



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

October 15, 2021

via Email

Dear Tribal Leader:

As Treasury's Point of Contact for Tribal Consultation, I would like to invite you to participate in a Tribal Consultation on Proposed Methodology for Reallocating Emergency Rental Assistance Program funds for Tribal governments and Tribally Designated Housing Entities (TDHEs). Consultation will be held Thursday, November 18, 2021 from 3:00 p.m. to 5:00 p.m. Eastern Time.

The Emergency Rental Assistance program makes available \$25 billion to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic. The funds are provided directly to States, U.S. Territories, local governments, and Indian tribes. Grantees use the funds to provide assistance to eligible households through existing or newly created rental assistance programs. More information on the program can be found [here](#).

Congress anticipated that there would be a need to reallocate ERA1 funds in the fall of 2021 in order to address evolving needs for rental assistance over the course of the ERA program and to reflect the greater capacity of some recipients to deploy funding. The statute directs the Treasury Department to begin reallocating "excess" ERA1 funds on September 30, 2021 and empowers Treasury to develop reallocation procedures governing this process.

The Department of the Treasury is seeking your input on the methodology for reallocating Emergency Rental Assistance Program Funds to Tribal governments. Specifically, our questions are:

1. What factors should be considered when determining a Tribe's ability to expend funds that should be considered in reallocating funds?
2. What factors and data should be considered when determining the reallocation of funds to high-need, high-performing Tribes and TDHEs?
3. Reallocation for states were based on a minimum expenditure ratio. Are there any mitigating factors that are unique to Tribal governments and TDHEs that should be considered when reviewing the minimum expenditure ratio?
4. Are their circumstances where an increase in technical assistance to Tribes and TDHEs would greatly enhance performance? How would Treasury determine this need?
5. In the state program, states facing a reallocation were able to present a case for mitigating circumstances. What are circumstances likely to be presented by Tribes and TDHEs in requesting a review of potential reallocation?

6. In the state program, efforts were made to keep funds within the same state boundaries. Given the diversity in the geographic and demographic composition of American Indians, what would you recommend to Treasury that helps ensure reallocations are fair and equitable?

We respectfully request that each Tribe register one primary leader or designee to provide comments. If time permits, we will hear from Tribal stakeholders. All others are welcome to register as listen-only participants. Written comments are welcomed and should be submitted to [EmergencyRentalAssistance.gov](https://www.EmergencyRentalAssistance.gov). ***The deadline for comments on implementation to be submitted is Tuesday, November 30, 2021 11:59 p.m. AK.***

Register [here](#).

Consultations are off the record and not for press purposes.

We will send out an agenda to registered participants before or on Tuesday, November 16, 2021.

We hope that you will be able to join us for this important discussion and value your participation.

Sincerely,

Nancy Montoya
Point of Contact for Tribal Consultation
and Treasury Tribal Affairs Program Coordinator
U.S. Department of the Treasury