Suspend the Rules And Pass the Bill, H.R. 2074, with Amendments
(The amendments strike all after the enacting clause and insert a
new text and a new title)

117TH CONGRESS
1ST SESSION

H. R. 2074

To assist Tribal governments in the management of buffalo and buffalo
habitat and for the reestablishment of buffalo on Indian lands.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2021

Mr. YOUNG (for himself and Mrs. TORRES of California) 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 for the reestablishment of buff-
foal on Indian lands.

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. FINDINGS; PURPOSES.
7 (a) FINDINGS.—Congress finds that—
(1) buffalo sustained a majority of Indian Tribes in North America for many centuries before buffalo were nearly exterminated by non-Indian hunters in the mid-1800s;

(2) the historical, cultural, and spiritual connection between buffalo and Indian Tribes has not diminished over time;

(3) Indian Tribes have long desired the reestablishment of buffalo throughout Indian country for cultural, spiritual, and subsistence purposes; and

(4) the successful restoration of buffalo would allow an Indian Tribe to benefit from—

(A) the reintroduction of buffalo into the diets of the members of the Indian Tribe;

(B) the rekindling of the spiritual and cultural relationship between buffalo and the Indian Tribe; and

(C) the use of buffalo for economic development, in the case of an Indian Tribe that chooses to use buffalo for economic development.

(b) PURPOSES.—The purposes of this Act are—

(1) to fulfill the government-to-government relationship between Tribal governments and the United
States in the management of buffalo and buffalo habitat;

(2) to promote and develop the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(3) to protect, conserve, and enhance buffalo, which are important to the subsistence, culture, and economic development of many Indian Tribes;

(4) to promote the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations, through management of buffalo and buffalo habitats in accordance with integrated resource management plans developed by Indian Tribes and Tribal organizations;

(5) to develop buffalo herds and increase production of buffalo in order to meet Tribal subsistence, health, cultural, and economic development needs; and

(6) to promote the inclusion of Indian Tribes and Tribal organizations in Department of the Interior, local, regional, national, or international—

(A) decision-making processes; and

(B) forums.
SEC. 3. DEFINITIONS.

In this Act:

(1) **BUFFALO.**—The term “buffalo” means an animal of the subspecies Bison bison bison.

(2) **BUFFALO HABITAT.**—The term “buffalo habitat” means Indian land, as defined in paragraph (4) of this section, that is managed for buffalo.

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

(4) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in paragraph (2) of section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501), except that, in that paragraph, the term “Indian reservation” shall be considered to have the meaning given the term “Indian reservation” in paragraph (3) of that section, without regard to the date specified in paragraph (3) of that section.

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

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.
(7) Tribal organization.—The term “Tribal organization” means any legally established organization of Indians that—

(A) is chartered under section 17 of the Act of June 18, 1934, (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5124), which is recognized by the governing body of any Indian Tribe or Tribes; or

(B) is a Tribal corporation federally chartered under section 3 of the Oklahoma Indian Welfare Act (25 U.S.C. 5203); and

(C) has demonstrable experience in the restoration of buffalo and buffalo habitat on Indian land.

SEC. 4. BUFFALO RESOURCE MANAGEMENT.

(a) Program established.—The Secretary shall establish a permanent program within the Department of the Interior for the purposes of—

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

(2) promoting the ability of Indian Tribes and Tribal organizations to protect, conserve, and enhance populations of buffalo that are owned by Indian Tribes or Tribal organizations;
(3) promoting the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations; and

(4) promoting the inclusion of Indian Tribes and Tribal organizations in Department, international, national, regional, and local decision-making and forums regarding buffalo and buffalo habitat.

(b) CONTRACTS AND GRANTS AUTHORIZED.—

(1) In general.—The Secretary shall enter into contracts and cooperative agreements with, and award grants to, Indian Tribes and Tribal organizations to enable the Indian Tribes and Tribal organizations—

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

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

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

(2) No diminishment of laws and regulations.—Nothing in this subsection diminishes any Federal or State law (including regulations) regard-
ing diseased buffalo or buffalo that escape from In-
dian land.

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

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

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

SEC. 5. CONSULTATION; COORDINATION.

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

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

(1) the goals and objectives described in buffalo
management programs approved by Indian Tribes;
and
(2) Tribal laws and ordinances.

SEC. 6. PROTECTION OF INFORMATION.

Notwithstanding any other provision of law, the Secretary shall not disclose or cause to be disclosed any information provided to the Secretary by an Indian Tribe or Tribal organization that is identified by the Indian Tribe or Tribal organization as culturally sensitive, proprietary, or otherwise confidential.

SEC. 7. BUFFALO FROM FEDERAL LAND.

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

(b) APPLICATION.—An Indian Tribe or Tribal organization may submit to the Secretary an application to receive buffalo described in subsection (a) at such time, in such manner, and containing such information as the Secretary may require.

(c) WAIVER OF CHARGES.—The Secretary may waive any charges for the buffalo described in subsection (a), including any deposit or payment for services as described in section 10.2 of title 36, Code of Federal Regulations (or any successor regulation).
SEC. 8. TREATY RIGHTS RETAINED.
Nothing in this Act alters, modifies, diminishes, or extinguishes the treaty rights of any Indian Tribe.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.
There is authorized to be appropriated to the Secretary to carry out this Act $14,000,000 for fiscal year 2022 and each fiscal year thereafter.

Amend the title so as to read: “A bill To assist Tribal governments in the management of buffalo and buffalo habitat and the reestablishment of buffalo on Indian land.”