Indian Affairs - Office of Public Affairs

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WASHINGTON, D.C. – Acting Assistant Secretary - Indian Affairs Donald E. "Del" Laverdure today announced that the proposed rule implementing the Buy Indian Act has been published in the Federal Register. The Buy Indian Act provides Indian Affairs with the authority to set-aside procurement contracts for qualified Indian-owned businesses. This proposed rule describes uniform administrative procedures that Indian Affairs will use in all of its locations to encourage procurement of goods and services from eligible Indian economic enterprises, as authorized by the Buy Indian Act.

"We are working hard to bring to fruition the collaborative efforts of many to put these rules into action," said Laverdure. "There have been several prior proposed rules and consultations but never a final rule. We are committed to finalizing this rule as well as upholding our nation-to-nation relationship in going about this very important task."

The Bureau of Indian Affairs has obtained services and supplies from Indian sources using the Buy Indian Program since 1965, based on policy memoranda. This rule is proposed to describe uniform administrative procedures that the BIA will use in all of its locations to encourage procurement relationships with eligible Indian-owned businesses in the execution of the Buy Indian Act.

This proposal incorporates the Assistant Secretary-Indian Affairs decision to increase economic development and employment of Indian persons by reducing the percentage of Indian ownership of business enterprises from a mandatory 100 percent to minimum 51 percent.

In addition, the regulations respond to and incorporate the nuances of the Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2301 note) that amended 25 U.S.C. 47 to allow Indian firms to participate in the Department of Defense's Mentor-Prote´ge´ Program and not lose their eligibility for contracts awarded under the authority of the Buy Indian Act. This proposed rule includes language stating that participation in the Mentor-Prote´ge´ program has no effect on eligibility for contracts awarded under the authority of the Buy Indian Act.

The proposed rule also includes revisions to address the input received as a result of earlier publications and three consultation hearings in Indian Country.

"We invite tribal leaders and representatives to attend these very important consultations," Laverdure said. "Tribal leaders have worked diligently with Interior in the past on these issues and the intended outcomes are to further enhance tribes' abilities to better develop economic prosperity in Indian Country."

The Department of the Interior proposes to issue regulations guiding implementation of the Buy Indian Act, which provides the Bureau of Indian Affairs with authority to set aside procurement contracts for Indian owned and controlled businesses. This rule supplements the Federal Acquisition Regulation (FAR) and the Department of the Interior Acquisition Regulations (DIAR). Comments must be received on or before September 24, 2012. Tribal consultation meetings to discuss this rule will take place on:

August 14, 2012, 8 a.m. - 12 p.m. National Indian Programs Training Center 1011 Indian School Road, NW, Suite 254 Albuquerque, NM 87104 (505) 563-5400	August 21, 2012, 8 a.m. - 12 p.m. Hilton Sacramento Arden West 2200 Harvard Street Sacramento, CA 95815 (916) 924-4900
August 15, 2012, 3 p.m. - 6 p.m. Holiday Inn Grand (In conjunction with NADC Conference 2012) 5500 Midland Road Billings, MT 59101 (406) 248-7701	August 23, 2012, 8 a.m. - 12 p.m. Mystic Lake Casino Hotel 2400 Mystic Lake Boulevard Prior Lake, MN 55372 (952) 445-9000

FOR FURTHER INFORMATION CONTACT:

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The Assistant Secretary-Indian Affairs discharges the duties of the Secretary of the Interior with the authority and direct responsibility to strengthen the government-to-government relationship with the nation’s 566 federally recognized tribes, advocate policies that support Indian self-determination, protect and preserve Indian trust assets, and administer a wide array of laws, regulations and functions relating to American Indian and Alaska Native tribes, tribal members and individual trust beneficiaries. The Assistant Secretary oversees the Bureau of Indian Affairs and the Bureau of Indian Education. For more information, visit www.indianaffairs.gov.