

118TH CONGRESS
1ST SESSION

H. R. 6368

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

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 Man-
5 agement Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) BUFFALO.—The term “buffalo” means an
2 animal of the genus: *Bison*, species: *bison*, sub-
3 species: *bison*.

4 (2) BUFFALO HABITAT.—The term “buffalo
5 habitat” means Indian land that is managed for buf-
6 falo.

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

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

18 (5) INDIAN TRIBE.—The term “Indian Tribe”
19 has the meaning given the term in section 4 of the
20 Indian Self-Determination and Education Assistance
21 Act (25 U.S.C. 5304).

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

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

1 tion of Indians that is chartered under section 17 of
2 the Act of June 18, 1934 (commonly known as the
3 “Indian Reorganization Act”; 25 U.S.C. 5124) with
4 demonstrable experience in the restoration of buffalo
5 and buffalo habitat on Indian land.

6 **SEC. 3. BUFFALO RESOURCE MANAGEMENT.**

7 (a) PROGRAM ESTABLISHED.—The Secretary shall
8 establish a program within the Department for the pur-
9 poses of—

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

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

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

21 (4) promoting the inclusion of Indian Tribes
22 and Tribal organizations in Department, inter-
23 national, national, regional, and local decision mak-
24 ing and forums regarding buffalo and buffalo habi-
25 tat.

1 (b) CONTRACTS AND GRANTS AUTHORIZED.—

2 (1) IN GENERAL.—The Secretary shall enter
3 into contracts and cooperative agreements with, and
4 award grants to, Indian Tribes and Tribal organiza-
5 tions to enable the Indian Tribes and Tribal organi-
6 zations to—

7 (A) plan, conduct, or implement a buffalo
8 restoration or management program;

9 (B) plan and execute commercial activities
10 related to buffalo or buffalo products; or

11 (C) carry out other activities relating to
12 buffalo restoration and management.

13 (2) NO DIMINISHMENT OF LAWS AND REGULA-
14 TIONS.—Nothing in this subsection diminishes any
15 Federal or State law (including regulations) regard-
16 ing diseased buffalo or buffalo that escape from In-
17 dian land.

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

23 (1) carrying out the activities of a buffalo or
24 buffalo habitat restoration or management program;
25 and

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

3 (d) SUNSET.—The program established under this
4 section shall terminate on September 30, 2030.

5 **SEC. 4. CONSULTATION; COORDINATION.**

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

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

15 (1) the goals and objectives described in buffalo
16 management programs approved by Indian Tribes;
17 and

18 (2) Tribal laws and ordinances.

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

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

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

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

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

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

17 **SEC. 7. TREATY RIGHTS RETAINED.**

18 Nothing in this Act alters, modifies, diminishes, or
19 extinguishes the treaty rights of any Indian Tribe.

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