



THE NAVAJO NATION WASHINGTON OFFICE

PRESIDENT DR. BUU NYGREN

VICE PRESIDENT RICHELLE MONTOYA

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United States House Subcommittee on Indian and Insular Affairs Testimony



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WASHINGTON, D.C. – On September 28th, Bidtah Becker, the Chief Legal Counsel to Navajo Nation President Buu Nygren and Vice President Richelle Montoya, testified before the House Subcommittee on Indian and Insular Affairs. The testimony was part of an oversight budget hearing titled “Tribal Autonomy and Energy Development: Oversight of the Implementation of the Indian Tribal Energy Development & Self-Determination Act.” Becker discussed the impact of energy development on the Navajo Nation and advocated for enhanced tribal sovereignty in mineral leasing.

Chair of the Subcommittee on Indian and Insular Affairs, Harriet Hageman (R-W.Y) began the hearing by declaring that tribes being able to “use their land without needing to come to the government for approval is crucial for furthering self-determination and economic security.” Chair Hageman further acknowledged that tribal sovereignty includes energy sovereignty, saying “Each tribe is uniquely situated within their lands, their culture, and their history. Tribal governments already seem to make the best decisions for their members for their social, cultural, and economic security. Congress has a responsibility to all Americans to work towards abundant affordable energy and ensure tribes are able to develop their energy resources as best suits the needs and desires of each community. Energy development on tribal lands is not only beneficial for our tribes, but for the United States as a whole; for each and every one of us. We need an all of the above energy strategy, and I do not think that this can be accomplished without the partnership of federally recognized tribes.”

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750 FIRST ST NE, STE 940 · WASHINGTON, DC 20002 · PHONE: (202) 682-7390 · EMAIL: INFO@NNWO.ORG

WEBSITE: WWW.NNWO.ORG

U.S. Representative Teresa Leger Fernández (D-N.M) acknowledged the bureaucratic process that tribes must go through to develop energy projects on their lands by stating, “Federal agencies have oversight over nearly every significant land transaction on tribal lands including appraisals, leasing, permits, right of ways, and environmental reviews. Renewable energy developers may find it takes twice as long to develop a project in Indian country then elsewhere. The volume of bureaucratic red tape and lack of coordination, deter investment in energy development and the chair and I share the concern of addressing that.”

Becker began her testimony by highlighting the historical significance of energy development for the Navajo Nation's economy, citing the establishment of the Navajo Generating Station. “[The Navajo Nation] cannot be at the mercy of outside entities when it comes to jobs and revenue on the Navajo Nation,” Becker led into the challenges faced when the Navajo Generating Station and coal mine unexpectedly closed in 2019, leading to significant job losses and revenue decline. She emphasized the importance of the Indian Tribal Energy Development & Self-Determination Act, which grants Native Nations authority over mineral leases, and President Nygren's priority for Navajo Nation to have a voice in energy development decisions.

Becker expressed concerns that the Act does not address access to crucial data held by the Department of the Interior, including well and lease information, production data, and economic information. She emphasized that without access to these data sets, “the Navajo Nation's ability to negotiate mineral leases and ensure compliance would be hindered.”

Additionally, Becker highlighted the need for technical assistance from the Department of Energy to navigate federal funding opportunities and stay updated on emerging energy market trends, particularly in transitioning to a carbon-neutral future.

Becker suggested granting federal departments and agencies discretion to work closely with Tribal Nations to address their specific needs. She concluded by expressing her commitment to further discussions on energy development issues affecting the Navajo Nation and Native Nations, recognizing the deep commitment of Native Peoples to protect U.S. lands and ensure self-sufficiency.

“Help us help you,” Chair Hageman reaffirmed her commitment to Tribal Nations by asking the panelists to reach out to her office for further discussion on how the United States House Subcommittee on Indian and Insular Affairs can assist tribal governments fulfill their energy development needs.

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