

# *American Rescue Plan Act* **Budget Reconciliation Support for Tribes & Native Communities**

## *Overview: Support for Tribes & Native Communities in the American Rescue Plan Act*

### **The *American Rescue Plan Act* is the single largest infusion of resources into Indian Country and Native communities in U.S. history**

- Contains \$32+ billion in targeted funding for Tribal governments and Native communities.
- Includes billions of dollars in additional funding that will benefit Native families and Tribes (e.g., individual economic impact payments, increased SNAP benefits, PPP, EIDL, etc.).

### **The *American Rescue Plan Act* contains historic “firsts”**

- The first time Congress has ever provided dedicated, direct spending in a Budget Reconciliation package for the Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), the Bureau of Indian Education (BIE), and the Administration for Native Americans (ANA).
- The first time Congress has provided Tribes direct, equal access to the Department of Treasury’s State Small Business Credit Initiative program as well as the first time Congress has provided Urban Indian Health Programs and Native Hawaiian Health Centers equal access to federal Medicaid reimbursement resources.
- The first COVID-19 relief package with dedicated resources to address the impacts of the pandemic on Native American languages and cultures.

### **The *American Rescue Plan Act* respects Tribal sovereignty and self-determination**

- Structures dedicated Tribal funding resources in response Tribal feedback on implementation barriers and inefficiencies for the FFCRA, CARES, the PPPHCE, and the CRRSA/Coronavirus.
- Pushes funding through agencies with existing Indian Country footprints to expedite funding distribution.
- Cuts red tape so Tribes and Native communities don’t have to divert resources from their COVID-19 response efforts just to navigate grant opportunities, file new applications, or comply with burdensome, duplicative reporting requirements.
- Provides Tribes and Native communities with greater flexibility on deciding how to deploy funds and meet their peoples’ needs.

**Section-by-Section: Dedicated Support for  
Tribes & Native Communities in the American Rescue Plan Act**

**TITLE I – COMMITTEE ON AGRICULTURE, NUTRITION, & FORESTRY (\$20,200,000)**

***SEC. 1006 - USDA ASSISTANCE AND SUPPORT FOR SOCIALLY DISADVANTAGED FARMERS, RANCHERS, FOREST LAND OWNERS AND OPERATORS, AND GROUPS (\$20,200,000).***

This section authorizes \$20,200,000 in direct funding for the Department of Agriculture to support agricultural research, education, extension, scholarships, and internships at Tribal Colleges and Universities, Alaska Native serving institutions of higher education, and Native Hawaiian serving institutions of higher education. Section 1006 specifies that the Department must use:

- \$10,100,000 for Tribal Colleges and Universities; and
- \$10,100,000 for Alaska Native and Native Hawaiian serving institutions of higher education.

These funds will remain available until expended.

**TITLE II – COMMITTEE ON HEALTH, EDUCATION, LABOR, & PENSIONS (\$1,409,470,734)**

***SEC. 2003 – HIGHER EDUCATION EMERGENCY RELIEF FUND (\$231,569,734)***

In addition to other formula funding, this section authorizes \$231,569,734 in direct funding for the Department of Education to make allocations to Tribal Colleges and Universities, Alaska Native and Native Hawaiian Serving Institutions, and Native American Serving Non-Tribal Institutions. Section 2003 specifies that the Department must use:

- \$142,504,452 for Tribal Colleges and Universities;
- \$71,252,226 for Alaska Native and Native Hawaiian Serving Institutions; and
- \$17,813,056 for Native American Serving Non-Tribal Institutions.

This funding will remain available from FY2021-FY2023.

***SEC. 2201 – CHILD CARE & DEVELOPMENT BLOCK GRANT PROGRAM &  
SEC. 2202 – CHILD CARE STABILIZATION (\$1,072,000,000)***

These sections authorize a minimum of \$1,072,000,000 in direct funding for the Department of Health and Human Services to support Tribes and Tribal organizations that participate in the Child Care and Development Block Grant (CCDBG) program. This funding will remain available until the end of FY2024.

***SEC. 2203 – HEAD START (\$25,401,000)***

These sections authorize a minimum of \$25,401,000 in direct funding for the Department of Health and Human Services to support Tribes and Tribal organizations that participate in the Head Start programs. This funding will remain available until the end of FY2022.

***SEC. 2204 – PROGRAMS FOR SURVIVORS (\$19,000,000)***

This section authorizes \$19,000,000 in direct funding for the Department of Health and Human Services to support the Stronghearts Native Helpline and Tribal *Family Violence Prevention and Services Act* (FVPSA) grantees. Section 2204 specifies that the Department must use:

- \$1,000,000 for the Stronghearts Native Helpline; and
- \$18,000,000 for Tribal FVPSA grantees.

These funds will remain available until expended.

***SEC. 2205 – CHILD ABUSE PREVENTION & TREATMENT (\$2,500,000)***

This section authorizes \$2,500,000 in direct funding for the Department of Health and Human Services to provide supplemental assistance to Tribal community-based child abuse prevention grantees that receive support under the *Child Abuse Prevention and Treatment Act* community-based grant program. These funds will remain available until the end of FY2023.

***SEC. 2601 – FUNDING FOR COMMUNITY HEALTH CENTERS & COMMUNITY CARE (\$20,000,000)***

This section authorizes \$20,000,000 in direct funding for the Department of Health and Human Services to provide additional support to Papa Ola Lokahi and Native Hawaiian Health Care Centers. This funding will remain available until expended.

***SEC. 2911 – FUNDING FOR LIHEAP (TBD)***

This section authorizes \$4,500,000,000 in direct funding for the Department of Health and Human Services to provide supplemental funding for *Low-Income Home Energy Assistance Act* program (LIHEAP) participants. Tribal LIHEAP participants will receive a portion of this supplemental assistance. These funds will be available through the end of FY2022.

***SEC. 2912 – FUNDING FOR WATER ASSISTANCE PROGRAM (\$15,000,000)***

This section authorizes a minimum of \$15,000,000 for the Department of Health and Human Services to support Indian Tribes and Tribal organizations that assist low-income households that pay a high proportion of household income for drinking water and wastewater services. These funds will remain available until expended.

***SEC. 2921 – SUPPORTING OLDER AMERICANS & THEIR FAMILIES (\$25,000,000)***

This section authorizes \$25,000,000 for the Department of Health and Human Services to provide supplementary assistance for Native organizations that provide supportive services for Native elders. These funds will remain available until expended.

**TITLE III – COMMITTEE ON BANKING, HOUSING, & URBAN AFFAIRS (\$1,033,000,000)**

***SEC. 3206 – HOMEOWNER ASSISTANCE FUND (\$498,000,000)***

This section authorizes \$498,000,000 for the Department of the Treasury to provide assistance under the newly established Homeowner Assistance Fund program for Tribes, Tribally designated housing entities (TDHEs), and the Department of Hawaiian Home Lands.

It specifies that—

- These funds may be spent for the purposes of preventing homeowner mortgage delinquencies, defaults, foreclosures, utilities assistance, and prevention of the displacement of homeowners experiencing financial hardship associated with the COVID-19 pandemic;
- No less than 60% of entity allocations from this fund must be used to assist homeowners who have incomes equal to or less than 100% of the area median income or the national median income, whichever is greater; and
- Tribes that do not participate in the Indian Housing Block Grant must “opt in” no later than 30 days after enactment of the *American Rescue Plan Act* in order to participate the Homeowners Assistance program.
- The Department must allocate the funds using the same formula developed for the CRRSA/Coronavirus Emergency Rental Assistance program.
- The Department must begin making payments to Tribes, TDHEs, and the Department of Hawaiian Homelands no later than 45 days after ARPA enactment.

These funds will remain available until the end of FY2025.

**SEC. 3301 – STATE SMALL BUSINESS CREDIT INITIATIVE (\$500,000,000)**

This section reauthorizes the Department of the Treasury’s State Small Business Credit Initiative and makes Tribal governments eligible to participate for the first time. It requires the Department to allocate \$500,000,000 among Tribal governments within 60 days of enactment of the *American Rescue Plan Act* in an amount determined by the Department based on employment and economic data. It allows the Department to require Tribal governments interested in participating in the program, either individually or jointly with other Tribes, to file a notice of intent with the Department no later than 30 days after enactment. It defines “Tribal governments” as the recognized governing body of any federally recognized Tribe identified on the Department of the Interior’s *Federally Recognized Indian Tribe List Act* list.

**SEC. 3401 – FEDERAL TRANSIT ADMINISTRATION GRANTS (\$35,000,000)**

This section authorizes \$35,000,000 in direct funding for the Federal Transit Administration (FTA) to support Tribal transit agencies impacted by the COVID-19 pandemic. These funds will remain available until the end of FY2024, and the FTA must allocate \$30,000,000 through the Rural Areas formula grants and \$5,000,000 through discretionary grants.

**TITLE IX – COMMITTEE ON FINANCE (\$21,229,850,000)**

**SEC. 9201 – PANDEMIC EMERGENCY ASSISTANCE (\$74,850,000)**

This section authorizes up to \$74,850,000 in direct funding through the newly established Pandemic Emergency Assistance program for Tribes and Tribal organizations that participate in the Temporary Assistance for Needy Families program at the Department of Health and Human Services. These funds will remain available until expended.

**SEC. 9801 – CHILD CARE ASSISTANCE (\$400,000,000)**

This section increases the annual mandatory funding for Indian Tribes and Tribal organizations under the Child Care Entitlement program by approximately \$40,000,000 per year.

**SEC. 9815 – EXTENSION OF 100 PERCENT FEDERAL MEDICAL ASSISTANCE PERCENTAGE TO URBAN INDIAN HEALTH ORGANIZATIONS & NATIVE HAWAIIAN HEALTH CARE SYSTEMS (\$155,000,000)**

This section makes Urban Indian Organizations that operate under contract with the Indian Health Service and Native Hawaiian Health Care Systems eligible to receive 100% reimbursement from the federal government for Medicaid services for two years. This eligibility gives Urban Indian Organizations and Native Hawaiian Health Care Systems parity with federally-operated and Tribally-operated Indian Health Service facilities.

**SEC. 9901 – CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (\$20,600,000,000)**

This section authorizes \$20,600,000,000 in direct funding through various Coronavirus Recovery Funds established at the Department of the Treasury for Tribal governments.

- The Coronavirus State Fiscal Recovery Fund authorizes \$20,000,000,000 in direct funding for the Department of the Treasury to make payments to Tribal governments within 60 days of enactment of the *American Rescue Plan Act*. It defines “Tribal governments” as the recognized governing body of any federally recognized Tribe identified on the Department of the Interior’s *Federally Recognized Indian Tribe List Act* list. These funds will remain available through December 31, 2024.

The Department must allocate \$1,000,000,000 of these funds equally among all Tribal governments, but it will determine the method for allocating the remaining \$19,000,000,000.

Tribal governments must submit periodic reports to the Department detailing how it is using payments under this section. They may only use these funds to—

- Respond to the COVID-19 pandemic and its negative economic impacts;
- Provide premium pay to essential workers;
- Replace COVID-19-related lost revenues necessary to support the provision of government services; and
- Make necessary investments in water, sewer, and broadband infrastructure.

Improperly spent funds are subject to recoupment.

- The newly established Coronavirus Capital Projects Fund authorizes \$100,000,000 in direct funding for the Department of the Treasury to make equal payments of no less than \$50,000 to each Tribal government and the State of Hawaii to carry out critical capital projects in response to the COVID-19 pandemic. It defines a “Tribal government” as the recognized governing body of any federally recognized Tribe identified on the Department of the Interior’s *Federally Recognized Indian Tribe List Act* list and requires the State of Hawaii to use any funds it receives exclusively for the Department of Hawaiian Home Lands and Native Hawaiian Education Programs. It further requires the Department to make these payments no later than 60 days after enactment of the *American Rescue Plan Act*. The funds will remain available until expended.
- The newly established Local Assistance and Tribal Consistency Fund authorizes \$500,000,000 in direct funding for the Department of the Treasury to make payments to Tribal governments for any governmental activity (aside from lobbying). It defines a “Tribal government” as the recognized governing body of any federally recognized Tribe identified on the Department of the Interior’s *Federally Recognized Indian Tribe List Act* list. These funds will be distributed over two fiscal years and will remain available until the end of FY2023.

## **TITLE XI – COMMITTEE ON INDIAN AFFAIRS (\$8,804,000,000)**

### ***SEC. 11001 - INDIAN HEALTH SERVICE (\$6,094,000,000)***

This section authorizes \$6,094,000,000 in direct funding for the Indian Health Service to address the impacts of the COVID-19 pandemic on operation of essential health and sanitation programs. It specifies that the Indian Health Service must use—

- \$2,340,000,000 for expenses related to—
  - COVID-19 vaccine campaigns,
  - COVID-19 testing, tracing, and mitigation, and
  - expanding or sustaining a public health workforce;
- \$2,000,000,000 for lost third party medical billing reimbursements (e.g., private insurance, Medicaid, Medicare) to ensure federally-operated IHS facilities, Tribally-operated IHS facilities, and urban Indian health facilities can continue operations despite COVID-19-related estimated budget shortfalls;
- \$600,000,000 for construction, maintenance, and improvement of IHS facilities and sanitation systems in American Indian and Alaska Native homes;
- \$500,000,000 for clinical health services and Purchased/Referred Care;

- \$420,000,000 for expenses related to mental and behavioral health prevention services, treatment services, IT improvement, telehealth expansion, and facilities construction or improvement;
- \$140,000,000 for improving health IT and telehealth access;
- \$84,000,000 for awards to urban Indian health centers; and
- \$10,000,000 for potable water delivery.

These funds will remain available until expended.

***SEC. 11002 - BUREAU OF INDIAN AFFAIRS (\$900,000,000)***

This section authorizes \$900,000,000 in direct funding for the Bureau of Indian Affairs to address the impacts of the COVID-19 pandemic on operation of its essential social welfare and public safety programs. These funds will remain available until expended. This section specifies that the Bureau must use—

- \$772,500,000 for Tribal government services (i.e., assistance to Tribal governments, public safety, and child welfare programs);
- \$100,000,000 for the Bureau’s Housing Improvement Program;
- \$20,000,000 for potable water delivery; and
- \$7,500,000 for administrative costs and oversight.

The section prohibits the Department from counting assistance provided to Tribes with these funds for purposes of determining eligibility for the “Small and Needy” Tribes program.

These funds will remain available until expended.

***SEC. 11003 - HOUSING ASSISTANCE AND SUPPORTIVE SERVICES PROGRAMS FOR NATIVE AMERICANS (\$750,000,000)***

This section authorizes \$750,000,000 in direct funding for the Department of Housing and Urban Development’s Office of Native American Programs to address the impacts of the COVID-19 pandemic on operation of its Native American housing and community development programs. It specifies that the Department must use—

- \$450,000,000 for the Indian Housing Block Grant program;
- \$280,000,000 for the Indian Community Development Block Grant program;
- \$10,000,000 for technical assistance;
- \$5,000,000 for the Native Hawaiian Housing Block Grant program; and
- \$5,000,000 for administrative costs and oversight.

The Department may waive or alter regulations as necessary to assist in the expedited administration of these funds. Recipients may use these funds for eligible COVID-19-related expenses incurred since January 21, 2020.

These funds will remain available until the end of FY2025.

***SEC. 11004 - COVID19 RESPONSE RESOURCES FOR THE PRESERVATION AND MAINTENANCE OF NATIVE AMERICAN LANGUAGES (\$20,000,000)***

This section amends the *Native American Programs Act* to authorize \$20,000,000 in direct funding for the Department of Health and Human Service’s Administration for Native Americans to issue emergency Native American language preservation and maintenance grants to Native American language communities to mitigate COVID-19 related disruptions or threats to the survival and continued vitality of their mother tongues.

The Department must establish a method to award these grants within 180 days of enactment of the *American Rescue Plan Act*. Eligibility for these new grants is limited to entities eligible to receive other language grants from the Administration for Native Americans.

Funds for these grants will remain available until expended.

***SEC. 11005 - BUREAU OF INDIAN EDUCATION (\$850,000,000)***

This section authorizes \$850,000,000 in direct funding for the Bureau of Indian Education for Bureau-related programs and activities and to provide assistance to Bureau-funded schools and Tribal colleges and universities. It specifies that the BIE Director must determine the allocation of these funds within 45 days of enactment of the *American Rescue Plan Act* and that these funds will remain available until expended.

***SEC. 11006 - AMERICAN INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION (\$190,000,000)***

This section authorizes \$190,000,000 in direct funding for the Department of Education to support Tribal education agencies, Native Hawaiian education organizations, and Alaska Native education organizations eligible for funding under Title VI of the *Elementary and Secondary Education Act*. These funds will remain available until expended, but the Department must allocate them within 180 days of enactment of the *American Rescue Plan Act*. This section also specifies that the Department must use—

- \$85,000,000 for grants to Native Hawaiian education organizations;
- \$85,000,000 for grants to Alaska Native education organizations; and
- \$20,000,000 for grants to Tribal education agencies.

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**Table: Dedicated Funding for Tribes &  
Native Communities in the American Rescue Plan Act**

<b>American Rescue Plan Act</b>	
<b>Dedicated Funding for Tribes &amp; Native Communities by Title</b>	
<b>American Rescue Plan Act Total Dedicated Funding</b>	<b>\$32,459,020,734</b>
<b>Title I - Agriculture, Nutrition, &amp; Forestry</b>	<b>\$ 20,200,000</b>
Sec.1006	\$ 20,200,000
<b>Title II – Health, Education, Labor, &amp; Pensions</b>	<b>\$ 1,410,470,734</b>
Sec.2003	\$ 231,569,734
Sec.2201	\$ 412,000,000
Sec.2202	\$ 659,000,000
Sec.2203	\$ 25,401,000
Sec.2204	\$ 19,000,000
Sec.2205	\$ 2,500,000
Sec.2601	\$ 20,000,000
Sec.2911	(TBD)
Sec.2912	\$ 15,000,000
Sec.2921	\$ 25,000,000
<b>Title III – Banking, Housing, &amp; Urban Affairs</b>	<b>\$ 1,033,000,000</b>
Sec.3206	\$ 498,000,000
Sec.3301	\$ 500,000,000
Sec.3401	\$ 35,000,000
<b>Title IX – Finance</b>	<b>\$ 21,229,850,000</b>
Sec.9201	\$ 74,850,000
Sec.9801	\$ 400,000,000
Sec.9815	\$ 155,000,000
Sec.9901	\$ 20,600,000,000
<b>Title XI – Indian Affairs</b>	<b>\$ 8,804,000,000</b>
Sec.11001	\$ 6,094,000,000
Sec.11002	\$ 900,000,000
Sec.11003	\$ 750,000,000
Sec.11004	\$ 20,000,000
Sec.11005	\$ 850,000,000
Sec.11006	\$ 190,000,000