

(1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;

(2) diminish in any way the authority of tribal governments to appoint personnel;

(3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;

(4) alter in any way any tribal traditional dispute resolution fora;

(5) imply that any tribal justice system is an instrumentality of the United States; or

(6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

(Pub. L. 106-559, title I, § 105, Dec. 21, 2000, 114 Stat. 2781.)

§ 3665a. Office of Tribal Justice

(a) In general

Not later than 90 days after July 29, 2010, the Attorney General shall establish the Office of Tribal Justice as a component of the Department.

(b) Personnel and funding

The Attorney General shall provide to the Office of Tribal Justice such personnel and funds as are necessary to establish the Office of Tribal Justice as a component of the Department under subsection (a).

(c) Duties

The Office of Tribal Justice shall—

(1) serve as the program and legal policy advisor to the Attorney General with respect to the treaty and trust relationship between the United States and Indian tribes;

(2) serve as the point of contact for federally recognized tribal governments and tribal organizations with respect to questions and comments regarding policies and programs of the Department and issues relating to public safety and justice in Indian country; and

(3) coordinate with other bureaus, agencies, offices, and divisions within the Department of Justice to ensure that each component has an accountable process to ensure meaningful and timely consultation with tribal leaders in the development of regulatory policies and other actions that affect—

(A) the trust responsibility of the United States to Indian tribes;

(B) any tribal treaty provision;

(C) the status of Indian tribes as sovereign governments; or

(D) any other tribal interest.

(Pub. L. 106-559, title I, § 106, as added Pub. L. 111-211, title II, § 214(a)(2)(B), July 29, 2010, 124 Stat. 2270.)

PRIOR PROVISIONS

A prior section 106 of Pub. L. 106-559 was renumbered section 107 and is classified to section 3666 of this title.

§ 3666. Authorization of appropriations

For purposes of carrying out the activities under this subchapter, there are authorized to

be appropriated such sums as are necessary for fiscal years 2011 through 2015.

(Pub. L. 106-559, title I, § 107, formerly § 106, Dec. 21, 2000, 114 Stat. 2781; renumbered § 107 and amended Pub. L. 111-211, title II, §§ 214(a)(2)(A), 242(b)(3)(A), July 29, 2010, 124 Stat. 2270, 2292.)

AMENDMENTS

2010—Pub. L. 111-211, § 242(b)(3)(A), substituted “2011 through 2015” for “2000 through 2004”.

SUBCHAPTER II—INDIAN TRIBAL COURTS

§ 3681. Grants

(a) In general

The Attorney General may award grants and provide technical assistance to Indian tribes to enable such tribes to carry out programs to support—

(1) the development, enhancement, and continuing operation of tribal justice systems; and

(2) the development and implementation of—

(A) tribal codes and sentencing guidelines;

(B) inter-tribal courts and appellate systems;

(C) tribal probation services, diversion programs, and alternative sentencing provisions;

(D) tribal juvenile services and multi-disciplinary protocols for child physical and sexual abuse; and

(E) traditional tribal judicial practices, traditional tribal justice systems, and traditional methods of dispute resolution.

(b) Consultation

In carrying out this section, the Attorney General may consult with the Office of Tribal Justice and any other appropriate tribal or Federal officials.

(c) Regulations

The Attorney General may promulgate such regulations and guidelines as may be necessary to carry out this subchapter.

(d) Authorization of appropriations

For purposes of carrying out the activities under this section, there are authorized to be appropriated such sums as are necessary for fiscal years 2011 through 2015.

(Pub. L. 106-559, title II, § 201, Dec. 21, 2000, 114 Stat. 2781; Pub. L. 111-211, title II, § 242(b)(3)(B), July 29, 2010, 124 Stat. 2292.)

AMENDMENTS

2010—Subsec. (d). Pub. L. 111-211 substituted “2011 through 2015” for “2000 through 2004”.

§ 3682. Assistant probation officers

To the maximum extent practicable, the chief judge or chief probation or pretrial services officer of each judicial district, in coordination with the Office of Tribal Justice and the Office of Justice Services, shall—

(1) appoint individuals residing in Indian country to serve as probation or pretrial services officers or assistants for purposes of monitoring and providing services to Federal prisoners residing in Indian country; and

(2) provide substance abuse, mental health, and other related treatment services to offenders residing on Indian land.

(Pub. L. 106-559, title II, §203, as added Pub. L. 111-211, title II, § 245, July 29, 2010, 124 Stat. 2295.)

CHAPTER 39—AMERICAN INDIAN AGRICULTURAL RESOURCE MANAGEMENT

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§ 3701. Findings

The Congress finds and declares that—

(1) the United States and Indian tribes have a government to government relationship;

(2) the United States has a trust responsibility to protect, conserve, utilize, and manage Indian agricultural lands consistent with its fiduciary obligation and its unique relationship with Indian tribes;

(3) Indian agricultural lands are renewable and manageable natural resources which are vital to the economic, social, and cultural welfare of many Indian tribes and their members; and

(4) development and management of Indian agricultural lands in accordance with integrated resource management plans will ensure proper management of Indian agricultural lands and will produce increased economic returns, enhance Indian self-determination, promote employment opportunities, and improve the social and economic well-being of Indian and surrounding communities.

(Pub. L. 103-177, §2, Dec. 3, 1993, 107 Stat. 2011.)

SHORT TITLE

Pub. L. 103-177, §1, Dec. 3, 1993, 107 Stat. 2011, provided that: "This Act [enacting this chapter] may be cited as the 'American Indian Agricultural Resource Management Act'."

§ 3702. Purposes

The purposes of this chapter are to—

(1) carry out the trust responsibility of the United States and promote the self-determination of Indian tribes by providing for the management of Indian agricultural lands and related renewable resources in a manner consistent with identified tribal goals and priorities for conservation, multiple use, and sustained yield;

(2) authorize the Secretary to take part in the management of Indian agricultural lands, with the participation of the beneficial owners of the land, in a manner consistent with the trust responsibility of the Secretary and with the objectives of the beneficial owners;

(3) provide for the development and management of Indian agricultural lands; and

(4) increase the educational and training opportunities available to Indian people and communities in the practical, technical, and professional aspects of agriculture and land management to improve the expertise and technical abilities of Indian tribes and their members.

(Pub. L. 103-177, §3, Dec. 3, 1993, 107 Stat. 2011.)

§ 3703. Definitions

For the purposes of this chapter:

(1) The term "Indian agricultural lands" means Indian land, including farmland and rangeland, but excluding Indian forest land, that is used for the production of agricultural products, and Indian lands occupied by industries that support the agricultural community, regardless of whether a formal inspection and land classification has been conducted.

(2) The term "agricultural product" means—

(A) crops grown under cultivated conditions whether used for personal consumption, subsistence, or sold for commercial benefit;

(B) domestic livestock, including cattle, sheep, goats, horses, buffalo, swine, reindeer, fowl, or other animal specifically raised and utilized for food or fiber or as beast of burden;

(C) forage, hay, fodder, feed grains, crop residues and other items grown or harvested for the feeding and care of livestock, sold for commercial profit, or used for other purposes; and

(D) other marketable or traditionally used materials authorized for removal from Indian agricultural lands.

(3) The term "agricultural resource" means—

(A) all the primary means of production, including the land, soil, water, air, plant communities, watersheds, human resources, natural and physical attributes, and man-made developments, which together comprise the agricultural community; and

(B) all the benefits derived from Indian agricultural lands and enterprises, including cultivated and gathered food products, fibers, horticultural products, dyes, cultural or religious condiments, medicines, water, aesthetic, and other traditional values of agriculture.

(4) The term "agricultural resource management plan" means a plan developed under section 3711(b) of this title.