

Union Calendar No. 457

116TH CONGRESS
2D SESSION

H. R. 5179

[Report No. 116–559, Part I]

To require the Secretary of the Interior to establish Tribal Wildlife Corridors,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2019

Mr. GALLEGO (for himself, Ms. HAALAND, and Mr. LUJÁN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

OCTOBER 9, 2020

Additional sponsor: Mrs. NAPOLITANO

OCTOBER 9, 2020

Reported from the Committee on Natural Resources

OCTOBER 9, 2020

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To require the Secretary of the Interior to establish Tribal
Wildlife Corridors, 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 Wildlife Cor-
5 ridors Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CONNECTIVITY.—The term “connectivity”
9 means the degree to which the landscape or seascape
10 facilitates native species movement.

11 (2) CORRIDOR.—The term “corridor” means a
12 distinct component of a landscape or seascape
13 that—

14 (A) provides habitat or ecological connec-
15 tivity; and

16 (B) allows for fish, wildlife, or plant move-
17 ment.

18 (3) INDIAN LAND.—The term “Indian land”
19 means land of an Indian tribe, or an Indian indi-
20 vidual, that is—

21 (A) held in trust by the United States; or

22 (B) subject to a restriction against alien-
23 ation imposed by the United States.

24 (4) INDIAN TRIBE.—The term “Indian tribe”
25 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior, acting through the Di-
5 rector of the United States Fish and Wildlife Serv-
6 ice, in consultation with the Bureau of Indian Af-
7 fairs.

8 (6) TRIBAL WILDLIFE CORRIDOR.—The term
9 “Tribal Wildlife Corridor” means a corridor estab-
10 lished by the Secretary under section 3(a).

11 **SEC. 3. ESTABLISHMENT OF TRIBAL WILDLIFE CORRIDORS.**

12 (a) IN GENERAL.—

13 (1) NOMINATIONS.—An Indian tribe may nomi-
14 nate a corridor within Indian land of the Indian
15 tribe as a Tribal Wildlife Corridor by submitting to
16 the Secretary an application at such time, in such
17 manner, and containing such information as the Sec-
18 retary may require.

19 (2) DETERMINATION.—Not later than 90 days
20 after the date on which the Secretary receives an ap-
21 plication under paragraph (1), the Secretary shall
22 determine whether the nominated Tribal Wildlife
23 Corridor described in the application meets the cri-
24 teria established under subsection (b).

1 (3) PUBLICATION.—On approval of an applica-
2 tion under paragraph (2), the Secretary shall pub-
3 lish in the Federal Register a notice of the establish-
4 ment of the Tribal Wildlife Corridor, which shall in-
5 clude a map and legal description of the land des-
6 ignated as a Tribal Wildlife Corridor.

7 (b) CRITERIA.—

8 (1) IN GENERAL.—Not later than 540 days
9 after the date of enactment of this Act, the Sec-
10 retary shall establish criteria for determining wheth-
11 er a corridor nominated by an Indian tribe under
12 subsection (a)(1) qualifies as a Tribal Wildlife Cor-
13 ridor.

14 (2) INCLUSIONS.—The criteria established
15 under paragraph (1) shall include, at a minimum,
16 the following:

17 (A) The restoration of historical habitat
18 for the purposes of facilitating connectivity.

19 (B) The management of land for the pur-
20 poses of facilitating connectivity.

21 (C) The management of land to prevent
22 the imposition of barriers that may hinder cur-
23 rent or future connectivity.

24 (c) REMOVAL.—

1 (1) IN GENERAL.—An Indian tribe may elect to
2 remove the designation of a Tribal Wildlife Corridor
3 on the Indian land of the Indian tribe by notifying
4 the Secretary.

5 (2) EFFECT OF REMOVAL.—An Indian tribe
6 that elects to remove a designation under paragraph
7 (1) may not receive assistance under section 5 or 6.

8 **SEC. 4. COORDINATION OF LAND USE PLANS.**

9 Section 202 of the Federal Land Policy and Manage-
10 ment Act of 1976 (43 U.S.C. 1712) is amended—

11 (1) in subsection (b)—

12 (A) by striking “Indian tribes by” and in-
13 serting the following: “Indian tribes—

14 “(1) by”;

15 (B) in paragraph (1) (as so designated), by
16 striking the period at the end and inserting “;
17 and”; and

18 (C) by adding at the end the following:

19 “(2) for the purposes of determining whether
20 the land use plans for land in the National Forest
21 System would provide additional connectivity to ben-
22 efit the purposes of a Tribal Wildlife Corridor estab-
23 lished under section 3(a) of the Tribal Wildlife Cor-
24 ridors Act of 2019.”; and

25 (2) by adding at the end the following:

1 “(g) TRIBAL WILDLIFE CORRIDORS.—On the estab-
2 lishment of a Tribal Wildlife Corridor under section 3(a)
3 of the Tribal Wildlife Corridors Act of 2019, the Secretary
4 shall conduct a meaningful consultation with the Indian
5 tribe that administers the Tribal Wildlife Corridor to de-
6 termine whether, through the revision of one or more ex-
7 isting land use plans, the Tribal Wildlife Corridor can—

8 “(1) be expanded into public lands; or

9 “(2) otherwise benefit connectivity (as defined
10 in section 2 of that Act) between public lands and
11 the Tribal Wildlife Corridor.”.

12 **SEC. 5. TECHNICAL ASSISTANCE.**

13 The Secretary shall provide to Indian tribes technical
14 assistance relating to the establishment, management, and
15 expansion of a Tribal Wildlife Corridor, including assist-
16 ance with accessing wildlife data and working with private
17 landowners to access Federal and State programs to im-
18 prove wildlife habitat and connectivity on non-Federal
19 land.

20 **SEC. 6. AVAILABILITY OF ASSISTANCE.**

21 (a) CONSERVATION PROGRAMS PRIORITY.—

22 (1) IN GENERAL.—In evaluating applications
23 under conservation programs described in paragraph
24 (2), the Secretary of Agriculture may give priority to
25 an application for a project that would enhance

connectivity through the expansion of a Tribal Wildlife Corridor.

(2) PROGRAMS DESCRIBED.—The conservation programs referred to in paragraph (1) are any of the following conservation programs administered by the Secretary of Agriculture:

(A) The conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(B) The environmental quality incentives program established under subchapter A of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.).

(C) The conservation stewardship program established under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa–21 et seq.).

(D) The agricultural conservation easement program established under subtitle H of title XII of the Food Security Act of 1985 (16 U.S.C. 3865 et seq.).

(b) WILDLIFE MOVEMENTS GRANT PROGRAM.—

1 (1) IN GENERAL.—The Secretary shall establish
2 a Tribal Wildlife Corridor grant program to encour-
3 age wildlife movement in accordance with this Act.

4 (2) GRANTS.—Beginning not later than 3 years
5 after the date of enactment of this Act, the Sec-
6 retary shall make grants under the program estab-
7 lished under paragraph (1) to one or more Indian
8 tribes to increase connectivity through Tribal Wild-
9 life Corridors.

10 **SEC. 7. SAVINGS CLAUSE.**

11 Nothing in this Act authorizes or affects the use of
12 private property or Indian land.

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