

116TH CONGRESS
1ST SESSION

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.

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 “Indian Buffalo Man-
5 agement Act”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) buffalo sustained a majority of Indian
9 Tribes in North America for many centuries, before

1 buffalo were nearly exterminated by non-Indian
2 hunters in the mid-1800s;

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

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

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

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

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

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

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

21 (1) to fulfill the government-to-government rela-
22 tionship between Tribal governments and the United
23 States in the management of buffalo and buffalo
24 habitat;

1 (2) to promote and develop the capacity of In-
2 dian Tribes and Tribal organizations to manage buf-
3 falo and buffalo habitat;

4 (3) to protect, conserve, and enhance Indian
5 buffalo, which are important to the subsistence, cul-
6 ture, and economic development of many Indian
7 Tribes;

8 (4) to promote the development and use of buf-
9 falo and buffalo habitat for the maximum prac-
10 ticable benefit of Indian Tribes and Tribal organiza-
11 tions, through management of buffalo and buffalo
12 habitats in accordance with integrated resource
13 management plans developed by Indian Tribes and
14 Tribal organizations;

15 (5) to develop buffalo herds and increase pro-
16 duction of buffalo in order to meet Tribal subsist-
17 ence, health, cultural, and economic development
18 needs; and

19 (6) to promote the inclusion of Indian Tribes
20 and Tribal organizations in Department, local, re-
21 gional, national, or international—

22 (A) decision-making processes; or

23 (B) forums.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) BUFFALO.—The term “buffalo” means an
2 animal of the genus Bison.

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

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

8 (4) INDIAN LAND.—The term “Indian land”
9 has the meaning given the term in paragraph (2) of
10 section 2601 of the Energy Policy Act of 1992 (25
11 U.S.C. 3501), except that, in that paragraph, the
12 term “Indian reservation” shall be considered to
13 have the meaning given the term “Indian reserva-
14 tion” in paragraph (3) of that section, without re-
15 gard to the date specified in paragraph (3) of that
16 section.

17 (5) INDIAN TRIBE.—The term “Indian Tribe”
18 has the meaning given the term (without regard to
19 capitalization) in section 4 of the Indian Self-Deter-
20 mination and Education Assistance Act (25 U.S.C.
21 5304).

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

24 (7) TRIBAL ORGANIZATION.—The term “Tribal
25 organization” means any legally established organi-

1 zation of Indians which is chartered under section
2 17 of the Act of June 18, 1934 (commonly known
3 as the “Indian Reorganization Act”) (25 U.S.C.
4 5124), by the recognized governing body of any In-
5 dian Tribe or Tribes, and with demonstrable experi-
6 ence in the restoration of buffalo and buffalo habitat
7 on Indian land.

8 **SEC. 4. BUFFALO RESOURCE MANAGEMENT.**

9 (a) PROGRAM ESTABLISHED.—The Secretary shall
10 establish a permanent program within the Department of
11 the Interior for the purpose of—

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

15 (2) promoting the ability of Indian Tribes and
16 Tribal organizations to protect, conserve, and en-
17 hance populations of buffalo that are owned by In-
18 dian Tribes or Tribal organizations;

19 (3) promoting the development and use of buf-
20 falo and buffalo habitat for the maximum prac-
21 ticable benefit of Indian Tribes and Tribal organiza-
22 tions; and

23 (4) promoting the inclusion of Indian Tribes
24 and Tribal organizations in Department, inter-
25 national, national, regional, and local decision mak-

1 ing and forums regarding buffalo and buffalo habi-
2 tat.

3 (b) CONTRACTS AND GRANTS AUTHORIZED.—

4 (1) IN GENERAL.—The Secretary shall enter
5 into contracts and cooperative agreements with, and
6 award grants to, Indian Tribes and Tribal organiza-
7 tions to enable the respective Indian Tribe or Tribal
8 organization to—

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

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

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

15 (2) NO DIMINISHMENT OF LAWS AND REGULA-
16 TIONS.—Nothing in this subsection shall be inter-
17 preted to diminish any Federal or State law or regu-
18 lation of diseased buffalo.

19 (c) TECHNICAL ASSISTANCE.—The Secretary shall
20 provide technical assistance to an Indian Tribe or Tribal
21 organization that enters into a contract or cooperative
22 agreement or receives a grant under this section to assist
23 that Indian Tribe or Tribal organization in—

1 (1) carrying out the activities of a buffalo or
2 buffalo habitat restoration or management program;
3 and

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

6 **SEC. 5. CONSULTATION; COORDINATION.**

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

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

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

19 (2) Tribal laws and ordinances.

20 **SEC. 6. PROTECTION OF INFORMATION.**

21 Notwithstanding any other provision of law, the Sec-
22 retary shall not disclose or cause to be disclosed any infor-
23 mation provided to the Secretary by an Indian Tribe or
24 Tribal organization that is identified by the Indian Tribe

1 or Tribal organization as culturally sensitive, proprietary,
2 or otherwise confidential.

3 **SEC. 7. BUFFALO FROM FEDERAL LAND.**

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

9 (b) APPLICATION.—An Indian Tribe or Tribal orga-
10 nization may submit to the Secretary an application to re-
11 ceive buffalo described in subsection (a) at such time, in
12 such manner, and containing such information as the Sec-
13 retary may require.

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

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to the Sec-
21 retary for grants to implement this Act, \$14,000,000 for
22 the first fiscal year beginning after the date of the enact-
23 ment of this Act and for each fiscal year thereafter.

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