



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

May 1, 2024

VIA ELECTRONIC TRANSMISSION

Dear Tribal Leader,

The Biden Administration remains committed to conducting regular, meaningful, and robust consultation with Tribal Nations as discussed in the January 26, 2021, *Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships*.

On behalf of the Department of the Interior (DOI), Office of Grants Management, I am pleased to invite you to participate in Tribal consultations which will focus on DOI financial assistance programs and the Build America, Buy America Act (Pub. L. No. 117-58, §§ 70901-52), which was enacted as part of the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58), also known as the Bipartisan Infrastructure Law.

The Buy America Preference set forth in section 70914 of the Build America, Buy America Act (BABA) requires all iron, steel, manufactured products, and construction materials used for infrastructure projects under Federal financial assistance awards be produced in the United States. On September 1, 2023, DOI issued a one-year general applicability waiver of the BABA requirements for financial assistance agreements awarded to Federally recognized Indian Tribes in accordance with the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, 2 CFR Part 200.

DOI will conduct two (2) Tribal consultation sessions at the dates and times provided below via the Zoom platform. Please register to attend one of the Tribal Consultations via the link provided below.

DATE	TIME	LOCATION	REGISTRATION
Monday, June 10, 2024	2:00- 4:00 pm (ET)	Virtual	Registration form for June 10, 2024
Wednesday, June 12, 2024	2:00- 4:00 pm (ET)	Virtual	Registration form for June 12, 2024

The purpose of the upcoming Tribal consultations is to solicit Tribal input on any challenges and concerns about DOI financial assistance programs and BABA requirements during the open period of the DOI Tribal BABA waiver. DOI plans to

utilize the information from the Tribal consultations to assess the need for targeted BABA waivers in the future to address the diverse needs of Tribes.

DOI welcomes your input on the following questions relating to DOI financial assistance and BABA. Please submit your written responses/comments via email to DOI_BABA_Tribal_Consultations@ios.doi.gov by Monday, July 15, 2024. All information will be available on the DOI website at www.doi.gov/grants/buyamerica.

In particular, we are interested in Tribal views on the following specific topics related to BABA:

1. What are your concerns about BABA requirements on your Tribal infrastructure programs?
2. How can DOI assist Tribes in implementing the BABA requirements?
3. What barriers currently exist that may prevent your Tribe from being able to comply with BABA requirements? [OBJ]
4. What are your most important training and technical assistance needs relating to BABA?
5. What Tribal concerns should DOI consider when developing and implementing BABA policy and waivers?
6. What is the current/future capability of Tribal business manufacturing/selling of iron, steel, manufactured products/and or construction materials that could be used in infrastructure projects?

We look forward to strengthening our relationship with Tribal Nations through this important Tribal consultation.

Sincerely,

Cara Whitehead
Director, Office of Grants Management
U.S. Department of the Interior