

PRESIDENT JOE BIDEN

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Bipartisan Infrastructure Law Tribal Playbook:

A roadmap for delivering opportunity and investments in Indian Country

May 2022

In response to chronically underfunded infrastructure in Tribal communities, the Bipartisan Infrastructure Law (BIL) will deploy record investments to provide affordable high-speed internet, safer roads and bridges, modern wastewater and sanitation systems, clean drinking water, reliable and affordable electricity, and good paying jobs in every Tribal community. The law provides more than \$13 billion in funding to directly support Tribal communities and makes Tribes eligible to apply for or request billions in discretionary, formula, and other funding. In total, this funding represents the single largest investment in Tribal infrastructure ever. To help Tribal applicants navigate the full range of funds both available to Tribal Nations and set aside for their communities, this playbook provides an overview of the “what, when, where, and how” to apply for funds.

This playbook has two specific goals, and is organized in two parts:

- (1) **Identify programs and sources of funds specifically set aside for Tribal communities under the law.** There are over \$13 billion dollars in Tribal-specific programs or set-asides for Tribes within existing programs under the law. The first half of this document provides an outline of these funds and guidance on where to seek technical assistance and further information.
- (2) **Provide a guide to Tribal eligibility for other programs under the law** and identify specific benefits or flexibilities for Tribes and Tribal communities – like waivers for Federal matching requirements for Tribal Nations that apply for competitive funds or enhanced benefits under existing programs for members of Tribal Nations. In partnership with the Bureau of Indian Affairs, the White House also has identified more than 150 programs under the law where Tribes or Tribal entities are eligible to apply for funding.

Part I: Tribal Set Asides

Over \$13 billion set aside for Tribal infrastructure

Program Name	Agency	Funding	Description
IHS Sanitation Facilities Construction Program	HHS	\$3.5 B	Funding to build infrastructure necessary to ensure a safe supply of drinking water, reliable sewage systems, and solid waste disposal facilities.
Tribal Transportation Program	DOT	\$3.0 B	Funding to increase safety, mobility, and access for Tribal communities.
Indian Water Rights Settlements	DOI	\$2.5 B	Funding to satisfy Federal obligations under Indian water rights settlements reached as of November 15 th , 2022.
Tribal Broadband Connectivity Program	DOC	\$2.0 B	Funding for an existing grant program that invests in broadband infrastructure, distance learning, telehealth, and activities that promote access and adoption of these services.
Clean Water and Drinking Water Grants	EPA	\$0.9 B	Funding for several programs at EPA to promote safe, healthy, and clean drinking water through State Revolving Funds.
Tribal Transportation Facility Bridges	DOT	\$0.8 B	Funding for planning, designing, engineering, replacing, improving, or constructing bridges on Tribal lands.
Safety of Dams	DOI	\$0.3 B	Funding for the Bureau of Indian Affairs to improve the safety of dams, water sanitation, and other facilities.
Climate Adaptation and Community Relocation	DOI	\$0.2 B	Funding to pursue climate-resilient planning, and implement managed retreat, expansion, protect-in-place, and relocation options for threats associated with the climate change and environmental degradation
Tribal Orphaned Wells	DOI	\$0.2 B	Funding to plug, cap, and remediate orphan oil and gas wells on Tribal lands.
TOTAL			> \$13 billion

Promoting affordable, high-speed internet

Access to affordable, high-speed internet access is a modern-day necessity. But too often, Tribal communities have been left behind in the pursuit of universal broadband coverage at affordable rates. According to the Federal Communications Commission’s 2021 Broadband Deployment Report, less than half of households living on Tribal lands possess high-speed internet at home. To close this digital divide, BIL includes billions of dollars of investments in laying the critical broadband infrastructure and lowering costs to connect families.

- Tribal Broadband Connectivity Grant Program:* BIL allocates \$2 billion to Tribal governments, Tribal organizations, and Tribal colleges and universities for an existing grant program that invests in broadband infrastructure, distance learning, telehealth, and activities that promote access and adoption of these services. This infusion of funding through the Department of Commerce’s National Telecommunications and Information Administration (NTIA) triples the Federal government’s support for a critical program to connect Tribal communities to the internet. Though Tribal lands have access to other broadband funds—including in other provisions of the Bipartisan Infrastructure Law—these funds will give Tribal governments the flexibility to determine the best route to meet their communities’ needs. Funds will be distributed through competitive grants that do not require matching funds. Interested parties must submit a

formal application outlining their project proposal. The application period will open following a [Tribal consultation](#) by the Department of Commerce. More information can be found on the assistance listing [here](#).

- *State Digital Equity Planning Grant Program:* BIL provides \$60 million in grants to states, territories, Tribal governments, Alaska Native entities, and Native Hawaiian organizations through a new program at the Department of Commerce's NTIA. These funds are intended to be used to develop State/Territory/Tribal digital equity plans. At least five percent of these funds, and a portion of the State Digital Equity Capacity Funds, will be distributed to Tribal governments, Alaska Native entities, and Native Hawaiian organizations to support digital equity planning. More information, including technical assistance, can be found [here](#).
- *State Digital Equity Capacity Grant Program:* BIL provides \$1.44 billion in grants to states, territories, Tribal governments, Alaska Native entities, and Native Hawaiian organizations through a new program at the Department of Commerce's NTIA. These funds can be used to advance digital equity plans, expand broadband adoption, or support technological literacy (funding to develop digital equity plans is described in the bullet above). At least five percent of funds, or more than \$70 million, will be distributed to Tribal governments, Alaska Native entities, and Native Hawaiian organizations. More information, including technical assistance, can be found [here](#).
- *Digital Equity Competitive Grant Program:* BIL provides \$1.25 billion over five years through a new program at the Department of Commerce's NTIA. These grants go to projects that support the adoption and use of high-speed internet among underserved communities, including Tribal communities. Eligible applicants include Tribal governments, Alaska Native entities, and Native Hawaiian organizations who will receive at least \$62.5 million worth of awards. More information, including technical assistance, can be found [here](#).

Rebuilding Roads, Bridges, and Public Transportation in Indian Country

Rampant underinvestment in Tribal roads and bridges has placed hardships on tribal communities, negatively harming connectivity, economic development, and community safety. BIL substantially increases investments in transportation-related Tribal infrastructure to rebuild and upgrade these critical transit systems, including the estimated 145,000 miles of roads passing through Tribal lands.

- *Tribal Transportation Program:* BIL includes nearly \$3 billion in funding for the Tribal Transportation Program. Funding is deployed through a number of vehicles toward transportation projects that increase safety, mobility, and access

for Tribal communities. Federally-recognized Tribal governments are eligible to apply. Funds will be administered over five years, with additional guidance on eligible uses of funds will come in the next few months. More information on specific programs and eligibilities can be found [here](#).

- *Tribal High Priority Projects Program*: BIL sets aside \$45 million of Tribal Transportation Program funds over five years for a competitive grant program to fund a Tribe's highest priority transportation project, if other funds received under the Tribal Transportation Program are insufficient to cover total costs. Funds can also flow to Tribes that experience disasters that render transportation facilities unusable.
- *Tribal Transportation Facility Bridges*: BIL sets aside a proportion of funds under the Bridge Formula Program for Tribal bridges. Over four years, the Department of Transportation will invest \$825 million in planning, designing, engineering, replacing, improving, or constructing bridges on Tribal lands. In addition, Tribal governments are also eligible for a \$200 million set-aside from the Bridge Investment Program to improve the condition, safety, efficiency, and reliability of bridges on the National Bridge Inventory. More information, including regulations, a recorded webinar, and contact information for program staff is available [here](#).
- *Nationally Significant Federal Lands and Tribal Projects*: BIL allocates \$275 million over five years to an existing program offered by the Department of Transportation. The funding goes toward construction, reconstruction, and rehabilitation of nationally significant projects within, adjacent to, or accessing Federal and tribal lands. All applicants eligible to receive funding under the Tribal Transportation Program—which includes Tribal governments—are eligible to apply. In addition, Tribal governments are eligible for 100% cost share. More information, including program status, resources, and a webinar schedule, can be found [here](#).
- *Tribal Transit Program*: BIL includes approximately \$230 million to the Public Transportation on Indian Reservations program. This includes over \$180 million to a formula grant issued to Federally recognized Tribes and Alaska Native Village for public transportation on Tribal lands, as well as more than \$45 million in competitive funding for the same purpose. More information is available [here](#).
- *Railroad Crossing Elimination Program*: BIL invests \$3 billion for making improvements to highway and pathway rail crossings. At least 20 percent of funds are reserved for projects in rural areas or on Tribal lands. For Fiscal Year 2022, \$600 million will be made available to states, Tribes, local governments, and regional/local transportation bodies. More information is available [here](#).

Protecting Our Shared Environment and Promoting Clean Energy

Since day one, the Biden-Harris Administration has made combatting the climate crisis a core priority of every aspect of its work to build a better America. Through investments in clean energy, cleaning-up pollutants, and promoting sustainable conservation practices, BIL takes critical steps to protect our planet. This is particularly true on Tribal lands, where a number of BIL program aim to mitigate environmental threats while advancing equity and environmental justice.

- *Tribal Orphaned Well Grant Program*: BIL invests nearly \$4.7 billion into direct Federal spending, grants to states and Tribes, and technical assistance for a new program to plug orphaned oil and gas wells. This includes a \$150 million program to plug, cap, and remediate orphan oil and gas wells on Tribal lands. These unplugged wells are harmful to both humans and our planet through contaminated water, methane emissions, and chemical leakage. Funds can be used for all stages of clean-up, including inventorying the number and scope of abandoned wells, removal of equipment, and site restoration. Application guidance is projected to be published later this year. More information about the structure of the broader orphaned wells program is available [here](#).
- *Tribal Climate Resilience - Community Relocation*: BIL allocates \$130 million for Tribal governments to plan and implement managed retreat, expansion, protect-in-place, and relocation options for threats associated with the climate change and environmental degradation. More information, including details about the 2022 Request for Proposals, can be found [here](#).
- *Tribal Climate Resilience – Adaptation Planning*: BIL allocates \$86 million for Tribal governments to pursue climate-resilient planning. These funds can be deployed towards a variety of activities related to risk assessment, monitoring, and coastal management, among other eligible purposes. More information, including details about the 2022 Request for Proposals, can be found [here](#).
- *Energy Efficiency and Conservation Block Grant*: BIL funds a \$550 million investment in a new grant program at the Department of Energy for state, local, and Tribal governments to reduce their fossil fuel footprint and bolster conservation efforts. Funds can go toward a wide array of uses energy-efficient uses, ranging from standing up inspection services for efficiency certification to funding methane capture projects to installing renewable energy technology. The program sets aside 2% of funds—or \$11 million—exclusively for grants and technical assistance to Tribal applicants. More information can be found [here](#).

- *Electric Grid Resilience Programs:* BIL provides funding under several programs for enhancing the resilience of the electrical grid. Under the Preventing Outages and Enhancing the Resilience of the Electric Grid Program, DOE allocates \$459 million annually via formula, over a period of five years, to states, territories, and Tribes to improve the resilience of the electric grid against disruptive events. The Department of Energy is inviting comment through June 2 on the structure of the program, more information can be found [here](#). Additional information on another grid resilience program, Program Upgrading Our Electric Grid and Ensuring Reliability and Resiliency, that Tribes are eligible for is available [here](#).
- *Hazardous Fuels Treatments:* BIL appropriates up to a combined \$50 million to the Departments of Agriculture and Interior for implementation of the Tribal Forestry Protection Act. This funding will be used to support work on Forest Service or Bureau of Land Management land that poses a fire, disease, or other threat to Tribal forest land, rangeland or tribal communities. More information can be found [here](#).

Ensuring Clean and Safe Water, and Upgrading Sanitation Systems

The Biden-Harris Administration believes that access to reliable wastewater systems and safe drinking water is a right for every family. However, a series of water challenges threaten access to that right for communities across the country, especially on Tribal lands. BIL programs provide several opportunities for Tribal communities to pursue sustainable and safe water systems.

- *Indian Health Service Sanitation Facilities Construction Program:* BIL provides a total of \$3.5 billion to the Indian Health Service to address the projects on the IHS Sanitation Deficiency System list. This funding will support the infrastructure necessary to ensure a safe supply of drinking water, reliable sewage systems, and solid waste disposal facilities to promote high-quality health care and disease prevention in Tribal communities. More information about the Division of Sanitation Facilities Construction is available [here](#).
- *Indian Water Rights Settlement Completion Fund:* BIL authorized \$2.5 billion to satisfy Federal obligations under Indian water rights settlements reached as of November 15th, 2022. This package includes funding for numerous settlements with various Tribes. The Department of Interior has already allocated \$1.7 billion in settlements. Full details about funding recipients is available [here](#).
- *Clean and Drinking Water State Revolving Funds:* BIL issues \$43.4 billion in additional funding for several programs to promote safe, healthy, and clean drinking water through State Revolving Funds. Each of these EPA funding streams includes a 2% Tribal set-aside, meaning that Tribal governments are

eligible to receive approximately \$868 million. The Tribal funding will be allocated as follows: \$234M for Clean Water SRF, \$234M for Drinking Water SRF, \$100M to address emerging contaminants in clean (\$20M) and drinking (\$80M) water, and \$300M in Lead Service Line Removal Funding. EPA Regions are responsible for working with the Indian Health Service (IHS) and the tribes, to identify, prioritize, and select projects to receive funding from its share of the program funds. More information about the Tribal Drinking Water program is available [here](#) and more information about the Tribal Clean Water program is available [here](#).

- *Fish Passage Restoration*: BIL apportions \$400 million for restoring fish passage. Of this, \$60 million is set aside for Tribes and partnerships with Tribes to remove in-stream barriers. Funds, which take the form of grants, cooperative agreements, and Federal spending, will be dispersed through the National Oceanic and Atmospheric Administration at the Department of Commerce. In addition, a separate program for fish passage at the Department of the Interior will deploy and additional \$200 million for similar projects. More information about fish passage restoration efforts is available [here](#).
- *Safety of Dams, Water Sanitation, And Other Facilities*: BIL provides \$200 million to improve the safety of dams, water sanitation, and other facilities. These funds will be allocated to the Bureau of Indian Affairs and dispersed to Tribal governments to reduce the risk of dam failure. More information about the program is available [here](#).
- *Tribal Irrigation and Power Systems*: BIL allocates \$50 million in funding to Tribal governments for deferred maintenance and deficiencies at seventeen irrigation projects on Tribal lands. More information about BIA's Branch of Irrigation and Power is available [here and a press release on the latest round of announced projects is available here](#).
- *Underground Injection Control Grants*: BIL provides \$50 million for a competitive grant program for states and Tribes to support efforts to safeguard drinking water sources from contamination. Seven percent of the overall UIC grant program is set aside for Tribes. BIL funding specifically targets support to wells used for carbon sequestration. More information about the program is available [here](#).

Investing in Tribal Cybersecurity

Strengthening our national cyber defenses is a paramount priority for the Biden-Harris Administration. Over the past several months, the Administration has issued executive orders, worked to create public-private partnerships, and bolstered cyber defense at the

Federal level. Through the State and Local Cybersecurity Grant program, BIL also makes critical investments to keep Tribal data, governments, and communities safe from the threat of cyber-attacks.

- *State and Local Cybersecurity Grant Program:* BIL allocates \$1 billion toward mitigating cybersecurity risks and cybersecurity threats to governmental information security systems. Tribal governments—as well as states and territories—are eligible to apply for these grants. A base level of three percent—or \$30 million—of the overall grant funds are reserved for Tribal governments. In addition, BIL tasks the Department of Homeland Security with preparing a report and recommendations on Tribal government cybersecurity to Congress. Applications for these funds are projected to open in the third quarter of 2022.

Part II: Additional Opportunities for Tribal Applicants

Beyond this historic guaranteed investment, BIL also offers billions of dollars in competitive and other funding that Tribes and Tribal entities are eligible to apply for. The following section lists some of the opportunities that may be most responsive to challenges and opportunities facing Tribal communities. These programs range from broadband infrastructure to water system assistance and land clean-up. In many cases, though money is not set aside explicitly for Tribal communities, Tribal applicants are eligible to receive additional benefits.

Promoting affordable, high-speed internet:

Affordable Connectivity Program: BIL provided the Federal Communications Commission with \$14.2 billion to subsidize the cost of internet service for lower-income households. Households on Tribal lands are eligible to receive a subsidy of up to \$75 per month for internet. Eligible households can also receive a one-time discount of up to \$100 to purchase a laptop, desktop or tablet. The Administration has also secured commitments from 20 leading internet service providers to offer ACP-eligible households high-speed, high-quality internet plans for no more than \$30 per month. Eligible families who pair their ACP benefit with one of these plans can receive high-speed internet at no cost. More information about the Affordable Connectivity Program can be found at [GetInternet.Gov](https://www.getinternet.gov).

- *Middle Mile Grants Program:* BIL provided the Department of Commerce with \$1 billion for construction of middle mile broadband infrastructure. As a result of historical inequities, Tribal lands are often situated in “internet deserts” without any internet service. Moreover, even when Tribal households and businesses have internet access, they are often faced with exorbitant rates because the cost of

providing service is higher on many Tribal lands. The new Middle Mile Grants Program funds vital middle mile infrastructure, which facilitates access to broader internet infrastructure. Tribal governments, other Native entities, electric cooperatives, and nonprofits are eligible to apply. In addition, Tribes may receive a cost share waiver. Applications are projected to open in Q2 of 2022. Additional information on this program can be found [here](#).

- *ReConnect Program*: BIL apportions \$1.926 billion for projects funded by the Department of Agriculture's ReConnect Program. These funds will be used to provide loans and grants to construct, improve, or acquire the infrastructure needed to deploy high-speed internet to rural areas across the country. USDA has waived the 25% matching funds requirement for grant proposals that would serve socially vulnerable communities or submitted by Federally recognized Tribes. BIL expanded this waiver to Alaska Native Corporations, and to proposals serving colonias or persistent poverty counties. For individual questions, please contact Tedd Buelow, Rural Development Tribal Coordinator at tedd.buelow@usda.gov, or Laurel Leverrier, Assistant Administrator for Rural Utilities Service – Telecommunications Program at laurel.leverrier@usda.gov. More information about the ReConnect program is available [here](#).

Rebuilding Roads, Bridges, and Public Transportation in Indian Country:

- *Nationally Significant Freight and Highway Projects (INFRA)*: BIL invests \$8 billion in a competitive grant process for multimodal freight and highway projects. Tribal governments are eligible to apply, and BIL amended the law to include a minimum 30 percent set-aside for small projects, largely intended for rural areas. More information about the program is available in the [combined FY22 funding opportunity](#) released in March.
- *National Infrastructure Project Assistance (MEGA)*: BIL establishes a new program at the Department of Transportation to provide grants for 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 of national or regional significance. BIL provides \$5 billion over five years in competitive grants for these projects. Tribal governments and consortia of Tribal governments are eligible to apply. More information about the program is available in the [combined FY22 funding opportunity](#) released in March.
- *Rural Surface Transportation Program*: BIL provides \$2 billion dollars to a new Rural Surface Transportation grant program, including \$300 million for FY22. These funds can be deployed to rural areas, including on Tribal lands. The goals include increasing connectivity, safety, and economic growth. More information

about the program is available in the [combined FY22 funding opportunity](#) released in March.

- *Bridge Investment Program:* BIL invests \$12.2 billion over four years through the new Bridge Investment Program to support projects that improve bridge safety, efficiency, and reliability. States, metropolitan planning organization, local governments, and Tribal governments are eligible to apply. Additional information on application release is forthcoming and will be available [here](#).
- *Local and Regional Project Assistance:* BIL expands the Department of Transportation's existing RAISE (previously "BUILD/TIGER") competitive grants program to provide \$7.5 billion over four years. Eligible parties, including Tribal governments, can apply for grants for highways, bridges, passenger rail, ports, airports, and other surface transportation projects of local or regional significance. More information is available [here](#).
- *Safe Streets and Roads for All Program:* BIL includes \$5 billion for a new competitive Safe Streets and Roads for All program. Studies show that Tribal communities have been disproportionately impacted by roadway fatalities. Recipients, including Tribal governments, can use funds to support "vision zero" plans and other investments in transportation systems that reduce fatalities. More information is available [here](#).
- *Highway Safety Programs:* BIL invests nearly \$2 billion in formula funding for highway safety programs through the Department of Transportation. Part of this money will flow directly to Tribes, with additional opportunities available through competitive grants. Tribes may also receive a cost share waiver, meaning they do not need to provide matching funds.
- *Reconnecting Communities Pilot Program:* BIL establishes a pilot program at the Department of Transportation to provide grants to conduct feasibility studies, planning activities, and construction activities on existing eligible transportation facilities that create barriers for community connection. The law apportions \$1 billion to this effort through competitive grants to eligible facilities. More information is available [here](#).
- *Bus and Bus Facilities:* BIL includes over \$3.1 billion in formula funding for Bus and Bus Facilities, and nearly \$2 billion for competitive grants. Tribal governments are eligible to receive money from both grant programs to rehabilitate, replace, purchase or lease buses or bus-related facilities. More information is available [here](#).

- *National Culvert Removal, Replacement, & Restoration Grant:* BIL allocates \$200 million for the National Culvert Removal, Replacement, and Restoration Program at the Department of Transportation. This program will provide grants to states, local governments, and Tribes to remove or improve culverts in service of improved fish passage.
- *Grants for Charging and Fueling Infrastructure:* BIL creates several programs for deployment of fueling infrastructure such as electric vehicle chargers. EV charging deployment can support a transition to clean and affordable electric vehicles. Tribes are eligible applicants for \$2.5 billion in funding for community-based charging and alternative fuels corridors. Grant details will be available soon. More information is available [here](#).

Protecting Our Shared Environment and Promoting Clean Energy:

- *Clean School Bus Program:* BIL provides the Environmental Protection Agency with \$5 billion over five years to replace existing school buses with clean school buses and zero emission school buses. Tribes, Tribal organizations, or Tribally-controlled schools responsible for the purchase of school buses or providing school bus service for a Bureau of Indian Affairs (BIA) funded school are eligible to apply. The program gives priority for applications that propose to replace buses that serve BIA-funded school districts and school districts that receive basic support payments under [section 7703\(b\)\(1\) of title 20](#) for children who reside on Tribal land. Information about Clean School Bus funding programs may be found at www.epa.gov/cleanschoolbus and questions may be directed to CleanSchoolBus@epa.gov.
- *Battery Manufacturing and Recycling Grants and Battery Material Processing Grants:* BIL apportions \$3 billion each to two grant programs that promote manufacturing, processing, and recycling for batteries. In both grant programs, the law directs the Secretary to prioritize applicants who partner with Tribes. More information is available [here](#) and [here](#).
- *Solid Waste Management and Recycling:* BIL invests \$350 million in funding for new grant programs focused on local waste management infrastructure and recycling programs, improving consumer education and outreach on recycling, and reducing contamination of the recycling and organics waste streams. More information is available [here](#). To receive periodic updates on grants related to recycling and supporting a circular economy for all, sign up [here](#) or email EPAREcycles@epa.gov.
- *Brownfields Projects:* BIL authorizes \$1.5 billion in additional funding to support the EPA's Brownfields program to help communities, states, and Tribal nations to

clean up Brownfields in a safe and sustainable manner. Brownfields are sites whose development or expansion is constrained by the presence of toxic contaminants. \$1.2 billion of this funding will go to competitive grants, while \$300 million will fund state and Tribal Nation response programs. Potential applicants for brownfields grants should become familiar with application guidelines and determine which priority sites are eligible for funding. More information about available brownfields grants and other available resources for communities can be found [here](#). Information about BIL's historic investments in the program is available [here](#).

- *Pacific Coastal Salmon Recovery Fund*: BIL provides \$172 million to support recovery efforts for Pacific coastal salmon through the National Oceanic and Atmospheric Administration at the Department of Commerce. These investments will protect, restore, and conserve Pacific salmon and steelhead and their habitats through competitive funding to the states of Alaska, Washington, Oregon, Idaho, Nevada, and California and Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), or their representative Tribal commissions and consortia. More information is available [here](#).
- *Energy Improvement in Rural and Remote Areas*. BIL allocates \$1 billion to provide financial assistance to increase environmental protection from the impacts of energy use and improve resilience, reliability, safety and availability of energy in rural or remote areas of the U.S. Tribal groups are eligible to apply for funding. The Department of Energy expects to provide technical assistance funding for this program beginning in summer of 2022. More information is available [here](#).
- *Clean Hydrogen Manufacturing Recycling Research, Development and Demonstration Program*. BIL allocates \$500 million to provide Federal financial assistance to advance new clean hydrogen production, processing, delivery, storage and use equipment manufacturing technologies and techniques. Priority will be given to projects that operate in partnership with Tribal energy development organizations, Indian Tribes, Tribal organizations, Native Hawaiian community-based organizations. The Department of Energy anticipates publishing a Notice of Intent on program design in summer of 2022. More information is available [here](#).
- *Regional Clean Hydrogen Hubs*. BIL allocates \$8 billion to support the development of at least four regional clean hydrogen hubs to improve clean hydrogen production, processing, delivery, storage and end use. These efforts will contribute to a broader strategy for a national clean hydrogen network. Potential recipients include technology developers, industry, national labs, utilities, state, local, and Tribal governments, among others. The Department of Energy

anticipates an initial funding opportunity announcement in fall of 2022. More information can be found [here](#).

Ensuring Clean and Safe Water, and Upgrading Sanitation Systems:

- *Planning Assistance to State and Tribes:* BIL apportions \$30 million to states and Tribes for planning assistance related to water resource challenges through the Army Corps of Engineers. Tribal cost share requirements for projects are waived, up to \$200,000.

Additional programs

- *Regional Commissions:* BIL provided \$1.38 billion to the regional commissions, which are Federal-state partnerships that invest in infrastructure and workforce and business development in distressed communities across the United States. Tribal entities located in the commissions' regions are eligible to apply for grants. The commissions include Appalachian Regional Commission, Delta Regional Authority, Denali Commission, Northern Border Regional Commission, and Southeast Crescent Regional Commission.
- *Tribal Benefits for Infrastructure Permitting Assistance - Permitting Council:* The Permitting Council is a unique Federal agency charged with improving the transparency, predictability, and outcomes of the Federal environmental review and authorization process for certain critical infrastructure projects in the following industry sectors: renewable and conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, mining, and carbon capture.

Established in 2015 by Title 41 of the Fixing America's Surface Transportation Act (FAST-41), the Permitting Council is comprised of 16 members, including the Executive Director (Permitting Council Chair), the Deputy Secretary (or equivalent) from 13 Federal agencies, the Chair of the Council on Environmental Quality, and the Director of the Office of Management and Budget. FAST-41 is intended to facilitate good project management practices, foster a high level of communication and collaboration, and provide transparency to achieve a high-quality, accountable, and effective project review and permitting process.

FAST-41 coverage is voluntary – project sponsors must apply for and receive FAST-41 coverage to receive the benefits of the FAST-41 program, which include:

- (i) a coordinated and comprehensive permitting timetable posted on the Federal Permitting Dashboard that contains all Federal environmental reviews and permits needed to begin project construction;

- (ii) mandatory interagency coordination in processing all project-related reviews and authorizations;
- (iii) mandatory Federal consultation with the project sponsor on all permitting timetable modifications;
- (iv) unique elevation procedures that allow agency principles to directly resolve covered project permitting issues; and
- (v) access to funding opportunities to make the project review and permitting process more efficient.

The BIL lowers the barriers to FAST-41 access for infrastructure projects that are sponsored by an Indian Tribe, an Alaska Native Corporation, a Native Hawaiian organization, the Department of Hawaiian Home Lands, or the Office of Hawaiian Affairs, if that project is also intended to be located on lands owned or under the jurisdiction of the same project sponsor.

Additionally, the BIL grants the Permitting Council Executive Director new authority to transfer Federal funds to Tribal governments to facilitate timely and efficient environmental reviews and authorizations for FAST-41 covered projects (e.g., Historical Preservation Act section 106 reviews, NEPA review, Government-to-Government consultations, etc.).

For more information, please visit the Permitting Council’s website [here](#); or email at fast.fortyone@fpisc.gov

Additional Information

Infrastructure Guidebook

A complete Guidebook to the Bipartisan Infrastructure Law for state, local, Tribal, and territorial governments, and other partners—including detailed information about awarding agencies, funding amounts, availability, and eligible uses—can be found [here](#).

Agency Contact Information

Department of Transportation: intergov@dot.gov

Department of Interior: OIEA@ios.doi.gov

Department of Commerce: CommerceIGA@doc.gov

Department of Energy: DL-RegionalSpecialists@hq.doe.gov

Department of Agriculture: EIA@usda.gov

Environmental Protection Agency: State&Local@epa.gov

Federal Emergency Management Agency:

<https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>

Disclaimer: This guide is designed to help users familiarize themselves with the Bipartisan Infrastructure Law. Nothing contained in this document constitutes guidance from the U.S. government on any law, program, policy, application process, or funding eligibility. Applicants for funding should consult official agency or program specific guidance for additional information.