



ASSISTANT SECRETARY FOR
PUBLIC AND INDIAN HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

Special Attention of:
Administrators, Offices of Native American
Programs, Tribes, Tribal Organizations,
and Tribally Designated
Housing Entities (TDHE)

Notice PIH-2021-22

Issued: July 20, 2021

Expires: This Notice
remains in effect until amended,
superseded, or rescinded.

Cross Reference(s):
24 CFR part 1003
2 CFR part 200
FY 2019/2020 ICDBG NOFA
PIH Notice 2020-11
PIH Notice 2021-14
ONAP Program Guidance 2018-04

SUBJECT: Indian Community Development Block Grant – American Rescue Plan Act (ICDBG-ARP) Implementation Notice

- Purpose:** The purpose of this Implementation Notice is to provide Indian tribes with instructions on how to apply for Indian Community Development Block Grant Imminent Threat (ICDBG-IT) funding provided under the American Rescue Plan Act of 2021 (Public Law 117-2) (ARP), and other program requirements. These grants will be called “ICDBG-ARP” grants. This Notice will be referred to as the “ICDBG-ARP Implementation Notice.”

ICDBG-ARP grants are available to prevent, prepare for, or respond to COVID-19 – the same purpose as ICDBG funds provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, or ICDBG-CARES funds. Accordingly, as described in greater detail in this Notice, HUD is providing a funding priority under this program to applicants that submitted an eligible application under the ICDBG-CARES program but did not receive a grant because of limited appropriations.

The ICDBG-ARP grants will be awarded in three phases:

Phase One: Unfunded ICDBG-CARES Applicants: Once the priority list appeal deadline passes, HUD will begin reviewing and awarding funding to applicants that previously submitted ICDBG-CARES applications that met all program requirements but were not funded because of limited appropriations. This includes all grantees that

were partially funded. Refer to “Attachment B” of this notice, the ICDBG-ARP Phase One Applicant Priority List.

HUD will contact all qualifying applicants to assess the status of the projects proposed in the ICDBG-CARES applications and accept revised applications. If the projects for which the applicant previously applied are no longer planned, HUD will allow these qualifying applicants to submit ICDBG-ARP applications for new projects. HUD will review and fund all Phase One applications before Phase Two applications are funded.

Phase Two: Other ICDBG-ARP Applicants: HUD will begin accepting Phase Two ICDBG-ARP grant applications starting on September 3, 2021, at 3pm EDT. The application period close date is October 18, 2021, at 6 pm EDT.

To prioritize applicants that did not receive ICDBG-CARES funds, all Phase Two applications will be sorted into two tiers:

First Tier- Applications from grantees that did not receive an award under the ICDBG-CARES program and are not listed in the Phase One Priority List (or are listed but failed to apply timely under Phase One), will be sorted into the first tier of Phase Two.

Second Tier- Applications from grantees that did receive a fully funded award under the ICDBG-CARES program will be sorted into the second tier of Phase Two. This does not include grantees that were partially funded under ICDBG-CARES, which are included under Phase One.

HUD will consider and award Phase Two applications first by tier, then by date and time received. HUD will fund all eligible First Tier applications on a first come, first-served basis. If funds remain, HUD will then fund eligible Second Tier applications on a first come, first-served basis until funds are exhausted.

Phase Three: Remaining Funding: Any applications received after the Phase Two applications deadline will be considered on a first come, first-served basis. HUD will continue to award ICDBG-ARP grants under Phase Three until ICDBG-ARP funding is exhausted. Based on the number of applications awarded in Phase One and Phase Two, HUD may set-aside funds or limit eligibility for Phase Three to those who have not yet been awarded ICDBG-ARP grants.

HUD reserves the right to modify application requirements at any time. HUD reserves the right to adjust how funding is awarded to ensure the needs of Tribes are met, including possibly setting aside a portion of funding to assist Tribes with the greatest need.

ICDBG-ARP grants and the ICDBG-ARP process are separate from the regular ICDBG-IT program. Applications for grants under the regular ICDBG-IT program will continue to be subject to the requirements specified in the FY19/FY20 ICDBG Notice of Funding Announcement (NOFA) and ONAP Program Guidance 2018-04, or any other NOFAs, Notices or Funding Opportunities (NOFO), or other program requirements that HUD may issue in the future with respect to the regular ICDBG-IT program.

2. **Background:** On March 11, 2021, the ARP was signed into law. The Act provides \$280,000,000 in ICDBG-IT funding to be used for emergencies that constitute imminent threats to health and safety and that are designed to prevent, prepare for, or respond to coronavirus. This funding will be provided in the form of grants to eligible Indian tribes. This funding must be used in accordance with the applicable requirements of the ARP, title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5103 et seq.) (HCDA), and the ICDBG implementing regulations at 24 CFR part 1003.

In addition, Congress authorized HUD to waive or specify alternative requirements for any provision of title I of the HCDA or regulation applicable to the ICDBG program, other than requirements related to fair housing, nondiscrimination, labor standards, and the environment. That authorization is contingent upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available for the ICDBG-ARP program.

On March 19, 2021, HUD issued a Dear Tribal Leader Letter seeking tribal feedback on the ICDBG-ARP Act implementation process. In addition, on March 31, 2021, HUD hosted a virtual Tribal Consultation on the same process. Specifically, HUD sought comments on how to set maximum grant ceilings and requested that Tribes share their views on how funds should be awarded, including whether Indian tribes that previously applied for but did not receive ICDBG-CARES funding due to limited appropriations should be afforded priority for ICDBG-ARP grants. HUD received approximately 130 comments from representatives of almost 40 Tribes and Tribally Designated Housing Entities (TDHEs). The comments addressed a wide range of issues including prioritization for past applicants, grant ceilings, award methodology, and funding criteria. HUD appreciates all of the feedback received from the commenters and took all comments and feedback into consideration when developing this Notice.

ICDBG-ARP grantees are encouraged to frequently visit the [Centers for Disease Control and Prevention \(CDC\) website](#) to ensure that they are relying upon the most up-to-date information on the coronavirus pandemic.

3. **Eligible Applicants:** Indian tribes and Tribal organizations may apply for ICDBG-ARP funds if they meet the criteria for eligible applicants provided in the ICDBG regulations at 24 CFR § 1003.5. Outstanding civil rights matters must be resolved before the application deadline. Applicants who, after review, are confirmed to have civil rights matters unresolved at the application deadline will be deemed ineligible. Their applications will receive no further review and will not receive funding.

a. **Indian Tribes:** The following entities meet the definition of eligible Indian tribe under the ICDBG-ARP program and may apply for funding under this Notice:

- i. Any Indian tribe, band, group, or nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaska native village of the United States which is considered an eligible recipient under title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) Eligible recipients under title I of the Indian Self-Determination and Education Assistance Act are those identified on the most current Federal Register listing of "[Indian Entities Recognized by and Eligible to Receive](#)

[Service from the United States Bureau of Indian Affairs](#)” (86 FR 7554 (Jan. 29, 2021)).

- ii. Any Indian tribe, band, group, or nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaska native village of the United States which had been an eligible recipient under the State and Local Fiscal Assistance Act of 1972 (formerly 31 U.S.C. 1221). Applicants that were eligible recipients under the State and Local Fiscal Assistance Act of 1972 are those that had been determined eligible by the Department of Treasury, Office of Revenue Sharing.

b. Tribal Organizations: Pursuant to 24 CFR § 1003.5(b), Tribal organizations which are eligible under title I of the Indian Self-Determination and Education Assistance Act may apply on behalf of any Indian tribe, band, group, nation, or Alaska native village when one or more of these entities have authorized the Tribal organization to do so through concurring resolutions. Eligible Tribal organizations under the Indian Self-Determination and Education Assistance Act will be determined by the Bureau of Indian Affairs or Indian Health Service, as appropriate. Tribal organizations applying under this Notice must submit a copy of their eligibility determination with the application unless they have already submitted such to HUD.

HUD recognizes that some Tribal organizations that are applying on behalf of an Indian tribe may not be able to secure an appropriate tribal resolution authorizing it to apply for an ICDBG-ARP grant on behalf of an Indian tribe(s) at this time, due to the ongoing emergency. Any Tribal organization that intends to submit an ICDBG-ARP application but cannot secure such tribal resolutions because doing so may not be practical or safe may request a waiver of this requirement in 24 CFR § 1003.5(b) in their application. HUD will consider the application incomplete if it does not include this waiver request with an accompanying justification for why there is good cause for HUD to grant the waiver request. A Tribal organization seeking a waiver must still provide HUD with information on any other steps it has taken to consult with the beneficiary Indian tribe(s) on the contents of its application (short of securing a tribal resolution), and provide any other relevant information demonstrating why it is not practical or safe to secure a tribal resolution in order to allow HUD to determine whether good cause exists to grant the waiver request. If HUD approves funding for the application, it will concurrently grant the waiver of 24 CFR § 1003.5(b) and make the award to the Tribal organization. However, any Tribal organization that receives an award must consult with the beneficiary Indian tribe(s) that they serve, in a manner that is feasible and when it is safe and practical to do so and submit tribal resolution(s) authorizing their application for an ICDBG-ARP grant at a later date to HUD.

4. Funding Criteria and Requirements: HUD recognizes that the current COVID-19 National Emergency has caused substantial disruption to the operations of Indian tribes across Indian Country. To help minimize unnecessary administrative burden, HUD has worked to streamline the application process as much as possible, while also ensuring that all ICDBG-ARP grant funds will be expended in accordance with program requirements, and will be used to prevent, prepare for, or respond to COVID-19, as required under the

ARP.

- a. **Citizen Participation:** Applicants are not required to hold meetings or hearings to obtain the views of residents before applying for ICDBG-ARP grant funding. Applicants, however, will be required to meet the citizen participation requirements by publishing or posting information on their plans to use the ICDBG-ARP grant, and accepting and considering comments, to the extent the Indian tribe determines that can be done without unnecessary risks to residents' health and safety. Applicants may also choose to hold virtual meetings with the public to meet these streamlined citizen participation requirements, if feasible. In meeting its citizenship participation requirements, an applicant should take appropriate steps to ensure effective communication with persons with disabilities consistent with the requirements of accessibility laws, such as Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) (29 U.S.C. § 701 et seq.), as described in greater detail in Section 10: Waivers and Alternative Requirements Applicable to the ICDBG-ARP Program, below.

Applicants must submit an official tribal resolution certifying that they have met these citizen participation requirements, per 24 CFR § 1003.604, as modified by Section 10.b.i. below. The citizen participation resolution does not have to be submitted with the application; however, the resolution must be submitted before a successful application is funded.

- b. **Eligible Purposes:** The ARP requires that ICDBG-ARP grant funds be used for emergencies that constitute imminent threats to health and safety and are designed to prevent, prepare for, or respond to coronavirus. Accordingly, HUD will only fund ICDBG-ARP applications that propose to carry out projects and activities designed to address emergencies that constitute imminent threats to health and safety and that meet one or more of these eligible purposes (i.e., to prevent, prepare for, or respond to coronavirus). For more information, see Section 8: Eligible Purposes, below.
- c. **Urgency and Immediacy of Threat:** Pursuant to the waivers and alternative requirements issued in this Notice, for applications proposing to carry out activities or projects designed to prevent, prepare for, or respond to COVID-19, the urgency and immediacy of the threat need not be independently verified before approval of an application. The urgency and immediacy of the threat will be presumed by HUD, unless HUD has evidence to the contrary.
- d. **Nonrecurring Threats and Impact on Service Area:** Applications need not demonstrate that COVID-19 is a non-recurring imminent threat and that it has an impact on an entire service area. HUD will presume these criteria are met unless HUD has evidence to the contrary.
- e. **Available Resources:** Pursuant to the waivers in this Notice, applicants do not have to demonstrate to the satisfaction of HUD that other tribal funding sources cannot be made available to alleviate the threat. Additionally, HUD will not consider recently awarded IHBG-ARP, IHBG-CARES, and regular Indian Housing Block Grant (IHBG) funding that has already been budgeted in the relevant Indian Housing Plan (IHP) or contracted, when assessing available

Federal resources.

- f. Coordination and Duplication of Benefits:** Applicants are responsible for ensuring that they are coordinating locally, and with other Federal agencies, to ensure that funds are used appropriately to address gaps in funding, avoid unnecessary overlap in effort, and avoid any duplication of benefits.

For the COVID-19 National Emergency, duplication of benefits occurs when Federal financial assistance is provided for the same costs paid by any other source, or for costs to repair or replace losses that have or will be paid by private insurance, and the total amount received exceeds the total need for those costs. Practically, what this means is that ICDBG-ARP funds cannot be used to pay for eligible costs that have already been paid for, or will be paid for, by another Federal program, insurance, or other sources. If this occurs, the grantee must repay its ICDBG-ARP program. This does not include the reimbursement of costs previously incurred by the grantee as authorized under the ARP if those costs will not be reimbursed by another source of financial assistance.

- g. Administration and Planning:** ICDBG-ARP grantees may not expend more than 20% of their grant amount plus program income toward administration and planning costs.

- h. Program Income:** Any program income derived from the use of ICDBG-ARP grant funds will be considered program income under the ICDBG-ARP program and must be spent on eligible ICDBG-ARP program activities and in accordance with all ICDBG-ARP program requirements. In accordance with 24 CFR § 1003.508, any program income remaining on hand at the time of grant closeout must be identified in the closeout agreement. HUD will provide instructions to the ICDBG-ARP grantee on the disposition of such program income at the time the closeout agreement is signed.

- i. Grant Ceilings:** After reviewing and considering the views and comments received from Indian tribes on how to set maximum grant ceilings in response to HUD's Dear Tribal Leader Letter of March 19, 2021, HUD determined the grant ceiling for each ICDBG-ARP award is to be based on the amount of funds each Indian tribe or TDHE received under the IHBG-ARP program. Those amounts listed in the [IHBG-ARP Formula Allocations](#).

The ICDBG-ARP grant ceilings are benchmarked to the typical grant ceiling for ICDBG-IT grants for Presidentially declared disasters, as well as the previously allocated IHBG-ARP amounts. By doing this, HUD accomplished the following goals:

- i. Set maximum ICDBG-ARP grant amounts that are sensitive to the fact that some Indian tribes have larger populations with higher needs than others;
- ii. Recognize that IHBG-ARP funding may not be enough funding for the smallest Indian tribes to address serious COVID-19-related needs, and that ICDBG-ARP can fill that funding gap; and

- iii. Maintain proximity to the standard Imminent Threat grants.
- iv. Increase the grant ceilings previously set under the ICDBG-CARES program to account for recent increases in construction costs.

HUD is establishing the following ICDBG-ARP grant ceilings:

IHBG-ARP Funding Formula	Grant Ceiling
\$4.5 million or more	\$3.45 million
More than \$1.625 million but less than \$4.5 million	\$1.725 million
\$1.625 million or less	\$1,035,000

Phase One applicants may amend previously submitted ICDBG-CARES budgets to take advantage of the increased ICDBG-ARP grant ceilings.

HUD expects and encourages ICDBG-ARP grantees to expend funds expeditiously given the ongoing COVID-19 National Emergency and to prioritize their most urgent unaddressed needs to prevent, prepare for, or respond to COVID-19. As discussed further in Section 5: Content of Application, for all amounts requested, grantees must demonstrate that activities, projects, and programs can be completed within a reasonable timeline so as to be justified as reasonably preventing, preparing for, and responding to COVID-19.

- j. Lead Based Paint Requirements:** When providing housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces of pre-1978 housing, applicants must comply with the lead-based paint evaluation and hazard reduction requirements of HUD’s lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA’s lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

When providing education or counseling on buying or renting housing that may include pre-1978 housing, applicants must inform clients of their rights under the Lead Disclosure Rule (24 CFR part 35, subpart A), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (24 CFR part 35, subparts B, R, and, as applicable, F-M).

- k. Environmental Requirements:** Activities under this Notice are subject to the environmental review provisions set out at 24 CFR § 1003.605 and 24 CFR part 58. The expenditure or commitment of ICDBG-ARP or non-Federal funds on project activities (other than those that are exempt or categorically excluded from environmental review under 24 CFR § 1003.605(b), 24 CFR § 58.34, and 24 CFR § 58.35(b)) prior to completion of review and HUD approval under part 58 may result in the denial of assistance for the project or activities under consideration. Where a Tribal organization has applied for a grant on behalf of an Indian tribe, the Indian tribe is considered the grantee responsible for environmental review requirements (“responsible entity”).

HUD has issued guidance ([CPD Notice 20-07](#)) on how to apply the environmental review exemption at 24 CFR § 58.34(a)(10) and the streamlined public notice and comment period described at 24 CFR § 58.33 for activities undertaken in response to the public health emergency as a result of COVID-19. Additional information on Section 106 of the National Historic Preservation Act consultation and public notice processes is available on HUD's [environmental review website](#).

5. **Content of Application:** The application must include the following to be considered complete and maintain its place in order of award:
- a. **[Standard Form-424 \(Application for Federal Assistance\)](#)**- Select “Application for Federal Assistance (SF-424)” from the list of forms. Click on “Enable All Features” if prompted to do so. This may be necessary for the form to appear.
 - b. **[HUD-2880 \(Application/Disclosure/Update Report\)](#)**.
 - c. **Project Description Summary.** Information submitted must include:
 - i. A written description of the activities, projects, or programs that the applicant plans to undertake, and how the activities, projects, or programs are tied to preventing, preparing for, and/or responding to COVID-19.
 - ii. A written statement describing how the funded activities will be carried out successfully, within the proposed timeline, and in compliance with program requirements.
 - iii. A narrative description of the implementation timeline (in addition to what is reflected in the [HUD-4125](#) Implementation Schedule).

Applicants should be mindful to propose appropriate implementation timelines. In reviewing applications, HUD will assess whether the period of time that the applicant proposes to carry out its proposed activities, projects, or programs is reasonably set (depending on the nature of the activities, projects, or programs being proposed) so as to be justified as reasonably preventing, preparing for, and responding to COVID-19. HUD reserves the right to reject activities, projects, or programs with implementation timelines that are so lengthy that HUD determines, based on its best judgment and discretion, that the activities, projects, or programs proposed cannot be justified as reasonably preventing, preparing for, and responding to COVID-19.

If HUD questions the proposed timelines to carry out activities, projects, or programs in an application, HUD will first notify the applicant of this deficiency and instruct the applicant to revise its proposed implementation timeline by submitting a revised Implementation Schedule. HUD will work with the applicant to ensure that the revised Implementation Schedule is reasonably set so as to allow the applicant to reasonably prevent, prepare for, or respond to COVID-19. If the applicant fails to revise the Implementation Schedule to HUD's satisfaction, HUD reserves the right to only fund a portion of the application or reject the entire

application and award an ICDBG-ARP grant to the next fundable applicant.

Generally, consistent with the regular ICDBG-Imminent-Threat program (see ONAP Program Guidance 2018-04), applications that propose Implementation Schedules that are less than 12 months from the time of the grant award will be presumed to be reasonably set.

HUD will accept applications that propose Implementation Schedules that are longer than 12 months from the time of the grant award, but such applicants must provide HUD with a justification, including supporting documentation, demonstrating why the proposed timeline is reasonably set to prevent, prepare for, or respond to COVID-19. In reviewing such Implementation Schedules, HUD will consider all relevant factors, including the nature of the activities, projects, or programs being proposed; the size of the ICDBG-ARP grant requested; any disruption in supply chains; barriers caused by a short or disrupted construction season; infrastructure challenges; impact of COVID-19 on the applicant's operations and its ability to carry out activities, projects, or programs more expeditiously; and more.

An application that is otherwise complete but that proposes an Implementation Schedule that HUD initially determines is too long and should be revised, will not automatically be considered to be incomplete solely because the Implementation Schedule may be too long in HUD's judgment. HUD will work with the applicant to revise the proposed Implementation Schedule.

New Housing Construction Projects: Applicants proposing to use ICDBG-ARP grants to carry out new housing construction should note that HUD will only fund applications that propose to carry out new housing construction that is clearly designed to prevent, prepare for, or respond to COVID-19 (e.g., to reduce overcrowding), and that the applicant plans to carry out expeditiously. Applicants should not apply for an ICDBG-ARP grant with the goal of displacing longer-term funding for the same planned new housing construction project.

Economic Development Projects: HUD encourages applicants to first consider submitting applications for non-economic development projects before considering submitting an ICDBG-ARP application to carry out economic development projects. Notwithstanding other provisions in this Notice, HUD may prioritize funding applications that propose non-economic development projects, and, depending on program demand, reserves the right to fund applications, or portions of applications, proposing economic development projects only after ensuring that fundable applications proposing other eligible ICDBG-ARP activities are fully funded first, and ICDBG-ARP funding remains available to fund such economic development projects. HUD will make a determination on whether to prioritize non-economic development projects after assessing program demand, other resources available for economic development

projects, and any other factors related to the ongoing COVID-19 National Emergency.

In accordance with 24 CFR § 1003.302(c), all applicants for economic development projects must provide an analysis which shows public benefit commensurate with the ICDBG-ARP assistance requested will result from the assisted project. This analysis should also establish that, to the extent practicable, reasonable financial support will be committed from non-Federal sources prior to disbursement of Federal funds; the ICDBG-ARP grant provided will not substantially reduce the amount of non-Federal financial support for the activity; not more than a reasonable rate of return on investment will be provided to the owner; and grant funds used for the project will be disbursed on a pro rata basis with amounts from other sources. In addition, the application must demonstrate that the project is financially feasible and that it has a reasonable chance of success.

- d. **HUD-4125 (Implementation Schedule)**. Upon a finding of good cause, HUD may approve an applicant’s request to revise the Implementation Schedule at a later date, in the event of a reasonable delay.
- e. **HUD-4123 (Cost Summary)**.
- f. **Detailed budget information**, in addition to what is summarized in the HUD-4123 Cost Summary, that provides specifics on the nature and types of costs being proposed. Applicant must include any pre-award costs incurred that the applicant seeks reimbursement for and documentation supporting those reimbursable costs. HUD will only reimburse costs paid with non-Federal funds that are eligible and allowable under the ICDBG-ARP grant program and will not reimburse costs incurred by the applicant prior to January 22, 2020. An applicant must identify the date that it started incurring costs that it seeks to reimburse and provide a detailed description of those activities undertaken.
- g. **If applicable, Tribal Resolution Waiver**. Only for Tribal organizations applying for an ICDBG-ARP grant without an accompanying concurring tribal resolution from the Indian tribe on whose behalf the Tribal organization is applying, a request to HUD to waive the tribal resolution requirement in 24 CFR § 1003.5(b) along with a justification to show that good cause exists for HUD to waive this requirement.

6. Application Submission, Review and Approval:

ICDBG-ARP Application Schedule			
Phase One: Unfunded ICDBG-CARES Applicants	August 4, 2021	Priority List Appeal Deadline	Grantees excluded from Priority List may appeal.
	August 4, 2021	Phase One Open Date	ONAP will contact Applicants on Phase One Priority List.

Phase Two: Other ICDBG- ARP Applicants	September 3, 2021	Phase Two Open Date	Phase Two Application period opens.
	October 18, 2021	Phase Two Close Date	Phase Two Application period closes.
Phase Three: Remaining ICDBG-ARP Funds	October 18, 2021	Phase Three Start Date	If funds remain, HUD will review applications received after Phase Two close date.
	No Close Date. HUD will fund eligible projects until ICDBG-ARP funding is exhausted.		

a. Phase One: Unfunded ICDBG-CARES Applicants:

In order to facilitate the expenditure of ICDBG-ARP funds expeditiously given the ongoing COVID-19 National Emergency and based in part on tribal feedback on the ICDBG-ARP Act implementation process through the Tribal Consultation described above, HUD has determined that initial funding priority will be given to the Unfunded ICDBG-CARES applicants that met all program requirements but were not funded because of limited appropriations. This includes all grantees that were partially funded with ICDBG-CARES.

See Attachment B of this notice, ICDBG-ARP Phase One Priority List.

If an applicant believes that it was erroneously excluded from the Phase One priority list, it may submit a written request to HUD with an explanation and a justification for why it qualifies to receive a priority. Such request must be submitted to ICDBGARP@hud.gov before August 4, 2021 at 3pm EDT.

Requests may not be sent via regular mail given that HUD is operating under mandatory/maximum telework at the present time. As a result, requests sent via regular mail will not be considered. HUD will review the request and will make a final determination as to whether the applicant qualifies for a funding priority. Any requests submitted after the August 4, 2021 at 3pm EDT deadline will not be considered.

b. Phase One Submission and Review: Once the priority list appeal deadline passes, each Area ONAP (AONAP) will contact Phase One applicants to discuss the application modification process, address any outstanding pre-award conditions, and confirm if the applicant is still interested in receiving a grant. These applicants will be given the opportunity to modify and resubmit their original ICDBG-CARES application (including utilization of applicable ICDBG-ARP grant ceilings, implementation schedule, project scope, etc.) to reflect any changes in their needs since their original application was submitted. Any modifications must meet the requirements of this Notice. Applicants that no longer intend to carry out the projects for which they applied for ICDBG-CARES funding may propose new activities, programs, and projects provided they are eligible under the ICDBG-ARP program.

ONAP will then notify the applicant of any outstanding pre-award items.

Throughout the process, the applicant **must resolve pre-award deficiencies** within the timeframe that the AONAP identifies in their pre-award notice. If the applicant does not respond within that timeframe, the application will not be funded. ONAP may provide less funding to an applicant than the full amount requested in the application. ONAP may also choose to fund only certain activities, projects, or programs proposed in an application.

- c. **Phase Two: Other ICDBG-ARP Applicants:** All other applicants that do not qualify for a funding priority under Phase One may apply for ICDBG-ARP funding under Phase Two.

To prioritize applicants that did not receive ICDBG-CARES funds, all Phase Two applications will be sorted into two tiers:

First Tier- Applications from grantees that did not receive an award under the ICDBG-CARES program and are not included on the Phase One Priority List (or are listed but failed to apply timely under Phase One) will be sorted into the first tier of Phase Two.

Second Tier- Applications from grantees that did receive a fully funded award under the ICDBG-CARES program will be sorted into the second tier of Phase Two. Grantees that received partial funding are excluded from this tier and are included in Phase One.

HUD will consider and award Phase Two applications first by tier, then by date and time received.

- d. **Phase Two Application Submissions:** HUD will begin accepting Phase Two ICDBG-ARP grant applications starting on September 3, 2021 at 3pm EDT. Applications submitted before September 3, 2021 at 3pm EDT will not be considered and must be resubmitted on or after September 3, 2021 at 3pm EDT.

The application period close date is October 18, 2021 at 6pm EDT.

Applications submitted after October 18, 2021 at 6pm EDT will not be considered in Phase Two.

Phase Two ICDBG-ARP applications must be sent to ICDBGARP@hud.gov. Applications may not be sent via postal mail given that HUD is operating under maximum telework at the present time. As a result, applications sent via regular mail will not be considered.

Do not submit ICDBG-ARP applications through www.grants.gov. ICDBG-ARP applications sent to www.grants.gov will not be date stamped or processed. Applications can only be received through emails to ICDBGARP@hud.gov.

Applicants should maintain the original application in their files after sending their applications to ICDBGARP@hud.gov.

- e. **Phase Two Application Review:** HUD will consider and award Phase Two applications first by tier, then by date and time received. First Tier applications will be prioritized. Second Tier applications will be funded if funds remain after all eligible First Tier applications, received before the application deadline, have been awarded.

If an application does not include all of the submissions outlined in Section 5: Content of Application, the application will be considered incomplete and lose its position with respect to any other submitted applications. If a required submission is included but is materially deficient, the application will be considered incomplete and lose its position with respect to any other submitted applications. A required submission will be considered to be materially deficient if the information included in the submission is so deficient that HUD determines, at its sole discretion, that the submission is effectively incomplete. If an application is considered incomplete, ONAP will notify the applicant as soon as possible, and advise the applicant on how to cure any deficiencies. Once cured of its deficiencies, an application may be resubmitted to ICDBGARP@hud.gov and be date stamped based on the time of receipt.

ONAP will review the complete applications and determine whether to fund the application. ONAP may require additional information from the applicant before funding the application. ONAP will notify the applicant, and the applicant **must resolve pre-award deficiencies** within the timeframe that the AONAP identifies in their pre-award notice. If the applicant does not respond within that timeframe, the application will be considered incomplete and will not be funded. ONAP may provide less funding to an applicant than the full amount requested in the application. ONAP may also choose to fund only certain activities, projects, or programs proposed in an application.

- f. **Phase Three: Remaining Funding:** If ICDBG-ARP funds remain after Phases One and Two awards are made, HUD will review, consider, and award any applications received after the Phase Two application close date, October 18, 2021 at 6pm EDT, on a first-come, first-served basis according to the date and time received.

HUD will continue to award ICDBG-ARP grants under Phase Three until ICDBG-ARP funding is exhausted. Based on the number of applications awarded in Phase One and Phase Two, HUD may set-aside funds or limit eligibility for Phase Three to those who have not yet been awarded ICDBG-ARP grants.

Please note that in accordance with the ARP, any IHBG-ARP funding that is not accepted, is voluntarily returned, or is otherwise recaptured for any reason will be used to make additional ICDBG-ARP grant funding available to Indian tribes. Accordingly, if additional funds become available pursuant to this provision in the ARP, HUD reserves the right to make additional ICDBG-ARP awards and may do so in accordance with the funding methodology outlined in this Notice.

If an application does not include all of the submissions outlined in Section 5: Content of Application, the application will be considered incomplete and lose its position with respect to any other submitted applications. If a required submission is included but is materially deficient, the application will be considered incomplete and lose its position with respect to any other submitted applications. A required submission will be considered to be materially deficient if the information included in the submission is so deficient that HUD determines, at its sole discretion, that the submission is effectively incomplete. If an application is considered incomplete, ONAP will notify the applicant as soon as possible, and advise the applicant on how to cure any deficiencies. Once cured of its deficiencies, an application may be resubmitted to ICDBGARP@hud.gov and be date stamped based on the time of receipt.

ONAP will review the complete applications and determine whether to fund the application. ONAP may require additional information from the applicant before funding the application. ONAP will notify the applicant, and the applicant **must resolve pre-award deficiencies** within the timeframe that the AONAP identifies in their pre-award notice. If the applicant does not respond within that timeframe, the application will be considered incomplete and will not be funded. ONAP may provide less funding to an applicant than the full amount requested in the application. ONAP may also choose to fund only certain activities, projects, or programs proposed in an application.

7. **Approved Applications:** For each approved application, AONAPs will send a Grant Approval Letter and Form HUD-52734A (ICDBG Funding Approval/Agreement) by email to the person designated on Form SF-424, Item 8F and to the authorized representative in Item 21. Grantees will have the option to either scan and upload the signed document or sign electronically. For scanned documents, ICDBG-ARP grantees will be responsible for maintaining the original document.

Funds will be available to draw down from the Line of Credit Control System (LOCCS) as soon as the signed grant agreements are returned by the applicant and processed by HUD. All documents will be provided in electronic format and must be returned in electronic format. HUD expects and encourages ICDBG-ARP grantees to expend funds expeditiously given the ongoing COVID-19 National Emergency.

HUD will assess how the pandemic is progressing, program demand, available funding, and related factors, and reserves the right to adjust how funding is awarded to ensure the needs of Indian tribes are met as well as to ensure that all funding is awarded.

Additionally, pursuant to the ARP, any amounts made available for IHBG-ARP grant funding that are not accepted, are voluntarily returned, or are otherwise recaptured for any reason will be made available to fund additional ICDBG-ARP grants. HUD will assess the amount of IHBG-ARP funding that meets these criteria and will determine how to award this funding at a future date. HUD reserves the right to determine how to award these amounts and will publish a Notice in the future specifying the criteria used to award these funds.

8. **Eligible Purposes:** Section 11003(a)(2) of the ARP requires ICDBG-ARP grants to be used to prevent, prepare for, or respond to COVID-19. To comply with this requirement, ICDBG-ARP grantees must ensure that all activities, projects, and programs being proposed can be tied to at least one of those three eligible purposes.

HUD will regard applications that propose to carry out activities, projects, or programs that are designed to prevent, prepare for, or respond to COVID-19, both in the short-term and long-term, as applications that meet the purposes of the ARP. This includes activities, projects, or programs that will reduce or mitigate the short-term, medium-term, and also longer-term risks and vulnerabilities of tribal communities to COVID-19 (e.g., activities that reduce overcrowding).

While not required, ICDBG-ARP grantees are encouraged to consider the short-term and medium-term needs of their communities first before undertaking more long-term activities and projects designed to prevent, prepare for, or respond to COVID-19. HUD also encourages ICDBG-ARP grantees to prioritize expending these funds as expeditiously as possible, given the ongoing COVID 19 National Emergency.

ICDBG-ARP grant funds may also be used to cover or reimburse allowable costs paid with non-Federal funds by the ICDBG-ARP grantee, provided the funds were used to prevent, prepare for, or respond to COVID-19. This includes covering or reimbursing allowable costs incurred back to the date the Indian tribe began preparing for COVID-19, which may be prior to the date of enactment of the ARP, but in no event earlier than January 22, 2020. Please see Section 10: Reimbursement of Costs, below.

To assist applicants in ensuring that the activities being proposed can be tied to one or more of the three eligible purposes of the ARP, applicants should consider the following:

- **Prevent:** ICDBG-ARP grant funds may be used during a COVID-19 local, service area, or regional coronavirus outbreak. This includes, but is not limited to, activities designed to prevent the initial or further spread of the virus to the tribal community, such as using ICDBG-ARP funds to assist with the effort to vaccinate individuals, and much more.
- **Prepare for:** ICDBG-ARP grant funds may be used prior to a local, service area, or regional coronavirus outbreak. This includes, but is not limited to, activities designed to develop processes and procedures to help keep people healthy, and other activities designed to reduce the risk of exposure to COVID-19 and avoid or slow the spread of the disease.
- **Respond to:** Once COVID-19 has spread in the community, examples of how ICDBG-ARP grantees may choose to respond to COVID-19 may include using ICDBG-ARP grant funds to care for those who have become infected and to limit the exposure and spread of the virus, providing emergency rent payments and other public services to families that cannot pay rent, carrying out activities to reduce severe overcrowding, preventing homelessness to ensure families are stably housed, and much more. Funds may continue to be used after the local, service area, or regional coronavirus outbreak on any continuing expenses incurred due to the spread of COVID-19.

While these descriptions of the eligible purposes can guide ICDBG-ARP grantees, certain activities, depending on context, do not always obviously fit under one or more categories, and the grantee should therefore use its best judgment to determine which category or combination of categories that its activity is tied, based on local circumstances. These descriptions are designed to provide general guidance to grantees and are not intended to limit the range of eligible ICDBG-ARP grant activities that can be carried out. Provided a grantee can, in HUD's judgment, reasonably tie their ICDBG-ARP activities back to one or more eligible purposes, HUD will accept the grantee's classification.

Pursuant to 24 CFR § 1003.200, ICDBG-ARP grants do not have to comply with the primary objective of the HCDA, that no less than 70 percent of expenditures of each grant be for activities which meet the criteria set forth in 24 CFR § 1003.208(a)-(d).

9. **Eligible Activities:** Examples of activities, projects, or programs that could be funded, provided they meet one or more of the above eligible ARP purposes, include, but are not limited to, the following:

a. Housing Activities

Applicants may carry out housing activities such as:

- Rehabilitation of, and other improvements to, housing to prepare units to be used to temporarily house persons that need to quarantine/shelter-in-place.
- Rehabilitation of housing to improve ventilation to reduce the risks of COVID-19.
- New construction of housing, including tiny homes, when such construction is done expeditiously and carried out to reduce overcrowding or to otherwise prevent, prepare for, or respond to COVID-19.
- Acquisition of modular homes or RVs to meet an immediate need to provide housing for medical workers, and other essential service providers and front-line staff.

Rehabilitation and new housing construction must comply with physical accessibility requirements under Section 504 of the Rehabilitation Act of 1973. See 24 CFR §§ 8.22, 8.23.

b. Public Facilities and Infrastructure

Applicants may acquire, construct, rehabilitate, or install public works, facilities, and site or other improvements, when carried out expeditiously to prevent, prepare for, or respond to COVID-19. Examples include:

- Construction of permanent or temporary facilities for testing, diagnosis, or treatment of COVID-19.
- Rehabilitation of facilities to establish an infectious disease treatment clinic.
- Acquisition, rehabilitation, or construction of a group living facility that may be used to centralize patients undergoing treatment.
- Retrofitting of a food bank to ensure that employees and volunteers

can safely work in the facility and distribute food.

- Construction or conversion of structures that can serve as temporary emergency shelters to shelter homeless persons and minimize risk of community spread.
- Paying for the operation and maintenance expenses of existing shelters and other public facilities (not including staffing costs) designed to ensure homeless persons are provided safe shelter and to minimize the risk of community spread.
- Acquisition or conversion of a motel or hotel building or similar facility to expand capacity of hospitals to accommodate isolation of patients during recovery.
- Expanding or repairing water lines to ensure families have access to water to adhere to CDC guidelines and prevent the spread of COVID-19.
- Purchase of water tank trucks and other water distribution equipment, supplies, and facilities to support families without access to water.
- Purchase of emergency ambulances and related specialized equipment and tools to expand medical and other emergency services.
- Expanding cell towers, broadband, and WIFI infrastructure capacity needed to assist communities lacking internet and phone service to conduct business, allow students to participate in distance learning, support telehealth strategies, and provide other community services, provided such activities can be carried out expeditiously.
- Vaccination-Related Activities, including:
 - Expansion or modification of storage space for proper vaccine storage,
 - Covering labor costs for administering vaccinations for eligible families at facilities,
 - Establishing and, under certain circumstances, paying the operating costs of temporary vaccination facilities, provided such costs are not being paid for by other sources.

Note: HUD strongly encourages all Indian tribes to coordinate with other Federal agencies, including the Indian Health Service (IHS), other tribal Departments, and any other entities assisting with vaccination efforts to ensure ICDBG-ARP funds are only used to pay for costs that are not being paid for by others, and to prevent the duplication of benefits.

c. Public Services

Applicants may provide new or quantifiably increased public services. ICDBG-ARP funds are not subject to the 15 percent cap on public services that normally applies to ICDBG grant funds. Examples include:

- Up to 6 months of emergency payments in the form of rental assistance, utility assistance (including internet access to allow children to engage in distance learning), food assistance, clothing, medical, and other emergency assistance.
- Placement of homeless persons in hotel/motels, and other non-congregate sheltering, to minimize infection.
- Job training, including safety training for new health care workers and

technicians, to expand the pool of health care workers and technicians that are available to treat disease within a community.

- Providing security to ensure the health and safety of community members and to secure construction sites and community facilities from theft or vandalism.
- Testing, diagnosis, or other services at a fixed or mobile location.
- Increasing the capacity and availability of targeted health services for infectious disease response within existing health facilities.
- Equipment, supplies, and materials necessary to carry-out a public service, including personal protective equipment or other necessary engineering controls to protect health care workers and others providing public services.
- Purchasing groceries for a food bank or distribution to vulnerable individuals.
- Delivering meals to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
- Acquisition or leasing of telehealth equipment or services to allow assisted residents access to health care providers from home.
- Vaccination-related public services, including funding public health educational campaigns to inform tribal communities about the benefits of getting vaccinated and how to get vaccinated.

d. Economic Development

Applicants may provide eligible economic development assistance with ICDBG-ARP funds. HUD encourages applicants to first consider submitting applications for non-economic development projects before considering submitting an ICDBG-ARP application to carry out economic development projects as HUD may prioritize funding applications that propose non-economic development projects. See Section 5.c.iii, above, for additional information.

Examples of economic development projects include:

- Providing grants or loans to support entrepreneurs or existing businesses to acquire, convert, construct, or reconstruct commercial spaces to revitalize communities and local economies affected by business or job losses resulting from the coronavirus.
- Avoiding or reversing job loss (loss of positions or hours worked) caused by business closures related to community mitigation measures (e.g., social distancing, closures, stay-at-home orders) or other job loss and economic disruption resulting from coronavirus by providing working capital assistance to small businesses or entrepreneurs to enable creation and retention of jobs held by low- and moderate-income persons.
- Providing technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expanding microenterprises to revitalize communities and local economies affected by coronavirus or to prepare for or prevent future outbreaks.

e. Ineligible Activities

- Activities, projects, or programs that are not reasonably tied to preparing for, preventing, and responding to COVID-19 are ineligible under the ICDBG-ARP program.
- Unless waived or modified by HUD, as provided in this Notice and any similar waiver notice issued in the future, ineligible activities described in 24 CFR § 1003.207 continue to be ineligible (e.g., buildings or portions thereof used for the general conduct of government, political activities, general government expenses).
- ICDBG-ARP grant funds cannot replace or reimburse ICDBG grant funds that were reprogrammed and used to prevent, prepare for, or respond to COVID-19, and used for other activities typically eligible under the ICDBG program.

10. Waivers and Alternative Requirements Applicable to ICDBG-ARP Program:

- a. Waiver Authority:** The ARP provides HUD with authority to waive or specify alternative requirements for any provision of title I of the HCDA or regulation applicable to ICDBG (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of these funds.

The following waivers and alternative requirements apply only to ICDBG funding provided under the ARP. Indian tribes are reminded that these waivers and alternative requirements do not apply to ICDBG funds appropriated in any other Act. In applying these waivers and alternative requirements, Indian tribes must ensure that they are doing so only with respect to ICDBG-ARP grant. See Attachment A of this notice for a summary of these waivers and alternative requirements.

- b. Waivers and Alternative Requirements:** HUD has determined that the following waivers and alternative requirements are necessary to expedite or facilitate the use of ICDBG-ARP funds:

i. Citizen Participation

Statutory Authority: Section 104 of the HCDA

Regulatory Authority: 24 CFR §§ 1003.305(c)(3), 1003.604

Description: Section 104 of the HCDA and 24 CFR § 1003.604 require ICDBG applicants to consult with residents prior to submitting their funding applications. The regulation mandates minimum citizen participation requirements, including holding one or more meetings to obtain the views of residents. The regulation also mandates certification by an official tribal resolution that the applicant has met the requirements of 24 CFR § 1003.604(a) prior to submission of the application to HUD and has considered any comments and views expressed by residents and made modified application available to residents. In addition, 24 CFR

§ 1003.305(c)(3) requires ICDBG recipients to meet the citizen participation requirements of 24 CFR § 1003.604 before amending previously awarded ICDBG grants.

Considering COVID-19-related social distancing directives, and other prohibitions against large in-person gatherings, in person citizen meetings are not advised. Accordingly, HUD is waiving 24 CFR § 1003.604(a)(2), 24 CFR § 1003.604(b) and 24 CFR § 1003.305(c)(3) and will not require Indian tribes to hold one or more meetings to obtain the views of residents before applying for ICDBG-ARP grant funding, or to certify that the applicant has met the requirements of 24 CFR § 1003.604(a) prior to submission of the application to HUD. Indian tribes will continue to be required, however, to meet the citizen participation requirements by publishing or posting information on their plans to use ICDBG-ARP grants, and accepting and considering comments, to the extent the Indian tribe determines that that can be done without subjecting residents to unnecessary risks to health and safety. Such requirements to publish or post information for their plans must ensure effective communication with persons with disabilities. Indian tribes may also choose to hold virtual meetings with the public to meet these streamlined citizen participation requirements, if feasible. Applicants will still be required to certify that they have met the requirements of 24 CFR § 1003.604(a) and may provide such certification to HUD after submitting an application but before receiving an award.

When holding a virtual meeting, a grantee should take appropriate steps to ensure effective communication with persons with disabilities consistent with the requirements of accessibility laws, such as Section 504 of the Rehabilitation Act of 1973. Grantees should also take reasonable steps to ensure meaningful access to their virtual meetings for persons with limited English proficiency by providing appropriate language services.

For virtual meetings, such steps will include ensuring that information is provided on an accessible website, that emails and other digital notifications are accessible, and that the application or platform used to host the hearing is also accessible. Additional services such as audio description or captioning may also be needed to provide effective communication in a digital context. Helpful guidelines for ensuring the accessibility of web-based and digital materials are available through the World Wide Web Consortium's Web Accessibility Initiative at <https://www.w3.org/WAI/>. Examples of auxiliary aids and services that may be necessary when conducting hearings online can be found at 28 CFR § 35.104. If providing a particular auxiliary aid or service would result in a fundamental alteration or undue burden, the grantee still must take any other action that would ensure, to the maximum extent possible, that the individual with a disability is able to participate in the hearing .

Additionally, grantees should be mindful that many low-income persons may not be able to participate in a virtual meeting due to lack of Internet access. Grantees are encouraged to also make any virtual meetings available via telephone so that persons can participate even if they do not have access to the Internet.

ii. Application Process for ICDBG-ARP Grants and Funding Criteria

Regulatory Authority: 24 CFR §§ 1003.400, 1003.401, 1003.402

Description: The regulation at 24 CFR § 1003.400 specifies the funding criteria for ICDBG-IT grants. It provides that: 1) The urgency and immediacy of the threat must be independently verified before an ICDBG IT application can be approved by HUD; 2) Funds may only be used to deal with imminent threats that are not of a recurring nature, which represent a unique and unusual circumstance, and which impact on an entire service area; 3) HUD will establish grant ceilings. The regulation at 24 CFR § 1003.401 specifies the application process that applicants must follow. The regulation at 24 CFR § 1003.402 addresses the availability of funding and what happens to remaining unobligated ICDBG IT funds at the end of each fiscal year. It provides that if any reserved funds are not used to fund ICDBG IT grants during a fiscal year, they will be added to the allocation of ICDBG funds for the subsequent fiscal year and will be used as if they were a part of the new allocation.

The COVID-19 pandemic has resulted in a declared national emergency and poses a domestic and international crisis. This is a unique, well-documented emergency that is having an impact on all tribal communities. Considering this, HUD is waiving and modifying 24 CFR § 1003.400, 24 CFR § 1003.401, and 24 CFR § 1003.402 to the extent necessary to provide for the following alternative requirements:

1) *Criteria for Funding*

With respect to applications for ICDBG-ARP grants to address the COVID-19 pandemic, the urgency and immediacy of the threat need not be independently verified before approval of an application. The urgency and immediacy of the threat will be presumed by HUD, unless HUD has evidence to the contrary. Similarly, these applications need not demonstrate that COVID-19 is a non-recurring imminent threat and that it has an impact on an entire service area. HUD will presume these criteria are met unless HUD has evidence to the contrary.

2) *Grant Ceilings*

For ICDBG-ARP grants, HUD is waiving the current ICDBG-IT grant ceilings (currently set at \$450,000 for projects in areas that have not received a Presidential Major Disaster Declaration, and \$900,000 for areas that have received a Presidential Major Disaster Declaration). HUD is establishing new grant ceilings in this Notice.

HUD may also further revise these grant ceilings in the future depending on how the pandemic evolves, program demand, the availability of additional appropriations, and related factors. HUD will notify Indian tribes in writing if these grant ceilings are revised in the future.

3) *Reimbursement of Costs and Letter to Proceed*

The ARP provides that ICDBG-ARP grant funds provided under the Act may be used to cover or reimburse allocable costs to

prevent, prepare for, or respond to COVID-19 incurred by an ICDBG-ARP applicant. Such costs must have been incurred after January 21, 2020. Accordingly, any such previous costs incurred by an ICDBG-ARP applicant or grantee after January 21, 2020, may be reimbursed with ICDBG-ARP grant funding.

Considering this, HUD is waiving 24 CFR § 1003.400(b) to the extent necessary to allow ICDBG-ARP applicants and grantees to receive ICDBG-ARP grants without having to demonstrate to the satisfaction of HUD that other tribal funding sources cannot be made available to alleviate the threat. Additionally, HUD will not consider recently awarded IHBG funding provided under the ARP, the CARES Act, and regular IHBG funding that has already been budgeted in the relevant IHP or contracted, when assessing available Federal resources. HUD is also waiving the Letter to Proceed provision in 24 CFR § 1003.401(a) so that ICDBG-ARP applicants and grantees do not need to have received a Letter to Proceed from the AONAP as a condition of reimbursing themselves for eligible costs already incurred that can be reimbursed pursuant to the ARP.

Please note that, pursuant to 24 CFR § 1003.605(b) and 24 CFR § 58.34(a)(10), grants to provide assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety, including those resulting from physical deterioration, do not have to submit a Request for Release of Funds and certification. However, the responsible entity must document in writing its determination that each activity or project is exempt from environmental review. In the case of imminent threat activities that do not meet the conditions in 24 CFR § 58.34(a)(10) for exemption from environmental review, ICDBG-ARP applicants or recipients may not commit ICDBG-ARP funds to reimburse expenses for such activities until HUD approves a Request for Release of Funds.

ICDBG-ARP grantees remain responsible for ensuring that they are coordinating locally, and with other Federal agencies, to ensure that funds are used appropriately to address gaps in funding, and to avoid any duplication of benefits.

4) *Availability of Funds*

HUD is waiving 24 CFR § 1003.402 which provides that if any reserved funds are not used to fund IT grants during a fiscal year, they will be added to the allocation of ICDBG funds for the subsequent fiscal year and will be used as if they were a part of the new allocation. HUD is waiving this regulation to expedite and facilitate the use of ICDBG-ARP grant funds to address COVID-19. If ICDBG-ARP grant funds are not awarded in a fiscal year, they will remain available in the ICDBG-ARP program, and will be awarded in accordance with the ARP. HUD reserves the right to

adjust how funding is awarded to ensure the needs of Tribes are met, including possibly setting aside a portion of funding to assist address the needs of Tribes with the greatest needs.

iii. Rental Assistance, Utility Assistance, Food, Clothing, and Other Emergency Assistance

Statutory Authority: Section 105 of the HCDA

Regulatory Authority: 24 CFR § 1003.207(b)(4)

Description: Section 105(a)(8) authorizes the use of ICDBG funds for a variety of public services. Under the implementing regulation at 24 CFR § 1003.207(b)(4), the general rule is that ICDBG funds may not be used for income payments. For purposes of the ICDBG program, income payments mean a series of subsistence-type grant payments made to an individual or family for items such as food, clothing, housing (rent or mortgage) or utilities, but excludes emergency payments made over a period of up to three months to the provider of such items or services on behalf of an individual or family.

COVID-19 is having a substantial negative impact on Native American families' ability to work, earn an income, pay their rent or mortgage, access or pay for food and clothing, and access many other essential services. Many Indian tribes and TDHEs have reported to HUD that they shut down and community members are sheltering in place. Additionally, HUD expects that Tribes will need to respond to long-term impacts of COVID-19. To help tribal communities address these challenges, HUD is waiving Section 105(a)(8) and 24 CFR § 1003.207(b)(4) to the extent necessary to establish the following alternative requirement:

ICDBG-ARP grant funds may be used to provide emergency payments for low- and moderate-income individuals or families impacted by COVID-19 for items such as food, medicine, clothing, and other necessities, as well as rental assistance and utility payment assistance, without regard for the 3-month limitation in 24 CFR § 1003.207(b)(4), but for a period not to exceed 6 months unless further expanded by HUD at a later date. At this time, emergency mortgage assistance will remain limited to no more than 3 months under 24 CFR § 1003.207(b)(4). Indian tribes are reminded that additional rental assistance and assistance for homeowners is available under the Department of Treasury's Emergency Rental Assistance program and the Homeowner Assistance Fund.

These emergency payments must be used to either cover costs incurred directly by the ICDBG-ARP grantee in cases where the ICDBG-ARP grantee is providing this assistance or made directly to a third-party provider of such items or services on behalf of an individual or family and may not be paid directly to an individual or family in the form of income payments, debit cards, or similar direct income payments. ICDBG-ARP grantees may establish lines of credit with third party providers (e.g., grocery stores) on behalf of specific beneficiary families, provided all expenses can be properly documented and all ICDBG-ARP funds used for

this purpose are expended on eligible activities. In all cases, ICDBG-ARP grantees must ensure that proper documentation is maintained to ensure that all costs incurred are eligible. ICDBG-ARP grantees using this alternative requirement must document, in their policies and procedures, how they will determine the amount of assistance to be provided is necessary and reasonable.

iv. Purchase of Equipment

Regulatory Authority: 24 CFR §§ 1003.207(b)(1), 1003.201(c)(1)(ii)

Description: The purchase of equipment with ICDBG funds is generally ineligible under 24 CFR § 1003.207(b)(1), with some exceptions.

Given the immediate need for medical and personal protective equipment, and other related equipment needed to help prevent, prepare for, or respond to the COVID-19 pandemic in tribal communities, HUD is waiving 24 CFR § 1003.207(b)(1) and authorizing the use of ICDBG-ARP funds for the purchase of equipment necessary to prevent, prepare for, or respond to COVID-19. Equipment must be used for authorized program purposes, and any proceeds from the disposition of equipment will be considered ICDBG-ARP program income. HUD may issue further guidance in the future on the disposition of program income after grant closeout.

ICDBG-ARP grantees must ensure that ICDBG-ARP funds are used to supplement other Federal sources of funding for this purpose, including funding provided by the Indian Health Service, and should not be used to supplant such funding.

v. Operating Expenses for Public Facilities

Regulatory Authority: 24 CFR § 1003.207(b)(2)

Description: 24 CFR § 1003.207(b)(2) provides that expenses associated with repairing, operating or maintaining public facilities, improvements and services are generally ineligible, with some exceptions.

Indian tribes may find the need to use ICDBG-ARP funds to fund a variety of public facilities, including constructing facilities for testing, diagnosis, or treatment, rehabilitating existing facilities to establish infectious disease treatment clinics, acquiring and converting hotels, motels, or similar facilities to expand capacity of hospitals to accommodate isolation of patients during recovery, and more. These facilities will likely need to be operated and maintained for the duration of the COVID-19 pandemic.

Accordingly, HUD is waiving 24 CFR § 1003.207(b)(2) to the extent necessary to allow the use of ICDBG-ARP funds to pay for such operating and maintenance expenses of any public facility, to the extent it is used for COVID-19-related purposes.

ICDBG-ARP grantees must also ensure that ICDBG-ARP funds are used to supplement other Federal sources of funding for this purpose, including

funding provided by the Indian Health Service, and should not be used to supplant such funding.

vi. New Housing Construction by Tribes

Statutory Authority: Section 105 of the HCDA

Regulatory Authority: 24 CFR § 1003.207(b)(3)

Description: 24 CFR § 1003.207(b)(3) generally prohibits the use of ICDBG funds for new housing construction, with some exceptions. ICDBG may be used for new housing construction if provided as last resort housing under 24 CFR part 42, or when carried out by a Community-Based Development Organization (CBDO).

As HUD found in its 2017 Native American Housing Needs Study, severe overcrowding and substandard housing is a major challenge in Indian Country. These conditions increase risks of infection amongst low- and moderate-income Native American families. Indian tribes may find the need to construct temporary or permanent new housing to help prevent, prepare for, or respond to COVID-19, and may find it necessary to do so without having to carry out such activities through a CBDO.

Accordingly, HUD is waiving and modifying Section 105 of the HCD Act and 24 CFR § 1003.207(b)(3) to the extent necessary to provide for the following alternative requirement: Indian tribes and Tribal organizations may use ICDBG-ARP funds to carry out new housing construction when such construction is carried out to reduce overcrowding, or to otherwise prevent, prepare for, or respond to COVID-19.

When assessing applications for ICDBG-ARP grants that propose to carry out new housing construction, HUD will only fund applications that propose to carry out new housing construction that is clearly designed to prevent, prepare for, or respond to COVID-19, and that the applicant plans to carry out expeditiously. As a reminder, such new housing construction must meet applicable federal accessibility requirements, including requirements under Section 504 of the Rehabilitation Act of 1973 and 24 CFR part 8. HUD will issue additional ICDBG-ARP implementation guidance in the near future.

11. Reimbursement of Costs: ICDBG-ARP grants may also be used to cover or reimburse any allowable costs paid with non-Federal funds by the applicant to prevent, prepare for, or respond to COVID-19. If an ICDBG-ARP applicant plans to reimburse such costs, the applicant must provide the date on which it began preparing for COVID-19 and must provide and maintain documentation supporting all of its reimbursable costs. HUD will not accept dates that pre-date January 22, 2020. HUD reserves the right to request additional documentation from an applicant to support the reimbursement of allowable costs incurred.

12. Reporting Requirements: The following reporting requirements apply to the ICDBG-ARP grants. HUD may issue further guidance on reporting requirements in the near future:

- a. **Quarterly Federal Financial Reports (SF-425):** These reports account for the receipt and disbursement of ICDBG-ARP funding.
- b. **Annual Status and Evaluation Report (ASER):** An ICDBG-ARP grantee will be required to submit this report annually to report on its progress in implementing the grant. A final ASER will also be required after the ICDBG-ARP grant is fully expended.
- c. **Federal Funding Accountability and Transparency Act of 2006**
The Federal Funding Accountability and Transparency Act of 2006 (FFATA) includes a requirement for awardees of applicable Federal grants to report information about first tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over \$30,000. Please see the OMB guidance published at [2 CFR part 170](#).
- d. **Additional Reporting:** Section 15011 of the CARES Act requires that recipients of \$150,000 or more of CARES Act funding submit, not later than 10 days after the end of each calendar quarter, a report containing information regarding the amount of funds received; the amount of funds obligated or expended for each project or activity; a detailed list of all such projects or activities, including a description of the project or activity; and detailed information on any subcontracts or subgrants awarded by the recipient.

HUD is considering whether ICDBG-ARP recipients will be required to comply with similar reporting requirements or other reporting requirements under the ARP. In the near future, HUD will provide additional guidance with respect to reporting requirements under the ICDBG-ARP program. HUD will work in coordination with the Office of Management and Budget to ensure that any reporting requirements can be fulfilled by recipients of ARP funding in a manner that utilizes to the greatest extent possible existing reporting streams, providing the necessary transparency and accountability with minimal additional burden. If additional reporting is necessary, further guidance will be released by HUD.

13. **General Resources:**

Office of Native American Programs COVID-19 Recovery Programs website: https://www.hud.gov/program_offices/public_indian_housing/ih/Covid_Recovery

Office of Native American Programs website, including updated COVID-19-related Frequently Asked Questions: <https://www.hud.gov/codetalk>

HUD COVID Resources and Fact Sheets: <https://www.hud.gov/coronavirus>

- 14. **Paperwork Reduction Act:** The information collection requirements contained in this Notice are approved by the Office of Management and Budget (OMB) under the

Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number. The active information collections contained in this Notice are approved under the PRA OMB Control Number 2577-0191.

If you have questions about the ICDBG-ARP grant funding process, please contact your Area Office of Native American Programs.

/s/

Dominique Blom
General Deputy Assistant Secretary
for Public and Indian Housing

ICDBG-ARP Statutory and Regulatory Waivers and Alternative Requirements Summary		
Item	Statutory and Regulatory Waivers	Waiver/Alternative Requirement Summary
10.b.i. Citizen Participation	<p>Statutory Authority: Section 104 of the Housing and Community Development Act of 1974 (HCDA)</p> <p>Regulatory Authority: 24 CFR §§ 1003.305(c)(3), 1003.604</p>	<p>Indian tribes are not required to hold one or more meetings or hearings to obtain the views of residents before applying for ICDBG-ARP grant funding.</p>
10.b.ii. Application Process for ICDBG-ARP Grants and Funding Criteria	<p>Regulatory Authority: 24 CFR §§ 1003.400, 1003.401, 1003.402</p>	<p>1) <i>Criteria for Funding:</i> With respect to applications for ICDBG-ARP grants to address the COVID-19 crisis, the urgency and immediacy of the threat will be presumed.</p>
		<p>2) <i>Grant Ceilings:</i> Current ICDBG Imminent Threat grant ceilings are waived for ICDBG-ARP and new grant ceilings are set in this Notice.</p>
		<p>3) <i>Reimbursement of Costs and Letter to Proceed:</i> ICDBG-ARP applicants and grantees do not have to demonstrate other tribal funding sources cannot be made available to alleviate the threat and may use the funding to cover or reimburse costs to prevent, prepare for, or respond to COVID-19 without a Letter to Proceed from the Area ONAP.</p>
		<p>4) <i>Availability of Funds:</i> If ICDBG-ARP grant funds are not awarded in a fiscal year, the funds will remain available to be awarded for ICDBG-ARP grants in accordance with the ARP. HUD reserves the right to adjust how funding is awarded to ensure needs of Tribes are met, including possibly setting aside a portion of funding to address the needs of Tribes with the greatest needs.</p>
10.b.iii. Rental Assistance, Utility Assistance, Food, Clothing,	<p>Statutory Authority: Section 105 of the HCDA</p>	<p>ICDBG-ARP grant funds may be used to provide emergency payments for low and moderate income individuals or families impacted by COVID-19 for items such as food,</p>

and Other Emergency Assistance	Regulatory Authority: 24 CFR § 1003.207(b)(4)	medicine, clothing, and other necessities, as well as utility payment assistance.
10.b.iv. Purchase of Equipment	Regulatory Authority: 24 CFR §§ 1003.207(b)(1), 1003.201(c)(1)(ii)	Grantees may use of ICDBG-ARP funds for the purchase of medical and personal protective equipment to prevent, prepare for, or respond to the COVID-19.
10.b.v. Operating Expenses for Public Facilities	Regulatory Authority: 24 CFR § 1003.207(b)(2)	Grantees may use ICDBG-ARP funds to pay operating and maintenance expenses of any public facility, to the extent it is used for COVID-19-related purposes.
10.b.vi. New Housing Construction by Tribes	Statutory Authority: Section 105 of the HCDA Regulatory Authority: 24 CFR § 1003.207(b)(3)	ICDBG-ARP grantees may use ICDBG-ARP funds to carry out new housing construction under certain conditions without having to use a CBDO.

ICDBG-ARP Phase One Applicant Priority List			
The Tribes/TDHEs on this list were ICDBG-CARES applicants that were not awarded grants due to limited appropriations. Therefore, they qualify as ICDBG-ARP Phase One Priority List Applicants.			
AONAP	Applicant	City	State
AKONAP	Alaska Native Tribal Health Consortium - Kokhanok	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium - Koliganek	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium - Kwethluk	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium - Lime Village	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium - Ouzinkie	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium - Shishmaref	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium- Pilot Station	Anchorage	AK
AKONAP	Alaska Native Tribal Health Consortium- Sand Point	Anchorage	AK
AKONAP	Aleut Community of St. Paul Island Tribal Government	St. Paul Island	AK
AKONAP	Aleut Pribilof Islands Association - St. George	Anchorage	AK
AKONAP	Aleutian Pribilof Islands Association- Atka	Anchorage	AK
AKONAP	Algaaciq Native Village	St. Mary's	AK
AKONAP	Allakaket Village	Allakaket	AK
AKONAP	Asa'carsarmiut Tribe	Mountain Village	AK
AKONAP	Douglas Indian Association	Juneau	AK
AKONAP	Emmonak Village	Emmonak	AK
AKONAP	Huslia Village	Huslia	AK
AKONAP	Igiugig Village	Igiugig	AK
AKONAP	Kenaitze Indian Tribe (IRA)	Kenai	AK
AKONAP	Ketchikan Indian Community	Ketchikan	AK
AKONAP	Koyukuk Native Village	Koyukuk	AK
AKONAP	Levelock Village Council	Levelock	AK
AKONAP	Manokotak Village Council	Manokotak	AK
AKONAP	Mentasta Traditional Council	Mentasta Lake	AK
AKONAP	Metlakatla Indian Community	Metlakatla	AK
AKONAP	Native Village of Belkofski	King Cove	AK
AKONAP	Native Village of Buckland	Buckland	AK
AKONAP	Native Village of Chuathbaluk	Chuathbaluk	AK
AKONAP	Native Village of Eklutna	Chugiak	AK
AKONAP	Native Village of Kaktovik	Kaktovik	AK
AKONAP	Native Village of Kluti-Kaah	Copper Center	AK
AKONAP	Native Village of Kongiganak	Kongiganak	AK
AKONAP	Native Village of Kwinhagak	Quinhagak	AK
AKONAP	Native Village of Mary's Igloo	Teller	AK
AKONAP	Native Village of Nanwalek	Nanwalek	AK
AKONAP	Native Village of Nuiqsut	Nuiqsut	AK
AKONAP	Native Village of Nulato	Nulato	AK

ICDBG-ARP Phase One Priority List			
AKONAP	Native Village of Nunapitchuk	Nunapitchuk	AK
AKONAP	Native Village of Perryville	Perryville	AK
AKONAP	Native Village of Point Hope	Point Hope	AK
AKONAP	Native Village of Point Lay	Point Lay	AK
AKONAP	Native Village of Ruby	Ruby	AK
AKONAP	Native Village of Selawik	Selawik	AK
AKONAP	Native Village of Tanana	Tanana	AK
AKONAP	Native Village of Tatitlek	Tatitlek	AK
AKONAP	Native Village of Tununak	Tununak	AK
AKONAP	Native Village of Unalakleet	Unalakleet	AK
AKONAP	Native Village of Wales	Wales	AK
AKONAP	New Stuyahok Village	New Stuyahok	AK
AKONAP	Newtok Village Council	Newtok	AK
AKONAP	Northway Village	Northway	AK
AKONAP	Nunakauyarmiut Tribe	Toksook Bay	AK
AKONAP	Organized Village of Kasaan	Kasaan	AK
AKONAP	South Naknek Village Council	Wasilla	AK
AKONAP	Southcentral Foundation	Anchorage	AK
AKONAP	Village of Aniak	Aniak	AK
AKONAP	Village of Chefomak	Chefornak	AK
AKONAP	Village of Iliamna	Iliamna	AK
AKONAP	Village of Ohogamiut	Marshall	AK
AKONAP	Village of Solomon	Nome	AK
AKONAP	Village of Wainwright	Wainwright	AK
EWONAP	Aquinnah Wampanoag Tribal Housing Authority	Chilmark	MA
EWONAP	Bay Mills Indian Community	Brimley	MI
EWONAP	Choctaw Housing Authority (Mississippi)	Choctaw	MS
EWONAP	Lac Vieux Desert Band of Lake Superior Chippewa	Watersmeet	MI
EWONAP	Mashpee Wampanoag Tribe	Mashpee	MA
EWONAP	Poarch Band of Creek Indians	Atmore	AL
EWONAP	Red Cliff Band of Lake Superior Chippewa Indians	Bayfield	WI
EWONAP	Resubmit Oneida Nation	Oneida	WI
EWONAP	Saint Regis Mohawk Tribe	Akwesasne	NY
EWONAP	Seneca Nation Housing Authority	Irving	NY
EWONAP	White Earth Band of Chippewa Indians	Ogema	MN
NPONAP	Apsaalooke Nation Housing Authority	Crow Agency	MT
NPONAP	Blackfeet Housing Program	Browning	MT
NPONAP	Chippewa Cree Tribe of the Rocky Boys Reservation	Box Elder	MT
NPONAP	Eastern Shoshone Housing Authority	Fort Washakie	WY
NPONAP	Lower Brule Housing Authority	Lower Brule	SD
NPONAP	Northern Arapaho Tribal Housing	Ethete	WY

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NPONAP	Northern Ponca Housing Authority	Norfolk	NE
NPONAP	Northwestern Band of the Shoshone Nation	Brigham City	UT
NPONAP	Oglala Sioux Tribe	Pine Ridge	SD
NPONAP	Omaha Tribe of Nebraska	Macy	NE
NPONAP	Salish and Kootenai Housing Authority	Pablo	MT
NPONAP	Santee Sioux Tribal Housing Authority	Niobrara	NE
NPONAP	Yankton Sioux Housing Authority	Wagner	SD
NWONAP	Confederated Tribes and Bands of the Yakama Nation	Toppenish	WA
NWONAP	Confederated Tribes of the Grand Ronde	Grand Ronde	OR
NWONAP	Confederated Tribes of the Umatilla Indian Reservation	Pendleton	OR
NWONAP	Jamestown S'Klallam Tribe	Sequim	WA
NWONAP	Kalispel Indian Community of the Kalispel Reservation	Cusick	OR
NWONAP	Kootenai Tribe of Idaho	Bonnors Ferry	ID
NWONAP	Nooksack Indian Housing Authority	Deming	WA
NWONAP	Port Gamble S'Klallam Housing Authority	Kingston	WA
NWONAP	Quileute Tribe of the Quileute Reservation	La Push	WA
NWONAP	Suquamish Tribe	Suquamish	WA
SPONAP	Alabama-Coushatta Tribe of Texas	Livingston	TX
SPONAP	Apache Tribe of Oklahoma	Anadarko	OK
SPONAP	Cherokee Nation	Tahlequah	OK
SPONAP	Cheyenne and Arapaho Tribes	Concho	OK
SPONAP	Citizen Potawatomi Nation	Shawnee	OK
SPONAP	Delaware Tribe of Indians	Bartlesville	OK
SPONAP	Housing Authority of the Seminole Nation of Oklahoma	Wewoka	OK
SPONAP	Keetoowah Band of Cherokee Indians	Tahlequah	OK
SPONAP	Kiowa Tribe Housing Authority	Anadarko	OK
SPONAP	Modoc Nation	Miami	OK
SPONAP	Muscogee (Creek) Nation	Okmulgee	OK
SPONAP	Prairie Band Potawatomi Nation	Mayetta	KS
SPONAP	Seneca Cayuga Nation	Grove	OK
SPONAP	Shawnee Tribe	Miami	OK
SPONAP	Thlopthlocco Tribal Town	Okemah	OK
SPONAP	Tonkawa Tribe of Oklahoma	Tonkawa	OK
SPONAP	Tunica Biloxi Tribe of Louisiana	Marksville	LA
SWONAP	Blue Lake Rancheria	Blue Lake	CA
SWONAP	Cedarville Rancheria	Alturas	CA
SWONAP	Chemehuevi Indian Tribe	Havasu Lake	CA
SWONAP	Cocopah Indian Housing & Development	Somerton	AZ
SWONAP	Coyote Valley Band of Pomo Indians	Redwood Valley	CA
SWONAP	Duckwater Shoshone Tribe	Duckwater	NV
SWONAP	Ely Shoshone Tribe	Ely	NV
SWONAP	Hoopa Valley Tribe	Hoopa	CA

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SWONAP	Ione Band of Miwok Indians	Plymouth	CA
SWONAP	Isleta Pueblo Housing Authority	Isleta Pueblo	NM
SWONAP	Jicarilla Apache Nation	Dulce	NW
SWONAP	Karuk Tribe	Happy Camp	CA
SWONAP	Laguna Housing Development	Laguna	NM
SWONAP	Lone Pine Paiute Shoshone Tribe	Lone Pine	CA
SWONAP	Mesa Grande Indian Housing Authority	Santa Ysabel	CA
SWONAP	Moapa Band of Paiutes	Moapa	NV
SWONAP	Navajo Nation	Window Rock	AZ
SWONAP	North Fork Rancheria of Mono Indians of California	North Fork	CA
SWONAP	Northern Circle Indian HA, Guidiville Indian Rancheria	Ukiah	CA
SWONAP	Northern Circle Indian HA, Manchester Band of Pomo	Ukiah	CA
SWONAP	Northern Circle Indian HA, Sherwood Valley Rancheria	Ukiah	CA
SWONAP	Ohkay Owingeh Housing Authority	Ohkay Owingeh	NM
SWONAP	Pascua Yaqui Tribe	Tucson	AZ
SWONAP	Picuris Pueblo Indian Tribe	Penasco	NM
SWONAP	Pit River Tribe	Burney	CA
SWONAP	Pueblo of Acoma Housing Authority	Pueblo of Acoma	NM
SWONAP	Pueblo of Jemez Housing Authority	Jemez Pueblo	MN
SWONAP	Pueblo of Zia	Zia Pueblo	NM
SWONAP	Pyramid Lake Paiute Tribe	Washoe	NV
SWONAP	Resighini Rancheria	Klamath	CA
SWONAP	Robinson Rancheria Citizens Business Council	Nice	CA
SWONAP	San Carlos Housing Authority	Peridot	AZ
SWONAP	San Pasqual Band of Mission Indians	Valley Center	CA
SWONAP	Santo Domingo Pueblo	Santo Domingo Pueblo	NM
SWONAP	Scotts Valley Band of Pomo Indians	Lakeport	CA
SWONAP	Washoe Housing Authority	Gardnerville	NV
SWONAP	Yurok Indian Housing Authority	Klamath	CA