



H.R. 3684: Infrastructure and Investment Jobs Act  
Preliminary Legislative Analysis: Senate Passed Version  
National Congress of American Indians  
August 11, 2021

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Broadband

**Sec. 60201. Tribal Connectivity Technical Amendments**

- **Relevant Agency:** Department of Commerce
- **Brief Summary:** This section makes amendments to the Tribal Broadband Connectivity Grant Program (established in Section 905 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260)) administered by NTIA within the Department of Commerce. Amendments include: removal of the “COVID-19 emergency period” language included in the previous bill; an extension of grant deadlines related to committing and expending funds awarded to eligible entities; expands projects eligible for extension waivers to digital inclusion, equity, and literacy projects; newly appropriated funds to fully fund any grants for which the Assistant Secretary received an application and which the Assistant Secretary did not fully fund during the initial round of funding; and shall allocate any remaining funds through subsequent funding rounds.
- **Deadline for implementation:** The Department of Commerce shall inform eligible entities that additional funding has been made available for grants under this subsection. Eligible entities will have 180-days beginning on the date on which the Department of Commerce issues notice of funding to apply.
- **Deadline to expend funds:** Program grant awardees will now have 18 months to commit grant funding and 4 years to expend funds awarded under this program.

**Broadband Connectivity Fund - Appropriations**

- **Relevant Agency:** Department of Commerce
- **Brief Summary:** This section appropriates \$2 billion For an additional amount for “Broadband Connectivity Fund”, to remain available until expended, for grants for the Tribal Broadband Connectivity Program as amended by section 60201 of division F this Act

**Sec. 60304. State Digital Equity Capacity Grant Program**

- **Relevant Agency:** Department of Commerce
- **Brief Summary:** This section establishes a grant program to promote the achievement of digital equity, support digital inclusion activities, and build capacity for efforts by States relating to adoption of broadband. To be awarded a grant, a State Digital Equity Plan must identify barriers to digital equity, measurable objectives, an assessment of how the objectives will impact economic outcomes, education and health outcomes, and delivery of services. State Capacity Grants are authorized at \$240 million for FY 2022 and \$300 million for each of fiscal years 2023 through 2026. Planning grants are authorized at \$60 million.
- **Tribal Set-Aside:** not less than 5 percent from amounts made available to the State Digital Equity Capacity Grant Program shall be used to award grants to, or enter into contracts or cooperative agreements with, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations to allow those Tribes, entities, and organizations.
- **Tribal Eligibility:** A State that wishes to be awarded a grant will select an administering entity, which will serve as the recipient, administering agent, and develop and implement the State Digital Equity Plan for the State, and make subgrants to entities. Among the entities eligible to be the administering agent are Indian Tribes (25 U.S.C. 5304), Alaska Native entities, and Native Hawaiian entities.
- **Deadline to expend funds:** Grantees shall expend the grant amounts during the 5-year period beginning on the date on which the entity is awarded the grant amounts

**Sec. 60305. Digital Equity Competitive Grant Program**

- **Relevant Agency:** Department of Commerce
- **Brief Summary:** This section provides \$250,000,000 for each of the first 5 fiscal years (\$1.25 billion) in which funds are made available to establish and award grants to support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption of broadband among covered populations. The Federal share of any grant awarded under the Program may not exceed 90 percent.
- **Tribal Eligibility:** 5 percent of these funds (\$62.5 million) will be used to award grants to, or enter into contracts or cooperative agreements with, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations to allow those tribes, entities, and organizations to carry out the activities described in this section
- **Deadline to expend funds:** Grantees shall expend the grant amounts during the 4-year period beginning on the date on which the entity is awarded the grant amounts

**Sec. 60401. Enabling Middle Mile Broadband Infrastructure**

- **Relevant Agency:** Department of Commerce, Federal Communications Commission
- **Brief Summary:** Provides \$1 billion in funding over 5 years to establish a program that awards grants on a technology-neutral, competitive basis to eligible entities for the construction, improvement, or acquisition of middle mile infrastructure.
- **Special Requirements for Tribal Governments:** The Assistant Secretary, in consultation with Tribal governments and Native entities, may waive, or specify alternative requirements if the Assistant Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of middle mile grants to Tribal governments; or the construction, improvement, or acquisition of middle mile infrastructure on trust land. The Assistant Secretary, in consultation with Tribal governments and Native entities, shall develop a process for designating Tribally unserved areas and Tribally underserved areas for purposes of this section.
- **Tribal Eligibility:** Tribal governments and Native entities are eligible recipients for these grants.
  - “Native entity” is defined as an Indian Tribe; an Alaska Native Corporation; a Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)); the Department of Hawaiian Home Lands; and the Office of Hawaiian Affairs.
- **Deadline for implementation:** the Secretary of Commerce shall issue notices of funding opportunity not later than 180 days after the date of enactment of this Act
- **Deadline to expend funds:** Grantees are required to complete buildout of the middle mile infrastructure within 5 years of receiving funding.

#### **Sec. 60502. Broadband Affordability**

- **Relevant Agency:** Federal Communications Commission
- **Brief Summary:** This section authorizes an additional funding amount of \$14.2 billion for the Emergency Broadband Benefit (EBB) Program (established in Section 904 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260)). The section modifies the title of the EBB program to the “Affordable Connectivity Program” and removes previous language related to the “COVID-19 emergency period”, effectively extending the program until the newly authorized funding is expended. This section also reduces the benefit amount from \$50 to \$30 for non-tribal participants and includes new consumer protections and regulations for participating providers.
- **Tribal Eligibility:** The program offers a \$75 benefit for participants living on Tribal Lands
- **Deadline for implementation:** These amendments are effective on the date on which the Commission submits the certification required under paragraph (4) of this section, or December 31, 2021, whichever is earlier.
- **Deadline to expend funds:** Funds will remain available until expended

## Transportation

### Surface Transportation

#### **Sec. 11101. Authorization of Appropriations (for the Tribal Transportation Program)**

- **Relevant Agency:** U.S. Department of Transportation & U.S. Department of the Interior
- **Brief Summary:** Reauthorizes to be appropriated up to \$ 3.01 billion for the Tribal Transportation Program (TTP) (23 U.S. Code § 202) for Fiscal Years (FY) 2022-2026, as follows: \$578,460,000 for FY 2022; \$589,960,000 for FY 2023; \$602,460,000 for FY 2024; \$612,960,000 for FY 2025; and \$627,960,000 for FY 2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11118. Bridge Investment Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Authorizes to be appropriated up to \$100 million for a Bridge Investment Program Tribal Transportation Facility Bridge Set Aside, to be treated as funds received as part of TTP, for FYs 2022-2026, as follows: \$16,000,000 for FY 2022; \$18,000,000 for FY 2023; \$20,000,000 for FY 2024; \$22,000,000 for FY 2025; \$24,000,000 for FY 2026. The definition of an eligible bridge facility is amended from "structurally deficient or functionally obsolete" to "in poor condition, having low load capacity, or needing geometric improvements[,]" making more bridges eligible to be improved (See Sec. 11524(c)).
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Bridge Investment Program - Appropriations**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII of this bill appropriates \$100 million for the Bridge Investment Program for FYs 2022-2026, as follows: \$20 million made available for each of FYs 2022-2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as

Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act. This appropriation is to carry out the Tribal Transportation Facility Bridges Program (23 U.S. Code § 202(d)), within the TTP.

- **Deadlines:** Available until expended.

### **Bridge Replacement, Rehabilitation, Preservation, Protection, and Construction Program - Appropriations**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII of this bill appropriates \$825 million for a bridge replacement, rehabilitation, preservation, protection, and construction program for FYs 2022-2026, as follows: \$165 million made available for each of FYs 2022-2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act. This appropriation is to carry out the Tribal Transportation Facility Bridges Program (23 U.S. Code § 202(d)), within the TTP.
- **Deadlines:** Available until expended.

### **Sec. 11123. Wildlife Crossing Safety**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a competitive wildlife crossings pilot program to provide grants for projects that seek to reduce the number of wildlife-vehicle collisions and improve habitat connectivity for terrestrial and aquatic species. Authorizes to be appropriated \$350 million for FYs 2022-2026, as follows: \$60,000,000 for FY 2022; \$65,000,000 for FY 2023; \$70,000,000 for FY 2024; \$75,000,000 for FY 2025; and \$80,000,000 for FY 2026.
- **Tribal Eligibility:** an Indian tribe (as defined in [23 U.S.C. § 207(m)(1)]), including a Native village and a Native Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. § 1602)).
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Sec. 11127. Nationally Significant Federal Lands and Tribal Projects Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Reauthorizes a competitive grant program that includes tribal recipients, guarantees a 50 percent tribal set aside of funds awarded each year, lowers the minimum dollar threshold for eligible projects from \$25 million to \$12.5 million, and raises the federal share of the cost of the project to 100 percent. Section 11101 of this bill authorizes \$1.775 billion for FYs 2022-2026, as follows: \$355 million for FYs 2022-2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.

- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11128. Tribal High Priority Projects Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Reauthorizes up to \$30 million, plus a \$9 million set aside from TTP funds (\$39 million annual total) for FYs 2022-2026. The existing law for the Tribal High Priority Projects Program under MAP-21 is revived by amending 23 U.S.C. § 202 note; Public Law 112-141 to include a set aside of TTP funds and an authorization of appropriations for FYs 2022-2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11132 Rural Surface Transportation Grant Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a rural surface transportation grant program to improve and expand surface transportation infrastructure in rural areas. Section 11101 authorizes \$2 billion for the program for FYs 2022-2026, as follows: \$300 million in FY 2022, \$350 million in FY 2023, \$400 million in FY 2024, \$450 million in FY 2025, and \$500 million in FY 2026.
- **Tribal Eligibility:** A Tribal government or a consortium of Tribal governments in a “rural area,” meaning an area that is outside an urbanized area with a population of over 200,000.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11318 Certain gathering lines located on Federal land and Indian Land**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** Authorizes categorical exclusions from National Environmental Policy Act (NEPA) reviews for issuance of a sundry notice or right-of-way for certain gathering lines and associated field compression or pumping units that are located on federal land or Indian land and that services any oil or gas well. The exclusion is applicable to Indian land or a portion of Indian land to which NEPA applies and the Indian tribe with jurisdiction submits a written request that the exclusion apply to that Indian land. Otherwise, NEPA requirements remain applicable.

- **Tribal Eligibility:** Indian land to which title is held by the U.S. in trust for an Indian Tribe or an individual Indian, or an Indian Tribe or individual Indian subject to a restriction by the U.S. against alienation.

#### **Sec. 11401. Grants for Charging and Fueling Infrastructure**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Reauthorizes a grant program for eligible recipients to contract with a private entity for acquisition and installation of publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure that is directly related to the charging or fueling of a vehicle. Section 11101 of this bill authorizes to be appropriated \$2.5 billion for FYs 2022-2026, as follows: \$300 million for FY 2022, \$400 million for FY 2023, \$500 million for FY 2024, \$600 million for FY 2025, and \$700 million for FY 2026.
- **Tribal Eligibility:** Indian tribes, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- **Deadline for Implementation:** Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization Act of 2021. These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11405. Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a transportation resiliency grant program for eligible recipients to receive planning and resiliency grants to protect surface transportation assets and communities and authorizes a two percent tribal set aside of program funds for FYs 2022-2026, totaling \$28 million over five years.
- **Tribal Eligibility:** an Indian tribe as defined in 23 U.S.C. § 207(m)(1).
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 11406. Healthy Streets Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a grant program to provide grants to deploy cool pavements and porous pavements and to expand tree cover and authorizes up to \$100 million for each of FYs 2022-2026.
- **Tribal Eligibility:** Tribal government, meaning the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994.

- **Deadline for Implementation:** These provisions authorize Congress to appropriate up to this amount in FYs 2022-2026.
- **Deadline to Expend Funds:** Deadlines to expend the authorized funds are controlled by grant parameters for the year in which funds are awarded.

#### **Sec. 11509. Reconnecting Communities Pilot Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a pilot program to provide grants to conduct feasibility studies, planning activities, and necessary construction activities, on existing eligible transportation facilities. Authorizes to be appropriated \$498 million for FYs 2022-2026, as follows: \$95 million for FY 2022; \$98 million for FY 2023; \$100 million for FY 2024, \$102 million for FY 2025; and \$105 million for FY 2026.
- **Tribal Eligibility:** A Tribal government.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Reconnecting Communities Pilot Program - Appropriations**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII of this bill appropriates \$2.5 billion for FYs 2022-2026, as follows: \$500 million made available for each of FYs 2022-2026.
- **Tribal Eligibility:** A Tribal government.
- **Deadlines:** Available until expended.

#### **Sec. 11526. Working Group on Covered Resources**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a working group to conduct a study on access to covered resources (a common variety material used in transportation infrastructure construction and maintenance, including stone, sand, and gravel) for infrastructure projects with not less than one representative of Indian Tribes, including Tribal elected leadership or Tribal transportation officials. In carrying out the study, the working group shall consult with, as appropriate, Tribal transportation and planning agencies and other relevant Tribal agencies associated with covered resources protection.
- **Tribal Eligibility:** Not less than one representative of Indian Tribes, including Tribal elected leadership or Tribal transportation officials.
- **Deadline for Implementation:** Not later than 120 days after the date of enactment of this Act.
- **Deadline to Expend Funds:** N/A. The working group shall submit its report not later than 2 years after the date the working group is established.

#### **Sec. 11528. Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a grant program for eligible entities to carry out activities to benefit pollinators on roadsides and highway rights-of-way, including

the planting and seeding of native, locally-appropriate grasses and wildflowers and authorizes to be appropriated \$10 million for FYs 2022-2026, as follows: \$2 million for each of FYs 2022-2026.

- **Tribal Eligibility:** an Indian tribe.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Three years after the last day of the fiscal year for which the funds are authorized.

#### **Sec. 11529. Active Transportation Infrastructure Investment Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Allows the Secretary of Transportation to carry out an active transportation infrastructure investment program to make grants to eligible organizations to construct eligible projects to provide safe and connected active transportation facilities in an active transportation network or active transportation spine and authorizes \$200 million for each of FYs 2022-2026. The Secretary of Transportation may enter into grant agreements, self-determination contracts, and self-governance compacts under the Indian Self-Determination and Education Assistance Act with Indian tribes that are eligible organizations.
- **Tribal Eligibility:** An Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026, subject to certain obligation limitations.
- **Deadline to Expend Funds:** Amounts are made available until expended.

#### **Sec. 14002. Environmental Reviews for Certain Tribal Transportation Facilities**

- **Relevant Agency:** U.S. Department of the Interior & U.S. Department of Transportation
- **Brief Summary:** The Secretaries of the Interior, Transportation, or other applicable federal agency head shall complete any approval or decision for the review of a tribal transportation safety project on an expeditious basis using the shortest existing applicable process. This section provides a framework for review, decisions, extensions, notifications, and explanations associated with environmental reviews for tribal transportation safety projects.
- **Tribal Eligibility:** Entities eligible to receive funds under the Tribal Transportation Program (TTP) (23 U.S.C. § 202).

#### **Section 14003. Programmatic Agreements for Tribal Categorical Exclusions**

- **Relevant Agency:** U.S. Department of the Interior & U.S. Department of Transportation
- **Brief Summary:** The Secretaries of the Interior and Transportation shall enter into agreements with Indian tribes that allows the Indian tribe to determine whether a project is categorically excluded from preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as

Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.

#### **Sec. 14004. Use of Certain Tribal Transportation Funds**

- **Brief Summary:** Eligible use of funds made available to carry out the TTP bridges program (23 U.S.C. § 202(d)) is expanded to include planning, design, engineering, preconstruction, construction, and inspection of new or replacement tribal transportation facility bridges; to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing composition; and to implement any countermeasure for a bridge classified as in poor condition, having a low load capacity, or needing geometric improvements, including multiple-pipe culverts.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act.

#### **Sec. 14005. Bureau of Indian Affairs Road Maintenance Program**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** Authorizes to be appropriated up to \$270 million for the Bureau of Indian Affairs (BIA) Road Maintenance Program for FYs 2022-2026, as follows: \$50,000,000 for FY 2022; \$52,000,000 for FY 2023; \$54,000,000 for FY 2024; \$56,000,000 for FY 2025; and \$58,000,000 for FY 2026.
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act, with eligible BIA roads and transportation facilities.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

#### **Sec. 14006 Study of Road Maintenance on Indian Land**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** The Secretary of the Interior, in consultation with Indian tribes and the Secretary of Transportation, will carry out a study to evaluate the long-term viability and useful life of existing roads on Indian land; programmatic reforms and performance enhancements necessary to achieve the goal of restructuring and streamlining road maintenance programs on existing or future roads located on Indian land; and recommendations on how to implement efforts to coordinate with states, counties, municipalities, and other units of local government to maintain roads on Indian land.
- **Tribal Eligibility:** The Secretary shall consult Indian tribes, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5304), that have jurisdiction over roads eligible for funding under the BIA Road Maintenance Program.

- **Deadline for Implementation:** This study shall be carried out not later than 2 years after the date of enactment of this Act, and not less frequently than every 2 years thereafter.

#### **Sec. 14007. Maintenance of Certain Indian Reservation Roads**

- **Relevant Agency:** U.S. Department of the Interior & U.S. Department of Homeland Security
- **Brief Summary:** The Commissioner of the U.S. Customs and Border Protection (CBP) may transfer funds to the Director of the BIA to maintain, repair, or reconstruct roads under the jurisdiction of the BIA Director, subject to the condition that the Commissioner and the Director shall mutually agree that the primary user of the subject road is the CBP.
- **Tribal Eligibility:** CBP may transfer funds to the BIA Director, subject to the condition that the BIA Director and CBP Commissioner mutually agree that the primary user is the CBP.

#### **Sec. 14008. Tribal Transportation Safety Needs**

- **Relevant Agency:** U.S. Department of Transportation & U.S. Department of the Interior
- **Brief Summary:** Increases the set aside of TTP funding for safety needs from two percent to four percent (Funds are allocated based on an identification and analysis of highway safety issues and opportunities on tribal land for eligible projects described in 23 U.S.C. § 148(a)(4)). Requires a report on best practices for compiling, analysis, and sharing of crash data and a standardized form for use in carrying out those best practices. Requires all BIA law enforcement offices to use the crash report form of the applicable state and to upload the information into the Incident Management Analysis and Reporting System (IMARS).
- **Tribal Eligibility:** Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes, pursuant authority provided under the Federally Recognized Indian Tribe List Act, that also have eligible safety projects described in 23 U.S.C. § 148(a)(4).

#### **Sec. 14009. Office of Tribal Government Affairs**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes an Office of Tribal Government Affairs and an Assistant Secretary for Tribal Government Affairs in the U.S. Department of Transportation. The Office, established under the Assistant Secretary for Tribal Government Affairs, will oversee the tribal self-governance program under 23 U.S.C. § 207; plan, coordinate, and implement policies and programs serving Indian Tribes and Tribal organizations; coordinate Tribal transportation programs and activities in all offices and administrations of the Department of Transportation; and be a participant in any negotiated rulemakings relating to, or having an impact on, projects, programs, or funding associated with the TTP under 23 U.S.C. § 202.

### **Multimodal & Freight Transportation**

#### **Sec. 21106. Multi-State Freight Corridor Planning**

- **Relevant Agency:** U.S. Department of Transportation

- **Brief Summary:** Consents to the right of Indian Tribes to enter into multi-State compacts to promote the improved mobility of goods. Establishes a grant program to provide funding for multi-State freight compacts, or States seeking to form a multi-State freight compact, that seek to improve a route or corridor that is a part of the National Multimodal Freight Network established under 49 U.S.C. § 70103. Authorizes to be appropriated \$5 million for each fiscal year.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** These provisions authorize Congress to appropriate up to this amount in each fiscal year (no expiration of authorization to appropriate).
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Sec. 21201. National Infrastructure Project Assistance**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a program to provide grants for certain highway or bridge projects, freight intermodal (including public ports) or freight rail projects, railway-highway grade separation or elimination projects, intercity passenger rail projects, or public transportation projects. Authorizes to be appropriated \$10 billion for FYs 2022-2026, as follows: \$2 billion for each of FYs 2022-2026.
- **Tribal Eligibility:** A Tribal government or a consortium of Tribal governments.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Authorized to be appropriated funds remain available for three fiscal years following the fiscal year for which amounts are appropriated.

### **National Infrastructure Project Assistance - Appropriation**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII of this bill appropriates \$5 billion to remain available until expended, as follows: \$1 billion made available for each of FYs 2022-2026.
- **Tribal Eligibility:** A Tribal government or a consortium of Tribal governments.
- **Deadlines:** Available until expended.

### **Sec. 21202. Local and Regional Project Assistance**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a Local and Regional Project Assistance Program to provide up to \$25 million for capital investments in surface transportation infrastructure to eligible applicants, including a federally recognized Indian Tribe or consortium of such Indian Tribes. Authorizes to be appropriated \$1.5 billion for each of FYs 2022-2026.
- **Tribal Eligibility:** A federally recognized Indian Tribe or consortium of such Indian Tribes.
- **Deadline for Implementation:** The Secretary shall announce awards not later than 270 days after the date on which amounts are made available to provide grants under the program for a fiscal year.
- **Deadline to Expend Funds:** Funds remain available for three fiscal years following the fiscal year for which amounts are appropriated.

### **Local and Regional Project Assistance - Appropriation**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII appropriates 7.5 billion for FYs 2022-2026, as follows: \$1.5 billion made available for each of FYs 2022-2026.
- **Tribal Eligibility:** A federally recognized Indian Tribe or consortium of such Indian Tribes.
- **Deadlines:** Available until five years after the year in which funds are made available.

### **Sec. 21203 National Culvert Removal, Replacement, and Restoration Grant Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a grant program for projects for the replacement, removal, and repair of culverts or weirs. Authorizes to be appropriated \$4 billion for FYs 2022-2026, as follows: \$800 million for each of FYs 2022-2026.
- **Tribal Eligibility:** Indian tribe, as defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5304).
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **National Culvert Removal, Replacement, and Restoration Grants - Appropriation**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII appropriates \$1 billion to remain available until expended, as follows: \$200 million made available for each of FYs 2022-2026.
- **Tribal Eligibility:** Indian tribe, as defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5304).
- **Deadlines:** Available until expended.

### **Sec. 21205 Rural and Tribal Infrastructure Advancement**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a pilot program to provide financial, technical, and legal assistance to evaluate potential projects reasonably expected to be eligible to receive funding or financial assistance, assistance with development-phase activities, and information regarding innovative financing best practices and case studies. Authorizes to be appropriated \$10 million to be used from any amount made available to the Secretary of Transportation to provide credit assistance that is not otherwise obligated for FYs 2022-2026, as follows: \$1,600,000 for FY 2022; \$1,800,000 for FY 2023; \$2,000,000 for FY 2024; \$2,200,000 for FY 2025; and \$2,400,000 for FY 2026.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** The pilot program shall terminate on the date that is five years after the date of enactment of this Act.

### **Sec. 22303 Consolidated Rail Infrastructure and Safety Improvements**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Expands eligibility for the Consolidated Rail Infrastructure and Safety Improvements program to include federally recognized Indian tribes. The program assists in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability. Section 22103 of this bill authorizes \$5 billion for FYs 2022-2026, as follows: \$1 billion for each of FYs 2022-2026.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Amounts appropriated for this program are available until expended (49 U.S.C. § 22907(j)).

### **Sec. 22304 Restoration and Enhancement Grants**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Makes federally recognized Indian Tribes eligible for rail passenger transportation competitive grants for the purpose of initiating, restoring, or enhancing intercity rail passenger transportation. Authorizes to be appropriated \$250 million for FYs 2022-2026, as follows: \$50 million for each of FYs 2022-2026.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Sec. 22305. Railroad Crossing Elimination Program**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** Makes federally recognized Indian tribes eligible for grants to eliminate highway-rail grade crossings that are frequently blocked by trains, to improve the health and safety of communities, to reduce the impacts that freight movement and railroad operations may have on underserved communities, and to improve the mobility of people and goods. Authorizes to be appropriated \$2.5 billion for FYs 2022-2026, as follows: \$500 million for each of FYs 2022-2026.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Sec. 22307. Federal-State Partnership for Intercity Passenger Rail Grants**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Makes federally recognized Indian Tribes eligible to receive grants to fund capital projects that reduce the state of good repair backlog with respect to qualified railroad assets and appropriates \$36 billion to remain available until expended, provided that \$7.2 billion is made available for each of FYs 2022-2026 until expended.
- **Tribal Eligibility:** Federally recognized Indian Tribes.

- **Deadline for Implementation:** The Department of Transportation will receive the amount as a single appropriation and make \$7.2 billion available for each of FYs 2022-2026, until expended.
- **Deadline to Expend Funds:** Funds are available until expended.

#### **Sec. 22308 Corridor Identification and Development Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a program to facilitate the development of intercity passenger rail corridors, makes federally recognized Indian Tribes eligible to receive grants, and allows the secretary to spend up to five percent of Federal-State Partnership for Intercity Passenger Rail program funds on the Corridor Identification and Development Program.
- **Tribal Eligibility:** Federally recognized Indian Tribes.
- **Deadline for Implementation:** Not later than 180 days after the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021.
- **Deadline to Expend Funds:** Funds are available until expended.

#### **Sec. 24112. Safe Streets and Roads for All Grant Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a program to provide grants that support local initiatives to prevent death and serious injury on roads and streets. Authorizes \$1 billion for FYs 2022-2026, as follows: \$200 million for each of FYs 2022-2026.
- **Tribal Eligibility:** Tribal governments are eligible entities.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.
- **Deadline to Expend Funds:** Five years after the date on which the grant is provided.

#### **Safe Streets and Roads for All Grants - Appropriations**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII appropriates \$5 billion to remain available until expended, as follows: \$1 billion for each of FYs 2022-2026.
- **Tribal Eligibility:** Tribal governments are eligible entities.
- **Deadlines:** Awards shall be made not later than 270 days after issuing the notices of funding opportunity. Funds shall remain available until expended.

#### **Sec. 25005 Strengthening Mobility and Revolutionizing Transportation Grant Program**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a program to provide grants to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety. Authorizes to be appropriated \$500 million for the first five fiscal years beginning after the date of enactment of this Act, as follows: \$100 million for each fiscal year.
- **Tribal Eligibility:** Tribal governments are eligible entities.
- **Deadline for Implementation:** Amounts made available for a fiscal year shall be available for two fiscal years beginning in the fiscal year for which amounts were appropriated.

- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Strengthening Mobility and Revolutionizing Transportation Grant Program - Appropriations**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Division J, Title VIII appropriates \$500 million to remain available until expended, as follows: \$100 million made available for each of FYs 2022-2026.
- **Tribal Eligibility:** Act, as follows: \$100 million for each fiscal year.
- **Tribal Eligibility:** Tribal governments are eligible entities.
- **Deadlines:** Available until expended.

### **Sec. 25007 Risk and System Resilience**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** The Secretary of Transportation shall develop a process for quantifying annual risk in order to increase system resilience with respect to the surface transportation system of the United States and provide the process developed to Indian tribes, along with state departments of transportation, metropolitan planning organizations, local governments, and other relevant entities.
- **Tribal Eligibility:** Indian tribes and other relevant entities.

### **Sec. 25010. Rural Opportunities to Use Transportation for Economic Success (ROUTES) Initiative**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Establishes a Rural Opportunities to Use Transportation for Economic Success (ROUTES) Office and Council to improve analysis of projects from and provide technical assistance for Indian tribes, rural areas, and historically disadvantaged communities in rural areas applying for Department of Transportation discretionary grants.
- **Tribal Eligibility:** Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act.

### **Sec. 30006. Formula Grants for Rural Areas (for the ‘Tribal Transit’ Program)**

- **Relevant Agency:** U.S. Department of Transportation
- **Brief Summary:** Amends existing language for the Public Transportation on Indian Reservations program (49 U.S.C. 5311(c)) (“Tribal Transit” Program) by striking specific dollar amounts authorized and replacing the language with a five percent set aside of amounts made available for FYs 2022-2026. Authorizes \$229.06 million to be made available from the Highway Trust Fund, Mass Transit Account for FYs 2022-2026, as follows: \$43,764,478 for FY 2022; \$44,678,764 for FY 2023; \$45,845,380 for FY 2024; \$46,792,436 for FY 2025; and \$47,981,991 for FY 2026.
- **Deadline for Implementation:** These provisions authorize Congress to spend in the specified amounts for FYs 2022-2026.

- **Deadline to Expend Funds:** Spending deadlines will be attached to the appropriation for the year in which it is received.

### **Sec. 70801. Federal Permitting Improvement**

- **Relevant Agency:** Government-wide
- **Brief Summary:** Amends the definition of “covered project” for federal permitting improvement under 42 U.S.C. § 4370m to include construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, carbon capture, or any other sector as determined by a majority vote of the Federal Permitting Improvement Council that is sponsored by an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5304)), an Alaska Native Corporation, a Native Hawaiian organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. § 7517)), the Department of Hawaiian Home Lands, or the Office of Hawaiian Affairs”.
- **Tribal Eligibility:** This change expands the definition of covered project that requires authorization or environmental review by a Federal agency.

## **Environmental Sustainability**

### **Energy**

#### **Sec. 40601. Orphaned Well Site Plugging, Remediation, and Restoration**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** Authorizes up to \$150,000,000 in grants for tribal orphaned well site plugging, remediation, and restoration. Alternatively, in lieu of a grant, Indian Tribes may request the Secretary of the Interior to administer and carry out plugging, remediation, and reclamation activities on Tribal Land.
- **Tribal Eligibility:** For this provision, the term ‘Indian Tribe’ has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- **Deadline for Implementation:** 60 days from enactment to establish the program.
- **Deadline to Expend Funds:** Funds authorized for FY 2022 and remain available through FY 2030. An Indian Tribe receiving funds shall reimburse the Secretary of the Interior in an amount equal to the amount of the funds that remain unobligated on the date that is 5 years after the date of receipt of the funds, except for cases in which the Secretary has granted the Indian Tribe an extended deadline for completion of the eligible activities after consultation.

#### **Sec. 40101. Preventing Outages and Enhancing the Resilience of the Electric Grid**

- **Relevant Agency:** Department of Energy
- **Brief Summary:** Authorizes \$5,000,000,000 for the period of FY 2022 - FY 2026 for grants to prevent outages and enhance the resilience of the electric grid. Fifty percent of the allocation is reserved for grants to States and Indian Tribes and any such grants have a 15% matching requirement from the grantee.

- **Tribal Eligibility:** Indian Tribes as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) are eligible to receive funds to re-grant to eligible entities (i.e. an electric grid operator; an electricity storage operator; an electricity generator; a transmission owner or operator; a distribution provider; or a fuel supplier).
- **Deadline for Implementation:** 180 days from enactment to establish the program. These provisions authorize Congress to appropriate up to this amount in FYs 2022 - 2026.

### **Sec. 40103. Electric Grid Reliability and Resilience Research, Development, and Demonstration**

- **Relevant Agency:** U.S. Department of Energy
- **Brief Summary:** Authorizes \$5,000,000,000 for the period of FY 2022 - 2026 to provide competitive Federal financial assistance under the Program Upgrading Our Electric Grid and Ensuring Reliability and Resiliency to eligible entities that demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability, and that demonstrate new approaches to enhance regional grid resilience, implemented through States by public and rural electric cooperative entities on a cost-shared basis.
- **Tribal Eligibility:** Indian Tribes are eligible entities under this provision.
- **Deadline for Implementation:** 180 days from enactment to establish the “Program Upgrading Our Electric Grid and Ensuring Reliability and Resiliency”. These provisions authorize Congress to appropriate up to this amount in FYs 2022 - 2026.

### **Sec. 40512. Building, Training, and Assessment Centers**

- **Relevant Agency:** U.S. Department of Energy
- **Brief Summary:** Authorizes \$10,000,000 in FY 2022 to provide grants to institutions of higher education, and Tribal Colleges and Universities to establish building training and assessment centers to (1) identify opportunities for optimizing energy efficiency and environmental performance in buildings; (2) to promote the application of emerging concepts and technologies in commercial and institutional buildings; (3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation; (4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians; (5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and (6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.
- **Tribal Eligibility:** Tribal Colleges and Universities
- **Deadline to Expend Funds:** Funds authorized for FY 2022 and remain available until expended.

### **Sec. 40701. Abandoned Mine Reclamation Fund Authorization of Appropriations**

- **Relevant Agency:** U.S. Department of the Interior -- Office of Surface Mining and Enforcement
- **Brief Summary:** Authorizes \$11,293,000,000 to be deposited into the Abandoned Mine Reclamation Fund for annual grants to States and Indian Tribes for abandoned mine land and water reclamation projects as described in Sections 403 and 410 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233, 1240). To the extent reclamation projects under this provision cost more than \$20,000,000, grants under this provision shall not be less than \$20,000,000.
- **Tribal Eligibility:** Indian Tribes that have a Tribal program approved under Section 405 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1235); Indian Tribes that are certified under Section 411(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240(a)); Indian Tribes that are referred to in Section 402(g)(8)(B) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(8)(B)).
- **Deadline for Implementation:** Allocations and distributions may be made starting on the date of enactment of this Act.
- **Deadline to Expend Funds:** Grants shall be made over a 15-year period. Not later than 20 years after the enactment of this Act, the Secretary of the Interior shall evaluate grant payments made and States and Indian Tribes must return any unused funds to the Abandoned Mine Reclamation Fund at that time.

#### **Sec. 40704. Abandoned Hardrock Mine Reclamation**

- **Relevant Agency:** U.S. Department of the Interior
- **Brief Summary:** Authorizes \$3,000,000,000 to remain available until expended in order to provide grants to States and Indian Tribes in order to inventory, assess, decommission, reclaim, respond to hazardous substance releases on, and remediate abandoned hardrock mine land. Fifty percent of the allocation is reserved for grants to eligible States and Indian Tribes.
- **Tribal Eligibility:** Indian Tribes that have jurisdiction over abandoned hardrock mine land.
- **Deadline for Implementation:** 90 days from enactment to establish the program.
- **Deadline to Expend Funds:** Funds authorized under this provision remain available until expended.

#### **Sec. 40105. Siting of Interstate Electric Transmission Facilities**

- **Relevant Agency:** U.S. Department of Energy
- **Brief Summary:** The term “Indian Tribes” has been added to Section 216(a) of the Federal Power Act (16 U.S.C. 824p(a)), which requires the Secretary of Energy to consult with affected States and Indian Tribes every three years in order to conduct a study of electric transmission congestion.
- **Tribal Eligibility:** Indian Tribes are to be consulted with respect to the Department of Energy’s study of electric transmission congestion that takes place every three years.

#### **Sec. 40336. Limitations on Issuance of Certain Leases of Power Privilege**

- **Relevant Agency:** U.S. Department of the Interior; Federal Energy Regulatory Commission

- **Brief Summary:** Prevents the Secretary of the Interior from issuing a lease of power privilege pursuant to section 9(c)(1) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)(1)) (as amended by this Act) for a project unless the proposed lessee and the Tribes have entered into a study plan agreement; or the Secretary or the Director, as applicable, makes a final determination for a study plan pursuant to the provision.
- **Tribal Eligibility:** For this provision, the term “Tribes” means—(A) the Confederated Tribes of the Colville Reservation; and (B) the Spokane Tribe of Indians of the Spokane Reservation.

#### **Sec. 40552. Energy Efficiency and Conservation Block Grant Program**

- **Relevant Agency:** U.S. Department of Energy
- **Brief Summary:** Authorizes \$550,000,000 in FY 2022 to remain available until expended for programs financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure) measures as eligible uses of funding.
- **Tribal Eligibility:** Indian Tribes are eligible entities under the Energy Independence and Security Act of 2007 (42 U.S.C. 17152(a)).
- **Deadline to Expend Funds:** Funds authorized under this provision remain available until expended.

### **Environment**

#### **Sec 40804: Ecosystem Restoration**

- **Relevant Agency:** U.S. Department of Agriculture, Secretary; U.S. Department of the Interior, Secretary
- **Brief Summary:** \$2.3B authorized to the Secretary of the Interior and the Secretary of Agriculture to carry out the following activities. The activities and funding allocation amounts include:
  - \$20M to restore, prepare, adapt recreation sites on Federal Land, including Indian forest land and rangeland, that have experienced or may likely experience visitation and use beyond the carrying capacity of the sites (U.S. Department of Agriculture via Contracting Agreements with States and Tribes)
  - \$50M for the Secretary of the Interior to enter into contracts, including stewardship contracts and agreements, to restore ecological health on not fewer than 10,000 acres of Federal land, including Indian forestland and rangeland (p. 1814-1815)
  - \$200M for States and Indian Tribes to implement restoration projects on Federal land pursuant to good neighbor agreements entered into by the Agricultural Act of 2014 or agreements under the Tribal Forest Protection Act of 2004 (p.1816). \$40M to the Secretary of Interior and \$160M to the Secretary of Agriculture

- \$400M for the Secretary of the Interior to provide grants to States, territories, and Indian Tribes for implementing voluntary ecosystem restoration projects on private or public land (p.1816)
- \$50M for the Secretary of Agriculture to award grants to States and Tribes to establish rental programs for portable skidder bridges, bridge mats, or other temporary water crossing structures, to minimize stream bed disturbance on non-Federal and Federal Land (p. 1817)
- \$100M to restore, prepare, and adapt recreation sites on Federal land, including Indian forestland or rangeland (p.1817)
- **Tribal Eligibility:** USDA and DOI may enter into a lease or cooperative agreement with a State, Indian Tribe, local government, or private entity to carry out restoration activities
- **Deadline to expend funds:** FY2026

**Sec. 70402. Consumer recycling education and outreach grant program; Federal procurement**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** The administrator for the Environmental Protection Agency shall establish a competitive grant program to eligible entities to improve effectiveness of recycling programs through public education and outreach. \$15 million is appropriated for the grant program.
- **Tribal Eligibility:** Indian Tribes as defined in the Indian Self Determination and Education Assistance Act are eligible to apply for the grant.
- **Deadline to expend funds:** Fiscal year 2022 through 2026.

**State and Tribal Assistance Grants: Post-Consumer Materials Management Infrastructure Grant Program - Appropriations**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** Authorizes \$275 Million to fund the Post-Consumer Materials Management Infrastructure Grant Program under section 302(a) of the Save Our Seas 2.0 Act. This grant program aims to assist local waste management authorities in improving recycling and waste management systems. The \$275 Million will be expended over five fiscal years, with \$55 Million to be expended each Fiscal Year.
- **Tribal Eligibility:** Federally Recognized Tribes, Intertribal Consortia as defined by 40 CFR 35.504(a), former Indian reservations in Oklahoma, and Alaska Native Villages as defined under PL 92-203
- **Deadline to expend funds:** End of Fiscal Year 2026

**Fish Passage Restoration - Appropriations**

- **Relevant Agency:** National Oceanic and Atmospheric Administration
- **Brief Summary:** \$60 million is appropriated to Indian Tribes or partnerships of Indian Tribes to restore fish passage by removing in-stream barriers and technical assistance pursuant to section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.
- **Tribal Eligibility:** Indian Tribes as defined under the Indian Self-Determination and Education Act are eligible to receive funding.
- **Deadline to expend funds:** FY2027

### **Regional Ocean Partnerships - Appropriations**

- **Relevant Agency:** National Oceanic and Atmospheric Administration
- **Brief Summary:** \$56M for the Regional Ocean Partnerships (ROPs) to coordinate the interstate and intertribal management of ocean and coastal resource and to implement their priority actions, including to enhance associated sharing and integration of Federal and non-Federal data by ROPs or their equivalent
- **Tribal Eligibility:** Federally recognized Indian Tribes and Intertribal Consortia
- **Deadline to expend funds:** FY2026

### **Pacific Coastal Salmon Recovery Fund - Appropriations**

- **Relevant Agency:** National Oceanic and Atmospheric Administration
- **Brief Summary:** \$172M additional appropriations to the Pacific Coastal Salmon Recovery Program to protect, conserve, and restore salmon and steelhead species and support tribal treaty fishing rights and subsistence fishing traditions.
- **Tribal Eligibility:** Federally recognized Tribes of the Columbia River and Pacific Coastal (including Alaska)
- **Deadline to expend funds:** September 30, 2027

### **Hazardous Substance Superfund - Appropriations**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** \$3.5B to provide technical and project implementation assistance to clean and restore abandoned or uncontrolled hazardous waste sites. The Administrator shall consider the unique needs of Tribal Communities with contaminated sites where the potentially responsible parties cannot pay or cannot be identified.
- **Tribal Eligibility:** Federally recognized Indian Tribes
- **Deadline for implementation:** September 20, 2021

### **State and Tribal Assistance Grants: Brownfields - Appropriations**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** Authorizes \$1.5 Billion in additional appropriations to support the Brownfields program to help communities, states, and Tribal Nations to access, safely clean up, and sustainably reuse contaminated properties. \$1.2 billion will be appropriated for competitive grants and the remaining \$300 million will be dedicated to categorical grants to States and Tribal Nations as under section 127 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980
- **Tribal eligibility:** Federally Recognized Indian Tribes as defined by section 101(36) of CERCLA
- **Deadline to expend funds:** FY2026

### **Climate Change, Resiliency, and Relocation**

#### **Tribal Climate Resilience and Community Relocation - Appropriations**

- **Relevant Agency:** Department of Interior; Bureau of Indian Affairs
- **Brief Summary:** Provides \$216M from FY2022 to FY2026 for tribal climate resilience, adaptation, and community relocation planning, design, and implementation of projects. Of that, \$130M will be allocated towards community

- relocation and \$86M will be allocated for climate resilience and adaptation projects, with \$43.2M to be expended each year.
- **Tribal Eligibility:** Indian Tribes as defined under the Indian Self-Determination and Education Act; Intertribal Consortia
  - **Deadline to expend funds:** End of FY2026

## **Forestry and Wildfire Management**

### **Sec. 70203. Establishment of Commission**

- **Relevant Agency:** Department of the Interior, Department of Agriculture, and the Department of Homeland Security.
- **Brief Summary:** The Secretaries of the Department of the Interior, Department of Agriculture, and the Department of Homeland Security shall jointly establish a commission to study and make recommendations to improve federal policies regarding prevention, mitigation, suppression and management of wildland fires and the rehabilitation of lands that were devastated by wildfires.
- **Tribal Eligibility:** Federally recognized Indian Tribes
- **Deadline for implementation:** Within thirty days of the enactment of the Act.

### **Sec. 40803 Wildfire Risk Reduction**

- **Relevant Agency:** U.S. Department of Agriculture; Secretary
- **Brief Summary:** \$30M to provide financial assistance to States, Tribes, and Local Governments to establish and operate Reverse-911 telecommunication systems
- **Tribal Eligibility:** Federally recognized Indian Tribes

### **Sec. 40803: Establishment of a Community Wildfire Defense Grant Program**

- **Relevant Agency:** U.S. Department of Agriculture
- **Brief Summary:** Establish a program, separate from the program established under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to award grants to at-risk communities, including Indian Tribes, to develop or revise a community wildfire protection plan or to carry out an existing community wildfire protection plan (less than 10 years old). \$500M will be provided to the Secretary to Agriculture to award these grants in cooperation with States from Fiscal Year 2022 through 2026
- **Tribal Eligibility:** Federally recognized Indian Tribes
- **Deadline for implementation:** 180 days after the date of enactment of this Act

## **Water Infrastructure**

### **Drinking Water and Clean Water**

#### **SEC. 50102. Drinking Water State Revolving Loan Funds**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** This section authorizes \$14.2 billion to the Drinking Water State Revolving Loan Funds administered by the EPA. Funding amounts are set at \$2.4 billion for FY 2022; \$2.75 billion for FY 2023; \$3 billion for FY 2024; and \$3.25 billion each for FY 2025 and FY 2026.
- **Tribal Eligible:** By statute, there is a 2% Tribal set aside for this funding amount. Tribes will be eligible for approximately \$293 million of this funding

- **Deadlines:** Available until expended

#### **SEC. 50106. Operational Sustainability of Small Public Water Systems**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** This section provides \$50,000,000 for each of fiscal years 2022-2026 to establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small public water systems through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures. This program has a 90 percent federal cost share.
- **Tribal eligibility:** Indian Tribes that own or operate a public water system and Tribal consortia are considered eligible entities for this funding.

#### **Sec. 50109. Rural and Low-Income Water Assistance Pilot Program**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** This section establishes a pilot program to award grants to eligible entities to develop and implement programs to assist qualifying households with need in maintaining access to drinking water and wastewater treatment.
- **Tribal Eligibility:** Eligible entities include a municipality, Tribal government, or other entity that—owns or operates a community water system, treatment works, or municipal separate storm sewer system; or as determined by the Administrator, has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system, treatment works, or municipal separate storm sewer system.
- **Deadline for implementation:** 2 years from the date of enactment to establish the program.

#### **Sec. 50111. Indian Reservation Drinking Water Program**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** Amends Section 2001 of the America’s Water Infrastructure Act of 2018 (42 U.S.C. 300j–3c note; Public Law 115– 270) to provide \$20,000,000 for FY 2021; and \$50,000,000 for each of fiscal years 2022-2026 to implement projects that will improve water quality, pressure, or services through means such as connecting to, expanding, repairing, improving, or obtaining water from a public water system or improve water quality or sanitation or wastewater services. If sufficient projects exist, 50 percent shall be used to carry out at least 10 eligible projects each that are within the following regions: the Upper Missouri River Basin; the Upper Rio Grande Basin; the Columbia River Basin; the Lower Colorado River Basin; and the Arkansas-White-Red River Basin. Priority will be given to projects that respond to emergency situations occurring due to or resulting in a lack of access to clean drinking water that threatens the health of Tribal populations; would serve a Tribal population that would qualify as a disadvantaged community.
- **Tribal Eligibility:** Indian Tribes carrying out a relevant project are eligible for this funding subject to approval by the EPA.

#### **Sec. 50210. Clean Water State Revolving Funds**

- **Relevant Agency:** Environmental Protection Agency

- **Brief Summary:** Authorizes \$14.2 billion over five years for the Clean Water State Revolving Funds administered by the EPA. Funding amounts are set at: \$2.4 billion for FY 2022; \$2.75 billion for FY 2023; \$3 billion for FY 2024; and \$3.25 billion each for FY 2025 and FY 2026. This section also amends Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) to allow States to use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.
- **Tribal Eligibility:** By statute, there is a 2% Tribal set aside for this funding amount. Tribes will be eligible for approximately \$293 million of this funding. Tribal governments are eligible to apply for an additional 2% of the appropriated funding, bringing the total amount of eligible funding for tribes to 4% or approximately \$586 million.

#### **Sec. 50211. Water Infrastructure and Workforce Investment**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** Authorizes \$5,000,000 for each of fiscal years 2022-2026 to administer grants for the purpose of expanding the use and availability of activities and resources that relate to the recruitment, including the promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector; expanding the availability of training opportunities for individuals entering the water and wastewater utility sector
- **Tribal Eligibility:** This section amends Section 4304 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-19e) to include Tribes as collaborative partners for the purposes of this program

#### **Sec. 50212. Grants to Alaska to Improve Sanitation in Rural and Native Villages**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** Amends Section 303 of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a) to provide \$40,000,000 for each of fiscal years 2022 through 2024; \$50,000,000 for fiscal year 2025; and \$60,000,000 for fiscal year 2026 to administer grants for the development and construction of public water systems and wastewater systems to improve the health and sanitation conditions in the villages; and training, technical assistance, and educational programs relating to the operation and management of sanitation services in rural and Native villages.

#### **Sec. 50217. Stormwater Infrastructure Technology**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** This section authorizes \$10,000,000 for each of fiscal years 2022-2026 to EPA to provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies. Eligible entities can choose between applying for either planning and development grants or implementation grants available for this purpose. There is an 80 percent federal cost share for grants under this section.

- **Tribal Eligibility:** eligible entities include a State, Tribal, or local government; or a local, regional, or other public entity that manages stormwater or wastewater resources or other related water infrastructure.

**Sec. 50222. Enhanced Aquifer Use and Recharge**

- **Relevant Agency:** Environmental Protection Agency
- **Brief summary:** This section provides \$5,000,000 for each fiscal year 2022-2026, to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers, of which not less than 50 percent shall be used to provide 1 grant to a State, unit of local government, or Indian Tribe to carry out activities that would directly support that research; and the remainder shall be provided to 1 appropriate research center.
  - As a condition of accepting funds under subsection (a), the State, unit of local government, or Indian Tribe and the appropriate research center that receive funds under that subsection shall establish a formal research relationship for the purpose of coordinating efforts under this section.
- **Tribal Eligibility:** Eligible recipients include states, a unit of local government, and Indian Tribes.

**Sec. 40905. Competitive Grant Program for Large-Scale Water Recycling and Reuse Program**

- **Relevant Agency:** Department of the Interior
- **Brief Summary:** This section authorizes \$450,000,000 to establish a competitive grant for the planning, design, and construction of large-scale water recycling and reuse projects that provide sustainable water supply to Reclamation States. The federal share of the cost will not exceed twenty five percent of the total cost of the project. At the end of each fiscal year the Secretary shall post online a report of the grant awards.
- **Tribal Eligibility:** Indian Tribes are eligible to receive grant funding

**Sec. 40907. Multi-Benefit Projects to Improve Watershed Health**

- **Relevant Agency:** Department of the Interior
- **Brief Summary:** The Secretary of the Interior will award \$100 million in competitive grants for the design, implementation, and monitoring of conservation outcomes of habitat restoration projects that improve watershed health in a river basin that was adversely impacted by a Bureau of Reclamation water project. The grantee must accomplish one or more of seven priorities including the enhancement of commercial, recreational, subsistence, or Tribal ceremonial fishing.
- **Tribal Eligibility:** A Tribal government is eligible to apply for the grant.
- **Deadline for implementation:** Within one year of enactment of this Act

**Sec. 40909. Clarification of Authority to Use Coronavirus Fiscal Recovery Funds to Meet a Non-Federal Matching Requirement for Authorized Bureau of Reclamation Water Projects**

- **Relevant Agency:** Department of the Interior.
- **Brief Summary:** This language clarifies that Tribal governments can use their coronavirus fiscal recovery funds to meet the non-Federal matching requirement for authorized Bureau of Reclamation water projects.

- **Tribal Eligibility:** Tribal governments are eligible to use their coronavirus fiscal relief funds for the match.
- **Deadline for implementation:** Immediately upon passage.

**Sec. 40910. Federal assistance for groundwater recharge, aquifer storage, and water source substitution projects**

- **Relevant Agency:** Department of the Interior.
- **Brief Summary:** The Secretary of the Interior may provide technical or financial assistance and enter into agreements with an Indian Tribe for groundwater recharge projects, aquifer storage and recovery projects or water source substitution projects.
- **Tribal Eligibility:** Indian Tribes are eligible entities for this program.

**State and Tribal Assistance Grants - Appropriations**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** This section authorizes \$55,426,000,000 over five years for “State and Tribal Assistance Grants” to be allocated as follows:
  - \$11,713,000,000 for Drinking Water Revolving Fund Capitalization Grants
  - \$11,713,000,000 for Clean Water Revolving Fund Capitalization Grants
  - \$15,000,000,000 for Drinking Water Revolving Fund Capitalization Grants
  - \$1,000,000,000 for Clean Water Revolving Fund Capitalization Grants
  - \$4,000,000,000 for Drinking Water Revolving Fund Capitalization Grants
    - By statute, these grant programs provide a 2% tribal set-aside allocating approximately \$868,520,000 to tribal nations for the purposes of the above grants
  - \$5,000,000,000 for grants addressing emerging contaminants under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a)
  - \$50,000,000 to award Underground Injection Control grants, as authorized under section 40306 of division D of this Act
  - \$1,500,000,000 for Brownfields Activities
  - \$100,000,000 for all costs for carrying out section 6605 of the Pollution Prevention Act
  - \$275,000,000 for grants under section 302(a) of the Save Our Seas 2.0 Act (Public Law 15 116–224)
  - \$75,000,000 to award grants focused on improving material recycling, recovery, management, and reduction, as authorized under section 70402 of division G of this Act
  - \$5,000,000,000 for the Clean School Bus Program as authorized under section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091), as amended by section 71101 of division G of this Act
- **Tribal Eligibility:** Unless otherwise specified above or in statute, Tribal Nations are generally considered eligible entities to apply for the above funding amounts
- **Deadlines:** Funding for these programs will remain available until expended

**Water Settlements**

### **Sec. 70101: Indian Water Rights Settlement Completion Fund**

- **Relevant Agency:** Department of Interior, Secretary of Interior
- **Brief Summary:** \$2.5 billion to complete all authorized Indian water rights settlements, including settlements for the Blackfeet, Crow, and Confederated Salish and Kootenai Tribes.
- **Tribal Eligibility:** These funds shall be used by the Secretary of the Interior for transfers to funds or accounts of Tribal Nations authorized to receive discretionary appropriations, or to satisfy other obligations identified by the Secretary of the Interior, under an Indian water settlement approved and authorized by an Act of Congress before the date of enactment of this Act.
- **Deadline for implementation:** “On the later of October 1, 2021, and the date of enactment of this Act”. The Secretary of the Interior shall have the discretion to determine the sequence and timing of transfers from the Fund under subsection (c) in order to substantially complete the eligible Indian water settlements as expeditiously as practicable.
- **Deadline to expend funds:** Funding is available until expended

## **Education**

### **Sec. 50110. Lead Contamination in School Drinking Water**

- **Relevant Agency:** Environmental Protection Agency
- **Brief Summary:** \$30 mil for FY 2022, \$35 mil for FY 2023, \$40 mil for FY 2024, \$45 mil for FY 2025, \$50 mil for FY 2026 for voluntary school and childcare program lead testing, compliance monitoring, and lead reduction at schools and child care programs that service tribal education agencies. Eligible grant recipients include states, tribal consortia, public water systems and child care programs that serve tribal education agencies, and qualified nonprofits.
- **Tribal Eligibility:** Tribal consortia to assist tribal education agencies as defined in section 3 of the National Environmental Education Act.

### **Sec. 71101. Clean School Bus Program**

- **Relevant Agency:** Environmental Protection Agency
- **Brief summary:** \$1 billion for grants and rebates on a competitive basis for the replacement of existing school buses with clean school buses and zero-emission school buses which service Bureau-funded schools.
- **Tribal Eligibility:** Indian Tribes, Tribal organizations, or tribally controlled schools that are responsible for providing school bus service to Bureau-funded schools. Prioritization may be given for high need local education agencies and Bureau-funded schools as defined in Section 1141 of the Education Amendments of 1978.
- **Deadline to expend funds:** Funding is available until expended

## **Health**

### **Indian Health Service Facilities - Appropriations**

- **Relevant Agency:** Department of Health and Human Services

- **Brief Summary:** \$700 million for Indian Health Services domestic and community sanitation facilities for the next 5 fiscal years (total \$3.5B). \$2.2 billion appropriated for projects that exceed the economical unit cost, up to 3% percent are for salaries, expenses, and administration, .5 percent is for the Office of Inspector General at HHS for oversight funding.
- **Tribal Eligibility:** Funds available to Tribes and Tribal organizations under ISDEAA are available on a one-time basis and are not a part of the amounts required under ISDEAA
- **Deadline for implementation:** 90 days after enactment the Secretary of HS should submit a spending plan for FY 2022
- **Deadline to expend funds:** Funding is available until expended

#### **Amendment No. 2133**

- **Relevant Agency:** Department of Health and Human Services
- **Brief Summary:** This technical fix allows Urban Indian Organizations to use their appropriated line-item funding for facilities improvements.

### **Revenues & Offsets**

#### **Sec. 80604: Termination of Employee Retention Credit for Employers Subject to Closure due to COVID-19**

- **Relevant Agency:** Internal Revenue Service
- **Brief Summary:** Shortens the Employee Retention Tax Credit window from January 1, 2022 to October 1, 2021

#### **Sec. 90007: Recission of COVID-19 Appropriations**

- **Relevant Agency:** Small Business Administration
- **Brief Summary:** Rescinds the remaining unobligated funds from the Small Business Administrations' Targeted Economic Injury Disaster Loans (EIDL). \$13.5 B is rescinded from the Economic Injury Disaster Loan Subsidy, \$17.578 B from the Targeted EDIL Advance, and \$1.366 B is rescinded from the Economic Stabilization Program.

### **Homeland Security and Emergency Management**

#### **Sec. 70602. Declaration of a significant incident**

- **Relevant Agency:** Department of Homeland Security, Cyber Security and Infrastructure Security Agency
- **Brief Summary:** The Secretary of the Department of Homeland Security and the National Cyber Director are authorized to declare a significant cyber security incident declaration for a Tribal Nations. Once the declaration is made a Tribal Nation may receive funding to respond to and recover from the incident or receive technical assistance.
- **Tribal Eligibility:** Tribal Nations that have a declared significant cybersecurity incident are eligible to receive funding under the cyber response and recovery fund.
- **Deadline to expend funds:** September 30, 2028

## **Sec. 70612. State and Local Cybersecurity Grant Program**

- **Relevant Agency:** Department of Homeland Security, Cyber Security and Infrastructure Security Agency
- **Brief Summary:** The state and local cybersecurity grant program is established to address cybersecurity risks and threats to information systems owned or operated by or on behalf of tribal governments. A base level of three percent of the overall grant funds are reserved for tribal governments. The agency within two years must submit a report to congress on the cybersecurity needs of tribal governments and recommendations to address those needs. The Secretary of Homeland Security in consultation with the Secretary of Interior and Tribal governments may prescribe alternate requirements for the grant, and determine how to apportion the funding amounts to Tribal governments, and determine non-federal cost share waivers.
- **Tribal Eligibility:** Tribal governments that are recognized under the Federally Recognized Indian Tribe List Act are eligible to apply for the grant.
- **Appropriations:** A baseline 3% set aside for Tribal Nations
  - Total appropriations for Tribal Nations \$30 million over four years.
    - FY2022: \$200,000,000 total (\$6 million to Tribal Nations)
    - FY2023: \$400,000,000 total (\$12 million to Tribal Nations)
    - FY2024: \$300,000,000 total (\$9 million to Tribal Nations)
    - FY2025: \$100,000,000 total (\$3 million to Tribal Nations)
- **Deadline to expend funds:** The end of fiscal year 2025

## **Cyber Security and Critical Infrastructure Federal Assistance - Appropriations**

- **Relevant Agency:** Department of Homeland Security
- **Brief Summary of provision:** \$1 billion is appropriated for grants to tribal, state, local, and territorial governments to improve cyber security and critical infrastructure.
- **Tribal Eligibility:** Tribal governments are eligible for the grant program.
- **Deadline to expend funds:** Funds will remain available until expended

## **Disaster Relief Fund - Appropriations**

- **Relevant Agency:** Department of Homeland Security, Federal Emergency Management Agency
- **Brief Summary:** \$1 billion is appropriated for the Disaster Relief Fund, which supports major disaster declarations and emergency disaster declarations.
- **Tribal Eligibility:** Tribal Nations that have a major disaster declaration or emergency disaster declaration are eligible to receive funding from Disaster Relief Fund.
- **Deadline to expend funds:** Funds will remain available until expended