



U.S. DEPARTMENT OF  
**ENERGY**

Fossil Energy and  
Carbon Management



# **REPORT**

## **TRIBAL CARBON MANAGEMENT STRATEGIES FORUM**

**October 8 – 10, 2024  
Medora, North Dakota**

## **BACKGROUND – FOSSIL ENERGY & CARBON MANAGEMENT TRIBAL WORKING GROUP**

The Federal Government has a treaty and trust responsibility to protect Tribal sovereignty and to revitalize Tribal communities, including through economic and energy development.

Following up on that commitment, the Infrastructure Investment and Jobs Act (IIJA) provides more than \$13 billion in funding to directly support Tribal communities and makes Tribes eligible to apply for or request billions in additional discretionary, formula, and other funding. The Inflation Reduction Act (IRA) directs \$720 million in climate resilience and energy funding to the Tribes, as well as provides hundreds of billions in tax credits for which clean energy and industrial projects on Tribal lands and in Tribal communities are eligible. Additional funding is also available explicitly for energy communities, and Tribes are also eligible to access \$280 billion in funding opportunities through the Creating Helpful Incentives to Produce Semiconductors (CHIPS) and Science Act.

However, sufficient outreach and coordination are needed to ensure Tribal access to these funding and incentive opportunities. A Fossil Energy and Carbon Management (FECM) Tribal Working Group is being established to provide this outreach and coordination.

The purpose of the Tribal Working Group is two-fold:

1. To empower the Tribes with fossil energy and carbon management resources to gain full access to the available funding and incentive opportunities.
2. To accelerate the Tribes' pivot towards clean energy while developing their vast energy and carbon management potential.

To achieve these goals, the Working Group will provide input, local knowledge, and expertise, and advise the Federal Government on the best ways to assist Tribes' decarbonization efforts, as well as the utilization of their natural resources.

## **THE TRIBAL CARBON MANAGEMENT STRATEGIES FORUM**

The Tribal Carbon Management Strategies Forum, organized by the United States Energy Association (USEA) with the funding provided by the U.S. Department of Energy (DOE), is a regular venue for DOE's Office of Fossil Energy & Carbon Management's dialogue with tribes on energy opportunities, options, and collaboration.

The event, taking place on October 8 – 10, 2024, at the Rough Riders Hotel in Medora, North Dakota, was the 5<sup>th</sup> Forum in the series. The previous meetings took place in Las Vegas, Nevada in September 2022; in Moab, Utah in March 2023; in Santa Fe, New Mexico in October 2023, and in April – May 2024 in Jackson Hole, Wyoming.

Forum participants included DOE officials and representatives of energy companies (Kanata America, Inc.). Native American Tribes and tribal-affiliated companies and organizations included representatives of the Hopi Tribe, the Caddo Nation, the Mandan, Hidatsa, and Arikara (MHA) Nation, Grey LLC (Navajo Nation), Diné College (Navajo Nation), Navajo Nation Oil and Gas Company, Navajo Transitional Energy Company, Crow Tribal Executive Branch, the Southern Ute (Red Cedar), Facilitators of Innovative Education, Leadership Development and Sustainability (the Red Pheasant Cree Nation) and the Tribal Energy Council.

## SUMMARY OF DISCUSSIONS

### DAY I – FECM TRIBAL WORKING GROUP MEETING

Day I of the Forum started with an introduction of the participants and an overview of the agenda, followed by a presentation of the results of the FECM Tribal Working Group Interview Project by Daniel Cardenas, President of Shasta Advisors, LLC.

#### FECM TRIBAL WORKING GROUP PRESENTATION

##### Summary of the Timeline

In September 2022, tribal leaders, DOE Assistant Secretary (AS) Crabtree, FECM staff, and USEA convened in Las Vegas, NV, to initiate a dialogue aimed at finding common ground and establishing a mutually beneficial working relationship. During this meeting, tribal leaders introduced the idea of forming an FECM Tribal Working Group.

Subsequent meetings were held in March 2023 in Moab, UT, and again in October 2023 in Santa Fe, NM, where tribal leaders collaborated with AS Crabtree to further develop the TWG, including its mission and statement of purpose.

In April 2024, the group met in Jackson, WY, to finalize plans for Summer 2024, leading to the most recent October 2024 meeting for the official rollout of the Tribal Working Group.

##### Purpose

The FECM Tribal Working Group is being established to provide recommendations to DOE FECM to ensure that it offers effective assistance to the Tribes as they develop, decarbonize, optimize, and utilize Tribal natural resources. The Parties hope this collaboration will support the formation of Tribal energy offices; responsible development of energy resources and associated industrial production; and foster sustainable economic development for the Tribes while addressing Tribal sovereignty, self-determination, the benefits and impacts of retiring and repurposing energy assets, and climate change.

The Tribal Working Group will fulfill its mission through regularly scheduled meetings and communication between member Tribes and DOE FECM senior leadership and technical staff to identify topics of interest and deliverables.

##### Recommended Management and Governance Structure

It was recommended that the daily operations of the FECM Tribal Working Group be overseen by either a part-time staff member or a contracted consultant. This individual will manage administrative tasks and work closely with the Tribal Working Group leadership to ensure efficient and effective coordination of the group's activities.

The FECM Tribal Working Group should be governed by a leadership team consisting of four officials:

- Two Co-Chairs: One elected by the Tribal Working Group membership, and the other being the DOE Assistant Secretary or their designee.
- A Vice-Chair and a Secretary: Both positions should be elected by the Tribal Working Group members.

Given the current size of the Tribal Working Group, it was recommended limiting the leadership structure to these roles. Adjustments can be made at a later stage, subject to the discretion of the Assistant Secretary and the Tribal Working Group members. Leadership elections should follow a method chosen by the Tribal Working Group, whether via paper ballot, voice vote, or acclamation.

### **Operational Guidelines**

*Consensus:* The Tribal Working Group should operate using a consensus-based approach, reflecting the cultural and historical practices of many Tribes and Tribal communities. While this process is often informal, it was suggested codifying a formal consensus decision-making framework moving forward.

*Subcommittees:* Subcommittees should be established to provide recommendations on matters relevant to the Tribal Working Group's responsibilities. These subcommittees may be permanent or formed on an ad hoc basis as needed.

*Financial Sustainability:* The primary responsibility for funding the operations of the Tribal Working Group should lie with the FECM. It was recommended to organize the Tribal Working Group in a flexible way that allows for both current and future fundraising, ensuring long-term financial stability.

*Charter and Bylaws:* A draft charter has been circulated for review and discussion by Tribal Working Group participants. This document will outline the operational framework and governance of the Tribal Working Group.

### **Suggested Meetings Schedule for 2025**

It was proposed that the Tribal Working Group convene four times a year. These meetings may include a Tribal executive session, allowing Tribal representatives to meet separately or with subject matter experts, as appropriate. The format and structure of these meetings should be at the discretion of the Tribal Working Group and the Assistant Secretary.

The suggested meetings schedule for 2025 is as follows:

- First Quarter 2025 (January-March) in Washington D.C.
- Second Quarter 2025 (April-June) in Western U.S./Indian Country
- Third Quarter 2025 (July-September) in Western U.S./Indian Country
- Fourth Quarter 2025 (October-December) - a virtual meeting conducted via Zoom

### **Suggested Plan of Action**

The proposed short-term action plan for the FECM Tribal Working Group includes the following:

1. **Understand the Organizational Structure:** Tribal Working Group members should familiarize themselves with the organizational structure of the Office of Fossil Energy and Carbon Management (FECM). This includes key components such as the National Energy Technology Laboratory (NETL), the Office of Carbon Management (comprising the Office of Carbon Management Technologies and the Office of Policy, Analysis, and Engagement), and the Office of Resource Sustainability (including the Office of Research and Development and the Office of Regulation, Analysis, and Engagement).
2. **Explore the FECM's Mission and Financials:** Members should gain a thorough understanding of the mission, programs, grants, funding opportunities, and both current and proposed budgets of the FECM.

3. **Collaborate on Engagement Efforts:** Tribal Working Group members and administrative staff should collaborate with the Assistant Secretary and their team to schedule virtual and/or in-person meetings during the first half of 2025 (January to June). These meetings will serve to introduce the Tribal Working Group to each office within the FECM and familiarize members with their missions, programs, grants, funding, and budgetary plans.
4. **Contextualize FECM Programs for Indian Country:** By the end of the first six months, Tribal Working Group members should analyze and assess the missions, programs, grants, and budgets of the FECM, placing this information in the context of Indian Country and Tribes. This includes evaluating the potential impacts on Tribal communities.
5. **Study the Historical Relationship with Indian Country:** Tribal Working Group members and staff should work with the Assistant Secretary to understand the historical role of the FECM and its predecessor offices, particularly in relation to Indian Country and Tribes. This should also include an examination of past programs and activities of the U.S. Department of Energy (DOE) and its Office of Indian Energy, where relevant to fossil energy and carbon management.

After gathering and analyzing the information during the first six months, the Tribal Working Group should meet over the following six months, both virtually and in person, to assess and propose any Indian Country/Tribal-specific programming recommendations to the Assistant Secretary.

### **Monitoring and Evaluation**

It has been suggested that the following actions be taken to ensure effective and successful operations of the Tribal Working Group:

1. **Annual Planning Session:** At the first scheduled meeting each year, the Tribal Working Group will set aside 2–3 hours to review and plan activities for the upcoming calendar year. This session will compare progress against the previous year's goals and objectives and help establish Tribal priorities for discussion with the Assistant Secretary.
2. **Member Feedback Surveys:** At the conclusion of each Tribal Working Group meeting, members will be surveyed (via paper, PDF, or online for virtual meetings) to gather feedback on Tribal Working Group management, agenda items, or discussions. Administrative staff will compile survey results, report them quarterly to Tribal Working Group Leadership, and present an annual summary at the final quarterly meeting.
3. **Annual Report:** Administrative staff, in collaboration with Tribal Working Group Leadership, will prepare an Annual Report summarizing key activities and Tribal priorities. This report will include an assessment of completed and incomplete priorities from the previous year. The report will be delivered to Tribal Working Group members and the Assistant Secretary by the Second Quarter meeting, having been prepared in the First Quarter (January–March).
4. **Quarterly Reports:** After each quarterly meeting, administrative staff, in consultation with Tribal Working Group Leadership, will compile a report detailing completed activities. These reports will help document progress throughout the year.
5. **Review of Mission and Objectives:** The Mission, Purpose, and Goals of the FECM Tribal Working Group may be revised at any time at the discretion of Tribal Working Group members and the Assistant Secretary. Maintaining close communication with the Assistant Secretary is a priority, and the Tribal Working Group and the Assistant Secretary will review and suggest any necessary changes to the Mission and Goals during an annual review.

## **Key Take-aways from the Discussion**

- DOE will welcome the opportunity to facilitate meetings between entire teams from DOE FECM and the Tribal Working Group. These meetings will provide valuable opportunities for both sides to learn from each other. The Tribal Working Group will gain insight into the economic opportunities available to Tribes and the processes for accessing them, while DOE FECM will gain first-hand knowledge of the Tribes' interests, needs, and key challenges hindering energy development and transition.
- The Tribal Working Group is encouraged to fully engage in these discussions, sharing ideas and recommendations. Despite the best efforts of DOE FECM staff, they may not always be aware of all the relevant programs within the Department of Energy. As such, they welcome input on other initiatives that the Tribal Working Group views as beneficial.
- Given the anticipated change in DOE FECM leadership in early 2025 following the Presidential election, it is crucial for the Tribal Working Group to begin formulating initial recommendations. The new leadership may not prioritize or be as engaged with Tribal matters, making it important to establish a solid foundation and actionable proposals now.

Following the presentation of the results of the FECM Tribal Working Group Interview Project, the delegates engaged in a discussion of election of the Tribal Working Group leadership and the proposed Charter.

## **ELECTION OF THE TRIBAL WORKING GROUP LEADERSHIP**

The agenda for the first session included electing the Tribal Working Group leadership. However, two key concerns were raised regarding whether to proceed with the election at this time. First, four Tribes have not yet confirmed their participation or nominated representatives, leaving only four out of eight possible delegates present. This raised questions about whether the group could be considered a quorum, and if it was premature to make significant decisions with only half of the participants in attendance. Currently, the Crow Nation (CJ Stewart), Navajo Nation (William McCabe), Caddo Nation (JC Wharton), and Inupiat Arctic North Slope (Doreen Leavitt) have confirmed their participation. The Jicarilla Apache, Hopi Tribe, Southern Ute, and the Mandan, Hidatsa, and Arikara (MHA) Nation are expected to confirm soon.

Second, delegates expressed concerns about making an informed decision on leadership without knowing more about the candidates' backgrounds and qualifications. It was suggested that the leadership election be postponed until all Tribes have confirmed participation, nominated their representatives, and provided candidate biographies. A virtual meeting could then be scheduled for the vote.

One delegate expressed frustration with the delay. They had hoped to finalize the Tribal Working Group during this meeting, noting that it had already taken a considerable amount of time to reach this point. Waiting another six months, they argued, would be excessive, and the group should move forward.

A compromise was proposed: elect an interim Chairman to guide the group and begin making key decisions, with a deadline set for confirming Tribal participation and nominating representatives. Two votes were suggested: one to establish the Tribal Working Group and another to delay the leadership election until all tribes are confirmed.

A motion was made to proceed with establishing the Tribal Working Group, and all delegates agreed, carrying the motion unanimously.

A second motion was made to nominate William McCabe of the Navajo Nation as Interim Chairman. With three delegates in favor and one absent, the motion passed.

Interim Chairman William McCabe announced that Tribal confirmations and delegate nominations must be completed by the end of October 2024. The official election of the Tribal Working Group leadership will be held virtually during the week of November 4-8, 2024. Nominations and biographies should be submitted to Timothy Nelson by November 4.

AS Crabtree reminded participants that the DOE FECM would not be involved in the election process.

He also emphasized that moving forward, all discussions would now be considered part of the Tribal Working Group's proceedings, and that future agendas would be directed by the group itself.

Interim Chairman William McCabe suggested reaching out to all Tribes that had participated in previous meetings to inform them of the formal establishment of the Tribal Working Group and to encourage their continued participation.

### **PROPOSED TRIBAL WORKING GROUP CHARTER**

A hard copy of the proposed draft Tribal Working Group Charter was distributed to the participants for review and discussion.

One participant inquired whether there would be an opportunity to propose amendments to the Charter, such as the removal of delegates or leadership. It was clarified that these provisions would be addressed in the Tribal Working Group Bylaws, which have yet to be developed. DOE FECM, along with another delegate, offered to provide templates for the Bylaws.

DOE FECM officials recommended keeping the Charter unchanged, noting that it had already been vetted by the DOE legal team. Any changes would require another round of legal review, which had previously contributed to delays. Some modifications have been made to the Charter based on interviews with Tribal representatives, but these revisions would need to be reversed. DOE FECM committed to re-sharing the original version approved by the DOE legal team.

AS Crabtree raised concerns about the proposed leadership structure of the Tribal Working Group, arguing that it would be inappropriate for a DOE Assistant Secretary (AS) to serve as Co-Chair due to their official role. Since the Working Group's purpose is to provide advice to the AS, it might be more fitting for the AS to serve as a Designated Government Official, without decision-making authority. AS Crabtree emphasized the importance of DOE involvement but not in a leadership capacity.

Another delegate suggested that the Tribal Working Group's organization and structure should be clearly defined before the leadership election, which is scheduled for early November. The proposed leadership positions included a Chair, Vice Chair, and Secretary, with a Treasurer to be added later when the group secures funding and develops a budget.

AS Crabtree also reminded participants that it is crucial to maintain the integrity of the Tribal Working Group as a Tribal-led entity. If non-Tribal members were included, it would complicate communication with the DOE and potentially hinder the group's effectiveness.

### **DAY 2 – SITE VISIT TO THE MHA**

Day 2 was dedicated to a site visit to the Mandan, Hidatsa, and Arikara Nation (MHA) on the Fort Berthold Indian Reservation including a visit to the Native Green Grow (NG2) Greenhouse in



Parshall, North Dakota; a meeting with MHA Tribal Council members; and a visit to MHA Oil & Gas operations.

The NG2 project seeks to capture, redirect, and convert carbon dioxide (CO<sub>2</sub>) into heat and electrical power for the greenhouse. By redirecting this gas into the greenhouse, the MHA Nation can reduce emissions, steward their land, and grow unprecedented amounts of fresh produce for the North Dakota community.

The greenhouse will redirect flares and captured gas from oil wells on the Fort Berthold Reservation, converting 400 pounds of CO<sub>2</sub> into fresh food per year. When completed in early 2025, the Phase I Greenhouse will be capable of producing upward of 2 million pounds of fresh produce.

Following the visit to the NG2 Greenhouse, meeting participants met with Dr. Monica Mayer and Mr. Robert White, two of seven members of the MHA Tribal Council. Dr. Mayer and Mr. White provided an overview of the history of the Tribe and current economic and social developments within the community.

Mr. John Fredericks, a member of the MHA Nation and founder of the Fredericks Law Firm, discussed the challenges and priorities facing the MHA Nation in the energy sector. He highlighted gas flaring as a significant issue and noted the vital role fossil fuels have played in rebuilding the economy, especially after the devastating river flood.

The Nation is exploring new energy initiatives, including hydrogen production, converting gas to energy, and expanding access to foreign markets. While they are considering a hydrogen facility, Fredericks acknowledged that the biggest hurdle is the lack of a market for hydrogen and the need for substantial support. He emphasized that clean energy is the future, with a strong focus on maximizing the potential of their natural gas resources.

Though oil production is expected to decline, natural gas will continue to flow from wells, making it essential to develop efficient ways to harness it. Hydrogen and power generation are key areas of interest. He also expressed concern about the grid's vulnerability, stating that converting natural gas to energy could be crucial for future stability. Additionally, finding a way to transport natural gas to foreign markets, particularly by constructing a pipeline from North Dakota to the West Coast, possibly through partnerships with the Tribes in Washington, Oregon, or Canada, is a priority in reducing flaring.

Mr. Fredericks concluded by expressing the MHA Nation's enthusiasm for the visit from AS Crabtree and their eagerness to join the Tribal Working Group.

AS Crabtree thanked the MHA Nation for their warm hospitality and mentioned how exciting and satisfying it was to return after 14 years and see all the positive changes. He expressed his appreciation for MHA Nation's focus on a forward-looking vision. Resources are indeed a blessing, but they also come with great responsibility. Many regions blessed with such resources have unfortunately made poor choices, so MHA Nation's emphasis on fiscal conservatism and thoughtful investment in the future of its people was commended by the AS.

Building on the recently signed Memorandums of Understanding (MOUs) with the Osage and Navajo Nations, DOE FECM is eager to continue working with the MHA Nation to address the critical issues Mr. Fredericks highlighted. DOE FECM is actively investing in alternatives to gas flaring, prioritizing efficiency, hydrogen production, and natural gas combustion. These are areas in which DOE FECM looks forward to working with the MHA Nation.

DOE FECM also looks forward to further engagement and working with the MHA Nation in partnership with the National Labs to identify the most cost-effective opportunities. The current



timeframe aligns well with the growing deployment of carbon capture technologies that will benefit the MHA Nation's energy initiatives.

## **DAY 3 – TRIBAL LEADERSHIP DIALOGUE WITH DOE**

### **AS CRABTREE'S KEYNOTE ADDRESS TO THE TRIBAL WORKING GROUP**

AS Crabtree delivered a keynote address focusing on significant progress and opportunities in carbon management, particularly for tribal governments. Key points included:

*Working Group Establishment:* Crabtree congratulated the participating Tribes on forming the Tribal Working Group, which will play a crucial role in fostering tribal participation in carbon management.

*Carbon Management Context:* There are currently 220 carbon management projects in the U.S., with 18 at commercial scale. The sector is undergoing positive changes, though not all projects will come to fruition.

*Tribal Participation:* There's a need to boost tribal involvement. While some large-scale funding decisions have already been made, opportunities remain for tribal projects, with tax credits extending until 2032. The term "tribal project" can encompass a variety of initiatives.

*Challenges and Support Needs:* Tribes may lack the capacity to access available resources due to the complexity of government contracts. Technical assistance and capacity building are essential to empower tribal entities.

*Site Visit Insights:* The visit to MHA showcased their resource utilization vision, but not all tribes have similar capabilities. There is a need for specific recommendations to address this disparity.

#### *Key Themes and Opportunities:*

- Carbon Capture, Utilization, and Storage (CCUS): Essential for decarbonization and leveraging fossil resources
- Geologic Storage Permitting: Streamlining permitting processes for storage sites
- CO2 Transport: Developing necessary infrastructure
- Methane Mitigation: Examples include Southern Ute's capture wells and MOUs with Osage and Navajo
- Critical Minerals: Exploring economic development potential
- Loan Programs: The first loan has been approved for a solar project in California, with faster future processing anticipated.

*Tribal Project Development:* Crabtree emphasized the need for "primacy" in tribal projects, meaning tribes should lead rather than follow in initiatives. North Dakota holds primacy for Title 6, with other states pursuing it.

*Future Steps:* Future tribal participation in CO2 transport should be encouraged, and efforts in methane mitigation and critical minerals research should be expanded. The Hopi Tribe and Comanche Generating Station are exploring economic development alternatives as older facilities retire.

*Hydrogen Hubs:* A question was asked about the current perception of hydrogen hubs. The AS noted that some tribes, such as those in the Northern Plains, are involved, and efforts to finalize awards are ongoing. The DOE is advocating for a more flexible interpretation of the 45Q tax credit to support diverse business models, as the current guidance may not make hubs financially viable. The tax credit needs to be structured to ensure profitability for participants.

### **Setting up the Initial Framework for Tribal Working Group's Interactions with DOE**

With the Tribal Working Group now established, AS Crabtree noted that it was time to systematically prioritize initiatives. Specific suggestions proposed by AS Crabtree and other meetings participants included:

*Developing Priorities and Organizing Conversations:*

- Work with the DOE FECM Chief of Staff to set up discussions on key issues, then involve relevant DOE FECM teams.
- Encourage Tribes to invite participants who would benefit from learning about programs and opportunities.
- Recruit additional Tribes to join.

*Accelerating Engagement:*

- A participant suggested an aggressive meeting schedule before January 2024 when the DOE leadership changes.
- Another participant emphasized the need for Tribes to better understand the operations of the DOE FECM.
- AS Crabtree highlighted the value of face-to-face interactions between FECM teams and Tribes.

*Meeting and Capability Review:*

- Interim Chairman McCabe called for a review of FECM's capabilities to ensure Tribes understand the available resources as deeper understanding will result in broader participation.
- Arrange a "Meet and Greet" with DOE FECM departments to discuss connections and opportunities.

*Priority Areas for Discussion:*

- Priority topics for discussion should include carbon sequestration, methane mitigation, critical minerals, relationships with the loan office, and retrofitting facilities.

*Event Planning and Outreach:*

- The Tribal Working Group would like DOE FECM to host a webinar with all tribes, followed by individual one-on-one meetings, as some Tribes are unwilling to share their energy development plans publicly. However, the Tribal Working Group needs to be realistic in understanding how much individual engagement DOE FECM can do.
- DOE FECM proposed using a webinar format for broad participation, followed by specific topic sessions.
- Record the meeting for accessibility and create an information hub for resources.
- Outreach should allow 2-3 weeks of notice, with potential sessions starting the week after the election.

*Future Engagement Strategies:*

- Use the upcoming meetings to refine the process for ongoing Tribal engagement.
- Establish points of contact (POCs) for the Tribal Working Group.

*Scheduling:*

- A proposed schedule with session topics and dates will be prepared, targeting completion before the next Forum in January.

## **TRIBAL WORKING GROUP DISCUSSION**

Interim Chairman William McCabe initiated a discussion on a proposed letter and a notice regarding open elected positions, both of which are to be sent to the Tribes. Additionally, a draft of the Tribal Working Group Bylaws was reviewed.

### **Notice to Tribes – Finalizing Tribal Working Group Membership**

The letter, signed by the Interim Chairman, informs the Tribes about the formation of the Tribal Working Group. It requests that all tribal participants finalize their membership as the designated representative of their respective Tribal Government by November 1, 2024. Each participant must provide a letter of designation from their tribal council or an authorized leader, confirming the individual as the tribe's officially recognized designee. This ensures compliance with the governance structure and preserves the integrity of the group's collaborative efforts.

### **Notice of Open Elected Positions**

The notice of open elected positions informs Tribes that the Tribal Working Group is accepting submissions for three key leadership roles: Tribal Co-Chair, Vice Chair, and Secretary. These positions are critical in representing tribal communities and aligning efforts with the Office of Fossil Energy and Carbon Management (FECM). Candidates interested in these roles must submit a Letter of Interest detailing their qualifications and commitment, along with a Professional Biography outlining relevant experience, particularly in areas such as fossil energy or tribal resource management. The election will take place during the next meeting, where candidates will present their platforms before the vote.

Several delegates stressed the importance of sending this correspondence to all Tribes initially engaged in the Working Group discussions. AS Crabtree supported this, urging the group to include everyone who participated in prior meetings. It was also suggested that the letters be addressed to Tribal secretaries, not just Chairmen, to ensure broader dissemination of information. AS Crabtree further recommended consulting the Office of Indian Energy's list of official tribal contacts for accuracy. Interim Chairman McCabe agreed to review and update the list of contacts.

A participant from the Red Pheasant Cree Nation inquired whether the Fort Peck Tribe of Montana could be included in the communications. The group confirmed that the Fort Peck Tribe had participated in previous meetings and should indeed be included.

### **Discussion on Transparency and Publicity**

A question was raised about whether a notice of the Tribal Working Group should be published in tribal newsletters to ensure broad dissemination. After a brief discussion, it was decided that sufficient outreach had already been conducted, and further dissemination was deemed unnecessary.

AS Crabtree emphasized the importance of transparency, warning that a lack of it could create suspicion. He encouraged the group to include transparency provisions in the bylaws, such as making meeting agendas and minutes publicly available.

### **Draft Tribal Working Group Bylaws**

A draft of the Tribal Working Group Bylaws, developed by Timothy Nelson, acting as an informal Tribal Working Group Secretary, defined the group's structure, purpose, and operational rules. The key points were as follows:

- *Purpose:* The group advises the Assistant Secretary of FECM and the Secretary of Energy on tribal energy resource development and carbon management.

- *Membership:* Comprised of 5-11 members nominated by tribal governments, serving three-year terms.
- *Officers:* Elected positions include Tribal Co-Chair, Vice Chair, and Secretary, with elections held every three years.
- *Meetings:* The group meets at least four times a year, with decisions made by consensus or majority vote.
- *Subcommittees:* Can be formed for specific issues.
- *Amendments:* Bylaws are reviewed every three years, and changes require a two-thirds vote.
- *Dissolution:* The group can be dissolved by the Assistant Secretary if its purpose is fulfilled, or operations are no longer feasible.

A delegate expressed concern that the three-year review period for the bylaws might be too long. They suggested amending the language to allow reviews "as needed." However, this suggestion did not gain significant support.

### **Funding and Future Agendas**

A participant raised the issue of funding and asked if the Department of Energy (DOE) FECM could issue a public statement of support. DOE officials responded that while AS Crabtree is fully supportive of the initiative, they cannot predict the stance of future administrations, as new DOE leadership may have different priorities.

A suggestion was made for the Tribes to engage in lobbying efforts through relevant Senate and Congressional offices, highlighting the importance of the Tribal Working Group. Letters signed by Tribal Chairmen were proposed as an effective means of advocacy. Interim Chairman McCabe noted that this proposal could be included on the agenda for the next meeting.

### **CONCLUDING REMARKS**

Interim Chairman McCabe noted the benchmark achievement of establishing the FECM Tribal Working Group. AS Crabtree can now report to the Secretary that the Working Group is prepared to fulfill its purpose. Strengthening outreach efforts to both the DOE and DOE FECM will be advantageous for the Tribes. Many Tribes are only now beginning to realize their potential in energy-related fields, as seen with examples like the Navajo Nation's collaboration with energy companies and the success of the Southern Ute Tribe.

In the evolving energy landscape, many Tribes will continue to be "fossil fuel tribes" even as the environment moves towards net-zero goals. It's vital for Tribes to leverage available government resources, and the more Tribes that are aware of these opportunities, the stronger their collective voice will be. Achieving a unified voice in Indian Country is a rare feat, but if it can be accomplished, it will be a significant milestone. There is already the foundation to make this happen.

### **Challenges and Opportunities Ahead**

Moving towards a net-zero energy environment is a complex and shifting target. Unfortunately, many Tribes are not equipped to respond quickly to these changes, as tribal systems often move more slowly than needed. In the near future, the Tribal Working Group must take a deeper look at what FECM truly offers and fully assess the resources still available. There are hundreds of millions of dollars allocated for energy initiatives, and it's essential to understand which of those funds are accessible to tribes.

For example, the Navajo Nation has an MOU with DOE, but the overall impact of coal falling out of favor has been detrimental to "coal tribes." Although DOE has provided some assistance to Navajo,

the real benefits of these efforts remain unclear. The group needs to further investigate the effectiveness of such initiatives.

### **Intertribal Engagement and Educational Outreach**

Intertribal engagement is crucial. While each Tribe faces its own unique challenges, a unified voice will make them stronger. Observing the progress of other Tribes, such as the MHA Nation, is inspiring and demonstrates the potential for collective success.

There must also be an educational aspect to these efforts. Raising awareness about energy and fostering educational programs is vital. Developing and making energy-related curricula available will empower tribal members to participate more fully in these fields.

### **Next Steps**

Now that the Tribal Working Group has been formalized, it can communicate directly with FECM's Assistant Secretary on behalf of the Tribes. Interim Chairman McCabe looks forward to taking this beyond what was thought possible and making real progress for the benefit of all participating Tribes.

## FORUM AGENDA

### **Tuesday, October 8 – FECM Tribal Working Group Meeting**

- 11:30 am      Registration
- 12:00 pm      *Working Lunch*
- 1:00 pm      Working Group Kick-off and 1<sup>st</sup> Session
- Introduction of Designated Delegates – Derrick Watchman, Sagebrush Hill Group and Steve Grey, Grey LLC
  - Results of the FECM Working Group Interviews Initiative – Daniel Cardenas, National Tribal Energy Association/Shasta Advisors
- 2:00 pm      *Break*
- 2:15 pm      1<sup>st</sup> Session Continued
- Discussion of Organization & Structure
  - Election of Leadership
  - Discussion of Key Issues
- 3:30 pm      Dismiss

### **Wednesday, October 9 – Tribal Leadership Dialogue with the U. S. Department of Energy**

- 8:30 am      Board bus for Mandan, Hidatsa, and Arikara Nation (MHA) site visit
- 9:00 am      Welcome & History of the Event – (on board the bus)
- Mike Moore, East-West Strategic Advisors (EWSA)
  - Joe Giove, U.S. Department of Energy, Office of Fossil Energy & Carbon Management (DOE – FECM)
- 9:20 am      Keynote Address: Brad Crabtree, Assistant Secretary, DOE – FECM
- 9:40 am      Introductions-while traveling to MHA
- Facilitator: Derrick Watchman, Sagebrush Hill Group
- 10:30 am      Arrival MHA and Welcome
- 10:30 – 1:30pm      Site visit to MHA and departure back to Rough Riders
- 4:30 pm      Estimated arrival back at Rough Riders
- 4:45 pm      Key Takeaways from Spring Jackson Meeting and Review of the Tribal Working Group
- Discussion Lead: Brad Crabtree, DOE – FECM
  - Update from FECM Working Group Leader
- 5:30 pm      Summary of the Day and Open Discussion
- 6:00 pm      Adjourn

**Thursday, October 10 – Tribal Leadership Dialogue with the U. S. Department of Energy (cont.)**

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|----------|---|
| 8:30 am  | DOE Updates (continued from day before) <ul style="list-style-type: none"><li>• Infrastructure Provisions, Guidance on Tax Credits, etc.</li></ul>  |
| 9:00 am  | Open Discussion and Q&A <ul style="list-style-type: none"><li>• Discussion Lead: Brad Crabtree, Assistant Secretary, DOE – FECM</li><li>• Summarize key things that were discussed during the first two days</li><li>• Invite Tribal Representatives to provide their reflections and input – facilitated by Steve Grey, Grey LLC</li></ul> |
| 10:30 am | Goals and Deliverables for next meeting/Wrap-up <ul style="list-style-type: none"><li>• Brad Crabtree, Assistant Secretary, DOE – FECM</li><li>• Leader for Tribal Working Group – Interim Chairman William McCabe</li></ul>  |
| 11:15 am | <i>“Take-Away” Lunch</i>  |
| 12:00 pm | Adjourn   |



## REGISTRATION LIST

First Name	Last Name	Title	Organization
Roger	Aines	Senior Advisor	USDOE
Marina	Barnett	Program Manager	United States Energy Association
Anthony	Bitonti	Senior Program Coordinator	USEA
Daniel	Cardenas	Consultant	Shasta Advisors
Brad	Crabtree	Assistant Secretary for Fossil Energy and Carbon Management	US Department of Energy
Terry	Dayish	Public Affairs Manager	Arizona Public Service
Catherine	Everett	Energy Liason - Office of Chairman Fox	MHA
John	Fredericks	Attorney	MHA
Jeremy	Friesen	President	Kanata America, Inc.
Joseph	Giove	Director of Business Operations (FE-20)	FECM
Bobby	Gonzalez	Chairman	Caddo Nation
Steve	Grey	Consultant	Grey LLC/Sagebrush Hill Group
Priyanka	Hooghan	Chief of Staff	US Department of Energy
Doreen	Leavitt	Director of Natural Resources	Inupiat Community of the Arctic Slope
Bo	Lewis	VP of Finance and Administration	Dine College
Kimberley	Mayfield	Staff Scientist	Lawrence Livermore National Lab
William	McCabe	Vice President	Navajo Nation Oil and Gas Company
Mike	Moore	Consultant	EWSA
Ray	Namoki	Hopi Tribe Sipaulovi Village Representative	Hopi Tribe Sipaulovi Village
Timothy	Nelson	Dean of School of Transformation	Dine College
Todd	Osmera	Director	Jicarilla Oil & Gas Administration
Jason	Peterson	Sr Mining Engineer	Navajo Transitional Energy Company
Crystal	Staebell	Senior Program Coordinator	USEA
CJ	Stewart	Energy Director	Crow Tribal Executive Branch
Derrick	Watchman	Consultant	Sagebrush Hill Group
Andy	Wetherell	Energy Manager	Southern Ute
JC	Whorton	Outside Energy Attorney	Caddo Nation
Doyle	Anderson	President and CEO	FIELDS
Jessica	Eagle-Bluesto	Community Engagement Manager	Geothermal Rising
Demi	Morishige	Financial Analyst	Southern Ute Growth Fund
Rose	Grey	Consultant	Rose Grey LLC