

(a) Contents; report to Congress

The Secretary shall conduct a detailed survey and study of the academic facilities needs of Dine[1] College, and shall report to the Congress not later than October 31, 2010, the results of such survey and study. Such report shall include any recommendations or views submitted by the governing body of such College and by the governing body of the Navajo Nation, and shall include detailed recommendations by the Secretary as to the number, type, and cost of academic facilities which are required, ranking each such required facility by relative need.

(b) Funding

Funds to carry out the purposes of this section may be drawn from general administrative appropriations to the Secretary made after October 1, 2007.

(c) Inventory

No later than March 1991, an inventory prepared by Diné College identifying repairs, alterations, and renovations to facilities required to meet health and safety standards shall be submitted to the Secretary and appropriate committees of Congress. Within 60 days following the receipt of such inventory, the Secretary shall review the inventory, evaluating the needs identified, and transmit the written comments of the Department of the Interior to the appropriate committees of Congress, together with the Department's evaluation prepared by the health and safety division of the Bureau of Indian Affairs.

(Pub. L. 92–189, § 4, Dec. 15, 1971, 85 Stat. 646; Pub. L. 95–471, title II, § 203(a), Oct. 17, 1978, 92 Stat. 1330; Pub. L. 101–477, § 2(b), Oct. 30, 1990, 104 Stat. 1153; Pub. L. 110–315, title IX, § 946(c), Aug. 14, 2008, 122 Stat. 3468.)

CODIFICATION

Section was not enacted as part of act Apr. 19, 1950, ch. 92, 64 Stat. 44, which comprises this subchapter.

[1] So in original. Probably should be ''Diné''.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110–315, § 946(c)(1)(B), which directed substitution of ''Navajo Nation'' for ''Navajo Tribe'' in second sentence, was executed by making the substitution for ''Navajo tribe'', to reflect the probable intent of Congress.

Pub. L. 110–315, § 946(c)(1)(A), in first sentence, substituted ''Dine College'' for ''the Navajo Community College'' and ''October 31, 2010'' for ''August 1, 1979''.

Subsec. (b). Pub. L. 110–315, § 946(c)(2), substituted ''October 1, 2007'' for ''October 17, 1978''.

Subsec. (c). Pub. L. 110–315, § 946(c)(3), substituted ''Diné College'' for ''the Navajo Community College'' in first sentence.

1990—Subsec. (c). Pub. L. 101–477 added subsec. (c).

1978—Pub. L. 95–471 substituted provisions relating to a detailed survey, study, and report and funding for this section for provisions authorizing appropriations for grants under sections 640a to 640c of this title.

DEFINITIONS

The definitions in section 1801 of this title apply to this section.

§ 640c–1. Authorization of appropriations

(a) Construction grants

(1) For the purpose of making construction grants under sections 640a to 640c–3 of this title, there are authorized to be appropriated such sums as are necessary for fiscal years 2009 through 2014.

(2) Sums appropriated pursuant to this subsection for construction shall, unless otherwise provided in appropriations Acts, remain available until expended.

(3) Sums described in paragraph (2) shall be used to provide grants for construction activities, including the construction of buildings, water and sewer facilities, roads, information technology and telecommunications infrastructure, classrooms, and external structures (such as walkways).

(b) Diné College grants

(1) There are authorized to be appropriated for grants to Diné College such sums as are necessary for fiscal years 2009 through 2014 to pay the cost of—

(A) the maintenance and operation of the College, including—

(i) basic, special, developmental, vocational, technical, and special handicapped education costs;

(ii) annual capital expenditures, including equipment needs, minor capital improvements and remodeling projects, physical plant maintenance and operation costs, and exceptions and supplemental need account; and

(iii) summer and special interest programs;

(B) major capital improvements, including internal capital outlay funds and capital improvement projects;

(C) mandatory payments, including payments due on bonds, loans, notes, or lease purchases;

(D) supplemental student services, including student housing, food service, and the provision of access to books and services; and

(E) improving and expanding the College, including by providing, for the Navajo people and others in the community of the College—

(i) higher education programs;

(ii) career and technical education;

(iii) activities relating to the preservation and protection of the Navajo language, philosophy, and culture;

(iv) employment and training opportunities;

(v) economic development and community outreach; and

(vi) a safe learning, working, and living environment.

(2) The Secretary shall make payments, pursuant to grants under this subsection, in advance installments of not less than 40 per centum of the funds available for allotment, based on anticipated or actual numbers of full-time equivalent Indian students or such other factors as determined by the Secretary. Adjustments for overpayments and underpayments shall be applied to the remainder of such funds and such remainder shall be delivered no later than July 1 of each year.

(c) Funding requirements

The Secretary of the Interior is authorized and directed to establish by rule procedures to insure that all funds appropriated under sections 640a to 640c–3 of this title are properly identified for grants to Diné College and that such funds are not commingled with appropriations historically expended by the Bureau of Indian Affairs for programs and projects normally provided on the Navajo Reservation for Navajo beneficiaries.

(Pub. L. 92–189, § 5, as added Pub. L. 95–471, title II, § 203(a), Oct. 17, 1978, 92 Stat. 1330; amended Pub. L. 96–374, title XIII, § 1351(a), (b), Oct. 3, 1980, 94 Stat. 1501; Pub. L. 98–192, § 14, Dec. 1, 1983, 97 Stat. 1343; Pub. L. 99–428, § 7, Sept. 30, 1986, 100 Stat. 983; Pub. L. 100–297, title V, § 5401, Apr. 28, 1988, 102 Stat. 414; Pub. L. 101–477, § 2(a), Oct. 30, 1990, 104 Stat. 1153; Pub. L. 102–325, title XIII, § 1301(d), July 23, 1992, 106 Stat. 797; Pub. L. 105–244, title IX, § 902, Oct. 7, 1998, 112 Stat. 1829; Pub. L. 110–315, title IX, § 946(d), Aug. 14, 2008, 122 Stat. 3468.)

CODIFICATION

Section was not enacted as part of act Apr. 19, 1950, ch. 92, 64 Stat. 44, which comprises this subchapter.

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110–315, § 946(d)(1)(A), substituted ''such sums as are necessary for fiscal years 2009 through 2014'' for ''$2,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years''.

Subsec. (a)(3). Pub. L. 110–315, § 946(d)(1)(B), added par. (3).

Subsec. (b)(1). Pub. L. 110–315, § 946(d)(2)(A), in introductory provisions, substituted ''Diné College'' for ''the Navajo Community College'' and ''such sums as are necessary for fiscal years 2009 through 2014 to pay the cost of—'' for '', for each fiscal year, an amount necessary to pay expenses incurred for—''.

Subsec. (b)(1)(A). Pub. L. 110–315, § 946(d)(2)(B), substituted ''College'' for ''college'' in introductory provisions, semicolons for commas at end of cls. (i) and (iii), and ''; and'' for '', and'' at end of cl. (ii).

Subsec. (b)(1)(B). Pub. L. 110–315, § 946(d)(2)(C), substituted semicolon for comma at end.

Subsec. (b)(1)(E). Pub. L. 110–315, § 946(d)(2)(D)–(F), added subpar. (E).

Subsec. (c). Pub. L. 110–315, § 946(d)(3), substituted ''Diné College'' for ''the Navajo Community College''.