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In this Issue, Dated January 25, 2017 through February 19, 2017, the Following Federal Congressional Legislative and Administrative Actions Were Taken—

I. Federal Congressional Hearings – 115th Congress

- i. **Jan. 31, 2017** – Senate Committee on Indian Affairs, Organizational Meeting.
- ii. **Feb. 7, 2017** – House Committee on Natural Resources, Full Committee Organizational Meeting.
- iii. **Feb. 8, 2017** – Senate Committee on Indian Affairs, Business Meeting to Consider the Following Bills (all bills were ordered to be reported favorably to the Senate):
 - **S. 39**, Little Shell Tribe of Chippewa Indians Restoration Act of 2017.
 - **S. 63**, Tribal Labor Sovereignty Act.
 - **S. 91**, Indian Employment, Training and Related Services Consolidation Act of 2017.
 - **S. 140**, A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.
 - **S. 245**, Indian Tribal Energy Development and Self-Determination Act Amendments of 2017.
 - **S. 249**, A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes.
 - **S. 254**, Esther Martinez Native American Languages Preservation Act.
 - **S. 269**, A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes.
 - **S. 302**, the John P. Smith Act.
- iv. **Feb. 8, 2017** – Senate Committee on Indian Affairs, oversight hearing on, “Emergency Management in Indian Country: Improving FEMA’s Federal-Tribal Relationship with Indian Tribes”.
- v. **Feb. 15, 2017** – House Subcommittee on the Interior, Energy, and the Environment, hearing on, “Examining Federal Programs that Serve Tribes and Their Members”.
- vi. **[Future Hearing] Mar. 15, 2017 at 2:30 p.m. Eastern Time** – Senate Committee on Indian Affairs oversight hearing on, “Identifying Indian Affairs Priorities for the Trump Administration”.

II. Federal Bills Introduced by the 115th Congress

[Organized by Latest Action]

- i. **Jan. 23, 2017** – S. 185, [Head Start Improvement Act of 2017](#), referred to the [Senate Committee on Health Education and Labor](#). Introduced by Sen. Mike Lee (R-UT) on Jan. 20, 2017.
- ii. **Jan. 24, 2017** – H.R. 627, [Streamlining Energy Efficiency for Schools Act of 2017](#), referred to the [House Committee on Energy and Commerce](#). Introduced by Rep. Matt Cartwright (D-PA-17) on Jan. 24, 2017.
- iii. **Jan. 25, 2017** – H.R. 654, [Pacific Northwest Earthquake Preparedness Act of 2017](#), referred to the [House Subcommittee on Economic Development, Public Buildings and Emergency Management](#). Introduced by Rep. Peter DeFazio (D-OR-4) on Jan. 24, 2017. Also referred to the [House Committee on Transportation and Infrastructure](#).
- iv. **Feb. 1, 2017** – S.Res. 36, [An original resolution authorizing expenditures by the Senate Committee on Indian Affairs](#), referred to the [Senate Committee on Rules and Administration](#). Introduced by Sen. John Hoeven (R-ND) on Feb. 1, 2017 in the [Senate Committee on Indian Affairs](#) and reported to the Senate by Sen. Hoeven without written report.
- v. **Feb. 1, 2017** – S.Res. 40, [A resolution designating the week beginning on February 5, 2017, as “National Tribal Colleges and Universities Week”](#), passed in the Senate without amendment and with a preamble by unanimous consent. Introduced by Sen. Heidi Heitkamp (D-ND) on Feb. 1, 2017.
- vi. **Feb. 3, 2017** – S. 304, [Tribal Veterans Health Care Enhancement Act](#), read twice and referred to the [Senate Committee on Indian Affairs](#). Introduced by Sen. John Thune (R-SD) on Feb. 3, 2017.
- vii. **Feb. 7, 2017** – H.J.Res. 68, [Providing for congressional disapproval under Chapter 8 of Title 5 of the United States Code of a rule submitted by the Bureau of Land Management relating to standards for measurement and report of gas removed or sold from Federal and Indian Lands and areas subject to communitization agreements](#), referred to the [House Committee on Natural Resources](#). Introduced by Rep. Kevin Cramer (R-ND-At Large) on Feb. 7, 2017.
- viii. **Feb. 7, 2017** – H.R. 981, [Indian Health Service Hiring Freeze Exemption Act](#), referred to the [House Committee on Oversight and Government Reform](#). Introduced by Rep. Norma Torres (D-CA-35) on Feb. 7, 2017.
- ix. **Feb. 7, 2017** – H.R. 984, [the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017](#). Introduced by Rep. Robert Wittman (R-VA-1) on Feb. 7, 2017.

- x. **Feb. 8, 2017** – S. 343, A bill to repeal certain obsolete laws relating to Indians, referred to the Senate Committee on Indian Affairs. Introduced by Sen. Mike Rounds (R-SD) on Feb. 8, 2017.
- xi. **Feb. 9, 2017** – H.R. 986, To clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act, referred to the House Committee on Education and the Workforce. Introduced by Rep. Todd Rokita (R-IN-4) on Feb. 9, 2017.
- xii. **Feb. 10, 2017** – H.R. 597, Lytton Rancheria Homelands Act of 2017, referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Jeff Denham (R-CA-10) on Jan. 20, 2017.
- xiii. **Feb. 10, 2017** – H.R. 621, Disposal of Excess Federal Lands Act of 2017, referred to the House Subcommittee on Federal Lands. Introduced by Rep. Jason Chaffetz (R-UT-3) on Jan. 24, 2017. Also referred to the House Committee on Natural Resources on Jan. 24, 2017.
- xiv. **Feb. 10, 2017** – H.R. 676, Expanded & Improved Medicare For All Act, referred to the Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. John Conyers, Jr. (D-MI-13) on Jan. 24, 2017. Also referred to the House Committee on Energy and Commerce, the House Committee on Ways and Means, and the House Committee on Natural Resources on Jan. 24, 2017.
- xv. **Feb. 15, 2017** – H.R. 800, New Deal Rural Broadband Act of 2017, referred to the House Subcommittee on Federal Lands, and the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Jared Huffman (D-CA-2) on Feb. 1, 2017. Also referred to the House Committee on Agriculture, House Committee on Natural Resources, and House Committee on Energy and Commerce on Feb. 1, 2017.

III. Federal Administrative and Regulatory Actions

- i. **Jan. 31, 2017** – Federal Communications Commission: Formation of FCC Broadband Deployment Advisory Committee.
- ii. **Jan. 31, 2017** – President Trump Nominates U.S. Court of Appeals for the Tenth Circuit Judge Neil Gorsuch for the U.S. Supreme Court.
- iii. **Feb. 3, 2017** – Federal Communications Commission: Order on Reconsideration to Rescind Designation of Nine Companies as Lifeline Broadband Providers.
- iv. **Feb 3, 2017** – Department of the Interior Office of the Inspector General: “Final Audit Report – Bureau of Indian Affairs’ Federal Indian Minerals Office, Report No. 2015-EAU-079”.
- v. **Feb 3, 2017** – Department of the Interior Office of the Inspector General: “Final Audit Report – Bureau of Indian Affairs’ Federal Indian Minerals Office”.
- vi. **Feb. 8, 2017** – Department of the Interior, Bureau of Indian Affairs – Advance Notice of Proposed Rulemaking; Tribal Consultation: “Traders with Indians”.

- vii. **Feb. 10, 2017** – Department of Health and Human Services, Office of Head Start, Administration for Children and Families: Notice of Tribal Consultation Meetings.
- viii. **Feb. 10, 2017** – Department of Health and Human Services, Office of Head Start, Administration for Children and Families: Extension of Comment Period – Request for Information Seeking Recommendations on Future Work with American Indian and Alaska Native Tribes.

Federal Congressional Hearings – 115th Congress

- i. **Jan. 31, 2017** – Senate Committee on Indian Affairs, Organizational Meeting.
 - Held a meeting to select the Chair and Vice Chair of the Committee; adopted Rules of the Committee for the 115th Congress; and adopted a funding resolution for the Committee for the 115th Congress.
- ii. **Feb. 7, 2017** – House Committee on Natural Resources, Full Committee Organizational Meeting.
 - Held an organizational meeting to consider the Committee Rules and Committee Oversight Plan for the 115th Congress, and to appoint Committee staff. A number of amendments to the Committee Rules and the Committee Authorization and Oversight Plan were voted down by the Committee, to view the proposed amendments [click here](#).
- iii. **Feb. 8, 2017** – Senate Committee on Indian Affairs, Business Meeting to Consider the Following Bills:
(All bills were ordered to be reported favorably to be considered by the full Senate)
 - **S. 39, Little Shell Tribe of Chippewa Indians Restoration Act of 2017.** Introduced by Sen. Jon Tester (D-MT) on Jan. 5, 2017 and referred to the Senate Committee on Indian Affairs. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill](#).
 - Bill would extend federal recognition to the Little Shell Tribe of Chippewa Indians located in Montana. Requires the tribe to submit to the Secretary of the Department of the Interior, no later than 18 months after enactment, a tribal membership roll consisting of the name of each individual enrolled in the tribe. The bill also authorizes the Secretary of the Interior to place into trust 200 acres of land within the service area of the tribe to be used as a land base.
 - **S. 63, Tribal Labor Sovereignty Act.** Introduced by Sen. Jerry Moran (R-KS) on Jan. 9, 2017 and referred to the Senate Committee on Indian Affairs. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. Reported by Sen. Hoeven, Chair of the Senate Committee on Indian Affairs, without amendment accompanied by written [report No. 115-3](#). Placed on the Senate Legislative Calendar under General Orders, Calendar No. 9 on Feb. 17, 2017. [Link to bill](#).

- This bill would add Indian tribes, or any institution or enterprise owned and operated by an Indian tribe and located on Indian lands, as excluded from the definition of “employer” under the National Labor Relations Act.
 - The [National Congress of American Indians](#) passed several resolutions in support of the Tribal Labor Sovereignty Act during the 114th Congress: [Resolution #SD-15-056](#) – Support for Tribal Labor Sovereignty Act Exempting Tribes from the National Labor Relations Act, and [Resolution #MSP-15-06](#) – Supporting Treatment of Indian Tribes and Governments for Purposes of the National Labor Relations Act and Support H.R. 511 and S. 248 the “Tribal Labor Sovereignty Act of 2015”.
- **S. 91, Indian Employment, Training and Related Services Consolidation Act of 2017.** Introduced by Sen. Lisa Murkowski (R-AK) on Feb. 10, 2017 and referred to the Senate Committee on Indian Affairs. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill.](#)
 - Bill recognizes Indian tribes and tribal organizations as eligible to carry out programs under the Indian Employment, Training, and Related Services Demonstration Act of 1922. It also expands programs that may be integrated by a plan to include skill development, assisting Indian youth and adults to succeed in the workforce, encourage self-sufficiency, familiarize individual participants with the world of work, facilitate creation of job opportunities, and to create economic development. Bill also seeks to reduce administrative, reporting, and accounting costs of these services.
- **S. 140, A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.** Introduced by Sen. Jeff Flake (R-AZ) on Jan. 12, 2017 and referred to the Senate Committee on Indian Affairs. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill.](#)
 - Bill amends the White Mountain Apache Tribe Water Rights Quantification to allow settlement funds to be used for the planning, design, and construction of the tribe’s rural water system.
- **S. 245, Indian Tribal Energy Development and Self-Determination Act Amendments of 2017.** Introduced by Sen. John Hoeven (R-ND) on Jan. 30, 2017. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill.](#)
 - Bill authorizes the Secretary of the Interior to provide technical assistance to Indian tribes interested in developing energy plans for electrification, energy efficiency, electricity generation, transmission planning, water planning; permitting for oil, gas, and renewable energy; and plans to develop energy resources while protecting natural, historic, and cultural resources. Adds “Intertribal organizations” as eligible to participate in the Indian Energy Resource Development Program, and “tribal energy development organizations” as eligible for the Department of Energy Loan Guarantee Program. Bill also streamlines

- certain permitting procedures by removing approval requirements by the Secretary of the Interior, such as approval of a lease or business agreement or rights-of-way over tribal land for terms not to exceed 30 years.
- **S. 249**, [A bill to provide that the Pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes](#). Introduced by Sen. Tom Udall (D-NM) on Feb. 1, 2017. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill](#).
 - Bill amends the Indian Long-Term Leasing Act to allow leases of up to 99 years to expand the lands of the Pueblo of Santa Clara and the Pueblo of Ohkay Owingeh, upon approval of the Department of the Interior. Includes expansion of lands held in trust, to all lands of the aforementioned Pueblos.
 - **S. 254**, [Esther Martinez Native American Languages Preservation Act](#). Introduced by Sen. Tom Udall (D-NM) on Feb. 1, 2017. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill](#).
 - Bill amends the Native American Programs Act of 1974 to reauthorize it from 2018 through 2022 and revises the grant program administered by the Department of Health and Human Services, Administration for Native Americans. The bill also reduces the requirement for the number of enrollees in education programs funded by grants in Native American language nests from 10 to 5, and reduces the required number of enrollees in Native American language survival schools from 15-10 as eligible for grant funds. The bill also authorizes the Secretary of Health and Human Services to increase the grant award period to include a 4-year, or 5-year award—current law only authorizes grant awards for a 1-year, 2-year, or 3-year period.
 - **S. 269**, [A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes](#). Introduced by Sen. Lisa Murkowski (R-AK) on Feb. 1, 2017. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill](#).
 - Bill authorizes the Secretary of Health and Human Services to convey 11.25 acres of land and property in Tanana, Alaska to the Tanana Tribal Council no later than 180 days of enactment. The bill also authorizes the Secretary of Health and Human Services to convey 1.474 acres of land and property in Dillingham, Alaska to the Bristol Bay Area Health Corporation located in Dillingham, AK.
 - **S. 302**, [the John P. Smith Act](#). Introduced by Sen. John Barrasso (R-WY) on Feb. 3, 2017. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017. [Link to bill](#).
 - Bill proposes to increase road safety on tribal lands by streamlining the permitting process for tribal transportation safety projects that would improve a hazardous road location or feature, or address some highway safety problem. The bill also directs the Secretary of the Department of the Interior to work with an Indian tribe

to provide a schedule for completion of permit reviews, and coordinating with other federal agencies to complete such reviews in a timely manner.

iv. **Feb. 8, 2017** – [Senate Committee on Indian Affairs, oversight hearing on, “Emergency Management in Indian Country: Improving FEMA’s Federal-Tribal Relationship with Indian Tribes”](#). To view a recording of the hearing [click here](#).

- The following witnesses provided Testimony:
 - Mr. Alex Amparo, Assistant Administrator for Recovery, Office of Response and Recovery, Federal Emergency Management Agency, U.S. Department of Homeland Security, Washington, DC. [Link to Testimony](#).
 - Testimony detailed recent updates to FEMA’s Tribal Policy through tribal consultations held in 2016 to improve nation-to-nation relationships with federally-recognized tribal governments. Other 2016 highlights included: addition of a Tribal Liaison representative to FEMA Region III following the recognition of the Pamunkey Indian Tribe of Virginia; delivery of 55 tribal courses to 763 tribal attendees in trainings provided by FEMA’s Emergency Management Institute; and an inaugural Tribal Training Week by FEMA’s Center for Domestic Preparedness, training 157 tribal emergency responders from 46 tribal nations.
 - Mr. Milo Booth, National Tribal Affairs Advisor, Office of External Affairs Federal Emergency Management Agency, U.S. Department of Homeland Security, Washington, DC. [Testimony unavailable at time of publishing]
 - The Honorable Russell Begaye, President Navajo Nation, Window Rock, AZ. [Link to Testimony](#).
 - Testimony detailed events occurring from the Gold King Mine spill in 2015 and that FEMA declined its application for a Declaration of Emergency because the majority of response and recovery efforts were the responsibility of other federal agencies—notably the U.S. Environmental Protection Agency. President Begaye also requested the Committee to investigate whether FEMA applies this policy selectively since it provided assistance in response to the BP/Deepwater Horizon oil spill in April 2010.
 - The Honorable J. Michael Chavarria, Governor, Pueblo of Santa Clara, Española, NM. [Link to Testimony](#).
 - Testimony detailed the five Presidential Disaster Declarations Pueblo of Santa Clara has requested and obtained over the past five years—three through requests by the State of New Mexico and two following amendments to the Stafford Act allowing tribes to directly make a request. The Pueblo stated that the ability to directly request a declaration has given Santa Clara more control over disaster relief efforts affecting their lands and also stated support for FEMA’s National Disaster Recovery Framework, which facilitates interagency collaboration among federal agencies in disaster recovery.

- Mr. Cody Desautel, Natural Resources Director, Confederated Tribes of the Colville Reservation, Nespelem, WA. [Link to Testimony](#).
 - Testimony detailed the major disasters the Colville Tribes have encountered over the past five years, which included damages from a wind storm and flashflood, and loss of life in two fires. Mr. Desautel stated that currently neither FEMA or the Stafford Act amendments adequately address damages caused by wildfires and that funding usually needs to be acquired from other federal sources in the Department of the Interior—recommended FEMA provide support for fire suppression, stabilization, and landscape rehabilitation.
- v. **Feb. 15, 2017** – [House Subcommittee on the Interior, Energy, and the Environment, hearing on, “Examining Federal Programs that Serve Tribes and Their Members”](#). To view a recording of the hearing [click here](#).
 - The following witnesses provided Testimony:
 - Mr. Frank Rusco, Director, Natural Resources and Environment, Energy and Science Issues, U.S. Government Accountability Office. [Link to Testimony](#).
 - Testimony highlighted long-standing problems in the federal management of Indian energy resources by the Bureau of Indian Affairs; the administration of Indian education by the Bureau of Indian Education; and the administration of health care programs by the Indian Health Service. Testimony also referenced three previous GAO reports from 2015 and 2016 that made recommendations to the Bureau of Indian Affairs to improve its management of Indian energy resources to improve oversight, collaboration, and workforce planning.
 - The Honorable Mary Kendall, Deputy Inspector General, Office of Inspector General, U.S. Department of Interior. [Link to Testimony](#).
 - Testimony stated that the Office of Inspector General had conducted audits that identified issues with the award of contracts, grants, and other financial assistance to tribes—noted that due to a lack of oversight by Bureau of Indian Affairs regional and agency staff, DOI funded programs and operations are susceptible to fraud, waste, and abuse. Also noted issues with tribal schools managed by the Bureau of Indian Education, citing difficulty in attracting effective teachers, ongoing organizations or budgetary restructuring efforts, inconsistent BIE leadership, and issues with crumbling school infrastructure and limited broadband Internet access.
 - The Honorable Tyson Thompson, Councilman, Southern Ute Indian Tribal Council. [Link to Testimony](#).
 - Testimony highlighted issues with the Bureau of Indian Affairs management of tribal energy resources, having previously shared their concerns on multiple occasions with the Government Accountability Office and the Office of Inspector General. Made the recommendation that tribes should be allowed

to pursue P.L. 93-638 contracts with the federal government to enable tribes to pursue tribal energy development projects—process would allow tribes to obtain direct agency funds to conduct work normally handled by the federal agency.

- vi. **[Future Hearing] Mar. 15, 2017 at 2:30 p.m. Eastern Time** – [Senate Committee on Indian Affairs oversight hearing on, “Identifying Indian Affairs Priorities for the Trump Administration”](#). Hearing can be viewed online on Mar. 15, 2017 at the Committee on Indian Affairs [Website](#).

FEDERAL BILLS INTRODUCED BY THE 115TH CONGRESS

[Organized by Latest Action]

- i. **Jan. 23, 2017** – [S. 185, Head Start Improvement Act of 2017](#), referred to the [Senate Committee on Health Education and Labor](#). Introduced by Sen. Mike Lee (R-UT) on Jan. 20, 2017. [Link to bill](#).
- Bill amends the Head Start Act ([42 U.S.C. 9831](#) et seq.) to authorize an appropriation of \$8.598 billion for each of fiscal years 2017 through 2021 and makes such funds available for the award of block grants eligible to states and Indian tribes. The formula for awards to states and Indian tribes will be made in proportion to the number of children, age 5 and younger, and are from families with incomes below 100 percent of the poverty line. Grant recipients will be required to use 100 percent of grant funds for prekindergarten education programs in the state or Indian tribe involved, and for the administration and provision of technical assistance, oversight, monitoring, research, and training for such programs. The state governor, or other chief executive, will have to certify that all grant funds received from the block grant program are used to provide education and related services to low-income children and their families. Grant recipients will be required to provide matching funds from non-Federal sources equal to 20 percent of the grant amount, and no subgrant entity shall use more than 15 percent of subgrant funds for administrative program costs. The bill also requires, at a minimum, one annual self-assessment to be published and made available to the public regarding the effectiveness and progress of a grantees program in meeting goals established, as well as a determination of the number of low-income children served. The bill also directs the Comptroller General of the U.S. to conduct a study on best practices used by states and Indian tribes carrying out a block grant program and to submit its findings to Congress no later than October 1st of the fourth fiscal year after the date of enactment.
- ii. **Jan. 24, 2017** – [H.R. 627, Streamlining Energy Efficiency for Schools Act of 2017](#), referred to the [House Committee on Energy and Commerce](#). Introduced by Rep. Matt Cartwright (D-PA-17) on Jan. 24, 2017. [Link to bill](#).
- Bill directs the Department of Energy (DoE), Office of Energy and Renewable Energy to establish a clearinghouse to disseminate information to schools regarding available programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools. Bill also adds schools operated by the Bureau of Indian Affairs, a tribally controlled school as defined by [20 U.S.C. 7801](#), and tribal colleges or

universities as defined by [20 U.S.C. 1059c\(b\)](#) as eligible to receive information from the DOE Office of Energy and Renewable Energy.

- iii. **Jan. 25, 2017** – [H.R. 654, Pacific Northwest Earthquake Preparedness Act of 2017, referred to the House Subcommittee on Economic Development, Public Buildings and Emergency Management](#). Introduced by Rep. Peter DeFazio (D-OR-4) on Jan. 24, 2017. Also referred to the House Committee on Transportation and Infrastructure. [Link to bill](#).
 - Bill authorizes the Administrator of the Federal Emergency Management Agency (FEMA) to develop a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone and identify funds necessary for plan implementation. No later than 180 days of enactment of bill, the Administrator of FEMA should make grants to states, Indian tribes, and units of local governments to provide for implementation of plan. Bill also authorizes the President of the U.S. to establish an Earthquake and Tsunami Task Force to develop a comprehensive strategy and recommendations on how the U.S. should prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to an event occurring in the Cascadia Subduction Zone. Task Force membership will be comprised of relevant federal agencies; the States of Oregon, Washington, and California; Indian tribes, local governments, and private sector representatives impacted by a potential event in the Cascadia Subduction Zone; and universities, academia, and research institutions with relevant expertise.
- iv. **Feb. 1, 2017** – [S.Res. 36, An original resolution authorizing expenditures by the Senate Committee on Indian Affairs, referred to the Senate Committee on Rules and Administration](#). Introduced by Sen. John Hoeven (R-ND) on Feb. 1, 2017 in the Senate Committee on Indian Affairs and reported to the Senate by Sen. Hoeven without written report. [Link to bill](#).
 - Bill authorizes the Senate Committee on Indian Affairs, in order to carry out its powers, duties, and functions, to 1) make expenditures from the contingent fund of the Senate, 2) employ personnel, and 3) to use on a reimbursable, or non-reimbursable, basis the services of personnel of any governmental department or agency, contingent on receiving prior consent of said department or agency and the Committee on Rules and Administration.
- v. **Feb. 1, 2017** – [S.Res. 40, A resolution designating the week beginning on February 5, 2017, as “National Tribal Colleges and Universities Week”, passed in the Senate without amendment and with a preamble by unanimous consent](#). Introduced by Sen. Heidi Heitkamp (D-ND) on Feb. 1, 2017. [Link to bill](#).
 - Designates the week beginning on Feb. 5, 2017 as “National Tribal Colleges and Universities Week” in recognition of the 37 Tribal Colleges and Universities (TCU’s) operating on more than 75 campuses in 16 states and serve students from more than 250 federally-recognized Indian tribes.

- vi. **Feb. 3, 2017** – [S. 304, Tribal Veterans Health Care Enhancement Act](#), read twice and referred to the [Senate Committee on Indian Affairs](#). Introduced by Sen. John Thune (R-SD) on Feb. 3, 2017. [Link to bill](#).
- Bill amends Sec. 222 of the Indian Health Care Improvement Act ([25 U.S.C. 1621u](#)) to allow the Indian Health Service to pay the cost of a copayment assessed by the Department of Veterans Affairs to an eligible Indian veteran for covered medical care. Bill also amends Title IV of the Indian Health Care Improvement Act ([25 U.S.C. 1641](#) et seq.) to direct the Secretary of Health and Human Services (or a designee, including the director of any area office of the Indian Health Service), the Secretary of Veterans Affairs (or a designee), and any tribal health program to enter into a memorandum of understanding (MOU) that authorizes the Secretary of the Indian Health Service or tribal health program to pay the Secretary of Veterans Affairs (VA) any copayments owed to the Department of Veterans Affairs by eligible Indian veterans for covered medical care. In entering this MOU, the Department of Health and Human Services and the Department of Veterans Affairs will also have to consult with Indian tribes that would be impacted by the MOU. The Secretary of Health and Human Services, the Secretary of Veterans Affairs, and any tribal health program can be exempt from entering an MOU if the aforementioned jointly certify that entering an MOU would decrease the quality of health care provided to eligible Indian veterans, impede the access of those veterans to health care, or substantially decrease the quality of, or access to, health care by individuals receiving health care from the Department of Veterans Affairs or beneficiaries of the Indian Health Service. This joint certification must be submitted to the Senate Committee on Veterans' Affairs, the Senate Committee on Indian Affairs, The House Committee on Veterans' Affairs, and the House Committee on Natural Resources.
- vii. **Feb. 7, 2017** – [H.J.Res. 68, Providing for congressional disapproval under Chapter 8 of Title 5 of the United States Code of a rule submitted by the Bureau of Land Management relating to standards for measurement and report of gas removed or sold from Federal and Indian Lands and areas subject to communitization agreements](#), referred to the [House Committee on Natural Resources](#). Introduced by Rep. Kevin Cramer (R-ND-At Large) on Feb. 7, 2017. [Link to bill](#).
- House Joint Resolution would nullify a rule adopted by the Department of the Interior, Bureau of Land Management (BLM) on Nov. 17, 2016 related to “Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Measurement of Gas” ([81 Fed. Reg. 81516](#))—only nullifies the rule applying to communitization agreements. The BLM rule establishes minimum standards to accurately measure and report all gas removed or sold from federal and Indian leases, units, unit participating areas, and areas subject to communitization agreements.
- viii. **Feb. 7, 2017** – [H.R. 981, Indian Health Service Hiring Freeze Exemption Act](#), referred to the [House Committee on Oversight and Government Reform](#). Introduced by Rep. Norma Torres (D-CA-35) on Feb. 7, 2017. [Link to bill](#).
- Bill exempts the Indian Health Service from the “[Presidential Memorandum Regarding the Hiring Freeze](#)” published on Jan. 23, 2017, or any similar

memorandum, Executive order, or other action by the President that prevents a department of agency from filling vacant federal civilian employee positions or creating new such positions.

- ix. **Feb. 7, 2017** – [H.R. 984, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017, referred to the House Committee on Natural Resources](#). Introduced by Rep. Robert Wittman (R-VA-1) on Feb. 7, 2017. [Link to bill](#).
- Bill extends federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe—all located within the exterior boundaries of the State of Virginia. The bill also authorizes adoption of a membership roll, governing documents, and the establishment of a governing body, and authorizes the Secretary of the Interior to take lands into trust (not to be used for the purposes of gaming).
- x. **Feb. 8, 2017** – [S. 343, A bill to repeal certain obsolete laws relating to Indians, referred to the Senate Committee on Indian Affairs](#). Introduced by Sen. Mike Rounds (R-SD) on Feb. 8, 2017. [Link to bill webpage](#).
- [As of Feb. 19, 2017, the text of S. 343 was still not posted online]
- xi. **Feb. 9, 2017** – [H.R. 986, To clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act, referred to the House Committee on Education and the Workforce](#). Introduced by Rep. Todd Rokita (R-IN-4) on Feb. 9, 2017. [Link to bill](#).
- [As of Feb. 19, 2017, the text of H.R. 986 was still not posted online]
- xii. **Feb. 10, 2017** – [H.R. 597, Lytton Rancheria Homelands Act of 2017, referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs](#). Introduced by Rep. Jeff Denham (R-CA-10) on Jan. 20, 2017. Also referred to the House Committee on Natural Resources on Jan. 20, 2017. [Link to bill](#).
- Bill takes into trust lands owned by the Lytton Rancheria of California to made part of the tribe's reservation. Gaming will be prohibited on the referenced lands taken into trust until March 16, 2037.
- xiii. **Feb. 10, 2017** – [H.R. 621, Disposal of Excess Federal Lands Act of 2017, referred to the House Subcommittee on Federal Lands](#). Introduced by Rep. Jason Chaffetz (R-UT-3) on Jan. 24, 2017. Also referred to the House Committee on Natural Resources on Jan. 24, 2017. [Link to bill](#).
- Bill directs the Secretary of the Department of the Interior to dispose of certain identified federal lands for competitive sale at fair market value. These federal lands were identified by a 1997 [Bureau of Land Management report](#) (BLM report) submitted to Congress, which was compiled pursuant to the Federal Agriculture Improvement and Reform Act of 1996. Proceeds derived from the sale of the identified federal lands will be deposited into the Treasury for reduction of the public debt. The bill exempts the following federal lands identified in the BLM report from

disposal: 1) lands not identified for disposal in the applicable land use plan; 2) lands subject to a recreation and public purpose conveyance application; 3) lands identified for state selection; 4) lands identified for Indian tribe allotments; and 4) lands identified for local government use. The bill will also requires the Secretary of the Interior to submit a report to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources—no later than four years after enactment—detailing a list of federal lands identified by the 1997 BLM report that have not been sold and why, and an update of the 1997 BLM report to include a current inventory of federal lands under the jurisdiction of the Secretary of the Interior that are suitable for disposal.

- Background—The [1997 BLM report](#) identified approximately 3.3 million acres of federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming. The BLM report also identified impediments to disposal of the identified lands such as: 1) lack of legal access; 2) mineral leases located on the property; 3) mining claims existing on the property; 4) habitat for threatened or endangered species; 5) lands located in floodplains or within wetlands; 6) lands containing historical or cultural values; 7) existence of hazardous material or other contamination; and 8) problems with survey or title of lands. Initially, the proceeds from the sale of these federal lands were to be used to conduct restoration activities in the Everglades region of Florida.

xiv. Feb, 10, 2017 – H.R. 676, Expanded & Improved Medicare For All Act, referred to the Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. John Conyers, Jr. (D-MI-13) on Jan. 24, 2017. Also referred to the House Committee on Energy and Commerce, the House Committee on Ways and Means, and the House Committee on Natural resources on Jan. 24, 2017. [Link to bill.](#)

- Bill would create the ‘Medicare for All’ program, which would provide all individuals residing in the U.S. and its territories with free health care inclusive of all medically necessary care. Public or non-profit institutions would only be allowed to participate and for-profit providers would be required to convert to non-profit status to participate but remain privately owned and operated entities. Conversion of for-profit providers to non-profit status would occur over a 15-year period and funded through the sale of U.S. Treasury bonds—payment of conversion would not cover any potential business losses. The bill would allow programs of the Indian Health Service (IHS) to remain independent for a 5-year period beginning on the date of the establishment of the Medicare For All program after which such programs will be integrated into the Medicare for All program.

xv. Feb. 15, 2017 – H.R. 800, New Deal Rural Broadband Act of 2017, referred to the House Subcommittee on Federal Lands, and the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Jared Huffman (D-CA-2) on Feb. 1, 2017. Also referred to the House Committee on Agriculture, House Committee on Natural Resources, and House Committee on Energy and Commerce on Feb. 1, 2017. [Link to bill.](#)

- Bill would create the Office of Rural Broadband Initiatives in the U.S. Department of Agriculture (USDA) and creates an Under Secretary for Rural Broadband Initiatives to lead the office. The Under Secretary will administer all rural and underserved areas broadband-related grant, loan, and loan guarantee programs currently administered by the Administrator of the USDA Rural Utilities Service. The bill also creates a Rural Broadband Advisory Panel to be established 60 days after the appointment of the Under Secretary (will also act as Chair, or their designee) and comprised of a membership representing: state governments, local governments, tribal governments, communications equipment vendors, public utility services, local exchange carriers, wireless carriers, satellite communications services, and other entities as determined by the Under Secretary. The bill also creates a new 'Tribal Broadband Assistance Program' (TBAP) to be established in the USDA Office of Rural Broadband Initiatives. The TBAP would allow the Under Secretary to make grants, loans, or loan guarantees to entities that: 1) plan, construct, acquire, or improve facilities or equipment on tribal lands; 2) provide broadband service on tribal lands; 3) develop technical expertise among tribal members related to broadband service; and 4) improve the adoption of broadband service by individuals on tribal lands. TBAP financial assistance would be given priority to entities proposing to: 1) provide broadband service to underserved tribal lands; 2) provide broadband service to the greatest number of households in underserved tribal areas; and 3) improve the ability of tribal governments or their designees to provide telecommunications service on tribal lands.

Federal Administrative & Regulatory Actions

- Jan. 31, 2017 – Federal Communications Commission: Formation of FCC Broadband Deployment Advisory Committee.** Nominations for membership were due February 15, 2017. Announced by FCC [Public Notice DA 17-110](#).
 - The establishment of Broadband Deployment Advisory Committee was announced by FCC Chairman Ajit Pai to provide the FCC with recommendations to accelerate broadband deployment across the nation by reducing and/or removing regulatory barriers to infrastructure investment. Nominees for the committee will be selected from representatives of consumer and community groups, the communications industry, and officials from federal, state, local, and tribal governments (or their designees having individual expertise may be appointed as 'special government employees'. The committee is established for a 2-year term and members, once confirmed, will attend at least 3 one-day plenary committee meetings per year.
- Jan. 31, 2017 – President Trump Nominates U.S. Court of Appeals for the Tenth Circuit Judge Neil Gorsuch for the U.S. Supreme Court.** Announced by the White House Office of the Press Secretary—[Link to Press Release](#).
 - Judge Neil Gorsuch was unanimously confirmed by the Senate to the U.S. Court of Appeals for the Tenth Circuit on Jul. 20, 2006. During his time serving on the U.S. Court of Appeals for the Tenth Circuit, Judge Gorsuch participated in 60 cases involving different aspects of Federal Indian Law [at the time publishing on of Feb. 19, 2017]. Judge Gorsuch authored 18 opinions; participated on a panel of 42

others; and ruled in favor of tribes 17 times and 3 times against in the 60 cases he participated in that involved legal questions regarding Federal Indian Law. A detailed, and continuously updated, list of the cases Judge Gorsuch participated in while a member of the U.S. Court of Appeals for the Tenth Circuit can be [viewed here](#).

- iii. **Feb. 3, 2017** – [Federal Communications Commission: Order on Reconsideration to Rescind Designation of Nine Companies as Lifeline Broadband Providers](#). Adopted and Released by the FCC on February 3, 2017. [Link to Order on Reconsideration](#).
 - On Dec. 1, 2016 the FCC’s Wireline Competition Bureau designated Spot On Networks LLC, Boomerang Wireless LLC, KonaTel, Inc., STS Media Inc. as Lifeline Broadband Providers (LBPs) eligible to receive Lifeline broadband Internet access service. Additionally, on Jan. 18, 2017 the Bureau granted LBP designation to Applied Research Designs, Inc., Kajeet Inc., Liberty Cablevision of Puerto Rico, LLC, Northland Cable Television Inc., and Wabash Independent Networks, Inc. The Bureau rescinded the LBP designations of these nine companies (collectively, ‘the Petitioners’) on procedural grounds that enable the Bureau to take action within 30 days to modify or set aside its own motion, pursuant to [Sec. 1.113](#) of the FCC’s rules. Furthermore, some of the LBP designations of the Petitioners were rescinded in response to a [Petition for Reconsideration](#) filed by the National Tribal Telecommunications Association that the Petitioners proposing to serve an area inclusive of tribal lands failed to notify tribal governments or regulators pursuant to [54.202\(d\)](#) of the FCC’s rules.
- iv. **Feb 3, 2017** – [Department of the Interior Office of the Inspector General: “Final Audit Report – Bureau of Indian Affairs’ Federal Indian Minerals Office”](#). Report No. 2015-EAU-079—[Link to Report](#).
 - The audit report compiled by the Department of the Interior’s Office of the Inspector General provided 14 recommendations to strengthen the Federal Indian Minerals Offices (FIMO) oversight of Navajo allottee oil and gas activities. These recommendations were made due to findings that FIMO failed to fully follow requirements of a 2005 memorandum of understanding (MOU) in overseeing Navajo allottee oil and gas resources. The Office of the Inspector General determined that there was ineffective coordination and communication across multiple agencies FIMO is supposed to interact with, such as the Bureau of Land Management, the Bureau of Indian Affairs, and the Office of Natural Resources Revenue. Issues regarding unreconciled oil and gas lease inventories and the absence of audit and compliance review work plans for Navajo allotted leases were also highlighted.
- v. **Feb. 8, 2017** - [Department of the Interior, Bureau of Indian Affairs – Advance Notice of Proposed Rulemaking; Tribal Consultation: “Traders with Indians”](#). Federal Register Notice Announcing Tribal Consultation Meetings on a Proposed Rulemaking on Licensed Indian Traders. [Link to FR Notice](#).
 - The following tribal consultation sessions were announced for discussion on a proposed rulemaking to update the “Indian Trader” regulations

- Thursday, Feb. 23, 2017, from 8:30 a.m. – 12:00 p.m. at the Swinomish Casino & Lodge, 12885 Casino Drive, Anacortes, WA 98221.
- Tuesday, Feb. 28, 2017, from 8:30 a.m. – 12:00 p.m. at the Harrah's Resort Southern California, 777 Harrah's Rincon Way, Valley Center, CA 92802.
- Tuesday, Mar. 7, 2017, from 8:30 a.m. – 12:00 p.m. at the Northern Hotel, 19 N. Broadway, Billings, MT 59101.
- Thursday, Mar. 9, 2017, from 8:30 a.m. – 12:00 p.m. at the Holiday Inn—Rushmore Plaza, 505 N. 5th Street, Rapid City, SD.
- Monday, Mar. 13, 2017, from 9:00 a.m. – 12:00 p.m. at the Mirage Resort & Casino (Key Largo Room), 3400 S. Las Vegas Blvd., Las Vegas, NV 89109. Consultation will be held during the 2017 RES meeting of the National Center for American Indian Enterprise Development ([Link to Agenda](#)).
- Tuesday, Mar. 14, 2017, from 9:00 a.m. – 12:00 p.m. at the Mystic Lake Casino Hotel, 2400 Mystic Lake Blvd., Prior Lake, MN 55372.
- Thursday, Mar. 16, 2017, from 9:00 a.m. – 12:00 p.m. at the Seneca Allegany Resort & Casino, 777 Seneca Allegany Blvd., Salamanca, NY 14779.

Comments due April 10, 2017 on proposed updates to the “Indian Trader Regulations”, Published in the Federal Register on Dec. 9, 2016. [Link to FR Notice](#).—see item ‘i.’ under this document’s section ‘**Previous Federal Administrative and Regulatory Actions Still Open for Public Comment**’ for more detailed information.

- vi. Feb. 10, 2017** – [Department of Health and Human Services, Office of Head Start, Administration for Children and Families: Notice of Tribal Consultation Meetings](#). Tribal Consultation meetings announced for March 14, 2017 and August 7, 2017—[Link to FR Notice](#).
- Leadership from the Department of Health and Human Services and its Office of Head Start and Administration for Children and Families will meet with the leadership of tribal governments to discuss ways to better meet the needs of American Indian and Alaska Native children and families. The following tribal consultation sessions are scheduled:
 - Mar. 7, 2017, from 1:30 p.m. – 5:00 p.m. at the Hotel Albuquerque at Old Town, 800 Rio Grande Blvd. NW., Albuquerque, New Mexico 87104.
 - Aug. 8, 2017, from 1:30 p.m. – 5:00 p.m. at the Northern Quest Resort & Casino, 100 North Hayford Road, Airway Heights, WA 99001
- vii. Feb. 10, 2017** – [Department of Health and Human Services, Office of Head Start, Administration for Children and Families: Extension of Comment Period – Request for Information Seeking Recommendations on Future Work with American Indian and Alaska Native Tribes](#). Comments will be received until May 9, 2017 no later than 11:59 p.m. Eastern Time. [Link to Updated FR Notice](#).

- The Administration for Children and Families is seeking recommendations for how the agency can improve its partnership with tribes and poses 9 questions for comment. Responses were initially due by March 10, 2017, but received initial responses stating the original 60-day comment period was insufficient for respondents. To comment in the proceeding visit www.regulations.gov and file to docket number ACF-2016-0002, or by email to ANAComments@acf.hhs.gov.
 - To view the questions posed in the original request for information view the [FR Notice published Jan. 9, 2017](#).

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