

- (B) projected service area of the program;
- (C) projected number of cases per month; and

(D) special circumstances warranting additional program resources, such as high incidence of child sexual abuse, high incidence of violent crimes against women, or the existence of a significant victim population within the community.

(4) The formula established pursuant to this subsection shall provide funding necessary to support—

(A) one child protective services or family violence caseworker, including fringe benefits and support costs, for each tribe; and

(B) an additional child protective services and family violence caseworker, including fringe benefits and support costs, for each level of assistance for which an Indian tribe qualifies.

(5) In any fiscal year that appropriations are not sufficient to fully fund Indian Child Protection and Family Violence Prevention programs at each level of assistance under the formula required to be established in this subsection, available funds for each level of assistance shall be evenly divided among the tribes qualifying for that level of assistance.

**(g) Maintenance of effort**

Services provided under contracts made under this section shall supplement, not supplant, services from any other funds available for the same general purposes, including, but not limited to—

(1) treatment, including, but not limited to—

- (A) individual counseling,
- (B) group counseling, and
- (C) family counseling;

(2) social services and case management;

(3) training available to Indian tribes, tribal agencies, and Indian organizations regarding the identification, investigation, prevention, and treatment of family violence, child abuse, and child neglect; and

(4) law enforcement services, including investigations and prosecutions.

**(h) Contract evaluation and annual report**

Each recipient of funds awarded pursuant to subsection (a) of this section shall—

(1) furnish the Secretary with such information as the Secretary may require to—

(A) evaluate the program for which the award is made, and

(B) ensure that funds are expended for the purposes for which the award was made; and

(2) submit to the Secretary at the end of each fiscal year an annual report which shall include such information as the Secretary may require.

**(i) Authorization of appropriations**

There are authorized to be appropriated to carry out the provisions of this section \$30,000,000 for each of the fiscal years 1992, 1993, 1994, 1995, 1996, and 1997.

(Pub. L. 101-630, title IV, §411, Nov. 28, 1990, 104 Stat. 4553; Pub. L. 104-16, §1, June 21, 1995, 109

Stat. 190; Pub. L. 105-244, title IX, §901(d), Oct. 7, 1998, 112 Stat. 1828.)

REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in subsec. (b), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, as amended, which is classified principally to part A (§450f et seq.) of subchapter II of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

AMENDMENTS

1998—Subsec. (d)(5)(C). Pub. L. 105-244 made technical amendment to reference in original act which appears in text as reference to section 1801 of this title.

1995—Subsec. (i). Pub. L. 104-16 substituted “1995, 1996, and 1997” for “and 1995”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3206 of this title.

**§3211. Repealed. Pub. L. 105-362, title VIII, §801(a), Nov. 10, 1998, 112 Stat. 3287**

Section, Pub. L. 101-630, title IV, §412, Nov. 28, 1990, 104 Stat. 4556, related to annual reports to Congress on administration of provisions concerning Indian child protection and family violence prevention.

**CHAPTER 35—INDIAN HIGHER EDUCATION PROGRAMS**

SUBCHAPTER I—HIGHER EDUCATION TRIBAL GRANT AUTHORIZATION

Sec.	
3301.	Short title.
3302.	Findings.
3303.	Program authority. <ul style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Limitation on Secretary's authority.</li> <li>(c) Effect on Federal responsibilities.</li> <li>(d) No termination for administrative convenience.</li> </ul>
3304.	Qualification for grants to tribes. <ul style="list-style-type: none"> <li>(a) Contracting tribes.</li> <li>(b) Noncontracting tribes.</li> <li>(c) Termination of grants.</li> </ul>
3305.	Allocation of grant funds. <ul style="list-style-type: none"> <li>(a) Allocation of funds.</li> <li>(b) Use of funds.</li> </ul>
3306.	Limitations on use of funds. <ul style="list-style-type: none"> <li>(a) Use for religious purposes.</li> <li>(b) Interest on funds.</li> <li>(c) Payments.</li> <li>(d) Investment of funds.</li> <li>(e) Recoveries.</li> </ul>
3307.	Administrative provisions. <ul style="list-style-type: none"> <li>(a) Omitted.</li> <li>(b) Role of Director.</li> <li>(c) Application of Indian Self-Determination and Education Assistance Act.</li> <li>(d) Regulations.</li> <li>(e) Retrocession.</li> <li>(f) Definitions.</li> </ul>

SUBCHAPTER II—CRITICAL NEEDS FOR TRIBAL DEVELOPMENT

3321.	Short title.
3322.	Definitions.
3323.	Service conditions permitted. <ul style="list-style-type: none"> <li>(a) In general.</li> </ul>