

Union Calendar No. 465

118TH CONGRESS
2^D SESSION

H. R. 6368

[Report No. 118-563]

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2023

Mr. LAMALFA (for himself, Mrs. PELTOLA, Mrs. TORRES of California, Mr. COLE, and Mr. OBERNOLTE) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE 27, 2024

Additional sponsors: Ms. Leger Fernandez and Ms. Davids of Kansas

JUNE 27, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on November 13, 2023]

A BILL

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

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 Manage-*
5 *ment Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *BUFFALO.*—*The term “buffalo” means an*
9 *animal of the genus: Bison, species: bison, subspecies:*
10 *bison.*

11 (2) *BUFFALO HABITAT.*—*The term “buffalo habi-*
12 *tat” means Indian land that is managed for buffalo.*

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

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

23 (5) *INDIAN TRIBE.*—*The term “Indian Tribe”*
24 *has the meaning given the term in section 4 of the In-*

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

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

5 (7) *TRIBAL ORGANIZATION.*—*The term “Tribal*
6 *organization” means any legally established organiza-*
7 *tion of Indians that—*

8 (A)(i) *is chartered under section 17 of the*
9 *Act of June 18, 1934, (commonly known as the*
10 *“Indian Reorganization Act”; 25 U.S.C. 5124)*
11 *and recognized by the governing body of one or*
12 *more Indian Tribes; or*

13 (ii) *is a Tribal corporation federally char-*
14 *tered under section 3 of the Oklahoma Indian*
15 *Welfare Act (25 U.S.C. 5203); and*

16 (B) *has demonstrable experience in the res-*
17 *toration of buffalo and buffalo habitat on Indian*
18 *land.*

19 **SEC. 3. BUFFALO RESOURCE MANAGEMENT.**

20 (a) *PROGRAM ESTABLISHED.*—*The Secretary shall es-*
21 *tablish a program within the Department for the purposes*
22 *of—*

23 (1) *promoting and developing the capacity of In-*
24 *dian Tribes and Tribal organizations to manage buf-*
25 *falo and buffalo habitat;*

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

5 (3) *promoting the development and use of buffalo*
6 *and buffalo habitat for the maximum practicable ben-*
7 *efit of Indian Tribes and Tribal organizations; and*

8 (4) *promoting the inclusion of Indian Tribes and*
9 *Tribal organizations in Department, international,*
10 *national, regional, and local decision making and fo-*
11 *rumms regarding buffalo and buffalo habitat.*

12 (b) *CONTRACTS AND GRANTS AUTHORIZED.—*

13 (1) *IN GENERAL.—The Secretary shall enter into*
14 *contracts and cooperative agreements with, and*
15 *award grants to, Indian Tribes and Tribal organiza-*
16 *tions to enable the Indian Tribes and Tribal organi-*
17 *zations to—*

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

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

22 (C) *carry out other activities relating to*
23 *buffalo restoration and management.*

24 (2) *NO DIMINISHMENT OF LAWS AND REGULA-*
25 *TIONS.—Nothing in this subsection diminishes any*

1 *Federal or State law (including regulations) regard-*
2 *ing diseased buffalo or buffalo that escape from In-*
3 *dian land.*

4 (c) *TECHNICAL ASSISTANCE.*—*The Secretary shall*
5 *provide technical assistance to an Indian Tribe or Tribal*
6 *organization that enters into a contract or cooperative*
7 *agreement or receives a grant under this section to assist*
8 *the Indian Tribe or Tribal organization in—*

9 (1) *carrying out the activities of a buffalo or buf-*
10 *falo habitat restoration or management program; and*

11 (2) *implementing the activities described in sub-*
12 *paragraphs (A) through (C) of subsection (b)(1).*

13 (d) *SUNSET.*—*The program established under this sec-*
14 *tion shall terminate on September 30, 2030.*

15 **SEC. 4. CONSULTATION; COORDINATION.**

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

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

1 (1) *the goals and objectives described in buffalo*
2 *management programs approved by Indian Tribes;*
3 *and*

4 (2) *Tribal laws and ordinances.*

5 **SEC. 5. PROTECTION OF INFORMATION.**

6 *Notwithstanding any other provision of law, the Sec-*
7 *retary shall not disclose or cause to be disclosed any infor-*
8 *mation provided to the Secretary by an Indian Tribe or*
9 *Tribal organization that is identified by the Indian Tribe*
10 *or Tribal organization as culturally sensitive, proprietary,*
11 *or otherwise confidential.*

12 **SEC. 6. BUFFALO FROM FEDERAL LAND.**

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

18 (b) *APPLICATION.*—*An Indian Tribe or Tribal organi-*
19 *zation may submit to the Secretary an application to re-*
20 *ceive buffalo described in subsection (a) at such time, in*
21 *such manner, and containing such information as the Sec-*
22 *retary may require.*

23 (c) *WAIVER OF CHARGES.*—*The Secretary may waive*
24 *any charges for the buffalo described in subsection (a), in-*
25 *cluding any deposit or payment for services as described*

1 *in section 10.2 of title 36, Code of Federal Regulations (or*
2 *any successor regulation).*

3 **SEC. 7. TREATY RIGHTS RETAINED.**

4 *Nothing in this Act alters, modifies, diminishes, or ex-*
5 *tinguishes the treaty rights of any Indian Tribe.*

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