

of this title, \$7,000,000 for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000. None of the funds provided under this subsection may be used for the administrative expenses of the Office.

**(b) Base support funding for tribal justice systems**

There is authorized to be appropriated to carry out the provisions of section 3613 of this title, \$50,000,000 for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

**(c) Administrative expenses for Office**

There is authorized to be appropriated, for the administrative expenses of the Office, \$500,000 for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

**(d) Administrative expenses for tribal judicial conferences**

There is authorized to be appropriated, for the administrative expenses of tribal judicial conferences, \$500,000 for each of the fiscal years 1994, 1995, 1996, 1997, 1998, 1999, and 2000.

**(e) Survey**

For carrying out the survey under section 3612 of this title, there is authorized to be appropriated, in addition to the amount authorized under subsection (a) of this section, \$400,000.

**(f) Indian priority system**

Funds appropriated pursuant to the authorizations provided by this section and available for a tribal justice system shall not be subject to the Indian priority system. Nothing in this chapter shall preclude a tribal government from supplementing any funds received under this chapter with funds received from any other source including the Bureau or any other Federal agency.

**(g) Allocation of funds**

In allocating funds appropriated pursuant to the authorization contained in subsection (a) of this section among the Bureau, Office, tribal governments and Courts of Indian Offenses, the Secretary shall take such actions as may be necessary to ensure that such allocation is carried out in a manner that is fair and equitable to all tribal governments and is proportionate to base support funding under section 3613 of this title received by the Bureau, Office, tribal governments, and Courts of Indian Offenses.

**(h) No offset**

No Federal agency shall offset funds made available pursuant to this chapter for tribal justice systems against other funds otherwise available for use in connection with tribal justice systems.

(Pub. L. 103-176, title II, §201, Dec. 3, 1993, 107 Stat. 2009.)

SUBCHAPTER III—DISCLAIMERS

**§ 3631. Tribal authority**

Nothing in this chapter shall be construed to—

- (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 forum;

- (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. 103-176, title III, §301, Dec. 3, 1993, 107 Stat. 2009.)

**CHAPTER 39—AMERICAN INDIAN AGRICULTURAL RESOURCE MANAGEMENT**

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| Sec.  |              |
| 3701. | Findings.    |
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| 3703. | Definitions. |

SUBCHAPTER I—RANGELAND AND FARMLAND ENHANCEMENT

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| 3711. | Management of Indian rangelands and farmlands. <ol style="list-style-type: none"> <li>(a) Management objectives.</li> <li>(b) Indian agricultural resource management planning program.</li> </ol>                           |
| 3712. | Indian participation in land management activities. <ol style="list-style-type: none"> <li>(a) Tribal recognition.</li> <li>(b) Tribal laws.</li> <li>(c) Waiver of regulations.</li> <li>(d) Sovereign immunity.</li> </ol> |
| 3713. | Indian agricultural lands trespass. <ol style="list-style-type: none"> <li>(a) Civil penalties; regulations.</li> <li>(b) Treatment of proceeds.</li> <li>(c) Concurrent jurisdiction.</li> </ol>                            |
| 3714. | Assessment of Indian agricultural management programs. <ol style="list-style-type: none"> <li>(a) Assessment.</li> <li>(b) Purposes.</li> <li>(c) Implementation.</li> </ol>   |
| 3715. | Leasing of Indian agricultural lands. <ol style="list-style-type: none"> <li>(a) Authority of Secretary.</li> <li>(b) Authority of tribe.</li> <li>(c) Rights of individual landowners.</li> </ol>                           |

SUBCHAPTER II—EDUCATION IN AGRICULTURE MANAGEMENT

|       |   |
|-------|---|
| 3731. | Indian and Alaska Native agriculture management education assistance programs. <ol style="list-style-type: none"> <li>(a) Agricultural resources intern program.</li> <li>(b) Cooperative education program.</li> <li>(c) Scholarship program.</li> <li>(d) Educational outreach.</li> <li>(e) Adequacy of programs.</li> </ol> |
| 3732. | Postgraduation recruitment, education and training programs. <ol style="list-style-type: none"> <li>(a) Assumption of loans.</li> <li>(b) Postgraduate intergovernmental internships.</li> <li>(c) Continuing education and training.</li> </ol>  |
| 3733. | Cooperative agreement between Department of the Interior and Indian tribes. <ol style="list-style-type: none"> <li>(a) Cooperative agreements.</li> <li>(b) Supervision.</li> <li>(c) Savings clause.</li> </ol>  |
| 3734. | Obligated service; breach of contract. <ol style="list-style-type: none"> <li>(a) Obligated service.</li> <li>(b) Breach of contract; repayment.</li> </ol>   |

SUBCHAPTER III—GENERAL PROVISIONS

|       |              |
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| 3741. | Regulations. |
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- Sec.
- 3742. Trust responsibility.
- 3743. Severability.
- 3744. Federal, State and local authority.
  - (a) Disclaimer.
  - (b) Duplication of services.
- 3745. Authorization of appropriations.
  - (a) General authorization.
  - (b) Funding source.
- 3746. Tribal immunity.

**§ 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

Section 1 of Pub. L. 103-177 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.

(5) The term "Bureau" means the Bureau of Indian Affairs of the Department of the Interior.

(6) The term "farmland" means Indian land excluding Indian forest land that is used for production of food, feed, fiber, forage and seed oil crops, or other agricultural products, and may be either dryland, irrigated, or irrigated pasture.

(7) The term "Indian forest land" means forest land as defined in section 3103(3) of this title.

(8) The term "Indian" means an individual who is a member of an Indian tribe.

(9) The term "Indian land" means land that is—

- (A) held in trust by the United States for an Indian tribe; or
- (B) owned by an Indian or Indian tribe and is subject to restrictions against alienation.

(10) The term "Indian tribe" means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services