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August 27, 2025

Via Email and U.S. Certified Mail

Chairman Bruce Westerman
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515
Robert.MacGregor@mail.house.gov

Re: **Ute Indian Tribe of the Uintah and Ouray Reservation Letter in Support of the Proposed Amendments to the Permitting Process of the National Environmental Policy Act and Additional Proposals and Recommendations**

Dear Chairman Westerman:

The Ute Indian Tribe of the Uintah and Ouray Reservation ("Ute Indian Tribe" or "Tribe") submits comments on the proposed amendments to the permitting process of the National Environmental Policy Act ("NEPA"). The Tribe appreciates the opportunity to submit comments on your and Congressman Golden's proposed Standardized Permitting and Expediting Economic Development ("SPEED") Act. The Ute Indian Tribe fully supports the terms and principles implemented by the SPEED Act. The SPEED Act addresses longstanding challenges the Tribe has long advocated to resolve by streamlining permitting and reducing the uncertainty and delays that disproportionately burden tribes. In addition to providing its support, the Ute Indian Tribe respectfully submits additional proposals and recommendations to further address the delays and economic impacts that NEPA has on Indian lands.

As mentioned above, the Ute Indian Tribe is in full support of the current Administration's effort to reassert dominance in energy mineral production by more thoroughly and efficiently tapping into domestic energy mineral resources. However, this mission cannot be achieved without taking concrete federal action to lift contrived and paternalistic bureaucratic obstacles that have historically prevented energy producing Indian tribes from fully realizing the economic potential of the often-vast mineral estates on their reservation homelands.

The Ute Indian Tribe is well-equipped to help shepherd in the "era of abundance" promised by Interior Secretary Doug Burgum. With its Reservation homeland situated in the oil-rich Uintah Basin in northeastern Utah, the Ute Indian Tribe has engaged in responsible fossil fuel development for decades and has helped establish the Uinta Basin as one of the premier fossil fuel production centers in the United States. As a sovereign nation with a vested interest in both the conservation of its lands and economic growth through the development of its mineral estate, the Tribe is uniquely positioned to provide input to advance the new administration's goal of expanding responsible and sustainable fossil fuel development domestically.

Our Uintah and Ouray Reservation is the second-largest Indian reservation in the United States, covering more than 4.5 million acres. Production of oil and gas began on our Reservation in the 1940s and has been ongoing for the past 80 years. We lease approximately 400,000 acres for oil and gas development and have roughly 7,000 wells that produce approximately 45,000 barrels of oil a day. The Tribe takes an active role in the development of its resources as a majority owner of Ute Energy.

We rely on oil and gas development to provide essential government services to our members including land, fish and wildlife management, housing, education, emergency medical services, public safety, and energy and minerals management. In fact, 91% of Tribal government revenues come from energy development. In addition, our Tribal government has 60 Tribal departments and agencies. Between our Tribal government and Tribal enterprises, we employ approximately 450 people. Seventy-five percent of our employees are Tribal members. However, the Tribe is far from the only beneficiary of Tribal mineral production. To the contrary, fossil fuel production on the Uintah and Ouray Reservation has yielded far-reaching benefits to the wider economy within the State of Utah and beyond. Approximately 90% of the Tribe's 252 million in 2023 revenue came as a result of the Tribe leveraging its assets, as opposed to grant funding from federal and state governments. Moreover, 83% of the State of Utah's production came from the Reservation. And, in 2023, business activities within the oil and gas sector in Duchesne and Uintah Counties yielded about 8,300 jobs and generated a total gross impact of $1.5 billion.

Despite our progress, our ability to fully benefit from our resources is limited by federal agencies that oversee oil and gas and other economic development on the Reservation and their application of NEPA projects on our lands. Application of NEPA causes energy companies to limit activities on the Reservation, which negatively impacts the Tribe's economic development and the economic incentive for producers to operate on the Reservation. This, in turn, limits the Tribe's ability to fully develop its resources. Revenues available for Tribal operations are limited.

As noted in a 2015 Government Accountability Office ("GAO") Report, "NEPA

compliance reviews significantly increase the cost of conducting operations on Indian lands and, as a result, projects are moved to adjoining state or private lands where NEPA compliance is not required."[1] For example, the delays and uncertainties experienced by oil and gas operators on our Reservation in obtaining drilling permits and other authorizations jeopardize our future development plans. In 2015, it took an average of 405 days for operators to receive a drilling permit from the Bureau of Land Management ("BLM") and the Bureau of Indian Affairs ("BIA") on our lands. In contrast, it takes the State of Utah only 73 days on average to issue drilling permits on private and state-managed lands. Much of this delay is caused by NEPA reviews and federal agencies that lack the staff and resources to conduct these reviews—particularly on Indian lands. Without significant reforms, permitting delays have and will continue to result in lost revenue to the Tribe and jeopardize the economic viability of our projects.

In 2020, the Council on Environmental Quality took steps to help address NEPA's negative impacts by finalizing a rule entitled "Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act." The 2020 Final Rule was intended to comprehensively update, modernize, and clarify current regulations to facilitate more efficient, effective, and timely NEPA reviews by federal agencies. The 2020 Final Rule also served to improve interagency coordination in the environmental review process, promote earlier public involvement, increase transparency, and enhance the participation of states, tribes, and localities, including increased tribal participation in projects with off-reservation impacts. The Tribe generally supported the 2020 Final Rule in its efforts to streamline the review process. However, several of the changes made by the 2020 Final Rule were undone by the subsequent Administration.

The Ute Indian Tribe is fully supportive of the proposed amendments enumerated in the SPEED Act. The Tribe merely submits additional proposals in order to fully address NEPA permitting on Indian lands specifically. Delays caused by NEPA limit our ability to support our members and contribute to the regional and national economy. Obstacles unduly impacting tribal energy mineral development can be comprehensively addressed through the legislative process. Included below are the Ute Indian Tribe's legislative proposals for review and consideration. These legislative proposals fall into two overarching categories: (1) making common sense reforms to the environmental review, permitting, and other federal oversight requirements for tribal mineral development activities, and (2) upholding tribal sovereignty over tribal lands and resources.

1. Reform NEPA Reviews to Be More Efficient, Effective, and Timely

Problem: The National Environmental Policy Act ("NEPA") creates significant costs of conducting operations on Indian lands, resulting in projects moving to adjoining state or private lands where NEPA compliance is not required. Without reforms, significant delays

[1] Gov't Accountability Office, *Indian Energy Development – Poor Management by BIA has Hindered Energy Development on Indian Lands* 26 (June 2015).

to Indian energy development will continue to drive away potential partners and hurt our main source of revenue.

Proposed Solution: Mandate the re-instatement and codification of the streamlined National Environmental Policy Act ("NEPA") regulations published on July 16, 2020 (85 Fed. Reg. 43304), specifically to reverse subsequent administrative actions that have re-complicated environmental reviews and to ensure efficient, effective, and timely NEPA processes for energy development on Indian lands.

Proposed Legislative Text: "(a) The revisions to the Code of Federal Regulations made pursuant to the final rule of the Council on Environmental Quality titled 'Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act' and published on July 16, 2020 (85 Fed. Reg. 43304), shall be re-instated and have the same force and effect of law as if enacted by an Act of Congress, notwithstanding any subsequent regulatory revisions or rescissions."

2. **Limit NEPA's Geographical Scope and Analysis to Accelerate Environmental Reviews**

Problem: The scope of environmental reviews for oil and gas leases often creates an economic burden on our Tribe because these reviews can be dense and costly. The amount of analysis in the environmental review process creates delays that negatively impact our economy.

Proposed Solution: Limit the amount of analysis in the NEPA document, limit the page of NEPA documents, and limit the time it takes to complete these reviews.

Proposed Legislative Text:

"(a) An environmental review for an oil and gas lease or permit on Indian lands prepared pursuant to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and its implementing regulations—

(1) Shall apply only to areas that are within or immediately adjacent to the lease plot or plots and that are directly affected by the proposed action;
(2) Shall not require consideration of downstream, indirect effects of oil and gas consumption;
(3) Shall be conducted in one year and not exceed 75 pages for Environmental Assessments; or two years and not exceed 150 pages for Environmental Impact Statements; and
(4) Shall not be open for public comment beyond the members of the Indian tribe and impacted community."

3. **Narrowing the Definition of "Major Federal Action" under NEPA**

Problem: Review of major federal actions pursuant to NEPA provides the opportunity for national public review and comment on actions on Indian lands. By limiting NEPA's applicability to certain actions on Indian lands, the Tribe's energy development projects and infrastructure projects will not be delayed.

Proposed Solution: The definition of what constitutes as a "major federal action" should be narrowed and focus on major federal actions significantly affecting the quality of the human environment.

Proposed Legislative Text:

(a) Exemption.—An action by the Secretary concerned with respect to a covered activity shall be not considered a major Federal action under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).
(b) Covered Activity.—In this section, the term "covered activity" includes—
(1) Creation and use of access roads on or across Tribal lands authorized by an Indian tribe as defined in the List Act (108 Stat. 4791 et seq.);
(2) Broadband deployment authorized by an Indian tribe to provide broadband service within the exterior boundaries of an Indian reservation, including when using federal funding;
(3) Projects owned and developed by an Indian Tribe on Tribal land for which a federal agency does not exercise material control and responsibility over the development or outcome of the project; and
(4) Projects on Tribal land where the only federal involvement is to issue a permitting approval.

4. Exempt Certain Actions from NEPA Review

Problem: The NEPA process introduces unpredictable delays, directly impeding our ability to realize economic benefits from our natural resources. These protracted timelines cause energy companies to limit or forgo activities on the Reservation, resulting in a significant reduction of critical economic resources available to our Tribe.

Proposed Solution: Broaden and expand the use of Categorical Exclusions ("CEs") so certain actions are excluded from NEPA.

Proposed Legislative Text:

Section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15492) is amended to read as follows: "Sec. 390. National Environmental Policy Act Review.
(a) National Environmental Policy Act Review.—Action by the Secretary of the Interior, in managing the public lands and Indian lands or resources managed in trust for the benefit

of Indian Tribes, or the Secretary of Agriculture, in managing National Forest System lands, with respect to any of the activities described in subsection (c), shall not be considered a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, if the activity is conducted pursuant to the Act of March 3, 1909 (25 U.S.C. 396), Act of June 30, 1919 (25 U.S.C. 399), Indian Mineral Leasing Act of 1938 (25 U.S.C. 396a et seq.), the Indian Mineral Development Act of 1982 (25 U.S.C. 2011 et seq.), and the Mineral Leasing Act (30 U.S.C. 181 et seq.) for the purposes of exploration or development of oil or gas.

(b) Activities Described.—The activities referred to in subsection (a) are as follows:

(1) Reinstating a lease.

(2) The following activities, provided that any new surface disturbance is contiguous with the footprint of the original authorization and does not exceed 20 acres or the acreage has previously been evaluated in a document previously prepared under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with respect to such activity:

(A) Drilling an oil or gas well at a well pad site at which drilling has occurred previously.

(B) Expansion of an existing oil or gas well pad site to accommodate an additional well.

(C) Expansion or modification of an existing oil or gas well pad site, road, pipeline, facility, or utility submitted in a sundry notice.

(3) Drilling of an oil or gas well at a new well pad site, provided that the new surface disturbance does not exceed 20 acres and the acreage evaluated in a document previously prepared under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with respect to such activity, whichever is greater.

(4) Construction or realignment of a road, pipeline, or utility within an existing right-of-way or within a right-of-way corridor established in a land use plan.

(5) The following activities when conducted from non-Federal surface into federally owned minerals, provided that the operator submits to the Secretary concerned certification of a surface use agreement with the non-Federal landowner:

(A) Drilling an oil or gas well at a well pad site at which drilling has occurred previously.

(B) Expansion of an existing oil or gas well pad site to accommodate an additional well.

(C) Expansion or modification of an existing oil or gas well pad site, road pipeline, facility, or utility submitted in a sundry notice.

(6) Drilling of an oil or gas well from non-Federal surface and non-Federal subsurface into Federal mineral estate.

(7) Construction of up to 1 mile of new road on Federal or non-Federal surface, not to exceed 2 miles in total.

(8) Construction of up to 3 miles of individual pipelines or utilities, regardless of surface ownership."

5. Streamline the Approval Process for Rights-of-Way

Problem: The Bureau of Indian Affairs has a backlog of BIA rights-of-way applications, which causes significant delays for Tribal projects.

Proposed Solution: Authorize a self-determination process to speed up the approval of rights of-way applications.

Proposed Legislative Text:

(a) Modification of Rights-of-way Across Indian Land.—The first section of the Act of February 5, 1948 (62 Stat. 17, chapter 45, 25 U.S.C. 323) is amended—

(1) by striking "That the Secretary of the Interior be, and he is empowered to" and inserting the following:
"Section 1. Rights-of-Way for All Purposes Across Indian Land.
(a) Rights-of-Way.—Except as provided in subsection (b), the Secretary of the Interior may"; and"

(2) by adding at the end the following:
"(b) Exception.—A right-of-way granted by an Indian tribe for any purpose shall not require the approval of the Secretary of the Interior, subject to the condition that the right-of-way approval process by the Indian tribe substantially complies with subsection (h) of the first section of the Act of August 9, 1955 (69 Stat. 539, chapter 615, 25 U.S.C. 415(h)."

6. Coordinate Agency Funding and Programs More Effectively

Problem: Funding for Indian energy activities is spread across many agencies. Individual funding sources are typically too small to meet the financial needs of developing energy projects. Tribal administration costs are increased because each agency requires different application and reporting requirements.

Proposed Solution: Allow tribes to integrate and coordinate energy funding from the departments of Agriculture, Commerce, Energy, EPA, Housing and Urban Development ("HUD"), Interior, Labor and Transportation to ensure efficient use of existing federal funding. The proposal is modeled after the successful Pub. L. 102-477 employment training integration program. The proposal would allow individual agencies to retain discretion over approval of individual projects.

Proposed Legislative Text:

(a) Definitions.—In this section:
(1) Agency.—The term "agency" has the meaning given the term in section 551 of title

5, United States Code.

(2) Agency Leader.—The term "Agency leader" means 1 or more of the following:

(A) The Secretary of Agriculture.

(B) The Secretary of Commerce.

(C) The Secretary of Energy.

(D) The Secretary of Housing and Urban Development.

(E) The Secretary of Administrator of the Environmental Protection Agency.

(F) The Secretary of Interior.

(G) The Secretary of Labor.

(H) The Secretary of Transportation.

(3) Tribal Energy Development Organization.—The term "tribal energy development organization" has the meaning given the term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

(b) Single Integrated Program.—

(1) In General.—An Indian tribe or tribal energy development organization may submit to the Secretary, and to applicable Agency leaders, a plan to fully integrate into a single, coordinated, comprehensive program federally funded energy-related activities and programs (including programs for employment training, energy planning, financing, construction, and related physical infrastructure and equipment).

(2) No additional requirements.—The Agency leaders shall not impose any additional requirement or condition, additional budget, report, audit, or supplemental audit, or require additional documentation from, an Indian tribe or tribal energy development organization that has satisfied the plan criteria described in subsection (c).

(3) Procedure.—

(A) In General.—On receipt of a plan of an Indian tribe or a tribal energy development organization described in paragraph (1) that is in a form that the Secretary determines to be acceptable, the Secretary shall consult with the applicable Agency leaders to determine whether the proposed use of programs and services is in accordance with the eligibility rules and guidelines on the use of agency funds.

(B) Integration.—If the Secretary and the applicable Agency leaders make a favorable determination pursuant to subparagraph (A), the Secretary shall authorize the Indian tribe or tribal energy development organization—

(i) To integrate and coordinate the programs and services described in paragraph (4) into a single, coordinated, and comprehensive program; and

(ii) To reduce administrative costs by consolidating administrative functions.

(4) Description of Activities.—The activities referred to in paragraph (1) are federally funded energy-related activities and programs (including programs for employment training, energy planning, financing construction, and related physical infrastructure and equipment), including—

(A) Any program under which an Indian tribe or tribal energy development organization is eligible to receive funds under a statutory or administrative formula;

(B) Activities carried out using any funds an Indian tribe or members of the Indian tribe are entitled to under Federal law; and

(C) Activities carried out using any funds an Indian tribe or a tribal energy development organization may secure as a result of a competitive process for the purpose of planning, designing, constructing, operating, or managing a renewable or nonrenewable energy project on Indian land.

(5) Inventory of affected programs.—

(A) Reports.—Not later than 90 days after the date of enactment of this Act, the Agency leaders shall—

(i) Conduct a survey of the programs and services of the agency that are or may be included in the plan of an Indian tribe or tribal energy development organization under this subsection;

(ii) Provide a description of the eligibility rules and guidelines on the manner in which the funds under the jurisdiction of the agency may be used; and

(iii) Submit to the Secretary a report identifying those programs, services, rules, and guidelines.

(B) Publication.—Not later than 60 days after the date of receipt of each report under subparagraph (A), the Secretary shall publish in the Federal Register a comprehensive list of the programs and services identified in the reports.

(c) Plan Requirements.—A plan submitted by an Indian tribe or tribal energy development organization under subsection (b) shall—

(1) Identify the activities to be integrated;

(2) Be consistent with the purposes of this section regarding the integration of the activities in a demonstration project;

(3) Describe—

(A) The manner in which services are to be integrated and delivered; and

(B) The expected results of the plan;

(4) Identify the projected expenditures under the plan in a single budget;

(5) Identify each agency of the Indian tribe to be involved in the administration of activities or delivery of the services integrated under the plan;

(6) Address any applicable requirements of the Agency leaders for receiving funding from the federally funded energy-related activities and programs under the jurisdiction of the Agency leaders, respectively;

(7) Identify any statutory provisions, regulations, policies, or procedures that the Indian tribe recommends to be waived to implement the plan, including any of the requirements described in paragraph (6); and

(8) Be approved by the governing body of the affected Indian tribe.

(d) Approval Process.—

(1) In General.—Not later than 90 days after the receipt of a plan of an Indian tribe or

tribal energy development organization, the Secretary and applicable Agency leaders shall coordinate a single response to inform the Indian tribe or tribal energy development organization in writing of the determination to approve or disapprove the plan, including any request for a waiver that is made as part of the plan.

(2) Plan Disapproval.—Any issue preventing approval of a plan under paragraph (1) shall be resolved in accordance with subsection (e)(3).

(e) Plan Review; Waiver Authority; Dispute Resolution.—

(1) In General.—On receipt of a plan of an Indian tribe or tribal energy development organization, the Secretary shall consult regarding the plan with—

(A) The applicable Agency leaders; and

(B) The governing body of the applicable Indian tribe.

(2) Identification of Waivers.—

(A) In General.—In carrying out the consultation described in paragraph (1), the Secretary, the applicable Agency leaders, and the governing body of the applicable Indian tribe shall identify the statutory, regulatory, and administrative requirements, policies, and procedures that must be waived to enable the Indian tribe or tribal energy development organization to implement the plan.

(B) Waiver Authority.—Notwithstanding any other provision of law, the applicable Agency leaders may waive any applicable regulation, administrative requirement, policy, or procedure identified under subparagraph (A) in accordance with the purpose of this section.

(C) Tribal Request to Waive.—In consultation with the Secretary and the applicable Agency leaders, an Indian tribe may request the applicable Agency leaders to waive a regulation, administrative requirement, policy, or procedure identified under subparagraph (A).

(D) Declination of Waiver Request.—If the applicable Agency leaders decline to grant a waiver requested under subparagraph (C), the applicable Agency leaders shall provide to the requesting Indian tribe and the Secretary written notice of the declination, including a description of the reasons for the declination.

(3) Dispute Resolution.—

(A) In General.—The Secretary, in consultation with the Agency leaders, shall develop dispute resolution procedures to carry out this section. (B)

(B) Procedures.—If the Secretary determines that a declination is inconsistent with the purposes of this section, or prevents the Department from fulfilling the obligations under subsection (f), the Secretary shall establish interagency dispute resolution procedures involving—

(i) The participating Indian tribe or tribal energy development organization; and

(ii) The applicable Agency leaders.

(4) Final Decision.—In the event of a failure of the dispute resolution procedures under paragraph (3), the Secretary shall inform the applicable Indian tribe or tribal energy

development organization of the final determination not later than 180 days after the date of receipt of the plan.

(f) Responsibilities of Department.—

(1) Memorandum of agreement.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Agency leaders shall enter into an interdepartmental memorandum of agreement that shall require and include—

(A) An annual meeting of participating Indian tribes, tribal energy development organizations, and Agency leaders, to be co-chaired by a representative of the President and a representative of the participating Indian tribes and tribal energy development organizations;

(B) An annual review of the achievements made under this section and statutory, regulatory, administrative, and policy obstacles that prevent participating Indian tribes and tribal energy development organizations from fully carrying out the purposes of this section;

(C) A forum comprised of participating Indian tribes, tribal energy development organizations, and agencies to identify and resolve interagency or Federal-tribal conflicts that occur in carrying out this section; and

(D) The dispute resolution procedures required by subsection (e)(3).

(2) Department Responsibilities.—The responsibilities of the Department include—

(A) In accordance with paragraph (3), developing a model single report for each approved plan of an Indian tribe or tribal energy development organization regarding the activities carried out and expenditures made under the plan;

(B) Providing, subject to the consent of an Indian tribe or tribal energy development organization with an approved plan under this section, technical assistance either directly or pursuant to a contract;

(C) Developing a single monitoring and oversight system for the plans approved under this section;

(D) Receiving and distributing all funds covered by a plan approved under this section; and

(E) Conducting any required investigation relating to a waiver or an interagency dispute resolution under this section.

(3) Model Single Report.—The model single report described in paragraph (2)(A) shall-

a. (A) ? by the Secretary, in accordance with the requirements of this section; and

b. (B) Together with records maintained at the Indian tribal level regarding the plan of the Indian tribe or tribal resource development organization, contain such information as would allow a determination that the Indian tribe or tribal energy development organization—

(i) Has complied with the requirements incorporated in the applicable plan; and

(ii) Will provide assurances to each applicable agency that the Indian tribe or tribal energy development organization has complied with all directly applicable statutory and regulatory requirements.

(g) No Reduction, Denial, or Withholding of Funds.—No Federal funds may be reduced, denied, or withheld as a result of participation by an Indian tribe or tribal energy development organization in the program under this section.

(h) Interagency Fund Transfers.—

(1) In General.—If a plan submitted by an Indian tribe or tribal energy development organization under this section is approved, the Secretary and the applicable Agency leaders shall take all necessary steps to effectuate interagency transfers of funds to the Department for distribution to the Indian tribe or tribal energy development organization.

(2) Coordinated Agency Action.—As part of an interagency transfer under paragraph (1), the applicable Agency leader shall provide the Department of 1-time transfer of all required funds by not later than October 1 of each applicable fiscal year.

(3) Agencies Not Authorized to Withhold Funds.—If a plan is approved under this section, none of the applicable Agency leaders may withhold funds for the plan.

(i) Administration; Recordkeeping; Overage.—

(1) Administration of Funds.—

(A) In General.—The funds for a plan under this section shall be administered in a manner that allows for a determination that funds from a specific program (or an amount equal to the amount attracted from each program) shall be used for activities described in the plan.

(B) Separate Records Not Required.—Nothing in this section requires an Indian tribe or tribal energy development organization—

(i) to maintain separate records relating to any service or activity conducted under the applicable plan for the program under which the funds were authorized; or

(ii) to allocate expenditures among those programs.

(2) Administrative Expenses.—

(A) Commingling.—Administrative funds for activities under a plan under this section may be commingled.

(B) Entitlement.—An Indian tribe or tribal energy development organization shall be entitled to the full amount of administrative costs for the activities of a plan under this section, in accordance with applicable regulations.

(C) Overages.—No overage of administrative costs for the activities of a plan under this section shall be counted for Federal audit purposes, if the overage is used for the purposes described in this section.

(j) Single Audit Act.—Nothing in this section interferes with the ability of the Secretary to fulfill the responsibilities for the safeguarding of Federal funds pursuant to chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act").

(k) Training and Technical Assistance.—

(1) In General.—The Department, with the participation and assistance of the Agency leaders, shall conduct activities for technical assistance and training relating to plans under this section, including—

(A) Orientation sessions for Indian tribal leaders;

(B) Workshops on planning, operations, and procedures for employees of Indian tribes;
(C) Training relating to case management, client assessment, education and training options, employer involvement, and related topics; and
(D) The development and dissemination of training and technical assistance materials in printed form and over the Internet.

(2) Administration.—To effectively administer the training and technical assistance activities under this subsection, the Department shall collaborate with an Indian tribe that has experience with federally funded energy-related activities and programs (including programs for employment training, energy planning, financing construction, and related physical infrastructure and equipment).

7. Coordinate Energy Activities on Federal Lands within an Indian Reservation

Problem: The Bureau of Land Management ("BLM") and U.S. Forest Service ("FS") should coordinate energy development activities on federal lands within the exterior boundaries of an Indian reservation with the applicable tribe. These activities within Indian reservations should not be coordinated with state governments or done unilaterally by BLM or FS. Such actions would conflict with the federal government's trust responsibility and federal Indian law and policy.

Proposed Solution: Include a provision to affirm the importance of coordinating activities within the exterior boundaries of an Indian reservation with the applicable Indian tribe.

Proposed Legislative Text:

(a) In General.—The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended—
(1) by adding the following:
"**XX. Federal Cooperation for Oil and Gas Permitting on Federal Lands.**—The Bureau of Land Management ("BLM") and the U.S. Forest Service ("FS") shall coordinate energy development activities on federal lands located within the exterior boundary of an Indian reservation with the applicable Indian tribe. Unless specifically approved by an Indian tribe, BLM and FS shall not coordinate such activities with state governments.

Conclusion

The Ute Indian Tribe appreciates this opportunity to provide comments on the SPEED Act and is in full support of all proposed amendments. Indeed, the SPEED Act streamlines permitting and reduces the uncertainty and delays that disproportionately burden tribes. In addition to providing its support, the Ute Indian Tribe respectfully submits additional proposals to further address the delays and economic impacts that NEPA has on Indian lands. Nearly every energy or economic development opportunity on

our Reservation requires consideration of NEPA, the delays that NEPA will add to the process, and the comments that could come in from people with no relationship to our land or resources. Each of these considerations conflict with the federal government's trust responsibility. In amending NEPA, reducing bureaucratic burdens on Indian lands, particularly as tribes work to develop our resources and provide jobs for our members should be a priority. We ask that in adopting the SPEED Act, you include our recommendations to the proposed regulations to minimize the unnecessary constraints NEPA places on tribal economic development.

On behalf of the Ute Indian Tribe Business Committee:

Shaun Chapoose
Business Committee Chairman