

TESTIMONY TO THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES
FY 2025 American Indian and Alaska Native Public Witness Hearings
Presented by Ervin Carlson, President, InterTribal Buffalo Council
May 7, 2024

INTRODUCTION AND BACKGROUND

My name is Ervin Carlson, and I am a member of the Blackfeet Nation in Montana and serve as the President of the InterTribal Buffalo Council (ITBC). Please accept my sincere appreciation for this opportunity to testify to the honorable members of the House Interior Appropriation Subcommittee. My testimony primarily involves funding requests from the Department of Interior (DOI) (specifically the Bureau of Indian Affairs (BIA)) but funding could also be obtained from the National Park Service (NPS), the U.S. Fish and Wildlife Service (USFWS) and the Indian Health Service (IHS)..

ITBC was granted a federal charter in 2009 pursuant to Section 17 of the Indian Reorganization Act and is comprised of eighty-four (84) federally recognized Indian Tribes in twenty-one (21) states with fifty-five (55) buffalo herds. One of our most active members is the Shoshone Bannock Tribes of Idaho, a tribe that Chairman Simpson knows well. ITBC represents approximately 1,000,000 tribal members.

American Indians have a long-standing spiritual and cultural connection with buffalo that has not diminished with the passage of time. Historically, buffalo provided the Tribes with food, shelter, clothing, and essential tools for survival. The near extinction of buffalo was analogous to the tragic history of American Indians in this country. However, today's resurgence of buffalo on Tribal lands, largely through the efforts of ITBC, signifies survival of the revered Tribal buffalo culture. ITBC Member Tribes strive to restore buffalo to Tribal lands to rekindle the cultural, traditional, and spiritual relationship between buffalo and Tribes and to utilize buffalo to promote the health, and economic well-being of Tribal populations.

On behalf of the Member Tribes of ITBC, I am requesting an appropriation of \$17 million which is a definite increase over the \$1.4 million we are presently receiving from the Department of Interior for funds to allow the organization to: 1) increase funds for the Tribal herd development grant program to sustain and grow Tribal buffalo herds, 2) to fund ITBC efforts to serve as a meaningful buffalo management partner to federal agencies, and 3) to fund scientific research on the benefits of buffalo meat for the prevention and treatment of diet related diseases. The majority of this amount comes from totaling the requests for herd development funds from our member tribes. We have been receiving funding in the vicinity of \$1 million for years despite growing from a dozen tribes to 84 tribes. Clearly, we are not able to make the types of transfers our members would like and need to establish or sustain herds.

FUNDING HISTORY

ITBC has been funded through various methods from the Department of Interior Bureau of Indian Affairs including the President's budget, Congressional earmarks, or administrative action since 1992. ITBC's funding history illustrates Congressional and Administrative support for ITBC's restoration and management program and the Tribal buffalo herds. Annual funding of ITBC provides evidence that buffalo restoration and management is not a limited or one-time "project"

but a "recurring program." ITBC has most recently been funded from the BIA, Natural Resources, Tribal Management/Development Projects line item.

The ITBC has worked for several years on the Indian Buffalo Management Act to create a permanent buffalo restoration and management program in the Department of Interior Bureau of Indian Affairs. This Act would authorize an annual appropriation for Tribal buffalo programs and allow ITBC to expand technical services to its member Tribes. The Indian Buffalo Management Act was originally introduced by Representatives Don Young, Deb Haaland, Tom Cole and Norma Torres and others and passed the House. It was more recently introduced by Congressman Doug LaMalfa, Mary Peltola and others and has been reported out of the House Committee on Natural Resources. The Department of Interior has testified in favor of the bill during both Republican and Democratic administrations.

FEDERAL COMMITMENT TO TRADITIONAL FOODS

At the request of the Department of Interior, Bureau of Indian Affairs, ITBC prepared a written comparison of the funding provided to tribal fish commissions and the funding provided ITBC, primarily due to the fact both entities were funded out of the same line items of the Department of Interior budgets. This analysis of public records, historical documents and case law revealed that seven fish commissions receive federal funding in an amount exceeding \$140 million annually from various federal agencies at the Department of Interior, the Department of Commerce and the Environmental Protection Agency. The seven fish commissions cover 52 tribes over 12 states, and an approximate population of 525,000 enrolled tribal members. A single fish commission employs 10 times the staff we do and operates two additional offices. We don't begrudge these tribes the funding they receive. It is deserved and needed but the comparison to the buffalo tribes is stark.

The level of federal funding to fish commissions is largely due to the well-known *Boldt* decision that awarded fishing Tribes co-management authority over salmon with the States, access to half of the returning fish each year, and declared the security of Indian fishing rights was a trust obligation of the United States. While the *Boldt* decision focused on Tribal access to fish, the ruling supports all American Indians having a right to their traditional foods. This decision supports an argument that the Federal Government's trust responsibility extends to the return of buffalo to Tribes.

Article XI of the 1868 Treaty of Fort Laramie guarantees Tribes access to buffalo "so long as buffalo may range." Unfortunately like many other treaty provisions, the Federal Government has failed to live up to this promise. Recently, the United States Supreme Court examined the 1868 Fort Laramie Treaty and upheld Tribal off-reservation hunting rights in the *Herrera* decision. Adequate funding for Tribal buffalo restoration provides an opportunity for the Federal Government to honor the 1868 Treaty language and a commitment for Tribes to access a traditional food source.

An increase in funding to ITBC will enhance the necessary infrastructure to provide buffalo to a larger segment of the Indian community. This in turn will lead to greater self-determination and food-sovereignty opportunities for Tribes through production of their own traditional foods and creation of economic opportunities. I respectfully request an increase in the Tribal Management and Development Program and the Fish, Wildlife, and Parks and Natural Resources Tribal Priority Allocation Programs in the BIA. The Subcommittee may also consider using programs in the NPS and USFWS to increase the allocations for buffalo restoration and management involving the InterTribal Buffalo Council. We do routinely provide an important service to the National Parks who have herds of buffalo. When those Parks reach their carrying capacity they call ITBC and we round up and transport identified buffalo from them (obviating the culling of those herds). We

often find tribes who want to take those buffalo, so we transport them, presently at no cost to the National Park involved.

FUNDING INCREASE JUSTIFICATION

ITBC's primary objectives are to restore buffalo to Tribal lands, and to sustain, conserve and manage existing Tribal herds through the promotion of traditional buffalo handling practices and beliefs. ITBC strives to aid Tribes to meet the needs and desires of individual Tribal programs. ITBC attempts to balance the varying interests of Member Tribes from maintaining herds for spiritual purposes to utilizing buffalo as viable economic development endeavors. ITBC accomplishes these objectives as follows:

Increase in Herd Development Grant Funds

ITBC distributes \$1,000,000 of its funding directly to ITBC Member Tribes via Herd Development Grants (HDG). The HDG funding has been stagnant despite the continued growth of the Tribal membership of the organization. In FY 2025, unmet needs for ITBC members exceeded \$17 million based upon the exigent needs of Tribal buffalo herd managers. ITBC members use these funds for a variety of purposes including water development, range management, fence construction and repair, corrals, purchasing handling equipment, supplemental feed, and administrative costs. These funds will create new jobs in Indian Country, create sustainable Tribal buffalo herds, and allow Tribes to utilize buffalo for economic development. I am requesting an increase of \$15,600,000 to provide ITBC members with this desperately needed aid.

Funding for Federal Agency Partnerships

ITBC is a member of various Federal and State working groups organized to address buffalo issues. ITBC collaborates with NPS, the U.S. Forest Service, and the USDA Animal and Plant Health Inspection Service regarding Yellowstone buffalo. ITBC provides critical transportation for translocation of Yellowstone buffalo to Tribal lands. However, ITBC cannot participate to its full potential and serve as a meaningful partner due to a lack of funding for these collaborative efforts.

Since its inception, ITBC has partnered with the NPS on buffalo management efforts including population management through roundups and distribution of buffalo to Tribes. Badlands, Theodore Roosevelt, and Wind Cave National Parks have surplus buffalo that need to be moved from the parks to ensure that those ecosystems remain intact. This also allows NPS to avoid slaughtering these surplus buffalo which negates likely public outcry with needless slaughters. ITBC bears the costs of transporting these surplus buffalo but has not been funded for its role in these activities. Additionally, the USFWS does not provide funding programs to Tribes for buffalo restoration efforts. I would request the Committee appropriate funds to support ITBC's role in protecting NPS's wildlife and provide buffalo restoration in the USFWS in the amount of \$2,000,000.

Health Related Research and School Lunch Programs

ITBC has a long-term objective to prevent and treat diet related diseases in Native populations through the reintroduction of buffalo meat into daily diets. ITBC has eight Member Tribes serving Tribal raised buffalo in their school lunch programs to address health concerns of school-age children. ITBC anticipates expanding this program to 20 Tribes in the next three years with increased funding.

However, these efforts to coordinate with health care providers have been limited by the lack of scientific evidence of the health benefits of natural, grass-fed buffalo diets. ITBC believes research

to develop concrete evidence of these health benefits will facilitate ITBC partnerships with health programs to prevent and treat diet related diseases in Native populations. This critical research will support ITBC's efforts to provide buffalo meat to school lunch programs as a healthy alternative to other meat products. ITBC wants to partner with IHS to fund this research to promote traditional, healthy tribal diets. I am requesting \$100,000 to promote and fund this research.

Technical Assistance, Education, and Outreach

ITBC assesses current and potential Tribal buffalo programs to determine technical service and infrastructure needs. After this assessment, ITBC then provides technical assistance in the areas of wildlife management, ecological management, range management, buffalo health, cultural practices, and economic development. Further, ITBC assists with construction of fencing and corrals, facility design, water development, and equipment research. ITBC provides annual training sessions (national and regional) designed to enhance Tribal buffalo handling and management. However, current funding levels do not allow ITBC to be responsive to the needs of the growing ITBC Membership. ITBC only has two technical services providers which limits the frequency our member-Tribes receive this support. The hiring of more technical services providers would assist Tribes with reaching goals of self-sufficient herds.

Additionally, ITBC staff provide educational presentations to school-age youth, tribal buffalo managers, and others. The topics of these presentations range from buffalo restoration, conservation efforts, and the historical, cultural relationship between buffalo and American Indians. However, current funding limits outreach, educational efforts, and staff training. Additional funding in the amount of \$500,000 would allow more American Indian youth to benefit from the important history of buffalo and Tribal.

CONCLUSION

ITBC has existed for over two decades to assist Tribes with restoration of buffalo to Tribal lands for cultural purposes. No other program exists to assist Tribes with buffalo restoration and protection. ITBC and its Member Tribes have created a new Indian Reservation industry that includes job creation and new revenue for the Tribal economies. ITBC ultimately hopes to restore Tribal herds large enough to support local Tribal health needs and generate sufficient revenue to achieve economically self-sufficient herds.

ITBC and its Member Tribes are appreciative of past and current support from Congress and the Administration. However, I urge the Committee to increase ITBC funding to a total of \$17,000,000 which is a level commensurate with the growth of the Tribal Buffalo Programs and other Tribal wildlife programs. This increase will demonstrate Congressional respect for the national mammal and allow ITBC to fulfill its responsibilities to restore, protect, and manage buffalo.

I would like to thank this Committee for the opportunity to present testimony and I invite you to visit ITBC Tribal buffalo projects and experience firsthand their successes. Questions and/or comments regarding any of the issues presented within this testimony may be directed to Mr. Ervin Carlson, President, Troy Heinert, Executive Director, and/or to Ms. Majel Russell, Legal Counsel, at (406) 259-8611.