Sacred Places Protection

Observations & Updates

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EMERGING THEMES IN THE NEW ADMINISTRATION

◊ HEALTH
◊ THE ECONOMY
◊ RACIAL JUSTICE
◊ CLIMATE CHANGE
Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Jan. 20, 2021)

- Listen to science
- Improve public health and protect our environment
- Ensure access to clean air and water
- Limit exposure to dangerous chemicals and pesticides
- Hold polluters accountable, including those who disproportionately harm communities of color and low-income communities

- Reduce greenhouse gas emissions
- Bolster resilience to impacts of climate change
- Restore and expand our national treasures and monuments
- Prioritize both environmental justice and creation of well-paying union jobs

Review and take action on federal regs and other actions during last 4 years that conflict with this policy
Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Jan. 20, 2021)

Input from Tribes

1. Immediate Review of agency actions taken during the Trump Administration (heads agency may rescind, suspend, revise (possible public comment for rule))
2. Submission of preliminary actions to the Director of the Office of Management and Budget to be completed by Dec. 31, 2021
3. Within 90 days, update on actions completed by Dec. 31, 2025 (OMB review)
4. Heads of agencies at same time send to National Climate Advisor list of actions not subject to OMB Review
5. Litigation review
Restoring National Monuments

- Review of boundaries of Bears Ears, Grand Staircase Escalante, and Northeast Canyons and Seamounts Marine National Monument with Attorney General, Secretaries of Agriculture and Commerce, Chair of the Council on Environmental Policy, and Tribal Governments
- Submission of a report within 60 days by Sec. of the Interior
- Review of current litigation
Artic National Refuge

- Inadequate NEPA Review
- Sec of the Interior places “a temporary moratorium on all federal activities relating to implementation of the Coastal Plain Oil and Gas Leasing Program”
- Sec. of the Interior shall review program and conduct new analysis of environmental impacts of oil and gas program
- Reinstates Obama Executive Orders and Memos
- Review of current litigation
Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Jan. 20, 2021)

Keystone XL Pipeline

- Revoked March 29, 2019 Presidential permit granted to TransCanada Keystone Pipeline, L.P.
- Reiterated exhaustive review of proposed Keystone XL Pipeline and that pipeline does not serve national interest
- Not consistent with Administrations economic and climate policies
Preliminary Observations

It’s a start...

Check out NOA’s Statement on Sacred Places & Cultural Protections
“It is a priority of my Administration to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations cornerstones of Federal Indian policy.”
• Restoration of Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) and Pres. Obama’s Presidential Memorandum (Nov. 5, 2009) on Tribal Consultation
• Within 90 days, each agency, developed in consultation with Tribes is required to send to the Director of the Office of Management and Budget, detailed plans of action to implement Executive Order 13175
• Within 270 days (and annually thereafter), the head of each agency is required to provide progress reports on tribal consultation implementation action items
• Within 1 year, the Director of OMB will submit to the President “a report on the implementation of Executive Order 13175”
Preliminary Observations

• Commitment to “regular, meaningful, robust tribal consultations”
• Appears to be restoring Obama-Era policies toward tribal consultation
• Tribal participation:
  • Plans of Action to implement EO 13175 (90 days)
  • Heads of Agency Update/Progress Report (270 days)
  • Director of Office of Management & Budget submits to the President a report on implementation of EO 13175

What about free, prior and informed consent (FPIC)?
“The United States and the world face a profound climate crisis. We have a narrow moment to pursue action at home and abroad in order to avoid the most catastrophic impacts of that crisis and to seize the opportunity that tackling climate change presents.”
Executive Order on Tackling the Climate Crisis at Home and Abroad

- Rejoin/Implementing Paris Agreement and plan to be submitted before Leaders’ Climate Summit
- "my Administration will work in partnership with States, localities, Tribes, territories, and other United States stakeholders to advance climate change diplomacy"
- Climate change finance plan within 90 days
- Transmittal package Senate’s advice ratification of Kigali Amendment to Montreal Protocol on Substances that Deplete the Ozone Layer
- Director of National Intelligence shall prepare within 120 days national estimate on security impacts of climate change
- Secretary of Homeland Security consider implications of climate change in Arctic, along boarder, and to national critical functions
Executive Order on Tackling the Climate Crisis at Home and Abroad

- Appointment of New Presidential Envoy for Climate
- White House Office of Domestic Climate Policy established
- National Climate Task Force, Member: Sec. of the Interior to engage with tribal governments
- Renewable Energy on Public Lands and Offshore Waters (engagement with tribal governments)
- Heads of agency submit draft action plan to Task Force within 120 days
- Justice40 Initiative: 40 percent of overall benefits flow to disadvantaged communities
Preliminary Observations

Climate Change is a Key Area to Engage in Sacred Places Protection
Native Organizers Alliance
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