

**CROW TRIBAL LEGISLATURE  
NOVEMBER 12, 2013 SPECIAL SESSION**

**JAR No. 13-20**

Introduced by Chairman Darrin Old Coyote  
Crow Tribal Executive Branch

A Joint Action Resolution Titled:

**A JOINT ACTION RESOLUTION OF THE CROW TRIBE SUPPORTING AND  
WORKING WITH THE NAVAJO NATION IN THE DEVELOPMENT AND  
IMPLEMENTATION OF JOINT TRIBAL EFFORTS IN ENERGY DEVELOPMENT  
LAW AND POLICIES**

Legislative Findings:

**WHEREAS**, Article V, Section 2(a) of the Crow Tribal Constitution vests the Crow Tribal Legislature (hereinafter “Legislature”) with the power and duty to promulgate and adopt resolutions in accordance with the Constitution and federal law for the governance of the Crow Tribe; and

**WHEREAS**, Article IV, Section 4(a) of the Crow Tribal Constitution provides that the general duties of the Executive Branch Officials shall include the duty to implement all resolutions and policies duly adopted by the Legislature; and

**WHEREAS**, Article IV, Section 3(a) of the Crow Tribal Constitution provides that the Crow Tribal Executive Branch shall have the power and responsibility to represent the Crow Tribe in negotiation with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of economic development affecting the Crow Tribe; and

**WHEREAS**, the Navajo Nation (Bishxáxilia), known as the People with Striped Blankets, and the Crow Tribe have shared interests in, and relating to, energy development; and

**WHEREAS**, the Navajo Nation and the Crow Tribe each possess abundant coal resources, and both have acted to harness the development of their respective resources and ensure that the benefits of such development will primarily inure and redound to their members, institutions, and instrumentalities; and

**WHEREAS**, the actions of the Navajo Nation and the Crow Tribe, with respect to their abundant coal resources, also provide direct and derivative benefits to the other residents of their reservations and neighboring jurisdictions; and

**WHEREAS**, economic development and growth in Indian Country is generally anemic; and federal taxes, fees, and other regulatory burdens serve as disincentives to investing and transacting business in the Navajo Nation’s and the Crow Tribe’s respective reservations; but

removing federal tax and regulatory burdens from operations within the Navajo Nation's and the Crow Tribe's reservations, namely, the economic instrumentalities and affiliates of the Navajo Nation and the Crow Tribe, will serve to ameliorate conditions that stifle investment and transacting business within their reservations; and

**WHEREAS**, the United States Environmental Protection Agency has proposed a carbon tax and new Electric Generating Unit Source Performance Standards for Carbon Dioxide Emissions, which would be harmful to the Navajo Nation and the Crow Tribe if applied to operations within their reservations and—particularly—their economic instrumentalities and affiliates conducting operations relating to their coal resources, and to other power plants that utilize their coal; and

**WHEREAS**, the Navajo Nation and the Crow Tribe are uniquely positioned to encourage and convince the United States to avoid the imposition or application of these and other such taxes and regulatory burdens on operations within their reservations and—particularly—their economic instrumentalities and affiliates and industry partners conducting operations relating to their coal resources; and

**WHEREAS**, the Navajo Nation and the Crow Tribe collaborating to bring to fruition the permanent extension of the Indian Coal Production Tax Credit and the express exemption of the imposition and application of tax and regulatory burdens on operations within their reservations and—particularly—their economic instrumentalities and affiliates and industry partners conducting operations relating to their coal resources, is mutually beneficial.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CROW TRIBAL EXECUTIVE BRANCH AND CROW TRIBAL LEGISLATIVE BRANCH IN SPECIAL SESSION:**

The Crow Tribe formally and officially supports the Navajo Nation's and the Crow Tribe's combined and collaborative efforts in energy development, namely, with regard to their respective abundant coal resources.

**BE IT FURTHER RESOLVED:**

The Crow Tribe, in collaboration with the Navajo Nation, formally and officially supports the United States' permanent extension of the Indian Coal Production Tax Credit.

**BE IT FURTHER RESOLVED:**

The Crow Tribe, in collaboration with the Navajo Nation, formally and officially opposes the imposition and application of the United States' proposed carbon tax on powerplants that utilize their coal, operations within the Navajo Nation's and the Crow Tribe's reservations, and—particularly—on the Navajo Nation's and the Crow Tribe's economic instrumentalities and affiliates conducting operations relating to their respective abundant coal resources.

**BE IT FURTHER RESOLVED:**

The Crow Tribe, in collaboration with the Navajo Nation, formally and officially opposes the imposition and application of the United States Environmental Protection Agency's proposed new Electric Generating Unit Source Performance Standards for Carbon Dioxide Emissions on powerplants that utilize their coal, operations within the Navajo Nation's and the Crow Tribe's reservations, and—particularly—on the Navajo Nation's and the Crow Tribe's economic instrumentalities and affiliates conducting operations relating to their respective abundant coal resources.

**BE IT FURTHER RESOLVED:**

The Crow Tribe's relevant governmental and political subdivisions, offices, instrumentalities, entities, representatives, personnel, and agents are authorized to work in conjunction and collaboration with the Navajo Nation Washington Office, the Navajo Nation's relevant governmental and political subdivisions, offices, instrumentalities, entities, representatives, personnel, and agents to encourage and convince the United States to avoid the imposition or application of such taxes and regulatory burdens on operations within their reservations and—particularly—their economic instrumentalities and affiliates and industry partners conducting operations relating to their coal resources that are stated, referenced, and contemplated by this joint action resolution.

**BE IT FURTHER RESOLVED:**

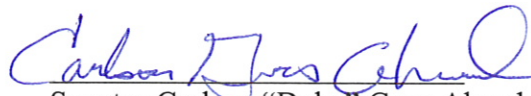
The Crow Tribe's relevant governmental and political subdivisions, offices, instrumentalities, entities, representatives, personnel, and agents are authorized to work in conjunction and collaboration with the Navajo Nation Washington Office, the Navajo Nation's relevant governmental and political subdivisions, offices, instrumentalities, entities, representatives, personnel, and agents to encourage and convince the United States to bring to fruition the permanent extension of the Indian Coal Production Tax Credit and the express exemption of the imposition and application of tax and regulatory burdens on operations within their reservations and—particularly—their economic instrumentalities and affiliates conducting operations relating to their coal resources. This includes, but is not limited to, the Crow Tribe's collaboration with the Navajo Nation to strike or replace expiration dates and create allowances for the Indian Coal Production Tax Credit to be used against alternative minimum taxes into the future for defined or indefinite periods of time.

**BE IT FINALLY RESOLVED:**

That, upon being duly adopted by the Crow Tribal Legislature and signed into law by the Crow Tribal Chairman, a certified copy of this Tribal Joint Action Resolution shall be immediately delivered to the Secretary of the Interior in Washington, D.C. by the Tribal Secretary.

**CERTIFICATION**

I hereby certify that this Joint Action Resolution entitled **A JOINT ACTION RESOLUTION OF THE CROW TRIBE SUPPORTING AND WORKING WITH THE NAVAJO NATION IN THE DEVELOPMENT AND IMPLEMENTATION OF JOINT TRIBAL EFFORTS IN ENERGY DEVELOPMENT LAW AND POLICIES** was duly enacted by the Crow Tribal Legislature with a vote of 13 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 12<sup>th</sup> day of November, 2013.

  
Senator Carlson "Duke" Goes Ahead  
Speaker of the House

**ATTEST:**

  
\_\_\_\_\_  
Senator R. Knute Old Crow  
Secretary

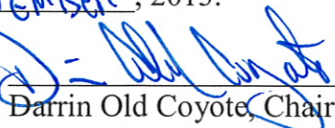


**EXECUTIVE ACTION**

I hereby:

  X   approve or  
       veto

This Joint Action Resolution entitled **A JOINT ACTION RESOLUTION OF THE CROW TRIBE SUPPORTING AND WORKING WITH THE NAVAJO NATION IN THE DEVELOPMENT AND IMPLEMENTATION OF JOINT TRIBAL EFFORTS IN ENERGY DEVELOPMENT LAW AND POLICIES** pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians, on this 14 day of NOVEMBER, 2013.

  
\_\_\_\_\_  
Darrin Old Coyote, Chairman  
Crow Tribal Executive Branch

**A JOINT ACTION RESOLUTION OF THE CROW TRIBE SUPPORTING AND WORKING WITH THE NAVAJO NATION IN THE DEVELOPMENT AND IMPLEMENTATION OF JOINT TRIBAL EFFORTS IN ENERGY DEVELOPMENT LAW AND POLICIES**

**Bill or Resolution:** JAR13-20 **Introduced by:** Chairman Darrin Old Coyote **Date of Vote:** 11/12/13  
**Number**

<u>Representative:</u>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>
H. Two Leggins	<u>X</u>	<u>        </u>	<u>        </u>
V. Pretty Paint	<u>X</u>	<u>        </u>	<u>        </u>
C. J. Stewart	<u>        </u>	<u>        </u>	<u>        </u>
(Vacant)	<u>        </u>	<u>        </u>	<u>        </u>
L. Other Medicine	<u>X</u>	<u>        </u>	<u>        </u>
A. Coyote-Runs, Sr.	<u>X</u>	<u>        </u>	<u>        </u>
L. Not Afraid.	<u>X</u>	<u>        </u>	<u>        </u>
M. Covers Up, Sr.	<u>X</u>	<u>        </u>	<u>        </u>
P. Alden, Jr.	<u>        </u>	<u>        </u>	<u>        </u>
M. Not Afraid	<u>X</u>	<u>        </u>	<u>        </u>
V. Crooked Arm	<u>X</u>	<u>        </u>	<u>        </u>
L. DeCrane	<u>X</u>	<u>        </u>	<u>        </u>
B. Hugs	<u>X</u>	<u>        </u>	<u>        </u>
G. Real Bird, Jr.	<u>        </u>	<u>        </u>	<u>        </u>
M. Backbone	<u>        </u>	<u>        </u>	<u>        </u>
G. Stewart	<u>X</u>	<u>        </u>	<u>        </u>
R. K. Old Crow, Sr. <i>Secretary of the House</i>	<u>X</u>	<u>        </u>	<u>        </u>
C. Goes Ahead <i>Speaker of the House</i>	<u>X</u>	<u>        </u>	<u>        </u>
<b>Totals:</b>	<b><u>13</u></b>	<b><u>0</u></b>	<b><u>0</u></b>

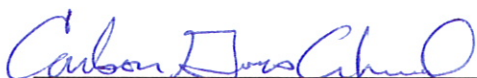
Result of Vote:


**Passed**

Not Passed

Tabled

Veto-Override

 11-12-13  
 Senator Carlson Goes Ahead      Date  
 Speaker of the House

 11/12/13  
 Senator R. Knute Old Crow, Sr.      Date  
 Secretary of the House