LEGISLATIVE UPDATE



Summary

AIPI brings you the Q3 2023 edition of our Legislative Update. This edition covers information made available through federal and state government websites from 6/30/23 through 9/29/23. AIPI reviewed 72 bills in Congress as well as 187 Federal Register Notices, an increase from the 42 bills and 169 federal register notices in our 2023 Q2 update. This update includes key legislation setting government agency budgets for FY2024. Bills affecting budgets and new program spending make up a bulk of bills reviewed this quarter. Congress has not passed any long-term spending bills since the Federal government's fiscal year 2023 ended on 9/30/23. Therefore, many bills setting budgets or reauthorizing programs affecting Tribes have not been consolidated into any larger spending bills.

A majority of this quarter's federal Register Notices are made of NAGPRA notices. however, there are also other key notices such as a request for comments on a newly adopted policy statement on climate. There was no new activity in the Arizona State Legislature on Tribal relevant bills between 6/30/23 - 7/31/23. The First Regular Session of the Arizona Fifty-sixth Legislature adjourned Sine Die on 7/31/23.

The Q3 2023 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 when available. 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

7/12/23 - Indian Affairs: Legislative Hearing to Receive Testimony on S. 616, S. 1898 & S. 1987

7/19/23 - Indian Affairs: Business Meeting to Consider S. 195, S. 382, S. 910, S. 1286, S. 1322, S. 1987, S. 2273 & S. 2285 and Legislative Hearing to Receive Testimony on S. 2088

7/26/23 - Indian Affairs: Hearing on Native Priorities for the 2023 Farm Bill Reauthorization

9/19/23 - Appropriations Subcommittee on Financial Services and General Government: Review of the FY 2024 Budget for the Federal Communications Commission

9/20/23 - Environment and Public Work Subcommittee on Fisheries, Water and Wildlife: Drinking Water Infrastructure and Tribal Communities

9/27/23 - Indian Affairs: Oversight Hearing on "Water as a Trust Resource: Examining Access in Native Communities"

House Committees

7/12/23 Natural Resources Subcommittee on Indian and Insular Affairs: Legislative Hearing on H.R. 929, H.R. 2882 and H.R. 3579

7/27/23 Natural Resources Subcommittee on Indian and Insular Affairs: Legislative Hearing on "Restoring Accountability in the Indian Health Service Act of 2023"

9/21/23 - Energy and Commerce Committee Subcommittee on Communications and Technology: Hearing on "Connecting Every American: The Future of Rural Broadband Funding"

9/28/23 Natural Resources Subcommittee on Indian and Insular Affairs: Tribal Autonomy and Energy Development, Oversight of the Implementation of the Indian Tribal Energy Development & Self-Determination Act

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.11 - Freedom to Vote Act (related bill: H.R.14)

 This bill seeks to expand access to voting by creating rules for same-day registration, online voting registration, redistricting reform, and other provisions. It would enable voters on Tribal lands to visit any polling place to fix provisional ballots, include tribal lands as a community of interest for redistricting purposes, specifically promote voter access on Tribal lands. Sponsored by Rep. John R. Sarbanes (D-MD-03).

H.R.2670 - National Defense Authorization Act for Fiscal Year 2024

This bill sets fourth appropriations for the Department of Defense for FY2024. However, the bill also
includes other important provisions for programs relevant to Tribes such as the Native American
Housing and Self Determination Reauthorization Act of 2023, and the National Charter for National
American Indian Veterans, Inc. Sponsored by Rep. Mike D. Rodgers (R-AL-03).

H.R.3579 - Tribal Trust Land Homeownership Act of 2023

This bill would establish timelines and other requirements to expedite the residential and business
mortgage processes at the BIA. Among other things, the bill would create a timeline for application
review as well as a timeline for application notification. It also establishes a timeline to notify
applicants about any delays in the application approval process. Sponsored by Rep. Dusty Johnson
(R-SD-At Large).

S.2543 - Language Education Data Enhancement Act

 This bill would require the National Center for Education to language learning data on other languages other than english. The bill specifically includes Native American languages and data on students enrolled in traditional, dual language immersion, full immersion, hybrid, or online classes.
 Sponsored by Sen. Ron Wyden (D-OR).

S.2273 - Native American Child Protection Act

• This bill would rename the Indian Child Resource and Family Services Centers as the National Indian Child Resource and Family Services Center. It requires the center to provide advice, technical assistance, and training to urban Indian organizations; develop certain technical assistance materials for Indian tribes, tribal organizations, and urban Indian organizations; and develop model intergovernmental agreements between tribes and states to prevent, investigate, treat, and prosecute incidents of family violence, child abuse, and child neglect involving Indian children and families. Sponsored by Sen. Ben Ray Lujan (D-NM).

S.2970 - Indigenous Peoples' Day Act (Related Bill: H.R.5822)

 This bill would designate Indigenous Peoples' Day as a legal public holiday, and also replace the term "Columbus Day" with the term "Indigenous Peoples' Day". 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.

Agriculture	Benefit Pgrms.	Budget	Children & Families	Ed.	Environ.
H.R.5503 H.R.5162 S.2211	<u>S.2435</u> <u>S.2563</u>	H.R.4664 H.R.4820 H.R.4365 S.2309 S.2587	H.R.663 H.R.4541 S.2273 H.Res.640 S.2638	H.Res.589 S.2266 S.2369	H.R.4733 H.R.5216 H.R.5572 S.2660 S.2383
Econ Dev.	Government	Healthcare	Housing	Infra.	Labor
<u>H.R.4239</u> <u>S.2155</u>	H.Con.Res.44 S.Con.Res.19 H.R.5493 S.2709 H.R.5113	H.R.4699 H.R.4830 H.R.5003 S.2444 H.R.4699	H.R.5254 S.2285 S.2701	<u>H.R.4746</u> <u>S.2385</u>	<u>S.2440</u>
Land	Public Safety	ANCSA	Voting	Tribe Specific Legislation	
H.R.1534 H.R.4580 S.2262 S.636 S.2340 H.R.4602 H.R.3579 H.R.3955 H.R.3371	H.R.4524 S.2593 S.2695	H.R.4748 S.1889	H.R.4494 H.R.5292	H.R.423 H.R.929 H.R.1722 S.1987 H.R.5236 H.R.5553 H.R.3977	American Indian Policy Institute Arizona State University

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.

Children & Families	Data Collection	Education	Employment	
2	3	4	3	
Envrionment	Funding	Government	Health	
3	5	3	5	
Housing	NAGPRA	Technology	Transportation	
1	156	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.

Notice of Adoption of Policy Statement on Climate Change and Historic Preservation

A Notice by the Advisory Council on Historic Presentation on 8/30/23 concerning the adoption of a
policy statement on climate change and historic preservation. The policy statement was adopted
on 6/16/23.

Public Transportation on Indian Reservations Program; Tribal Transit Program

 This notice seeks comments on how the Federal Transit Administration (FTA) Tribal Transit competitive program and technical assistance to Tribes is administered. Comments are due 10/13/23. However, FTA's partnership with Tribal leadership will remain ongoing. Late-filed comments will be considered to the extent practicable.

<u>Fiscal Year 2023 List of Programs Eligible for Inclusion in Funding Agreements Negotiated With</u> <u>Self-Governance Tribes by Interior Bureaus</u>

 This notice lists the fiscal year 2023 programs or portions of programs eligible for inclusion in selfgovernance funding agreements with Indian Tribes. Programs on this list are eligible for inclusion in self-governance funding agreements until September 30, 2024.

Request for Nominations for Membership on the Native American Employment and Training Council

 The Department of Labor invites interested parties to submit nominations for individuals to serve on the Native American Employment and Training Council and announces the procedures for those nominations. Nominations must be submitted electronically by 10/18/23.

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