



NATIONAL CONGRESS OF AMERICAN INDIANS

September 9, 2015

The Honorable Rob Bishop, *Chairman*
U.S. House of Representatives
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Raul Grijalva, *Ranking Member*
U.S. House of Representatives
Committee on Natural Resources
1329 Longworth House Office Building
Washington, DC 20515

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The Honorable Don Young, *Chairman*
Subcommittee on Indian, Insular, and
Alaska Native Affairs
U.S. House of Representatives
Committee on Natural Resources
1337 Longworth House Office Building
Washington, DC 20515

The Honorable Raul Ruiz, *Ranking Member*
Subcommittee on Indian, Insular, and
Alaska Native Affairs
U.S. House of Representatives
Committee on Natural Resource
1337 Longworth House Office Building
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Jacqueline Johnson Pata
Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
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www.ncai.org

Re: NCAI Support for H.R. 538 – The Native American Energy Act of 2015

Dear Chairman Bishop, Ranking Member Grijalva, Chairman Young, and Ranking Member Ruiz:

On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities, I'm writing to express our support for Rep. Don Young's bill H.R. 538 – the Native American Energy Act of 2015. We urge the House Committee on Natural Resources to swiftly and favorably mark-up this legislation.

Tribal energy resources are vast, largely untapped, and critical to America's efforts to achieve energy security and independence, reduce greenhouse gases, and promote economic development. Energy development is integral to tribal efforts to generate jobs and to improve tribal members' standard of living. However, developing these resources on tribal lands, not unlike other trust resources, continues to be a challenge as tribes face barriers to energy development which do not exist outside of Indian lands. H.R. 538 is an important piece of legislation that would remove many regulatory hurdles tribes face when developing their energy resources.

H.R. 538 streamlines and improves many federal regulatory bottlenecks. First, it reforms the federal appraisal process by limiting the review time, allowing appraisals to be deemed approved after 60 days, and including the option for a tribe to waive the appraisal requirement. Next, it requires the Secretary of the Interior to implement uniform systems of reference and tracking numbers for all Department of the Interior oil and gas wells on Indian lands. Further, by amending the National Environmental Policy Act (NEPA) to include a specific section on environmental review of major federal actions on Indian Lands, members of the Indian tribe initiating the action and other individuals residing in the affected area will be the only parties to review and comment on statements required by NEPA.

Finally, the bill includes an important biomass demonstration project that allows the Secretary of the Interior enter into stewardship agreements with tribes to develop biomass energy and also directs that any harvesting activities done under a Secretary-approved tribal resource management plan or an integrated resource plan are considered “sustainable management practices” for purposes of any federal standard, benefit, or requirement.

H.R. 538 would provide tribes with greater control and flexibility to develop their traditional and renewable energy resources, helping to create careers and capital in Indian Country. We strongly urge the House Natural Resources Committee to favorably mark-up this legislation and move it to the House floor for consideration.

If you have any questions, please contact Colby Duren, NCAI Staff Attorney & Legislative Counsel, at cduren@ncai.org or (202) 466-7767.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline Pata".

Jacqueline Pata
Executive Director