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In this Issue, dated February 20, 2017 through March 24, 2017, the following Federal Congressional Legislative and Administrative Actions Were Taken on Issues Affecting Tribes—

*For easy document search on PC use ctrl+f and on Mac cmd+f on the following terms:

- Alaska Native Claims
- Business
- Broadband
- Coal/gas/oil
- Community Development
- Education
- Employment
- Environment
- Housing
- Indian Child Welfare
- Indian Gaming
- Indian Health
- Infrastructure
- Jurisdiction
- Language
- Recognition
- Telecommunications
- Universal Service
- Veterans

I. Federal Congressional Hearings – 115th Congress

- i. **Mar. 8, 2017** – Senate Committee on Indian Affairs, Oversight Hearing on, “Identifying Indian Affairs Priorities for the Trump Administration”.
- ii. **Mar. 9, 2017** – House Subcommittee on Indian, Insular and Alaska Native Affairs, Oversight Hearing, “Improving and Expanding Infrastructure in Tribal and Insular Communities.
- iii. **Mar. 15, 2017** – Senate Committee on Indian Affairs, Senate Committee on Environment and Public Works, and the House Committee on Natural Resources. Bicameral Roundtable Discussion, “Building Native America Together: Infrastructure Innovation and Improvements for Indian Country”.
- iv. **Mar. 16, 2017** – Senate Committee on the Judiciary, Nomination Hearing, “Nomination of the Honorable Neil M. Gorsuch to be an Associate Justice of the Supreme Court of the United States”.
- v. **Mar. 21, 2017** – House Subcommittee on Communications and Technology, Hearing, “Broadband: Deploying America’s 21st Century Infrastructure”.

II. Federal Bills Introduced/Considered by the 115th Congress **[Organized by Latest Action]**

- i. **Feb. 13, 2017** – S.Res. 60, A resolution designating May 5, 2017, as the “National Day of Awareness for Missing and Murdered Native Women and Girls”. Referred to the Senate Committee on the Judiciary. Introduced by Sen. Steve Daines (R-MT) on Feb. 13, 2017.

- ii. **Feb. 15, 2017** – [S. 381, A bill to repeal the Act entitled “An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservations.](#) Referred to the Senate Committee on Indian Affairs. Introduced by Sen. Chuck Grassley (R-IA) on Feb. 15, 2017.
- iii. **Feb. 15, 2017** – [S. 383, Streamlining Energy Efficiency for Schools Act.](#) Referred to the Senate Committee on Energy and Natural Resources. Introduced by Sen. Susan Collins (R-ME) on Feb. 15, 2017.
- iv. **Feb. 16, 2017** – [H.R. 1169, Esther Martinez Native American Languages Preservation Act.](#) Referred to the House Committee on Education and the Workforce. Introduced by Rep. Ben Ray Lujan (D-NM-3) on Feb. 16, 2017.
- v. **Feb. 23, 2017** – [H.R. 984, Tomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017.](#) Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Robert Wittman (R-VA-1) on Feb. 7, 2017 and referred to the House Committee on Natural Resources.
- vi. **Feb. 24, 2017** – [H.R. 800, New Deal Rural Broadband Act of 2017.](#) Referred to the House Subcommittee on Commodity Exchanges, Energy, and Credit. Introduced by Rep. Jared Huffman (D-CA-2) on Feb. 1, 2017 and referred to the House Committee on Agriculture, the House Committee on Natural Resources, and the House Committee on Energy and Commerce; on Feb. 3, 2017, referred to the House Committee on Communications and Technology; on Feb. 15, 2017, referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs, and the House Subcommittee on Federal Lands.
- vii. **Feb. 24, 2017** – [H.R. 935, Cyber Security Education and Federal Workforce Enhancement Act.](#) Referred to the House Subcommittee on Cybersecurity and Infrastructure Protection. Introduced by Rep. Sheila Jackson Lee (D-TX-18) on Feb. 7, 2017 and referred to the House Committee on Education and the Workforce, the House Committee on Science, Space, and Technology, and the House Committee on Homeland Security.
- viii. **Feb. 24, 2017** – [H.R. 995, 21st Century Respect Act.](#) Referred to the House Subcommittee on Commodity Exchanges, Energy, and Credit. Introduced by Rep. Hakeem Jeffries (D-NY-8) on Feb. 9, 2017 and referred to the House Committee on Natural Resources and the House Committee on Agriculture.
- ix. **Feb. 24, 2017** – [H.R. 1074, An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation.](#) Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Rod Blum (R-IA-1) on Feb. 15, 2017 and also referred to the House Committee on Natural Resources.
- x. **Feb. 27, 2017** – [S. 458, NEST Act.](#) Read twice and referred to the Senate Committee on Indian Affairs. Introduced by Sen. Jon Tester (D-MT) on Feb. 27, 2017.
- xi. **Feb. 28, 2017** – [H.R. 228, Indian Employment, Training and Related Services Act of 1992.](#) Received in the U.S. Senate. Introduced by Rep. Don Young (R-AK-At Large) on Jan. 3, 2017 and referred to the House Committee on Natural Resources; on

Feb.10 referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs; on Feb. 27, 2017 Rep. McClintock (R-CA-4) moved to suspend the rules and pass the bill as amended, considered under suspension of the rules followed by 40 minutes of debate on the House Floor, motion to suspend the rules and pass the bill as amended agreed to by voice vote, and motion to reconsider laid on the table agreed to without objection.

- xii. Feb. 28, 2017 – H.Res. 159, Expressing the sense of the House of Representatives that infrastructure spending bills should include development programs that recruit and train individuals from communities with high unemployment rates.** Introduced by Rep. Gregory Meeks (D-NY-5) and referred to the House Committee on Transportation and Infrastructure.
- xiii. Feb. 28, 2017 – S. 465, Independent Outside Audit of the Indian Health Service Act of 2017.** Introduced by Sen. Mike Rounds (R-SD), read twice, and referred to the Senate Committee on Indian Affairs.
- xiv. Mar. 2, 2017 – S. 508, Western Oregon Tribal Fairness Act.** Introduced by Sen. Ron Wyden (D-OR) and read twice and referred to the Senate Committee on Energy and Natural Resources.
- xv. Mar. 2, 2017 – S.J.Res. 29, A joint resolution providing for the congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue of the Department of the Interior relating to consolidated Federal oil and gas and Federal and Indian coal valuation reform.** Introduced by Sen. Steve Daines (R-MT) and read twice and referred to the Senate Committee on Energy and Natural Resources.
- xvi. Mar. 6, 2017 – H.R. 1369, Indian Healthcare Improvement Act of 2017.** Introduced by Rep. Tom Cole (R-OK-4) and referred to the House Committee on Natural Resources, the House Committee on Energy and Commerce, the House Committee on Ways and Means, and the House Committee on the Budget.
- xvii. Mar. 6, 2017 – S. 529, APPROVAL Act.** Introduced by Sen. John Boozman (R-AR) and read twice and referred to the Senate Committee on Energy and Natural Resources.
- xviii. Mar. 7, 2017 – H.R. 1390, To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay costs relating to the transportation of certain deceased veterans to veterans' cemeteries owned by a State or tribal organization.** Introduced by Rep. Jim Banks (R-IN-3) and referred to the House Committee on Veterans' Affairs.
- xix. Mar. 7, 2017 – S. 548, Affordable Housing Credit Improvement Act of 2017.** Introduced by Sen. Maria Cantwell (D-WA) and read twice and referred to the Senate Committee on Finance.
- xx. Mar. 9, 2017 – H.R. 1476, Native American Health Savings Improvement Act.** Introduced by Rep. John Moolenaar (R-MI-4) and referred to the House Committee on Ways and Means.

- xxi. Mar. 10, 2017 – [H.R. 1373, APPROVAL Act](#).** Referred to the House Subcommittee on Water, Power and Oceans. Introduced by Rep. Steve Womack (R-AR-3) on Mar. 6, 2017 and also referred to the House Committee on Natural Resources.
- xxii. Mar. 10, 2017 – [H.R. 1106, Small Tracts Conveyance Act](#).** Referred to the House Subcommittee on Conservation and Forestry. Introduced by Rep. Mark Amodei (R-NV-2) on Feb. 16, 2017 and referred to the House Committee on Natural Resources and the House Committee on Agriculture. Also referred to the House Subcommittee on Federal Lands on March 1, 2017.
- xxiii. Mar. 10, 2017 – [H.R. 1491, Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017](#).** Introduced by Rep. Dough LaMalfa (R-CA-1) and referred to the House Committee on Natural Resources.
- xxiv. Mar. 13, 2017 – [H.R. 1306, Western Oregon Tribal Fairness Act](#).** Referred to the House Subcommittee on Federal Lands and the House Subcommittee on Indian, Insular, and Alaska Native Affairs. Introduced by Rep. Peter DeFazio (D-OR-4) on Mar. 2, 2017 and also referred to the House Committee on Natural Resources.
- xxv. Mar. 13, 2017 – [S. 607, Native American Business Incubators Act](#).** Introduced by Sen. Tom Udall (D-NM) and read twice and referred to the Senate Committee on Indian Affairs.
- xxvi. Mar. 15, 2017 – [H.R. 1528, Native American Indian Education Act](#).** Introduced by Rep. Scott Tipton (R-CO-3) and referred to the House Committee on Education and the Workforce.
- xxvii. Mar. 15, 2017 – [H.R. 1532, To reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes](#).** Introduced by Rep. Bradley Byrne (R-AL-1) and referred to the House Committee on Natural Resources.
- xxviii. Mar. 15, 2017 – [S. 660, Native American Indian Education Act](#).** Introduced by Sen. Cory Gardner (R-CO) and read twice and referred to the Senate Committee on Health, Education, Labor and Pensions.
- xxix. Mar. 15, 2017 – [S. 664, Navajo Utah Water Rights Settlement Act of 2017](#).** Introduced by Sen. Orrin Hatch (R-UT) and read twice and referred to the Senate Committee on Indian Affairs.
- xxx. Mar. 16, 2017 – [H.R. 1404, Pascua Yaqui Tribe Land Conveyance Act](#).** Referred to the House Subcommittee on Federal Lands and the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Raul Gijalva (D-AZ-3) on Mar. 7, 2017 and referred to the House Committee on Natural Resources.
- xxxi. Mar. 16, 2017 – [H.R. 1418, To amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes](#).** Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Don Young (R-AK-At Large) on Mar. 7, 2017 and also referred to the House Committee on Natural Resources.

- xxxii. Mar. 16, 2017 – H.R. 1581, Tribal Digital Access Act of 2017.** Introduced by Rep. Raul Ruiz (D-CA-36) and referred to the House Committee on Energy and Commerce.
- xxxiii. Mar. 20, 2017 – H.R. 1630, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act.** Introduced by Rep. Earl Blumenauer (D-OR-3) and referred to the House Committee on Natural Resources.
- xxxiv. Mar. 21, 2017 – H.R. 1650 National Adoption and Foster Care Home Study Act.** Introduced by Rep. Jared Huffman (D-CA-2) and referred to the House Committee on Education and the Workforce.
- xxxv. Mar. 21, 2017 – H.R. 1661, Affordable Housing Credit Improvement Act of 2017.** Introduced by Rep. Patrick Tiberi (R-OH-12) and referred to the House Committee on Ways and Means.
- xxxvi. Mar. 21, 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.** Reported without amendment by Senator Hoeven, Senate Committee on Indian Affairs with written report No. 115-7, and placed on the Senate Legislative Calendar under General Orders, Calendar No. 20. Introduced by Sen. Jeff Flake (R-AZ) on Jan. 12, 2017 and was referred to the Senate Committee on Indian Affairs. Ordered to be reported favorably by the Senate Committee on Indian Affairs on Feb. 8, 2017.
- xxxvii. Mar. 21, 2017 – S. 669, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act.** Introduced by Sen. Jeff Merkley (D-OR) and read twice and referred to the Senate Committee on Indian Affairs.
- xxxviii. Mar. 21, 2017 – S. 684, A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents and provide funding to States and Indian tribes to adopt such process.** Introduced by Sen. Kirsten Gillibrand (D-NY) and read twice and referred to the Senate Committee on Health, Education, Labor, and Pensions.
- xxxix. Mar. 21, 2017 – S. 691, A bill to extend 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.** Introduced by Sen. Tim Kaine (D-VA) and read twice and referred to the Senate Committee on Indian Affairs.
- xl. Mar. 22, 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.** Reported without amendment by Senator Hoeven, Senate Committee on Indian Affairs with written report No. 115-8, and placed on the Senate Legislative Calendar under General Orders, Calendar No. 22. 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.

- xli. **Mar. 23, 2017** – H.Res. 222, Expressing support for the designation of May 5, 2017, as “National Day of Awareness for Missing and Murdered Native Women and Girls”. Introduced by Rep. Jason Chaffetz (R-UT-3) and referred to the House Committee on Natural Resources.

III. Federal Administrative and Regulatory Actions

- i. **Mar. 1, 2017** – National Indian Gaming Commission - Notice for 2017 preliminary annual fee rates and fingerprint processing fees.
- ii. **Mar. 8, 2017** – Department of the Interior, Bureau of Indian Affairs. Indian Child Welfare.
- iii. **Mar. 8, 2017** – Department of Health and Human Services, Indian Health Service. Notice to Propose the Re-Designation of the Service Delivery Area for the Passamaquoddy Tribe at Indian Township. Comments due April 7, 2017.
- iv. **Mar. 13, 2017** – Department of Education, Office of Elementary and Secondary Education. Application for New Awards; Indian Education Formula Grants to Local Educational Agencies; Part 1 of the Formula Grant Electronic Application System for Indian Education (EASIE) Applications.
- v. **Mar. 13, 2017** – Federal Communications Commission. Proposed Rule: Connect America Fund; Universal Service Reform-Mobility Fund.

Federal Congressional Hearings – 115th Congress

- iv. **Mar. 8, 2017** – Senate Committee on Indian Affairs, Oversight Hearing on, “Identifying Indian Affairs Priorities for the Trump Administration”. To view a recording of the hearing [click here](#).
 - The following witnesses provided Testimony:
 - The Honorable Ryan Zinke, Secretary, U.S. Department of the Interior, Washington, DC. [Link to Testimony](#).
 - Testimony described Secretary Zinke’s commitment to work with tribal nations on a government-to-government level that respects tribal sovereignty. Having been just confirmed days before the hearing, Secretary Zinke reflected on recent actions by Congress to advance the priorities of Montana’s tribes such as the Blackfoot Water Rights Settlement that was included in the Water Infrastructure Improvements for the Nation Act; the House of Natural Resources Committee passing the Little Shell Chippewa Federal Recognition Act for the first time ever; and supporting the Crow Nation in pursuing its energy development potential by extending the Indian Coal Tax Credit. Looking forward, Secretary Zinke pledged to work with Indian Country and identify areas of need in infrastructure projects as well as working to rectify issues with the Bureau of Indian Education.

- The Honorable Alvin Not Afraid, Jr., Chairman, Crow Nation, Crow Agency, MT. [Link to Testimony.](#)
 - Testimony highlighted regulatory barriers/burdens enacted by the previous Administration that had negative effects on Indian coal production in the west. Chairman Not Afraid, Jr. stated efforts to diversify the tribe's economy outside of coal production to include renewable energy projects and tourism, but that those initiatives would take many years to implement. Chairman Not Afraid, Jr. also raised concerns with access to international markets for coal sales, and issues with the Environmental Protection Agency's Clean Power Plan.
 - The Honorable Keith B. Anderson, Vice Chairman, Shakopee Mdewakanton Sioux Community, Prior Lake, MN. [Link to Testimony.](#)
 - Stated support for Ryan Zinke as the Secretary of the Department of the Interior and laid out several priorities for the tribe in the current Administration, which included a focus on infrastructure spending, tax reform to make tribal governments the only taxing body on tribal lands, and enactment of the Tribal Labor Sovereignty Act of 2017.
 - The Honorable Jefferson Keel, Lieutenant Governor, Chickasaw Nation, Ada, OK. [Link to Testimony.](#)
 - Testimony stressed the need for collaborative and engaged consultation with tribal governments and to support tribes in reaching parity with state governments. Lt. Governor Keel urged Congress to pass the Tribal Labor Sovereignty Act, reauthorize the Native American Housing Assistance and Self Determination Act, preserve the Indian Health Care Improvement Act, and to support Native Veterans' access to care at the Department of Veterans Affairs.
 - The Honorable Jamie Azure, District 1 Tribal Councilman, Turtle Mountain Band of Chippewa Indians, Belcourt, ND. No Testimony linked on the Committee website.
 - The Honorable Paul Torres, Chairman, All Pueblo Council of Governors, Albuquerque, NM. [Link to Testimony.](#)
 - Testimony highlighted concerns with the recent release of the President Trump's FY 2018 Congressional Budget Request, which proposed to cut \$54 billion from discretionary non-defense spending. The majority of programs funded for Indian Country come from the discretionary non-defense budget. Also raised concerns with the current federal hiring freeze that is affecting the Indian Health Service, deficiencies in infrastructure and housing, limited access to capital resources, need for advanced telecommunications services, and tax reform to support tribal governments.
- v. Mar. 9, 2017 – [House Subcommittee on Indian, Insular and Alaska Native Affairs, Oversight Hearing, “Improving and Expanding Infrastructure in Tribal and Insular Communities.](#) To view a recording of the hearing, [click here.](#)**

- The following witnesses provided Testimony:
 - Honorable Herman G. Honanie, Chairman, Hopi Tribe, Kykotsmovi, AZ. [Link to Testimony](#).
 - Testimony raised the issue of the Hopi Tribe's land lock status and that whenever it needs to access off-reservation services, like electricity and telecommunications, it must pay the Navajo Nation for right-of-way permits, which significantly increases costs to bring these services to the reservation. Chairman Honanie also raised issues of different land settlements/disputes between the Hopi Tribe and Navajo Nation, issues with its water and arsenic levels, and infrastructure issues related to roads and telecommunications.
 - Mr. Andrew Joseph Jr., Chairman, Northwest Portland Area Indian Health Board Member, Colville Business Council, Nespelem, WA. [Link to Testimony](#).
 - Testimony discussed issues with constructing Indian Health Service (IHS) facilities in the Portland service area. There are three IHS programs that allow tribes to construct facilities, the Health Care Facility Construction Priority List, the Joint Venture program, and the Small Ambulatory Health Center grants. The Health Care Facility Construction Priority List has been in effect for more than two decades and provides funding for construction of facilities on the list, as well as 80 percent of the annual staffing costs. The projects on the Priority List have been locked since 1991 and in the intervening decades Congress has directed most of the IHS health facilities construction funding to projects on the Priority List. The Joint Venture program, which requires an Indian tribe to pay the up-front cost of constructing a facility in exchange for the IHS providing a portion of the annual staffing costs. Because the JV program provides for the possibility of recurring staffing for selected projects, it is extraordinarily competitive. The IHS has solicited applications for the JV program only twice over the past decade. The Small Ambulatory Health Center Grants program, which is the opposite of the JV program in that the IHS provides funds for the construction of the facility, but not for recurring staffing. Congress has not provided any funding to this program in more than a decade.
 - Ms. Victoria Kitcheyan, Great Plains Area Representative, National Indian Health Board, Washington, DC. [Link to Testimony](#).
 - Testimony discusses the state of the Indian Health Service (IHS). Found in 1955 to fulfill the federal trust responsibility to provide healthcare to American Indians and Alaska Natives. Today more than 650 IHS and tribal health facilities operate across the U.S. to serve 2.2 million American Indians and Alaska Natives. IHS has never been fully funded to meet the needs to tribal members and current funding continues to be unable to fulfill IHS infrastructure needs. Life expectancy for Natives are 4.5 years, and in some states more than 20 years, less than the national average. The IHS infrastructure is comprised of 45 hospitals (26 IHS operated, 19 tribal) and 529 outpatient facilities (125 IHS operated, 411 tribal). At these facilities in 2016, there were an estimated 39,300 inpatient admissions as 13.7 million outpatient visits. On average, IHS hospitals are 40 years of age, which is

almost four times as old as other U.S. hospitals with an average age of 10.6 years. From 2010 to 2016, IHS facilities infrastructure construction budget has been about \$76 million annually. IHS uses its Health Care Facility Construction (HCFC) appropriations to fund projects off the “grandfathered” HCFC priority list until it is fully funded. This priority system was developed in the late 1980s at the direction of Congress. The original priority list was developed in the early 1990s with 27 projects on the list. There are 13 remaining projects on this “grandfathered” list which is currently estimated to cost \$2.1 billion. Once those 13 projects are funded, the remaining \$8 billion can be funded with a revised priority system that will periodically generate updated lists.

- Honorable Aaron Payment, Secretary, National Congress of American Indians, Washington, DC. [Link to Testimony](#).
 - Testimony highlighted infrastructure needs in Indian Country and cited a 2009 U.S. Senate letter to the previous Administration that there was \$50 billion in unmet infrastructure needs on Indian reservations and the number of “shovel ready” projects are too many to count. Tribal governments should be empowered with local decision making authority to enact solutions to meet these needs. Indian lands, totaling more than 100 million acres across 34 years, are rural in nature and this provides for some unique partnerships between tribes and rural America. NCAI’s testimony highlights nearly \$50 billion in unmet infrastructure needs and \$2.3 billion in deferred maintenance in various Indian Health Service and Bureau of Indian Affairs programs and projects.
- Mr. Andy Teuber, Board Chair and President, Alaska Native Tribal Health Consortium, Anchorage, AK. [Link to Testimony](#).
 - Testimony focused on the health care and public health infrastructure needs in tribal communities. According to the IHS 2016 Report to Congress on health care facilities need, over half of all IHS-owned health care facilities are over 30 years and the average age of IHS hospitals is 40 years old, nearly four times the average age of private-sector hospitals. The IHS report estimated that a total of \$10.3 billion would be needed for construction of adequate health care facilities to serve all AN/AIs. The estimated cost just to complete the 13 inpatient and outpatient facilities currently on the IHS planned facilities construction list is approximately \$2.1 billion. At the current level of funding for IHS health care facilities it would take 20 years to complete construction of the existing list, before any funding would be available to address the other \$8.2 billion needed for facilities construction.
- Mr. Nikolao Pula, Acting Assistant Secretary, Office of Insular Affairs, U.S. Department of the Interior, Washington, DC. [Link to Testimony](#).
 - Testimony provided highlighting the Office of Insular Affairs’ (OIA) capital infrastructure project (CIP) program, which was created in 1996 and provided \$27.72 million in annual current mandatory funding. CIP funds address a variety of infrastructure needs in the U.S. territories, including critical

infrastructure such as hospitals, schools, wastewater and solid waste systems. The governors of Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands assert that the capital improvement needs in the U.S. territories amounts to over \$1 billion. Much of the public infrastructure in the U.S. territories is well-used and difficult for the small communities to replace or upgrade. Overall, the territories' school facilities average forty years of age, and show the marks of generations of school children and the effects of the tropical climate.

vi. **Mar. 15, 2017** – [Senate Committee on Indian Affairs, Senate Committee on Environment and Public Works, and the House Committee on Natural Resources. Bicameral Roundtable Discussion, “Building Native America Together: Infrastructure Innovation and Improvements for Indian Country”](#). To view a recording, [click here](#).

- List of Witnesses and panels discussing various infrastructure needs and issues in Indian Country:

Panel 1

- Mr. Delbert Rexford, Special Assistant and Advisor to the President, Ukpeaġvik Iñupiat Corporation (UIC), Barrow, AK
- The Honorable Edward Manuel, Chairman, Tohono O’odham Nation, Sells, AZ
- The Honorable Leslie Shakespeare, Councilman, Eastern Shoshone Tribe of the Wind River Reservation, Fort Washakie, WY

Panel 2

- Mr. William Rudnicki, Tribal Administrator, Shakopee Mdewakanton Sioux Community of Minnesota, Prior Lake, MN
- The Honorable James Floyd, Principal Chief Muscogee (Creek) Nation, Okmulgee, OK
- Mr. Ryan Rusche. Tribal Attorney, Confederated Salish and Kootenai Tribes of the Flathead Reservation, Pablo, MT

Panel 3

- Ms. Belinda Nelson, Chairperson, Gila River Telecommunications, Inc., Chandler, AZ
- Mr. Derek Dyson, Attorney (Duncan, Weinberg, Genzer, & Pembroke), Navajo Tribal Utility Authority, Washington, DC
- Mr. Godfrey Enjady, General Manager, Mescalero Apache Telecom, Inc., Mescalero, NM

Panel 4

- Mr. Jon Whirlwind Horse, Facilities Manager, Oglala Sioux Tribe Education Agency, Kyle, SD

- Mr. Jeff Seidel, Senior Vice President, Dougherty & Company, LLC, Minneapolis, MN
- Mr. Stephen Hockins, Strategic Planner, Mississippi Band of Choctaw Indians, Choctaw, MS
- The Honorable Darrell Shay, Vice Chairman, Shoshone-Bannock Tribes, Fort Hall, ID

vii. Mar. 20, 2017 – [Senate Committee on the Judiciary, Nomination Hearing, “Nomination of the Honorable Neil M. Gorsuch to be an Associate Justice of the Supreme Court of the United States.](#) To view a recording of the hearing, [click here.](#)

- The Senate Committee on the Judiciary began confirmation hearings for Judge Neil Gorsuch as an Associate Justice on the Supreme Court of the United States on Mar. 20, 2017. The Native American Rights Fund (NARF) has compiled a summary of Indian law cases Judge Gorsuch has been involved in since his July 2006 appointment to the U.S. Court of Appeals for the 10th Circuit. Since his appointment to the 10th Circuit, Judge Gorsuch has participated in 39 cases (11 of which did not address a direct Indian law issue) and ruled in favor of tribal interests 16 times, 9 against, 3 draws, and has authored 17 opinions (7 of which did not address a direct Indian law issue). The Indian law cases Judge Gorsuch participated in dealt with issues such as Tribal Sovereign Immunity, Indian Country Diminishment/Disestablishment, Religious Freedom, Federal Trust Responsibility, Exhaustion, Civil Rights, Tax, Employment/Labor Law, Criminal Conviction, and others. To view NARF’s summary of Judge Gorsuch’s Indian Law Cases, [click here.](#)
- **Background:** 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.](#)

viii. Mar. 21, 2017 – [House Subcommittee on Communications and Technology, Hearing, “Broadband: Deploying America’s 21st Century Infrastructure”.](#) To view a recording of the hearing, [click here.](#)

- List of Witnesses and Testimony:
 - Mr. Steven Berry, President and CEO, Competitive Carriers Association. [Link to Testimony.](#)

- Testimony focused on the future deployment of 5G technologies stating that Qualcomm projects that 5G will support 22 million jobs and generate up to \$3.5 trillion in revenue by 2035. A recent report by the Hudson Institute stated that the investments and ongoing operations of small rural broadband providers contribute \$24.1 billion annually to the nation's gross domestic product, with 66 percent (\$15.9 billion) of that amount benefiting urban areas. The report also found that rural broadband investment is an important driver of job growth, estimating that nearly 70,000 jobs can be attributed directly to economic activity of small, rural broadband providers. Voiced support for mobile broadband language included in an infrastructure related legislation/funding.
- Mr. LeRoy T. Carlson Jr., CEO, Telephone and Data Systems, Inc. and Chairman, U.S. Cellular. [Link to Testimony](#).
 - U.S. Cellular provides mobile wireless service in nearly 200 markets across 24 states located in regional clusters across the country. As the Administration and Congress contemplate investing \$1 trillion in infrastructure, there needs to be funding allocated for mobile broadband services across the country.
- Mr. Michael Conners, Sub-Chief, Saint Regis Mohawk Tribe. [Link to Testimony](#).
 - In 2009, SRMT was awarded \$10 million through the American Recovery and Reinvestment Act ("ARRA"), U.S. Department of Agriculture's Broadband Initiative Program to form Mohawk Networks, a tribally-owned telecom entity, in an effort to connect residential and commercial customers in the North Country with reliable and cost-effective broadband services. By 2015, Mohawk Networks connected roughly 80 percent of all homes in our territory to high-speed internet service. The tribe recognizes the importance of high speed broadband accessibility and what it has done for our own community. It is unfortunate that our non-native neighbors in the North Country do not have the same access we do. Mohawk Networks estimates more than 100,000 homes in our neighboring counties have been overlooked, 20 percent of homes are unable to access speeds greater than 6 Mbps, and 37 percent cannot afford the average monthly rate charged of \$59.99. Some challenges for expanding broadband infrastructure on tribal lands include cumbersome grant requirements and not enough funding, a lack of support and understanding about tribal telecommunications capabilities, and the need to provide set-asides for tribal and rural infrastructure projects.
- Mr. Bryan Darr, CEO, Mosaik Solutions. [Link to Testimony](#).
 - Expanding and accelerating broadband deployment requires reliable information and data-driven decision making and without trusted data about coverage gaps, underserved populations, network speeds, and other indicators, private-sector investment cannot be stimulated to advance the goal of universal service and expand broadband into more rural areas. Since its founding in 1988, Mosaik's mission has been to produce reliable data about wireless network coverage and performance. Despite increasingly

sophisticated data analysis among private sector network-analysis companies, the FCC has sought to displace this industry by mandating use of its own data analytic tools. In 2013, the FCC elected to expand its Form 477 with the *Modernizing the FCC Form 477 Data Program Order* to mandate that carriers provide information directly to the Commission. In some cases, the FCC uses its in-house data to the exclusion of all other sources. However, the FCC's data collection is flawed because it does not have defined specifications for what radio-frequency conditions or methodologies are required and once released the data is outdated.

- Ms. Joanne S. Hovis, President, CTC Technology and Energy. [Link to Testimony.](#)
 - Broadband, like any other type of infrastructure, requires significant upfront capital for deployment of networks and services, and private capital will flow to areas where potential return is highest. In a number of densely-populated, higher-income areas, incumbent phone and cable companies have upgraded their networks to enable new services and high-speed internet access. In contrast, in less densely-populated areas and lower-income areas, the pace of progress has been much slower. Offering lower returns on private investment, these areas have seen their economies stagnate.
- Mr. Thomas A. Murray, Founder and Managing Member, Community Wireless Structures, Chairman of the Board of Directors, Wireless Infrastructure Association. [Link to Testimony.](#)
 - Organization represents the companies that build, design, own, and manage wireless broadband facilities throughout the United States and has more than 230 member companies. A recent Accenture study found that 5G deployment could spur as much as \$275 billion in private investment and create three million jobs over the next seven years. Also, according to research from Cisco, over the next five years, global mobile data traffic will increase sevenfold in the United States. Global mobile data traffic will grow two times faster than global fixed IP traffic. By 2021, there will be 5.5 billion mobile users, up from 4.9 billion in 2016, and by 2021 there will be approximately 12 billion mobile-ready devices or connections. These growth statistics underscore the need for government policies that support the continued demand for mobile data and address industry challenges.
- Mr. James W. Stegeman, President, CostQuest Associates, Inc. [Link to Testimony.](#)
 - Testimony highlighted differences between terrestrial and mobile broadband technologies and how funding should be allocated with these differences in mind. Some states, like New York have increased their broadband speed benchmarks to exceed FCC standards and thereby require carriers to meet high speed thresholds to provide high-speed terrestrial services. Testimony also highlighted that nearly 60% of tribal lands have access to high-speed broadband services with about 10% underserved and 33% of tribal lands unserved.

FEDERAL BILLS INTRODUCED BY THE 115TH CONGRESS

[Organized by Latest Action]

- i. **Feb.13, 2017** – [S.Res. 60, A resolution designating May 5, 2017, as the “National Day of Awareness for Missing and Murdered Native Women and Girls”](#). Referred to the Senate Committee on the Judiciary. Introduced by Sen. Steve Daines (R-MT) on Feb. 13, 2017. [Link to Bill](#).
 - Background: According to a study by the Department of Justice, American Indian women in some tribal communities face murder rates that are 10 times the national average, and the Centers for Disease Control and Prevention determined that homicide was the third leading cause of death among American Indian and Alaska Native women among the ages of 10 and 24 years and the fifth leading cause of death for AI/AN women between 25 and 34.
 - [Companion Resolution: H.Res. 222, Expressing support for the designation of May 5, 2017, as “National Day of Awareness for Missing and Murdered Native Women and Girls”](#). Introduced by Rep. Jason Chaffetz (R-UT-3) and referred to the House Committee on Natural Resources. [Link to Bill](#).
- ii. **Feb. 15, 2017** – [S. 381, A bill to repeal the Act entitled “An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservations”](#). Referred to the Senate Committee on Indian Affairs. Introduced by Sen. Chuck Grassley (R-IA) on Feb. 15, 2017. [Link to Bill](#).
 - Repeals a law (62 Stat. 1161, chapter 759) passed on June 30, 1948 that conveyed jurisdiction to the State of Iowa over crimes committed by or against Indians on the Sac and Fox Indian Reservations.
 - [Companion Bill: H.R. 1074, An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation](#). Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Rod Blum (R-IA-1) on Feb. 15, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill](#).
- iii. **Feb. 15, 2017** – [S. 383, Streamlining Energy Efficiency for Schools Act](#). Referred to the Senate Committee on Energy and Natural Resources. Introduced by Sen. Susan Collins (R-ME) on Feb. 15, 2017. [Link to Bill](#).
 - Directs the Secretary of the Department of Energy, acting through the Office of Energy Efficiency and Renewable Energy, to coordinate and disseminate information on existing federal programs and assistance that could be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools. Among the eligible institutions are Tribal Colleges and Universities ([20 U.S.C. 1059c\(b\)](#)) and a tribally-controlled school ([20 U.S.C. 7801](#)), which is one that is operated by an Indian tribe or a tribal organization that enrolls students in K-12 and includes preschool; is not a local education agency; and is not directly administered by the Bureau of Indian Affairs. Also directs the Secretary of Energy to coordinate with federal agencies to carry out a review of existing programs and financing mechanisms, which includes the Department of

Agriculture, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and others as appropriate with jurisdiction over energy financing and facilitation.

- Related bill – [H.R. 627, Streamlining Energy Efficiency for Schools Act of 2017](#). 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

- iv. **Feb. 16, 2017** – [H.R. 1169, Esther Martinez Native American Languages Preservation Act](#). Referred to the House Committee on Education and the Workforce. Introduced by Rep. Ben Ray Lujan (D-NM-3) on Feb. 16, 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.
 - Companion Bill – [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](#).
- v. **Feb. 23, 2017** – [H.R. 984, Tomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017](#). Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Robert Wittman (R-VA-1) on Feb. 7, 2017 and referred to the House Committee on Natural Resources. [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).
- vi. **Feb. 24, 2017** – [H.R. 800, New Deal Rural Broadband Act of 2017](#). Referred to the House Subcommittee on Commodity Exchanges, Energy, and Credit. Introduced by

Rep. Jared Huffman (D-CA-2) on Feb. 1, 2017 and referred to the House Committee on Agriculture, the House Committee on Natural Resources, and the House Committee on Energy and Commerce; on Feb. 3, 2017, referred to the House Committee on Communications and Technology; on Feb. 15, 2017, referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs, and the House Subcommittee on Federal Lands. [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.

vii. **Feb. 24, 2017 – H.R. 935, Cyber Security Education and Federal Workforce Enhancement Act.** Referred to the House Subcommittee on Cybersecurity and Infrastructure Protection. Introduced by Rep. Sheila Jackson Lee (D-TX-18) on Feb. 7, 2017 and referred to the House Committee on Education and the Workforce, the House Committee on Science, Space, and Technology, and the House Committee on Homeland Security. [Link to Bill.](#)

- Established the Office of Cybersecurity Education and Awareness (OCEA) within the Department of Homeland Security (DHS) to conduct research and make recommendations to the Secretary of Homeland Security regarding the following: 1) recruit, retain, and sustain skills and knowledge of cybersecurity professionals for DHS; 2) support students in K-12 science, technology, and computer and information safety education through grants and training programs; 3) support postsecondary cybersecurity programs that provide education that benefits the mission of DHS regarding recruitment and retention of highly-trained computing professionals; 4) promote public knowledge of computer and information security competition administrators, participants, and sponsors with information to further broader public participation in these activities; 5) develop a guest or part-time lecturer program comprised of cybersecurity experts in the federal government,

academia, and private sector to support education of students pursuing degrees in computer science at institutions of higher education; 6) manage a Computer and Information Security Youth Training Pathway Program for secondary school and postsecondary school students to work in part-time or summer positions; 7) develop programs that increase the capacity of Historically Black Colleges and Universities, professional and academic areas where African Americans are underrepresented, Hispanic-serving institutions, Native American colleges, and rural colleges and universities, and provide support to these institutions to provide course work and education in cybersecurity to raise the number and diversity of students in the field; and 8) conduct research and make recommendations to increase participation of professional and academic under represented areas at minority institutions. Bill also authorizes matching funds for state and privately financed science and technology after-school programs to state, local, tribal, or territorial governments or by a nonprofit or private entity, and establishes a E-Security Fellows Program to bring state, local, tribal, and private sector officials to work in the National Cybersecurity Division and enhance federal, state, local, and tribal government cybersecurity.

- viii. **Feb. 24, 2017 – H.R. 995, 21st Century Respect Act.** Referred to the House Subcommittee on Commodity Exchanges, Energy, and Credit. Introduced by Rep. Hakeem Jeffries (D-NY-8) on Feb. 9, 2017 and referred to the House Committee on Natural Resources and the House Committee on Agriculture. [Link to Bill.](#)
- Bill directs the Secretary of the Department of Agriculture and the Secretary of the Department of the Interior to amend regulations for racial appropriateness. Specifically, the Secretary of the Department of the Interior is directed to amend [36 CFR 906.2](#) replaces references to the terms “Eskimo” and “Aleut” to “Alaska Native” and by replacing such terms to have the same meaning as “Native” has in Section 3(b) of the Alaska Native Claims Settlement Act ([43 U.S.C. 1602\(b\)](#)).
- ix. **Feb. 24, 2017 – H.R. 1074, An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation.** Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Rod Blum (R-IA-1) on Feb. 15, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill.](#)
- Repeals a law (62 Stat. 1161, chapter 759) passed on June 30, 1948 that conveyed jurisdiction to the State of Iowa over crimes committed by or against Indians on the Sac and Fox Indian Reservations.
 - Companion Bill: [S. 381, A bill to repeal the Act entitled “An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservations.](#) Referred to the Senate Committee on Indian Affairs. Introduced by Sen. Chuck Grassley (R-IA) on Feb. 15, 2017. [Link to Bill.](#)
- x. **Feb. 27, 2017– S. 458, NEST Act.** Read twice and referred to the Senate Committee on Indian Affairs. Introduced by Sen. Jon Tester (D-MT) on Feb. 27, 2017. [Link to Bill.](#)
- Bill would establish the Indian Educator Scholarship Program for individuals pursuing a course of study in elementary or secondary education, or school

administration at an institution of higher education. Awardees would be required to serve, through full-time employment, equal to the greater of: one year for the equivalent of each school year the awardee was provided a scholarship, or a term of three years. Bill also establishes an Indian Educator Graduate Fellowship Program; adopts loan forgiveness of not less than \$17,500 for Native educators teaching in Bureau of Indian Education funded schools and local educational agencies with a high percentage of American Indian students as a full-time teacher for five consecutive complete school years; and establishes professional development grants for Native-serving elementary schools and secondary schools and native language teacher training program grants for Native-serving institutions of higher education.

xi. Feb. 28, 2017 – H.R. 228, Indian Employment, Training and Related Services Act of 1992. Received in the U.S. Senate. Introduced by Rep. Don Young (R-AK-At Large) on Jan. 3, 2017 and referred to the House Committee on Natural Resources; on Feb. 10 referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs; on Feb. 27, 2017 Rep. McClintock (R-CA-4) moved to suspend the rules and pass the bill as amended, considered under suspension of the rules followed by 40 minutes of debate on the House Floor, motion to suspend the rules and pass the bill as amended agreed to by voice vote, and motion to reconsider laid on the table agreed to without objection. [Link to Bill](#).

- Amends the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse federal sources.

xii. Feb. 28, 2017– H.Res. 159, Expressing the sense of the House of Representatives that infrastructure spending bills should include development programs that recruit and train individuals from communities with high unemployment rates. Introduced by Rep. Gregory Meeks (D-NY-5) and referred to the House Committee on Transportation and Infrastructure. [Link to Bill](#).

- Bill states that any infrastructure bill enacted during the 115th Congress should include investments in workforce development programs that recruit and train individuals from communities with high unemployment rates, including African American communities, Hispanic communities, and American Indian tribal areas.

xiii. Feb. 28, 2017 – S. 465, Independent Outside Audit of the Indian Health Service Act of 2017. Introduced by Sen. Mike Rounds (R-SD), read twice, and referred to the Senate Committee on Indian Affairs. [Link to Bill](#).

- No later than 90 days after enactment, the Secretary of Health and Human Services (HHS) will contract a reputable private entity to conduct an independent assessment of the health care delivery systems and financial management processes of the Indian Health Service (IHS). If more than one entity is contracted, then the Secretary of HHS will designate one entity that is predominantly a health care organization as the program integrator, which will be responsible for conducting studies on current and projected demographics and health care needs of patients, staffing levels and work flow of each IHS facility, business and IT strategies in furnishing and managing

healthcare, and purchasing, distribution, and use of pharmaceuticals and medical supplies/devices by IHS.

- xiv. **Mar. 2, 2017** – [S. 508, Western Oregon Tribal Fairness Act](#). Introduced by Sen. Ron Wyden (D-OR) and read twice and referred to the Senate Committee on Energy and Natural Resources. [Link to Bill](#).
- Transfers approximately 17,519 acres of land from the Canyon Mountain Land Conveyance to the Cow Creek Band of Umpqua Tribe of Indians to be held in trust and become part of their reservation; transfers approximately 14,742 acres of land from the Oregon Coastal Land Conveyance to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians to be held in trust and become part of their reservation; and amends the Coquille Restoration Act to require unprocessed logs harvested from the Coquille Forest to be subject to the same federal statutory restrictions on export to foreign nations as those unprocessed logs harvested from federal lands, and requires all sales of timber from the Coquille Forest to be advertised, offered, and awarded according to competitive bidding practices and sales being awarded to the highest responsible bidder.
 - Companion Bill: [H.R. 1306, Western Oregon Tribal Fairness Act](#). Referred to the House Subcommittee on Federal Lands and the House Subcommittee on Indian, Insular, and Alaska Native Affairs. Introduced by Rep. Peter DeFazio (D-OR-4) on Mar. 2, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill](#).
- xv. **Mar. 2, 2017** – [S.J.Res. 29, A joint resolution providing for the congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Office of Natural Resources Revenue of the Department of the Interior relating to consolidated Federal oil and gas and Federal and Indian coal valuation reform](#). Introduced by Sen. Steve Daines (R-MT) and read twice and referred to the Senate Committee on Energy and Natural Resources. [Link to Bill](#).
- Joint Resolution would repeal regulations adopted by the Office of Natural Resources Revenue and published in the Federal Register on July 1, 2016 ([FR Notice](#)) that amended regulations governing valuation—for royalty purposes—of oil and gas produced from federal onshore and offshore leases and coal produced from federal and Indian leases. The rule took effect January 1, 2017 and also consolidated definitions for oil, gas, and coal product valuation into one subpart to be applicable to federal oil and gas and federal and Indian coal subparts.
- xvi. **Mar. 6, 2017** – [H.R. 1369, Indian Healthcare Improvement Act of 2017](#). Introduced by Rep. Tom Cole (R-OK-4) and referred to the House Committee on Natural Resources, the House Committee on Energy and Commerce, the House Committee on Ways and Means, and the House Committee on the Budget. [Link to Bill](#).
- Bill is exactly identical to the Indian Healthcare Improvement Act (IHIA) that was adopted in the Patient Protection and Affordable Care Act (PPACA) of 2010. Bill would make update and make current the dates previously established in the IHIA that was adopted in the PPAC of 2010.

- xvii. Mar. 6, 2017 – S. 529, APPROVAL Act.** Introduced by Sen. John Boozman (R-AR) and read twice and referred to the Senate Committee on Energy and Natural Resources. [Link to Bill.](#)
- Amends Sec. 1222 of the Energy Policy Act of 2005 ([42 USC 16421](#)) to add language prohibiting the use of eminent domain for energy projects unless a State Governor and head of each public utility commission or public service commission of a state, and the head of a governing body of each Indian tribe of the land that would be affected give explicit authorization for the project.
 - Companion Bill: [H.R. 1373, APPROVAL Act.](#) Referred to the House Subcommittee on Water, Power and Oceans. Introduced by Rep. Steve Womack (R-AR-3) on Mar. 6, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill.](#)
- xviii. Mar. 7, 2017 – H.R. 1390, To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay costs relating to the transportation of certain deceased veterans to veterans’ cemeteries owned by a State or tribal organization.** Introduced by Rep. Jim Banks (R-IN-3) and referred to the House Committee on Veterans’ Affairs. [Link to Bill.](#)
- xix. Mar. 7, 2017 – S. 548, Affordable Housing Credit Improvement Act of 2017.** Introduced by Sen. Maria Cantwell (D-WA) and read twice and referred to the Senate Committee on Finance. [Link to Bill.](#)
- Amends the Low-Income Housing Credit ([Sec. 42\(m\)\(1\)](#)) of the Internal Revenue Code of 1986) to require housing credit agencies to consider the needs of individuals in a state that are members of Indian tribes when developing qualified allocation plans of credit dollars among housing projects. Bill also includes language that would identify “Indian areas” as difficult development areas for the purposes of certain buildings to receive increased credit dollars for building in a high cost area.
 - Companion Bill: [H.R. 1661, Affordable Housing Credit Improvement Act of 2017.](#) Introduced by Rep. Patrick Tiberi (R-OH-12) and referred to the House Committee on Ways and Means. [Link to Bill.](#)
- xx. Mar. 9, 2017 – H.R. 1476, Native American Health Savings Improvement Act.** Introduced by Rep. John Moolenaar (R-MI-4) and referred to the House Committee on Ways and Means. [Link to Bill.](#)
- Bill would not disqualify an individual from being eligible for a health savings account if said individual is receiving hospital care or medical services from the Indian Health Service or a tribal organization.
- xxi. Mar. 10, 2017 – H.R. 1373, APPROVAL Act.** Referred to the House Subcommittee on Water, Power and Oceans. Introduced by Rep. Steve Womack (R-AR-3) on Mar. 6, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill.](#)
- Amends Sec. 1222 of the Energy Policy Act of 2005 ([42 USC 16421](#)) to add language prohibiting the use of eminent domain for energy projects unless a State Governor and head of each public utility commission or public service commission of

a state, and the head of a governing body of each Indian tribe of the land that would be affected give explicit authorization for the project.

- Companion Bill: [S. 529, APPROVAL Act](#). Introduced by Sen. John Boozman (R-AR) and read twice and referred to the Senate Committee on Energy and Natural Resources. [Link to Bill](#).

xxii. Mar. 10, 2017 – H.R. 1106, Small Tracts Conveyance Act. Referred to the House Subcommittee on Conservation and Forestry. Introduced by Rep. Mark Amodei (R-NV-2) on Feb. 16, 2017 and referred to the House Committee on Natural Resources and the House Committee on Agriculture. Also referred to the House Subcommittee on Federal Lands on March 1, 2017. [Link to Bill](#).

- Bill would establish a process for the conveyance of small parcels of National Forest System (NFS) land and small parcels of public lands administered by the Bureau of Land Management to private landowners, state, county, and local governments, or to Indian tribes with lands sharing a boundary with such NFS land or public lands. Parcels must be less than 160 acres, does not contain resources of scientific, historic, cultural, or recreational value, and located within the boundaries of an incorporated or unincorporated area with a population of at least 500 residents.

xxiii. Mar. 10, 2017 – H.R. 1491, Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017. Introduced by Rep. Dough LaMalfa (R-CA-1) and referred to the House Committee on Natural Resources. [Link to Bill](#).

- Bill would ratify actions by the Secretary of the Department of the Interior to take into trust 1,427.28 acres of land located in Santa Barbara County, California on January 20, 2016 for the Santa Ynez Band of Chumash Indians.

xxiv. Mar. 13, 2017 – H.R. 1306, Western Oregon Tribal Fairness Act. Referred to the House Subcommittee on Federal Lands and the House Subcommittee on Indian, Insular, and Alaska Native Affairs. Introduced by Rep. Peter DeFazio (D-OR-4) on Mar. 2, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill](#).

- Transfers approximately 17,519 acres of land from the Canyon Mountain Land Conveyance to the Cow Creek Band of Umpqua Tribe of Indians to be held in trust and become part of their reservation; transfers approximately 14,742 acres of land from the Oregon Coastal Land Conveyance to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians to be held in trust and become part of their reservation; and amends the Coquille Restoration Act to require unprocessed logs harvested from the Coquille Forest to be subject to the same federal statutory restrictions on export to foreign nations as those unprocessed logs harvested from federal lands, and requires all sales of timber from the Coquille Forest to be advertised, offered, and awarded according to competitive bidding practices and sales being awarded to the highest responsible bidder.
- Companion Bill: [S. 508, Western Oregon Tribal Fairness Act](#). Introduced by Sen. Ron Wyden (D-OR) and read twice and referred to the Senate Committee on Energy and Natural Resources. [Link to Bill](#).

- xxv. Mar. 13, 2017** – [S. 607, Native American Business Incubators Program Act](#). Introduced by Sen. Tom Udall (D-NM) and read twice and referred to the Senate Committee on Indian Affairs. [Link to Bill](#).
- Establishes a program under the Department of the Interior, Office of Indian Energy and Economic Development to provide competitive grants to eligible applicants for the establishment and operation of business incubators serving reservation communities. Eligible applicants include an Indian tribe, a tribal college or university, an institution of higher education, or a private nonprofit organization or tribal nonprofit organization that provides business and financial technical assistance and commits to serving one or more reservation communities. Eligible applicants must also provide physical workspace, equipment, and connectivity and must not have been operational for no less than one year before receiving a grant under the program.
- xxvi. Mar. 15, 2017** – [H.R. 1528, Native American Indian Education Act](#). Introduced by Rep. Scott Tipton (R-CO-3) and referred to the House Committee on Education and the Workforce. [Link to Bill](#).
- Bill amends the Higher Education Act of 1965 ([20 U.S.C. 1057](#) et seq.) to authorize the Secretary of the Department of Education to pay, for fiscal year 2018 through fiscal year 2022, eligible nontribal college institutions serving Native students an amount that equals the charges for tuition waived by the college for those students
- xxvii. Mar. 15, 2017** – [H.R. 1532, To reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes](#). Introduced by Rep. Bradley Byrne (R-AL-1) and referred to the House Committee on Natural Resources. [Link to Bill](#).
- Reaffirms actions taken by the Secretary of the Department of the Interior to take 229.5 acres of land into trust for the Poarch Band of Creek Indians in April 18, 1985 and May 10, 1985.
- xxviii. Mar. 15, 2017** – [S. 660, Native American Indian Education Act](#). Introduced by Sen. Cory Gardner (R-CO) and read twice and referred to the Senate Committee on Health, Education, Labor and Pensions. [Link to Bill](#).
- Bill amends the Higher Education Act of 1965 ([20 U.S.C. 1057](#) et seq.) to authorize the Secretary of the Department of Education to pay, for fiscal year 2018 through fiscal year 2022, eligible nontribal college institutions serving Native students an amount that equals the charges for tuition waived by the college for those students
 - Companion Bill: [H.R. 1528, Native American Indian Education Act](#). Introduced by Rep. Scott Tipton (R-CO-3) and referred to the House Committee on Education and the Workforce. [Link to Bill](#).
- xxix. Mar. 15, 2017** – [S. 664, Navajo Utah Water Rights Settlement Act of 2017](#). Introduced by Sen. Orrin Hatch (R-UT) and read twice and referred to the Senate Committee on Indian Affairs. [Link to Bill](#).
- Authorizes an appropriation of \$198.3 million to plan, design, and construct Navajo water development projects and the right to use water from water sources located in

Utah or adjacent to or encompassed within the boundaries of the Navajo Nation not to exceed 81,500 acre feet of water annually.

- xxx. Mar. 16, 2017 – H.R. 1404, Pascua Yaqui Tribe Land Conveyance Act.** Referred to the House Subcommittee on Federal Lands and the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Raul Gijalva (D-AZ-3) on Mar. 7, 2017 and referred to the House Committee on Natural Resources. [Link to Bill](#).
- Transfers 39.65 acres of lands into trust for the Pascua Yaqui Tribe of Arizona. Aforementioned lands placed in trust cannot be used for gaming purposes.
- xxxi. Mar. 16, 2017 – H.R. 1418, To amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes.** Referred to the House Subcommittee on Indian, Insular and Alaska Native Affairs. Introduced by Rep. Don Young (R-AK-At Large) on Mar. 7, 2017 and also referred to the House Committee on Natural Resources. [Link to Bill](#).
- Bill recognizes Alexander Creek, Incorporated as an Alaska Native Village corporation. 30 days following recognition, and not to exceed 13 months, the Secretary of the Department of the Interior will commence negotiations with Alexander Creek to reach an agreement to settle aboriginal land claims and any others against the United States.
- xxxii. Mar. 16, 2017 – H.R. 1581, Tribal Digital Access Act of 2017.** Introduced by Rep. Raul Ruiz (D-CA-36) and referred to the House Committee on Energy and Commerce. [Link to Bill](#).
- Bill amends Sec. 254(b)(3) of the Communications Act of 1934 ([47 USC 254\(b\)\(3\)](#)) to add Indian country lands (as defined by [18 USC 1151](#)) and areas with high populations of Indian people (as defined by [25 USC 5129](#)) as consumers that should have access to telecommunications services at reasonable and comparable rates as provided in urban areas.
- xxxiii. Mar. 20, 2017 – H.R. 1630, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act.** Introduced by Rep. Earl Blumenauer (D-OR-3) and referred to the House Committee on Natural Resources. [Link to Bill](#).
- Requires the Secretary of the Department of the Interior, Bureau of Indian Affairs to consult with the affected Columbia River Treaty tribes to assess current sanitation and safety conditions on lands held by the United States for the benefit of said tribes, which includes all the permanent federal structures on such lands. Authorizes an appropriation in such sums as necessary for improvements to existing structures and infrastructure to improve sanitation and safety conditions assessed during consultation and to improve access to electricity, sewer, and water infrastructure where feasible.
 - Companion Bill: [S. 669, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act](#). Introduced by Sen. Jeff Merkley (D-OR) and read twice and referred to the Senate Committee on Indian Affairs. [Link to Bill](#).

- xxxiv. Mar. 21, 2017 – H.R. 1650 National Adoption and Foster Care Home Study Act.** Introduced by Rep. Jared Huffman (D-CA-2) and referred to the House Committee on Education and the Workforce. [Link to Bill](#).
- Establishes a national research-based and comprehensive home study assessment for the evaluation of prospective foster parents and adoptive parents and to provide funding to states and Indian tribes to adopt such a process. Not later than a year after adoption, the Department of Health and Human Services (HHS) will establish a demonstration program through which each participating State or Indian tribe adopts a uniform, research-based home study methodology and provides data gathered through the program to the Secretary of HHS. Bill directs the Secretary of HHS to establish a secure national database of home study reports filed by home study practitioners and will be accessible only to state and tribal foster care and adoption agencies.
- xxxv. Mar. 21, 2017 – H.R. 1661, Affordable Housing Credit Improvement Act of 2017.** Introduced by Rep. Patrick Tiberi (R-OH-12) and referred to the House Committee on Ways and Means. [Link to Bill](#).
- Amends the Low-Income Housing Credit ([Sec. 42\(m\)\(1\)](#)) of the Internal Revenue Code of 1986) to require housing credit agencies to consider the needs of individuals in a state that are members of Indian tribes when developing qualified allocation plans of credit dollars among housing projects. Bill also includes language that would identify “Indian areas” as difficult development areas for the purposes of certain buildings to receive increased credit dollars for building in a high cost area.
 - [Companion Bill: S. 548, Affordable Housing Credit Improvement Act of 2017.](#) Introduced by Sen. Maria Cantwell (D-WA) and read twice and referred to the Senate Committee on Finance. [Link to Bill](#).
- xxxvi. Mar. 21, 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.** Reported without amendment by Senator Hoeven, Senate Committee on Indian Affairs with written [report No. 115-7](#), and placed on the Senate Legislative Calendar under General Orders, Calendar No. 20. Introduced by Sen. Jeff Flake (R-AZ) on Jan. 12, 2017 and was 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.
- xxxvii. Mar. 21, 2017 – S. 669, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act.** Introduced by Sen. Jeff Merkley (D-OR) and read twice and referred to the Senate Committee on Indian Affairs. [Link to Bill](#).
- Requires the Secretary of the Department of the Interior, Bureau of Indian Affairs to consult with the affected Columbia River Treaty tribes to assess current sanitation and safety conditions on lands held by the United States for the benefit of said tribes, which includes all the permanent federal structures on such lands. Authorizes

an appropriation in such sums as necessary for improvements to existing structures and infrastructure to improve sanitation and safety conditions assessed during consultation and to improve access to electricity, sewer, and water infrastructure where feasible.

- Companion Bill: [H.R. 1630, Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act](#). Introduced by Rep. Earl Blumenauer (D-OR-3) and referred to the House Committee on Natural Resources. [Link to Bill](#).

xxxviii. Mar. 21, 2017 – [S. 684, A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents and provide funding to States and Indian tribes to adopt such process](#). Introduced by Sen. Kirsten Gillibrand (D-NY) and read twice and referred to the Senate Committee on Health, Education, Labor, and Pensions. [Link to Bill](#).

- Establishes a national research-based and comprehensive home study assessment for the evaluation of prospective foster parents and adoptive parents and to provide funding to states and Indian tribes to adopt such a process. Not later than a year after adoption, the Department of Health and Human Services (HHS) will establish a demonstration program through which each participating State or Indian tribe adopts a uniform, research-based home study methodology and provides data gathered through the program to the Secretary of HHS. Bill directs the Secretary of HHS to establish a secure national database of home study reports filed by home study practitioners and will be accessible only to state and tribal foster care and adoption agencies.
- Related Bill: [H.R. 1650 National Adoption and Foster Care Home Study Act](#). Introduced by Rep. Jared Huffman (D-CA-2) and referred to the House Committee on Education and the Workforce. [Link to Bill](#).

xxxix. Mar. 21, 2017 – [S. 691, A bill to extend 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](#). Introduced by Sen. Tim Kaine (D-VA) and read twice and referred to the Senate Committee on Indian Affairs. [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).
- Related Bill: [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](#).

xl. Mar. 22, 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](#). Reported without amendment by Senator Hoeven, Senate Committee on Indian Affairs with written [report No. 115-8](#), and

placed on the Senate Legislative Calendar under General Orders, Calendar No. 22. 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.

xli. Mar. 23, 2017 – H.Res. 222, Expressing support for the designation of May 5, 2017, as “National Day of Awareness for Missing and Murdered Native Women and Girls”. Introduced by Rep. Jason Chaffetz (R-UT-3) and referred to the House Committee on Natural Resources. [Link to Bill](#).

- Background: According to a study by the Department of Justice, American Indian women in some tribal communities face murder rates that are 10 times the national average, and the Centers for Disease Control and Prevention determined that homicide was the third leading cause of death among American Indian and Alaska Native women among the ages of 10 and 24 years and the fifth leading cause of death for AI/AN women between 25 and 34.
 - Companion Resolution: [S.Res. 60, A resolution designating May 5, 2017, as the “National Day of Awareness for Missing and Murdered Native Women and Girls”.](#) Referred to the Senate Committee on the Judiciary. Introduced by Sen. Steve Daines (R-MT) on Feb. 13, 2017. [Link to Bill](#).

Federal Administrative & Regulatory Actions

i. Mar. 1, 2017 – National Indian Gaming Commission - Notice for 2017 preliminary annual fee rates and fingerprint processing fees. [Link to Federal Register Notice](#).

- The National Indian Gaming Commission (NIGC) has adopted a 2017 preliminary annual fee rates of 0.00% for tier 1 and 0.062% (.00062) for tier 2, which remain the same as the 2016 final fee rates. Additionally, NIGC has adopted its 2017 preliminary fingerprint processing fees of \$18 per card, a \$3 decrease from current fingerprint processing fees adopted Mar. 1, 2015. The new fingerprint processing fees are retroactively effective starting Oct. 1, 2016 and a credit will be issued to all gaming operations that submitted fingerprint cards to NIGC between Oct. 1, 2016 and Feb. 28, 2017.

ii. Mar. 8, 2017 – Department of the Interior, Bureau of Indian Affairs. Indian Child Welfare Act; Designated Tribal Agents for Service of Notice. [Link to Federal Register Notice](#).

- This notice announces the current list of designated tribal agents for service of notice, which are authorized by the Indian Child Welfare Act regulations stating that tribes may designate an agent other than the tribal chairman for service of notice of proceeding under the Act.

iii. Mar. 8, 2017 – Department of Health and Human Services, Indian Health Service. Notice to Propose the Re-Designation of the Service Delivery Area for the Passamaquoddy Tribe at Indian Township. Comments due April 7, 2017. [Link to](#)

Federal Register Notice.

- The Indian Health Service (IHS) is proposing to expand the geographic boundaries of purchased/referred care service delivery area for the Passamaquoddy tribe's reservation at Indian Township in Maine, and proposed changes are not applicable for the tribe's Pleasant Point reservation. Comments on IHS's proposal can be submitted at regulations.gov by [clicking here](#).
- iv. **Mar. 13, 2017** – [Department of Education, Office of Elementary and Secondary Education. Application for New Awards; Indian Education Formula Grants to Local Educational Agencies; Part 1 of the Formula Grant Electronic Application System for Indian Education \(EASIE\) Applications.](#) Part 1 of EASIE applications available March 31, 2017. [Link to Federal Register Notice.](#)
- The Department of Education has announced a notice inviting applications for new awards for fiscal year 2017 for Indian Education Formula Grants to Local Educational Agencies. Part I of the EASIE applications will be available Mar. 31, 2017 and the deadline for transmittal will be Apr. 28, 2017. Applicants must meet the deadlines for Part I to be eligible for Part II of the application process, which will be announced in a separate notice.
- v. **Mar. 13, 2017** – [Federal Communications Commission. Proposed Rule: Connect America Fund; Universal Service Reform-Mobility Fund.](#) Comments due April 12, 2017. [Link to Federal Register Notice.](#) [Link to FCC Proposed Rule.](#)
- On Mar. 7, 2017 the Federal Communications Commission (FCC) adopted a Report and Order and Further Notice of Proposed Rulemaking to adopt a framework for the Mobility Fund Phase II to support the deployment of 4G LTE service to high cost areas. The order will provide \$500 million per year in ongoing support through the Mobility Fund II with up to \$100 million reserved for support to tribal lands and Alaska through the Tribal Mobility Fund II. Comments on the Mobility Fund Phase II are due Apr. 12, 2017 with reply comments due Apr. 27, 2017.

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