

**The following bills were identified in our previous newsletter; however, we did not identify any new action by the United States Congress:**

#### **U.S. Senate Bills**

**S.286: Department of the Interior Tribal Self-Governance Act of 2015.** Amends the Indian Self-Determination and Education Assistance Act (the Act) to change the Department of the Interior's process for approving self-governance compacts and annual funding agreements with Indian tribes. Modifies Interior's process to make it similar to processes used by the Department of Health and Human Service's Indian Health Service. (No Action: August 2015 to June 2016. Passed Senate on 08/04/15; Referred to the Subcommittee on Indian, Insular and Alaska Native Affairs). **NOTE: Please read the Tribal position on this Bill in the *NCAI 2016 Policy Update Briefing on 54.***

**S.2205: Tribal Healing to Wellness Courts Act.** This bill seeks to establish a grant program to assist tribal governments in establishing tribal healing to wellness courts, and for other purposes. (No action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs 04/27/16. Committee hearing held 4/13/16. Read twice and referred to the Committee on Indian Affairs; Introduced by Sen. Jon Tester (D-MT) on 10/22/15).

**S.2304: Tribal Early Childhood, Education and Related Services Integration Act of 2015.** To provide for tribal demonstration projects for the integration of early childhood development, education, including Native language and culture, and related services, for evaluation of those demonstration projects, and for other purposes. (No Action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs 04/27/16. Read twice and referred to the Senate Committee on Indian Affairs. Introduced by Sen. Jon Tester (D-MT) on 11/18/15).

**S. 2421:** 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. (No Action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs 04/27/16. Introduced by Sen. Lisa Murkowski (R-AK) on 12/17/15).

**S.2468: SAFETY Act.** (Safe Academic Facilities and Environments for Tribal Youth) of 2016. The SAFETY Act would address several education-related facilities needs serving all Native students and teachers - including Impact Aid schools, Tribal Colleges and Universities (TCUs), Department of Education, and Bureau of Indian Education (BIE) schools. The bill would require the Secretary of the Interior to carry out a 5-year demonstration program to provide grants to eligible Indian tribes for the construction of tribal schools, and for other purposes. (No Action: May 2016 to June 2016. Passed

Senate Committee on Indian Affairs 04/27/16. Read twice and referred to the Committee on Indian Affairs. Introduced by Senator Jon Tester on 01/27/16).

**S. 2564: Dine College Act of 2016.** A bill to modernize prior legislation relating to Dine College. (No Action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs on 04/27/16. Introduced by Sen. Jeff Flake (R-AZ) on 02/23/16).

**S. 2643: Pueblo de Cochiti Self-Governance Act.** A bill to improve the implementation of the settlement agreement reached between the Pueblo de Cochiti of New Mexico and the Corps of Engineers, and for other purposes. (No Action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs 04/27/2016.; Read twice and referred to the Committee on Indian Affairs; Introduced by Sen. Tom Udall (D-NM) on 03/07/16).

**S. 2717: DRIFT Act of 2016.** A bill to improve the safety and address the deferred maintenance needs of Indian dams to prevent flooding on Indian reservations, and for other purposes. (No Action: May 2016 to June 2016. Passed Senate Committee on Indian Affairs 04/27/16. Introduced by Sen. John Barrasso (R-WY) on 03/17/16; read twice and referred to the Committee on Indian Affairs).

#### **U.S. House of Representatives Bills:**

**H.R.286 & S.35: Little Shell Tribe of Chippewa Indians Restoration Act of 2015.** Extends federal recognition to the Little Shell Tribe of Chippewa Indians of Montana. Makes the Tribe and each member eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes, without regard to the existence of a reservation for the Tribe or the location of the residence of any member on or near an Indian reservation. (No Action: October 2015 to June 2016. Last Action in House: Subcommittee Hearings Held, House Natural Resources Committee, 9/29/15. Introduced in the House by Rep. Ryan K. Zinke (R-MT) on 1/12/15. Last Action in Senate: Placed on Senate Legislative Calendar 9/10/15. **S. Report 114-139** and Introduced in Senate on 01/06/15.).

**H.R.360 & S. 710: Native American Housing Assistance and Self-Determination Reauthorization Act of 2015.** (No Action: March 2016 to June 2016. Last Action: Senator Barrasso from Senate Committee on Indian Affairs filed **S. Report 114-117** on 08/5/15; 3/24/15 Status: Passed House, received in the Senate and read twice and referred to the Committee on Indian Affairs; 06/04/15: Referred to the Committee on Banking, Housing, and Urban Affairs pursuant to the order of May 27, 1988 for a period not to exceed 60 days).

**H.R.387 & S.175: Economic Development Through Tribal Land Exchange Act.** A bill providing for the disposition of four parcels of land in California transferring lands to the Morongo Band of Mission Indians. (No Action: February 2016 to June 2016. Last Action: Introduced in the Senate by Sen. Barbara Boxer (D-CA) on 01/13/15. Placed on Senate Legislative Calendar under General Orders Calendar No. 348 on 01/12/15. Senate Report **114-204**. Senate Committee On Indian Affairs Order to be reported without amendment favorably on 10/21/15. Passed House 07/14/15).

**H.R.511 & S.248: Tribal Labor Sovereignty Act of 2015.** Amends the National Labor Relations Act to provide that any enterprise or institution owned and operated by an Indian tribe and located on its lands is not considered an employer (thus excluding such enterprises or institutions from coverage by such Act). (No Action: February 2016 to June 2016. Last Action: Introduced in the Senate 01/22/16. Passed the House on 11/17/15. Placed on the Union Calendar and **H. Report 114-260** 9/10/2015 | **S. Report 114-140**; Placed on Senate Legislative Calendar 9/10/15).

**H.R. 538: Native American Energy Act.** Amends the Energy Policy Act of 1992 to allow the Department of the Interior, an affected Indian tribe, or a certified third-party appraiser under contract with the Indian tribe to appraise Indian land or trust assets involved in a transaction requiring Interior approval. Deems an appraisal approved if Interior fails to respond in 60 days. Gives tribes the option of waiving such appraisals. (No Action: April 2016 to July 2016. Last Action: Passed House but sent to conference. On 4/20/16 Passed Senate, Read twice and referred to Senate Committee on Indian Affairs 10/19/15. Passed House on 10/08/15). **NOTE: Please read the Tribal position on this Bill in the NCAI 2016 Policy Update Briefing on page 14.**

**H.R.872 & S.465: Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2015.** 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. (No Action: October 2015 to June 2016. Last Action in House: Subcommittee Hearings Held, House Natural Resources Committee, 9/29/15. Placed on Senate Legislative Calendar 9/10/15; Senate **Report. 114-141**).

**H.R. 1168** (Companion bill to S.184). **Native American Children's Safety Act.** Amends the Indian Child Protection and Family Violence Prevention Act to prohibit the final approval of any foster care placement or a foster care license from being issued until the tribal social services agency: (1) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made, and (2) concludes that each of those individuals meets the tribe's standards established pursuant to this Act. Defines a "covered individual" as an adult and any other individual the tribe determines is subject to a criminal records check. (Senate bill S.184 passed and

signed into law 06/03/16. No Action in the House in 2016. Last action in House: 6/2/15 Status: received in the Senate) House Report: **114-79**, Passed Senate, Senate Report: **114-37** **NOTE: Please read the Tribal position on this Bill in the NCAI 2016 Policy Update Briefing on 43.**

**H.R. 2174 & S.1163: Native American Languages Reauthorization Act of 2015.** To amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages. (No Action: December 2015 to June 2016. Last Action: Senate Committee of Indian Affairs **hearing** held on 11/18/2015. House Referred to the Subcommittee on Higher Education and Workforce Training on 11/16/2015. Introduced in House and Senate 4/30/2015). **NOTE: Please read the Tribal position on this Bill in the NCAI 2016 Policy Update Briefing on 43.**

**H.R. 3026: Tribal TANF Fairness Act of 2015.** This bill amends part A (Temporary Assistance for Needy Families) (TANF) of title IV of the Social Security Act to allow a tribal government (including one participating in an intertribal consortium) to lease land held in trust or in fee, at a fair market rate, for the administration of a tribal family assistance grant by the tribal government or the intertribal consortium. (No Action: August 2015 to June 2016. Last Action: Introduced 7/10/2015, referred to the House Committee on Ways and Means).

**H.R. 3043 & S. 1749: Tribal Tax Incentive for Renewable Energy Act of 2015.** To amend the Internal Revenue Code of 1986 to allow allocation of certain renewable energy tax credits to Indian tribes, and for other purposes. (No Action: August 2015 to June 2016. Last Action: Passed House and received in the Senate and Read twice and referred to the Committee on Indian Affairs 07/13/2015).

**H.R.3166: Native American Suicide Prevention Act of 2015.** To amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in a State. (No Action: August 2015 to June 2016. Last Action: 7/22/2015: introduced and referred to the House Committee on Energy and Commerce)

**H.R.3487: Respect for Native Americans in Professional Sports Act of 2015.** To make the antitrust laws applicable to professional sports leagues that use, or promote or allow member teams or franchises that use the term "Redskins" or the term "Redskin." (No Action: November 2015 to June 2016. Last Action: Referred to the Subcommittee on Regulatory Reform, Commercial and Antitrust law on

10/05/2015. Introduced in the House 9/10/2015 and Referred to the House Committee on the Judiciary).

**H.R. 3502 & S.1937: Tribal Nutrition Improvement Act of 2015.** A bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to improve nutrition in Tribal areas and for other purposes. (No Action: April 2016 to June 2016. Referred to House Subcommittee on Early Childhood, Elementary, and Secondary Education on 03/23/2016. Introduced in House and referred to House Committee on Education and Workforce 9/11/15. Introduced in Senate and read twice then referred to the Senate Committee on Agriculture, Nutrition, and Forestry on 08/04/2015).

**H.R.3599: Eastern Band Cherokee Historic Lands Reacquisition Act.** To take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians. (No Action: March 2016 to June 2016. Last Action: Subcommittee Hearings Held by House Natural Resources Subcommittee on Indian, Insular and Alaska Native Affairs on 02/24/2016. Referred to the Subcommittee on Indian, Insular and Alaska Native Affairs on 10/06/2015. Introduced and referred to House Committee on Natural Resources 9/24/15).

**HR 3764: Tribal Recognition Act of 2015.** This act would make it so that only an Act of Congress can designate an Indian tribe with Federal Acknowledgement. This would take the power away from the Secretary of the Department of the Interior. It also designates what entities are eligible for consideration, denying those Tribes that have petitioned for Federal Recognition previously. (No Action: January 2016 to June 2016. Last Action: Subcommittee Hearings Held (Part II) held on 12/08/2015. Subcommittee Hearings held on 10/28/2015. Introduced: 10/20/15; Subcommittee Hearings were held on 10/20/15, 10/23/15, and 10/28/15). ***NOTE: this issue is of particular concern to Tribal Nations and NCAI has yet to put out a perspective on this bill, due to the fact that the Bill was introduced after the Annual Policy Update Briefing.***

**H.R.3848: Burt Lake Band of Ottawa and Chippewa Indians Reaffirmation Act.** This bill reaffirms federal recognition and the rights and privileges of the Burt Lake Band of Ottawa and Chippewa Indians in Cheboygan County, Michigan. The band is eligible for all federal services and benefits available to other federally recognized Indian tribes. This bill designates the service area for the delivery of federal services to the band and to other Indians nearby. (No Action: November 2015 to June 2016. Last Action: Referred to the Subcommittee on Indian, Insular and Alaska Native Affairs for Committee Consideration on 10/30/15. Introduced and Referred to House Committee on Natural Resources on 10/28/15).

**The following bills were identified in our previous newsletter; however, we did not identify any new action by the Arizona Legislature:**

**Arizona House of Representatives Bills:**

**HB 2311: Tribal colleges; expenditure limitation; exemption.**

Exempts community colleges that are owned, operated, or chartered by Indian tribes from expenditure limitations. (No Action March 2016 to May 2016. Latest Action: First Reading on 02/04/2016; Second Reading on 02/08/2016).

**HB 2313: Indian tribes; JTED expenses.**

Provides funding for the operation, maintenance, renewal and capital expenses of the Northeast Arizona Technological Institute of Vocational Education District, the only Joint Technical Education District in an Indian Nation. JTED provides career and technical education for native students. (Latest Action: House First Reading 05/05/16, Held in Rules).

**HB 2314: Appropriation; Navajo Nation court complex.**

Allocates \$7.5 million to help build a Supreme Court Complex on the Navajo Nation. The entire construction project is expected to cost about \$15 million, and the Navajo Nation is expected to contribute the other \$7.5 million. (Latest Action: House First Reading 01/26/16, House Second Reading 01/27/16. Held in Committees).

**HB 2315: TPT; Indian tribes; motor vehicles.**

Allows enrolled members of Indian Nations to qualify for vehicle sales tax exemptions when they purchase a vehicle even if they reside within the boundaries of an Indian Nation where they are not enrolled. (Latest Action: House First Reading 01/26/16; House Second Reading 01/27/16; Held in Committees).

**HB 2316: Appropriation; water projects; Navajo Nation.**

Appropriates \$3.4 million from the state general fund to the Navajo Nation for planning and developing water supply and infrastructure projects. These projects are crucial to support community growth and economic development on Native American land. (Latest Action: House First Reading 01/26/16; House Second Reading 01/27/16; Held in Committees).

**HB 2317: State transportation board; tribal representation.**

Requires the State Transportation Board to include a representative from an Indian Nation. The board is

responsible for planning for the transportation needs of the state. The population of the 22 federally recognized Indian nations in Arizona exceeds 250,000. These Indian nations have unique transportation needs that are not currently being met. (Latest Action: House First Reading 01/26/16; House Second Reading 01/27/16; Held in Committees).

**HB 2318: Central Arizona Project board; membership.**

Requires that the CAP board of directors include one non-voting member, who is a tribal elected official, to ensure Indian nations are included in discussions about CAP Colorado River water use. The member would be appointed by the governor and selected from a list of three nominees. The Inter Tribal Council of Arizona would be responsible for identifying two nominees, and the Navajo Nation would be responsible for the third nominee. These Indian nations should have a seat at the table for discussions regarding water availability and use. (Latest Action: House First Reading 05/05/16, Held in Rules).

**HB 2319: Indian tribes; TPT revenues.**

Allocates Transaction Privilege Tax money, or sales tax, back to the Native American lands where it was collected. These funds would be used for infrastructure and community development, including telecommunication infrastructure development and roads on Indian reservations. Currently, TPT money is collected from businesses not owned by enrolled members operating on Native American lands. The tax money is distributed to the state, counties and municipalities incorporated under state law. Indian nations are not included in this distribution formula. Native American nations would be authorized to use the TPT money as collateral to fund projects. (No Action in March 2016-May 2016. Latest Action: First Reading on 02/24/2016; Second Reading on 02/08/2016; Held in Committees).

**HCM 2005: Veterans' homes; tribal lands.**

Asks Congress to enact legislation that would allow construction reimbursement and per diem payments for veterans nursing care homes built on Native American nation lands. Current federal law provides for a 65 percent construction reimbursement and per diem payments to veterans nursing care homes built on land owned by states, territories or land the U.S. possesses. Veteran homes built on Native American nation lands are not eligible for the reimbursement and per diem payments. (Latest Action: House First Reading 01/25/16; House Second Reading 01/26/16, Held in Committees).

**Arizona Senate Bills:**

**SB1224: Amending Indian Reservation Tobacco Tax.**

Arizona preempts the area of Indian reservation tobacco taxation. This bill would eliminate State, county, city, or town preemption. It also leaves tribes open to imposing its own tobacco tax or a similar levy. (Latest Action: Held in Rules. Introduced 01/21/16).

**SB1451: Office of Indian Education; Assistance.**

Outlines the Office of Indian Education's role in providing technical assistance. (Latest Action: Held in House. House COW recommended Passing on 03/17/16. House Second Read 03/07/16. House First Read on 03/03/16. Passed Senate and transmitted to the House on 02/29/2016. Senate First Read 02/02/16, Second Read 02/03/16, Assigned to Committee).