

**STATEMENT OF  
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DEPARTMENT OF THE INTERIOR  
BEFORE THE HOUSE COMMITTEE ON NATURAL RESOURCES  
SUBCOMMITTEE ON INDIAN AND INSULAR AFFAIRS**

**December 5, 2023**

Chair Hageman, Ranking Member Leger Fernández, and members of the Subcommittee, my name is Jason Freihage, and I serve as the Deputy Assistant Secretary of Management for Indian Affairs at the U.S. Department of the Interior (Department). Thank you for the opportunity to present testimony regarding H.R. 4524, *“Parity for Tribal Law Enforcement Act,”* H.R. 6368, *“Indian Buffalo Management Act,”* and H.R. 6443, *“Jamul Indian Village Land Transfer Act.”*

**H.R. 4524, Parity for Tribal Law Enforcement Act**

H.R. 4524 amends the Indian Law Enforcement Reform Act to provide that Tribal Law Enforcement Officers (LEOs) acting under a Tribe’s contract or compact under the Indian Self Determination and Education Assistance Act would have the authority to enforce Federal law within the Tribe’s jurisdiction provided they complete training and background requirements that are equivalent to employees of the Bureau of Indian Affairs Office of Justice Services (BIA-OJS). Additionally, under the bill the Tribe must have adopted policies and procedures that meet or exceed those of the BIA-OJS for the same compacted or contracted program, service, function, or activity.

Importantly, the bill also provides that Tribal LEOs acting under a contract or compact shall be deemed eligible for benefits applicable to Federal LEOs, including Federal death and injury, retirement and pension benefits. Tribes often struggle to recruit and retain LEOs across Indian country, particularly in remote areas. The provision of Federal benefits to Tribal LEOs will help immensely with Tribes’ ability to recruit and retain LEOs and provide for the overall safety of their communities.

Under the leadership of Secretary Haaland, improving public safety in Indian country and

addressing the Missing and Murdered Indigenous Peoples crisis is a top priority for the Department. The Department supports H.R. 4524 as a means to strengthen public safety and justice in Indian country.

### **H.R. 6368, Indian Buffalo Management Act**

The North American Bison, commonly called buffalo, is the official mammal of the United States and plays an important role in the history of this continent. For many Tribes, buffalo play a significant role in their identity, subsistence, economic development, and conservation and land management practices. The historical, cultural, and spiritual connection between buffalo and Tribes cannot be overstated. Buffalo sustained many Indian Tribes in North America for many centuries before they were exterminated by non-Indian hunters in the mid-1800s. Indian Tribes have long desired the reestablishment of buffalo throughout Indian country. The successful restoration of buffalo allows an Indian Tribe to benefit from the reintroduction of buffalo into the diets of the members of the Indian Tribe. Working to restore buffalo and increase tribal access to buffalo is a priority for the Biden administration and for Secretary Haaland. The BIA's Branch of Fish, Wildlife, and Recreation funds buffalo restoration and management activities through annual appropriations. H.R. 6368, the Indian Buffalo Management Act, would establish a permanent program within the Department to develop and promote Tribal ownership, conservation, and management of buffalo and buffalo habitat on Indian lands.

Under H.R. 6368, two entities are eligible for program participation: Indian Tribes, as defined by the Indian Self-Determination and Education Assistance Act (ISDEAA), and Tribal organizations organized under Section 17 of the Indian Reorganization Act (IRA). To avoid the exclusion of Tribal corporations federally chartered under Section 3 of the Oklahoma Indian Welfare Act, P.L. 74-816, the Department recommends H.R. 6368 use the same definition of "Tribal organization" as ISDEAA.

H.R. 6368 does not provide any funding to support the permanent program that the bill establishes, which will be contractible by Tribes under ISDEAA. In the event of a Tribe utilizing ISDEAA, as

amended, to contract or compact that permanent program, the Secretary may be required to utilize funds from other programs to meet the Department's statutory obligations under ISDEAA.

Buffalo once roamed this continent in the tens of millions and the Department appreciate efforts to improve management of this vital species. The Department recognizes our shared interest in modernizing buffalo management in Indian Country and appreciates Congress's attention to this effort. We support the bill's goals and welcome the opportunity to work with the sponsors and subcommittee to provide technical assistance.

### **H.R. 6443, Jamul Indian Village Land Transfer Act**

H.R. 6443 would place approximately 172.1 acres of land in San Diego County, California, owned in fee by the Jamul Indian Village into trust for the benefit of the Jamul Indian Village. The bill makes the lands part of the reservation for the Jamul Indian Village and includes a prohibition against class II and Class III gaming under the Indian Gaming Regulatory Act.

The parcels to be transferred into trust are comprised of a parcel with Daisy Drive which is the main access road to the Jamul Indian Village's existing trust land, a parcel that contains a culturally significant church and cemetery, and the Jamul Indian Village plans to use two parcels for housing development, a clinic, and an administration building.

The Department supports H.R. 6443. Restoration of Tribal homelands is a priority for the Department and Biden Administration.

### **Conclusion**

Chair Hageman, Ranking Member Leger Fernández, and Members of the Subcommittee, thank you for the opportunity to provide the Department's views on these important bills. I look forward to answering any questions that you may have.