

the probable intent of Congress, because Pub. L. 93-638 does not contain a section 701(a), and section 702(a) of Pub. L. 93-638 relates to establishment of the Indian Law Enforcement Foundation.

#### AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211, §231(b), inserted heading, designated first sentence as par. (1), inserted par. (1) heading, substituted “Not later than 180 days after July 29, 2010, the Secretary shall establish procedures to enter into memoranda of agreement” for “The Secretary may enter into an agreement”, designated second sentence as par. (2), inserted par. (2) heading, and added par. (3).

Subsec. (g). Pub. L. 111-211, §231(e), added subsec. (g).

### § 2805. Regulations

After consultation with the Attorney General of the United States, the Secretary may prescribe under this chapter regulations relating to the enforcement of criminal laws of the United States and regulations relating to the consideration of applications for contracts awarded under the Indian Self-Determination Act [25 U.S.C. 5321 et seq.] to perform the functions of the Branch of Criminal Investigations.

(Pub. L. 101-379, §6, Aug. 18, 1990, 104 Stat. 476.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Indian Self-Determination Act, referred to in text, is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, which is classified principally to subchapter I (§5321 et seq.) of chapter 46 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.

### § 2806. Jurisdiction

#### (a) Investigative jurisdiction over offenses against criminal laws

The Secretary shall have investigative jurisdiction over offenses against criminal laws of the United States in Indian country subject to an agreement between the Secretary and the Attorney General of the United States.

#### (b) Exercise of investigative authority

In exercising the investigative authority conferred by this section, the employees of the Bureau shall cooperate with the law enforcement agency having primary investigative jurisdiction over the offense committed.

#### (c) Law enforcement commission or other delegation of prior authority not invalidated or diminished

This chapter does not invalidate or diminish any law enforcement commission or other delegation of authority issued under the authority of the Secretary before August 18, 1990.

#### (d) Authorities in addition to prior authority; civil or criminal jurisdiction, law enforcement, investigative, or judicial authority, of United States, Indian tribes, States, etc., unaffected

The authority provided by this chapter is in addition to, and not in derogation of, any authority that existed before August 18, 1990. The provisions of this chapter alter neither the civil or criminal jurisdiction of the United States, Indian tribes, States, or other political subdivi-

sions or agencies, nor the law enforcement, investigative, or judicial authority of any Indian tribe, State, or political subdivision or agency thereof, or of any department, agency, court, or official of the United States other than the Secretary.

(Pub. L. 101-379, §7, Aug. 18, 1990, 104 Stat. 476.)

### § 2807. Uniform allowance

Notwithstanding the limitation in section 5901(a) of title 5, the Secretary may provide a uniform allowance for uniformed law enforcement officers under section 2803 of this title of not more than \$400 a year.

(Pub. L. 101-379, §8, Aug. 18, 1990, 104 Stat. 477.)

### § 2808. Source of funds

Any expenses incurred by the Secretary under this chapter shall be paid from funds appropriated under section 13 of this title.

(Pub. L. 101-379, §9, Aug. 18, 1990, 104 Stat. 477.)

### § 2809. Reports to tribes

#### (a) Coordination and data collection

##### (1) Investigative coordination

Subject to subsection (c), if a law enforcement officer or employee of any Federal department or agency terminates an investigation of an alleged violation of Federal criminal law in Indian country without referral for prosecution, the officer or employee shall coordinate with the appropriate tribal law enforcement officials regarding the status of the investigation and the use of evidence relevant to the case in a tribal court with authority over the crime alleged.

##### (2) Investigation data

The Federal Bureau of Investigation shall compile, on an annual basis and by Field Division, information regarding decisions not to refer to an appropriate prosecuting authority cases in which investigations had been opened into an alleged crime in Indian country, including—

(A) the types of crimes alleged;

(B) the statuses of the accused as Indians or non-Indians;

(C) the statuses of the victims as Indians or non-Indians; and

(D) the reasons for deciding against referring the investigation for prosecution.

##### (3) Prosecutorial coordination

Subject to subsection (c), if a United States Attorney declines to prosecute, or acts to terminate prosecution of, an alleged violation of Federal criminal law in Indian country, the United States Attorney shall coordinate with the appropriate tribal justice officials regarding the status of the investigation and the use of evidence relevant to the case in a tribal court with authority over the crime alleged.

##### (4) Prosecution data

The United States Attorney shall submit to the Native American Issues Coordinator to compile, on an annual basis and by Federal judicial district, information regarding all dec-