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SUBCHAPTER I—RECOGNITION OF TRUST RESPONSIBILITY

§ 5601. Findings

Congress finds that—

(1) there exists a unique relationship between the Government of the United States and the governments of Indian tribes;

(2) there exists a unique Federal responsibility to Indians;

(3) through treaties, statutes, and historical relations with Indian tribes, the United States has undertaken a unique trust responsibility to protect and support Indian tribes and Indians;

(4) the fiduciary responsibilities of the United States to Indians also are founded in part on specific commitments made through written treaties and agreements securing peace, in exchange for which Indians have surrendered claims to vast tracts of land, which provided legal consideration for permanent, ongoing performance of Federal trust duties; and

(5) the foregoing historic Federal-tribal relations and understandings have benefitted the people of the United States as a whole for centuries and have established enduring and enforceable Federal obligations to which the national honor has been committed.

(Pub. L. 114-178, title I, §101, June 22, 2016, 130 Stat. 432.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 114-178, §1(a), June 22, 2016, 130 Stat. 432, provided that: “This Act [enacting this chapter] may be cited as the ‘Indian Trust Asset Reform Act’.”

Pub. L. 114-178, title II, §201, June 22, 2016, 130 Stat. 433, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Indian Trust Asset Management Demonstration Project Act of 2016’.”

§ 5602. Reaffirmation of policy

Pursuant to the constitutionally vested authority of Congress over Indian affairs, Congress reaffirms that the responsibility of the United States to Indian tribes includes a duty to promote tribal self-determination regarding governmental authority and economic development.

(Pub. L. 114-178, title I, §102, June 22, 2016, 130 Stat. 433.)

SUBCHAPTER II—INDIAN TRUST ASSET MANAGEMENT DEMONSTRATION PROJECT

§ 5611. Definitions

In this subchapter:

(1) Indian tribe

The term “Indian tribe” has the meaning given the term in the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).¹

(2) Project

The term “Project” means the Indian trust asset management demonstration project established under section 5612(a) of this title.

(3) Secretary

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 114-178, title II, §202, June 22, 2016, 130 Stat. 433.)

Editorial Notes

REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in par. (1), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which was classified principally to subchapter II (§450 et seq.) of chapter 14 of this title prior to editorial reclassification as chapter 46 (§5301 et seq.) of this title. Definitions of terms in the Act were contained in section 450b of this title, which was editorially reclassified as section 5304 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

§ 5612. Establishment of demonstration project; selection of participating Indian tribes

(a) In general

The Secretary shall establish and carry out an Indian trust asset management demonstration project, in accordance with this subchapter.

(b) Selection of participating Indian tribes

(1) In general

An Indian tribe shall be eligible to participate in the project if—

(A) the Indian tribe submits to the Secretary an application under subsection (c); and

(B) the Secretary approves the application of the Indian tribe.

(2) Notice

(A) In general

The Secretary shall provide a written notice to each Indian tribe approved to participate in the project.

(B) Contents

A notice under subparagraph (A) shall include—

(i) a statement that the application of the Indian tribe has been approved by the Secretary; and

(ii) a requirement that the Indian tribe shall submit to the Secretary a proposed Indian trust asset management plan in accordance with section 5613 of this title.

(c) Application

(1) In general

To be eligible to participate in the project, an Indian tribe shall submit to the Secretary

¹ See References in Text note below.