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CARES Act Resources for Tribes and TDHEs

**PIH Notice 2020-06
IHBG-CARES Implementation Notice**

May 1, 2020



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CARES Act: ONAP

Purpose: to help Tribes and Tribally Designated Housing Entities (TDHEs) prevent, prepare for, and respond to the coronavirus pandemic

Funding: \$300 million for two ONAP programs

- \$200 million for the Indian Housing Block Grant (IHBG) program
- \$100 million for the Indian Community Development Block Grant (ICDBG) program (Imminent Threat)

Waivers and Flexibility: provides broad waiver authority and flexibility with funds provided in the CARES Act, as well as IHBG formula and ICDBG funds awarded in FY 2020.



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ONAP Notices

- IHBG-CARE Allocations published in less than 1 week after CARES Act was enacted.
- PIH Notice 2020-05: Waivers and Alternative Requirements
- PIH Notice 2020-06: IHBG-CARES Implementation Notice
- ICDBG-CARES Implementation Notice will be issued soon



Jad Atallah
**Director, Office of Performance and
Planning**



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CARES Act Background

- CARES Act (Public Law 116-136)
 - Additional \$200,000,000 in IHBG formula funding for eligible Indian tribes and TDHEs
 - Prevent, prepare for, and/or respond to COVID-19
 - Including maintain normal operations and fund eligible NAHASDA activities during the time the recipient's IHBG program is impacted
 - Waive or specify alternative statutory/regulatory requirements
 - facilitate or expedite the use of IHBG-CARES grant
 - also applies to FY 2020 IHBG funds



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Eligible Purposes

- Recipients must ensure that all proposed activities be tied to one of the following three eligible purposes:
 - Activities, Projects, or Programs to Prevent COVID-19
 - Activities, Projects, or Programs to Prepare for COVID-19
 - Activities, Projects, or Programs to Respond to COVID-19
- Activities, projects, or programs to maintain normal operations and fund eligible IHBG activities during the period that a recipient's IHBG program is impacted by COVID-19
 - also satisfy the purposes of the CARES Act
 - COVID-19 impacts may have impacts on a recipient's IHBG program that are immediate, short-term, and long-term in nature
 - IHBG-CARES funds may be used to maintain normal operations now, during the COVID-19 national emergency, and after the COVID-19 national emergency
 - Provided the recipient demonstrates that COVID-19 continues to impact its IHBG program



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Eligible Purposes (Continued)

- ONAP will also consider short- and long-term activities, projects, or programs that are designed to prevent, prepare for, and respond to COVID-19
 - Including activities, projects, or programs that will either reduce or mitigate risks and vulnerabilities of to COVID-19
 - including possible recurrence of COVID-19 in the future, such as activities that will reduce severe overcrowding



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Eligible Activities

Examples, provided they meet one or more of the eligible CARES Act purposes

- Activities eligible under IHBG provided those activities will prevent, prepare for, and respond to COVID-19;
- Activities that would prevent individuals from becoming homeless and rapidly rehousing homeless individuals;
- Constructing structures that can serve as temporary emergency shelters, or converting existing facilities for this purpose, to ensure homeless persons are provided safe shelter and to minimize the risk of community spread;
- Providing short-term rental assistance to homeless persons in hotel/motels to minimize infection;
- Preparing staff and Board of Commissioners to conduct business in a remote working environment, and providing them with necessary supplies to carry out the IHBG program;
- Setting up web-based communication options for program participants and staff;



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Eligible Activities (Continued)

- Purchasing and distributing personal protective equipment (PPE) such as gloves, surgical masks and goggles, hand hygiene products, soap, paper towels, hand sanitizer, hand wipes, tissues, and thermometers;
- Purchasing and distributing cleaning products such as disinfectants, sanitizers, waste disposal supplies, and other supplies to disinfect homes of residents, common areas, and housing related public facilities and other public spaces like playgrounds;
- Working with resident groups to help educate residents on social distancing and other practices designed to minimize the risk of community spread;
- Providing units or other space for temporary quarantine purposes;



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Eligible Activities (Continued)

- Revising the approval process for policies and procedures in order to limit person-to-person contact;
- Staff salaries including the salaries of employees who must shelter in place or are otherwise prohibited from interacting with community members;
- Temporary payment of tenant and homebuyer utilities;
- Installation of a lockbox or other method for collecting rent payments without the need for personal contact;
- Purchase of sanitation equipment;
- Emergency housing for health care workers;
- Purchase telehealth equipment to allow assisted residents access to health care providers from home;



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Eligible Activities (Continued)

- Construction of temporary or permanent isolation centers;
- Acquisition, construction, conversion, or rehabilitation of a community facility for use as a temporary isolation center;
- Hazard pay for essential workers that are managing or maintaining units, or staffing emergency or isolation centers;
- Transportation costs of staff to perform IHBG program functions or assist tenants in accessing food, medical care, or prescriptions;
- Purchasing and distribution of water, groceries, prescriptions, and other items for quarantined families, Elders, Veterans, at-risk populations or disabled households;
- Purchase of beds or cots for isolation/quarantine centers;
- Supporting laundry facilities to assist residents with eliminating the spread of COVID-19; and



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Eligible Activities (Continued)

- Provide essential housing services to shelter residents, including:
 - childcare, education services, employment assistance, outpatient health services, legal services, mental health services, and transportation, provided such services are not duplicative of other Federally funded services.
- Using grant funding to pay for eligible IHBG operating costs
 - previously paid for using program income or non-program income
 - but can no longer be paid due to a significant reduction in rent receipts
- Proposed activity not listed as eligible may be eligible as a Model Activity
- Staff should reach out to the applicant, if in doubt



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Duplication of Benefits

- Before expending IHBG-CARES grant funds on any eligible activity
- Recipient must conduct a duplication of benefits analysis
- Ensure that no insurance proceeds or other Federal financial assistance has been received or is available to pay costs charged to the IHBG-CARES grant
- Recipient retains a copy of the duplication of benefits analysis for monitoring purposes



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Reimbursement of Costs

- IHBG-CARES grants may cover or reimburse any eligible and allowable costs
 - paid by the IHBG recipient with other non-Federal fundsand
 - dating from January 21, 2020 and later
 - CDC date for pandemic onset in the US
- **Section 3** of the Abbreviated IHP/APR identifies the date recipient began preparing for COVID-19
- There should be a program in the Abbreviated IHP/APR specific to reimbursement costs
- **Unique Identifier (Line 1 of Section 3)** must be titled COVID-19 reimbursement costs
- Recipients should maintain:
 - start date documentation
 - documentation to support any costs the recipient plans to reimburse with grant funding



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Use of FY 2020 IHBG for COVID-19

- Only IHBG funds allocated for FY2020 are subject to the additional flexibilities under the waivers/alternative requirements
 - Recipient must notify the Area ONAP that they are going to use FY2020 funds for COVID-19 purposes, and how much they want to reprogram
 - Area ONAP picks the identified amount of FY2020 funds and moves it to the new COVID-19 BLI
 - Area ONAP reprograms the funds, then recipient can submit IHP amendment



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Abbreviated IHP/APR Form

- Abbreviated IHP/APR
 - Modified version of the regular IHP/APR
 - Requesting less information
 - Amended certain data fields
 - Fillable PDF (will not be in EPIC)
- Abbreviated Indian Housing Plan (IHP):
 - how the IHBG recipient will carry out activities or projects that meet the requirements of the CARES Act
- If no FY 2020 IHP submitted: submit Abbreviated IHP
 - may be required to submit additional information



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Abbreviated IHP Review

- Determine if Abbreviated IHP complies with the CARES Act and NAHASDA
- **AS QUICKLY AS POSSIBLE**
- **No more than 15 days** after receipt of a complete Abbreviated IHP
- If IHP is noncompliant
 - Request recipient revise and resubmit ASAP
 - Provide technical assistance to modify Abbreviated IHP, as appropriate
 - Ensure compliance with the CARES Act
- Abbreviated IHP may be amended to adjust any planned eligible activities or programs
 - provided such activities or programs are eligible.



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Grant Agreement and Award Letter

- Abbreviated IHP is found in compliance
- Send recipient an award letter and grant agreement package to sign and return
- Award letter template
- Grant agreement package
 - Grant Agreement
 - Grant Addendum
 - Grant Terms and Conditions
- All documents are in electronic format
- Grant agreement can be signed, scanned, and sent back to ONAP electronically
- Recipient should maintain all documents with wet signatures in their records
- Funds available in LOCCS once the fully executed grant agreement is returned and processed by HUD



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Use of Existing IHBG Formula Funding

- FY 2020 IHBG funds may be used immediately and subject to waiver flexibilities.
- PIH Notice 2020-06 (IHBG-CARES Implementation Notice) describes how to reprogram FY 2020 IHBG funds
 - prevent, prepare for, and respond to COVID-19
 - including maintaining normal operations during the period that the IHBG program is impacted by COVID-19



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FY 2020 IHP Amendment

IHP Amendment in EPIC or the PDF includes one or more programs that include:

- **Unique Identifier (Line 1a (EPIC) or Line 1 (PDF) of Section 3)**: The Unique Identifier must be
 - COVID-19 Prevention
 - COVID-19 Preparation and/or
 - COVID-19 Response
- **Families to Be Served (Line 6 of Section 3)**: A separate program must be included for each type of family being served
 - Low-Income Native American Families
 - Non Low-Income Native American Families or Non-Native Families.



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Reporting Requirements

- **Quarterly Federal Financial Reports (SF-425)**
 - account for the receipt and disbursement of grant funding
 - IHBG CARES will be reported cumulatively for the life of the grant
- **Abbreviated Annual Performance Report (APR) (Form: HUD-52735)**
 - information regarding recipient expenditure of grant funding
 - separate from IHBG Formula APR
 - covers the recipient's typical reporting period
 - due to Area ONAP within 90 days of the end of the recipient's program year unless otherwise specified
- **Additional CARES Act Reporting:** Recipients of \$150,000 or more in IHBG-CARES funding must submit a soon to be developed OMB form
 - amount of funds received
 - amount of funds obligated or expended for each project or activity
 - detailed list of all such projects or activities, including a description of the project or activity
 - detailed information on any subcontracts or subgrants awarded by the recipient.
- Data to be reported is identified on the following slides and are subject to change as COVID-19 evolves



Reporting Requirements

- **Abbreviated APR (continued)**
- **(1)** Total amount of IHBG-CARES grant funding received from HUD.
- **(2)** Total amount of IHBG-CARES grant funding that was expended or obligated during the tribal program year to:
 - **(a)** prevent COVID-19
 - **(b)** prepare for COVID-19; or
 - **(c)** respond to COVID-19
- **(3)** List of all activities for which IHBG-CARES grant funds were expended or obligated under each of the above eligible purpose categories, including:
 - **(a)** the type of the activity;
 - **(b)** a description of the activity, including whether the activity is:
 - **(i)** eligible under the IHBG program; or
 - **(ii)** an eligible activity pursuant to a waivers and alternative requirement set forth in PIH Notice XXXXX related to prevention, preparation for, and response to COVID-19.



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Reporting Requirements

- **Abbreviated APR (continued)**
- **(c)** an explanation of how the activity addresses one or more of the eligible purposes identified in (2), above;
- **(d)** an evaluation of the completion status of the activity;
- **(e)** an estimate of the number of eligible families that were assisted by this activity, including the number of low-income Indian families, non-low-income Indian families, and non-Indian families that were assisted by the activity; and
- **(f)** the name of the person to contact at the Tribe or TDHE if there are concerns with or questions about the activity.



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General COVID-19 Resources

- ONAP COVID-19 Recovery Programs website: [https://www.hud.gov/program_offices/public_indian_housing/ih/Covid Recovery](https://www.hud.gov/program_offices/public_indian_housing/ih/Covid_Recovery)
- IHBG-CARES Waivers and Alternative Requirements, PIH Notice 2020-05
- IHBG-CARES Implementation Notice, PIH Notice 2020-06
- ONAP 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>



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Questions, Comments, Concerns, Suggestions?

Chat Feature



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Thank you for joining today's call.

Please email any additional questions to CodeTalk [@hud.gov](mailto:CodeTalk@hud.gov)

Reminder: Visit www.HUD.gov/coronavirus for the latest COVID-19 resources.