

FACT SHEET: Announcement Regarding Tribal Preference for the Purchase of Carbon Pollution-Free Electricity, Energy Products, and Energy By-Products

The Federal Government is the largest single energy consumer in the world. Fossil fuels accounted for 79% of the energy sources consumed in 2021. Established in the Energy Policy Act of 2005 and codified as 25 U.S.C. § 3502(d), qualifying Federal agencies and departments are authorized to give preference (Energy Policy Act Preference) to Tribal majority-owned business organizations when purchasing electricity, energy products, and energy by-products.

The Biden-Harris Administration is committed to reaching 100 percent carbon pollution-free electricity (CFE) by 2030 with an eye towards energy and environmental justice in accordance with Executive Order 14057, “Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability.”

A commitment to support Tribal energy production – including through exercising the Energy Policy Act Preference – with respect to CFE procurements furthers the Administration's priorities of promoting equitable energy development and achieving sustainability targets. Today, the U.S. Department of Energy (DOE), U.S. Department of Defense (DOD), and the General Services Administration (GSA), in coordination with White House Council on Native American Affairs (WHCNA), announce the following planned actions to increase the Federal use of Tribal energy and to leverage the Energy Policy Act Preference:

- Scheduling a series of listening sessions in early 2023, hosted by DOE, to better understand the market conditions for Tribes and Tribal majority-owned businesses developing CFE;
- Issuing a request for information by GSA to address barriers identified in DOE’s listening sessions;
- Conducting a pilot led by GSA focused on Tribal energy production to develop electricity procurement strategies;
- Integrating the Energy Policy Act Preference into DOD electricity procurement strategies;
- Supporting training and resources through DOE for Tribes and Tribal majority-owned businesses to foster technical expertise in the development of CFE projects; and
- Improving awareness of the Energy Policy Act Preference for Tribes and Tribal majority-owned businesses through webinars, working groups, and other forms of interagency outreach.

The Biden-Harris Administration looks forward to using the information gained through the request for information and listening sessions to further support CFE procurement opportunities for Native American Owned Businesses, including Tribal majority-owned businesses, and to incorporate the Energy Policy Act Preference into Federal procurement strategies.