

implementation of the program established by this section.

(Pub. L. 102-486, title XXVI, § 2606, Oct. 24, 1992, 106 Stat. 3118.)

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3652 of this title.

§ 3601. Findings

The Congress finds and declares that—

(1) there is a government-to-government relationship between the United States and each Indian tribe;

(2) the United States has a trust responsibility to each tribal government that includes the protection of the sovereignty of each tribal government;

(3) Congress, through statutes, treaties, and the exercise of administrative authorities, has recognized the self-determination, self-reliance, and inherent sovereignty of Indian tribes;

(4) Indian tribes possess the inherent authority to establish their own form of government, including tribal justice systems;

(5) tribal justice systems are an essential part of tribal governments and serve as important forums for ensuring public health and safety and the political integrity of tribal governments;

(6) Congress and the Federal courts have repeatedly recognized tribal justice systems as the appropriate forums for the adjudication of disputes affecting personal and property rights;

(7) traditional tribal justice practices are essential to the maintenance of the culture and identity of Indian tribes and to the goals of this chapter;

(8) tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation; and

(9) tribal government involvement in and commitment to improving tribal justice systems is essential to the accomplishment of the goals of this chapter.

(Pub. L. 103-176, § 2, Dec. 3, 1993, 107 Stat. 2004.)

SHORT TITLE

Section 1 of Pub. L. 103-176 provided that: “This Act [enacting this chapter] may be cited as the ‘Indian Tribal Justice Act’.”

§ 3602. Definitions

For purposes of this chapter:

(1) The term “Bureau” means the Bureau of Indian Affairs of the Department of the Interior.

(2) The term “Courts of Indian Offenses” means the courts established pursuant to part 11 of title 25, Code of Federal Regulations.

(3) The term “Indian tribe” means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native entity, which administers justice under its inherent authority or the authority of the United States and which is recognized as eligible for the special programs and services provided by the United States to Indian tribes because of their status as Indians.

(4) The term “judicial personnel” means any judge, magistrate, court counselor, court clerk, court administrator, bailiff, probation officer, officer of the court, dispute resolution facilitator, or other official, employee, or volunteer within the tribal justice system.

(5) The term “Office” means the Office of Tribal Justice Support within the Bureau of Indian Affairs.

(6) The term “Secretary” means the Secretary of the Interior.

(7) The term “tribal organization” means any organization defined in section 450b(1) of this title.

(8) The term “tribal justice system” means the entire judicial branch, and employees thereof, of an Indian tribe, including (but not limited to) traditional methods and forums for dispute resolution, lower courts, appellate courts (including intertribal appellate courts), alternative dispute resolution systems, and circuit rider systems, established by inherent tribal authority whether or not they constitute a court of record.

(Pub. L. 103-176, § 3, Dec. 3, 1993, 107 Stat. 2004.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2205 of this title.