

Tribal Energy Subcommittee
Wednesday, February 6th, 2019
10:00 AM – 11:00 AM EST
Meeting Summary

DOI Update:

- DOI Activity: Acting Secretary Bernhardt will be nominated to be Secretary of the Interior. He is familiar with the work of the RPC.
- Thank you everyone for hard work in preparation for January RPC meeting. Though the meeting did not happen due to the shutdown, we will pick up where left off. As far as the date for the next public meeting, we will wait for the federal government to be funded past February 15th to choose a date.
- New nominations for membership has not been announced or will not change until the Secretary's office has chosen. All of those for whom nominations have been submitted will be considered. There may be a need to reopen the nominating period if it is clear that there are numerous vacancies in state and tribal sectors.
- Thank you to Russell Begaye and Bidtah Becker for their hard work with and commitment to the RPC and, especially, the Tribal Energy Subcommittee and TERA Workgroup.

Subcommittee Related Updates – All

- Navajo Nation Update: President Jonathan Nez and Vice President Myron Lizer could not participate in the call but indicate that they look forward to participating in the future.

TERA Working Group Update

- Prior to the shutdown, the workgroup was working on a proposed recommendation related to the Amendments to the Indian Tribal Energy Development and Self Determination Act of 2005. S245 was signed by the President on December 18th. Monte circulated – and will recirculate – the proposed recommendation. The recommendation will ask the Department, in its review, to take a closer look at inherently federal functions and to do so in a way that calls for adequate and meaningful Tribal Consultation.
- Given that the next RPC meeting will be months away, what opportunities are there for the Tribal Energy Subcommittee to work with the Bureau on the review?
 - NOTE: Tim LaPointe will explore the possibilities and report back.
- The Group is encouraged by the news that Acting Secretary Bernhardt will speak about TERAs and will look forward to reconvening the TERA Work Group to discuss next steps.
- Regarding potential input of the Tribal Energy Subcommittee moving forward, RPC staff will reach out to the Solicitor's office to ensure that the perspective and recommendation of the RPC was considered in their proposal.

Model Statute Working Group

- The Working Group is preparing a draft of model statute language, to circulate to the subcommittee for review within the next few weeks. This will be circulated to the full RPC at the next meeting.

1938 Act Working Group

- No update at this time.

Taxation Working Group

- No update at this time.

Priorities and Next Steps

- Tim LaPointe/Jim James will forward to the subcommittee the press release related to Acting Secretary Bernhardt's remarks on TERA at NCAI.

Roll Call

Russell Begaye, Co-Chair

Jim James, Co-Chair

Bidtah Becker

Natasha John, Navajo Nation

Tim LaPointe, BIA

Michael Marchette, ONRR

Monte Mills, University of Montana

Dr. Steve Payson, DOI/IEED

James Schindler, James Schindler, DOI/BOEM, RPC Executive Director

Yvette Smith, ONRR

Deirdre McCarthy Gallagher, Facilitator