



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

NOV 17 2022

Dear Tribal Leader:

On August 16, 2022, President Biden signed the Inflation Reduction Act, an historic law that includes transformational investments to address the climate crisis, lower costs for working families, and create good-paying jobs. Combined with the Bipartisan Infrastructure Law, these two initiatives represent the largest investments in climate resilience in the nation's history and provide a once-in-a-generation opportunity for the work of the Department of the Interior (Department).

Overall, the Department will receive \$6.6 billion in direct funding through the Inflation Reduction Act. This funding will help bureaus and offices across the Department to transition to a clean energy economy, advance key habitat restoration and land resilience projects, and secure environmental justice for historically disadvantaged communities. That total funding includes a \$385 million investment for the Bureau of Indian Affairs for climate resilience and adaptation, fish hatchery needs, and a new Tribal electrification program.

As Assistant Secretary - Indian Affairs, I am making it a priority to gather formal input from Tribal leaders on the important opportunities and decisions facing the Department. These programs will be implemented over a few years, which may require that we consult with you at multiple decision points to ensure active coordination. Currently, we seek your input to inform early planning decisions. We will also keep Tribal leaders informed as dates and deadlines are determined.

Similar to the Bipartisan Infrastructure Law, the Department will initiate these investments consistent with the Administration's implementation priorities to:

- Invest public dollars efficiently, work to avoid waste, and focus on measurable outcomes for the American people;
- Increase the competitiveness of the United States economy, including through implementing the Act's Made-in-America requirements and bolstering United States manufacturing and supply chains;
- Improve job opportunities for millions of Americans by focusing on high labor standards for these jobs, including prevailing wages and the free and fair chance to join a union;
- Invest public dollars equitably, including through the Justice40 Initiative, which is a Government-wide effort toward a goal that 40 percent of the overall benefits from Federal investments in climate and clean energy flow to disadvantaged communities;
- Build infrastructure that is resilient and that helps combat the crisis of climate change; and
- Effectively coordinate with state, local, Tribal, and territorial governments in implementing these critical investments.

To inform the consultation, enclosed are fact sheets on the infrastructure programs as well as a framing paper with questions. To best accommodate your locations and ensure everyone's safety, we will hold two virtual sessions scheduled by time zone. If you are unable to attend the session reserved for the time zone in which your Tribe is located, please feel free to join an alternate session. My colleagues and I look forward to speaking with you at one or more of the following sessions:

<i>Date</i>	<i>Time</i>	<i>Topic</i>	<i>Zoom Link/Register At</i>
Tuesday December 13, 2022	3:00 p.m. -5:00 p.m. Eastern Time	Mountain, Pacific, and Alaska Time Zone Tribes Inflation Reduction Act Implementation	Register in advance for this meeting: https://doitalent.zoomgov.com/webinar/register/WN_GSyovZMXQCaX1cq-s1Ab3A
Thursday December 15, 2022	1:00 p.m. - 3:00 p.m. Eastern Time	Eastern and Central Time Zone Tribes Inflation Reduction Act Implementation	Register in advance for this meeting: https://www.zoomgov.com/meeting/register/vJlscuqrqTItHx_qbE7S-cWQzZqBZ6UTJP4

In addition to joining one of the consultation sessions listed above, you may submit written comments to consultation@bia.gov by 11:59 p.m. Eastern Time on Tuesday, January 17, 2023.

I look forward to speaking with you. If you have questions regarding this effort, please contact Vanessa Snider, Chief of Staff to the Deputy Assistant Secretary -Indian Affairs (Management), at vanessa.snider@bia.gov.

Sincerely,



Bryan Newland
Assistant Secretary -Indian Affairs

Enclosures

Inflation Reduction Act (IRA) Fact Sheet
Tribal Consultation on Department of the Interior
Implementation of Indian Affairs Programs

Bureau of Indian Affairs (BIA) Infrastructure Investments - (\$385 million): Funding is provided for climate resilience and adaption, fish hatcheries, and a new Tribal electrification program. A few common aspects of each of the programs described below include technical assistance support for Tribes, no cost match required and use of Indian Self-Determination and Education Assistance Act compact and contract vehicles to deliver funding.

Climate Resilience and Adaption (\$220 million, plus \$5 million for administration). The IRA funding will leverage annual appropriations and Bipartisan Infrastructure Law funding in the following areas:

- **Habitat Restoration and Adaption Fund (\$50,000,000 awarded per year in FY 2023 and FY 2024)**: This action would create a fund within TCR that accepts proposals to fund climate related projects to be used to support Tribal and Native Villages to support ecosystem and watershed restoration especially in fire prone and other at-risk landscapes such as forests and grasslands. Precise criteria could include:
 - The projects will have a particular emphasis on:
 - Coastal ecosystems, including wetlands, seagrass meadows, coral and oyster reefs, and mangrove and kelp forests
 - Fire prone and other at-risk landscapes, such as forests and grasslands
 - Any other critical ecosystems
 - Emergency (requires Disaster Declaration) restoration to habitat and/or adaptation projects
 - Cost share waiver for Tribes (paid by BIA Tribal Climate Resilience) to other Federal agency awarded habitat restoration and/or adaptation projects
 - The goal of supporting the ecosystems includes, but is not limited to:
 - Protecting vulnerable coastlines
 - Supporting biodiversity and fisheries
 - Watershed restoration and water quality improvement in rivers and lakes
 - Building resilience against wildfires
 - Carbon sequestration
- **Community Directed Relocation Projects (\$46,000,000 awarded per year in FY 2023 and FY 2024)**: In 2022, BIA TCR launched a Demonstration Pilot Project selection process to identify Tribes that were ready for relocation projects utilizing Bipartisan Infrastructure Law (BIL) funding. This funding would build on the BIL investments.
 - Categories considered for selection are listed below:
 - Risk level

- o Risk Type (drought, water scarcity, food insecurity, flooding, riverine erosion, wildfire threat, marsh restoration, rising sea Levels, hurricanes)
- **Annual Awards Program Modifications (\$14,000,000 awarded per year in FY 2023 and FY 2024):** The IRA funds will enable the Annual Tribal Climate Resilience Awards Program to take the next step to augment the award ceiling on implementation categories budget for annual awards to broaden Tribal reach. The program will continue to support proposals that emphasize indigenous knowledge and incorporate a youth component.

Fish Hatcheries (\$10 million). This program will support expansion of the existing hatchery maintenance program to include new construction and retrofits that are not funded through annual appropriations. Funding will address improvement that advance production goals. The expansion of the hatchery maintenance program will allow BIA to address outdated, undersized, inefficient hatchery systems that require new construction. Funds would also address required upgrades due to changing environmental restrictions related to water quality or quantity or concerns regarding fish disease or genetics. The use of some funding for construction to address gaps that can't be addressed using annual maintenance funding will extend the impact of the BIA Fish Hatchery funding.

Selection criteria will include program plans to introduce through consultation that will focus on construction projects with the following factors:

- The project requires new construction at existing hatcheries to overcome bottlenecks in production that cannot be overcome with non-construction annual maintenance funding; or construction of an entirely new hatchery when strongly supported in relation to the ranking criteria.
- Other criteria used in the annual program such as Tribal ability to enforce fish and game codes, policies to ensure health, safety and security, compliance with water quality standards, addresses economic value and rights protection, and incorporates a Tribal youth element.

Tribal Electrification Program (\$145.5 million, plus million \$4.5 million for administration). The Tribal Electrification Program will coordinate financial and technical assistance to Tribes to increase the number of Tribal homes with zero emission electricity. The need across Indian Country is significant. Recognizing that each Tribe has its own energy and electrification related needs and implementation capacity, the program will meet the unique needs of individual Tribal communities. Funding will be awarded through a competitive process. Criteria to make awards will vary based on the categories of capability to implement, as in the examples below:

- Initial pilot sites for Tribes who are ready to implement could include this criterion:
 - o Low levels of households with electrification
 - o community-readiness, existing plans, or designs, and
 - o potential to yield lessons-learned for other Tribes facing similar issues.
- Tribes with potential to implement community scale projects:
 - o Low levels of households with electricity
 - o Low levels of households with zero emissions electricity

- o Community is at high level of risk from climate change or actively planning community driven relocation.
- Tribes with less capacity and higher poverty to implement projects at community or individual home level:
 - o Low levels of households with electricity
 - o Low levels of households with zero emissions electricity
 - o Community is at high level of risk from climate change or actively planning community driven relocation
 - o Higher levels of poverty

Once Indian Affairs has reviewed all applications a final decision will be made based on interest and capability regarding the distribution of funds across the categories described above. At a minimum, each category would get no less than 15 percent of the total funding available. Tribes will be able to determine their electrification priority between the three categories with additional weight placed on those Tribes who demonstrate a plan to reach households with no electricity. Parameters will be determined based on need and project readiness.

Framing Questions
Tribal Consultation on Department of the Interior Implementation
of the Inflation Reduction Act

Indian Affairs Tribal Climate Resilience and Fish Hatcheries

- Do the criteria proposed to award funding for Climate Resilience and Fish Hatcheries seem appropriate or should other criteria be considered?
- Do the proposed funding categories for Climate Resilience and Adaptation seem appropriate?

Indian Affairs Tribal Electricity Program

- Given the amount of funds available, does the proposed categories bucketing funding into Tribal capacity to implement projects seem like an equitable approach or should we consider other factors?
- Does the initial proposed criteria for awarding funds seem like an appropriate approach or should we consider other factors?