LEGISLATIVE UPDATE



Summary

AIPI brings you the Q4 2023 edition of our Legislative Update. This edition covers information made available through federal and state government websites from 9/29/23 through 12/31/23. In Q4, AIPI reviewed 86 bills in Congress, and 154 Federal Register Notices, similar to the 71 bills and 187 Federal Register notices in our 2023 Q3 update. This update includes important FY2024 appropriation requests for Federal agencies that work closely with Tribal Nations. It includes a bill that establishes new Tribal consultation policies at the Dept. of Agriculture and another that establishes procedures to enable Tribal Nations to implement their own projects under the Federal SNAP program.

Most of this quarter's Federal Register Notices are made of NAGPRA notices. however, there are also notices announcing NAGPRA rule changes, Grant application windows, and executive orders on actions to uphold the Federal Trust Responsibility. The Arizona State Legislature began its legislation prefiling period in Q4; however, our review of state legislation will be included in our 2024 Q1 policy update in April 2024. The Second Regular Session of the Arizona Fifty-Sixth Legislature began on 1/8/2024.

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. AIPI strives to bring you as much information in the Legislative update as possible. However, some information may not be included due to the large amount of government activity taking place every quarter. We also aim to share information on significant policy actions that may be more timely than our quarterly updates through our blog and social media. Please continue to follow AIPI for the latest updates.

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

10/25/23 - Roundtable discussion titled, "Implementing the Bipartisan Infrastructure Law and the Inflation Reduction Act in Native Communities"

11/8/23 - Oversight Hearing titled, "Fentanyl in Native Communities: Native Perspectives on Addressing the Growing Crisis"

11/10/23 - Field Hearing titled, "The Impact of the Historic Salmon Declines on the Health and Well-Being of Alaska Native Communities Along Arctic, Yukon, and Kuskokwim Rivers"

10/15/23 - Business Meeting to consider S. 1898 & S. 2088

12/6/23 - Oversight Hearing titled, "Fentanyl in Native Communities: Federal Perspectives on Addressing the Growing Crisis"

House Committees

11/14/23 - Opportunities and Challenges for Improving Public Safety in Tribal Communities | Indian and Insular Affairs Subcommittee

11/15/23 - Full Committee Mark Up

12/2/23 - Legislative Hearing on H.R. 4524, H.R. 4748, H.R. 6368 and H.R. 6443 | Indian and Insular Affairs Subcommittee

12/5/23 - Examining Opportunities to Promote and Enhance Tribal Forest Management | Federal Lands Subcommittee

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.

S.3270 - REACH Our Tribes Act (related bill: H.R.5113)

This bill would amend the Federal Crop Insurance Reform and Department of Agriculture
Reorganization Act of 1994 to establish a Tribal consultation process for the Dept. of Agriculture.
The proposed consultation process would cover Dept. budgets and other issues including non-tribal specific programs that affect Tribal communities. Sponsored by Sen. Mike Rounds (R-SD).

H.R.5970 - SNAP Tribal Food Sovereignty Act of 2023 (related bill: S.2912)

 This act seeks to amend the Indian Self-Determination and Education Assistance Act to allow the Dept. of Agriculture to enter into self-determination contracts with Indian Tribes and Tribal organizations to implement the supplemental nutrition assistance program. Sponsored by Rep. Joe Neguse (D-CO-02).

H.R.6148 - Advancing Tribal Parity on Public Land Act (related bill: S.3186)

 This bill seeks to protect Native cultural sites located on Federal land, to improve consultation with Indian Tribes, and to bring parity to Indian Tribes with regard to Federal public land management laws. Among other functions, this bill establishes rules about notice, consultation, and includes definitions for "cultural sites" and "interested tribes". Sponsored by Rep. Raúl M. Grijalva (D-AZ-07).

H.R.4820, H.R.4664, H.R.5894 - Appropriations Bills

 These bills include FY2024 appropriations for various key federal agencies relevant to Tribal Nations. These agencies include the Dept. of Health and Human Services, Dept. of Education, Dept. of Housing and Urban Development, Federal Communications Commission, Federal Highway Administration, and others. These three bills are currently on hold and likely subject to budget negotiations in the House and Senate.

H.R.2882 - Udall Foundation Reauthorization Act of 2023

• This bill reauthorizes funding the Morris K. Udall and Stewart L. Udall Foundation through FY2028. Specifically, funding to support the foundation's Environmental Dispute Resolution Fund, and its support for training of health care and public policy professionals through the Native Nations Institute. The foundation is an independent executive branch agency that works to strengthen the stewardship of the environment, public lands, and natural resources. It also assists to facilitate self-determination, governance, and human capital goals. Sponsored by Rep. Juan Ciscomani (R-AZ-06).

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	Broadband	Budget	Children & Families	Ed.	Environ
Agriculture	& Cybersecurity	Duuget	Children & Families	Eu.	Environ.
H.R.5970 H.R.6368 H.R.6891 S.2912 S.2908 S.1580	H.R.5886 H.R.6524 S.3024	H.R.4394 S.2437 H.R.4820 S.2443 H.R.4664 H.R.5894 S.2624 S.2309	<u>S.3154</u>	H.R.5998 S.3019 H.R.6576 S.3022 H.R.6698 S.2808 H.R.6754 S.3360 S.3086 S.749	H.Res.195 H.R.4733 H.R.5216 H.R.5572 S.Res.494
Econ Dev.	Government	Healthcare	Housing	Infra	Labor
H.R.6457 S.1402	H.R.5113 H.R.2882 H.Res.900 S.3270 S.Res.459 S.Res.426 S.1311 S.3479	H.R.6533 S.3130 S.3165 S.3545	H.R.6686 H.R.6785 S.185 S.1389 S.3436	<u>H.R.4746</u> <u>S.2385</u>	<u>H.R.6655</u>
Land	Housing	ANCSA	Water Rights	Tribe Specific Legislation	Veterans
H.R.3437 S.1890 H.R.5865 S.1776 H.R.6147 S.1634 H.R.6489 S.2615 S.3185 S.3186 S.2088	<u>S.1389</u>	H.R.4748 S.1889	H.R.1304 S.595	H.R.1240 S.960 S.195 S.382 H.R.2839 H.R.1722 H.R.2839 H.R.1722	<u>H.R.542</u> <u>S.141</u>

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	Consultation	Education	Econ Dev	
2	1	3	5	
Envrionment	Infra	Government Labor		
2	1	3	1	
Housing	NAGPRA	EO Proclamation		
2	131	5		

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.

Native American Graves Protection and Repatriation Act Systematic Processes for Disposition or Repatriation of Native American Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony

 This notice is for the final rule for changes to the Native American Graves Protection and Repatriation Act of 1990. These changes clarify and improve the processes for the disposition or repatriation of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony. They also provide a step-by-step roadmap with specific timelines for museums and Federal agencies to facilitate disposition or repatriation.

Indigenous Peoples' Day, 2023

 This notice marks a proclamation from President Biden honoring the perseverance and courage of Indigenous peoples. It also marks the admiration's commitment to respecting Tribal sovereignty and self-determination. The proclamation identified October 9, 2023, as Indigenous Peoples' Day.

Notice of Solicitation of Applications for the Rural Business Development Grant Programs for Fiscal Year 2024

- The Rural Business-Cooperative Service invites applications for grants under the Rural Business
 Development Grant Program for FY2024. The purpose of the program is to promote economic
 development and job creation projects through the awarding of grant funds to eligible entities,
 including Tribal Nations. Please see see the full notice for submission info.
 - Complete applications may be submitted in paper or electronic format and must be received by 4:30 p.m. local time on February 28, 2024.

Reforming Federal Funding and Support for Tribal Nations To Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination

 This Executive Order builds upon the Biden Administration's previous actions supporting Tribal sovereignty and self-determination. This order directs Federal agencies to identify opportunities for reform, asses unmet Federal obligations, and develop reports on unmet needs. The order also directs agencies to work with Tribal Nations to asses unmet needs and solutions to meet them.

Prepared by:

EJ John, JD., Sr. Research Analyst

Design by:

Beth Santistevan, MA., Policy & Communications Coordinator



Arizona State University

Sandra Day O'Connor School of Law 111 E. Taylor Street Phoenix, AZ 85004 aipi.asu.edu





