

chapter, shall be a full discharge to the United States or any State or political subdivision thereof of all claims and demands touching any of the matters involved in the controversy.

(b) Claims filed prior to October 19, 1984

The provisions of this chapter shall not affect claims arising from any unauthorized disbursement which were filed in any court of competent jurisdiction prior to October 19, 1984.

(Pub. L. 98-500, §6, Oct. 19, 1984, 98 Stat. 2318.)

§ 2306. Authorization of appropriations

(a) There are authorized to be appropriated for the purpose of carrying out the provisions of this chapter \$2,500,000 for each of the fiscal years 1986 and 1987, and such sums as may be necessary for any subsequent fiscal year. The amounts appropriated under the authority of this subsection shall remain available without fiscal year limitation for purposes of carrying out the provisions of this chapter until all claims filed under this chapter have been resolved.

(b) Funds necessary to pay the expenses of administering this chapter shall be appropriated and expended under the authority of the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13), popularly known as the Snyder Act.

(Pub. L. 98-500, §7, Oct. 19, 1984, 98 Stat. 2318.)

REFERENCES IN TEXT

Act of November 2, 1921, referred to in subsec. (b), is act Nov. 2, 1921, ch. 115, 42 Stat. 208, as amended, popularly known as the Snyder Act, which is classified to section 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 13 of this title and Tables.

§ 2307. Treatment of funds

Funds distributed under the provisions of this chapter shall not be considered as income or resources nor otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or member would otherwise be entitled under the Social Security Act [42 U.S.C. 301 et seq.] or, except for per capita shares in excess of \$2,000, any Federal or federally assisted program.

(Pub. L. 98-500, §8, Oct. 19, 1984, 98 Stat. 2319.)

REFERENCES IN TEXT

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

CHAPTER 26—INDIAN ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
2401. Congressional findings.
2402. Purpose.
2403. Definitions.

SUBCHAPTER II—COORDINATION OF RESOURCES AND PROGRAMS

2411. Inter-departmental Memorandum of Agreement.

- Sec.
(a) In general.
(b) Character of activities.
(c) Consultation.
(d) Publication.
2412. Tribal Action Plans.
(a) In general.
(b) Cooperation.
(c) Provisions.
(d) Grants.
(e) Federal action.
(f) Grants for training, education, and prevention programs.
2413. Departmental responsibility.
(a) Implementation.
(b) Office of Alcohol and Substance Abuse.
(c) Indian Youth Programs Officer.
2414. Congressional intent in construction of laws.
2414a. Review of programs.
(a) In general.
(b) Dissemination.
2415. Federal facilities, property, and equipment; leasing of tribal property.
(a) Facility availability.
(b) Costs.
(c) Leases.
2416. Newsletter.
(a) In general.
(b) Authorization of appropriations.

SUBCHAPTER III—INDIAN YOUTH PROGRAMS

2431. Review of programs.
(a) Review.
(b) Publication.
2432. Indian education programs.
(a) Pilot programs.
(b) Use of funds.
2433. Emergency shelters.
(a) In general.
(b) Referrals.
(c) Direction to States.
(d) Standards.
(e) Authorization.
2434. Social services reports.
(a) Data.
(b) Referral of data.
(c) Confidentiality.

SUBCHAPTER IV—LAW ENFORCEMENT AND JUDICIAL SERVICES

2441. Review of programs.
(a) Law enforcement and judicial services.
(b) Dissemination of review.
2442. Illegal narcotics traffic on Tohono O'odham and St. Regis Reservations; source eradication.
(a) Investigation and control.
(b) Marijuana eradication and interdiction.

SUBCHAPTER V—BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT

2451. Bureau of Indian Affairs law enforcement and judicial training.
(a) In general.
(b) Authorization.
2452. Medical assessment and treatment of juvenile offenders.
(a) Development and implementation of procedures.
(b) Treatment of certain committed youth.
2453. Juvenile detention centers.
(a) Plan.
(b) Authorization.
2454. Model Indian Juvenile Code.
2455. Law enforcement and judicial report.
(a) Compilation of law enforcement data.

Sec.

- (b) Referral of data.
- (c) Confidentiality.

SUBCHAPTER VI—INDIAN ALCOHOL AND SUBSTANCE ABUSE TREATMENT AND REHABILITATION

2471 to 2478. Transferred or Repealed.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1621h of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§ 2401. Congressional findings

The Congress finds and declares that—

(1) the Federal Government has a historical relationship and unique legal and moral responsibility to Indian tribes and their members,

(2) included in this responsibility is the treaty, statutory, and historical obligation to assist the Indian tribes in meeting the health and social needs of their members,

(3) alcoholism and alcohol and substance abuse is the most severe health and social problem facing Indian tribes and people today and nothing is more costly to Indian people than the consequences of alcohol and substance abuse measured in physical, mental, social, and economic terms,

(4) alcohol and substance abuse is the leading generic risk factor among Indians, and Indians die from alcoholism at over 4 times the age-adjusted rates for the United States population and alcohol and substance misuse results in a rate of years of potential life lost nearly 5 times that of the United States,

(5) 4 of the top 10 causes of death among Indians are alcohol and drug related injuries (18 percent of all deaths), chronic liver disease and cirrhosis (5 percent), suicide (3 percent), and homicide (3 percent),

(6) primarily because deaths from unintentional injuries and violence occur disproportionately among young people, the age-specific death rate for Indians is approximately double the United States rate for the 15 to 45 age group,

(7) Indians between the ages of 15 and 24 years of age are more than 2 times as likely to commit suicide as the general population and approximately 80 percent of those suicides are alcohol-related,

(8) Indians between the ages of 15 and 24 years of age are twice as likely as the general population to die in automobile accidents, 75 percent of which are alcohol-related,

(9) the Indian Health Service, which is charged with treatment and rehabilitation efforts, has directed only 1 percent of its budget for alcohol and substance abuse problems,

(10) the Bureau of Indian Affairs, which has responsibility for programs in education, social services, law enforcement, and other areas, has assumed little responsibility for coordinating its various efforts to focus on the epidemic of alcohol and substance abuse among Indian people,

(11) this lack of emphasis and priority continues despite the fact that Bureau of Indian

Affairs and Indian Health Service officials publicly acknowledge that alcohol and substance abuse among Indians is the most serious health and social problem facing the Indian people, and

(12) the Indian tribes have the primary responsibility for protecting and ensuring the well-being of their members and the resources made available under this chapter will assist Indian tribes in meeting that responsibility.

(Pub. L. 99-570, title IV, § 4202, Oct. 27, 1986, 100 Stat. 3207-137.)

REFERENCES IN TEXT

This chapter, referred to in par. (12), was in the original "this subtitle", meaning subtitle C of title IV of Pub. L. 99-570, Oct. 27, 1986, 100 Stat. 3207-137, known as the Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, which is classified generally to this chapter. For complete classification of subtitle C to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 4201 of Pub. L. 99-570 provided that: "This subtitle [subtitle C (§§ 4201-4230) of title IV of Pub. L. 99-570, enacting this chapter, amending section 1302 of this title, and enacting provisions set out as a note under section 1302 of this title] may be cited as the 'Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986'."

RULE OF CONSTRUCTION FOR PUB. L. 100-690

Pub. L. 100-690, title II, § 2219, Nov. 18, 1988, 102 Stat. 4222, provided that: "Except as otherwise provided in this Act or the amendments made by this Act [see Tables for classification], nothing in this Act or the amendments made by this Act shall be construed to affect the obligation of the United States to any Indian or Indian tribe arising out of any treaty, statute, Executive order, or the trust responsibility of the United States owing to such Indian or Indian tribe. Nothing in this section shall exempt any individual Indian from the sanctions of 'user accountability' provided for elsewhere in this Act: *Provided*, That no individual Indian shall be denied any benefit under Federal Indian programs comparable to those 'means tested' safety net programs otherwise excluded under this Act."

§ 2402. Purpose

It is the purpose of this chapter to—

(1) authorize and develop a comprehensive, coordinated attack upon the illegal narcotics traffic in Indian country and the deleterious impact of alcohol and substance abuse upon Indian tribes and their members,

(2) provide needed direction and guidance to those Federal agencies responsible for Indian programs to identify and focus existing programs and resources, including those made available by this chapter, upon this problem,

(3) provide authority and opportunities for Indian tribes to develop and implement a coordinated program for the prevention and treatment of alcohol and substance abuse at the local level, and

(4) to¹ modify or supplement existing programs and authorities in the areas of education, family and social services, law enforcement and judicial services, and health services to further the purposes of this chapter.

(Pub. L. 99-570, title IV, § 4203, Oct. 27, 1986, 100 Stat. 3207-138.)

¹ So in original.