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

IN THE SENATE OF THE UNITED STATES

Mr. HEINRICH (for himself and Mr. MULLIN) introduced the following bill; which was read twice and referred to the Committee on

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. FINDINGS; PURPOSES.
7 (a) FINDINGS.—Congress finds that—
8 (1) buffalo sustained a majority of Indian
9 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) decisionmaking 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 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 a legally established organization of Indians that is chartered under section 17 of
the Act of June 18, 1934 (commonly known as the
“Indian Reorganization Act”) (25 U.S.C. 5124) with
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 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 en-
hance populations of buffalo that are owned by In-
dian Tribes or Tribal organizations;

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

(4) promoting the inclusion of Indian Tribes
and Tribal organizations in Department, inter-
national, national, regional, and local decisionmaking
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) regarding diseased buffalo or buffalo that escape from Indian 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 the 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 Sec-
retary shall not disclose or cause to be disclosed any infor-
mation 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 2024 and each fiscal year thereafter.