



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Indian and Insular Affairs Subcommittee staff, Ken Degenfelder
(Ken.Degenfelder@mail.house.gov) and Jocelyn Broman
(Jocelyn.Broman@mail.house.gov) x6-9725
Date: Tuesday, December 5, 2023
Subject: Legislative Hearing on four bills: H.R. 4524, H.R. 4748, H.R. 6368, and H.R. 6443

The Subcommittee on Indian and Insular Affairs will hold a legislative hearing on four bills: H.R. 4524 (Rep. Newhouse), “*Parity for Tribal Law Enforcement Act*”; H.R. 4748 (Rep. Peltola), “*Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act*”; H.R. 6368 (Rep. LaMalfa), “*Indian Buffalo Management Act*”; and H.R. 6443 (Rep. Issa), “*Jamul Indian Village Land Transfer Act*” on **Tuesday, December 5, 2023, at 10:15 a.m. in 1324 Longworth House Office Building.**

Member offices are requested to notify Ransom Fox (Ransom.Fox@mail.house.gov) by 4:30pm on Monday, December 4, 2023, if their member intends to participate in the hearing.

I. KEY MESSAGES

- H.R. 4524 would authorize tribal law enforcement officers to be considered as federal law enforcement officers for the purposes of federal benefits and pensions, tort claim coverage, and penalties for crimes against tribal law enforcement officers, creating parity between federal and tribal law enforcement officers which can help with retention and recruitment of tribal law enforcement officers.
- H.R. 4748 would amend the Alaska Native Claims Settlement Act (ANCSA) to allow the Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to form Alaska Native urban corporations in Southeast Alaska, and then allow each urban corporation to select one township of land (23,040 acres) within and near their historical, aboriginal lands in the Tongass National Forest to be owned in fee by the urban corporations.
- H.R. 6368 would establish a formal program within the Department of the Interior (DOI) to support tribes and tribal organizations as they create and maintain their own American buffalo programs for the economic and spiritual benefit of American Indians and Alaska Natives.
- H.R. 6443 would place approximately 172.1 acres of fee simple land owned the Jamul Indian Village in San Diego County, CA into trust by the United States for the benefit of the tribe.

II. WITNESSES

- **Mr. Jason Freihage**, Deputy Assistant Secretary for Management, Bureau of Indian Affairs, U.S. Department of the Interior, Washington, D.C. [H.R. 4524, H.R. 4748, H.R. 6368, H.R. 6443]
- **Mr. Chris French**, Deputy Chief, U.S. Forest Service, U.S. Department of Agriculture, Washington, D.C. [H.R. 4748]
- **The Hon. Jarred-Michael Erickson**, Chairman, Confederated Tribes of the Colville Reservation, Nespelem, WA [H.R. 4524]
- **The Hon. Erica M. Pinto**, Chairwoman, Jamul Indian Village, Jamul, CA [H.R. 6443]
- **Mr. Ervin Carlson**, President, Intertribal Buffalo Council, Rapid City, SD [H.R. 6368]
- **Mr. Richard Rinehart**, CEO, Tlingit & Haida Business Corporation, Juneau, AK [*minority witness*] [H.R. 4748]

III. BACKGROUND

[H.R. 4524 \(Rep. Newhouse\), “Parity for Tribal Law Enforcement Act”](#)

The Indian Law Enforcement Act of 1990 and its implementing regulations provide the main statutory and regulatory authority for the Bureau of Indian Affairs’ (BIA) Office of Justice Services (OJS) to carry out law enforcement functions in Indian country.¹ The BIA provides basic police and corrections services while other federal agencies such as the Department of Justice (DOJ), the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) also have responsibilities to investigate crimes in Indian country.²

To carry out law enforcement activities, the BIA can either provide “direct” service (i.e. with federal employee law enforcement officers) or it can contract or compact with a tribe to carry out the functions the BIA would otherwise provide, pursuant to the Indian Self Determination and Education Assistance Act (ISDEAA).³ Tribally operated law enforcement agencies in the U.S. has increased by 32 percent in the past 10 years, indicating that tribes want to have more involvement in policing their lands and populations.⁴ However, Special Law Enforcement Commission (SLEC) agreements from BIA are required for tribal or local law enforcement officers to enforce federal criminal laws in Indian country.⁵ For Indian tribes in some regions of the country, obtaining SLEC agreements and renewing those agreements has proven

¹ 25 U.S.C. Sec. 2801.

² “Testimony before the Senate Committee on Indian Affairs: Federal Declinations to Prosecute in Indian Country” Director William Patrick Ragsdale, Sept. 18, 2008.

³ 25 USC 5301 et seq.

⁴ *Tribal Crime Data Collection Activities*, 2023. DOJ. Bureau of Justice Statistics. July 2023. <https://bjs.ojp.gov/document/tcdca23.pdf>

⁵ “Training Fulfills Key Requirement of Tribal Law and Order Act, Makes Tribal Police Eligible to Enforce Federal Laws.” DOI, Mar. 21, 2011 <https://www.bia.gov/as-ia/opa/online-press-release/justice-and-interior-departments-launch-national-criminal-justice>.

administratively difficult and some tribal officers are unable to respond in certain instances.⁶ As discussed in a recent subcommittee oversight hearing, tribes have consistently faced challenges recruiting and retaining law enforcement officers and other public safety personnel, making it a long-standing issue for Indian country.⁷

H.R. 4524 would authorize tribal officers acting under a contract or compact entered into by their respective tribal employers under the ISDEAA to be considered federal law enforcement officers and to enforce federal law without requiring SLECs. Tribal law enforcement officers would need to meet certain qualifications and requirements comparable to what federal and BIA law enforcement officers meet.

The bill would also treat tribal law enforcement officers acting under an ISDEAA contract or compact as federal law enforcement officers for purposes of certain other federal laws, including for benefits applicable to federal law enforcement officers for injury and death, retirement, and pension benefits. Tribal law enforcement officers are currently not eligible for these federal benefit programs, but BIA law enforcement officers are eligible. H.R. 4524 would ensure these benefits are available to all law enforcement officers carrying out duties in Indian country.

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[H.R. 4748 \(Rep. Peltola\), “Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act”](#)

H.R. 4748 would amend Section 16 of ANCSA⁸ to allow the Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to form Alaska Native urban corporations. Each urban corporation would then be eligible to select lands totaling a total of one township of land (23,040 acres) within and near their historical aboriginal lands in southeast Alaska. Currently, these Alaska Native communities are not able to form as Alaska Native Corporations (ANCs) under ANCSA because the villages were not included in ANCSA and there was no provision included for appealing their lack of inclusion.

In 1971, President Nixon signed ANCSA into law to settle the aboriginal land claims of Alaska Natives which had gone unresolved for more than 100 years since the U.S. purchased Alaska from the Russian empire in 1867 (Treaty of Cession).⁹ Under ANCSA, Alaska Natives received a \$962.5 million settlement payment and roughly 44 million acres of land, which were divided between almost 200 village corporations and 12 regional corporations established by the legislation. ANCSA revoked all Native reservations in existence in Alaska in 1971 except for the Metlakatla Indian Community of the Annette Island Reserve.¹⁰

⁶ “Testimony before the Senate Committee on Indian Affairs: Tribal Law and Order Reauthorization Act of 2017,” Honorable Bryan Rice, Oct. 25, 2017, <https://www.indian.senate.gov/sites/default/files/10.25.17%20Bryan%20Rice%20Testimony.pdf>.

⁷ Indian and Insular Affairs Oversight Hearing, “Opportunities and Challenges for Improving Public Safety in Tribal Communities.” Nov. 14, 2023. 118th Congress, House Natural Resources Committee.

⁸ P.L. 92-203.

⁹ 15 Stat. 539.

¹⁰ P.L. 92-203 § 19.

ANCSA required the establishment of village and regional corporations (together commonly referred to as “Alaska Native Corporations” or “ANCs”) to receive land under the settlement and disperse the payments to Alaska Natives. The ANCs created by ANCSA are organized by village and by region within the State of Alaska, with ANCSA specifying eligibility criteria for village or urban Alaska Native corporations. ANCSA specified that villages eligible to form a village corporation had to have at least 25 Native residents as of 1970, that they were not modern and urban in character, and that a majority of their populations were Alaska Native.¹¹ Communities that did not meet the “not modern and urban criteria” because the communities came to be “composed predominantly of non-Natives” were given the opportunity to form as Alaska Native urban corporations, and were allowed to select less acres than an Alaska Native village corporation.¹²

Generally, ANCs are state-chartered, private, for-profit businesses with the statutory mandate to provide health, education, and welfare benefits to their Alaska Native shareholders. ANCSA mandated that both regional and village corporations be owned by enrolled Alaska Native shareholders. The 1991 Amendments to ANCSA confirmed Native control over ANCs and gave more authority to corporations and their shareholders to change the shareholder structure, as well as create new classes of stocks that could benefit younger generations of Alaska Natives not included as original shareholders.¹³ Each ANC controls their own corporate structure and types of stock offered can vary by corporation.

After the passage of ANCSA, regional and village corporations selected land in and around native villages in Alaska in proportion to their enrolled populations. Village populations during the 1970 census largely determined acreage amounts for land entitlements to village corporations.¹⁴ The land ANCs received under ANCSA is considered private property and owned in fee simple, unlike reservation lands in the lower 48 states which are held in trust by the Federal government. Under ANCSA, each regional, village, and urban corporation received a set number of acres of land to be transferred to them. However, for the acres that each village or urban corporation received, the village or urban corporation obtained fee title to the surface estate and the local regional corporation received fee title to the subsurface estate.

Under ANCSA, Southeast Alaska was treated differently, likely in part due to the Tlingit and Haida Settlement.¹⁵ In the 1950s, the Tlingit and Haida tribes in Southeast Alaska pursued claims against the United States for taking lands, including the Tongass National Forest, away

¹¹ P.L. 92-203 § 11.

¹² Institute of Social and Economic Research, “A Study of Five Southeast Alaska Communities” University of Alaska Anchorage, Feb. 1994. https://iseralaska.org/static/legacy_publication_links/StudyOf5-SE-AK-Communities.pdf

¹³ P.L. 105-333.

¹⁴ 43 U.S.C. § 1613.

¹⁵ Testimony of Sealaska Corporation before the Subcommittee on Indian and Alaska Native Affairs at 3. May 16, 2013. <https://docs.house.gov/meetings/ii/ii24/20130516/100839/hrg-113-ii24-wstate-mallottb-20130516.pdf>. See also P.L. 92-203 § 16(c) referencing ANCSA also directly referred to the Tlingit and Haida Settlement and reducing the acreage to be conveyed to listed qualified southeast Alaska Native villages.

from Alaska Natives without their consent.¹⁶ They were eventually awarded \$7.5 million for a partial land settlement in 1968.¹⁷ Other claims that the Tlingit and Haida tribes pursued legally were settled in ANCSA.

The communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell were not included in the listing of Southeast Alaska Native villages presumed able to form a village or urban corporation in Section 16 of ANCSA.¹⁸ Tenakee, Haines, and Ketchikan appealed their lack of inclusion, but because Congress did not include a right of appeal for Southeast villages, their appeals were rejected outright.¹⁹

This was different than other regions of Alaska, where unlisted villages had a way to appeal their status.²⁰ In 1993, Congress directed the Secretary of the Interior to examine why Haines, Ketchikan, Petersburg, Tenakee, and Wrangell were unrecognized in ANCSA, but the report found no clear explanation for the omissions.²¹

H.R. 4748 would amend ANCSA to enable Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to organize into Alaska Native urban corporations and each select one township, or 23,040 acres (115,200 acres in total) in Southeast Alaska within the Tongass National Forest. The legislation also contains provisions stating the bill: would not affect any land entitlements for previously established ANCs; does not affect rights-of-way held by the state of Alaska within the selected parcels; and provides the U.S. Forest Service access to National Forest System roads until a mutual use agreement is reached. Additionally, in a departure from previous implementations of ANCSA, the parcels to be conveyed would remain open and available to subsistence uses, noncommercial recreational hunting and fishing, and other noncommercial recreational uses, with narrow exceptions.

Maps for areas each community plans to select can be found [here](#).

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[H.R. 6368 \(Rep. LaMalfa\), “Indian Buffalo Management Act”](#)

H.R. 6368 would authorize DOI to establish a permanent program to develop and promote the capacity of Indian tribes and tribal organizations to manage buffalo and buffalo habitat. The DOI

¹⁶ Meghan Sullivan, “The modern treaty: protecting Alaska Native land, values” Indian Country Today, <https://ictnews.org/news/the-modern-treaty-protecting-alaska-native-land-values>

¹⁷ Juen Leffler, “‘Landless’ tribes stake out selections in the Tongass” KSTK.org, <https://www.kstk.org/2019/10/11/landless-tribes-stake-out-selections-in-the-tongass/>

¹⁸ P.L. 92-203 § 16.

¹⁹ Institute of Social and Economic Research, “A Study of Five Southeast Alaska Communities” University of Alaska Anchorage, Feb. 1994. https://iseralaska.org/static/legacy_publication_links/StudyOf5-SE-AK-Communities.pdf.

²⁰ P.L. 92-203 § 11.

²¹ Institute of Social and Economic Research, “A Study of Five Southeast Alaska Communities” University of Alaska Anchorage, Feb. 1994. https://iseralaska.org/static/legacy_publication_links/StudyOf5-SE-AK-Communities.pdf.

would do this through contracts, cooperative agreements and grants to Indian tribes and tribal organizations.

The American buffalo (or bison) has long held importance to the United States and was officially named the national mammal in 2016.²² American Indian and Alaska Natives have also had a long standing cultural and spiritual relationship with buffalo which continues to this day.²³ Indian tribes used the buffalo for subsistence purposes for thousands of years, incorporating it into everyday diets and livelihoods. By the end of the 19th century, however, buffalo were near extinction.²⁴ As a result, conservation efforts were enacted to restore buffalo numbers. Over the last 100 years buffalo have slowly returned and in 2017, the U.S. Department of Agriculture estimated that there were approximately 200,000 buffalo in the United States.²⁵

Indian tribes have seen their buffalo herds grow with success for many years. In 1991, several tribes with buffalo herds joined together forming the Intertribal Buffalo Council (ITBC).²⁶ In 2009, the ITBC received a federal charter pursuant to Section 17 of the Indian Reorganization Act to aid tribes in the restoration of buffalo on tribal lands.²⁷ Today, the ITBC is comprised of 83 member tribes with 20,000 buffalo in 21 states with the mission of restoring buffalo to Indian Country.²⁸

In Fiscal Year (FY) 2023, ITBC received approximately \$1.5 million through the Bureau of Indian Affairs for its members buffalo programs, however this funding has fluctuated over the fiscal years.²⁹ ITBC reports that, on average, an ITBC member tribe is underfunded by approximately \$150,000 to operate their buffalo program and this equates to an estimated need of \$11 million for the herd development grant program. The ITBC has estimated its approximate need to be more than \$17 million per year.³⁰ Advocates for a formal program state that a formal program will help with stabilizing funding.

H.R. 6368 would promote tribal management of buffalo through contracts, cooperative agreements, and grants. This would be accomplished through buffalo restoration programs, the planning and executing of commercial activities related to buffalo products, and other activities related to buffalo restoration and management. Last, the bill authorizes the Secretary of the Interior to enter into agreements with Indian tribes or tribal organizations to dispose of surplus buffalo on federal land and transfer those buffalo to Indian land.

²² P.L. 114-152.

²³ Intertribal Buffalo Council testimony before H. Interior Appropriations Subcommittee. March 2019.

²⁴ Shepard Krech "Buffalo Tales: The Near-Extinction of the American Bison" National Humanities Center, <https://nationalhumanitiescenter.org/tserve/nattrans/ntecoindian/essays/buffaloc.htm>.

²⁵ Miscellaneous Livestock and Animal Specialties -Inventory and Sales: 2017 and 2012, USDA, https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_US_State_Level/st99_2_0023_0023.pdf.

²⁶ History and Mission, Intertribal Buffalo Council, <https://itbuffalonation.org/history-and-mission/>.

²⁷ 25 USC 477.

²⁸ Meeting between HNR Staff and Intertribal Buffalo Council. 11.22.2023.

²⁹ Budget Justifications and Performance Information FY 2024, Bureau of Indian Affairs, https://www.bia.gov/sites/default/files/dup/inline-files/bia_2024_greenbook.pdf.

³⁰ Meeting between HNR Staff and Intertribal Buffalo Council. 11.22.2023.

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H.R. 6443 (Rep. Issa), “Jamul Indian Village Land Transfer Act”

H.R. 6443 would place approximately 172.1 acres of land in San Diego County, California in trust for the benefit of the Jamul Indian Village of California. This land is currently owned in fee simple by the Jamul Indian Village. One parcel containing the tribe’s cemetery was donated by the Diocese of San Diego on August 31, 2017.³¹

The Jamul Indian Village of California is part of the Kumeyaay people of southern California, also known as the Mission Indians. The tribe traces their history back 12,000 years, however it achieved federal recognition in 1981.³² The tribe currently has approximately 75 members.³³

Since 1981, the tribe has slowly acquired a land base for itself. The San Diego Diocesan Office of Apostolic Ministry deeded approximately 2.34 acres of land to the tribe in 1912 and the Daley Corporation deeded approximately 4 acres to the tribe in 1978, creating the approximately 6.04 acres of the tribe’s reservation.³⁴ The tribe has submitted fee-to-trust applications for the parcels identified in this legislation, including one submitted in August 2015, that have not been finalized by the DOI.³⁵ This bill would place the parcels into trust legislatively rather than continuing through the BIA administrative process.³⁶ This bill would also prohibit any class II or class III gaming under the Indian Gaming Regulatory Act (IGRA)³⁷ on the parcels taken into trust.

According to the tribe, they intend to build housing for tribal members to bring members living outside the area back to the community, develop non-gaming economic development projects, and create tribal community spaces for continuation of the tribe’s cultural traditions.³⁸ Parcel three contains the only road leading to the current reservation, the tribal cemetery, and the tribe’s currently operating casino. Ensuring that access, by placing the land into trust, is very important to the tribe.³⁹

A map of the four parcels this legislation would place into trust can be viewed [here](#).

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³¹ <https://interactive.cbs8.com/pdfs/2017-Recorded-Trust-Deed-Jamul-Indian-Village.pdf>.

³² U.S. Department of the Interior. Bureau of Indian Affairs Office of Government Services.

https://www.supremecourt.gov/DocketPDF/20/20-1559/178651/20210511093611330_Jamul%20Appx2.pdf.

³³ Meeting between Jamul Indian Village and HNR Staff 11.28.2023.

³⁴ “Jamul”, Tiller’s Guide to Indian Country, Veronica E. Velarde Tiller (2015).

³⁵ Meeting between Jamul Indian Village and HNR Staff, 11.28.2023.

³⁶ 25 CFR 151. <https://www.ecfr.gov/current/title-25/chapter-I/subchapter-H/part-151>.

³⁷ 25 USC 2701 et seq.

³⁸ Meeting between Jamul Indian Village and HNR Staff, 11.28.2023.

³⁹ Meeting between Jamul Indian Village and HNR Staff, 11.28.2023.

IV. MAJOR PROVISIONS & SECTION-BY-SECTION

H.R. 4524 (Rep. Newhouse), “Parity for Tribal Law Enforcement Act”

Section 2. Tribal Law Enforcement Officers.

Amends the Indian Law Enforcement Reform Act to give law enforcement officers employed by Indian tribes that have self-governance compacts or contracts with the federal government, the authority to enforce federal law in areas under tribal jurisdiction if they have completed the required training, passed an adjudicated background investigation, received BIA certification, and the Indian tribe has adopted the required policies and procedures that meet or exceed the same or similar policies of the BIA’s Office of Justice Services.

Deems law enforcement officers employed by Indian tribes that have compacted or contracted with the federal government to be federal law enforcement officers for purposes of certain federal laws, including those that provide for criminal penalties for assaulting federal law enforcement officers, provide injury and death benefits and pension and retirement benefits for federal law enforcement officers, and provide coverage for federal law enforcement officers under the *Federal Tort Claims Act*.

Section 3. Oversight, Coordination, and Accountability.

Directs the U.S. Attorney General to coordinate and conduct oversight into all Department of Justice activities, responsibilities, functions, and programs for public safety in Indian communities.

H.R. 4748 (Rep. Peltola), “Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act”

Section 2. Purpose.

States that the purpose of the Act is to allow the five Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to form urban corporations under ANCSA, enroll their members in the urban corporations, and to receive certain settlement land pursuant to the guidelines in ANCSA.

Section 3. Establishment of Additional Native Corporations.

Amends Section 16 of ANCSA (43 U.S.C. 1615) by adding a new subsection which would establish that Alaska Natives (or their heirs) who enrolled under ANCSA to the Native villages of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell, Alaska, may organize as Urban Corporations. There is no effect on any entitlement to land of any other Native Corporation established before enactment of this Act.

Section 4. Shareholder Eligibility.

Amends Section 8 of ANCSA (43 U.S.C. 1607) to establish that each individual Alaska Native who is enrolled to one of the five village Urban Corporations established in this Act and is a shareholder for the Southeast Alaska Regional Corporation shall receive 100 shares of

Settlement Common Stock in their respective Urban Corporation. To address the division of shares among heirs of original enrollees, this section further establishes that if an individual Alaska Native has received stock in the Southeast Regional Alaska Native Corporation by way of inheritance from an original enrollee that would have been enrolled in Haines, Ketchikan, Petersburg, Tenakee, or Wrangell, they shall receive an identical number of shares of Common Stock in the Urban Corporation for the respective Native Village.

Section 5. *Distribution Rights.*

Alaska Native enrollees to the Native Villages of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell who become shareholders in an Urban Corporation shall continue to be eligible to receive distributions as shareholders of the Regional Alaska Native Corporation pursuant to Section 7 of ANCSA. The section contains savings language ensuring that these changes do not affect the revenue sharing distributions among Alaska Native Corporations under subsection (i) or (j) of ANCSA.

Section 6. *Compensation.*

Authorizes parcels of land to be conveyed to each of the Urban Corporations for Haines, Ketchikan, Petersburg, Tenakee, and Wrangell and identifies the U.S. Forest Service maps that identify the parcels. Each village would receive a total of one township of land (23,040 acres), consistent with the terms of ANCSA for other Urban Corporations. The Southeast Alaska Regional Corporation would receive the subsurface estate of the lands conveyed, consistent with the terms of ANCSA. States the intent of Congress that interim conveyances should generally be completed no later than 2 years after incorporation of the Urban Corporations.

Would withdraw the conveyed parcels from the federal estate, clarify that the land is to be considered conveyed pursuant to ANCSA, and extend certain protections (e.g., protection against alienation if the land is undeveloped) under the Alaska National Interest Lands Conservation Act (ANILCA).

Public easements for roads, trails, and other public use sites established pursuant to Section 17(b) of ANCSA would be established and cannot be terminated without publication of notice in the Federal Register.

Rights-of-way held by the State of Alaska under P.L. 109-59 and a 2006 Memorandum of Understanding between the State and the U.S. Forest Service would not be affected by this Act.

The lands to be conveyed would remain open and available to subsistence uses, noncommercial recreational hunting and fishing, and other noncommercial recreational uses, with narrow exceptions (e.g., to protect sacred sites or for public safety).

Authorizes the continuation of guiding or outfitting special use authorizations by directing the Urban Corporations to take over administration of such authorizations and providing for the automatic issuance of one additional 10-year renewal authorization.

Directs the U.S. Forest Service to seek to enter into a binding mutual use agreement for use of National Forest System roads and related transportation facilities and provide for administrative access to roads and related transportation facilities until the mutual use agreement is agreed to.

Clarifies that the Act is subject to the escrow provisions of ANCSA, in which any proceeds derived from withdrawn lands after enactment of this Act shall be held for the benefit of the Urban Corporation.

Preserves existing rights for roads, trails, log transfer facilities, leases, and appurtenances that would be conveyed to the Urban Corporations. All reciprocal rights-of-way, easements, and use agreements must continue until expiration or mutually renegotiated.

Each Urban Corporation is authorized to establish a settlement trust to promote the health, education, and welfare of the trust beneficiaries, if it chooses to do so.

Appropriations would be authorized in the amount of \$12.5 million for five equal grants to each Urban Corporation to be used for implementation of this Act on the part of each Urban Corporation.

H.R. 6368 (Rep. LaMalfa), “*Indian Buffalo Management Act*”

Section 3. Buffalo Resource Management.

Establishes a program within the DOI to promote and develop tribal management of buffalo; Allows the Secretary of the Interior (Secretary) to enter into contracts and cooperative agreements with tribes and tribal organizations to create or maintain buffalo restoration or management programs and requires the Secretary to provide technical assistance to tribes or tribal organizations that enter into the aforementioned agreements. Nothing will diminish any state or federal regulations regarding diseased buffalo or buffalo that escape from Indian lands. Includes program sunset of Sept. 30, 2030.

Section 4. Consultation; Coordination.

Requires the Secretary to consult with tribes and tribal organizations regarding buffalo and buffalo habitat initiatives; Requires the Secretary to develop a policy related to buffalo and buffalo habitat management.

Section 5. Protection of Information.

Requires the Secretary to protect any information provided by a tribe or tribal organization that is deemed culturally sensitive, proprietary, or confidential.

Section 6. Buffalo from Federal Land.

Allows the Secretary to dispose of surplus buffalo from federal lands to tribes or tribal organizations and allows the Secretary to waive charges if they choose.

Section 7. *Treaty Rights Retained.*

States that nothing in this Act alters, modifies, diminishes, or extinguishes tribal treaty rights.

H.R. 6443 (Rep. Issa), “*Jamul Indian Village Land Transfer Act*”

Section 2. *Land to be Taken into Trust for the Jamul Indian Village of California Tribe.*

Approximately 172.1 acres of land owned by the Jamul Indian Village of California is taken into trust by the U.S. for the benefit of the tribe. The land will be part of the Jamul Indian Village of California reservation and will be administered under the laws and regulations applicable to Indian trust land. No class II or class III gaming pursuant to the Indian Gaming Regulatory Act may occur on the land being taken into trust.

V. CBO COST ESTIMATE

No cost estimates are available for any of the bills.

VI. ADMINISTRATION POSITION

H.R. 4524 (Rep. Newhouse), “*Parity for Tribal Law Enforcement Act*”

The administration testified on a previous version of this bill in 2022 stating:

The Department [DOI] supports [the bill] as a means to strengthen public safety and justice in Indian country, and the Department welcomes the opportunity to work with the sponsors and the Subcommittee to refine the bill’s language and better understand the cost of implementation.⁴⁰

H.R. 4748 (Rep. Peltola), “*Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act*”

Unknown, however the U.S. the Forest Service testified on the Senate companion bill, S. 1889, stating that they support the Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters (SO 3403), but did not provide an official position on the legislation.⁴¹

H.R. 6368 (Rep. LaMalfa), “*Indian Buffalo Management Act*”

Unknown.

⁴⁰ Statement of Principal Deputy Assistant Secretary for Indian Affairs Wizipan Garriott before the Subcommittee for Indigenous Peoples of the United States, Sept. 14, 2022. <https://www.doi.gov/ocl/pending-legislation-39>.

⁴¹ Testimony of Associate Deputy Chief Jacqueline Emanuel before the Senate Energy and Natural Resources Committee, Oct. 25, 2023, <https://www.energy.senate.gov/services/files/100D8EEB-E0D6-4926-9FC5-D4E32BA97BB2>.

H.R. 6443 (Rep. Issa), “*Jamul Indian Village Land Transfer Act*”

Unknown.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

[H.R. 4524 \(Rep. Newhouse\), “*Parity for Tribal Law Enforcement Act*”](#)

[H.R. 4748 \(Rep. Peltola\), “*Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act*”](#)