PROGRAM GUIDANCE
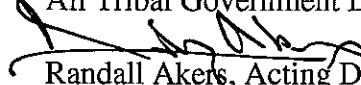
PROGRAM: Indian Housing Block Grant (IHBG), Title VI, and Indian Community, Development Block Grant (ICDBG)

FOR: All Tribal Government Leaders and Tribally Designated Housing Entities

FROM: Randall Akers, Acting Deputy Assistant Secretary for Native American Programs, PN

TOPIC: Using IHBG, Title VI, and ICDBG to Fund Broadband Activities

Purpose: The purpose of this guidance is to provide tribes and tribally designated housing entities with information on several nationwide initiatives to expand broadband connectivity in low-income communities. It also explains how the Indian Housing Block Grant (IHBG), Title VI Loan Guarantee, and Indian Community Development Block Grant (ICDBG) programs can be used to assist in such efforts.

Background: On March 23, 2015, President Obama signed a Presidential Memorandum creating the Broadband Opportunity Council (BOC). The BOC was directed to research ways federal agencies could support the needs of communities seeking broadband investment. The BOC's report, which was issued on September 21, 2015, includes action items and milestones for each agency. For further information see: https://www.ntia.doc.gov/category/broadband-opportunity-council

ConnectHome Initiative: On July 15, 2015, President Obama and HUD Secretary Julián Castro announced the selection of 27 cities and one tribal nation to participate in ConnectHome. Through this partnership, eight internet service providers are partnering with mayors, public housing authorities, non-profit groups, and for-profit entities to bridge the gap in digital access for families with school-age children who live in HUD-assisted housing. For the Choctaw Nation, Cherokee Communications, Pine Telephone, Suddenlink Communications, and Vyve Broadband are working together to ensure that over 425 tribal housing residents have access to low-cost, high-speed internet. Best Buy is also offering computer training and technical support to expand the impact of broadband access for the Choctaw Nation. For further information see:

https://www.whitehouse.gov/connect-america and
http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2015/HUD No_15-090

Program Descriptions: There are three programs administered by the Office of Native American Programs (ONAP) that tribes and tribally designated housing entities can utilize to bring broadband access to their communities. These are the IHBG, the Title VI Loan Guarantee program, and the ICDBG. How these programs can be used for broadband access is described below.

IHBG and Title VI

Section 202 of the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA), as amended, authorizes the use of IHBG funding to develop, operate, maintain, or support affordable housing for rental or homeownership, or to provide housing services with respect to affordable housing. Affordable housing is defined as housing that meets the eligibility requirements outlined in Title II of NAHASDA. Housing that meets the requirements of Title II of NAHASDA could include single-family dwellings, multifamily dwellings, rental and homeownership units, group homes for persons with special needs, emergency shelters, and transitional housing, as well as other housing not assisted under NAHASDA but which meet the requirements of Title II. Utilization of loan amounts obtained through the Title VI Loan Guarantee program is subject to these same core requirements.

Annually, recipients of IHBG funding prepare and submit an Indian Housing Plan (IHP). The IHP also incorporates any planned Title VI funded activities. IHBG recipients could include a program to fund the provision of broadband access under a number of different eligible activities, such as the development or acquisition of new affordable housing, rehabilitation or modernization of affordable housing, other housing services/assistance, or infrastructure to support housing.

ICDBG

The purpose of the ICDBG program is to develop viable Indian and Alaska Native communities, including the creation of decent housing, suitable living environments, and economic opportunities primarily for person with low and moderate incomes. Single purpose ICDBG funding is provided to Federally recognized tribes through a competitive Notice of Funding Availability (NOFA), and is generally made available on an annual basis. Applicants may use these funds for a multitude of community development purposes including the provision of broadband access to their community members. An ICDBG applicant could request funds for broadband access as part of an infrastructure project, or broadband could be incorporated into requests for funds for the acquisition, development, or rehabilitation/modernization of housing for low- and moderate-income families. In general, ICDBG funds cannot be used to purchase equipment that is not an integral structural fixture. However, an applicant can utilize up to 15 percent of any ICDBG grant for public services projects, as described and subject to the provisions of the ICDBG regulations at 24 CFR Part 1003.201(e).

Conclusion: The provision of broadband access is an eligible activity under the programs and criteria described above. In concert with the cited Presidential Memorandum and ConnectHome Initiative, ONAP encourages tribes and tribally designated housing entities to consider broadband connectivity in planned programs in their service areas. In addition, ONAP supports the incorporation of "Dig Once" policies, where broadband connections are incorporated upfront into infrastructure activities (roads, utilities, etc.) to help promote broadband competition, reduce costs for broadband providers, and decrease road-related costs from repeated excavation.

Resources: Listed below are additional Federal resources that can be used for supporting broadband. Please contact the respective organization to see if your tribe or tribally designated housing entity is eligible:

The National Telecommunications and Information Administration has prepared a Guide to Federal Funding of Broadband Projects that may also be of use. See: http://www2.ntia.doc.gov/files/broadband_fed_funding_guide.pdf

Appalachian Regional Commission

Technology and Telecommunications Program – small broadband deployment projects such as fiber runs to industrial parks and installing wireless broadband in underserved an unserved areas in the Appalachian Region. *http://www.arc.gov*

Federal Communications Commission

Connect America Fund (High Cost Program) – subsidizes the cost of operating and extending infrastructure (both fixed and mobile) to serve consumers and small businesses in rural, high cost areas. *http://www.fcc.gov/encyclopedia/connecting-america*

E-Rate (Schools and Libraries Program) – provides discounts of up to 90 percent for broadband to and within elementary and secondary schools (public and private) and public libraries in rural and non-rural areas. *http://www.fcc.gov/e-rate-update*

Rural Health Care Program – subsidizes connectivity for public and non-profit health care providers, with a focus on rural areas. *http://www.fcc.gov/encyclopedia/rural-health-care*
http://www.fcc.gov/document/fcc-releases-healthcare-connect-order

U.S. Department of Agriculture, Rural Utilities Service

Telecommunications Infrastructure Loan Program – designed to provide financing for new and improved telecommunications infrastructure in rural communities of 5,000 or less, and can be used for construction, expansion, and improvements, as well as acquisitions and refinancing (with restrictions). *http://www.rurdev.usda.gov/utp_infrastructure.html*

Farm Bill Broadband Loan Program – designed to provide loans for funding, on a technology neutral basis, for the costs of construction, improvement and acquisition of facilities and equipment to provide broadband service to eligible communities. *http://www.rurdev.usda.gov/utp_farmbill.html*

Substantially Underserved Trust Areas (SUTA) Provisions – special provisions for projects serving trust lands. *http://www.rd.usda.gov/about-rd/initiatives/substantially-underserved-trust-area-suta*

Community-Oriented Connectivity Grant Program – nationally-competitive grant program for providing broadband service to the most rural and economically challenged communities.
http://www.rurdev.usda.gov/utp_commconnect.html

Distance Learning and Telemedicine Grant Program – funds equipment for the construction of networks for distance learning and telemedicine. *http://www.rurdev.usda.gov/UTP_DLT.html*

U.S. Department of Commerce, Economic Development Administration
http://www.eda.gov/funding-opportunities/

Public Works – helps distressed communities revitalize, expand, and upgrade their physical infrastructure. *http://www.eda.gov/pdf/about/Public-Works-Program-1-Pager.pdf*

Economic Adjustment Assistance – provides a wide range of technical, planning, and public works and infrastructure assistance in regions experiencing adverse economic changes that may occur suddenly or over time.
http://www.eda.gov/pdf/about/Economic-Adjustment-Assistance-Program-1-Pager.pdf

Partnership Planning – assistance to eligible recipients to create regional economic development plans in order to stimulate and guide the economic development efforts of a community or region.
http://www.eda.gov/pdf/about/Planning-Program-1-Pager.pdf

Local Technical Assistance – strengthens the capacity of local or State organizations and institutions to undertake and promote effective economic development programs though projects such as feasibility studies, impact analyses, disaster resiliency plans, and project planning.
http://www.eda.gov/pdf/about/Local-TA-and-UC-Program-1-Pager.pdf

U.S. Department of Housing and Urban Development

Choice Neighborhoods – enables communities to revitalize struggling neighborhoods with distressed public housing or HUD-assisted housing. *www.hud.gov/cn*

Institute of Museum and Library Services, Office of Library Services

Native American Library Services Basic Grants (internal wiring and routers only) – available to support existing library operations and to maintain core library services.
http://www.imls.gov/applicants/detail.aspx?GrantId=15

Native American Library Services Enhancement Grants (internal wiring and routers only) – support activities that advance the operations of eligible Native American libraries to new levels of service.
https://www.imls.gov/grants/available/native-american-library-services-enhancement-grants

Native Hawaiian Library Service Grants (internal wiring and routers only) – support activities that enhance existing library services or implement new library services.
https://www.imls.gov/grants/available/native-hawaiian-library-services

Questions: If you have any questions regarding eligibility of broadband projects in your region, please contact your Area Office of Native American Programs.