

119TH CONGRESS
2D SESSION

S. 3994

To amend the Federal Meat Inspection Act to authorize Tribal meat inspection under that Act by Tribal personnel, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2026

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

A BILL

To amend the Federal Meat Inspection Act to authorize Tribal meat inspection under that Act by Tribal personnel, 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 “Promoting Regulatory
5 Independence, Mastery, and Expansion for Meat Proc-
6 essing in Indian Country Act” or the “PRIME Meat Proc-
7 essing in Indian Country Act”.

8 **SEC. 2. TRIBAL MEAT INSPECTIONS.**

9 (a) IN GENERAL.—Title IV of the Federal Meat In-
10 spection Act (21 U.S.C. 671 et seq.) is amended—

1 (1) by redesignating section 411 (21 U.S.C.
2 680) as section 412; and

3 (2) by inserting after section 410 (21 U.S.C.
4 679a) the following:

5 **“SEC. 411. TRIBAL MEAT INSPECTIONS.**

6 “(a) DEFINITIONS.—In this section:

7 “(1) COVERED ACTIVITIES.—The term ‘covered
8 activities’, with respect to the inspection of meat
9 food products under this Act, means—

10 “(A) the hiring and training, in accordance
11 with relevant training standards of the Food
12 Safety and Inspection Service of the Depart-
13 ment of Agriculture, of Tribal personnel to con-
14 duct, at covered facilities, any inspections re-
15 quired under this Act that would otherwise be
16 carried out by inspectors appointed by the Sec-
17 retary; and

18 “(B) the conduct of those inspections by
19 those Tribal personnel at covered facilities.

20 “(2) COVERED FACILITY.—The term ‘covered
21 facility’ means a mobile or stationary meat proc-
22 essing facility not less than 51 percent of the owner-
23 ship interest in which is held by an Indian Tribe, a
24 Tribal organization, or an entity wholly owned by an
25 Indian Tribe or Tribal organization.

1 “(3) INDIAN TRIBE.—The term ‘Indian Tribe’
2 has the meaning given the term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 5304).

5 “(4) MEAT FOOD PRODUCT.—The term ‘meat
6 food product’ includes a carcass of, a part of, or a
7 product derived from a portion of meat, including
8 bison and reindeer, that is capable of use as human
9 food.

10 “(5) SELF-DETERMINATION CONTRACT.—The
11 term ‘self-determination contract’ has the meaning
12 given the term in section 4 of the Indian Self-Deter-
13 mination and Education Assistance Act (25 U.S.C.
14 5304).

15 “(6) TRIBAL ORGANIZATION.—The term ‘Tribal
16 organization’ has the meaning given the term in sec-
17 tion 4 of the Indian Self-Determination and Edu-
18 cation Assistance Act (25 U.S.C. 5304).

19 “(b) SELF-DETERMINATION CONTRACTS.—

20 “(1) AUTHORIZATION.—Subject to the avail-
21 ability of appropriations, beginning not later than 2
22 years after the date of enactment of this subsection,
23 on receipt of a request from an Indian Tribe or
24 Tribal organization, the Secretary shall enter into a
25 self-determination contract with the Indian Tribe or

1 Tribal organization, respectively, to carry out cov-
2 ered activities.

3 “(2) STANDARDS.—

4 “(A) IN GENERAL.—The covered activities
5 carried out pursuant to a self-determination
6 contract entered into under paragraph (1) shall
7 meet standards and requirements that are not
8 less stringent than, as applicable, the standards
9 and requirements for inspections of amenable
10 species under title I (including regulations), or
11 the standards and requirements for inspections
12 of species that are not amenable species under
13 section 203(h) of the Agricultural Marketing
14 Act of 1946 (7 U.S.C. 1622(h)), with respect
15 to—

16 “(i) antemortem and postmortem in-
17 spection;

18 “(ii) reinspection;

19 “(iii) sanitation;

20 “(iv) humane handling;

21 “(v) recordkeeping; and

22 “(vi) enforcement.

23 “(B) LABORATORIES.—The applicable
24 standards of the Department of Agriculture re-
25 lating to the establishment, maintenance, and

1 operation of laboratories or other similar facili-
2 ties shall apply with respect to covered activities
3 carried out pursuant to a self-determination
4 contract entered into under paragraph (1).

5 “(3) INSURANCE.—

6 “(A) IN GENERAL.—A self-determination
7 contract entered into under paragraph (1) shall
8 require the Indian Tribe, Tribal organization,
9 or tribally owned entity that owns a covered fa-
10 cility at which covered activities are carried out
11 pursuant to the self-determination contract to
12 maintain insurance coverage (including with re-
13 spect to outbreaks of food-borne illnesses) that
14 is appropriate for the size of the covered facil-
15 ity, as determined by the Secretary.

16 “(B) FACTOR FOR CONSIDERATION.—In
17 obtaining or providing insurance coverage for
18 purposes of this paragraph, an Indian Tribe or
19 Tribal organization may take into consideration
20 the extent to which liability under a self-deter-
21 mination contract is covered under chapter 171
22 of title 28, United States Code (commonly
23 known as the ‘Federal Tort Claims Act’), sub-
24 ject to paragraph (6).

25 “(C) SOVEREIGN IMMUNITY.—

1 “(i) IN GENERAL.—A policy of insur-
2 ance under subparagraph (A)—

3 “(I) shall include a provision that
4 the insurance carrier shall waive any
5 right to use as a defense the sovereign
6 immunity of an Indian Tribe from
7 suit with respect to any claim the
8 amount and nature of which are with-
9 in the coverage and limits of the pol-
10 icy, subject to clause (ii); and

11 “(II) shall not authorize the in-
12 surance carrier to waive or otherwise
13 limit the sovereign immunity of the
14 applicable Indian Tribe beyond the
15 coverage and limits of the policy.

16 “(ii) LIMITATIONS.—No waiver of the
17 sovereign immunity of an Indian Tribe
18 pursuant to this subparagraph may in-
19 clude—

20 “(I) a waiver to the extent of any
21 potential liability for interest prior to
22 judgment or punitive damages; or

23 “(II) any other limitation on li-
24 ability imposed by the law of the

1 State in which the alleged injury oc-
2 curs.

3 “(D) TREATMENT AS FEDERALLY IN-
4 SPECTED.—For purposes of insurance and li-
5 ability, a covered facility at which covered ac-
6 tivities are carried out pursuant to this section
7 shall be considered to be federally inspected.

8 “(4) OVERSIGHT.—A self-determination con-
9 tract entered into under paragraph (1) shall require
10 that the Secretary shall maintain oversight authority
11 (including recall, review, and audit authorities) with
12 respect to covered activities carried out pursuant to
13 the self-determination contract.

14 “(5) ENFORCEMENT AUTHORITY.—Tribal per-
15 sonnel carrying out covered activities pursuant to a
16 self-determination contract entered into under para-
17 graph (1) shall have enforcement authority in ac-
18 cordance with this Act, including the authority—

19 “(A) to provide notice of a violation of this
20 Act;

21 “(B) to provide to a covered facility time
22 to remedy such a violation; and

23 “(C) if such a violation is not remedied, to
24 halt processing at the covered facility until the
25 violation is remedied.

1 “(6) TREATMENT AS FEDERAL EMPLOYEES.—
2 Notwithstanding any other provision of law, while
3 carrying out covered activities pursuant to a self-de-
4 termination contract entered into under paragraph
5 (1), Tribal personnel shall be deemed to be Federal
6 employees for purposes of chapter 171 of title 28,
7 United States Code (commonly known as the ‘Fed-
8 eral Tort Claims Act’).

9 “(c) CERTIFICATION REQUIRED.—As a condition of
10 entering into a self-determination contract under sub-
11 section (b), an Indian Tribe or Tribal organization shall
12 submit to the Secretary not less frequently than annually
13 a certification that each inspection carried out pursuant
14 to the self-determination contract during the year covered
15 by the certification—

16 “(1) met the applicable inspection require-
17 ments, and established and maintained the required
18 standards for inspection, under title I (including reg-
19 ulations); and

20 “(2) was conducted by an inspector employed
21 by the Indian Tribe or Tribal organization who—

22 “(A) was not employed by an animal food
23 manufacturer serving the covered facility being
24 inspected; and

1 “(B) did not hold any ownership interest
2 in such an animal food manufacturer or the
3 covered facility.

4 “(d) COMMERCIAL PROVISIONS.—

5 “(1) LABELING.—Tribal personnel carrying out
6 inspections pursuant to a self-determination contract
7 under subsection (b) shall place on each meat food
8 product that meets the applicable criteria under this
9 Act a label of Federal inspection, in such manner
10 and containing such information as the Secretary
11 may require.

12 “(2) SHIPMENT IN INTERSTATE COMMERCE.—
13 The Secretary shall authorize any Indian Tribes or
14 Tribal organizations that have entered into self-de-
15 termination contracts under subsection (b) to ship in
16 interstate commerce meat food products bearing the
17 label described in paragraph (1).

18 “(3) NO SALE IN FOREIGN COMMERCE.—A
19 meat food product inspected pursuant to a self-de-
20 termination contract under subsection (b) may not
21 be sold in foreign commerce.

22 “(e) TECHNICAL ASSISTANCE.—On request of an In-
23 dian Tribe or Tribal organization that has entered into
24 a self-determination contract under subsection (b), the

1 Secretary shall provide technical assistance with respect
2 to carrying out that self-determination contract.

3 “(f) RITUAL SLAUGHTER.—Nothing in this section
4 prohibits the handling or preparation of livestock used for
5 ritual slaughter in accordance with section 2(b) of Public
6 Law 85–765 (7 U.S.C. 1902(b)) (commonly known as the
7 ‘Humane Methods of Slaughter Act of 1958’).

8 “(g) REPORTS.—Not later than 1 year after the date
9 on which funds are appropriated pursuant to subsection
10 (h), and annually thereafter, the Secretary shall submit
11 to the Committee on Agriculture, Nutrition, and Forestry
12 of the Senate and the Committee on Agriculture of the
13 House of Representatives a report describing the activities
14 carried out under self-determination contracts entered into
15 pursuant to this section.

16 “(h) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There are authorized to be
18 appropriated to the Secretary such sums as are nec-
19 essary to carry out this section, to remain available
20 until expended.

21 “(2) APPROPRIATIONS IN ADVANCE.—Only
22 funds appropriated under paragraph (1) in advance
23 specifically to carry out this section shall be avail-
24 able to carry out this section.

1 “(i) RULE OF CONSTRUCTION.—Tribal personnel
2 may use funds made available under subsection (h) to
3 carry out inspections of any species that is not an ame-
4 nable species only pursuant to, and in accordance with,
5 a self-determination contract under this section.”.

6 (b) RURAL WATER, WASTE DISPOSAL, AND COMMU-
7 NITY FACILITY LOANS AND GRANTS.—An Indian Tribe
8 or Tribal organization (as those terms are defined in sec-
9 tion 4 of the Indian Self-Determination and Education As-
10 sistance Act (25 U.S.C. 5304)) operating under a self-de-
11 termination contract described in section 411(b) of the
12 Federal Meat Inspection Act (as amended by subsection
13 (a)) shall be eligible to receive grants and loans under sec-
14 tion 306(a) of the Consolidated Farm and Rural Develop-
15 ment Act (7 U.S.C. 1926(a)).

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