



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

OCT 26 2020

Dear Tribal Leader:

I write today to request your input through consultation on several topics. While these topics are separate and distinct from each other, in the interest of efficiency, I am combining them into one letter. Please feel free to share a copy of this letter with your appropriate staff for each of the topics, which relate to: banned electronic equipment, software, and services; international repatriation; and the Indian Loan Guarantee Program (ILGP). The following provides brief descriptions of each of these topics, invites you to consultation sessions to discuss, provides addresses for any written input you may wish to provide, and provides points of contact for more information.

1. Banned Electronic Equipment, Software, and Services

I would like to alert you, as a partner to the Federal Government, to take special care in your selection of telecommunications and video surveillance equipment and infrastructure. As of August 13, 2020, the Federal Government is prohibited from initiating or continuing contracts with entities that use telecommunications, video surveillance, or other equipment or services from five Chinese companies due to national security concerns: Huawei, ZTE, Hytera, Hikvision, and Dahua.¹ This means that Federal agencies may not enter into, extend, or renew a binding agreement with any organization, including any Tribe, that uses telecommunications or video surveillance equipment, software, or services from the companies named above.

It has come to our attention that some companies are specifically targeting Tribes in marketing these banned equipment and service contracts, sometimes offering them at below cost to entice commitments. Any such purchase would make the Tribe vulnerable to foreign nations and threaten the Tribe's ability to obtain funds from, communicate with, and otherwise carry out its relationship with Federal agencies.

In short, I strongly caution against purchasing any devices or infrastructure from any of the above-listed companies. If you would like to discuss this issue with me, please feel free to join me for consultation at the date and time listed below.

Consultation session – Banned Electronic Equipment, Software and Services:

Date	Time (Eastern Time)	Call-In Number	Passcode
Thursday, December 3, 2020	2 p.m. – 5 p.m.	(888) 787-0207	2404703

Written input:

- Email (preferred): consultation@bia.gov
- Mail (if email not possible): Joseph Austin, Associate Chief Information Officer – Indian Affairs, 1849 C Street, NW, MS-4660, Washington, DC 20240.

Point of contact:

- Joseph Austin, Associate Chief Information Officer, joseph.austin@bia.gov, (202) 515-6827.

¹ See Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115–232) (Act).

2. International Repatriation

Recently, I had the honor of joining President Trump and Secretary Bernhardt in the Oval Office regarding the repatriation of culturally and ancestrally important items from Finland to Tribes that are culturally connected to the Mesa Verde region. This is one of several international repatriations from foreign museums that the Department of the Interior has supported in recent years in response to Tribes' requests for assistance, and we continue to work with the Departments of State, Justice, and Homeland Security to support repatriation of cultural items held abroad in museums or private collections or sold at foreign auctions.

In furtherance of these efforts, I would like to hear from you to learn whether your Tribe has identified human remains, funerary objects, sacred objects, or objects of cultural patrimony (hereafter referred to as "cultural items") that are currently under foreign (outside the United States) possession, as well as:

1. How many of your Tribe's cultural items do you estimate are under foreign possession?
2. What type of your Tribe's cultural items do you believe are under foreign possession?
3. Where do you believe these cultural items are located?
4. Are you interested in having the U.S. Government assist in seeking the repatriation of these cultural items?

I understand much of this information is confidential or sensitive, but your willingness to share any information will help guide our efforts in repatriation. Please feel free to frame your responses as generally as necessary for the protection of confidential information, recognizing that information provided is subject to disclosure under the Freedom of Information Act unless excluded by a specific exemption such as those provided under the Archaeological Resources Protection Act or National Historic Preservation Act.

Although providing this information will help the U.S. Government understand the scope of holdings abroad and how we may be able to assist with priorities identified by Tribes, it is important to note that available tools and resources are limited, and Interior and other Federal agencies do not have direct jurisdiction over cultural items held by foreign nationals in foreign countries, beyond the application of U.S. law.

Consultation session – International Repatriation:

Date	Time (Eastern Time)	Call-In Number	Passcode
Wednesday, December 2, 2020	2 p.m. – 5 p.m.	(888) 831-8967	"DOI" (An operator will answer)

Written input:

- Email (preferred): consultation@bia.gov
- Mail (if email not possible): Ashley Fry, Senior Advisor – International Affairs, Office of the Assistant Secretary – Indian Affairs, 1849 C Street, NW, MS-4660, Washington, DC 20240.

Point of contact:

- Ms. Ashley Fry, Senior Advisor – International Affairs, Office of the Assistant Secretary – Indian Affairs, ashley.fry@bia.gov, (202) 492-1947.

3. Indian Loan Guarantee Program (ILGP)

The Division of Capital Investment (DCI) in the Office of Indian Energy and Economic Development (IEED) manages the ILGP in accordance with the Indian Financing Act of 1974. *See* 25 U.S.C. 1481 *et seq.* and 25 CFR Part 103. The ILGP guarantees or insures up to 90% of loans made by lenders to Tribal and Indian-owned businesses. For Fiscal Year 2020, the ILGP had an obligation ceiling of over \$180 million.

Through this consultation, Indian Affairs would like your input on how the DCI could further encourage business lending with the ILGP to fully meet Tribal business needs. Specifically, we will ask Tribal participants to respond to the following:

- How can DCI engage more lenders to serve Tribal business and support economic development?
- Are there existing or potential statutory authorizations that would allow the ILGP to perform functions it does not now perform?
- What are the strengths and weaknesses of the ILGP?

Consultation session – Indian Loan Guarantee Program (ILGP):

Date	Time (Eastern Time)	Call-In Number	Passcode
Tuesday, December 1, 2020	2 p.m. – 5 p.m.	(888) 606-8412	“DOI” (An operator will answer)

Written input:

- Email (preferred): consultation@bia.gov
- Mail (if email not possible): Morgan Rodman, Acting Director IEED, 1849 C Street, NW, MS-4660, Washington, DC 20240

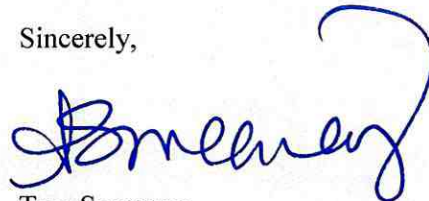
Point of contact:

- Mr. David Johnson, DCI Acting Chief, davidb.johnson@bia.gov, (202) 507-0796.

I look forward to discussing each of these topics with you. If you prefer to provide your input in writing on any of these issues, please email or mail to the address listed above for the appropriate topic by midnight on Friday, December 4, 2020.

Thank you, and stay safe.

Sincerely,



Tara Sweeney
Assistant Secretary – Indian Affairs