

# Union Calendar No. 457

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5179

**[Report No. 116–559, Part I]**

To require the Secretary of the Interior to establish Tribal Wildlife Corridors,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2019

Mr. GALLEGO (for himself, Ms. HAALAND, and Mr. LUJÁN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

OCTOBER 9, 2020

Additional sponsor: Mrs. NAPOLITANO

OCTOBER 9, 2020

Reported from the Committee on Natural Resources

OCTOBER 9, 2020

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To require the Secretary of the Interior to establish Tribal  
Wildlife Corridors, and for other purposes.

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 “Tribal Wildlife Cor-

5 ridors Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) **CONNECTIVITY.**—The term “connectivity”  
9       means the degree to which the landscape or seascape  
10       facilitates native species movement.

11          (2) **CORRIDOR.**—The term “corridor” means a  
12       distinct component of a landscape or seascape  
13       that—

14           (A) provides habitat or ecological connec-

15       tivity; and

16           (B) allows for fish, wildlife, or plant move-

17       ment.

18          (3) **INDIAN LAND.**—The term “Indian land”  
19       means land of an Indian tribe, or an Indian indi-

20       vidual, that is—

21           (A) held in trust by the United States; or

22           (B) subject to a restriction against alien-

23       ation imposed by the United States.

24          (4) **INDIAN TRIBE.**—The term “Indian tribe”  
25       has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance  
2 Act (25 U.S.C. 5304).

3 (5) SECRETARY.—The term “Secretary” means  
4 the Secretary of the Interior, acting through the Di-  
5 rector of the United States Fish and Wildlife Serv-  
6 ice, in consultation with the Bureau of Indian Af-  
7 fairs.

8 (6) TRIBAL WILDLIFE CORRIDOR.—The term  
9 “Tribal Wildlife Corridor” means a corridor estab-  
10 lished by the Secretary under section 3(a).

11 **SEC. 3. ESTABLISHMENT OF TRIBAL WILDLIFE CORRIDORS.**

12 (a) IN GENERAL.—

13 (1) NOMINATIONS.—An Indian tribe may nomi-  
14 nate a corridor within Indian land of the Indian  
15 tribe as a Tribal Wildlife Corridor by submitting to  
16 the Secretary an application at such time, in such  
17 manner, and containing such information as the Sec-  
18 retary may require.

19 (2) DETERMINATION.—Not later than 90 days  
20 after the date on which the Secretary receives an ap-  
21 plication under paragraph (1), the Secretary shall  
22 determine whether the nominated Tribal Wildlife  
23 Corridor described in the application meets the cri-  
24 teria established under subsection (b).

1           (3) PUBLICATION.—On approval of an applica-  
2           tion under paragraph (2), the Secretary shall pub-  
3           lish in the Federal Register a notice of the establish-  
4           ment of the Tribal Wildlife Corridor, which shall in-  
5           clude a map and legal description of the land des-  
6           ignated as a Tribal Wildlife Corridor.

7           (b) CRITERIA.—

8           (1) IN GENERAL.—Not later than 540 days  
9           after the date of enactment of this Act, the Sec-  
10          retary shall establish criteria for determining wheth-  
11          er a corridor nominated by an Indian tribe under  
12          subsection (a)(1) qualifies as a Tribal Wildlife Cor-  
13          ridor.

14          (2) INCLUSIONS.—The criteria established  
15          under paragraph (1) shall include, at a minimum,  
16          the following:

17                 (A) The restoration of historical habitat  
18                 for the purposes of facilitating connectivity.

19                 (B) The management of land for the pur-  
20                 poses of facilitating connectivity.

21                 (C) The management of land to prevent  
22                 the imposition of barriers that may hinder cur-  
23                 rent or future connectivity.

24          (c) REMOVAL.—

1           (1) IN GENERAL.—An Indian tribe may elect to  
2           remove the designation of a Tribal Wildlife Corridor  
3           on the Indian land of the Indian tribe by notifying  
4           the Secretary.

5           (2) EFFECT OF REMOVAL.—An Indian tribe  
6           that elects to remove a designation under paragraph  
7           (1) may not receive assistance under section 5 or 6.

8 **SEC. 4. COORDINATION OF LAND USE PLANS.**

9           Section 202 of the Federal Land Policy and Manage-  
10          ment Act of 1976 (43 U.S.C. 1712) is amended—

11           (1) in subsection (b)—

12                   (A) by striking “Indian tribes by” and in-  
13                   serting the following: “Indian tribes—

14                   “(1) by”;

15                   (B) in paragraph (1) (as so designated), by  
16                   striking the period at the end and inserting “;  
17                   and”;

18                   (C) by adding at the end the following:

19                   “(2) for the purposes of determining whether  
20                   the land use plans for land in the National Forest  
21                   System would provide additional connectivity to ben-  
22                   efit the purposes of a Tribal Wildlife Corridor estab-  
23                   lished under section 3(a) of the Tribal Wildlife Cor-  
24                   ridors Act of 2019.”; and

25           (2) by adding at the end the following:

1           “(g) TRIBAL WILDLIFE CORRIDORS.—On the estab-  
2 lishment of a Tribal Wildlife Corridor under section 3(a)  
3 of the Tribal Wildlife Corridors Act of 2019, the Secretary  
4 shall conduct a meaningful consultation with the Indian  
5 tribe that administers the Tribal Wildlife Corridor to de-  
6 termine whether, through the revision of one or more ex-  
7 isting land use plans, the Tribal Wildlife Corridor can—

8                   “(1) be expanded into public lands; or

9                   “(2) otherwise benefit connectivity (as defined  
10 in section 2 of that Act) between public lands and  
11 the Tribal Wildlife Corridor.”.

12 **SEC. 5. TECHNICAL ASSISTANCE.**

13           The Secretary shall provide to Indian tribes technical  
14 assistance relating to the establishment, management, and  
15 expansion of a Tribal Wildlife Corridor, including assist-  
16 ance with accessing wildlife data and working with private  
17 landowners to access Federal and State programs to im-  
18 prove wildlife habitat and connectivity on non-Federal  
19 land.

20 **SEC. 6. AVAILABILITY OF ASSISTANCE.**

21           (a) CONSERVATION PROGRAMS PRIORITY.—

22                   (1) IN GENERAL.—In evaluating applications  
23 under conservation programs described in paragraph  
24 (2), the Secretary of Agriculture may give priority to  
25 an application for a project that would enhance

1 connectivity through the expansion of a Tribal Wild-  
2 life Corridor.

3 (2) PROGRAMS DESCRIBED.—The conservation  
4 programs referred to in paragraph (1) are any of the  
5 following conservation programs administered by the  
6 Secretary of Agriculture:

7 (A) The conservation reserve program es-  
8 tablished under subchapter B of chapter 1 of  
9 subtitle D of title XII of the Food Security Act  
10 of 1985 (16 U.S.C. 3831 et seq.).

11 (B) The environmental quality incentives  
12 program established under subchapter A of  
13 chapter 4 of subtitle D of title XII of the Food  
14 Security Act of 1985 (16 U.S.C. 3839aa et  
15 seq.).

16 (C) The conservation stewardship program  
17 established under subchapter B of chapter 4 of  
18 subtitle D of title XII of the Food Security Act  
19 of 1985 (16 U.S.C. 3839aa–21 et seq.).

20 (D) The agricultural conservation ease-  
21 ment program established under subtitle H of  
22 title XII of the Food Security Act of 1985 (16  
23 U.S.C. 3865 et seq.).

24 (b) WILDLIFE MOVEMENTS GRANT PROGRAM.—



1           (1) IN GENERAL.—The Secretary shall establish  
2           a Tribal Wildlife Corridor grant program to encour-  
3           age wildlife movement in accordance with this Act.

4           (2) GRANTS.—Beginning not later than 3 years  
5           after the date of enactment of this Act, the Sec-  
6           retary shall make grants under the program estab-  
7           lished under paragraph (1) to one or more Indian  
8           tribes to increase connectivity through Tribal Wild-  
9           life Corridors.

10 **SEC. 7. SAVINGS CLAUSE.**

11           Nothing in this Act authorizes or affects the use of  
12           private property or Indian land.

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