H. R. 5153

To assist Tribal governments in the management of buffalo and buffalo habitat and for the reestablishment of buffalo on Indian lands.

IN THE HOUSE OF REPRESENTATIVES

November 18, 2019

Mr. Young (for himself, Ms. Haaland, and Mr. Cole) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To assist Tribal governments in the management of buffalo and buffalo habitat and for the reestablishment of buffalo on Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Indian Buffalo Management Act”.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) buffalo sustained a majority of Indian Tribes in North America for many centuries, before
buffalo were nearly exterminated by non-Indian
hunters in the mid-1800s;

(2) the historical, cultural, and spiritual connec-
tion between buffalo and Indian Tribes has not di-
minished over time;

(3) Indian Tribes have long desired the reestab-
ishment of buffalo throughout Indian country for
cultural, spiritual, and subsistence purposes; and

(4) the successful restoration of buffalo allows
an Indian Tribe to benefit from—

(A) the reintroduction of buffalo into the
diets of the members of the Indian Tribe;

(B) the rekindling of the spiritual and cul-
tural relationship between buffalo and the In-
dian Tribe; and

(C) the use of buffalo for economic devel-
opment, in the case of an Indian Tribe that
chooses to use buffalo for economic develop-
ment.

(b) PURPOSES.—The purposes of this Act are—

(1) to fulfill the government-to-government rela-
tionship between Tribal governments and the United
States in the management of buffalo and buffalo
habitat;
(2) to promote and develop the capacity of Indian Tribes and Tribal organizations to manage bison and bison habitat;

(3) to protect, conserve, and enhance Indian bison, which are important to the subsistence, culture, and economic development of many Indian Tribes;

(4) to promote the development and use of bison and bison habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations, through management of bison and bison habitats in accordance with integrated resource management plans developed by Indian Tribes and Tribal organizations;

(5) to develop bison herds and increase production of bison in order to meet Tribal subsistence, health, cultural, and economic development needs; and

(6) to promote the inclusion of Indian Tribes and Tribal organizations in Department, local, regional, national, or international—

(A) decision-making processes; or

(B) forums.

SEC. 3. DEFINITIONS.

In this Act:
(1) **BUFFALO.**—The term “buffalo” means an animal of the genus Bison.

(2) **BUFFALO HABITAT.**—The term “buffalo habitat” means Indian land, as defined in paragraph (5) of this section, that is managed for buffalo.

(3) **DEPARTMENT.**—The term “Department” means the Department of the Interior.

(4) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in paragraph (2) of section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501), except that, in that paragraph, the term “Indian reservation” shall be considered to have the meaning given the term “Indian reservation” in paragraph (3) of that section, without regard to the date specified in paragraph (3) of that section.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term (without regard to capitalization) in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

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

(7) **TRIBAL ORGANIZATION.**—The term “Tribal organization” means any legally established organi-
zation of Indians which is chartered under section 17 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5124), by the recognized governing body of any Indian Tribe or Tribes, and with demonstrable experience in the restoration of buffalo and buffalo habitat on Indian land.

SEC. 4. BUFFALO RESOURCE MANAGEMENT.

(a) Program Established.—The Secretary shall establish a permanent program within the Department of the Interior for the purpose of—

(1) promoting and developing the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(2) promoting the ability of Indian Tribes and Tribal organizations to protect, conserve, and enhance populations of buffalo that are owned by Indian Tribes or Tribal organizations;

(3) promoting the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations; and

(4) promoting the inclusion of Indian Tribes and Tribal organizations in Department, international, national, regional, and local decision mak-
ing and forums regarding buffalo and buffalo habitat.

(b) Contracts and Grants Authorized.—

(1) In general.—The Secretary shall enter into contracts and cooperative agreements with, and award grants to, Indian Tribes and Tribal organizations to enable the respective Indian Tribe or Tribal organization to—

(A) plan, conduct, or implement a buffalo restoration or management program;

(B) plan and execute commercial activities related to buffalo or buffalo products; or

(C) carry out other activities related to buffalo restoration and management.

(2) No diminishment of laws and regulations.—Nothing in this subsection shall be interpreted to diminish any Federal or State law or regulation of diseased buffalo.

c) Technical Assistance.—The Secretary shall provide technical assistance to an Indian Tribe or Tribal organization that enters into a contract or cooperative agreement or receives a grant under this section to assist that Indian Tribe or Tribal organization in—
(1) carrying out the activities of a buffalo or buffalo habitat restoration or management program; and

(2) implementing the activities described in paragraphs (1) through (3) of subsection (b).

SEC. 5. CONSULTATION; COORDINATION.

(a) Consultation.—Not later than 1 year after the date of the enactment of this Act, and on an ongoing basis thereafter, the Secretary shall consult with Indian Tribes and Tribal organizations on initiatives of the Department that affect buffalo or buffalo habitat, including efforts of the Department to contain or eradicate diseased buffalo.

(b) Coordination.—The Secretary shall develop a policy relating to buffalo and buffalo habitat management activities on Indian land, in accordance with—

(1) the goals and objectives set forth in buffalo management programs approved by Indian Tribes; and

(2) Tribal laws and ordinances.

SEC. 6. PROTECTION OF INFORMATION.

Notwithstanding any other provision of law, the Secretary shall not disclose or cause to be disclosed any information provided to the Secretary by an Indian Tribe or Tribal organization that is identified by the Indian Tribe
or Tribal organization as culturally sensitive, proprietary, or otherwise confidential.

SEC. 7. BUFFALO FROM FEDERAL LAND.

(a) IN GENERAL.—The Secretary may enter into an agreement with an Indian Tribe or Tribal organization to dispose of surplus buffalo on Federal land administered by the Department applicable, by transporting such buffalo onto Indian land.

(b) APPLICATION.—An Indian Tribe or Tribal organization may submit to the Secretary an application to receive buffalo described in subsection (a) at such time, in such manner, and containing such information as the Secretary may require.

(c) WAIVER OF CHARGES.—The Secretary may waive any charges for the buffalo described in subsection (a), including any deposit or payment for services as described in section 10.2 of title 36, Code of Federal Regulation, or any successor regulation.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary for grants to implement this Act, $14,000,000 for the first fiscal year beginning after the date of the enactment of this Act and for each fiscal year thereafter.