A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Wildlife Corridors Act of 2021”.

SEC. 2. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, in consultation with the Director of the Bureau of Indian Affairs.

## SEC. 3. TRIBAL WILDLIFE CORRIDORS.

(a) **Establishment.**—

(1) **In general.**—

(A) **NOMINATIONS.**—An Indian Tribe may nominate a corridor within the boundaries of the land of the Indian Tribe as a Tribal Wildlife Corridor by submitting to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(B) **Determination.**—Not later than 90 days after the date on which the Secretary receives an application under subparagraph (A), the Secretary shall determine whether the nominated Tribal Wildlife Corridor described in the application meets the criteria established under paragraph (2).
(C) Publication.—On approval of an application under subparagraph (B), the Secretary shall publish in the Federal Register a notice of the establishment of the Tribal Wildlife Corridor, which shall include a map and legal description of the land designated as a Tribal Wildlife Corridor.

(2) Criteria.—

(A) In General.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish criteria for determining whether a corridor nominated by an Indian Tribe under paragraph (1)(A) qualifies as a Tribal Wildlife Corridor.

(B) Inclusions.—The criteria established under subparagraph (A) shall include, at a minimum, the following:

(i) The restoration of historical habitat for the purposes of facilitating connectivity.

(ii) The management of land for the purposes of facilitating connectivity.

(iii) The management of land to prevent the imposition of barriers that may hinder current or future connectivity.
(3) Removal.—

(A) In General.—An Indian Tribe may elect to remove the designation of a Tribal Wildlife Corridor on the land of the Indian Tribe by notifying the Secretary.

(B) Effect of Removal.—An Indian Tribe that elects to remove a designation under subparagraph (A) may not receive assistance under subsection (c) or (d).

(b) Coordination of Land Use Plans.—Section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) is amended—

(1) in subsection (b)—

(A) by striking “Indian tribes by” and inserting the following: “Indian Tribes—“(1) by”; 

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

(C) by adding at the end the following:

“(2) for the purposes of determining whether the land use plans for land in the National Forest System would provide additional connectivity to benefit the purposes of a Tribal Wildlife Corridor estab-
lished under section 3(a)(1) of the Tribal Wildlife
Corridors Act of 2021.’’; and

(2) by adding at the end the following:

“(g) TRIBAL WILDLIFE CORRIDORS.—On the estab-
ishment of a Tribal Wildlife Corridor under section
3(a)(1) of the Tribal Wildlife Corridors Act of 2021, the
Secretary shall conduct a meaningful consultation with the
Indian Tribe that administers the Tribal Wildlife Corridor
to determine whether, through the revision of 1 or more
existing land use plans, the Tribal Wildlife Corridor can—
“(1) be expanded into public lands; or
“(2) otherwise benefit connectivity between pub-
lic lands and the Tribal Wildlife Corridor.”.

(e) TECHNICAL ASSISTANCE.—The Secretary shall
provide to Indian Tribes technical assistance relating to
the establishment, management, and expansion of a Tribal
Wildlife Corridor, including assistance with accessing wild-
life data and working with voluntary private landowners
to access Federal and State programs to improve wildlife
habitat and connectivity on non-Federal land.

(d) AVAILABILITY OF ASSISTANCE.—

(1) TRIBAL WILDLIFE CORRIDORS GRANT PRO-
GRAM.—

(A) ESTABLISHMENT.—The Secretary
shall establish a Tribal Wildlife Corridors grant
program (referred to in this subsection as the “program”) to encourage wildlife movement in accordance with this section.

(B) GRANTS.—Beginning not later than 3 years after the date of enactment of this Act, the Secretary shall make grants under the program to 1 or more Indian Tribes to increase connectivity through Tribal Wildlife Corridors.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the program $50,000,000 for fiscal year 2022 and each fiscal year thereafter.

(e) SAVINGS CLAUSE.—Nothing in this section authorizes or affects the use of private property or Indian land.

SEC. 4. PROTECTION OF INDIAN TRIBES.

(a) FEDERAL TRUST RESPONSIBILITY.—Nothing in this Act or an amendment made by this Act amends, alters, or waives the Federal trust responsibility to Indian Tribes.

(b) FREEDOM OF INFORMATION ACT.—

(1) EXEMPTION.—Information described in paragraph (2) shall not be subject to disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information
Act”), if the head of the agency that receives the in-
formation, in consultation with the Secretary and
the affected Indian Tribe, determines that disclosure
may—

(A) cause a significant invasion of privacy;

(B) risk harm to human remains or re-
sources, cultural items, uses, or activities; or

(C) impede the use of a traditional reli-
gious site by practitioners.

(2) INFORMATION DESCRIBED.—Information
referred to in paragraph (1) is information received
by a Federal agency—

(A) pursuant to this Act or an amendment
made by this Act relating to—

(i) the location, character, or owner-
ship of human remains of a person of In-
dian ancestry; or

(ii) resources, cultural items, uses, or
activities identified by an Indian Tribe as
traditional or cultural because of the long-
established significance or ceremonial na-
ture to the Indian Tribe; or

(B) pursuant to the Native American
Graves Protection and Repatriation Act (25
U.S.C. 3001 et seq.).