

Tribal Energy Subcommittee
Wednesday, October 24th, 2018
10:00 AM – 11:00 AM EST
Meeting Summary

DOI Update:

- No update at this time.

TERA Working Group Update

- The TERA primer was distributed to the working group and the subcommittee.
- The Solicitor's Office is being consulted regarding the definition of inherently federal functions. The goal is to have the primer complete by the end of 2018. Even if definitions are not final, the primer can be added to the 17 other primers on the DOI Indian Energy and Economic Development website and updated as needed.
- Next step is to meet and discuss the primer.

Model Statute Working Group

- The group is working on language for the subcommittee to consider. The scope and language depends on what can be accomplished with TERAs.
- There is nothing pending for the Department to comment on at this time; however, the Navajo Nation is finalizing a letter on the Indian Tribal Energy Development and Self-Determination Act Amendments of 2015, which is pending in the House at committee level.

1938 Act Working Group

- There are no updates from the 1938 Act Working Group at this time.

Taxation Working Group

- There is a lot of interest in this topic.
- DOI Assistant Secretary Sweeney has been briefed on the work of the subcommittee and was presented with materials from the working group.
- There was brief discussion on quantifying losses from dual taxation as a way to help move the issue forward.

Other Items and Next Steps

- The subcommittee may want to discuss what to focus on as the TERA primer is under review.
- A subgroup on the TERA primer will meet, once the date/time is confirmed.
- Next call will be on November 7, 2018 from 10:00-11:00am Eastern.

Attendees:

President Russell Begaye, Navajo Nation, Subcommittee Co-Director
Bidtah Becker, Navajo Nation
Robert Joe, Navajo Nation
Jim James, BIA

Natasha John, Navajo Nation
Tim LaPointe, BIA
Monte Mills, University of Montana
Dr. Steve Payson, DOI/IEED
Katherine Sgamma, Western Energy Alliance
Yvette Smith, DOI/ONRR
Councilman Everett Waller, Osage
Erica Wales, Facilitator