

(4310-4M)

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Solicitation of Proposals for Grants To Build Capacity for Tribal Energy Resource Development

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Energy Policy Act of 2005 authorizes the Department of the Interior (Interior) to provide grants to Indian tribes for energy development and appropriates funds for such grants on a year-to-year basis. With this notice, the Office of Indian Energy and Economic Development (IEED), within Interior, solicits proposals for projects for building capacity for tribal energy resource development from Indian tribes whose lands are held in trust or restricted fee by the Federal government under the Tribal Energy Development Capacity (TEDC) grant program. IEED will use a competitive evaluation process to select several proposed projects to receive an award.

DATES: Submit grant proposals on or before [INSERT DATE], 2011. We will not consider grant proposals received after this date.

ADDRESSES: Mail or hand-carry grant proposals to the Department of the Interior, Office of Indian Energy & Economic Development, Attention: Ashley Stockdale, 1951 Constitution Ave, NW, MS 20-SIB, Washington, DC 20245, or e-mail to Ashley Stockdale at Ashley.Stockdale@bia.gov

FOR FURTHER INFORMATION CONTACT: If you have questions about the TEDC program, or have technical questions about the tribal energy resource capacity you wish to develop, please contact Ashley Stockdale at Ashley.Stockdale@bia.gov.

SUPPLEMENTARY INFORMATION:

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A. Background

The Energy Policy Act of 2005 authorizes Interior to provide grants to Indian tribes for energy development and appropriates funds for such grants on a year-to-year basis. See 25 U.S.C. 3502. IEED administers these grants under the TEDC program. This notice solicits proposals for projects for building capacity for tribal energy resource development from Indian tribes whose lands are held in trust or restricted fee by the Federal government.

To receive the funds, tribes may use the contracting mechanism established by the Indian Self-Determination Act or may obtain adjustments to their funding from the Office of Self-Governance. See 25 U.S.C. 450 et seq. Indian tribes that would like to apply for a TEDC grant must submit an application that includes the following information: a formal signed resolution of the governing body of the tribe; a proposal describing the planned activities and deliverable products; and a detailed budget estimate, and, once the funding is received must submit reports on how they are using the funding.

The TEDC program is funded under the non-recurring appropriation of the Bureau of

Indian Affairs' (BIA) budget. Congress appropriates funds for TEDC funding on a year-to-year basis. Thus, while some projects may extend over several years, funding for successive years depends on each fiscal year's appropriations.

The information collection requirements contained in this notice have been reviewed and approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3504(h). The OMB control number is 1076-XXXX. The authorization expires on XXXXXXXXXXXX, 20XX. An agency may not conduct or sponsor, and you are not required to respond to, any information collection that does not display a currently valid OMB Control Number.

B. Items To Consider Before Preparing an Application for an Energy and Mineral Development Grant

1. Trust Land Status

TEDC funding can only be made available to tribes whose lands are held in trust or restricted fee by the Federal government. Congress has appropriated these funds for the development of tribal energy capacity only on Indian trust or restricted fee lands.

2. Tribes' Compliance History

IEED will monitor all TEDC grants for statutory and regulatory compliance to assure that awarded funds are correctly applied to approved projects. Tribes that expend funds on unapproved functions may forfeit remaining funds in that proposal year, and possibly for any future TEDC funding. Consequently, IEED may request a tribe to provide a summary of any funds it has received in past years through other projects approved by IEED, and IEED may conduct a review of prior award expenditures before making a decision on current year proposals.

3. BIA Sanction List

Tribes who are currently under BIA sanction resulting from non-compliance with the Single Audit Act may be ineligible from being considered for an award.

4. Completion of Previous Energy Development Capacity Projects

Generally, the IEED will not support nor recommend additional funding for a project until all project functions scheduled for completion the previous year have been documented by the tribe and reviewed by the IEED.

Under some circumstances, delays encountered in performing the project that are beyond the control of the tribe or their consultant will be taken into consideration when making decisions on future year TEDC awards. Such acceptable delays may include late delivery of funding awards to the tribal project, difficulty in finding appropriate contractors to perform project functions, permitting issues, and weather delays.

5. Multiple Projects

IEED will accept more than one application from a tribe for projects, even if the project concerns the same commodity. For example, the tribe may have a viable energy resource, but needs to better define the resource with further exploration work or analysis. Concurrently the tribe also needs to evaluate the market for their resource. In this situation two separate proposals can be submitted. IEED will apply the same objective ranking criteria to each proposal.

6. Multi-Year Projects

IEED cannot award multi-year funding for a project. Funding available for the TEDC is subject to annual appropriations by Congress and therefore IEED can only consider single-year funded projects. Generally, energy development capacity projects are designed to be completed in one year. It is acceptable that a project may require more than one year to complete due to circumstances such as weather, availability of the

consultant, or scope of the project.

TEDC projects requiring funding beyond one-year intervals should be grouped into discrete, single-year units of operation, and then submitted as individual proposals for consideration of TEDC award funding. Tribes must be aware, however, that there is no absolute guarantee of TEDC awards being available for future years of a multi-year project due to the discretionary nature of TEDC award funding.

7. Use of Existing Data

IEED maintains a comprehensive set of tribal data and information. IEED has spent considerable time and expense in collecting digital land grids, geographic information system (GIS) data and imagery data for many reservations. Monthly well status and production data, geophysical data (such as seismic data), geology and engineering data, etc. are all stored at IEED's offices. All of these data sets are available to tribes to reduce the cost of their investigations.

Budget line items will not be allowed for data or products that reside at IEED. The tribe or the tribe's consultant must first check with IEED for availability of these data sets on the reservation they are investigating. If IEED does not have a particular data set, then TEDC funds may be used to acquire such data.

When a proposal includes the acquisition of new data, the tribe should thoroughly search for preexisting data to ensure there is no duplication. If older data does exist, it may have considerable value. It may be updated or improved upon, either by IEED or by the tribe's consultant.

8. Using Technical Services at IEED

IEED has many in-house technical capabilities and services that the tribes may wish to use. All services provided by IEED are without charge to the tribes. Tribes can obtain

maximum benefit from energy and mineral development studies by first using IEED 's services, or by using IEED services in conjunction with outside consultants. Services available at IEED include:

- Technical literature search of previous investigations and work performed in and around reservations using reference materials located nearby, such as the U.S. Geological Survey (USGS) library in Denver, Colorado, or the Colorado School of Mines library in Golden, Colorado;
- Well production history analysis, decline curve and economic analysis of data obtained through IEED's in-house databases;
- Well log interpretation, including correlation of formation tops, identification of producing horizons, and generation of cross-sections;
- Technical mapping capabilities, using data from well log formation tops and seismic data;
- Contour mapping capabilities, including isopachs, calculated grids, color-fill plotting, and posting of surface features, wells, seismic lines and legal boundaries;
- Seismic data interpretation and data processing;
- Three dimensional modeling of mine plans;
- Economic analysis and modeling for energy and solid mineral projects; and
- Marketing studies.

9. What the TEDC Program Cannot Fund

As stated above, these funds are specifically for tribal energy development capacity project work only. Examples of elements that cannot be funded include:

- Establishing or operating a tribal office, and/or purchase of office equipment not specific to the assessment project. Tribal salaries may be included only if the personnel are directly involved in the project and only for the duration of the project;
- Indirect costs and overhead as defined by the Federal Acquisition Regulation (FAR);
- Purchase of equipment that is used to perform the TEDC project, such as computers, vehicles, field gear, etc. (however, the leasing of this type of equipment for the purpose of performing energy and mineral development is allowed);
- Purchasing and/or leasing of equipment for the development of energy and mineral resources. This would include such items as well drilling rigs, backhoes, bulldozers; cranes, trucks, etc.
- Drilling of wells for the sale of hydrocarbons, geothermal resources, other fluid and solid minerals (however, funds may be used for the drilling of exploration holes for testing, sampling, coring, or temperature surveys);
- Legal fees;
- Application fees associated with permitting;
- Research and development of unproved technologies;
- Training;
- Contracted negotiation fees;
- Purchase of data that is available through IEED;
- Any other activities not authorized by the tribal resolution or by the award letter.

10. Who Performs Energy Development Capacity Studies?

The tribe determines who they wish to perform the energy development capacity work, such as a consultant, a private company, or other sources described in the list

below. The tribe may also request the BIA to perform the work.

A tribe has several choices in contracting work performed under an energy development capacity project:

- A private company (although that company must not be competing for exploration or development rights on the tribe's lands);
- An experienced and qualified scientific consultant;
- A Federal government agency (such as USGS or the U.S. Department of Energy (DOE) or a State government agency (such as a State geological survey).

There are no requirements or restrictions on how the tribe performs their contracting function for the consultant or company. The tribe is free to issue the contract through a sole source selection or through competitive bidding. This determination will depend on the tribe's own policies for contracting procedures.

C. How to Prepare an Application for TEDC Funding

Each tribe's application must meet the criteria in this notice. A complete TEDC funding request must contain the following three components:

- A current tribal resolution authorizing the proposed project;
- A proposal describing the planned activities and deliverable products; and
- A detailed budget estimate.

IEED will consider any funding request that does not contain all of the mandatory components to be incomplete and will return it to the tribe with an explanation. The tribe will then be allowed to correct all deficiencies and resubmit the proposal for consideration on or before the deadline.

A detailed description of each of the required components follows.

1. Mandatory Component 1: Tribal Resolution

The tribal resolution must be current, and must be signed. It must authorize tribal approval for a TEDC proposed project in the same fiscal year as that of the proposal and must explicitly refer to the assessment proposal being submitted. The tribal resolution must also include:

- (a) A description of the commodity or commodities to be studied;
- (b) A statement that the tribe is willing to consider development of any potential energy or mineral resource discovered;
- (c) A statement describing how the tribe prefers to have the TEDC program conducted (i.e., by IEED in-house professional staff only, by IEED staff in conjunction with tribal professional staff, by private contractors or consultants, or through other acceptable means.)
- (d) A statement that the tribe will consider public release of information obtained from the TEDC study. (Public release is meant to include publications, a poster session, attending a property fair, or giving an oral presentation at industry or Federal meetings and conferences. It does not mean providing copies of the data or reports to any individual, private company or other government agency without express written permission from the tribal government.)

Note: Any information in the possession of IEED or submitted to IEED throughout the TEDC process, including the final energy and mineral development study, constitutes government records and may be subject to disclosure to third parties under the Freedom of Information Act (FOIA), 5 U.S.C. 552, and the Department of the Interior's FOIA regulations at 43 CFR part 2, unless a FOIA exemption or exception applies or other provisions of law protect the information. A tribe may, but is not required to, designate information it submits as confidential commercially or financially sensitive information,

as applicable, in any submissions it makes throughout the TEDC process. If IEED receives a FOIA request for this information, it will follow the procedures in 43 CFR part 2.

2. Mandatory Component 2: Energy Development Capacity Proposal

A tribe may present their energy development capacity proposal in any form they wish, so long as the proposal contains a description of planned activities and deliverable products that can be accomplished within the fiscal year for which funding is being requested. The proposal should be well organized, contain as much detail as possible, yet be presented succinctly to allow a quick and thorough understanding of the proposal by the IEED ranking team.

Many tribes utilize the services of a staff geoscientist or private consultant to prepare the technical part of the proposal. However, some tribes may not have these resources and therefore, are urged to seek IEED's technical assistance in preparing their TEDC proposal. Tribes who want technical assistance from TEDC should make this request in writing to the address provided in the ADDRESSES section of this notice. The request should be made as early as possible to give IEED time to provide the assistance.

The proposal should include the following sections:

(a) Overview and Technical Summary of the Project: Prepare a short summary overview of the proposal that includes the following:

- Elements of the proposed study;
- Reasons why the proposed study is needed;
- Total requested funding;
- Responsible parties for technical execution and administration of the proposed project; and

- A tribal point of contact for the project and contact information.

(b) Technical Summary of Project: Provide a technical description of the project area, if sufficient information exists. Give examples of a typical resource occurrence to be examined under the proposal, such as the oil or gas deposit, etc. If possible, include criteria applicable to these types of resource occurrences.

- Multi-Phased Studies: Explain whether this assessment request will begin a new study or continue a study that has already been partially completed. Also explain how long the study will last. [NOTE: IEED cannot guarantee funding for a project from one fiscal year to the next.]

- Known Energy/Mineral Resource: If a known energy or mineral deposit exists or produces near the reservation, discuss the possible extension or trend of the deposit onto the reservation.

- Existing Information: Acknowledge any existing mineral exploration information and provide references. The proposed new study should not duplicate previous work.

- Environmental or Cultural Sensitive Areas: Describe and verify if the resources are located in an archeological, environmentally or culturally sensitive area of the reservation. The tribe must also assist IEED with the Environmental Assessment phase of the proposed project.

(c) Project Objective, Goals and Scope of Work: Describe why the tribe needs the proposed energy and mineral development. Examples may include:

- Discussion of the short and long term benefits to the tribe.
- Initial identification of an energy or mineral resource for possible development.
- Additional information regarding the potential resource required for tribal decision making commitments on development proposals.

- Feasibility studies and market analyses on resource development potentials.
- Support for environmental studies.
- Support and technical assistance as part of the contract negotiations process.
- Description of the work proposed, and the project goals and objectives expected to be achieved by the proposed project.
- Description of the location on the reservation where the work will be done.

Include relevant page size maps and graphs.

- Detailed description of the scope of work and justification of a particular method. For example, if a geochemical sampling survey is planned, an explanation might include the quantity samples to be obtained, what type of sampling will be targeted, the soil horizons to be tested, general location of the projected sampling, how the samples are to be analyzed and why geochemistry was chosen as an exploration technique. Furnish similar types of explanations and details for geophysics, geologic mapping, core drilling, or any other type of assessment planned.

(d) Deliverable Products: Describe all deliverable products that the proposed assessment project will generate, including all technical data to be obtained during the study. Describe the types of maps to be generated and the proposed scales. Also discuss how these maps and cross-sections will help define the energy and mineral potential on the reservation. Discuss any planned status reports as well as the parameters of the final report.

(e) Resumes of Key Personnel: If the tribe is using a consultant services, provide the resumes of key personnel who will be performing the project work. The resumes should provide information on each individual's expertise. If subcontractors are used, these should also be disclosed.

3. Mandatory Component 3: Detailed Budget Estimate

A detailed budget estimate is required for the funding level requested. The detail not only provides the tribe with an estimate of costs, but it also provides IEED with the means of evaluating the cost-benefit of each project. This line-by-line budget must fully detail all projected and anticipated expenditures under the TEDC proposal. The Review and Ranking Panel reviews each budget estimate to determine whether the budget is reasonable and can produce the results outlined under the proposal.

Each proposed project function should have a separate budget. The budget should break out contract and consulting fees, fieldwork, lab and testing fees, travel and all other relevant project expenses. Preparation of the budget portion of an TEDC proposal should be considered a top priority. TEDC proposals that include sound budget projections will receive a more favorable ranking over those proposals that fail to provide appropriate budget projections.

The budget page(s) should provide a comprehensive breakdown for those project line items that involve several components, or contain numerous sub-functions.

(a) Contracted Personnel Costs. This includes all contracted personnel and consultants, their respective positions and time (staff-hour) allocations for the proposed functions of a project.

- Personnel funded under the Pub. L. 93-638 TEDC program must have documented professional qualifications necessary to perform the work. Position descriptions or resumes should be attached to the budget estimate.
- If a consultant is to be hired for a fixed fee, the consultant's expenses should be itemized as part of the project budget.

- Consultant fees must be accompanied by documentation that clearly identifies the qualifications of the proposed consultants, how the consultant(s) are to be used, and a line item breakdown of costs associated with each consultant activity.

(b) Travel Estimates. Estimates should be itemized by airfare, vehicle rental, lodging, and per diem, based on the current federal government per diem schedule.

(c) Data Collection and Analysis Costs. These costs should be itemized in sufficient detail for the reviewer to evaluate the charges. For example, break down drilling and sampling costs in relation to mobilization costs, footage rates, testing and lab analysis costs per core sample.

(d) Other Expenses. Include computer rental, report generation, drafting, and advertising costs for a proposed project.

D. Submission of Application in Digital Format

Submit the application, including the budget pages, in digital form. IEED will return proposals that are submitted without the digital components.

Acceptable formats are Microsoft Word and Adobe Acrobat PDF on compact disks (CDs) or floppy disks. The budget must be submitted in a Microsoft Excel spreadsheet.

Each file must be saved with a filename that clearly identifies the file being submitted. File name extensions must clearly indicate the software application used preparing the documents (e.g., doc, .pdf).

Documents that require an original signature, such as cover letters, tribal resolutions, and other letters of tribal authorization can be submitted in hard copy (paper) form.

If you have any additional questions concerning the TEDC program proposal submission process, please contact Ashley Stockdale at Ashley.Stockdale@bia.gov.

E. Application Evaluation and Administrative Information

1. Administrative Review

Upon receiving an application, IEED will determine whether it contains the prescribed information, includes a tribal resolution, contains sufficient technical and scientific information to permit an evaluation, and does not duplicate or overlap previous or current funded TEDC projects.

IEED staff may return an application that does not include all information and documentation required within this notice. During the review of a proposal, IEED may request the submission of additional information.

2. Ranking Criteria

Proposals will be formally evaluated by a Review and Ranking Panel using the six criteria listed below. Each criterion provides a percentage of the total maximum rating of 100 points.

(a) Resource Potential, 10 points. If the resource is determined not to exist on the reservation, then the proposal will be rejected. The panel will base their scoring on both the information provided by the tribe and databases maintained by IEED. It is critical that the tribe attempt to provide all pertinent information in their proposal in order to ensure that an accurate review of the proposal is accomplished. The reviewers are aware that many tribes have little energy or mineral resource data on reservation lands, and in some cases, resource data does not exist. However, geologic and historical mineral development data exist throughout most of the continental U.S. on lands surrounding Indian reservations.

Many times a producing energy or mineral deposit exists outside but near the reservation boundary. The geologic setting containing the resource may extend onto the reservation, regardless of the size of the reservation. This would suggest potential of

finding similar resources on the reservation. In some cases, available data on non-reservation lands may allow for a scientifically acceptable projection of favorable trends for energy or mineral occurrences on adjacent Indian lands.

For renewable energy proposals, this factor applies to conditions favorable for the economic development of the renewable energy source being studied.

(b) Marketability of the Resource; 20 points. Reviewers will base their scoring on both the short- and long-term market conditions of the resources. Reviewers are aware that marketability of an energy or mineral commodity depends upon existing and emerging market conditions. Industrial minerals such as aggregates, sand/gravel and gypsum are dependent on local and regional economic conditions.

Precious and base metal minerals such as gold, silver, lead, copper and zinc are usually more dependent upon international market conditions. Natural gas and coal bed methane production depends upon having relatively close access to a transmission pipeline, as does renewable energy to an electric transmission grid.

Coal and crude oil production, on the other hand, carry built-in transportation costs, making those resources more dependent on current and projected energy commodity rates. At any time, some commodities may have a strong sustained market while others experience a weak market environment, or even a market surge that may be only temporary.

Reviewers are aware of pitfalls surrounding long-term market forecasts of energy and mineral resources, so the proposal should address this element fully. Also, short-term forecasts may indicate an oversupply from both national and internationally developed properties, and therefore additional production may not be accommodated. Certain commodities such as electricity may be in high demand in some regional sectors, but the

current state of the transmission infrastructure does not allow for additional kilowatts to be handled, thereby hindering a market opportunity.

On the other hand, the potential for improving markets may be suggested by market indicators. Examples of market indicators include price history, prices from the futures markets, rig count for oil and gas, and fundamental factors like supply shortages, political unrest in foreign markets, and changes in technology.

(c) Economic Benefits Produced by the Project; 35 points. This year there will be greater emphasis on funding projects that would have an impact on tribal jobs and income. To receive a high score for this ranking criterion, the proposal should clearly state how the project would achieve this result. If the project indirectly creates economic benefits, for example applying royalty income from oil and gas productions to create other tribal businesses, that would satisfy this criterion. Whatever the commodity being studied, the ultimate goal is to collect useful data and information that allows the tribe to stimulate development on their lands. This might occur with industry partners or the tribe may develop the resource themselves.

(d) Tribes' Willingness to Develop, 10 points: The tribe's willingness to consider developing any potential resource must be clearly stated in the proposal and the tribal resolution. Note that this is not a statement for mandatory development of any potential resource, but just that the tribe is willing to develop. The decision on whether to develop will always lie with the tribe. The willingness-to-develop statement should sufficient explain how the tribe intends to accomplish this task.

IEED will also evaluate willingness to develop based upon the tribe's willingness to release energy or mineral data to potential developers.

(e) Tribal Commitment to the Project; 25 points: To receive a high score for this

criterion, the tribe should explain how it will participate in the study, such as by appointing a designated lead and contact person (especially a person with some knowledge of the technical aspects of the projects, and direct contact with the tribe's natural resource department and tribal council), to be committed to the successful completion of the project.

If the tribe has a strategic plan for development, this should be discussed in the proposal. A strategic plan outlines objectives, goals, and methodology for creating sustainable tribal economic development. The proposal should also explain how the tribe's TEDC proposal fits within that strategic plan.

3. Ranking of Proposals and Award Letters

The Review and Ranking Panel will rank TEDC proposals using the selection criteria outlined in this section. IEED will then forward the rated requests to the Director of the IEED (Director) for approval. Once approved, the Director will submit all proposals to the Assistant Secretary – Indian Affairs for concurrence and announcement of awards to those selected tribes, via written notice. Those tribes not receiving an award will also be notified immediately in writing.

F. When to Submit

IEED will accept applications at any time before the deadline stated in the **DATES** section of this notice, and will send a notification of receipt to the return address on the application package, along with a determination of whether or not the application is complete. IEED will not consider grant proposals after this date. A date-stamped receipt of submission by the BIA Regional or Agency-level office on or before the announced deadline will also be acceptable.

G. Where to Submit

Submit the energy and mineral development proposals to IEED at the address listed in the **ADDRESSES** section of this notice. Applicants should also forward a copy of their proposal to their own BIA Agency and Regional offices.

A tribe may fax the cover letter and resolution for the proposal before the deadline, which will guarantee that the proposal will be considered as being received on time. However, IEED asks that tribes or consultants do not send the entire proposal via fax, as this severely overloads the fax system.

The cover letter should also state that the proposal is being sent via FedEx or mail. An original signature copy must be received in IEED's office within 5 working days after the deadline, including all signed tribal resolutions and letters of tribal authorization.

BIA Regional or Agency level offices receiving a tribe's submitted TEDC proposal do not have to forward it on to IEED. It is meant to inform them of a tribe's intent to perform energy or mineral studies using TEDC funding. BIA Regional or Agency offices are free to comment on the tribe's proposal, or to ask IEED for other information.

H. Transfer of Funds

IEED will transfer a tribe's TEDC award funds to the BIA Regional Office that serves that tribe, via a sub-allotment funding document coded for the tribe's TEDC project. The tribe should anticipate the transfer and be in contact with budget personnel at the Regional and Agency office levels. Tribes receiving TEDC awards must establish a new 638 contract to complete the transfer process, or use an existing 638 contract, as applicable.

I. Reporting Requirements for Award Recipients

1. Quarterly Reporting Requirements

During the life of the TEDC project, quarterly written reports are to be submitted to

the IEED project monitor for the project. The beginning and ending quarter periods are to be based on the actual start date of the TEDC project. This date can be determined between IEED's project monitor and the tribe.

The quarterly report can be a one- to two-page summary of events, accomplishments, problems and results that took place during the quarter. Quarterly reports are due 2 weeks after the end of a project's fiscal quarter.

2. Final Reporting Requirements

- Delivery Schedules. The tribe must deliver all products and data generated by the proposed assessment project to IEED's office within two weeks after completion of the project.

- Mandatory Requirement to Provide Reports and Data in Digital Form. IEED maintains a repository for all energy and mineral data on Indian lands, much of it derived from these energy and mineral development reports. As TEDC projects produce reports with large amounts of raw and processed data, analyses and assays, IEED requires that deliverable products be provided in digital format, along with printed hard copies.

Reports can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures should be converted to PDF format. Raster images can be provided in PDF, JPEG, TIFF, or any of the Windows metafile formats.

- Number of Copies. When a tribe prepares a contract for energy and mineral development, it must describe the deliverable products and include a requirement that the products be prepared in standard format (see format description above). Each energy and mineral development contract will provide funding for a total of six printed and six digital copies to be distributed as follows:

(a) The tribe will receive two printed and two digital copies of the TEDC report.

(b) IEED requires four printed copies and four digital copies of the TEDC report.

IEED will transmit one of these copies to the tribe's BIA Regional Office, and one copy to the tribe's BIA Agency office. Two printed and two digital copies will then reside with IEED. These copies should be forwarded to the IEED offices in Lakewood, Colorado, to the attention of the "Energy and Mineral Development Program."

All products generated by TEDC studies belong to the tribe and cannot be released to the public without the tribe's written approval. Products include all reports and technical data obtained during the study such as geophysical data, geochemical analyses, core data, lithologic logs, assay data of samples tested, results of special tests, maps and cross sections, status reports, and the final report.

J. Requests for Technical Assistance

IEED staff may provide technical consultation (i.e., work directly with tribal staff on a proposed project), provide support documentation and data, provide written language on specialized sections of the proposal, and suggest ways a tribe may obtain other assistance, such as from a company or consultant specializing in a particular area of expertise. However, the tribe is responsible for preparing the executive summary, justification, and scope of work for their proposal.

The tribe must notify IEED in writing that they require assistance, and IEED will then appoint staff to provide the requested assistance. The tribe's request must clearly specify the type of technical assistance desired.

Requests for technical assistance should be submitted well in advance of the proposal deadline established in the **DATES** section of this solicitation to allow IEED staff time to provide the appropriate assistance. IEED will not accept requests for technical assistance

that are received after [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]. Tribes not seeking technical assistance should also attempt to submit their TEDC proposals well in advance of the deadline to allow IEED staff time to review the proposals for possible deficiencies and allow time to contact the tribe with requests for revisions to the initial submission.

Dated:

Larry Echo Hawk
Assistant Secretary – Indian Affairs