

Indian Affairs, Tribal Electrification Program, Ranking Criteria and Application Process

INTRODUCTION

The U.S. Department of the Interior, Assistant Secretary-Indian Affairs, per Section 80003, *Tribal Electrification Program*, of the *Inflation Reduction Act (IRA)*, provides this guidance with respect to Tribal Electrification on Indian land. President Biden signed the IRA on August 16, 2022. The Act 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 Interior Department. The President's Investing in America agenda has secured historic levels of funding for Tribal Nations and Native communities, including \$32 billion in the American Rescue Plan, \$13 billion in the Bipartisan Infrastructure Law, and more than \$720 million in the Inflation Reduction Act. The IRA provides funding for the Indian Affairs' Tribal Electrification Program, which will make available to Tribes up to \$145 million in Federal funding for the purpose of implementing zero-emissions electrification in Tribal homes.

The Tribal Electrification Program will coordinate financial and technical assistance to Tribes to increase the number of Tribal homes with zero-emissions electricity. The need across Indian Country is significant. In 2000, a report from the Energy Information Administration estimated 14 percent of households on Native American reservations have no access to electricity, 10 times higher than the national average. Recognizing each Tribe has its own energy and electrification related needs and implementation capacity, the program will meet the unique needs of individual Tribal communities.

The Department is working with multiple federal agencies to ensure we are accessing all federal resources that can provide support and fill gaps where needed for the Tribal Electrification Program. As a team, we will provide technical assistance to individual Tribes, as needed, to support their applications and throughout implementation for those that are awarded funding. The Department is highly focused on maximizing the benefits of the Tribal Electrification Program as the goal of electrifying as many unelectrified homes in Indian Country is critical. Furthermore, this guidance advances the Biden administration's priorities of investing public dollars efficiently and equitably and promoting Tribal job creation, which are all a part of the drive to build and strengthen our energy infrastructure on Tribal lands.

The Department is [working](#) to advance the goal of the [Justice40 Initiative](#), established by the President as part of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (Jan. 2021). The Justice40 Initiative set the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged (or Justice40) communities, including Federally recognized Tribes and Alaska Native Villages. Federally recognized Tribes and Tribal entities, regardless of whether they have land or not, are

eligible to benefit from the Justice40 Initiative.¹ The Justice40 Initiative also promotes meaningful engagement to ensure Tribes, stakeholders and communities are involved in determining program benefits. The Department is committed to respecting Tribal sovereignty and to ensuring government-to-government consultation on federal policies and activities.

This guidance applies to the Fiscal Year 2023-2024 award cycle. Additional guidance is subject to modification for future fiscal years.

This document:

1. Sets forth the application process for Tribes to carry out activities under IRA Sec. 80003; and
2. Describes requirements for implementing and reporting on the activities involved in the Tribal electrification projects funded by this program.

The document summarizes the information required during the Tribal electrification proposal process and for expenditures of contracted funding. The Department consulted with Tribal Leaders on this guidance in December 2022 and, to the extent possible under statute, incorporated into the final guidance recommendations and feedback received through the consultation process. Tribes are required to apply these practices to promote consistent standards for electrification activities and proper tracking of the program's results and benefits.

Eligibility, Permissible Uses, and Stipulation of Tribal Project Funding

Eligibility

Eligibility is limited to Federally recognized Indian Tribes and Tribal Organizations authorized by Indian Tribal governments (Tribes and Tribal Organizations as defined in [25 U.S.C. 5304\(e\)](#) to include Alaska Natives and ANCs), Tribal coalitions, Tribal entities (as defined in Memorandum [M-23-09](#)), or as identified by the Climate and Economic Justice [Screening Tool](#).

Preference will go to:

- Tribes with potential to implement community scale projects,
- Tribes with higher poverty (see Definitions), and/or
- Tribes with fewer resources and less expertise to develop electrification projects at community or individual home levels.

Additionally:

- Proposals must provide the contact information for the Tribal project manager overseeing the project. Failure to provide this information will result in disqualification.

¹ See OMB, CEQ, & CPO, M-23-09, Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool (CEJST) (Jan. 27, 2023), https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf. geographically defined Justice40 communities are identified using the Climate and Economic Justice Screening Tool, created by the Council on Environmental Quality and available at <https://screeningtool.geoplatform.gov>.

- Budgets cannot include Tribal indirect rate. Tribal contract support cost is drawn from a separate account and should be requested at budget development meetings with BIA contracting officials (if selected for funding).
- All proposals and pre-applications must be signed (at a minimum) by a Tribal official who is equivalent to the Director of the Office of Indian Economic Development (OIED) to signify the Tribe is aware of the funding and program requirements.
- Participants are encouraged to utilize the PL 93-638 Self Determination or Self Governance Act of 1994 contract process to facilitate project reporting and support of the Tribal Electrification Program funding.

The pre-application and (if invited) proposal will demonstrate, at minimum, one of the following:

- Applicant demonstrates the community has low levels of households with electricity, i.e., applicant demonstrates the ratio of unelectrified to electrified homes in the total community.
- Applicant demonstrates the community has low levels of households with zero-emissions electricity.
- Applicant describes if the community is at high level of risk from climate change or actively planning community driven relocation and if the applicant community is actively integrating electrification into their climate change resilience and/or community driven relocation planning (if applicable).
- Applicant demonstrates the Tribe has higher levels of poverty (see Definitions).
- Applicant has limited potential to implement zero-emissions Tribal electrification projects without this funding and can describe the potential for how this funding would provide for transformational change for the Tribe. (The intention of this funding is to provide a transformational opportunity for communities that would be unable to accomplish the goals of this program independently).

Permissible Uses

Successful applications will be limited to projects directly related to the planning and implementation of electrification through:

- (1) the provision of electricity to unelectrified Tribal homes through zero-emissions energy systems; and/or
- (2) transitioning electrified Tribal homes to zero-emissions energy systems; and/or
- (3) associated home repairs and retrofitting necessary to install and prepare for zero-emissions energy systems.

Funding is available for one of the three below purposes:

- *Planning* – Please see “Definitions” section below.
- *Implementation* – Please see “Definitions” section below.
- *Both planning and implementation* – Projects that include elements of both planning and implementation descriptions. A request for planning dollars and implementation dollars will be accepted with a viable budget and a clear request within the proposal.

How to Apply

Pre-application

Open August 14, 2023 – Pre-applications due September 18, 2023 at 11:59 p.m. EST - The pre-application process will support Tribes/Tribal Enterprises in defining their project request, identifying the project funding request, and identifying the required steps within the overall proposal process.

- Review the funding opportunity announcement to ensure compliance with all eligibility requirements and to gain an understanding of the full application requirements to include the terms and conditions associated with the award. After the review of the full funding announcement, assess the potential project related to Tribal needs and capacity.
- Download the pre-application template and provide responses, to the best of your ability, to each question to complete the pre-application. Suggested word count is included in italics.
- Questions left unanswered will not negatively impact your application; however, you should provide clear explanations as to how this funding will support your project to further meet the Tribe's/Tribes' electrification needs.
- The pre-application will be less than 10 pages.
- Determine and define technical assistance needs, as Indian Affairs, Office of Indian Economic Development will provide Technical Assistance to support applicants as needed.
- Submit the pre-application by the deadline noted above. Pre-applications will be reviewed according to selection criteria outlined within the Funding Opportunity Announcement (below). Based on the results of the review, the Office of Indian Economic Development will invite full proposal applicants after the initial review of pre-applications.
 - For applications on behalf of multiple Tribes, there would need to be resolutions from each Tribe supporting the application. These resolutions are not required for the pre-application but will be required on the full proposal and will be subject to review of applicable self-governance/self-determination laws.
- Submit pre-applications **via email to electrification@bia.gov**

Full Proposal (Invite Only)

Open November 6, 2023 – Proposals Due 11:59 p.m. EST, December 22, 2023

Proposals should be submitted in the format detailed below and should clearly address both eligibility and ranking criteria. Proposals are **limited to 30 pages (not including letters of support/contributions)**. Proposals should be submitted electronically, including all required documentation as identified in Required Elements, saved as a PDF file and uploaded to a **SharePoint site which will be designated for each of the invitees**.

To be complete, the application must include sufficient details, as described below, to provide assurances regarding the ability of the Tribe to carry out and oversee the activities to be funded. Technical assistance will be available to support the full proposal as needed.

Required Elements:

- A. Introduction, Background and Abstract – name of applicant, project name, project location, a brief background and description of the issue the project will address. This section should include a paragraph summarizing your request.
- B. Tribal Resolution providing approval of the proposed project. If Tribal coalitions are applying, resolutions from each Tribe will be necessary.
- C. Letters of support/contributions from other agencies, partnering organizations, if applicable.
- D. Federal Forms: The following Federal forms must be completed and submitted as part of the request for funding (the application). Forms are available attached to this process.
 - i. SF-424 Application for Federal Assistance (version 4)
 - ii. SF-424A Budget Information for Non-Construction Programs. An SF-424A is a standard form that provides an estimate of the work's major cost centers (e.g., Tribal employee labor, training, equipment, contracting and other operational costs), where the sum-total of the budget justification equals the overall grant request.
 - iii. Budget Narrative – Provide a detailed line-item estimated expenditure project breakdown including other sources of committed funds, if applicable. Contract Support Costs will be considered but will not be directly identified as part of the project budget and should be excluded from the sum-total of the budget.
 - iv. SF-LLL Disclosure of Lobbying Activities
- E. Justice40 Initiative: Applicants must describe efforts they intend to implement to help advance the goal of community input and ensuring meaningful involvement (such as publicity, feedback surveys, or other methods) and how they are providing benefits to Justice40 communities. <https://www.energy.gov/diversity/energy-justice-dashboard-beta> Note: The Tribal Electrification Program is a Justice40 covered program. All Justice40 covered programs are required to engage in stakeholder consultation and ensure community stakeholders are meaningfully involved in determining program benefits. Covered programs are required to report data on the benefits directed to disadvantaged communities.
- F. If necessary (i.e., because the project requires an opt in from individual

homeowners), articulate how you plan to educate homeowners on the benefits of the proposed transition to zero-emissions energy systems in order to accomplish the program.

- G. Work Plan: a complete application also will contain the following information as applicable to the planned work:
1. A description of—
 - i. the Tribal program for electrification, planning, retrofitting and/or upgrading, including: how the Tribe expects to find, or is aware of the need for upgrades and/or retrofitting, legal authorities, processes used to identify and prioritize procurement mechanisms, and other program elements demonstrating the readiness of the grantee to carry out proposed activities using the proposed funding;
 - ii. the activities to be carried out with the proposed funding, including an identification of the estimated number of homes to be newly electrified, upgraded/retrofitted for zero-emissions electrification, and
 - iii. Proposals including “Implementation” must also include the following information:
 1. The training and equipment to be received by each personnel and how they relate to the electrification program (if applicable).
 2. Outline a mechanism for reporting progress towards milestone metrics for the program. Milestone metrics can include some or all of the following:
 - a. Number of zero-emissions energy generation systems installed;
 - b. Total running feet of power line constructed;
 - c. Number of homes repaired or retrofitted to make them capable of utilizing zero-emissions energy systems;
 - d. Number of homes successfully electrified.
 3. Implementation Methodology – how you plan to accomplish the task, including a timeline for completion of tasks.
 4. If personnel are to be hired using this funding, what is the Tribe’s plan to fund those personnel when the window to obligate funding expires after five years.
 2. An estimate of—
 - i. the number of homes to be electrified, upgraded, and/or retrofitted with the proposed funding;
 - ii. the number of jobs that will be created or saved through the activities to be funded under this funding mechanism; and
 - iii. the amount of funds to be spent on administrative costs will be defined in contract support costs.
 3. Procedures the Tribe will use to determine whether efficiencies may exist by coordinating with Federal or State agencies.
 4. The Tribe’s authorities to enter private property, or a Tribe’s procedures to obtain landowner consent to enter private property, in the event any lines will be accessed from privately owned property.

5. A work schedule covering the period of performance of the funding.
6. If applicable, a federally approved Indirect Cost Rate Agreement or statement regarding Tribe's intention to negotiate or utilize the de minimis rate.

Ranking Criteria:

To receive consideration applicants must submit a convincing proposal with all required elements (see definition above).

Other ranking criteria include:

- The number of households in need of basic repairs or retrofits to safely receive electrification.
- The number of off-grid households to receive electrification.
- The number of households to transition from electricity to zero-emissions electricity.
- The degree of benefit to the Tribal community and/or communities (i.e., 25% of the community will benefit from this funding request).
- The degree to which the project meets the goals/objectives/requirements of approved Tribal or federal/state planning documents.
- The extent to which a project engages Tribal workforce development in electrification project implementation and/or build.
- The extent to which the project includes additional committed federal/state/private financial resources.
- All applications will be weighted as follows:
 - 25% - Need/Risk and Number of Households Impacted
 - 20% - Community Readiness and Existing Plans
 - 20% - Land Identification and/or existing housing stock impacted
 - 15% - Ability to demonstrate compliance with zero-emissions and Justice40 initiatives
 - 10% - Workforce development opportunities
 - 10% - Access to other funding resources including partnership opportunities

All Tribal Electrification Program applications will be ranked using the same criteria above.

Required Reporting

Successful applicants must commit to providing an annual report to the Regional BIA point-of-contact at the pre-designated SharePoint site, where proposals should be submitted by August 1st of each year until the project is completed.

Reports must include:

- Project Status
- Expenditure Report and Narrative
- Budget Request and narrative for Additional Drawdown(s)

- Expected completion date
- Milestones achieved
- Justice40 data requirement - All Justice40 covered programs are required to engage in stakeholder consultation and ensure community stakeholders are meaningfully involved in determining program benefits. Covered programs are required to report data on the benefits directed to disadvantaged communities, which includes all Federally Recognized Tribes or Tribal entities.²

A final report to your technical assistance contact (listed below) is required within 90 days of project completion. [Reporting helps support future appropriations.](#)

Restrictions on funding use

Any use of funding outside the immediate electrification project proposed is restricted. All funds provided under funding agreements entered into pursuant to this chapter, and all funds provided under contracts or grants made pursuant to this chapter, shall be treated as non-Federal funds for purposes of meeting matching requirements under any other Federal law.

Non-federal funds may be allocated to appropriation accounts for contractor services authorized by Tribal governments or councils that include the usage of Unmanned Aerial Systems (UAS), in accordance with Federal Aviation Administration regulations and project aviation safety plans in order to conduct aerial surveys for development of electrification projects. The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian Tribe, unless such terms are required by Federal law.

Please note: Construction provisions for a self-governance Tribe state that Tribe can select the Title I- 25 U.S.C. 5324 (m) construction process or select and meet the negotiated requirements of 25 U.S.C. 5367.

Technical Assistance

Technical assistance (TA) in the following areas will be available to funding applicants and recipients in the form of training or consultation through, among others, the Office of Indian Economic Development: Proposal preparation, project management, contract management, and related administrative topics. To request TA send an email to Electrification@bia.gov and in the subject line please state "TA Request: Tribe/Organization Name".

Definitions

"Community readiness" – how prepared the Tribal community is to implement an electrification project.

"Contract Support costs" are those costs that cannot be directly attributed to electrification, but instead to general project management or program administration. Contract Support Costs can be expended for

² See OMB, CEQ, & CPO, M-23-09, Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool (CEJST) (Jan. 27, 2023), https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf.

personnel or non-personnel costs, and can be direct or indirect, but should represent the costs to the Tribe for managing the overall project-funded work rather than preparation for and execution of individual projects.

“Date of receipt of funds” - as identified as the effective date of the proposed funding and the start of its period of performance, as determined by the DOI Awarding Official and the receiving Tribe.

“Electrification” - The provision of providing electricity to unelectrified Tribal homes through zero-emissions energy systems, (1) deploying integrated energy system(s) to operate independent of the traditional centralized electric power grid; or (2) deploying energy infrastructure to connect Tribal homes to the traditional centralized electric power grid.

“Energy Infrastructure” for purposes of this FOA, means electric power distribution technologies to transport electricity from the transmission system to individual consumers and may include, but is not limited to, distribution substations, circuits, circuit breakers, switchgear, busbars, distribution lines, distribution transformers, capacitors, voltage regulators, meters, and utility poles.

“Higher poverty” - Higher levels of poverty is defined as having an average combined household income that does not exceed 150% of the U.S. Department of Health and Human Services (DHHS) Poverty Income Guidelines (published annually in January) (25 CFR 256.9-.11).

“Implementation” in the context of the Tribal Electrification Program is defined as the process of putting the planned activities into action or executing the various stages of the electrification project, such as installing electrical infrastructure, deploying power sources and ensuring the availability of electricity to the Tribal communities. Implementation aims to turn the funding and planning into tangible results to bring electricity access and benefits to the Tribal areas.

“Indian Tribe” is any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. 1601 et seq.], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“Partnerships” – any professional relationship where both parties are working towards the same goal of electrification of the proposed Tribal community.

“Planning” in the context of the Tribal Electrification Program is defined as the development of a strategy to transition electrified Tribal homes to zero-emissions energy systems. Planning activities are acceptable uses of TEP funds when those plans are directly related to that transition, and the connection must be justified in the application. Applications that include planning proposals that are not adequately justified may be returned to the applicant for further justification.

“Stand-Alone (Isolated) Microgrid” means a local electrical grid with defined electrical boundaries, acting as a single and controllable entity, that only operates autonomously from the traditional centralized electric power grid.

“Traditional Centralized Electric Power Grid,” for the purposes of this guidance, refers to the main power grids in the continental United States: (1) the Eastern Interconnected System (Eastern Interconnect); (2) the Western Interconnected System (Western Interconnect); and (3) the Texas Interconnected System (Texas Interconnect); as well as (4) the interconnected grid system in Alaska that connects Anchorage, Fairbanks, and the Kenai Peninsula.

“Tribal land” is defined in Sec. 40601(a)(6) as any land or interest in land owned by an Indian Tribe, the title to which is (A) held in trust by the United States, or (B) subject to a restriction against alienation under Federal law. This includes plugging, abandonment, and reclamation of wells drilled into minerals that are held in trust or restricted status for a Tribe, even if the surface estate is not; and remediation of surface that is held in trust or restricted status for a Tribe, even if the minerals are not.

“Un electrified” means Tribal home(s) and/or Tribal member’s home(s) that are (1) not connected to the traditional centralized electric power grid and (2) not connected to a stand-alone (isolated) microgrid that operates autonomously from the traditional centralized electric power grid.

“Zero-Emissions” refers to energy systems that do not emit greenhouse gasses like carbon dioxide or methane. Common forms of zero-emissions energy generation include solar power, wind power, and hydroelectric power.