

forest products of such tribe, which are harvested under a timber sale contract, permit or other harvest sale document which has been approved by the Secretary, shall make prompt direct payments of the gross proceeds of sales of such forest products, less any amounts segregated as forest management deductions pursuant to section 3105 of this title, into a bank depository account designated by such Indian tribe.

(Pub. L. 101-630, title III, §308, Nov. 28, 1990, 104 Stat. 4537.)

§ 3108. Secretarial recognition of tribal laws

Subject to the Secretary's responsibilities as reflected in sections 3101(2) and 3102(1) of this title and unless otherwise prohibited by Federal statutory law, the Secretary shall comply with tribal laws pertaining to Indian forest lands, including laws regulating the environment or historic or cultural preservation, and shall cooperate with the enforcement of such laws on Indian forest lands. Such cooperation shall include—

- (1) assistance in the enforcement of such laws;
- (2) provision of notice of such laws to persons or entities undertaking activities on Indian forest lands; and
- (3) upon the request of an Indian tribe, the appearance in tribal forums.

(Pub. L. 101-630, title III, §309, Nov. 28, 1990, 104 Stat. 4538.)

§ 3109. Indian forest land assistance account

(a) Establishment

At the request of an Indian tribe, the Secretary may establish a special Indian forest land assistance account within the tribe's trust fund account to fund the Indian forest land management activities of such tribe.

(b) Deposits and expenditures

(1) The Secretary may deposit into the Indian forest land assistance account established pursuant to subsection (a) of this section any funds received by the Secretary or in the Secretary's possession from—

- (A) non-Federal sources, if such funds are related to activities on or for the Indian forest lands of such tribe's reservation,
- (B) donations and contributions,
- (C) unobligated forestry appropriations for the benefit of such Indian tribe, and
- (D) user fees or other funds transferred under Federal interagency agreements if otherwise authorized by Federal law and, if such funds are related to activities on or for the Indian forest lands of such tribe's reservation.

Funds deposited in such account shall be for the purpose of conducting forest land management activities on the Indian forest lands of such tribe.

(2) Funds in the Indian forest land assistance account and any interest or other income earned thereon shall remain available until expended and shall not be available to otherwise offset Federal appropriations for meeting the Federal responsibility for management of Indian forest lands.

(c) Audits

At the request of an Indian tribe or upon the Secretary's own volition, the Secretary may conduct audits of the Indian forest land assistance account and shall publish the results of such audit.

(Pub. L. 101-630, title III, §310, Nov. 28, 1990, 104 Stat. 4538.)

§ 3110. Tribal forestry programs

(a) Establishment

The Secretary shall establish within the Bureau of Indian Affairs a program to provide financial support to forestry programs established by an Indian tribe.

(b) Support allocation formula; criteria

(1) The Secretary, with the participation of Indian tribes with Indian forest lands, shall establish, and promulgate by regulations, a formula—

- (A) for the determination of Indian tribes eligible for such support,
- (B) for the provision of levels of assistance for the forestry programs of such tribes, and
- (C) the allocation of base support funds to such tribes under the program established pursuant to subsection (a) of this section.

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

- (A) one professional forester, including fringe benefits and support costs, for each eligible tribe, and
- (B) one additional professional forester or forest technician, including fringe benefits and support costs, for each level of assistance for which an eligible Indian tribe qualifies.

(3) In any fiscal year that appropriations are not sufficient to fully fund tribal forestry programs at each level of assistance under the formula required to be established in this section, available funds for each level of assistance shall be evenly divided among the tribes qualifying for that level of assistance.

(Pub. L. 101-630, title III, §311, Nov. 28, 1990, 104 Stat. 4538.)

§ 3111. Assessment of Indian forest land and management programs

(a) Initial assessment

(1) Within 1 year after November 28, 1990, the Secretary, in consultation with affected Indian tribes, shall enter into a contract with a non-Federal entity knowledgeable in forest management practices on Federal and private lands to conduct an independent assessment of Indian forest lands and Indian forest land management practices.

(2) Such assessment shall be national in scope and shall include—

- (A) an in-depth analysis of management practices on, and the level of funding for, specific Indian forest land compared with similar Federal and private forest lands,
- (B) a survey of the condition of Indian forest lands, including health and productivity levels,
- (C) an evaluation of the staffing patterns of forestry organizations of the Bureau of Indian Affairs and of Indian tribes,