# LEGISLATIVE UPDATE



# **Summary**

We at the AIPI continue our work to track legislative and administrative actions affecting Tribal Nations. This quarter's policy update covers 3/27/23 through 6/30/23. This quarter's update includes legislation addressing Tribal health programs as well as resolutions addressing Tribal issues. This quarter's federal register notices cover upcoming consultations as well as board and commission vacancies. Activity in the Arizona State Legislature has slowed down this quarter, but there are still noteworthy actions regarding taxation and state appropriations.

This is the second edition of our new quarterly policy update format, the information in our monthly update covers several government websites and databases. AIPI's policy update focuses on federal legislation, congressional hearings, and federal register notices affecting Tribal Nations. The policy update also highlights actions from the Arizona State Legislature and Governor. If you are viewing this digitally, there are links embedded throughout the document which will allow you to view more information on any given item.

We will also continue to bring your attention to any significant policy actions that might be more timely than our new quarterly format. Please follow AIPI on social media and our AIPI blog for timely updates and other important notices.

# **Congressional Committee Hearings**

The following are the relevant congressional hearings that took place this last quarter. Each underlined item is a link where you can find more information about the hearing.

### Senate Committees

3/29/23 - Indian Affairs Business Meeting to consider S. 460, S. 306, S. 595 & S. 950 & Oversight

Hearing titled "The Future of Tribal Energy Development: Implementation of the Inflation Reduction

Act & the Bipartisan Infrastructure Law"

4/17/23 - Agriculture Subcommittee on Rural Development & Energy Rural Broadband: Connecting Our Communities to the Digital Economy

4/26/23 - Indian Affairs Listening Session "The ARTIST Act: Updating the Indian Arts & Crafts Act."

5/3/23 - Indian Affairs Business Meeting to consider S. 1308 & Legislative Hearing to receive testimony on S. 195, S. 382 & S. 1322

5/10/23 - Appropriations Subcommittee on Interior & Environment: A Review of the President's Fiscal Year 2024 Budget Request for Indian Country

6/7/23 - Indian Affairs Business Meeting to consider S. 1723

6/13/23 - Housing Subcommittee on Housing, Transportation, & Community Development: State of Native American Housing

## **House Committees**

3/29/23 - Natural Resources Subcommittee on Indian and Insular Affairs: Challenges and Opportunities for Improving Healthcare Delivery in Tribal Communities

4/28/23 - Appropriations Oversight Hearing - Tribal Perspectives on Housing and Transportation

5/11/23 - Natural Resources Subcommittee on Indian and Insular Affairs: Examining the President's FY 2024 Budget Request for the Indian Health Service

5/23/23 - Natural Resources Subcommittee on Federal Lands: Legislative Hearing on H.R. 188, H.R. 932, "Treating Tribes and Counties as Good Neighbors Act", "Continued Rapid Ohia Death

Response Act of 2023", "FIRESHEDS Act", "Direct Hire to Fight Fires", "Emergency Wildfire

Fighting Technology Act of 2023", "Fire Department Repayment Act of 2023" and "Forest Service

Florible Henrica Partment in Act of 2023"

Flexible Housing Partnerships Act of 2023"

5/25/23 - Natural Resources Subcommittee on Indian and Insular Affairs: Examining the President's FY 2024 Budget Request for the Bureau of Indian Affairs and Office of Insular Affairs

6/7/23 - Natural Resources Subcommittee on Indian and Insular Affairs: Legislative Hearing on H.R. 630, H.R. 1240, H.R. 1722, H.R. 2461, H.R. 2839 and H.R. 3371

6/21/23 - Agriculture Hearing on Closing the Digital Divide in Rural America

# **Federal Legislation**

AIPI took special note of these bills this quarter because they may have been signed into law or they hold significant implications for Tribes. Follow the linked bill title for more information.

### H.R.663 - Native American Child Protection Act

This bill reauthorizes through FY2028 and otherwise revises certain programs related to the
prevention, investigation, treatment, and prosecution of family violence, child abuse, and child
neglect involving Indian children and families. It also makes revisions to allow the use of grants for
culturally appropriate treatment programs. This bill has been amended in the House Natural
Resources Committee. Sponsored by Rep. Ruben Gallego (D-AZ-03).

# H.R.2547 - Special Diabetes Programs for Indians Reauthorization Act of 2023

 This bill would extend funding for the Special Diabetes Program for Indians with \$150 million dollars for each of the fiscal years 2024 through 2028. This bill in the House Subcommittee on Health. Sponsored by Rep. Tom Cole (R-OK-04).

# S.1308 - A bill to amend the Indian Self-Determination and Education Assistance Act to extend the deadline for the Secretary of the Interior to promulgate regulations implementing title IV of that Act, and for other purposes

 This bill would amend the Indian Self-Determination and Education Assistance Act to extend the time that the Secretary of Interior has to promulgate regulations that are a part of the Act's Tribal Self Governance subchapter. This bill has been place on the Senate Calendar No. 90. Sponsored by Sen. John Hoevan (R-ND).

### S.1562 - Tribal Police Department Parity Act

This bill would enable Tribal law enforcement agencies to have the same access to firearms as
Federal, State, and local law enforcement agencies. This bill is in the Senate Committee on Finance.
Sponsored by Sen. Markwayne Mullin (R-OK).

# S.1536 - Tribal Gaming Regulatory Compliance Act

 This bill would ensure that all federally recognized Indian Tribes that are eligible for gaming in the United States are regulated under the Indian Gaming Regulatory Act. Recent legislation and Supreme court rulings have left some Tribes who are eligible for gaming out of the Indian Gaming Regulatory Act. This bill is in the Senate Committe on Indian Affairs. Sponsored by Sen. Martin Heinrich (D-NM).

# **Federal Legislation Cont.**

The following table organizes relevant Tribal bills by their subject matter. The "Tribal Legislation" category includes bills relevant to specific individual Tribes.

Children & Families	Economic Dev.	Education	Environment
H.R.663 H.R.3403 H.R.2762	H.R.2251 S.385 S.1156	<u>H.R.2519</u> <u>H.R.2126</u> <u>S.1308</u>	<u>H.R.565</u>
Gaming	Healthcare	Housing	Language & Culture
<u>H.R.3371</u> <u>S.1536</u>	H.R.630 H.R.2535 H.R.2376 S.460 H.R.2547 S.Res.221	<u>S.70</u>	<u>H.Con.Res.44</u> <u>S.Res.148</u>
Labor	Land	MMIP	Public Safety
<u>H.R.937</u> <u>S.1328</u>	H.R.3371	<u>H.Res.353</u>	<u>H.R.3236</u> <u>S.1562</u>
Telecommunications	Veterans	ANCSA	
<u>S.599</u>	<u>H.R.3235</u> <u>S.1554</u>	<u>H.R.2687</u> <u>S.623</u>	
Tril			
H.R.1240 S.595 S.306 S.950		H.R.2839 H.R.1722 H.R.3144 H.R.2461	

The following table shows the breakdown of Federal Register notices this quarter. Due to the large volume of Federal Register notices, only key upcoming notices will be highlighted in the next section.

Education	Government	Health	Housing
4	4	5	1
Justice	Land	NAGPRA	Small Business
1	1	139	1
Tourism	Transportation	Veterans	Water
1	1	1	1

# **Federal Register Notices**

# **Upcoming Notices**

AIPI is highlighting the following Federal Register notices because they may feature important rule changes or key dates to acknowledge. Follow the linked notice title for more information.

## Request for Applications; Tribal Issues Advisory Group

 Invitation to any eligible individual to apply for the at-large membership of the Tribal Issues Advisory Group. Application materials should be received no later than 07/31/23.

## Community Health Aide Program: Tribal Planning & Implementation

 The Indian Health Service is accepting applications for grants for the Community Health Aide Program Tribal Planning and Implementation program. Applications are due by 8/1/23.

# Section 184 Indian Housing Loan Guarantee Program; Reduction to the Upfront and Annual Loan Guarantee Fees

• For all new or updated Section 184 Firm Commitments (including refinances), Housing and Urban Development is exercising its authority to decrease the upfront loan guarantee fee from 1.50 to 1.00 percent and the annual loan guarantee fee from 0.25 to 0.00 percent. Effective 7/1/23.

### Special Tribal Criminal Jurisdiction Reimbursement

 Interim Final Rule on the new Tribal Reimbursement Program within the Department of Justice's Office on Violence Against Women. Effective 4/11/23.

# <u>Tribal Listening Sessions for Small Business Development Centers</u>

 Upcoming Tribal listening sessions concerning proposed revisions to the Small Business Development Centers Program regulations. Listening sessions are on 7/18/23, from 3:00 - 5:00 p.m. (EDT), and 7/20/23, from 3:30 - 4:30 p.m. (EDT).

# **Arizona State Legislation & Executive Actions**

AIPI tracked the following Arizona State Legislation and executive actions over this quarter. These bills are ones that have a direct impact on Tribal Nations in Arizona. There were no relevant Executive Orders in this time period. Follow the linked bill title for more information.

# **AZ Bills**

### SB1473 - Tax Corrections Act of 2023

Signed into law by Governor Katie Hobbs

 This Bill amends several sections of the Arizona Revised Statutes relating to taxation. Revised sections include 42-5122, addressing tax exemption regarding sales to Indian Tribes, Tribally-owned businesses, Tribal entities, and affiliated Indians.

# SB1230 - Tax Exemptions; Affidavit

Signed into law by Governor Katie Hobbs

 This Bill amends several sections of the Arizona Revised Statutes relating to tax exemptions. Revised sections include 42-11131, addressing exemptions for low-income Indian housing.

### SB1720 - General Appropriations Act; 2023-2024

Signed into Law by Governor Katie Hobbs

- This Bill amends chapter 313, section 49 and section 126 of the Arizona Revised Statutes relating to appropriating monies. Tribal Appropriations include:
  - \$4M to and for projects on the Navajo and Hopi Tribal Nations
  - \$4.7M for Tribal Pass-Through Funding
  - \$325K for the Tribal College Dual Enrollment Program
  - \$70K for the Governor's Office on Tribal Relations
  - \$2.2M for Rural Tribal Nations' Veteran Benefit Counseling

# SB1722 - Capital Outlay; Appropriations; 2023-2024

Signed into law by Governor Katie Hobbs

This Bill amends several sections of the Arizona Revised Statutes relating to capital outlay
appropriations for the different departments of the State and for State institutions. Appropriations to
Tribal Capital Projects and Tribal Highway Construction/Improvements are included.

### <u>HB2560 - Images; Voter Lists; Records; Penalties</u>

Vetoed by Governor Katie Hobbs

This Bill would have amended several sections of the Arizona Revised Statutes relating to conduct of
elections. Revisions would have included adding that an Indian census number is an acceptable form of
"personal identifying information."

# Prepared by:

EJ John, JD., Sr. Research Analyst & Sadie Vermillion JD., Policy & Research Analyst

# Design by:

Beth Santistevan, MA., Policy & Communications Coordinator

# American Indian Policy Institute

# **Arizona State University**

Arizona Center 400 E. Van Buren St., Suite 700 Phoenix, AZ 85004 aipi.asu.edu







