

Legislative

Updates Q4 2024

American Indian Policy Institute



ASU American Indian
Policy Institute
Arizona State University

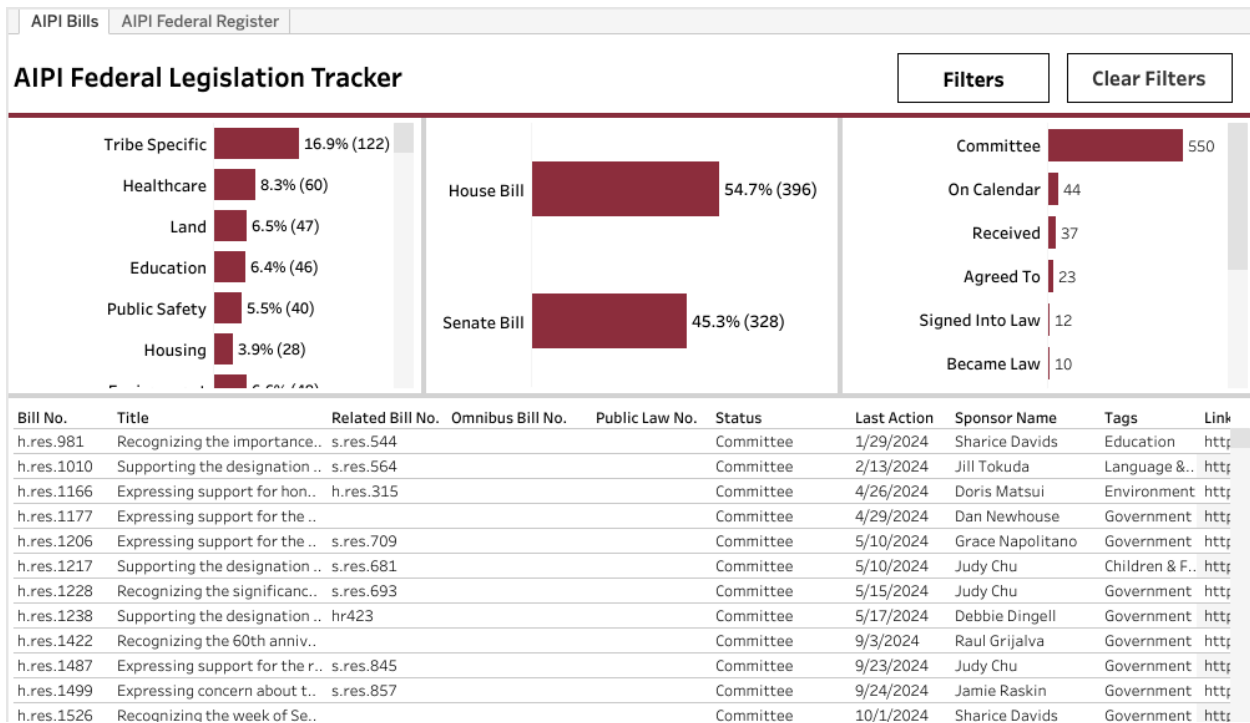
ANNOUNCEMENT: WE ARE CHANGING OUR QUARTERLY LEGISLATIVE UPDATE

The American Indian Policy Institute is evolving how we deliver updates on the federal and state legislative activity impacting Tribal Nations.

Starting now, our **new live legislative dashboard** allows you to access real-time information on critical legislation, congressional hearings, and federal register notices, all in one place, whenever you need it.

Each quarter, we will continue to share a comprehensive summary of what's happening in legislation so readers stay informed. This streamlined approach ensures you stay updated about the latest policy developments while enjoying greater flexibility and accessibility.

See a preview of the dashboard below and stay connected with AIPI for timely updates on the issues that matter most at aiapi.asu.edu/solutions.



SUMMARY

Welcome to the Quarterly AIPI Legislative Update for the fourth quarter of 2024. This edition covers information available through federal and state government websites from 10/01/24 through 12/31/24. In Q4, AIPI reviewed 95 bills in Congress and 423 Federal Register Notices. This update highlights key federal legislation and final rules aimed at advancing Tribal sovereignty, enhancing community welfare, and addressing infrastructure and programmatic needs in Native communities. Featured legislation includes strengthened child welfare provisions, equitable resource access, and increased Tribal participation in environmental governance. While NAGPRA notices remain a significant portion of Federal Register activity, this report focuses on select rule changes that collectively promote Tribal autonomy, cultural preservation, and improved outcomes for Native populations.

Our monthly update consists of publicly available information from 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 the Governor when available. If you are viewing this digitally, links are embedded throughout the document to allow you to view more information on any given item. AIPI strives to provide you with as much information as possible in the Legislative Update. However, some information may not be included due to the large amount of government activity 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.

HEARINGS

CONGRESSIONAL COMMITTEE HEARINGS

SENATE COMMITTEES

- 11/20/24 - [Business Meeting to consider the Nomination of Patrice H. Kunesh, of Minnesota, to be Chair of the National Indian Gaming Commission, S. 4643 & S. 4998](#)
- 11/20/24 - [A Review of Disaster Funding Needs](#)
- 11/20/24 - [Committee Business Meeting and Hearing Celebrating the 50th Anniversary of the Safe Drinking Water Act](#)

HOUSE COMMITTEES

- 10/8/24 - [It All Depends on Water: Examining Efforts to Improve and Protect Central Oregon's Water Supply | Water, Wildlife & Fisheries Subcommittee](#)
- 11/19/24 - [Tribal Roundtable on Self-Determination Contracting and Self-Governance Compacting](#)
- 11/19/24 - [Legislative Hearing on H.R. 6441, H.R. 7666, H.R. 8182, H.R. 8517, H.R. 9062, H.R. 9165, H.R. 9528, H.R. 10082 & H.R. 10084 | Federal Lands Subcommittee](#)
- 11/19/24 - [Legislative Hearing on H.R. 7662, H.R. 7807, H.R. 8952 & H.R. 10005 | Energy and Mineral Resources](#)
- 11/20/24 - [Full Committee Markup](#)

FEDERAL LEGISLATION

- **H.R. 663** - [Native American Child Protection Act](#) - This bill, now law (118-160), updates programs addressing family violence, child abuse, and neglect involving American Indian children and families. It revises the Indian Child Abuse Treatment Grant Program to prioritize culturally appropriate treatment services. The Indian Child Resource and Family Services Centers are renamed the National Indian Child Resource and Family Services Center, tasked with providing technical assistance, training, and developing model agreements between tribes and states to address family violence and child welfare issues. The bill also expands the Indian Child Protection and Family Violence Prevention Program to allow funding for activities such as child protective services operations. These changes aim to strengthen Tribal capacity to address and prevent child welfare issues in culturally aligned and collaborative ways. Sponsored by Rep. Ruben Gallego (D-AZ-3).

- **H.R. 5482** - [Energy Poverty Prevention and Accountability Act of 2024](#) - This bill aims to prevent energy poverty and ensure access to affordable energy for at-risk communities, including low-income, minority, rural, elderly, and American Indian, Alaska Native, or Native Hawaiian populations. The bill requires federal agencies to analyze the impact of energy laws and rules on these communities and develop strategies to mitigate disproportionate financial burdens. Key provisions include promoting energy access, improving infrastructure, supporting energy production on Federal and Tribal lands, and requiring energy poverty studies for certain executive actions and projects. Sponsored by Rep. Harriet M. Hageman (R-WY-At Large)
- **H.R. 8371** - [Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act](#) - This bill enhances various VA programs and benefits, including healthcare, education, housing, and homelessness services, with provisions specifically impacting Native Americans. These include the expansion of the Native American Direct Loan program, allowing Native American veterans to refinance existing mortgages on the same property under certain conditions. The bill also addresses broader improvements, such as increased funding for non-institutional care alternatives, support for family caregivers, enhanced educational assistance, temporary increases in per diem payments for homeless veteran services, modernization of VA health records, and updated burial allowances for veterans in hospice care. These changes aim to improve access and equity for veterans, including Native American veterans and their families. Sponsored by Rep. Juan Ciscomani (R-AZ-6)
- **S. 2781** - [Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024](#) - This bill, now law (118-155), enables individuals or entities with no ties or liability to abandoned mine sites to voluntarily remediate them under an EPA pilot program. Participants receive liability protection for cleanup efforts meeting specific criteria, with the program set to expire in seven years. The bill also establishes a remediation fund for projects on federal and Tribal lands and outlines permit review requirements under the National Environmental Policy Act of 1969, aiming to improve environmental and public health outcomes. Sponsored by Sen. Martin Heinrich (D-NM)
- **S. 465** - [BADGES for Native Communities Act](#) - This bill enhances federal efforts to address cases of missing, unidentified, or murdered Native Americans. It requires the Department of Justice to establish grants for Tribes to improve responses to missing persons cases and death investigations, while also collaborating with the Department of Health and Human Services to provide culturally appropriate mental health and wellness resources for Tribal and Bureau of Indian Affairs (BIA) law enforcement officers. The Department of the Interior must implement a five-year program to streamline background checks for BIA law enforcement applicants. Additionally, the bill mandates Government Accountability Office studies on evidence collection and handling by federal law enforcement to improve investigative practices. Sponsored by Sen. Catherine Cortez Masto (D-NV)
- **S. 5384** - [Returning Education to Our States Act](#) - This bill proposes abolishing the Department of Education (ED) and reallocating its programs to other federal agencies.

Key changes include transferring ED's Office of Indian Education to the Department of the Interior and Individuals with Disabilities Education Act and Impact Aid programs to the Department of Health and Human Services. Federal student aid programs, including Pell Grants and loan programs, as well as education-related research and technical assistance programs, would move to the Department of the Treasury, which would also establish block grants for states to support K-12 and postsecondary education. The Department of Justice's Civil Rights Division would oversee federal civil rights complaints related to these programs, ensuring compliance with applicable laws. Sponsored by Sen. Mike Rounds (R-SD)

FEDERAL LEGISLATION BREAKDOWN

Agriculture	ANCSA	Appropriations	Broadband & Technology	Children & Families	Energy
H.R. 10082 S. 5335	S. 3617	H.R. 8921 S. 4776	H.R. 4141	H.R. 9076 H.R. 2762 H.R. 663 S. 5336	H.R. 5482 H.R. 7807
Education	Environment	Government	Grants	Healthcare	ICWA
H.R. 7227 S. 3022 S. 5384 S. 1723 S. 5355	H.R. 7408 H.R. 9945 H.R. 9695 H.R. 8790 H.R. 7779 H.R. 10023 S. 2781 S. 2908 S. 4370 S. 4424	H.R. 7906 H. Res. 1526 H. Res. 1558 H. Res.1581 S. 5636 S. Res. 897 S. Res. 899	H.R. 7929 H.R. 8885 H.R. 10184 H.R. 10211 H.R. 5065 H.R. 5876 S. 385 S. 5621 S. 5130	H.R. 8966 H.R. 9622 H.R. 7516 H.R. 561 H.R. 6270 H.R. 417 H.R. 4189 H.R. 4783 H.R. 3134 S. 2645	H.R. 3403 H.R. 3461
Land	Tribe Specific	Public Safety	Veterans	Infrastructure	Nat'l Parks & Monuments
H.R. 6492 H.R. 8182 H.R. 8517 H.R. 6489 H.R. 3173 S. 2615 S. 2783 S. 3790 S. 3593 S. 1322	H.R. 8952 H.R. 2687 H.R. 4748 H.R. 10176 H.R. 10191 H.R. 1101 S. 4000 S. 3857 S. 2868 S. 4442 S. 4505 S. 4643 S. 4998 S. 1898 S. 623 S. 4579 S. 1088	H.R. 10029 H.R. 4524 S. 465 S. 4365 Water Rights S. 3406 S. 482 S. 2927 S. 4996	H.R. 8371 S. 141	H.R. 10150	S. 4216

FEDERAL REGISTER BREAKDOWN

Agriculture	ANSCA	Benefits Programs	Boards & Commissions	Broadband & Technology	Children & Families
1	8	7	14	3	7
Consultation	Economic Development	Education	Energy	Environment	Funding
5	1	3	6	8	14
Gaming	Government	Healthcare	Housing	Land	Language & Culture
1	34	6	6	10	1
MMIP	NAGPRA	Tribe-Specific	Water Rights		
1	216	68	3		

TOTAL NUMBER OF NOTICES THIS QUARTER: 423

FEDERAL REGISTER NOTICE SUMMARIES

NOTICE	Clean Water Act Section 404 Tribal and State Assumption Program
SUMMARY	The Environmental Protection Agency (EPA) has finalized its first major update to Clean Water Act (CWA) Section 404 Tribal and State program regulations since 1988, effective January 17, 2025. These revisions provide clearer guidance for Tribes and States to assume and administer Section 404 permitting programs for discharges of dredged and fill material, addressing long-standing requests for clarification. The updates streamline procedures, clarify minimum program requirements while allowing flexibility for Tribal and State needs, update the criminal negligence standard, and remove outdated references. These changes aim to enhance transparency, flexibility, and alignment with the CWA's policy goals, supporting Tribal sovereignty and State partnerships.

<p>NOTICE</p>	<p>Establishing a 5G Fund for Rural America</p>
<p>SUMMARY</p>	<p>The Federal Communications Commission (FCC) has announced steps to implement the 5G Fund for Rural America, effective January 13, 2025. This initiative aims to support the deployment of advanced 5G mobile wireless broadband networks in rural areas, improving connectivity for residents, workers, and travelers. The FCC also resolved issues raised in five pending petitions for reconsideration of its 2020 5G Fund Report and Order as part of this effort.</p>
<p>NOTICE</p>	<p>Self-Governance PROGRESS Act Regulations</p>
<p>SUMMARY</p>	<p>The U.S. Department of the Interior (Department), Office of the Assistant Secretary for Indian Affairs, is issuing revisions to the regulations that implement Tribal Self-Governance, as authorized by title IV of the Indian Self Determination and Education Assistance Act. This final rule has been negotiated among representatives of Self-Governance and non-Self Governance Tribes and the Department.</p>
<p>NOTICE</p>	<p>Supplemental Nutrition Assistance Program: Standardization of State Heating and Cooling Standard Utility Allowances</p>
<p>SUMMARY</p>	<p>The Department has finalized changes to Supplemental Nutrition Assistance Program (SNAP) regulations, effective from prior proposals in 2019 and 2016. Key updates include expanding allowable shelter expenses to cover basic internet costs and requiring State agencies to submit standard utility allowance (SUA) methodologies for FNS approval every five years, incorporating recent trends and data. The rule provides States with flexibility to address household needs while aligning SUAs with low-income utility cost data more consistently. Additionally, it finalizes provisions related to energy assistance payments, reflecting amendments to the Food and Nutrition Act of 2008 by the Agricultural Act of 2014. These updates aim to enhance the consistency and integrity of SUAs nationwide, promoting good governance.</p>

NOTICE	Adoption and Foster Care Analysis and Reporting System
SUMMARY	The Department has finalized revisions to the Adoption and Foster Care Analysis and Reporting System (AFCARS) regulations, effective February 3, 2025, with certain provisions taking effect October 1, 2028. These updates require state Title IV-E agencies to collect and report additional data related to the Indian Child Welfare Act of 1978 (ICWA) for children in the AFCARS Out-of-Home Care Reporting Population, ensuring more comprehensive and accurate reporting on ICWA-related matters.
NOTICE	Increase Flexibility for Tribes in Child Care and Development Fund (CCDF) Eligibility
SUMMARY	The Department has finalized amendments to the Child Care and Development Fund (CCDF) regulations, effective November 18, 2024. This rule provides Indian Tribes and Tribal Organizations operating CCDF programs with the flexibility to establish and use their own eligibility criteria, regardless of family income or assets, supporting greater autonomy in meeting community needs.
NOTICE	Implementation of the National Suicide Hotline Act of 2018
SUMMARY	The Federal Communications Commission (FCC) has adopted a Third Report and Order, effective December 12, 2024, requiring wireless providers to implement georouting solutions for calls to the 988 Suicide & Crisis Lifeline. This update enables calls to be routed to local crisis centers based on the caller's geographic location at the time of the call, rather than their phone's area code, ensuring access to appropriate local intervention services. The rule also revises 988 voice and texting regulations to allow direct routing to the Lifeline without translating to a toll-free number, offering providers greater flexibility while maintaining caller privacy.

ACKNOWLEDGEMENTS

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