



FEDERAL UPDATE

An Overview of the Federal Government

NOVEMBER, 2009

TRIBAL/OBAMA SUMMIT SET

President Obama will meet with hundreds of tribal leaders in Washington, D.C. November 5th, 2009. The President had committed to an annual meeting with tribal leaders during his 2008 campaign and is fulfilling his promise. This historic meeting will coincide with the National Congress of American Indians' Grand Opening of the Embassy of Tribal Nations on November 3rd and a tribal leaders meeting on November 4th.

NWIFC Chairman Billy Frank encouraged tribal leaders to go to Washington as a united Indian Country to begin and carry on a meaningful government-to-government consultation process with the President and his Administration." Representatives of 564 federally recognized American Indian tribes have been invited to the summit. According to the White House, the Nov. 5 session is part of the president's sustained outreach efforts. "I look forward to hearing directly from the leaders in Indian Country about what my Administration can do to not only meet their needs, but help improve their lives and the lives of their peoples," Obama said in a written statement. "This conference will serve as part of the ongoing and important consultation process that I value, and further strengthen the nation-to-nation relationship." Obama's session will not be the first White House meeting with all of the tribes. In 1994, then-President Bill Clinton held what was billed as a "listening conference" for leaders of all of the tribes. Held at the suggestion of Wilma Mankiller, who was then principal chief of the Cherokee Nation of Oklahoma, the session was believed to be unprecedented. "I hope and trust that natural resources and the environment will factor in as one of the top discussion items at this summit," said Frank. "It would be very appropriate for the tribes to continue to present themselves as good stewards and natural resource managers with never-ending connections with the land."

The President will deliver opening and closing remarks and participate in an interactive discussion with tribal leaders. Other interactive discussions in the areas of economic development and natural resources; public safety and housing; and education, health and labor will be led by representatives from the highest levels of the Administration. Expected Administration officials include: Interior Secretary Ken Salazar, Agriculture Secretary Tom Vilsack, Commerce Secretary Gary Locke, Labor Secretary Hilda Solis, HHS Secretary Kathleen Sebelius, Energy Secretary Steven Chu, Education Secretary Arne Duncan, EPA Administrator Lisa Jackson, Deputy Attorney General David Ogden, HUD Deputy Secretary Ronald Sims, DHS Deputy Secretary Jane Lute, Associate Attorney General Tom Perrelli, and Indian Health Service Director Dr. Yvette Robideaux. The White House Tribal Nations Conference will also be streamed live at www.whitehouse.gov/live. Please check back on the day of the event for the final schedule.

NATIONAL NATIVE AMERICAN HERITAGE MONTH, 2009 BY THE PRESIDENT OF THE UNITED STATES OF AMERICA A PROCLAMATION

The indigenous peoples of North America -- the First Americans -- have woven rich and diverse threads into the tapestry of our Nation's heritage. Throughout their long history on this great land, they have faced moments of profound triumph and tragedy alike. During National Native American Heritage Month, we recognize their many accomplishments, contributions, and sacrifices, and we pay tribute to their participation in all aspects of American society. This month, we celebrate the ancestry and time-honored traditions of American Indians and Alaska Natives in North America. They have guided our land stewardship policies, added immeasurably to our cultural heritage, and demonstrated courage in the face of adversity. From the American Revolution to combat missions in Iraq and Afghanistan, they have fought valiantly in defense of our Nation as dedicated servicemen and women. Their native

languages have also played a pivotal role on the battlefield. During World Wars I and II, Native American code talkers developed unbreakable codes to communicate military messages that saved countless lives. Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars. Our debt to our First Americans is immense, as is our responsibility to ensure their fair, equal treatment and honor the commitments we made to their forbears. The Native American community today faces huge challenges that have been ignored by our Government for too long. To help address this disparity, the American Recovery and Reinvestment Act allocates more than \$3 billion to help these communities deal with their most pressing needs. In the Fiscal Year 2010 budget, my Administration has proposed over \$17 billion for programs carried out by the Bureau of Indian Affairs, Indian Health Service, and other Federal agencies that have a critical role to play in improving the lives of Native Americans. These programs will increase educational opportunities, address the scourge of alcohol abuse and domestic violence, promote economic development, and provide access to comprehensive, accessible, and affordable health care. While funding increases do not make up for past deficiencies, they do reflect our determination to honor tribal sovereignty and ensure continued progress on reservations across America. As we seek to build on and strengthen our nation-to-nation relationship, my Administration is committed to ensuring tribal communities have a meaningful voice in our national policy debates as we confront the challenges facing all Americans. We will continue this constructive dialogue at the White House Tribal Nations Conference held in Washington, D.C., this month. Native American voices have echoed through the mountains, valleys, and plains of our country for thousands of years, and it is now our time to listen.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2009 as National Native American Heritage Month. I call upon all Americans to commemorate this month with appropriate programs and activities, and to celebrate November 27, 2009, as Native American Heritage Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of October, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-fourth.

-BARACK OBAMA

APPROPRIATIONS

Congress has cleared for the President's signature the fiscal 2010 Interior-Environment spending bill and its extension of current stopgap funding. In an unusual display of coordinated bicameral action, both chambers have just approved the conference agreement — the House by a 247-178 vote and the Senate in the same day by a 72-28 vote. The measure carries an extension of current stopgap funding for those government agencies whose spending bills haven't yet been enacted into law. With the current CR expiring midnight on October 31, the agreement extends that stopgap funding until December 18. The Interior-Environment bill is the fifth of 12 fiscal 2010 spending bills to be enacted into law. Two bills, Defense and Transportation-HUD, are pending formal conference action, and five others have yet to be passed by the Senate. This is good news to Northwest tribes as the bill contains the full \$12 million increase in the BIA Rights Protection Account that Congressman Norm Dicks originally inserted in the House Bill. It also contains the significant increase to BIA's Hatchery Maintenance Account. In addition it contains the \$50 million mark for the restoration of Puget Sound.

House debate on the Interior-Environment agreement largely focused on the bill's \$32.2 billion discretionary cost. Republicans called the bill's 17 percent increase excessive, with top GOP appropriator Jerry Lewis of California deeming it "irresponsible, especially in light of the fact that Congress must soon consider legislation to increase our national debt limit — this time to over \$13 trillion." Ranking subcommittee Republican Mike Simpson of Idaho said that "while this conference agreement tackles many challenging issues, it also assumes that more money is the answer to every problem we face." Noting that the bill received a 13 percent increase last year as well as \$11 billion from February's economic stimulus package, he said, "I just don't believe that a \$4.7 billion, or 17 percent increase, over last year makes sense." Rep. Norm Dicks, who chairs the Interior-Environment Appropriations Committee, countered that the increase was needed as "a catch-up" after years of being underfunded during the Bush Administration. Dicks said that from 2001 to 2008, when inflation is factored in, funding had decreased by 16 percent for the Interior Department, by 29 percent for the EPA and by 35 percent for non-firefighting activities of the

Forest Service. “So this bill had been hammered,” Dicks said. “So I felt this was a restoration budget by the Obama Administration, and this is their first budget on Interior, and I think it was justified in every sense of the word.”

To clear the measure in the Senate, Democrats had to once again garner 60 votes to waive a Senate point of order against the CR extension being added in conference. Republicans in both chambers objected to the Democrats’ inclusion of the CR in the measure, saying it should be considered as a stand-alone measure. Such a point of order was raised and narrowly waived by a 61-39 vote during floor consideration of the Legislative Branch spending bill conference report, which included the original CR. On that vote, Republican appropriators Thad Cochran, R-MS, and George V. Voinovich, R-OH, joined with the Democrats (who lost the vote of Wisconsin’s Russ Feingold) to keep the CR in the legislation. However, after Arizona Republican John McCain raised the Rule 28 point of order against the Interior-Environment conference report for containing the CR, no Republicans came to the aid of Democrats — forcing Democrats to generate all 60 votes on their own. The vote to waive the point of order, and thereby keep the CR in the agreement, was successful via a straight party line 60-40 vote.

The overall FY 2010 Appropriations Process is slowly winding down (although we’ve heard the Senate has scheduled to resume consideration of the CJS bill this week). While not exactly on schedule, it still has the potential to be finished much sooner than in the recent past. Time will tell. The Senate has reordered its work and brought the Energy and Water Appropriation bill to the floor, due in part to a failure to invoke cloture on Senate debate over the Commerce, Justice and Science bill. Congress has now cleared just five of the 12 regular appropriations bills — Interior-Environment, Agriculture, Energy-Water, Homeland Security, and Legislative Branch. Senate Appropriations Chairman Daniel K. Inouye, D-HA, earlier this week said he believed that this year’s appropriations process, which is likely to include a year-end omnibus of those bills that couldn’t be enacted individually, would be wrapped up by early December. As mentioned, the CJS bill was pulled back. Once it is resolved on the floor it will go through the conference process. The Senate version will be about \$600 million higher than the House version. The Commerce, Justice and Science bill will contain new funding for the PST Annex and funding to restore the Pacific Coastal Salmon Recovery Fund Account, but the current House and Senate numbers vary. The Administration has requested, and the House has included \$16.5 million for the PST Annex work, including \$7.5 million for the Puget Sound critical stocks work as identified through the Annex negotiations. The House has also included about \$10 million for Mitchell Act hatcheries, which benefit tribes through Columbia River fish production. The Senate, however, has only included about \$10 million for the PST Annex, far short of the President’s request, and none for the Mitchell Act needs. They will have to sort this out in conference. The Senate has included \$80 million for the PCSRF account and retained the past language that guides the fund distribution. The House, however, included only \$50 million for salmon (and \$10 million for stocks at risk) and clarifying language. Tribes have made their preference for the Senate amount and language well known so now it’s a matter of waiting to see the conference outcome.

JEFFERSON KEEL ELECTED NCAI PRESIDENT

During the NCAI’s 66th Annual Session in Palm Springs in October, Jefferson Keel, Lt. Governor of the Chickasaw Nation of Oklahoma, was elected President. Keel has served as NCAI’s First Vice-President since 2005.”Unity is the only way we will make progress, and I pledge to work together to seize the opportunities that are before all of the Tribal Nations,” Keel said upon being elected. Keel is a retired U.S. Army officer with over 20 years of active service. He earned a bachelor’s degree from East Central University and completed his Master of Science degree at Troy University. He has background experience in social services and tribal health programs. Keel is in his third elected term as Lt. Governor of the Chickasaw Nation. In addition, Juana Majel-Dixon, Councilwoman for the Pauma Band of Mission Indians was elected First Vice-President; Theresa Two Bulls, President of the Oglala Sioux Tribe, was elected Recording Secretary; and W. Ron Allen, Chairman of the Jamestown S’Klallam Tribe was elected Treasurer. NCAI will also conduct the opening blessing of the new Tribal Embassy on Saturday, Nov. 3, 6:30-10 a.m. at 1516 P Street NW in Washington DC (open to tribal member only). A host of other events is available at www.ncai.org.

ENERGY-WATER AGREEMENT

With the Energy-Water agreement, the hydrogen industry stands to benefit. The conference report would restore \$106 million to a hydrogen fuel cell research program that the President Obama tried to slash. And industry backers know just who to thank — Byron L. Dorgan, D-ND, Chairman of Senate Energy-Water Appropriations. He has championed hydrogen fuel cell technology for years, especially since he began earmarking millions of dollars over

the past five years for construction of a National Center of Hydrogen Technology at the University of North Dakota. Federal spending on hydrogen fuel cell research soared under Bush. Many scientists — including President Obama’s Energy secretary, Nobel Prize-winning physicist Steven Chu — question the value of investing in hydrogen fuel cells. They say the expensive, unproven technology would require such a transformation of U.S. energy infrastructure that it is unlikely ever to have an impact on the U.S. auto market.

GET OUT THE RED PEN

The U.S. government has made it official—the cost of change and recovery from the recession is adding more zeroes to the federal deficit. CBO is expected to set the 2009 deficit at about \$1.4 trillion and at \$9.1 trillion over the next decade, in line with estimates that were made in early October. This is not only the first time the annual deficit has spilled into 13-digit territory, but the number also marks a threefold increase over last year's then-record deficit of \$459 billion. Administration officials pin much of the increase on a recession-driven drop in tax collections, the Wall Street bailout, the government takeover of Fannie Mae and Freddie Mac and the economic stimulus plan.

INOUE JOINS BYRD AS ONE OF THREE LONGEST-SERVING SENATORS

Senate Appropriations Chairman Daniel K. Inouye, D-HA, has joined Robert C. Byrd, D-W.Va., and the late Strom Thurmond, R-SC, in the trio of longest-serving U.S. senators. A senator since 1963, Inouye won praise for his work in the chamber and for what Minority Leader Mitch McConnell, R-KY, called a “remarkable American story.” “Daniel Inouye may be the only American who saw with his own eyes the smoke from Pearl Harbor and the black smoke that rose from the Pentagon on” the Sept. 11 terrorist attacks, said Senate Minority Whip Richard J. Durbin, D-Ill. Several senators touched on Inouye’s early life — teenage volunteer helping out after the Pearl Harbor attack, war service in Europe that cost him an arm. Inouye “fought for our country while fellow Japanese-Americans were being interned in our country,” said Daniel K. Akaka, D-HA. Frank R. Lautenberg, D-NJ, said he, Akaka and Inouye are the Senate’s three remaining veterans of World War II. Senators also noted Inouye’s work over the years as a lawmaker on behalf of the military. He is a recipient of the Congressional Medal of Honor as well as many other distinguished citations. McConnell said that Inouye earlier this month traveled to Afghanistan and Pakistan. “It was an arduous journey for anyone, let alone a senator who has served so long,” he said of Inouye, who is 85. Inouye’s term of Senate service on Thursday passed that of the late Edward M. Kennedy, D-Mass., who had served 46 years, nine months and 19 days. Senator Inouye has, of course, also had a highly distinguished career from the perspective of the tribes, have spoken on behalf of the tribes on hundreds of occasions in committees and the Senate floor. He has visited tribes throughout the country and stood with them through thick and thin, earning tribal honors far exceeding those of any other American politician in history.

WARMING UP

The Senate Environmental and Public Works Committee is holding its first hearing today on a global warming bill, with a witness list that includes Energy Secretary Chu, Interior Secretary Salazar and Transportation Secretary LaHood. Sen. John Kerry, D-MA, said the legislation he sponsored would lead to higher energy costs in the short run but will create jobs and help protect national security. Among the critics Kerry will have to try to appease is Senate Finance Chairman Max Baucus, who said this morning that while climate change was a serious issue, “we also can’t afford the unmitigated effects of climate-change legislation.”

CRUISE SHIP ACT INTRODUCED

Congressman Sam Farr, D-CA has introduced the “Clean Cruise Ship Act,” a bill aimed at limiting damage caused by cruise ship pollution. The legislation will strengthen the Clean Water Act to create coastal zones where cruise ships are prohibited from dumping waste, strengthen current waste treatment standards and increase surveillance to ensure compliance by the industry. The bill was also introduced in the Senate by Sen. Dick Durbin, D-IL. “Big cruise ships make for big pollution, it’s an unavoidable truth,” Rep. Farr said following the bill’s introduction. “Unfortunately, responsible disposal of that waste hasn’t always been a given. The cruise ship industry is way overdue to take responsibility for its actions. It’s ironic that the cruise industry relies on a clean ocean and pristine coastlines for its livelihood, but doesn’t put in the effort to sustain them. This carelessness must not be allowed to continue.” Laws currently allow cruise ships to dump untreated sewage three miles from shore, a danger to health, environment and economy. Rep. Farr’s legislation would increase the anti-dumping zone to 12 miles from shore and would require waste treatment beyond 12 miles. The bill also creates an observation and monitoring program.

“A recent report on the cruise industry’s environmental performance clearly shows that not all companies are making an equal effort to safeguard the ocean waters on which they depend,” Rep. Farr said. That report card, issued by Friends of the Earth, ranks the major cruise companies according to their efforts to reduce their environmental footprint. It is available online at <http://www.foe.org/cruisereportcard>. “If the whole industry followed the positive lead of some of the higher-scoring cruise companies, this law wouldn’t be necessary. Since they haven’t, Congress must take action to protect our waters.” NWIFC Chairman Billy Frank, Jr. said, “Hopefully this act will help protect our ocean and coastal waters and the communities that use them by the cruise industry’s irresponsible dumping. Of course, we’d prefer that any waste being dumped into the ocean be fully treated. But, by introducing this bill, Congressman Farr may continue his long and substantial legacy as a champion for our oceans.”

MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT HEARD

The House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife, chaired by Congresswoman Madeleine Bordallo, D-GU, has conducted an oversight hearing on the implementation of the Fishery Conservation and Management Act of 2006 (PL 109-479). The Subcommittee explored the progress made by the National Marine Fisheries Service and the Regional Fishery Management Councils in setting annual catch limits and accountability measures to end overfishing and rebuild overfished fish stocks, as required by the MSFCMA. The hearing focused on how annual catch limits are set, efforts to improve the type and quality of information that informs management decisions, and successes and challenges of implementing annual catch limits and accountability measures. Visit the Committee’s Web site at <http://resourcescommittee.house.gov> to access witness testimony.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power held an oversight hearing on “Water Management and Climate Variability: Information Support at the United States Geological Survey (USGS) and Bureau of Reclamation.” The USGS and the Bureau of Reclamation are responsible for the collection and management of water resource data. The National Research Council recently completed their review of the USGS water management program and has identified specific recommendations for ensuring data integrity and accessibility. The oversight hearing focused on whether the agencies are collecting the right information and whether it is adequate for use by water managers and the general public. Visit the Committee’s Web site to access witness testimony.

SENATE STILL APOLOGIZING

The Senate has voted, again, to apologize to Native Americans for historical injustices. The Native American Apology Resolution has been attached to a defense appropriations bill, extending a formal apology from the US to tribal people nationwide. It aims to make amends for years of “ill-conceived policies” and acts of violence against Native Americans by U.S. citizens. It also asks President Obama to “acknowledge the wrongs of the US against Indian tribes” to encourage healing. The President was asked earlier this year by grassroots groups to apologize specifically for atrocities carried out on Indians who attended boarding schools, often forcibly. Obama has not yet said if he will take such action. The Senate resolution does not authorize or serve as a settlement of any claim against the U.S., and it does not resolve many challenges still facing Native Americans. Comparable legislation has been introduced in previous sessions of Congress, even passing the Senate in 2008, but no bills have been signed into law.

HOPIS/NAVAJO’S vs. ENVIRONMENTALISTS

The battle waged against a major coal company by Hopi and Navajo activists and against large environmental groups by tribal officials has intensified the conflict playing out in northern Arizona over the control and use of cultural and natural resources. The Hopi tribal council, challenged in political infighting, said the Sierra Club, National Resources Defense Council, National Parks Conservation Association, Grand Canyon Trust, and “on-reservation organizations sponsored by or affiliated with the groups, are no longer welcome on the reservation.” The announcement triggered sharp prepared responses from opponents of wider strip mining atop Black Mesa, an area sacred to traditionalists. The ousted organizations were singled out for reportedly asking EPA to study Navajo Generating Station’s possible contribution to smog over the Grand Canyon, raising red flags about economic loss if the plant were to close. A controversial expanded mining permit approved last year ensures a coal supply for the plant’s continued operation. The Hopis are trying to clear the hurdles blocking a life-of-mine permit to continue the destructive surface mining activities which have already destroyed an untold number of archaeological sites, burial grounds, rock art, and cultural resources.”

PRIORITY BILLS 111th CONGRESS, NOVEMBER, 2009

(Bills are “linked.” **High priority bills are in red.** Note: Because links do not hold long on the Library of Congress site, www.thomas.loc.gov, you may need to do the following: If links bring you to “new search” click on that, toggle to bill number, enter the bill number in the box and hit return. You will find bill histories, related information and bill language readily available. Or contact Steve Robinson at (360) 528-4347 or srobinson@nwifc.org for more information.

Bill-Lnk/Brief	Sponsor/Status	Description
<p>H.R.14 : The Federal Ocean Acidification Research and Monitoring Act (FOARAM)</p> <p>See S173 below</p>	<p>Sponsor: Rep Baird, Brian, WA, Latest Action: 1/6/09 Referred to the House Committee on Science and Technology.</p>	<p>Support, if involve tribes, including funding of research, etc. “FOARAM” defines "ocean acidification" as the decrease in pH of the Earth's oceans and changes in ocean chemistry caused by chemical inputs from the atmosphere, including carbon dioxide. The Act requires the Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council to develop a strategic plan for federal ocean acidification research and monitoring that provides an assessment of impacts on marine organisms and ecosystems and the development of adaptation and mitigation strategies to conserve marine organisms and ecosystems. It directs the Secretary of Commerce to conduct research and monitoring and authorizes the Secretary to establish an ocean acidification program in NOAA consistent with the strategic research plan, including: (1) providing grants for critical research projects exploring the effects of ocean acidification on ecosystems and the socioeconomic impacts of increased ocean acidification; and (2) incorporating a competitive merit-based process for awarding grants that may be conducted jointly with other participating agencies or under the National Oceanographic Partnership Program. The bill requires the National Science Foundation director to continue to carry out ocean acidification research supporting competitive, merit-based, peer-reviewed proposals for research and monitoring of ocean acidification and its impacts and required NASA to ensure that space-based monitoring assets are used in as productive a manner as possible for monitoring of ocean acidification and its impacts.</p>
<p>H.R.21 : National policy for our oceans</p>	<p>Rep Farr, Sam [CA- Latest Major Action: 6/18/09 Referred to the Subcomm on Insular Affairs, Oc & Wildlife, (Natural Resources) Hearing Held. Cosponsors 62</p>	<p>Support, but only with much greater tribal inclusion and with adequate protection of Treaty rights. The purpose of this legislation is to establish a national policy for our oceans, to strengthen the National Oceanic and Atmospheric Administration, to establish a national and regional ocean governance structure, and for other purposes. This is long overdue, known by some as Oceans 21. Ocean Conservation, Education, and National Strategy for the 21st Century Act - Declares that the purpose of this Act is to secure for future U.S. generations the full range of benefits of healthy marine ecosystems. Specifies a national ocean policy and related principles. Requires each federal agency to act in accordance with that policy. Reestablishes NOAA and its leadership. (NOAA was created by the Reorganization Plan No. 4 of 1970.) Includes in NOAA the National Weather Service and the Science Advisory Board. Establishes a National Ocean Advisor in the Executive Office of the President. Reestablishes in the Executive Office of the President the Committee on Ocean Policy, which was originally established by executive order. Establishes a Council of Advisors on Ocean Policy to advise the President. Designates nine ocean regions to promote coordinated regional efforts to implement the national ocean policy. Requires the NOAA Administrator to establish or designate a Regional Ocean Partnership for each region and requires each Partnership to prepare a Regional Ocean Strategic Plan. Establishes the Ocean and Great Lakes Conservation Trust Fund. Requires payments to coastal states for Regional Ocean Strategic Plan activities. Requires the United States Postal Service to print a special postage stamp to enable the public to help protect, maintain, and restore marine ecosystems.</p>
<p>H.R.39 : Preserving Arctic National Refuge</p>	<p>Sponsor: Rep Markey, Edward, MA, Cosponsors (64) Latest Major Action: 1/6/2009 Referred to the House Committee</p>	<p>Support. To preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans.</p>

	on Natural Resources.	
<u>H.R.49</u> Oil and gas leasing	Sponsor: <u>Rep Young, Don, AK</u> , Latest Action: 2/4/09 C on Natural Resources + C on Energy and Min Res. Co sponsors (46- Includes Cathy McMorris from WA)	Oppose. Directs Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes. Oil drilling in Alaska means more oil in our waters.
<u>H.R.81</u> : Amending the High Seas Driftnet Moratorium (sharks) (<u>S.850</u>)	Sponsor: <u>Rep Bordallo, Madeleine Z. GU</u> Cosponsors (30) Latest Major Action: 3/3/2009 Referred to Senate Committee on Commerce, Science, and Transportat.(Sen. Kerry. 4/22, Committee on Commerce, Science, and Transportation)	Support. To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.
<u>H.R.135</u> The Twenty-First Century Water Commission	Sponsor: <u>Rep Linder, John, GA</u> - Cosponsors (8- 0 from WA) Latest Action: 2/4/09 C on Natural Resources+ Transport and Infrastructure. Ref to SC on Water and Power.	Support, as long as tribes are engaged and fish and wildlife needs are prioritized. To establish the Twenty-First Century Water Commission to study and develop recommendations for a comprehensive water strategy to address: (1) project future water supply and demand; (2) study current water management programs of federal, interstate, state, and local agencies and private sector entities directed at increasing water supplies and improving the availability, reliability, and quality of freshwater resources; and (3) consult with representatives of such agencies and entities to develop recommendations for a comprehensive water strategy. Requires that such strategy: (1) identify incentives intended to ensure an adequate and dependable water supply to meet U.S. needs for the next 50 years; (2) suggest strategies that avoid increased mandates on state and local governments, considering all available technologies; and (3) suggest financing options.
<u>S.172</u> : Coordinated National Ocean Exploration Program (<u>H.R.366</u>)	Sponsor: <u>Sen Snowe, Olympia J. ,ME,</u> Cosponsors (2) Latest Major Action: 1/8/09 C on Commerce, Science, & Transportat (Rep. Sam Farr, CA, 2/4, SC Insular Affrs, Oceans & Wildlife)	A bill to establish a coordinated national ocean exploration program within NOAA. This bill requires NOAA to: (1) establish a coordinated national ocean exploration program that promotes collaboration with other federal ocean and undersea research and exploration programs; (2) convene an ocean exploration and undersea research technology and infrastructure task force; and (3) appoint an Ocean Exploration Advisory Board. It requires the agency to establish and maintain an undersea research program to increase scientific knowledge essential for the informed management, use, and preservation of oceanic, marine, and coastal areas (and the Great Lakes.) It requires that the program be conducted through a national headquarters, a network of extramural regional undersea research centers that represent all relevant NOAA regions, and the National Institute for Undersea Science and Technology. It requires that funding for projects conducted through the regional centers be awarded through a competitive, merit-reviewed process. It calls for millions of dollars to fund these centers and research, in varying amounts, between FY'09 and FY 15.
<u>S.173</u> : Ocean Acidification (HR 14-Baird)	Sponsor: Sen Lautenberg, Frank R., NJ, Cosponsors (7- includes Cantwell and Inouye) Latest Major Action: 1/8/2009 referred to the Committee on Commerce, Science, and Transportation. (Baird's HR 14 on Ocean Acidification has been stymied in the Committee on Science and Technology since 1/6)	Support IF involve tribes, including funding of research, etc. The Federal Ocean Acidification Research And Monitoring Act of 2009 or FOARAM Act is a bill to establish an interagency committee to develop an ocean acidification research and monitoring plan and to establish an ocean acidification program within NOAA. Defines "ocean acidification," as the decrease in pH of the Earth's oceans and changes in ocean chemistry caused by chemical inputs from the atmosphere, including carbon dioxide. It requires that the Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council coordinate federal activities on ocean acidification and establish an interagency working group, that the subcommittee develop a strategic plan for federal ocean acidification research and monitoring that provides, among other things, for the development of adaptation and mitigation strategies, directs the Secretary of Commerce/NOAA to enter into an agreement with the National Academy of Sciences to review the plan and directs the Secretary (Locke) to establish and maintain an ocean acidification program in NOAA to conduct research, monitoring, and other activities, including: providing grants for critical research projects exploring the ecosystem and socioeconomic impacts of ocean acidification and incorporating a competitive merit-based process for awarding

		grants that may be conducted jointly with other participating agencies or under the National Oceanographic Partnership Program. Requires the NSF director to continue to carry out ocean acidification research supporting competitive, merit-based, peer-reviewed proposals for research and monitoring of ocean acidification and its impacts. Also requires NASA to ensure that space-based monitoring assets are used in as productive a manner as possible for the monitoring of ocean acidification and its impacts. This bill has not moved since January, but due to its importance, Federal Update will continue to monitor it)
S.232 Greenhouse Registry (H.R.515)	Sponsor: Rep Baldwin, Tammy WI , Latest Major Action: 1/7/2009 Referred to the House Committee on Energy and Commerce. (Rep Gordon, Bart, TN , Cosponsors (80) 10/16/2009 Energy & Environment Subcommittee Hearings Held.)	Support. Creates a Federal greenhouse gas registry. Requires EPA to: (1) determine and publish the quantity of each greenhouse gas (GHG) that makes the same contribution to global warming as one metric ton of carbon dioxide; and (2) designate as a GHG any directly emitted anthropogenic gas that is included in the Inventory of the US Greenhouse Gases and Sinks, one metric ton of which makes the same or greater contribution to global warming as one metric ton of carbon dioxide. Directs each covered entity to report to the Administrator its GHG emissions for the prior calendar year. Directs the Administrator to issue regulations establishing a federal GHG registry. Specifies that such regulations shall: (1) ensure accuracy and reliability of data submitted; (2) take into account best practices for measuring, accounting, reporting, and verifying GHG emissions and the latest scientific research; (3) require that submitted data are monitored using monitoring systems for fuel use, fuel flow, or emissions, wherever feasible; (4) require annual reporting on the emission of GHGs; (5) establish consistent policies for calculating carbon content and GHG emissions for each type of fossil fuel reported; (6) provide for immediate public dissemination of data reported, with certain exceptions; and (7) take into account the work done by the Climate Registry and other mandatory state or multistate authorized programs and explain the major differences in approach between the system established under the regulations and the respective registries or programs. Provides that nothing in this Act preempts any state or regional GHG registry efforts. Authorizes the Administrator to bring a civil action against entities that fail to comply with this Act's requirements. Sets forth civil penalties for violations.
H.R.300 –NOAA	Sponsor: Rep Ehlers, Vernon J., MI / Latest Action: 2/4/09 SC on Insular Affairs, Oceans & Wildlife. Co-sponsors (0)	Support. This bill maintains NOAA's National Weather Service and other programs to support efforts, on a continuing basis, to collect data and provide information, e.g., satellites, observations, and coastal, ocean, information; and programs to conduct and support research and education and related development of technologies. Also establishes a Science Advisory Board within NOAA.
H.R.365 . Federal ocean and coastal mapping plan (S.174)	Sponsor: Rep Bordallo, Madeleine Z., GU , Cosponsors Latest Major Action: 2/4/09 SC on Insular Affairs, Oceans & Wildlife) Co-sponsors (3-0 from WA) (S.174) Sponsor: Sen. Inouye, Daniel K, D-HA, 1/8-C on Comm)	Support, with tribal involvement and support. To direct the President to establish a program to develop a coordinated and comprehensive federal ocean and coastal mapping plan for coastal waters and the continental shelf, etc.
H.R.366 : National Ocean Exploration Program (S.172)	Sponsor: Rep Farr, CA- Latest Major Action: 2/4/2009 Referred to the Subcommittee on Insular Affairs, Oceans and Wildlife. (Sens. Snowe, ME and Inouye, HA)	Support. This legislation would establish the national ocean exploration program and the national undersea research program within NOAA, to direct the Administrator of the National Oceanic and Atmospheric Administration to establish and maintain an undersea research program. Approximately \$300 million would be authorized to be used for research by NOAA in concert with NASA, NSF, regional centers, etc. between now and 2015 to research the oceans and Great Lakes. Although Tribes are not specifically included in this legislation, it would be useful for them to be assertive about being included, and information resulting from this research would be beneficial.
H.R.367 National integrated system of ocean, coastal, and Great Lakes observing systems	Rep Capps, Lois CA Cosponsors (14, includes Inslee from WA) Latest Major Action: 2/4/09 SC on Insular Affairs, Oceans & Wildlife, and on Sci and Technology	Support, with tribal involvement and coordination. The Integrated Coastal and Ocean Observation System Act of 2009 directs the President to (1) establish a system to promote navigation safety, weather, climate, and marine forecasting, energy siting and production, economic development, ecosystem-based marine, coastal, public safety and public outreach training and education, promote basic and applied scientific research; and improve the ability to measure, track, explain, and predict weather and climate change and natural climate variability. It requires the National Ocean Research Leadership Council to serve as the system's policy and coordination oversight body, requires the Council to

		establish or designate an Interagency Ocean Observation Committee to prepare annual and long-term plans, m NOAA the system's lead federal agency, establishes advisory committees, a regional certified information coordination entity, etc.
<u>H.R.368</u> : Coastal and estuarine areas (S.170)	Sponsor: <u>Rep Capps, Lois</u> [CA <u>Cosponsors</u> (3, 0 from WA) Latest Action: 2/4/09, SC on Insular Affairs Oceans & Wildlife (S 170, Sponsor Sen. Judd Gregg, R-NH, 1/8-C on Commerce, Sc & Transportation)	Concerns: Potential impacts on existing programs? Must have tribal coordination and funding should be available direct to tribes. The Coastal and Estuarine Land Conservation Program Act authorizes the acquisition of land and interests in land from willing sellers to improve the conservation of and to enhance the ecological values and functions of coastal and estuarine areas to benefit both the environment and the economies of coastal communities in cooperation with appropriate State, regional, and other units of government, for the purposes of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses or could be managed or restored to effectively conserve, enhance, or restore ecological function. The program shall be administered by the National Ocean Service of NOAA and manage a Coastal Zone Management Plan or Program, a National Estuarine Research Reserve management plan, a regional or State watershed protection or management plan involving coastal states with approved coastal zone management programs; or a State coastal land acquisition plan that is consistent with an approved coastal zone management program.
<u>H.R.388</u> Crane Conservation (S.197)	Sponsor: Rep Baldwin, WI, Latest Major Action: 7/20/2009 Placed on Senate Legislative Calendar under General Orders. (Feingold, WI, 1/9, SC EPW)	To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes.
<u>H.R.391</u> Excluding "Greenhouse gases" from Clean Air Act	Sponsor: <u>Rep Blackburn, Marsha</u> TN <u>Cosponsors</u> (43, 0 from WA) Latest Action: 7/23/2009 Motion to Discharge Committee filed by Blackburn./Committee on Energy and Commerce. .	Oppose. Amends the Clean Air Act to: (1) exclude from the definition of the term "air pollutant" carbon dioxide, water vapor, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride; and (2) declare that nothing in the Act shall be treated as authorizing or requiring the regulation of climate change or global warming. While this bill is unlikely to move, it does show that many members of the House of Representatives still lack the vision to understand the destructive power of greenhouse gases, and the other poisons specified in this legislation, and how many fail to understand the impacts of climate change (43 co-sponsors). This bill has not moved since January. This will be its final appearance in Federal Update unless it moves. (It was clearly a partisan bill.) (Petitioned by sponsor)
<u>S.439</u> , Tribal Economic Development (<u>H.R.1607</u> -3/19-SCIA)	Sponsor: Sen Inouye, Daniel HI, Latest Major Action: 2/13/09 C on Indian Affairs. Hearing Held. (HR 1607- Sponsor, Eni Faleomavaega, D-AS, 3/19/09, Hs Natural Resrcs.	Support. A bill to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian-owned business enterprises, to stimulate the development of the private sector of Indian tribal economies, and for other purposes.
<u>S.443</u> – Hoh Land Bill (<u>H.R.1061</u>)	Sponsor: <u>Sen Murray, Patty</u> WA <u>Cosponsors</u> (1) Latest Major Action: 8/6/09 Passed C on Indian Affairs. Hearings held. (HR 1061, Sponsor- Rep. Norm Dicks, D-WA, 10/21/09, Union Calendar)	Support the Hoh Tribe. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe. Attempts to limit hunting and gathering rights, etc. There have been recent hearings on both bills...please see Federal Update articles)
<u>H.R.493</u> Surface Mining Control	Sponsor: <u>Rep Rahall, Nick J., II</u> [WV] Latest Major Action: 2/12/2009 Hearing held by the House Committee on Natural	Support. Amends the Surface Mining Control and Reclamation Act, directing DOI to reg storage/disposal of matter referred to as "other wastes" via an inventory of all impoundments of covered wastes, assessment of risks to surface and groundwater posed by each such impoundment + determine risk each such impoundment poses to human and environmental health.

	Resources SC on Energy Resources. Co-Spnsr (1,0 from WA)	
S.503 : Oil, gas Exploration	Sponsor: Sen Murkowski, Lisa , AK Cosponsors (5, 0 from WA) Latest Action: 2/27/09 C on Energy and Natural Resources. Note: Click on Sen. Murkowski for info on numerous other bills affecting AK Natives as well as Natives elsewhere.	Oppose. Authorizes exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Western Coastal Plain; and administer lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that exploration, development, and production activities w/ no significant adverse effect on fish and wildlife, fish and wildlife habitat, subsistence resources, and the environment.
H.R.585 - National Academy of Sciences	Sponsor: Rep Lee, Barbara , CA- Cosponsors (5, 0 from WA) Latest Action: 4/23/09 SC Water Resources and the Env), Agriculture, and Energy and Commerce	Support, if coordinate with tribes. The Environment and Public Health Restoration Act of 2009 directs the President to enter into an arrangement with the National Academy of Sciences to evaluate certain Federal rules and regulations for potentially harmful impacts on public health, air quality, water quality, plant and animal wildlife, global climate, or the environment; and to direct Federal departments and agencies to create plans to reverse those impacts that are determined to be harmful by the National Academy of Sciences. States it is U.S. government policy to work with states, territories, tribal governments, international organizations, and foreign governments to act as a steward of the environment for the benefit of public health, to maintain air quality and water quality, to sustain the diversity of plant and animal species, to combat global climate change, and to protect the environment for future generations. Requires the head of each federal agency that issued or implemented such laws or regulations to submit to Congress a plan describing steps to restore or improve such protections.
H.R.631 : Water Use Planning	Sponsor: Rep Matheson, Jim , UT, Cosponsors (1, 0 from WA) Latest Action: 2/12/09 C on Env 7 Public Works.	Support. Involve tribes, provide direct funding to tribes---important. to increase research, development, education, and technology transfer activities related to water use efficiency and conservation technologies and practices at EPA. Water Use Efficiency and Conservation Research Act - Requires the EPA to establish R/D program to promote water use efficiency and conservation, including: technologies and processes that enable the collection, storage, treatment, and reuse of rainwater, stormwater, and greywater; water storage and distribution systems; and behavioral, social, and economic barriers to achieving greater water use efficiency; coordinate development of a strategic research plan for the water use efficiency and conservation research and development program established by this Act with all other EPA research and development strategic plans. Directs the EPA Administrator to enter into an arrangement with the National Academy of Sciences for completion of a study of "low impact" (mimicking predevelopment hydrology) and "soft path" (using natural capacities of ecosystems) strategies for management of water supply, wastewater, and stormwater. Authorizes appropriations.
S.635 : Skagit- Wild Scenic River (H.R.1593)	Sponsor: Sen Murray, Patty [WA] Cosponsors (1) Latest Major Action: 7/22/09 Hearing by SC on Energy and Natural Res (Larsen, 10/14/09Passed by SENATE Committee on Energy and Natural Resources)	Skagit Tribes are Neutral. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System.
S.668 _ NW Straits Commission (H.R.1672)	Sponsor: Sen Murray, Patty WA Cosponsors (1) Latest Major Action: 10/21/09, SENATE Legislative Calendar (Larsen, 10/20/09, SC on Insular Affairs, Oceans and Wildlife-heard)	A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes.

H.R.669 - Non-native Wildlife Invasion Prevention	Rep. Bordallo/ Subcommittee on Insular Affairs, Oceans and Wildlife. 4/23 Hearing held.	To prevent the introduction and establishment of nonnative wildlife species that negatively impact the economy, environment, or other animal species' or human health, and for other purposes.
S.684 -Oil Pollution Control Act	Sponsor: Sen Cantwell, Maria, WA, Cosponsors (1- Sen Kerry) Latest Action: 3/24/09 C on Comm, Sc & Tr.	Support. A bill to provide the Coast Guard and NOAA with additional authorities under the Oil Pollution Act of 1990, to strengthen the Oil Pollution Act of 1990, and for other purposes. It's important to do all we can to prevent oil pollution—AS LONG as Tribes are supported as first responders—if THEY, individually, choose to perform that task—which has been the case in every known instance to date.
S.685 : Oil Spill Prevention Act of 2009	Sponsor: Sen Lautenberg, Frank R, NJ, Cosponsors (7) Latest Major Action: 6/15/2009 Placed on Senate Legislative Calendar under General Orders.	Support. This bill would require new vessels carrying oil fuel to have double hulls (on vessels with a tank capacity of at least 600 cubic meters), defines "oil fuel" as any oil used as fuel in connection with the vessel's propulsion and auxiliary machinery, directs the Secretary of the department in which the Coast Guard is operating to provide guidance to all vessel traffic personnel that clearly defines the use of authority to direct or control vessel movement when such direction or control is justified in the interest of safety; and requires vessel traffic personnel communications to identify the vessel, rather than the pilot, when vessels are operating in vessel traffic service pilotage areas. It also requires a review and validation of the recruiting, retention, training, and expansion of vessel traffic service personnel, as well as a corresponding report to Congress, etc.
S.721 : Alpine Lakes, Middle Fork Snoqualmie, Pratt Rivers (H.R.1769)	Sponsor: Sen Murray, Patty WA, Cosponsors (1) Latest Major Action: 10/29/09 SC on Public Lands & Forests-Heard. (Rep. Reichert, 3/30, SC Nat Prks Forests, Pub Lnds)	Support affected member tribes. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.
S.724 : Amending ESA	Sponsor: Sen Barrasso, WY Cosponsors (1) Latest Major Action: 3/26/2009 Referred to Senate committee on Environment and Public Works.	A bill to amend the Endangered Species Act of 1973 to temporarily prohibit the Secretary of the Interior from considering global climate change as a natural or manmade factor in determining whether a species is a threatened or endangered species. Prohibit the Secretary from so considering until the Administrator of the Environmental Protection Agency notifies the Secretary that: (1) each major emitter of greenhouse gas, specifically including China, India, and the United States, has ratified an international agreement to reduce the quantity of GHGs emitted; and (2) any such emitter found to not be in compliance with such agreement, in any year, becomes compliant.
S.787 Amending the Water Pollution Control Act (Clean Water Act)	Sponsor: Sen Feingold, Russell D, WI Cosponsors (24) Latest Major Action: 6/18/2009 Passed SC on Environment and Public Works.	Support. Would amend the Clean Water Act to "clarify" US jurisdiction over water, replacing the term "navigable waters" with the term "waters of the United States," defined to mean all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters and their tributaries, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, lakes, natural ponds, etc, to the fullest extent that these waters, or activities affecting them, are subject to the legislative power of Congress. The bill declares that nothing in it affects the authority of the Army or the EPA under the provisions of the Clean Water Act related to discharges: (1) composed entirely of return flows from irrigated agriculture; (2) of stormwater runoff from certain oil, gas, and mining operations composed entirely of flows from precipitation runoff conveyances, which are not contaminated by or in contact with specified materials; (3) of dredged or fill materials resulting from normal farming, silviculture, and ranching activities, from upland soil and water conservation practices, or from activities with respect to which a state has an approved water quality regulatory program; or (4) of dredged or fill materials for the maintenance of currently serviceable structures, the construction or maintenance of farm or stock ponds, irrigation ditches and maintenance of drainage ditches, or farm, forest, or temporary roads for moving mining equipment in accordance with best management practices, or the construction of temporary sedimentation basins on construction sites for which discharges do not include placement of fill material into the waters of the US. The bill fails to adequately acknowledge any tribal rights or jurisdiction or federal trust responsibilities.
S.797 Law Enforcement Act	Sponsor: Sen Dorgan,	Support. A bill to amend the Indian Law Enforcement Reform Act, the Indian

(H.R.1924)	Byron,ND, Cosponsors (17) Latest Major Action: 9/10//2009 Passed Senate Committee on Indian Affairs. (H.R.1924 5/26/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.)	Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian Country. Makes a variety of changes to increase Native American tribes' law enforcement powers and increase federal powers and responsibilities regarding crimes on Indian land, including: (1) allowing federal officials, with the consent of the tribe, to investigate offenses against tribal criminal laws; (2) providing technical assistance and training to tribal law enforcement officials regarding use of the National Criminal Information Center (NCIC) database; (3) requiring federal and local officials, when they decline to investigate crimes on Indian land, to report to Native officials and requiring such officials, when they decline to prosecute, to turn over evidence to Native officials; (4) establishing in the criminal division of the Department of Justice (DOJ) the Office of Indian Country Crime to develop, enforce, and administer federal criminal laws in Indian country; (5) authorizing, at the request of a tribe, concurrent federal-tribal jurisdiction; (6) authorizing grants to state, tribal, and local governments that enter into cooperative agreements, including agreements relating to mutual aid, hot pursuit of suspects, and cross-deputization; (7) requiring the Attorney General to allow tribal and BIA law enforcement agencies to directly access and enter information into federal criminal information databases (under current law, such access is limited); and (8) increasing the criminal sentences tribal courts may impose, e.g., should support poaching enforcement, especially at felony levels.
S.810: Ocean & Coastal Adaptation	Sponsor: Sen Whitehouse, Sheldon , RI, Latest Major Action: 4/2/2009 Referred C on Commerce, Sc & Transp.	Support, but needs to be much more clear about Tribal access and participation as well as direct Tribal funding for participation and infrastructure development. A bill to establish 4 regional institutes as centers of excellence for research, planning, and related efforts to assess and prepare for the impacts of climate change on ocean and coastal areas, including one in the Northwest. Directs the Administrators of NOAA and EPA to jointly establish these Institutes for Ocean and Coastal Adaptation to Climate Change and Ocean Acidification to: (1) assess, prepare for, and adapt to the impacts of climate change and ocean acidification on ocean and coastal areas and resources, and (2) create centers of excellence to document and predict coastal and ocean effects of climate change and ocean acidification and to serve as principal national and international resources for technical expertise on adaptation strategies.
S.817 Salmon Stronghold Bill (H.R.2055)	Sen Cantwell, Maria WA Cosponsors (7, incl Sen. Murray,WA,& Merkley+Wyden from OR) Latest Action: 4/2/09 C Com Sc & Tr (HR 2005- Sponsor: Rep Thompson, 6/16/09 referred to SC on Insular Affairs, Oceans & Wildlife. Hearing Held.)	Currently, no consensus. Promised changes have not yet been reflected in the legislation. The purpose of this bill is to: expand Federal support and resources for the protection and restoration of the healthiest remaining salmon strongholds in North America to sustain core centers of salmon abundance, productivity, and diversity in order to ensure the long-term viability of salmon populations in the States of California, Idaho, Oregon, and Washington, by focusing resources on cooperative, incentive-based efforts to conserve the roughly 20 percent of salmon habitat that supports approximately two-thirds of salmon abundance; and in the State of Alaska, a regional stronghold that produces more than one-third of all salmon, by increasing resources available to public and private organizations working cooperatively to conserve regional core centers of salmon abundance and diversity; to maintain and enhance economic benefits related to fishing or associated with healthy salmon stronghold habitats, including flood protection, recreation, water quantity and quality, carbon sequestration, climate change mitigation and adaptation, and other ecosystem services; and to complement and add to existing Federal, State, and local salmon recovery efforts by using sound science to identify and sustain core centers of salmon abundance, productivity, and diversity in the healthiest remaining salmon ecosystems throughout their range. Important note: Rep. Doc Hastings, and others on the committee, during the committee hearing, specifically said that the PSCR fund and other salmon relief funding should be used to fund this effort. Senator Cantwell's staff, however, has been more in tune with tribal rights and interest, including the need to protect PSCR funding, the need to protect the treaty rights of ALL tribes in ALL watersheds, etc. One tribe says the legislation is scary, that some supporters of the bill are anti-hatchery in their system as well as being anti commercial fishing and pro sports catch and release, without being truthful about total encounters and mortalities caused by C & R handing.
S.859 Amending Prescott Marine Mammal Rescue Assist. Grant Program	Sen Cantwell, Maria, WA, Cosponsors (4) Latest Major Action: 8/6/2009 Placed on Senate Legislative	Okay with this MMPA Amendment, but if Congress is going to open this Act for amendment, then we should insist they include the Tribal Treaty protection language that would correct the damage that Evans v. Anderson created. The Marine Mammal Rescue Assistance Amendments of 2009 amends the Marine Mammal Protection Act of 1972 to require the collection and updating of

(H.R.844)	Calendar under General Orders. (Young, 3/3/09 C on Commerce)	existing practices and procedures for rescuing and rehabilitating stranded or entangled (under current law, only stranded) marine mammals. It authorizes entanglement response agreements, broadens the allowed uses and sources of amounts in the Marine Mammal Unusual Mortality Event Fund, etc.
H.R.860 — Coral Reefs	Sponsor: Rep Bordallo, Madeleine Z. , GU, Cosponsors (19) Latest Major Action: 9/23/2009, SENATE Committee on Commerce Science and Transportation	Support. Reauthorizes and changes the Coral Reef Conservation Act of 2000, extends the award of remaining coral reef conservation program grant funds to appropriate projects, including monitoring and assessment, research, pollution reduction, education, and technical support. Authorizes actions to minimize injury to a coral reef or loss of an ecosystem function from vessel impacts, derelict fishing gear, vessel anchors and anchor chains, and from unforeseen or disaster-related circumstances as a result of human activities; and stabilize, repair, or restore the reef, including vessel removal and emergency stabilization of the vessel or reef, etc.
S.952 : Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009 (H.R.3650)	Sponsor: Sen Snowe, Olympia J. , ME, Cosponsors (13) Latest Major Action: 8/5/2009 Status: Passed C on Commerce, Science, and Transportation. (10/7/09 Passed SC on Insular Affairs, Oceans & Wildlife)	Oppose as written. Tribes are completely omitted. Promotes a national strategy to address harmful algal blooms and hypoxia through baseline research, forecasting and monitoring, and mitigation and control while helping communities detect, control, and mitigate harmful algal blooms and hypoxia events. Amends the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to require NOAA to establish criteria for determining which states should serve on the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia and to implement a nominations process to select representatives for such Task Force. Requires the President, acting through NOAA, to establish a national program to integrate efforts to address hypoxia research, monitoring, prediction, control, mitigation, prevention, and outreach.
H.R.980 : National Forest Lands/Access by Tribal Members	Sponsor: Rep Maloney, Carolyn B. , NY-14, Cosponsors (91) Latest Major Action: 5/5/2009 House Natural Resource C Hearings Held.	Support, but needs to more specifically include national forestlands in Washington in all specifications. To designate certain National Forest System lands and public lands under the jurisdiction of the Secretary of the Interior in the states of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors. Designates: (1) specified wild land areas as Biological Connecting Corridors to protect the life flow of the Northern Rockies Bioregion; (2) the inventoried roadless areas identified as part of the corridors as wilderness and components of the system; and (3) certain biological connecting corridors as special corridor management areas. Amends the Wild and Scenic Rivers Act and establishes the National Wildland Restoration and Recovery System and the National Wildland Recovery Corps. Requires the Secretaries of the Interior and Agriculture to assure nonexclusive access to the specified areas and corridors designated by this Act by Native Americans for traditional cultural and religious purposes.
H.R. 1054 H.R.1054 MMPA (Polar bears) (S.1395)	Sponsor: Rep Young, Don ,AK, Cosponsors (29) Latest Major Action: 9/22/2009 House Nat Resources Committee Hearings Held. (S.1395 Sen Crapo, Mike ,ID, 7/6/2009 Committee on Commerce, Science, and Transportation.)	Title: To amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973.
S.1078 Geospatial Imagery Mapping Program Act (H.R.2489)	Sponsor: Sen Johnson, SD, 8/5/09, Passed C on Commerce, Science & Trans (H.R.2489 , Heseith-Sandlin SD, 7/23/09 PASSED HOUSE	Concerns. This legislation, intended to authorize a comprehensive national cooperative geospatial imagery mapping program through the USGS to promote use of the program for education, workforce training and development, and applied research, and to support Federal, State, Tribal, and local government programs, has no negative language toward GIS. However there could be meaningful funding opportunities with certain language changes, e.g., paragraph 4.(b)(1) indicates a benefit to Tribal governments, but doesn't provide funding, nor name them as participants with authorities equal to states. Nor is a seat provided for Tribes on the advisory committee.
H.R.1080 Illegal Fishing Act	Rep Bordallo, Madeleine Z. ,GU, Cosponsors (15)	Strengthens enforcement to stop illegal, unreported, and unregulated fishing by amending the High Seas Driftnet Fishing Moratorium Protection Act to direct the Secretary of Commerce and the Coast Guard to enforce

	<p>Latest Major Action: 9/23/2009 SENATE C on Commerce, Science & Transportation</p>	<p>that Act and the Pacific Salmon Treaty Act of 1985, the Dolphin Protection Consumer Information Act, the Tuna Conventions Act of 1950, the North Pacific Anadromous Stocks Act of 1992, the South Pacific Tuna Act of 1988, the Antarctic Marine Living Resources Convention Act of 1984, the Atlantic Tunas Convention Act of 1975, the Northwest Atlantic Fisheries Convention Act of 1995, and the Western and Central Pacific Fisheries Convention Implementation Act. Directs the Secretary to prevent violations of any of those acts with the same jurisdiction, powers, and duties as specified provisions of the Magnuson-Stevens Fishery Conservation and Management Act . Authorizes additional enforcement measures relating to search or inspection of facilities or conveyances, records inspection, shipment detention, arrest, search and seizure, and service of civil or criminal process. In this and other ways, increases enforcement against unregulated offshore fisheries.</p>
<p>H.R.1145 National Water R&D Initiative (H.RES.352)</p>	<p>Sponsor: Rep Gordon, (15,including Brian Baird) Latest Major Action:4/23/2009 Status: Referred to the SENATE Committee on Environment and Public Works. (Rep Arcuri, Michael A., NY, -Passed House by voice vote)</p>	<p>To implement a National Water Research and Development Initiative, and develop a National Water Research and Assessment Plan in coordination with State, local, AND tribal governments; coordinate all Federal research, development, demonstration, data collection and dissemination, education, and technology transfer activities pertaining to water; encourage cooperation among Federal agencies and State, local, AND tribal governments with respect to water-related research, development, and technological innovation activities to avoid duplication of effort and to ensure optimal use of resources and expertise and facilitate technology transfer, communication, and opportunities for information exchange with institutions of higher education, non-governmental organizations, State and local governments, tribal governments, industry, water resources managers, commercial end users, and other members of the stakeholder community. This bill authorizes \$10 million between now and 2014. It has passed the House and is in the Senate.</p>
<p>H.R.1190 : Renewable Biomass Facilitation Act of 2009</p>	<p>Sponsor: Rep Herseht Sandlin, Stephanie [SD] Cosponsors (31) Latest Major Action: /25/2009 Referred to the House C Energy and Commerce.</p>	<p>Concerns: Is the process clear, and acceptable, particularly with respect to tribal trust lands? To promote the use of certain materials harvested from public lands in the production of renewable fuel. - Amends the Clean Air Act to redefine the term "renewable biomass" as: (1) materials, precommercial thinnings, or exotic species that are removed as byproducts of preventive treatments to reduce hazardous fuels, to reduce or contain disease or insect infestation, or to restore ecosystem health, that would not otherwise be used for higher-value products, and that are harvested from National Forest System land or public lands in accordance with federal and state law, land management plans, and requirements for old-growth maintenance, restoration, management direction, and large-tree retention under the Healthy Forests Restoration Act of 2003; or (2) any organic matter that is available on a renewable or recurring basis from non-federal land or Indian land held in trust by the United States or subject to a restriction against alienation imposed by the United States, including renewable plant material (including feed grains, other agricultural commodities, other plants and trees, and algae) and waste material (including crop residue, other vegetative waste material, animal waste and byproducts, and construction, food, and yard waste).</p>
<p>H.R.1310 : Amending the Clean Water Act</p>	<p>Sponsor: Rep Pallone, Frank, Jr.,NJ, Cosponsors (154) Latest Major Action: 3/6/2009 Referred to the SC on Water Resources and Environment.</p>	<p>To amend the Clean Water Act to clarify that fill material cannot be comprised of waste. Defines "fill material" as ny pollutant that replaces portions of waters of the United States with dry land or that changes the bottom elevation of a water body for any purpose and to exclude any pollutant discharged into the water primarily to dispose of waste. (Appears to be a fix for the damage that the Bush Administration did to the CWA, esp. on wetlands.)</p>
<p>S.1733 KERRY-BOXER ENERGY BILL</p>	<p>Sponsor: Sen Kerry, John F. [MA] Cosponsors (2) 10/29/2009 Senate Committee on Environment and Public Works.</p>	<p>Title: Support. Stronger on environmental issues than Waxman Markey, BUT needs work on tribal issues, e.g., more funding, including, direct funding. A bill to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.</p>
<p>H.R.1905 – Amending the Coastal Zone Mg.Act/ Climate Change</p>	<p>Sponsor: Rep Capps, Lois, CA- Cosponsors (3) Latest Major Action: 4/13/2009</p>	<p>To amend the Coastal Zone Management Act of 1972 to require the Secretary of Commerce to establish a coastal climate change adaptation planning and response program. Supports efforts to adapt to the effects of climate change. The bill does not specify tribal input or direct funding to tribes, and it should.</p>

	Referred to the Subcommittee on Insular Affairs, Oceans and Wildlife.	
<u>H.R.1914</u> : Suspension of ESA during drought	Sponsor: <u>Rep Deal, Nathan</u> Cosponsors (3) Latest Major Action: 4/13/2009 Referred to the Subcommittee on Water and Power.	Concerns: This legislation would suspend ESA for Federal and State agencies managing Federal river basins that are located regions affected by drought if the drought described presents a threat to the health, safety, or welfare of the human population in the region or if the Secretary of the Army or the Governor (or designee) determines the drought is over. The question is, would this legislation provide political pressure to decrease ESA protection?
<u>H.R.2081</u> Partnership in Education.	Sponsor: <u>Rep Holt, Rush D.</u> , NJ, Cosponsors (16) Latest Major Action: 6/4/2009 Referred to the Subcommittee on Early Childhood, Elementary, and Secondary	To amend the Elementary and Secondary Education Act of 1965 to establish a partnership between the Department of Education and the National Park Service to provide educational opportunities for students and teachers.
<u>H.R.2192</u> Climate Change Safeguards for Natural Resources Conservation Act	Sponsor: <u>Rep Grijalva, Raul M., AZ,</u> Cosponsors (9) Latest Major Action: 5/5/2009 Referred to Referred to SC on Energy & Environment	To establish an integrated Federal program to protect, restore, and conserve the Nation's natural resources in response to the threats of climate change and ocean acidification.
<u>H.R.2454</u> American Clean Energy & Climate Change Act WAXMAN-MARKEY ENERGY BILL	Sponsors: <u>Rep. Henry Waxman, CA; Edward Markey, Mass/</u> Latest Major Action: 6/26/09 Passed House, 7/9/09 Placed on Sen Legislative Calendar	Support, with changes. (Some enviro's think it is too weak and that fossil fuel lobbyists have had too much impact. Federal Update's read is based on expanded tribal inclusion...however, ongoing changes must include expanded funding of at least 5%, DIRECT funding to tribes and opportunity for tribes to participate fully on all committees on a government-to-government basis.) The purpose of this bill is to make progress, finally, in the creation of clean energy jobs, green energy independence, reduction of global warming pollution and transition to a clean energy economy. It has been modified to be more inclusive of minorities, more green, etc. This legislation includes tons of issues pertaining to agriculture, forestry, clean energy, green jobs, climate change, etc. The National Wildlife Habitat and Corridors Information Program (pg. 1173) establishes a program to support States and Tribes in the development of a GIS database of fish and wildlife habitat and corridors to inform planning and development decisions, enable Tribes and States to model climate impacts and adaptation, and provide geographically specific enhancements of State and Tribal wildlife action plans. The Secretary, in cooperation with Indian Tribes and States, provide recommendation on how the information developed in the Habitat and Corridors System may be incorporated into federal, State and Tribal fish and wildlife conservation plans to ensure they prevent habitat fragmentation and promote landscape connectivity. Additional Provisions Regarding Indian Tribes preserves the Federal trust responsibility, exempts Tribal information provided to a Federal agency pursuant to this act from FOIA, such as cultural items, uses, or activities identified by a Tribe as traditional or cultural because of the long-established significance or ceremonial nature to the Tribe. The version that passed the House included Tribes significantly, including funding for a variety of natural resource-related programs. However, again, tribal funding must be direct and not in grants, and at least 5% at the minimum with increases anticipated in the future.
<u>H.R.2685</u> NOAA/Climate Enterprise Bill	Sponsor: <u>Rep Bordallo, Madeleine Z. GU</u> Cosponsors (12) Latest Major Action: 6/5/2009 Referred to the Subcommittee on Insular Affairs, Oceans and Wildlife.	Support IF amended to include Tribal Governments at the appropriate level, etc., This NOAA "organic" bill establishes a National Climate "Enterprise" which does seem to have a few more teeth than other federal climate change bills. But once again tribes are lumped in with local governments and NGO's and there is no mention of treaty law, etc. With bill after bill mischaracterizing the status of tribal governments in this manner, it's abundantly clear that there is a need for a lot more backgrounding of congressional staff/bill writers regarding tribal treaties, the supremacy clause in the Constitution, the Federal Trust Responsibility, etc.
<u>H.R.2806</u> North Cascades	Sponsor: Rep. Hastings, WA. Latest	No position. To authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order

National Park	Major Action: 9/10/09: Passed Committee on Natural Resources	to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness.
H2996 Approps for Interior, Environment and related agencies	Sponsor: Rep Dicks, Norman D. , WA-6 Latest Major Action: 10/27/2009. Passed House. AGREED TO IN CONFERENCE	SUPPORT. Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.
H.R.2998 American Clean Energy and Security Act of 2009	Sponsor (s) Rep Waxman, Henry A. , CA/ Rep Markey, Edward J. , MA (Related Bills: H.R.2454) Latest Major Action: 7/23/2009 Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.	Title: To create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy. See MR 2454 for more details.
H.R.3086 Global Wildlife Conservation, Coordination, and Enhancement Act of 2009”	Sponsor: Rep. Bordello, GU. Latest Major Action: 7/28: Hrd by SC on Insular Affairs, Oceans & Wildlife	Support, with some concerns. The purpose of this legislation is to coordinate authorities within the Department of the Interior and within the Federal Government to enhance the United States' ability to conserve global wildlife and biological diversity—to acknowledge that wildlife does not recognize borders. Tribes are mentioned twice in the bill, though primarily as entities to be consulted with. There are ample opportunities here for additional coordination, ranging from cooperative enforcement to cooperative research, potential funding, etc. International treaties are also mentioned, but treaties with tribes should possibly be specifically included, along with treaty-protected rights and the Federal Trust Responsibility to Tribes.
H.R.3534 Office of Federal Energy & Minerals—The “CLEAR” Act	Rep Rahall, Nick J., II, WV, Cosponsors (0) Latest Major Action: 9/17/2009 Heard by House Natural Resources Committee	Support? This legislation appears to be inclusive of tribes on a government-to-government basis, on a funding basis (equitably with states), etc. It is intended to provide greater efficiencies, transparency, returns, and accountability in the administration of federal mineral and energy resources by consolidating administration of various federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior. It has a tribal safety clause, which appears to protect both treaty rights and the federal trust responsibility, and it promotes efficient, green energy and improved communications, etc.
H.R.3888 Cruise Ship Bill	Rep Farr, Sam , CA. Cosponsors (27) Latest Major Action: 10/22/2009 Referred to the Subcommittee on Water Resources and Environment.	Support: Cruise ships have definite effects on water quality, shellfish closures, etc., and it's past time for Congress to take action to assert more regulation over them. To amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels.