

American Rescue Plan Act **Frequently Asked Questions**

Sec. 11001 – Indian Health Service (IHS)

How will the \$6,094,000,000 in ARPA IHS sec. 11001 funding be allocated?

The ARPA requires IHS to divide the \$6,094,000,000 provided in Sec. 11001 among the following activities:

- \$2,340,000,000 for COVID-19 related expenses (e.g., vaccination campaigns, testing, mitigation, supplies, and sustaining/expanding a public health workforce);
- \$2,000,000,000 for lost third party billing reimbursements to offset budget shortfalls;
- \$600,000,000 for construction, maintenance, and sanitation projects;
- \$420,000,000 for mental and behavioral health treatment and prevention services;
- \$140,000,000 for health IT and telehealth;
- \$84,000,000 for urban Indian health centers; and
- \$10,000,000 for potable water delivery.

The ARPA provides broad flexibility in determining the allocation of funds within these seven categories to ensure Tribes and urban Indian health programs' unique needs are addressed. The IHS has already announced a [Tribal consultation on March 17th](#) and an [urban confer on March 15th](#) to seek input on how to allocate funds within these seven categories.

How long will ARPA IHS Sec. 11001 funding remain available?

All ARPA IHS funds will remain available until expended.

Can the ARPA IHS funding in Sec. 11001 be used to cover retroactive eligible expenses my Tribal Health Program or Urban Indian Health Program have already incurred while responding to the COVID-19 pandemic?

Yes. In addition to new expenses, ARPA IHS Sec. 11001 funds can be used to cover eligible COVID-19 related expenses incurred since January 31, 2020.

Does the IHS funding provide support to address my Tribe's immediate sanitation and water infrastructure needs?

Yes. The ARPA specifies that IHS must use \$600,000,000 to address construction, maintenance, and sanitation projects. The ARPA provides broad flexibility to determine the allocation of these

funds among different infrastructure activities so that Tribes and urban Indian health programs' unique needs are addressed. Interested Tribes should plan to participate in [IHS's ARPA consultation](#), which begins on March 17th.

Which ARPA IHS Sec. 11001 funds are urban Indian health programs eligible for?

In addition to being eligible for \$84,000,000 in direct funding, urban Indian health programs are also eligible under ARPA to receive funding from the other IHS categories. Interested urban Indian health programs should plan to participate in [IHS's ARPA confer period](#), which begins on March 15th.

Sec. 11002 – Bureau of Indian Affairs (BIA)

How will the \$900,000,000 in ARPA BIA Sec. 11002 funding be allocated?

The ARPA requires BIA to divide the \$900,000,000 provided in Sec. 11002 among the following activities:

- \$100,000,000 for BIA's Housing Improvement Program (HIP);
- \$772,500,000 for Tribal government services, public safety/justice activities, social services, and child welfare services;
- \$20,000,000 for provision and delivery of potable water;
- \$7,500,000 for BIA administrative costs and oversight.

The ARPA provides broad flexibility in determining the allocation of funds within these four categories to ensure Tribes and Tribal organizations unique needs are addressed. Tribes should reach out to the BIA to inquire when the agency will schedule ARPA consultation sessions to seek input on allocation of funds within these four categories.

How long will ARPA BIA Sec. 11002 funding remain available?

All ARPA BIA funds will remain available until expended.

If my Tribe receives support through BIA's "Small and Needy" program, will ARPA BIA Sec. 11002 funds impact our continued participation in the "Small and Needy" program?

No. ARPA BIA funds will be excluded from calculations used to determine participation in the "Small and Needy" program.

Sec. 11003 – Housing Assistance & Supportive Services Programs for Native Americans

How will the \$750,000,000 in Native housing funding in Sec. 11003 be allocated?

The ARPA requires the Department of Housing and Urban Development (HUD) to divide the \$750,000,000 provided in Sec. 11003 among the following activities:

- \$450,000,000 for Tribes and Tribally designated housing entities (TDHEs) through the Native American Housing and Self Determination Act (NAHASDA) Title I Indian Housing Block Grant (IHBG) formula;

- \$280,000,000 for Indian Community Development Block Grants (ICDBG);
- \$10,000,000 for technical assistance;
- \$5,000,000 for the Department of Hawaiian Home Lands through the NAHASDA Title VIII grant program; and
- \$5,000,000 for administrative costs.

How long will ARPA Native housing funding in Sec. 110003 remain available?

All ARPA Native housing funds provided through Sec. 110003 will remain available until September 30, 2025.

Can ARPA Native housing Sec. 11003 funds be used to cover retroactive eligible expenses my Tribe or TDHE incurred while responding to the COVID-19 pandemic?

Yes. In addition to new expenses, ARPA Native housing Sec. 11003 funds can be used to cover eligible COVID-19 related expenses incurred since January 21, 2020.

Are the ARPA IHBG and ICDBG Sec. 11003 funds subject to the same statutory and regulatory limitations that apply to these programs generally?

No. The ARPA recognizes that Tribes need broader flexibility to access and use ARPA funds in a way that makes sense for their communities' unique COVID-19 needs. The ARPA allows HUD to waive or alter any statutory or regulatory provisions related to IHBG and ICDBG necessary to expedite and facilitate the use of ARPA funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Tribes should reach out to HUD to inquire how the agency will determine what ARPA waivers and alternative requirements will govern the use of these funds.

Which Tribes and TDHEs are eligible to receive ARPA IHBG funding?

The ARPA requires that HUD distribute IHBG funding to Tribes and TDHEs using its FY 2021 allocation formula, which provided funding to over 590 eligible entities.

Can Tribes that do not participate in IHBG receive ARPA IHBG funding?

Tribes that do not participate in the annual IHBG program are eligible to receive IHBG funding provided by Sec. 11003 unless they have proactively opted out of the program.

What happens if any of the \$450,000,000 reserved for IHBG funds in Sec. 110003 is returned or recaptured?

Any ARPA IHBG funds returned or recaptured will be transferred for ARPA ICDBG use to ensure ARPA Native housing funds remain in Indian Country.

Can the Department of Hawaiian Home Lands use its ARPA Sec. 11003 funds to provide rental assistance to eligible Native Hawaiian families? And, if so, is the Department limited to providing rental assistance only on Hawaiian Home Lands?

Yes, the Department of Hawaiian Home Lands may use any portion of the \$5,000,000 it receives under ARPA Sec. 11003 to provide rental assistance to eligible Native Hawaiian families. Additionally, the Department of Hawaiian Home Lands may use these funds to provide rental assistance to eligible Native Hawaiian families on or off Hawaiian Home Lands.

Can my Tribe use ARPA ICDBG Sec. 11003 funds for its own planning and management expenses?

Yes. Tribes may use up to 20% of any ARPA ICDBG funds they receive for planning, management, and administration costs.

Can my Tribe use ARPA ICDBG Sec. 11003 funds for public services?

Yes. Tribes may use up to 100% of any ARPA ICDBG funds they receive for eligible public service activities related to their COVID-19 response (e.g., employment, public safety, child care, public health, education, energy conservation services).

Will the \$280,000,000 in ARPA ICDBG funds be competitive?

HUD has yet to determine whether it may use its waiver authority under the ARPA ICDBG provisions to allow funds to be awarded using the CARES ICDBG “first-come-first-served”. Tribes interested in this matter should contact HUD.

Sec. 11004 – COVID-19 Response Resources for the Preservation & Maintenance of Native American Languages

Who is eligible to receive an ARPA Native Language COVID-19 Emergency Preservation and Maintenance grant authorized under Sec. 11004?

Indian Tribes, Native Hawaiian organizations, Alaska Native organizations, Native American Pacific Islander organizations, and other agencies/organizations eligible to receive assistance from the Administration for Native Americans (ANA) are eligible to receive an ARPA Native Language COVID-19 Emergency Preservation and Maintenance grant. The full list of entities eligible to receive ANA assistance can be found at [42 U.S.C. 2991b\(a\)](#).

What is the process for receiving an ARPA Native Language COVID-19 Emergency Preservation and Maintenance grant authorized under Sec. 11004?

The ARPA provides broad flexibility to establish the new Native Language COVID-19 Emergency Preservation and Maintenance grant program, but requires the ANA to finalize the grant program parameters within 180 days of ARPA enactment (i.e., September 7, 2021). Native communities should reach out to the ANA to inquire about how the agency will determine what parameters will govern this new grant.

Will ARPA Native Language COVID-19 Emergency Preservation and Maintenance grants require the same application materials as other ANA language grants?

No. The ARPA explicitly exempts the newly established Native Language COVID-19 Emergency Preservation and Maintenance grant program from the application requirements that apply to the ANA's existing language grants.

Sec. 11005 – Bureau of Indian Education (BIE)

How will the \$850,000,000 in ARPA BIE Sec. 11005 funding be allocated?

The ARPA provides broad flexibility to determine the allocation of BIE Sec. 11005 funds so that Tribes, Tribal Colleges and Universities (TCUs), Tribal BIE school leaders, and BIE and TCU students and parents' unique needs are addressed. However, the ARPA requires the BIE Director to establish the method for allocating these funds among administrative activities, BIE K-12 schools and dormitories, and TCUs within 45 days of ARPA enactment (i.e., April 25, 2021). Anyone interested in weighing in on the method for allocating these funds should reach out to the BIE to inquire when the agency will schedule ARPA consultation sessions.

How long will ARPA BIE Sec. 11005 funding remain available?

All ARPA BIE Sec. 11005 funds will remain available until expended.

What types of activities and costs can ARPA BIE Sec. 11005 funding be used for?

The ARPA recognizes that TCUs, BIE schools, and BIE dormitories need broad flexibility to use ARPA funds in a way that makes sense for their communities' unique COVID-19 needs. For example, while some schools may need support for expanding broadband access, other schools may need funds to modernize ventilation systems or provide student and staff supportive services. Anyone interested in weighing in on the scope of allowable uses for these funds should reach out to the BIE to inquire when the agency will schedule ARPA consultation sessions.

Sec. 11006 – American Indian, Native Hawaiian, & Alaska Native Education

How will the \$190,000,000 in ARPA Native education Sec. 11006 funding be allocated?

The ARPA requires the Department of Education to divide the \$190,000,000 provided in Sec. 11006 as follows:

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

The ARPA provides broad flexibility to determine the allocation method of funds within these three categories to ensure Tribal education agencies and Native organizations' unique needs are addressed. However, the ARPA requires the Department to establish the method for allocating these three sets of funds within 180 days of ARPA enactment (i.e., September 7, 2021). Anyone interested in weighing in on the allocation of these funds should reach out to the Department with inquiries and input.

How long will ARPA Native education Sec. 11006 funding remain available?

All ARPA Sec. 11006 funds will remain available until expended.

What can Tribal education agencies use ARPA Sec. 11006 funding for?

Tribal education agencies that receive ARPA Sec. 11006 funding may use these funds for any of the purposes identified in Elementary and Secondary Education Act section 6121(c) ([20 U.S.C. 7441\(c\)](#)). Examples of allowable activities include student guidance/counseling services, additional instruction opportunities, bilingual/bicultural programs, and student health and nutrition services.

Who is eligible to receive funds from the \$85,000,000 reserved for Native Hawaiian education organizations and entities under ARPA Sec. 11006?

Organizations and entities eligible to receive grants under Elementary and Secondary Education Act Section 6205(a)(1) ([20 U.S.C. 7515\(a\)\(1\)](#)) are eligible for ARPA Sec. 11006 funds. This list includes:

- Native Hawaiian education organizations;
- Native Hawaiian community-based organizations;
- Public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language;
- Charter schools; and
- Consortia of any of the above.

What can Native Hawaiian education organizations and entities use ARPA Sec. 11006 funding for?

Native Hawaiian education organizations and entities that receive ARPA Sec. 11006 funding may use these funds for any of the purposes identified in Elementary and Secondary Education Act section 6205(a)(3) ([20 U.S.C. 7515\(a\)\(3\)](#)). Examples of allowable activities include activities that enhance students' Hawaiian and English language literacy, meet the special needs of Native Hawaiian students with disabilities, support Native Hawaiian gifted and talented students, and provide professional development of educators.

Who is eligible to receive funds from the \$85,000,000 reserved for Alaska Native education organizations and entities under ARPA Sec. 11006?

Organizations and entities eligible to receive grants under Elementary and Secondary Education Act Section 6304(a)(1) ([20 U.S.C. 7544\(a\)\(1\)](#)) are eligible for ARPA Sec. 11006 funds. This list includes:

- Alaska Native organizations with experience operating education and related programs;
- Alaska Native organizations that partner with a state or local education agency or Alaska Native organizations with experience operating education and related programs; and
- An entity located in Alaska, predominately governed by Alaska Natives, that has experience operating education and related programs and is granted an official charter or

sanction (as described in the definition of “Tribal organization” under 25 U.S.C. 5304) from an Alaska Native Tribe or an Alaska Native organization.

What can Alaska Native education entities use ARPA Sec. 11006 funding for?

Alaska Native education organizations and entities that receive ARPA Sec. 11006 funding may use these funds for any of the purposes identified in Elementary and Secondary Education Act section 6304(a)(2-3) ([20 U.S.C. 7544\(a\)\(2-3\)](#)). Examples of authorized activities include activities that improve the educational outcomes and school readiness of Alaska Natives, assist in the collection of data, develop curricula, provide professional development for educators, opportunities for student enrichment, and promote Alaska Native students’ academic progress.
