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(Original Signature of Member)

118TH CONGRESS
2ND SESSION

H. R. _____

To expedite new Tribal court assessments and base support funding, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. OMAR introduced the following bill; which was referred to the Committee
on _____

A BILL

To expedite new Tribal court assessments and base support
funding, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Courts Support
5 Act”.

6 **SEC. 2. INDIAN TRIBAL JUSTICE ACT AMENDMENTS.**

7 The Indian Tribal Justice Act (25 U.S.C. 3601 et
8 seq.) is amended—

1 (1) in section 102 (25 U.S.C. 3612), by adding
2 at the end the following:

3 “(d) INITIAL ANNUAL SURVEY PRIORITIES.—In the
4 course of the initial annual survey for an Indian Tribe,
5 the Office may instruct the non-Federal entity, which may
6 be either a for-profit or nonprofit entity, which conditions
7 under subsection (b) to prioritize, expedite, or both.”; and

8 (2) in section 103 (25 U.S.C. 3613)—

9 (A) in subsection (c), by adding at the end
10 the following:

11 “(5) The Secretary shall have discretion to ad-
12 just the base support funding formula under this
13 subsection as needed to provide initial base support
14 funding to an Indian Tribe that has not received
15 funding.”; and

16 (B) by adding at the end the following:

17 “(d) INITIAL BASE SUPPORT FUNDING.—

18 “(1) The Secretary shall provide initial base
19 support funding on an expedited basis to an Indian
20 Tribe that has not previously received funding under
21 this section.

22 “(2) In determining the initial base support
23 funding for an Indian Tribe under this subsection,
24 the Secretary may consider the local conditions list-
25 ed in subsection (b) of section (102) and the factors

1 listed in subsection (c)(3) of this section, to the ex-
2 tent such factors are available for that Indian Tribe.
3 The Secretary may not delay the initial base support
4 funding to the Indian Tribe due to the unavailability
5 of such information.”.

6 **SEC. 3. REPORT ON BARRIERS TO TRIBAL JUSTICE SERV-**
7 **ICES.**

8 Not later than 360 days after the date of the enact-
9 ment of this Act, the Comptroller General shall conduct
10 an audit of and issue a report on barriers that prevent
11 Indian Tribes from accessing Tribal justice services. The
12 report may include the following:

13 (1) Recommendations that may enable timely
14 and efficient provision of services to Indian Tribes.

15 (2) Information on and an analysis of the fol-
16 lowing:

17 (A) The process by which—

18 (i) Tribal court assessments are con-
19 ducted by Tribal Justice Support; and

20 (ii) approved Tribal Justice Support
21 funds are distributed to Indian Tribes.

22 (B) Whether the length of such an assess-
23 ment process is necessary in the initial case of
24 a Tribe seeking to establish a Tribal court and,
25 if not, whether and how such an assessment

1 process may be truncated, expedited, or seg-
2 mented in the case of a Tribe seeking to estab-
3 lish a Tribal court.

4 (C) Federal funds that may be saved and
5 returned to the Bureau of Indian Affairs Tribal
6 Priority Allocations due to a streamlined initial
7 court establishment assessment process.

8 (D) Whether and how the assessment proc-
9 ess may be customized to the particular judicial
10 jurisdictions and customs of each Indian Tribe.

11 (E) Whether and how a Indian Tribe may
12 continue accessing Tribal Justice Support fund-
13 ing and services while a pending Tribal court
14 assessment is being processed.