

TESTIMONY TO THE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT
AND RELATED AGENCIES
U.S. HOUSE OF REPRESENTATIVES
SUBMITTED BY ERVIN CARLSON, PRESIDENT
INTERTRIBAL BUFFALO COUNCIL
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INTRODUCTION AND BACKGROUND

Chairman Simpson, Ranking Member Pingree and distinguished members of the House Appropriations Subcommittee on the Interior, Environment and Related Agencies, 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). I am honored to present testimony today on behalf of the 90 federally recognized Tribes that comprise the InterTribal Buffalo Council.

ITBC was established by a few Tribes in 1992 and organized as a non-profit cooperative. In 2009, ITBC sought and was granted a federal charter pursuant to Section 17 of the Indian Reorganization Act to elevate ITBC as a national Indian organization that could advocate for federal funding on a government-to-government basis. At that time, we had 57 members. Our growth since then has been constant and we now have 90 member tribes from 22 states all across the country, representing over a 600% increase from inception in 1992, a clear indication of that buffalo restoration is a critical and growing priority for Tribal governments. ITBC member tribes are committed to the return of buffalo herds to tribal lands and the provision of the benefits of those buffalo to the Indian people. The combined membership of the ITBC tribes is approximately 1,000,000 people. Our members range from very small to very large tribes.

My testimony primarily involves funding requests from the Department of the Interior (DOI) (specifically the Bureau of Indian Affairs (BIA)), but ITBC performs services that could also be funded through the National Park Service (NPS), the U.S. Fish and Wildlife Service (USFWS) and the Indian Health Service (IHS).

American Indians have a long-standing spiritual and cultural connection with buffalo that has not diminished with the passage of time. Historically, buffalo sustained native populations and provided food, shelter, clothing, and essential tools for survival. The near extinction of buffalo in the 1800's at the hands of non-Indian buffalo hunters was analogous to the tragic history of American Indians in this country. However, Tribes, largely through the efforts of ITBC, are restoring buffalo to tribal lands and reestablishing the nearly lost tribal buffalo culture. ITBC Member Tribes are establishing buffalo herds to rekindle not only the cultural, traditional, and spiritual connection between buffalo and Tribes but to also utilize buffalo as a healthy source of food, and to enhance economic opportunities.

We appreciated the increase we received from this Subcommittee last year and on behalf of the Member Tribes of ITBC, I am requesting an appropriation of \$17 million which is a definite increase over the \$2.023 million in FY 26 base funding we are will be receiving from the Department of Interior for funds to allow the organization to: 1) increase funds for the Tribal herd development grant program to continue restoration efforts and to augment existing 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 requested amount comes from simply totaling the requests for herd development funds from our member tribes. We have been receiving funding in the vicinity of \$1 to \$2 million for years despite growing from a dozen tribes to 90 tribes. This limited funding prevents assisting Tribes to achieve meaningful buffalo programs and self-sustaining 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 buffalo restoration and management efforts. Annual funding of ITBC provides evidence that buffalo restoration and management is not a one-time project but is a "recurring program." ITBC has most recently been funded from the BIA, Natural Resources, Tribal Management and Development Program (TMDP) line item. In recent years our funding fluctuated from \$1 million to \$1.5 million. For FY 26 it will be \$2 million. Trying to divide that among 90 tribes is not easy.

ITBC has worked for several years on the Indian Buffalo Management Act to direct the Department of Interior to work with Tribes on buffalo restoration and management . The late Don Young was the original sponsor of a bi-partisan bill that would have authorized an annual appropriation of \$14 million for Tribal buffalo programs and allow ITBC to expand services to its member Tribes. That version passed the House in December of 2021 but did not make it through the Senate.

In the 118th Congress, comparable legislation (S. 2908) was introduced by Senators Heinrich, Mullin, Tester and Sullivan and passed the Senate. The House companion bill from Congressman Doug LaMalfa, Mary Peltola and others was reported out of the House Committee on Natural Resources but did not make it through the full House. Most recently we were told that the \$14 million needed to be deleted with other changes for it to comply with House protocols. Congressman LaMalfa was preparing to introduce it with those changes when he died. Congressman Hurd will be doing so this week. 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 do not intend to disparage or detract from this critically important support to these tribes 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 based upon treaty obligations of the United States. 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. In 2019, 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 continue restoration efforts and enhance the necessary infrastructure to provide buffalo to a larger segment of native people which will strengthen self-determination, economic and food-sovereignty opportunities for Tribes. In addition to the TMDP program 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. ITBC routinely provides translocation of buffalo from National Parks that have buffalo beyond the park's carrying capacity. ITBC, for many years, has accepted the surplus buffalo and managed transport to Tribal lands preventing the prospect of culling federal herds. ITBC covers transport costs and provides technical assistance to Tribes when requested.

FUNDING INCREASE JUSTIFICATION

ITBC's primary objectives are to restore buffalo to Tribes on Tribal lands, and to assist Tribes to sustain, conserve and manage existing 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 respect tribal sovereignty and support 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 the vast majority of its funding directly to ITBC Member Tribes via Herd Development Grants (HDG). With exception of FY 26, 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. If budget constraints do not allow for an increase of that size, we respectfully ask for funding of at least \$5 million.

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.

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 bear 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 learning about the important history of buffalo and Tribes.

CONCLUSION

ITBC has existed for over three decades to assist Tribes with restoration of buffalo to Tribal lands for cultural purposes. No other Tribally led program exists to directly 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.

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, Bo Vocu, Executive Director, and/or to Ms. Majel Russell, Legal Counsel, at (406) 259-8611.