

“(g) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the maximum extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

“(h) TERM.—A contract or agreement entered into under this section—

“(1) shall be for a term of not more than 20 years; and

“(2) may be renewed in accordance with this section for not more than an additional 10 years.”

[For definitions of terms used in section 3 of Pub. L. 108-278, set out above, see section 3115a(a) of this title.]

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 2 of Pub. L. 115-334, set out as a note under section 9001 of Title 7, Agriculture.

§ 3116. Obligated service; breach of contract

(a) Obligated service

Where an individual enters into an agreement for obligated service in return for financial assistance under any provision of this chapter, the Secretary shall adopt such regulations as are necessary to provide for the offer of employment to the recipient of such assistance as required by such provision. Where an offer of employment is not reasonably made, the regulations shall provide that such service shall no longer be required.

(b) Breach of contract; repayment

Where an individual fails to accept a reasonable offer of employment in fulfillment of such obligated service or unreasonably terminates or fails to perform the duties of such employment, the Secretary shall require a repayment of the financial assistance provided, prorated for the amount of time of obligated service performed, together with interest on such amount which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(Pub. L. 101-630, title III, §317, Nov. 28, 1990, 104 Stat. 4544.)

§ 3117. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this chapter.

(Pub. L. 101-630, title III, §318, Nov. 28, 1990, 104 Stat. 4544.)

§ 3118. Regulations

Except as otherwise provided by this chapter, the Secretary is directed to promulgate final regulations for the implementation of the¹ chapter within eighteen months from November 28, 1990. All regulations promulgated pursuant to this chapter shall be developed by the Secretary with the participation of the affected Indian tribes.

(Pub. L. 101-630, title III, §319, Nov. 28, 1990, 104 Stat. 4544.)

¹ So in original. Probably should be “this”.

§ 3119. Severability

If any provision of this chapter, or the application of any provision of this chapter to any person or circumstance, is held invalid, the application of such provision or circumstance and the remainder of this chapter shall not be affected thereby.

(Pub. L. 101-630, title III, §320, Nov. 28, 1990, 104 Stat. 4544.)

§ 3120. Trust responsibility

Nothing in this chapter shall be construed to diminish or expand the trust responsibility of the United States toward Indian forest lands, or any legal obligation or remedy resulting therefrom.

(Pub. L. 101-630, title III, §321, Nov. 28, 1990, 104 Stat. 4544.)

CHAPTER 34—INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION

Sec.	
3201.	Findings and purpose.
3202.	Definitions.
3203.	Reporting procedures.
3204.	Central registry.
3205.	Confidentiality.
3206.	Waiver of parental consent.
3207.	Character investigations.
3208.	Indian Child Abuse Treatment Grant Program.
3209.	Indian Child Resource and Family Services Centers.
3210.	Indian Child Protection and Family Violence Prevention Program.
3211.	Repealed.

§ 3201. Findings and purpose

(a) Findings

The Congress, after careful review of the problem of child abuse on Indian reservations and the historical and special relationship of the Federal Government with Indian people,

(1) finds that—

(A) incidents of abuse of children on Indian reservations are grossly underreported;

(B) such underreporting is often a result of the lack of a mandatory Federal reporting law;

(C) multiple incidents of sexual abuse of children on Indian reservations have been perpetrated by persons employed or funded by the Federal Government;

(D) Federal Government investigations of the background of Federal employees who care for, or teach, Indian children are often deficient;

(E) funds spent by the United States on Indian reservations or otherwise spent for the benefit of Indians who are victims of child abuse or family violence are inadequate to meet the growing needs for mental health treatment and counseling for victims of child abuse or family violence and their families; and

(F) there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and the United States has a direct interest, as trustee, in protecting Indian children who are